

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

CASE NUMBER : ZPH2011-00089  
 PROPOSED ZONING CHANGE : R-2 TO R-3  
 LOCATION : BEE RIDGE ROAD  
 PIN NUMBER : 9666.39.1698 AND 9667.30.3011  
 ACREAGE : 4.45 acres

APPLICANT/OWNER: KASHKA DEBRUHL-CAWTHORN  
 139 BETHANY CHURCH ROAD  
 FAIRVIEW NC 28730

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 has requested the rezoning of 4.45 acres from R-2 (Residential District) to R-3 (Residential District). The two properties both have frontage on Bee Ridge Road, prior to its intersection with Barger Road. The property with the PIN 9666.39.1698 currently contains a mobile home park while the other lot is currently vacant. Although the majority of the property surrounding the subject property is zoned R-2, the area is a mix of uses, which includes double wide mobile homes, single wide mobile homes, and single family homes on large tracts. Additionally, adjacent from the subject property, across Bee Tree Road is property zoned R-3. Given the mix of uses in the area and the adjacent property zoned R-3 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 area, which already contains mobile homes. 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.

**LAND USE PLAN COMPLIANCE STATEMENTS JANUARY 20, 2011**

CONSISTENT: The requested map amendments would be consistent with the Buncombe County Comprehensive Land Use Plan as the Buncombe County Comprehensive Land Use Plan Update indicated that R-3 is suitable for mobile homes (Buncombe County Comprehensive Land Use Plan, VII-3). The requested zoning would be reasonable and in the interest of the adjacent neighbors as the surrounding area includes mobile homes and would bring the existing mobile home park into compliance.

NOT CONSISTENT: The requested map amendments would not be consistent with 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 (Buncombe County Comprehensive Land Use Plan, VII-3). The requested zoning would not be reasonable and in the interest of the adjacent neighbors as the property surrounding the subject property is zoned R-2.