

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: August 17, 2022

SUBJECT: Public Hearing for Land Development Code (LDC) Text Amendments
(TX-2022-05) – SR 3.14 Storage Shed

PRESENTER: Autumn Radcliff, Planning Director

ATTACHMENTS: 1. Draft Text Amendment
2. Certification of Public Notices
3. Resolution of Consistency

SUMMARY OF REQUEST:

On June 16, 2022, the Planning Board, as part of its discussion on text amendment TX-2022-02 for personal storage structures, discussed if SR 3.14 should be amended. The Board voted unanimously not to recommend any changes to the existing requirements for SR 3.14 Storage Shed.

The Board of Commissioners during its July 20th meeting requested that a public hearing be scheduled to consider amending SR 3.14 Storage Shed as proposed by Commissioner Hill, to be consistent with the amendments for personal storage structures.

PUBLIC NOTICE:

The required public notice of this hearing was published in the Hendersonville Lightning on August 3rd, 2022, and August 10th, 2022 (see attached certification of public notice).

BOARD ACTION REQUESTED:

State law and the LDC require the Board of Commissioners to hold a public hearing prior to acting on a text amendment. Staff request the Board hold the public hearing and table its discussion of the text amendment until the September 6th meeting when the other related amendments are scheduled to be discussed.

Suggested Motion:

Upon on holding the public hearing, I move that the Board table its discussion on text amendment TX-2022-05 for SR 3.14 Storage Shed until the September 6th BOC meeting when the other related text amendments are discussed.

LDC Text Amendment (TX-2022-05)

SR 3.14 Storage Shed

Summary: The Planning Board discussed SR 3.14 Storage Shed during its June 16th meeting as part of TX-2022-02 draft amendments. The Planning Board voted to leave the existing supplemental requirements for storage sheds. During the July 20th public hearing, the Board of Commissioners proposed amending SR 3.14 Storage Shed to be consistent with the amendments for personal storage structures.

§42-62. Supplemental Requirements to the Table of Permitted and Special Uses

SR 3.14. Storage Shed

- ~~(1) Maximum Number Permitted Per Lot. Three (3) on a lot in a residential zoning district. No maximum is established on a lot in a nonresidential zoning district.~~
- (2) Structure Requirements. A storage shed may be attached to, or separate from, the principal structure.
- ~~(3) Size. A detached storage shed shall not exceed 25 percent of the heated floor area of the principal structure.~~

Certification of Notice of Public Hearing

In accordance with NCGS 160D-323 and 160D-343 the Planning Department certifies notices of the August 17th, 2022, hearing regarding the proposed Henderson County Land Development Code Text Amendments (TX-2022-05), were:

- 1. Submitted to the Hendersonville Lightning on July 21, 2022 to be published on August 3, 2022 and August 10, 2022 by Autumn Radcliff;

The signatures herein below indicate that such notices were made as indicated herein above:

- 1. Autumn Radcliff

STATE OF North Carolina

COUNTY OF Henderson

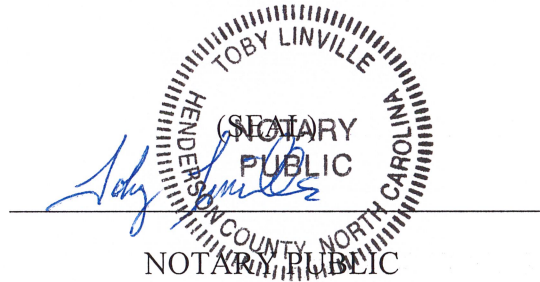
I, Toby Linville, a Notary Public, in and for the above County and State, do hereby certify that Autumn Radcliff

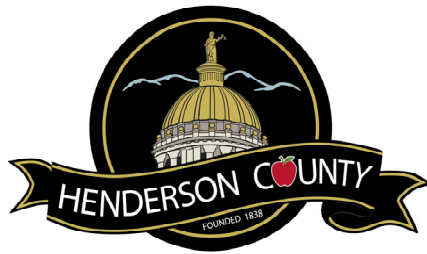
personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and notarial seal, this the 21th day of July, 2022.

My commission expires:

6/29/26





RESOLUTION OF CONSISTENCY WITH THE COUNTY COMPREHENSIVE PLAN

WHEREAS, pursuant to N.C. General Statute §160D, Article 1, the Henderson County Board of Commissioners exercises regulations relating to development within the County’s jurisdiction; and

WHEREAS, the Henderson County Board of Commissioners (Board) adopted the Land Development Code (LDC) on September 19, 2007 and has amended the LDC to address new and changing issues;

WHEREAS, the Board desires to update and revise the regulations of the LDC; and

WHEREAS, the Planning Department and Planning Board provided recommendations regarding the proposed text amendments (TX-2022-05) during its review of case #TX-2022-02; and

WHEREAS, pursuant to N.C. General Statute §160D-601, the Planning Department provided the prescribed public notice and the Board held the required public hearing on August 17, 2022; and

WHEREAS, N.C. General Statute §160D-605 requires the Board to adopt a statement of consistency with the County Comprehensive Plan (CCP); and

NOW THEREFORE, BE IT RESOLVED by the Henderson County Board of Commissioners as follows:

1. That the Board reviewed the proposed text amendments related to (#TX-2022-05 to the Land Development Code) and finds that it reasonable, in the public interest and it is consistent with the principles and goals of County Comprehensive Plan and the Growth Management Strategy located therein; and
2. That the Board determines that the proposed text amendments provides for the sound administration of the LDC while balancing property rights and promoting reasonable growth within the County; and
3. That this Resolution shall be retained in the Office of the Clerk to the Board of Commissioners.

THIS the 17th day of August, 2022.

HENDERSON COUNTY BOARD OF COMMISSIONERS

BY: _____
WILLIAM LAPSLEY, Chairman
Henderson County Board of Commissioners

ATTEST:

DENISA LAUFFER
Clerk to the Board of Commissioners

[COUNTY SEAL]