ZONING ORDINANCE #

AN ORDINANCE AMENDING THE ZONING MAP FOR PROPERTY LOCATED AT 318 TABERNACLE ROAD

WHEREAS, the Town of Black Mountain has the authority pursuant to Article 6 of Chapter 160D of the North Carolina General Statutes, to adopt zoning regulations, to establish zoning districts and to classify property within its jurisdiction according to zoning district, and may amend said regulations and district classifications from time to time in the interest of the public health, safety, and welfare; and

WHEREAS, a comprehensive amendment to the Town's zoning regulations was adopted on January 11, 2010, (Ordinance #O-10-01) and is codified in Appendix A of the Town of Black Mountain Code of Ordinances (herein "Zoning Ordinance"), and map dividing and classifying the property within the Town's zoning jurisdiction was adopted on January 11, 2010, (Ordinance #O-10-01) and are on file and maintained in the Offices of the Town of Black Mountain Planning and Development Department (herein "Official Zoning Map"); and

WHEREAS, this proposed amendment is consistent with the Town of Black Mountain Comprehensive Plan and other official plans of the Town of Black Mountain and is determined to be reasonable and in the public interest for the following reasons:

1. The overall size of the tract of land proposed for the rezoning is reasonable compared to the size of the zoning district in which the subject property is located.
2. The proposed rezoning is consistent with the comprehensive plan or elements thereof.
3. The impact to adjacent property owners and surrounding community is reasonable and the benefits of the zoning shall outweigh any potential inconvenience or harm to the community.
4. The allowable uses within the proposed zoning district are similar or comparable to the permitted uses as currently zoned.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF BLACK MOUNTAIN TOWN COUNCIL THAT:

The Official Zoning Map be, and the same is hereby, amended as follows:

The zoning classification of that certain portion of real property described in Exhibit A and identified on the Buncombe County tax maps as PIN 0609-46-7498, recorded in Plat Book 0095 at Page 0120 and currently owned by Givens Highland Farms, LLC, from R-1 to Office and Institutional (OI-6). A copy of the official zoning map showing said lot is attached hereto as Exhibit B and made a part thereof.

This ordinance shall be in full force and effective on the date of adoption.

READ, APPROVED AND ADOPTED, this the 9th day of March 2026.

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Wesley M. Barker, Town Clerk C. Michael Sobol, Mayor

Approved to form

EXHIBIT A
LEGAL DESCRIPTION OF PROPERTY TO BE REZONED

BEGINNING at an iron pin found in the Northeast corner of property described in Deed Book 784, Page 403, Buncombe County Registry; thence North 89 deg. 20' 30" West 84.01 feet to an iron pin; thence North 85 deg. 32' 16" West 70.85 feet to an iron pin; thence North 83 deg. 57' 36" West 110.29 feet to an iron pin; thence North 84 deg. 54' 11" West 109.92 feet to an iron pin; thence North 84 deg. 53' 46" West 144.85 feet to an iron pin; thence North 84 deg. 51' 04" West 215.50 feet to an iron pin; thence North 84 deg. 51' 04" West 15 feet to a point in the Eastern edge of Tabernacle Road; thence running with said road, North 6 deg. 58' 17" East 170.26 feet to a point; thence leaving said road and running south 85 deg. 04' 54" East 12 feet to an iron pin; thence South 85 deg. 04' 54" East 763.92 feet to an iron pin; thence South 15 deg. 42' 53" West 170.26 feet to the point of BEGINNING, containing 3.00 acres, more or less, as shown on a survey for Jack Wheeler dated June 25, 1993, prepared by Michell E Effler, R.L.S., and being all of that property described in Book 2079 at Page 853, Buncombe County Registry, and being that property shown on the tax maps for Buncombe County as PIN #0609-46-7498-00000.

EXHIBIT B
PROPOSED ZONING MAP

