

**BUNCOMBE COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
REZONING ANALYSIS**

CASE NUMBER : ZON2010-00316
 PROPOSED ZONING CHANGE : R-1 TO R-3
 LOCATION : 904 RICEVILLE ROAD
 PIN NUMBER : 9669-65-1782
 ACREAGE : 0.70ACRES

APPLICANT/OWNER: RICKY C BRIGGS FOR PATRICIA SHERLIN DAVIS
 PO BOX 1062
 ASHEVILLE NC 28802

DEPARTMENT RECOMMENDATION: **APPROVAL**

BOARD CONSIDERATIONS: The Board must determine if there is a reasonable basis for the requested change. An applicant's showing of reasonableness must address the totality of the circumstances and must demonstrate that the change is reasonable in light of its effect on all involved. Good Neighbors of South Davidson v. Town of Denton, 355 N.C. 254, 559 S.E.2d 768 (2002). Determination must be, the “product of a complex of factors.” Chrismon v. Guilford County, 322 N.C. 611, 370 S.E.2d 579 (1988). Among the factors relevant to this analysis are the size of the tract in question; the compatibility of the disputed zoning action with an existing comprehensive zoning plan; the benefits and detriments resulting from the zoning action for the owner of the newly zoned property, his neighbors, and the surrounding community; and the relationship between the uses envisioned under the new zoning and the uses currently present in adjacent tracts. Id.

REZONING SUMMARY: The applicant requests the rezoning of 0.70 acres from R-1 (Residential District) to R-3 (Residential District). The subject property is located on the west side of Riceville Road to the north of the intersection of Riceville Road and Upper Grassy Branch Road. The property is undeveloped. The subject property is adjacent to property zoned R-3 and surrounded by uses allowed in the R-3 zoning district, but not allowed in the R-1 zoning district such as mobile homes and mobile home parks. The requested zoning would be consistent with surrounding uses and the Buncombe County Comprehensive Land Use Plan as the Buncombe County Comprehensive Land Use Plan Update indicated that R-3 is suitable for higher density uses and mobile homes (Buncombe County Comprehensive Land Use Plan, VII-3). The proposed R-3 zoning would be consistent with the surrounding which already contain mobile homes and a nearby mobile home park. The requested zoning would be not be detrimental to the owner, adjacent neighbors, and surrounding community. Therefore the Buncombe County Department of Planning and Development recommends **APPROVAL** of the request.