ORDINANCE NO. _____

ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF BUNCOMBE COUNTY, CHAPTER 78, ARTICLE VI OF THE BUNCOMBE COUNTY CODE OF ORDINANCES, THE ZONING ORDINANCE OF BUNCOMBE COUNTY
ZPH2025-00011

WHEREAS, pursuant to N.C. Gen. Stat. §160D-7-1, the County may adopt a zoning ordinance to regulate development within its territorial jurisdiction;

WHEREAS, on December 1, 2009, the Buncombe County Commissioners enacted Buncombe County Ordinance No. 09-12-01 which established a comprehensive zoning plan for the properties located in Buncombe County outside of the boundaries of incorporated municipalities and their zoning jurisdictions;

WHEREAS, pursuant to N.C. Gen. Stat. §160D-6-2, the County may amend its zoning ordinance after giving proper public notice and holding a public hearing;

WHEREAS, the Planning Board has received an application for an amendment to the Official Zoning Map of Buncombe County, North Carolina ("Official Zoning Map") to rezone the below listed parcels, and shown herein as Exhibit A:

Case:	ZPH2025-00011
PIN:	9743244289
Address:	60 Clarks Chapel Rd
Owner:	Michael Hatch Glass Company
Applicants:	Hilary and Michael Hatch

WHEREAS, the applicant is requesting that the zoning designation for the subject property be changed from R-3 Residential District to the CS Commercial Service District as shown and depicted in Exhibit A, which is attached hereto and incorporated herein by reference; and,

WHEREAS, in accordance with the procedures set forth in the Buncombe County Zoning Ordinance, the Planning Board met to consider the proposed amendment on May 19, 2025, at which meeting a motion to **approve** the proposed map amendment passed by a vote of **5 to 0**; and,

WHEREAS, this Board has reviewed these written recommendations of the Buncombe County Planning Board; and

WHEREAS, in accordance with North Carolina General Statutes and with the provisions set forth in Division 8 of Chapter 78, Article VI of the Buncombe County Code of Ordinances, the Board of Commissioners duly advertised and held a public hearing to consider the proposed amendment.

NOW, THEREFORE, BE IT ORDAINED BY THE BUNCOMBE COUNTY BOARD OF COMMISSIONERS THAT:

Section 1. This Board has considered whether this proposed amendment is consistent with the Buncombe County 2043 Comprehensive Plan, and hereby finds the following:

1.1. Said zoning change is **inconsistent** with the Buncombe 2043 Comprehensive Plan because the proposed rezoning is:

Insert Finding

_____

_____

1.2. Said rezoning **would be detrimental** to the owners, adjacent neighbors, and surrounding community as it **does not** meet a number of goals as identified in the Buncombe 2043 Comprehensive Plan.

1.3. Therefore, the requested zoning would be **unreasonable** and **not in the public interest**.

Section 2. This Board does hereby **deny** the request to rezone PIN(s) 9743244289 (60 Clarks Chapel Rd.) Buncombe County, NC, from R-3 Residential District to CS Commercial Service District, as shown and depicted upon Exhibit A, which is attached hereto and incorporated herein by reference;

Section 5. This ordinance is effective upon adoption.

Read, approved and adopted this the 5th day of August, 2025.

ATTEST THE

BOARD OF COMMISSIONERS FOR COUNTY OF BUNCOMBE

_____

Sarah Gross, Clerk

BY_____

Amanda Edwards, Chair

APPROVED AS TO FORM

_____
Curt Euler, County Attorney

Exhibit A

OFFICIAL ZONING MAP
-EXCERPT-
PROPOSED AMENDMENT

Case:	ZPH2025-00011
PIN:	9743244289
Address:	60 Clarks Chapel Rd
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PROPOSED ZONING DISTRICT – CS

