

RESOLUTION OF PLANNING BOARD RECOMMENDATION TO THE BUNCOMBE COUNTY BOARD OF COMMISSIONERS ON APPLICATION FOR PROPOSED ZONING MAP AMENDMENT

WHEREAS, the Zoning Administrator for Buncombe County has received an application from C. Daryl Rosenberger requesting an amendment to The Official Zoning Map of Buncombe County on a portion of the parcel identified as follows and as shown herein as "Figure A":

An approximately six acre portion of PIN 9677-21-2223 located on the Southern side of Charlotte Highway East of the intersection with Cedar Mountain Road, which is currently zoned Low Density Residential (R-LD). The Applicant is requesting that the zoning designation for this portion of the property be changed from Low Density Residential (R-LD) to Neighborhood Service District (NS);

WHEREAS, the Zoning Administrator certified that notices of the meeting of the Buncombe County Planning Board at which this application was considered have been properly mailed to members of the Planning Board, the applicant(s), owner(s), and all adjoining property owners at least ten (10) days prior to the meeting; public notice of the meeting has been properly published in a newspaper having general circulation in the County; and notice of the public hearing concerning this zoning map amendment has been prominently posted as required; and

WHEREAS, pursuant to N.C. Gen. Stat. §153A-344 and §78-719 of the Buncombe County Code of Ordinances, the Planning Board is charged with making a recommendation to the Board of Commissioners and to comment on whether the requested zoning change is consistent or inconsistent with the Comprehensive Land Use Plan and on whether the requested zoning change is reasonable and in the public interest; and

WHEREAS, the Planning Board has reviewed the application, has heard public comment, and consulted with planning staff, and, after careful review, has determined that it is in order to approve this application and make recommendation to the Board of Commissioners for Buncombe County that the application be approved.

Based on the facts as set forth above the Buncombe County Planning Board hereby finds and concludes as follows pertaining to the proposed amendment to the Zoning Map as set forth in the said application of C. Daryl Rosenberger:

1. said zoning change is consistent with the Buncombe County Comprehensive Land Use Plan and Updates as the 2006 Buncombe County Comprehensive Land Use Plan Update indicates that NS "is designed to allow for a mix of residential, commercial, business and service uses in limited areas at key intersections leading to residential neighborhoods" (VII-4);

2. that the requested map amendment would allow for a commercial business in an area that allows a wide variety of commercial uses; and
3. therefore said zoning change is reasonable and is in the public interest.

NOW, THEREFORE, BE IT RESOLVED that upon motion and second, the Buncombe County Planning Board hereby recommends as follows:

1. That the Board of Commissioners approve this application for a zoning change for a portion of PIN 9677-21-2223, as shown in Attachment A, from Low Density Residential (R-LD) to Neighborhood Service District (NS).

Adopted by a vote of 4 to 1.

This the 17th day of June, 2013.

BUNCOMBE COUNTY PLANNING BOARD

By:  _____
Tom Alexander, Chairman

Consented to:

Planning Board Members:

Jim Young **ABSENT**
Bernie Kessel
Joe Sechler **ABSENT**
Josh Holmes
Bud Sales
Tom Alexander
Michelle Wood
Greg Phillips **ABSENT**
Catherine Martin **ABSENT**



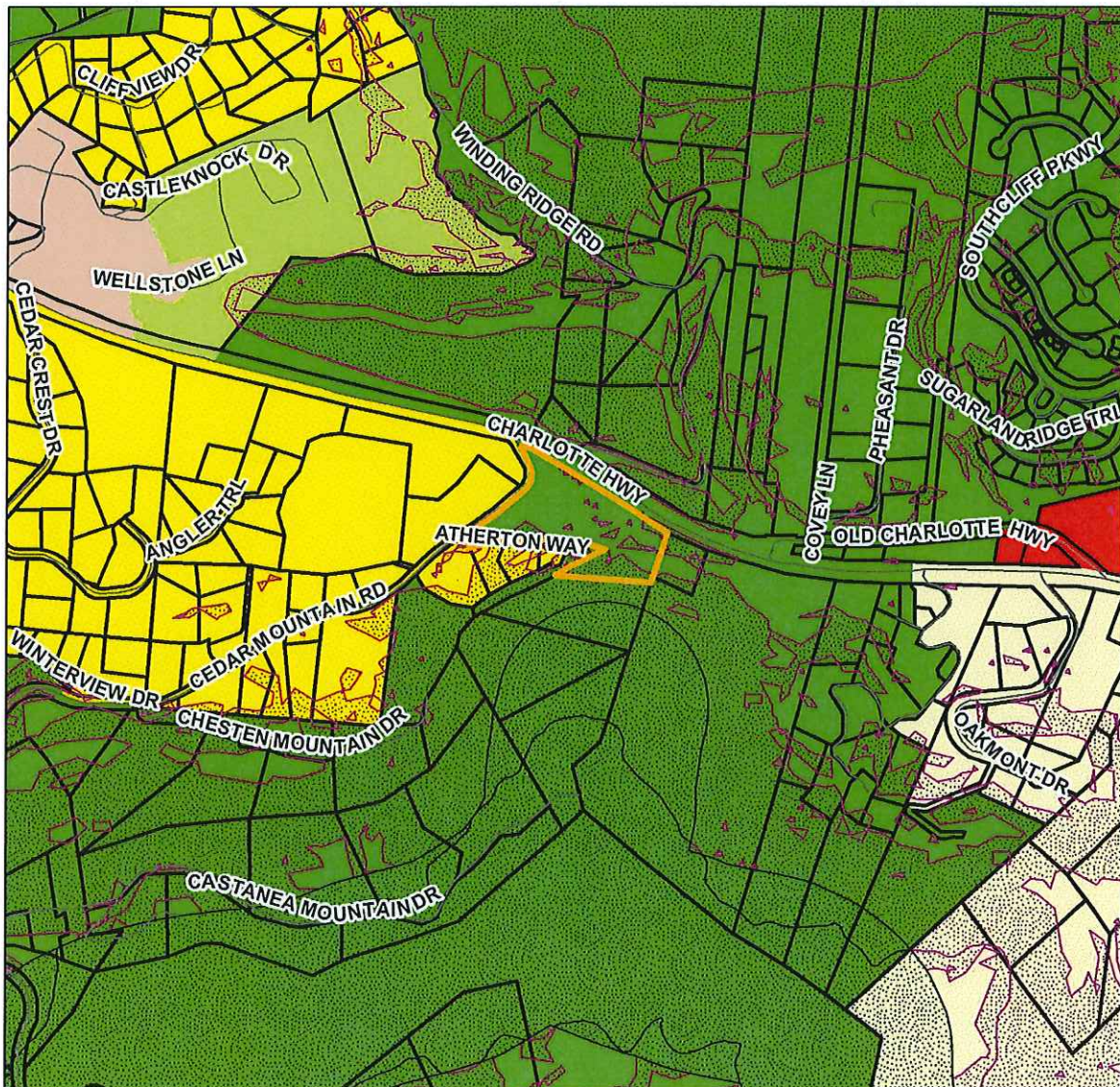
Josh O'Conner, Zoning Administrator

Approved as to form:

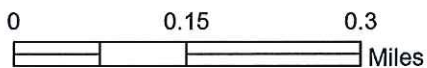


Michael C. Frue, County Attorney

Figure A



**C. Daryl Rosenberger
Map Amendment**



Subject Property	OU	Zoning Overlays
Zoning Districts	PS	Blue Ridge Parkway Overlay
BDM	R-1	Protected Ridge Overlay
CS	R-2	Protected Ridge & Parkway
EMP	R-3	Steep Slope/High Elev.
NS	R-LD	Steep Slope/High Elev. & Pkwy

Case Number: ZPH2013-00018
 Approximate Property Size: 6 acres
 Application Date: May 14, 2013
 Planning Board Hearing Date: June 17, 2013



Created By: Buncombe County Planning
 Date: May 23, 2013