

# REQUEST FOR BOARD REVIEW

## HENDERSON COUNTY BOARD OF COMMISSIONERS

**MEETING DATE:** June 5, 2023

**SUBJECT:** Public Hearing for Conditional Rezoning Application #R-2023-03-C  
Princetonia Multi-Family, Residential One (R1) to Conditional District  
(CD-2023-03)

**PRESENTER:** Matt Champion, Zoning Administrator

**ATTACHMENTS:**

- 1.) Staff Report
- 2.) Neighborhood Compatibility Report
- 3.) Application
- 4.) Master Plan
- 5.) Certification of Public Hearing Notification
- 6.) Resolution of Consistency
- 5.) PowerPoint Handouts

### SUMMARY OF REQUEST:

Rezoning Application #R-2023-03-C was initiated on February 23, 2023, and requests that the County conditionally rezone approximately 2.7 acres of land from Residential One (R1) to a Conditional District (CD-2023-03). The project contains all of PIN 9587-03-4418 that has direct access to Princetonia Dr. The property is owned by Robert Francis and Jennie Francis who are also the applicants.

The applicant is proposing to add an additional structure with 4 dwelling units. The subject area already contains two existing structures with a total of 13 dwelling units. The development is required to be approved as a conditional rezoning due to the number of multi-family units. Conditional rezonings allows for the Board of Commissioners to place conditions on the property to address community concerns and make the proposed development compatible with adjacent uses. As required by the LDC, a neighbor compatibility meeting was held on Wednesday, March 29, 2023, in the King Street Meeting Room. A copy of the meeting report is attached to this agenda item.

The Technical Review Committee (TRC) reviewed the application on April 4, 2023, and made a motion to forward the application to the Planning Board with conditions as discussed. A copy of the conditions required by the TRC are listed in the staff report.

The Planning Board reviewed the conditional rezoning request at its April 20, 2023, meeting. The Planning Board voted to send forward a favorable recommendation.

**PUBLIC NOTICE:**

Before taking action on the application, the Board of Commissioners must hold a public hearing. In accordance with §42-303 and §42-346 (C) of the Henderson County Land Development Code and State Law, notice of the June 5, 2023, public hearing regarding rezoning application #R-2023-03-C was published in the Hendersonville Lightning on May 24<sup>th</sup> and May 31<sup>st</sup>. The Planning Department sent notices of the hearing via first class mail to the owners of properties within 400 feet of the Subject Area on May 19, 2023, and posted signs advertising the hearing on May 22, 2023.

**BOARD ACTION REQUESTED:**

Before taking action on the rezoning request, the Board of Commissioners must hold a public hearing. A suggested motion is provided.

**Suggested Motion:**

I move that the Board (approve, approve with modifications, or deny) rezoning application #R-2023-03-C to rezone the Subject Area to a Conditional District (CD-2023-03) based on the recommendations of the Henderson County Comprehensive Plan, and with any conditions stated in the staff and master plan report and additional conditions as discussed, and;

I move that the Board approve the attached resolution regarding the consistency with the CCP.



# STAFF REPORT

## HENDERSON COUNTY PLANNING DEPARTMENT

100 North King Street | Hendersonville, NC 28792 | (828) 697-4819

**Prepared by:**

Matt Champion, Zoning Administrator

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**CASE**

R-2023-03-C

**TECHNICAL REVIEW COMMITTEE**

**MEETING DATE**

April 4, 2023

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**PROPERTY OWNER**

Robert and Jennie Francis

**PROPERTY LOCATION/ADDRESS**

70 Princetonia Dr, Hendersonville Township

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**APPLICANT**

Robert Francis

**PIN's**

9587-03-4418

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**SUMMARY OF REQUEST**

A rezoning of the above referenced PIN (hereafter the subject area from **Residential One (R1)** to **Conditional District (CD-2023-03)**.

**Existing Zoning**

Residential One (R1)

**Existing Land Use**

Multi-Family, Legal Non-Conforming

**Site Improvements**

Two multi-family structures for a total of 13 units

**Request Acreage**

2.89 Acres

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**ADJACENT ZONING**

**North** R1

**East** I

**South** R1, CC

**West** CC

**USE OF LAND**

Residential/Vacant

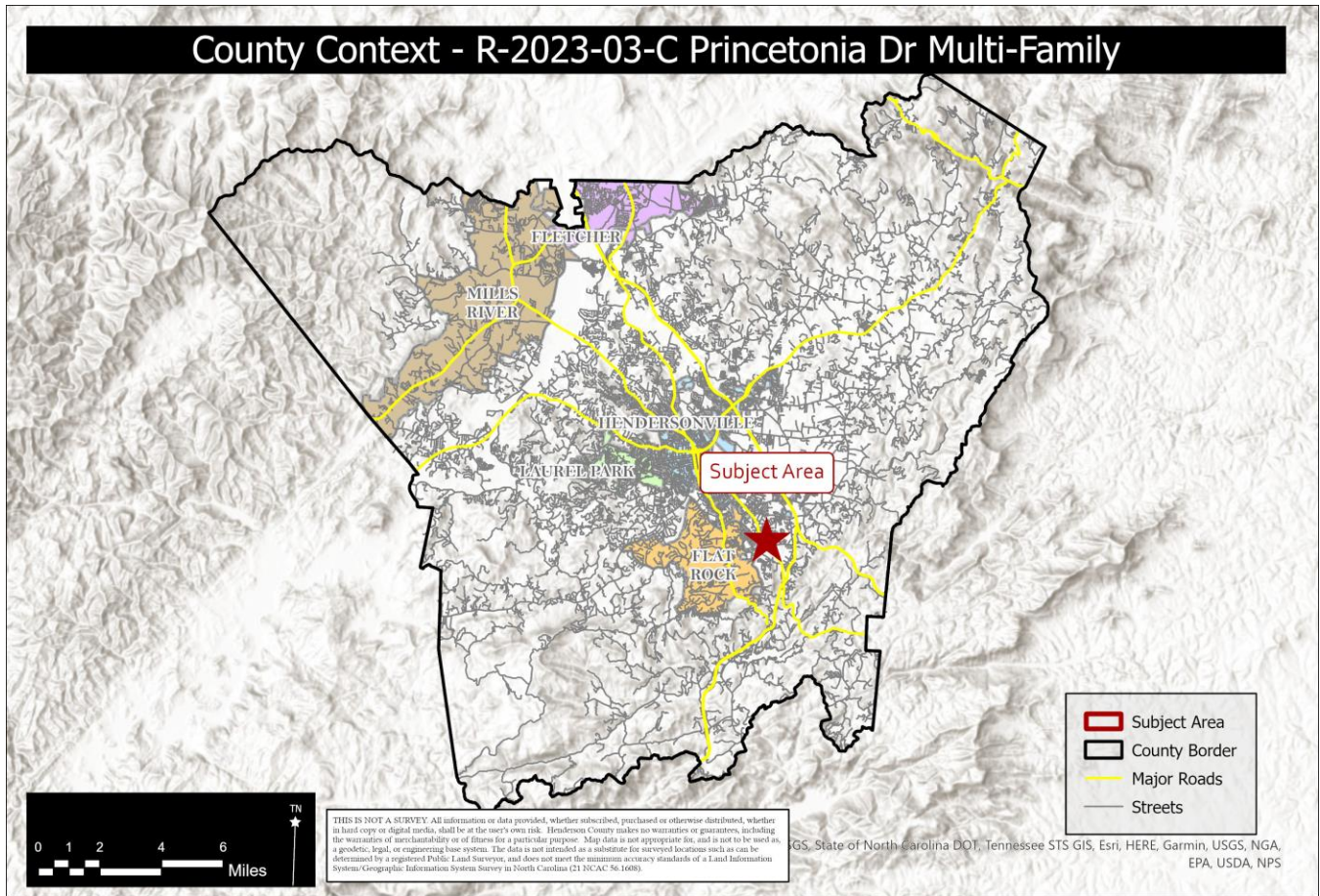
Commercial/Industrial

Residential/Commercial

Residential/Commercial

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### Map A: County Context



Property Owner: Robert Francis & Jennie Francis  
Assessed Acreage: 2.89 Acres PIN: 9587-03-4418  
Current Zoning: Residential One (R1)



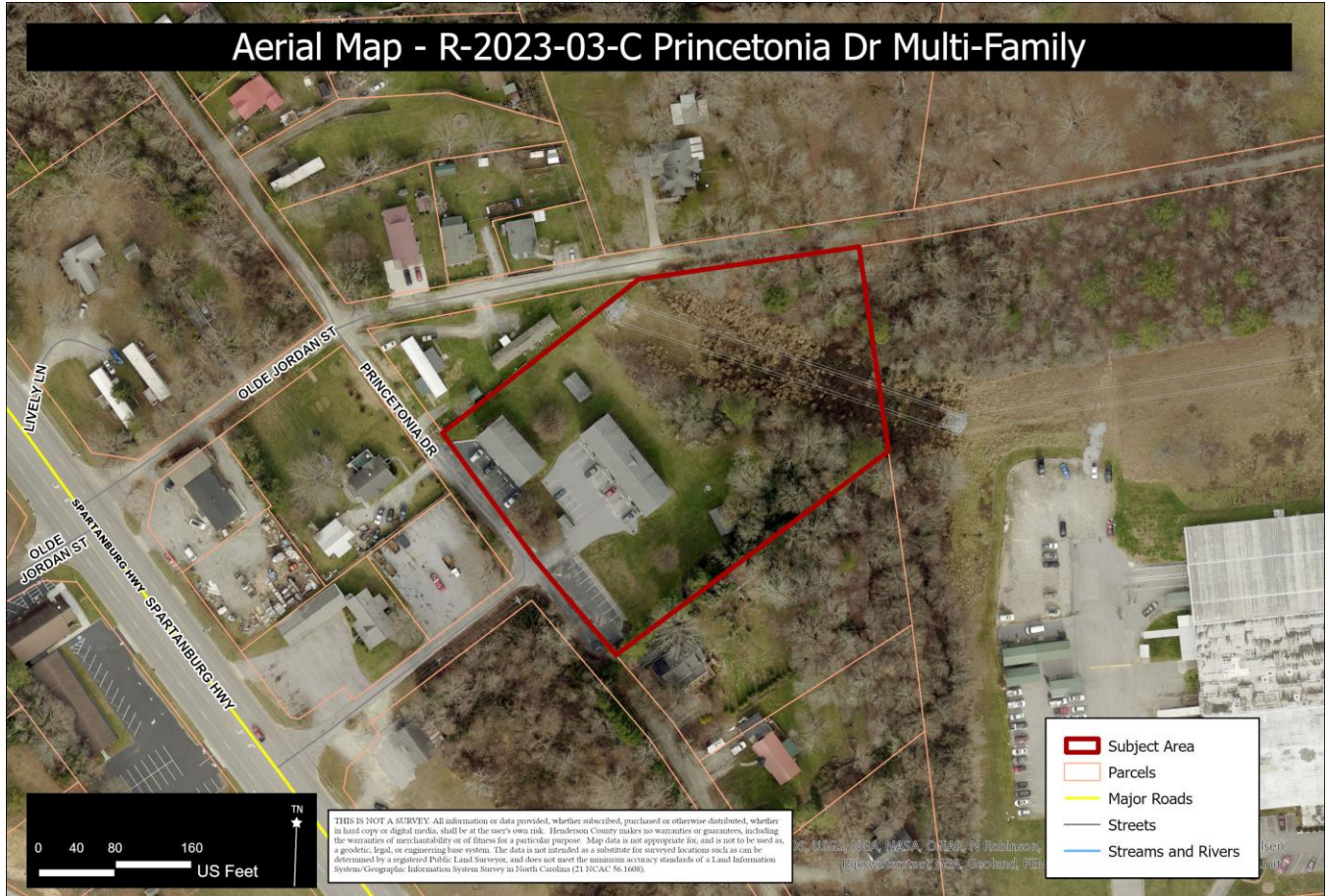
### BACKGROUND:

The applicant and current property owner, Robert Francis, is seeking to rezone one parcel from Residential One (R1) to a Conditional District (CD-2023-03). The subject area is approximately 2.83 acres. The attached Master Plan is proposing one additional 4-unit multi-family structure. The site currently contains 2 existing multi-family structures with a total of 13 units. The current structures were built in 1981 and are classified as legal non-conforming.

The subject area originally contained a total of 3 multi-family structures with a total of 17 units. Between 2010 and 2015, one 4-unit structure was lost in a fire. During that time, the former property owner did not reapply to rebuild the lost structure. Henderson County allows for legal non-conforming structures to rebuild after a loss if permits are pulled within 6 months. Additionally, Henderson County allows for legal non-conforming uses that were within Open Use (OU) prior to the adoption of the Land Development Code, to expand if they conform to

the dimensional requirements within the underlying zoning district. The subject area was zoned R-15 prior to the adoption of the Land Development Code.

Map B: Aerial



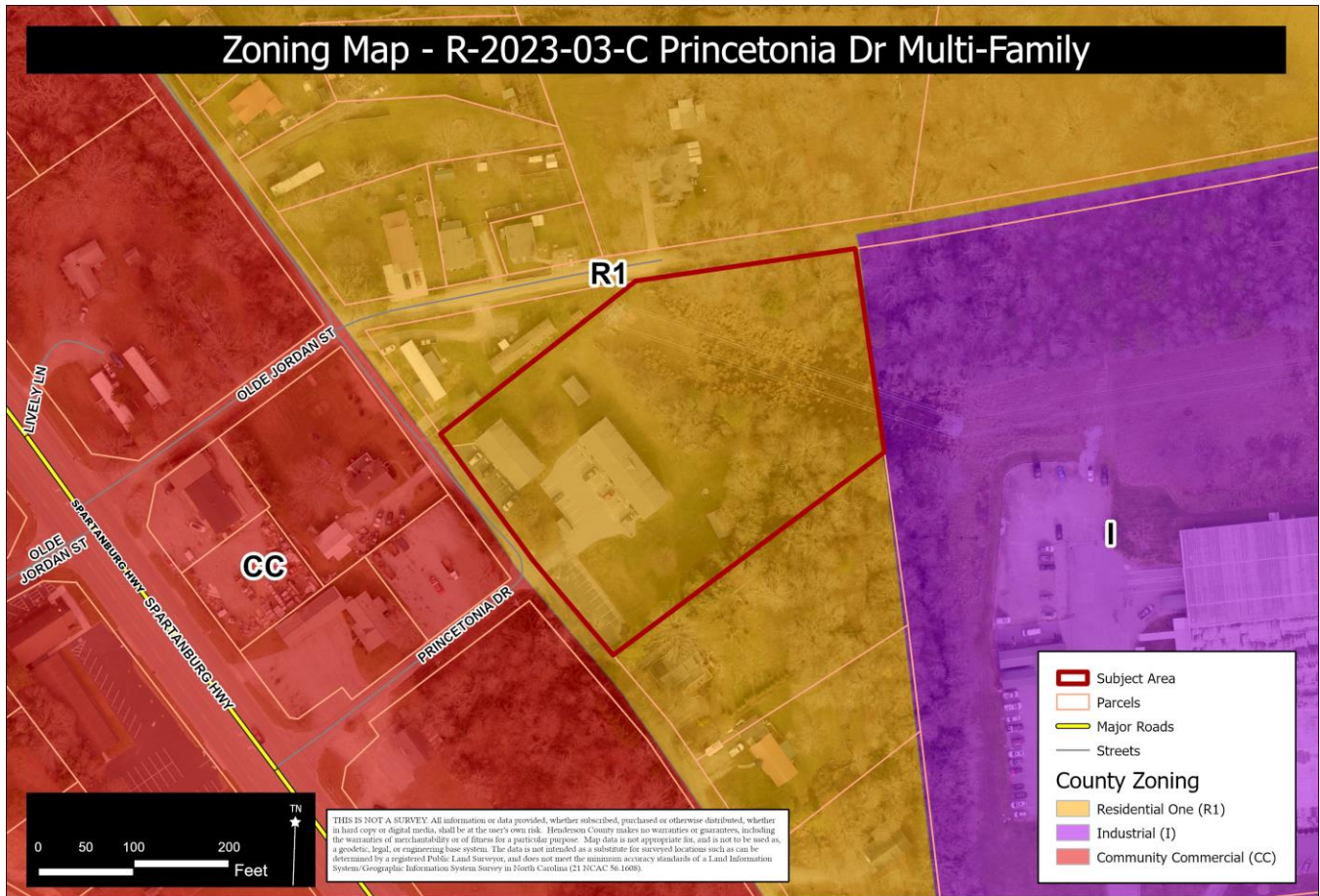
Property Owner: Robert Francis & Jennie Francis  
Assessed Acreage: 2.89 Acres PIN: 9587-03-4418  
Current Zoning: Residential One (R1)



**SUBJECT AREA & ADJACENT PROPERTIES:**

As previously mentioned, the site currently contains two existing multi-family residential structures. There are approximately 13 dwelling units between the two structures. The property to the east of the subject area contains a commercial use, West Rock Packing Solutions. The GE facility is located south of the subject area across Tabor Rd. To the southwest of the subject area is the former location for Maybin's Garbage Services. Residential structures are found to the north and south of the subject area.

Map C: Current Zoning



Property Owner: Robert Francis & Jennie Francis  
 Assessed Acreage: 2.89 Acres PIN: 9587-03-4418  
 Current Zoning: Residential One (R1)



**District Comparison:**

**Residential One (R1):** “The purpose of Residential District One (R1) is to foster orderly growth where the *principal use* of land is residential. The intent of this district is to allow for medium to high-density *residential development* consistent with the recommendations of the *Comprehensive Plan*. This general *use district* is typically meant to be utilized in areas designated as Urban (USA) in the *Comprehensive Plan*.” Maximum residential density in Residential One (R1) district is twelve (12) units per acre (LDC §42-10).

**Conditional District (CD):** “Conditional Zoning Districts are created for the purpose of providing an optional rezoning choice where the owner of property proposes to rezone property and, in order to, among other reasons, carry out the purposes of the *Comprehensive Plan*, proposes to impose special limitations and conditions on the use of the property proposed for rezoning” (Chapter 42, Land Development Code §42-45). Conditions may be

imposed in the furtherance of the purpose of the LDC and the recommendations of the County Comprehensive Plan.

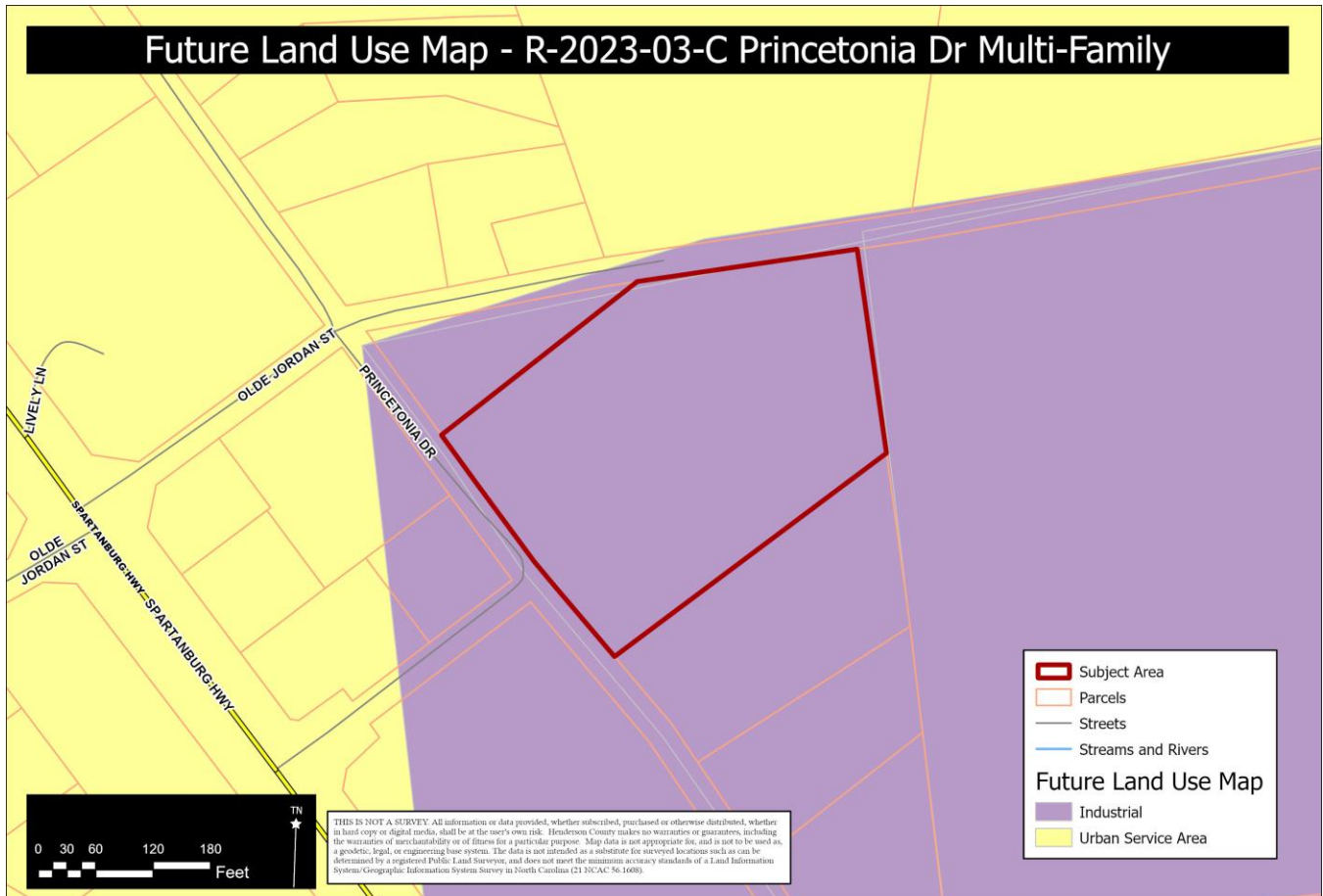
**Comparison of Districts:** The existing Residential One (R1) zoning district allows for primarily high-density residential development. The corresponding Conditional District (CD) applies to instances where certain types of zoning districts would be inappropriate at certain locations in the absence of special conditions. Some land *uses* are of a nature or scale that may have significant impacts on both the immediately surrounding area and the entire community, which cannot be predetermined or controlled by general district standards. There are also circumstances in which a general use district designation allowing such a *use* by right would not be appropriate for a particular property though the *use* could, if properly planned, be appropriate for the property consistent with the objectives of these regulations, the adopted *Comprehensive Plan*, and adopted district. The review process established in this section provides for the accommodation of such *uses* by a reclassification of property into a conditional zoning district, subject to specific conditions, which ensure compatibility of the *use* with the use and enjoyment of neighboring properties.

**Conditional Zoning Approval:** If a petition for conditional zoning is approved, the development and use of the property shall be governed by the existing Chapter requirements applicable to the district's category, the approved site plan for the district, and any additional approved rules, regulations, and conditions, all of which shall constitute zoning regulations for the approved district and are binding on the property as an amendment to these regulations and to the Official Zoning Map. Only those uses and structures indicated in the approved petition and site plan shall be allowed on the subject property.

**Adjacent Zoning:** Residential One (R1) zoning is found to the north and southeast of the subject area. Community Commercial (CC) zoning is found to the west of the subject area. Industrial (I) zoning is found east of the subject area.

**East Flat Rock Community Plan:** The Henderson County Board of Commissioners adopted the County Comprehensive Plan (CCP) on July 6, 2004. A principal recommendation of the CCP is the detailed study of individual communities within the County. The East Flat Rock (EFR) Community Plan is a community specific comprehensive plan that outlines future goals related to land use and development, community character and design, natural and cultural resources, agriculture, housing, community facilities and public services, transportation, and economic development as it relates to the CCP. The Board of Commissioners, by resolution, acted on the EFR Community Plan on May 17, 2018. Within the EFR Community Plan were several recommended zoning changes. The subject area is contained within the boundary of the EFR Community Plan and was recommended to be rezoned from Residential One (R1) to Community Commercial (CC). The subject area has been zoned Residential One (R1) since the adoption of the Land Development Code in September of 2007.

Map D: County Comprehensive Plan Future Land Use Map



Property Owner: Robert Francis & Jennie Francis  
Assessed Acreage: 2.89 Acres PIN: 9587-03-4418  
Current Zoning: Residential One (R1)



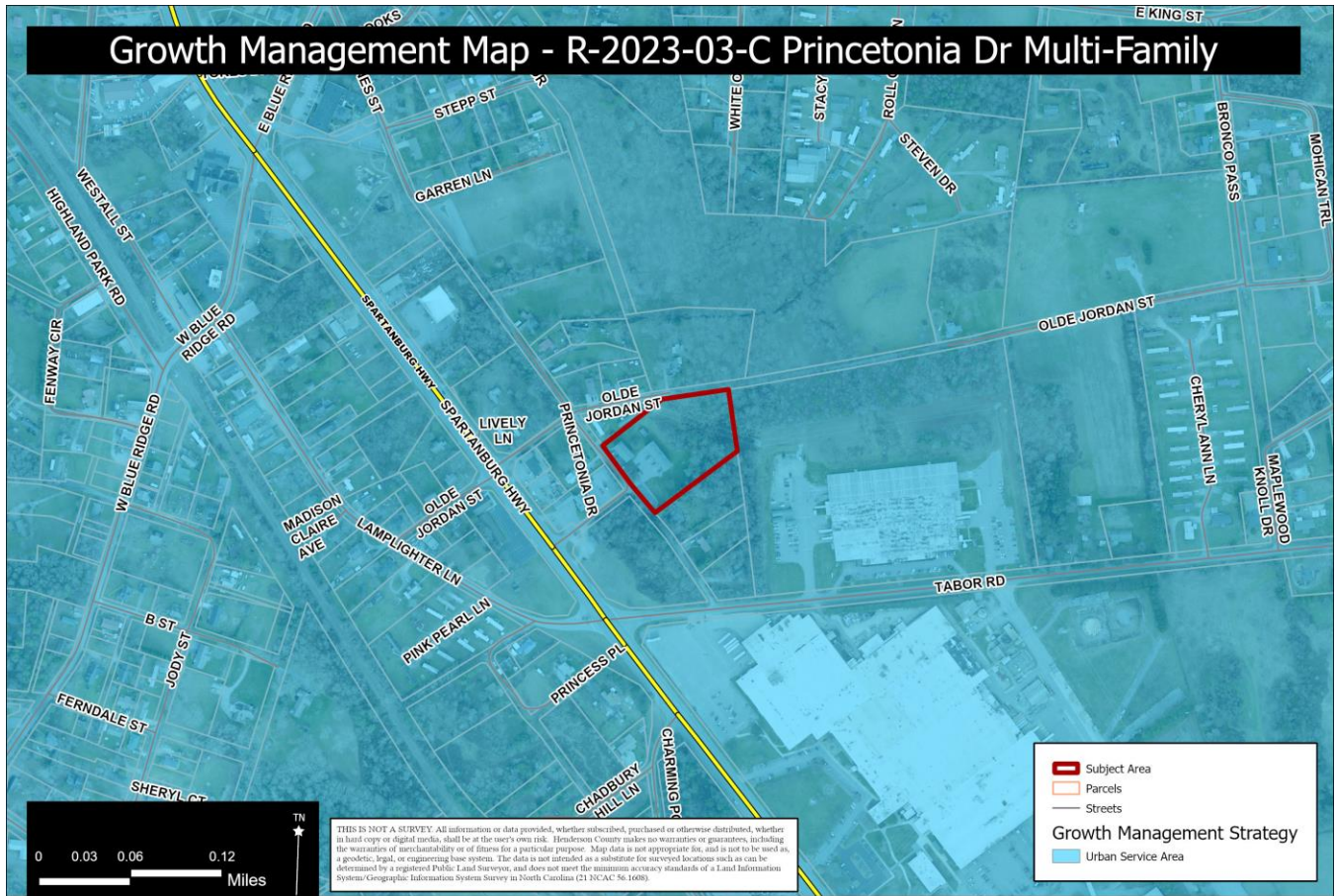
**County Comprehensive Plan (CCP) Compatibility**

The CCP Future Land Use Map identifies the subject area as being in the **Industrial Area**.

**Industrial:** The CCP states that, “Most defined industrial areas should lie within the Urban Services Area, and in other areas on a very limited basis. Most industrial uses should be segregated from other uses except for Regional Commercial uses. Industrial areas depicted on Map #24, Future Land Use Map are derived from existing industrial zoning districts, as well as from those area depicted upon Map #8, “Committee of 100” Recommended Industrial Development Zones.” (CCP, Pg. 140).



Map E: Growth Management Strategy Map

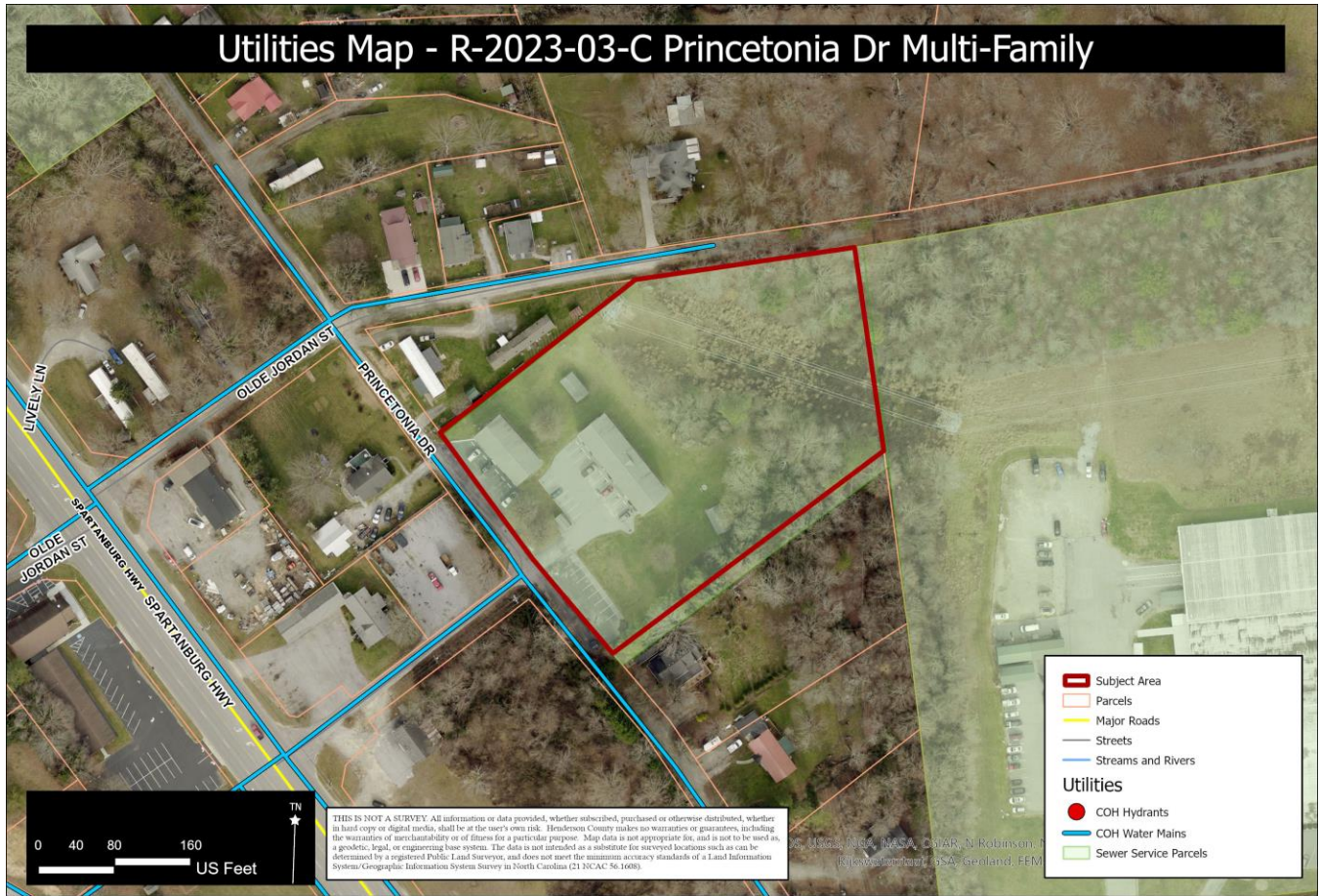


Property Owner: Robert Francis & Jennie Francis  
Assessed Acreage: 2.89 Acres PIN: 9587-03-4418  
Current Zoning: Residential One (R1)



**Growth Management Strategy Compatibility:** The CCP shows the subject area located in the Urban Services area for Growth Management Strategy. The CCP states “The USA will contain considerable commercial development at a mixture of scales: Local, Community, and Regional, as defined below. In particular, all Regional Commercial development should be concentrated here. Commercial development will exist within predefined zoning districts whose standards and configuration are in keeping with the surrounding community.” (CCP, pg. 133, #4.) (See Map E)

Map F: Utilities Map



Property Owner: Robert Francis & Jennie Francis  
Assessed Acreage: 2.89 Acres PIN: 9587-03-4418  
Current Zoning: Residential One (R1)



**Water and Sewer**

The subject area is currently served by the City of Hendersonville public water and public sewer. The applicant is proposing to utilize the existing on-site public utilities to serve the future structure.

**Existing Roads and Easements**

The subject area has existing frontage along Princetonia Drive and is not proposing any new easements or roadways. Princetonia Drive is considered private and not maintained by NCDOT.

**Proposed Conditional District (CD-2023-03) Development**

As part of the rezoning application, the applicant has submitted a master plan of the proposed development. The applicant is proposing to use the site for a multi-family residential development. Based on the total number of multi-family units, the applicant must undergo a

conditional rezoning as required by the Land Development Code. Any development proposing 10 or more multi-family units requires a conditional rezoning. The Conditional District allows the Board of Commissioners to place conditions or restrictions on the property that binds this specific development and location. Below is an overview of the proposed development.

- 21 total multi-family residential units
  - 2 existing structures with 13 total multi-family units
    - One (1) 4-unit two story structure
    - One (1) 9-unit three story structure
  - 1 proposed structure with 4 total multi-family units
    - Two story structure
- 37 existing parking spaces
  - 8 parking spaces at existing 4-unit multi-family structure
  - 16 parking spaces at existing 9-unit multi-family structure
  - 13 parking spaces to serve the proposed 4-unit multi-family structure.
- Total open space post development: 93,127SQFT or 79.3%
- Total impervious surfaces area post development: 24,311 or 20.7%

**Traffic Impact Analysis (TIA)**

No TIA was required by the proposed conditional district.

**Neighborhood Compatibility Meeting**

A neighborhood compatibility meeting was held on March 29, 2023. A summary of the NCM will be attached as part of the application by Planning Board.

**Technical Review Committee (TRC) Recommendations**

The Technical Review Committee (TRC) reviewed the zoning map amendment application at the April 4, 2023, meeting and voted to forward to the Planning Board with the condition that the new building be sprinkled.

**Planning Board Recommendations**

The Planning Board reviewed the zoning map amendment application at their April 20, 2023, meeting and voted to forward a favorable recommendation to the Board of Commissioners.

**Board of Commissioners Public Hearing**

The Board of Commissioners will hear the case following the Planning Board.



Neighborhood Compatibility Meeting  
Conditional Zoning Request #R-2023-03-C (Princeton Drive)  
March 29, 2023, at 1:00 p.m.  
King Street Meeting Room located at 100 N. King Street, Hendersonville, NC

Letters about the meeting were mailed to property owners within 400 feet of the boundary of the proposed development. Both county staff and the applicant were present at the meeting. Only one adjacent neighbor attended the meeting.

Ms. Autumn Radcliff opened the meeting and provided a welcome and introductions. She stated that the purpose of the meeting is for nearby neighbors to learn about the proposed project and ask questions of the applicant prior to formal review by the Planning Board and Board of Commissioners (BOC). She stated that the applicant would give an overview of the proposed project and then there would be an opportunity for attendees to ask questions about the proposed development.

**Project Overview by the Applicant:** Dr. Robert Francis, owner and applicant for the project provided an overview of the rezoning request and site plan. The project is located off Princeton Drive and is proposing to construct a new building consisting of 4-units. The existing development consisted of 3 buildings. One of the buildings was destroyed by a fire several years ago. This application is proposing to construct a new building in the same location as the building that was destroyed on the site plan.

**Questions and Answer Discussion:** Gayle S. Merrell was present on behalf of her mother, Helen Stepp, that lives directly adjacent to the development across Olde Jordan Drive. Below is a list of questions asked by the adjacent resident that attended the meeting followed by the applicant's response/explanation.

- 1. Is the new proposed building different from the other existing buildings?** The new building will be similar and match the exterior of the other existing buildings. The new building will only contain 4 units that will be designed like a townhouse that are 2 story with all access from the ground floor. Each unit will contain 2 bedrooms and 2 bathrooms and no garages. The site has access to water and sewer and no additional traffic is anticipated for these 4 units.
- 2. Does anyone know what is being built on the cleared land in front of the development along Spartanburg Highway?** Matt Champion, Zoning Administrator and Code Enforcement Director stated that he had received several calls about the property that has been cleared, but nothing has been formally submitted. The property is not part of this rezoning request. The property is owned by Fletcher Feed and Seed.
- 3. Is this new building next to Princeton Drive?** Yes
- 4. What is located to the southeast of the property?** It is a single-family house.
- 5. Who closed Princeton Drive through Tabor Road?** Planning staff stated that the ROW is still showing on the GoMaps, but a neighbor may have blocked the ROW. The ROW has not been formally closed.
- 6. What is the current zoning of the subject property and the property that has been cleared?** R1 (Residential One) on the subject area and Community Commercial (CC) on the property that has been cleared.
- 7. How is the rezoning approved?** Autumn Radcliff, Planning Director stated that the difference between a request to rezone to another zoning district versus the conditional rezoning. She explained that the conditional rezoning requires a site plan and only what is on the site plan can be constructed. Any changes would require the applicant to go back through the process. She stated the application will be reviewed by the TRC and the Planning Board. The Board of

Commissioners (BOC) will hold a public hearing before making any decisions. Adjacent neighbors will receive additional notification prior to the Planning Board meeting and BOC public hearing.

8. **Are any other buildings proposed to be constructed?** No, this is the only building that is being requested. The applicant did not think there would be enough space, specifically with the powerline ROW to add any additional buildings. Any other buildings would require the re-review of the application.
9. **Is there an existing stormwater drain on the property and will stormwater be addressed?** There is an existing stormwater drain on the property. Staff noted that the TRC would review the site plan and any required stormwater permits would be discussed.
10. **There was concern over the combined runoff from this development, the NCDOT road (Tabor Road), and the boxing/package facility that is adjacent to the development and contains a common stream that flows to Ms. Stepp's property.** The applicant is unaware of any runoff. Staff noted that the TRC will review and has representation from NCDOT and the site development department that can discuss any requirements.
11. **If the property sells, does the new owner have to comply with the site plan and approved zoning?** Yes, the approval would run with the land, not the property owner. Any changes require approval by the BOC.
12. **The adjacent property resident requested that the applicant maintain the weeds and undergrowth under the powerlines and the back area of the parcel.** The applicant made a note that the resident requested mowing twice a year of the back project area for maintenance.

The adjacent owner, Gayle Merrell, stated that she has no issues with the proposed project as shown on the current site plan.

Ms. Radcliff stated the process and next steps that the application will have its formal review process starting next week. The TRC (Technical Review Committee) will look at the technical requirements of the site plan at its meeting on April 4th. The Planning Board will review the application at its April 20<sup>th</sup> and make a recommendation to the Board of Commissioners (BOC). The BOC will hold a public hearing before acting on the application. She stated that property owners within 400 ft of the project will receive a mailed notice of both the Planning Board and the BOC meetings. The public hearing will be advertised in the Hendersonville Lightning and the property will be posted. The BOC will have the approval authority of the application.

With no further comments or questions the meeting was concluded at 1:40 p.m.

Application No. \_\_\_\_\_

**HENDERSON COUNTY  
MAP AMENDMENT APPLICATION FORM**

**GENERAL INFORMATION**

**Date of Application:** 02.23.2023

**Previously Submitted (Circle One):** Yes  **No**

**Date of Pre-Application Conference:** \_\_\_\_\_

**Type of Map Amendment (Circle One):** Rezoning  **Conditional Zoning**  Special Mixed Use/Conditional

**Site Plan Attached (Circle One):** **Yes**  No

**PARCEL INFORMATION\***

**PIN:** 9587-03-4418 **Deed Book/Page:** 1627/218 **Tract Size (Acres):** 2.70

**Zoning District:** R1 **Fire District:** Blue Ridge **Watershed:** \_\_\_\_\_ **Floodplain:** \_\_\_\_\_

**Location of property to be developed:** 70 Princetonia Ave

\*If subject area contains multiple PIN's please attach a list and the above parcel information for each tract or individual PIN.

**REZONING REQUEST**

Attached is:

\_\_\_\_\_ A description of the property in question sufficient to unequivocally describe and identify said property. Such description may take the form of a property survey, a legal description or a legible copy of a County cadastral or composite tax map clearly annotated with district lines which follow political boundaries, geographical features or property lines.

**Current Zoning District:** \_\_\_\_\_ **Requested Zoning District:** \_\_\_\_\_

**CONTACT INFORMATION**

**Property Owner:**

**Name:** Robert Francis **Phone:** 828.290.3282

**Address:** 1088 Ransier Dr **City, State, and Zip:** Hendersonville, NC, 28739

**Applicant:**

**Name:** Robert Francis **Phone:** \_\_\_\_\_

**Address:** \_\_\_\_\_ **City, State, and Zip:** \_\_\_\_\_

**Agent:**

**Name:** David C Huntley & Associates **Phone:** 828.216.3815

**Address:** 675 Maple St **City, State, and Zip:** Hendersonville, NC, 28792

**Agent Form (Circle One):** Yes  No

**Plan Preparer:**

**Name:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

**Address:** \_\_\_\_\_ **City, State, and Zip:** \_\_\_\_\_

Application No. \_\_\_\_\_

I certify that the information shown above is true and accurate and is in conformance with the Land Development regulations of Henderson County.

David Huntley

Print Applicant (Owner or Agent)

DocuSigned by:  
*David Huntley*

2/23/2023

Signature Applicant (Owner or Agent)

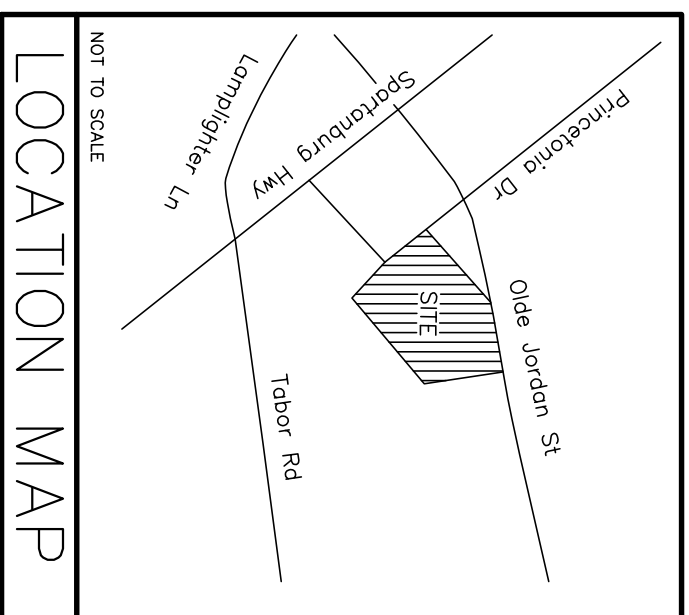
Date

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**County Use Only**

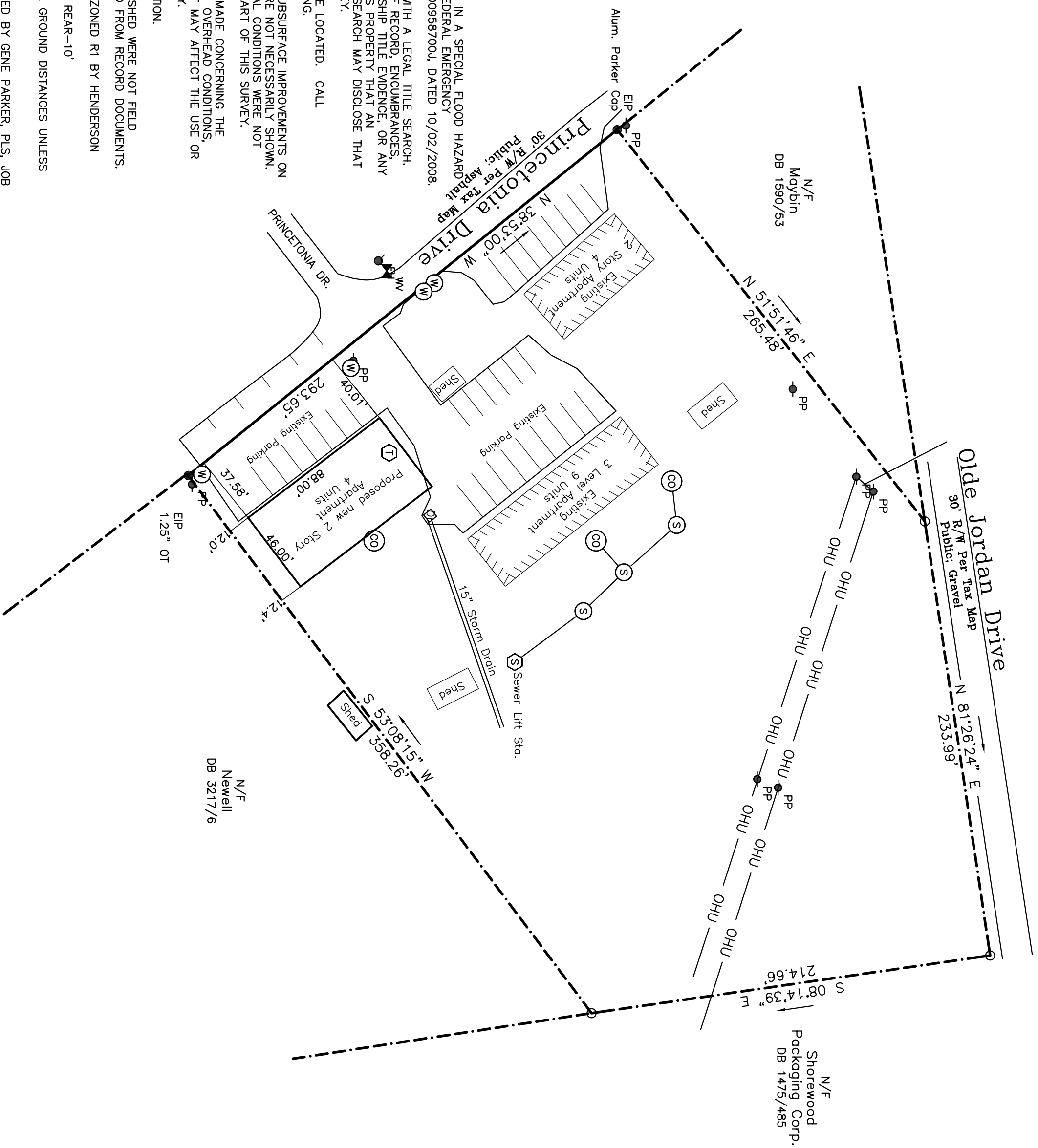
Fee: \$ \_\_\_\_\_ Paid: \_\_\_\_\_ Method: \_\_\_\_\_ Received by: \_\_\_\_\_

Community Planning Area: \_\_\_\_\_

Date Current Zoning Applied: \_\_\_\_\_



- LEGEND**
- EIP ● EXISTING IRON PIN
  - NIP ○ NEW IRON PIN 1/2" REBAR
  - PT ○ UNMARKED POINT
  - RB ○ REBAR
  - OT ○ OPEN TOP
  - PP ○ PARCEL ID NUMBER
  - PP ○ POWER POLE
  - R/W ○ RIGHT-OF-WAY
  - OHU ○ OVERHEAD UTILITIES
  - N/F ○ NOW OR FORMERLY
  - DB ○ DEED BOOK
  - FB ○ PLAT BOOK
  - FH ○ FIRE HYDRANT
  - WV ○ WATER VALVE
  - W ○ WATER METER
  - T ○ TELEPHONE
  - G ○ GAS VALVE
  - CO ○ CLEANOUT
  - DI ○ DRAIN INLET



**NOTES**

THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FIRM #37009587001, DATED 10/02/2008.

SURVEYOR WAS NOT PROVIDED WITH A LEGAL TITLE SEARCH. THERE MAY EXIST EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS PERTINENT TO THIS PROPERTY THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE THAT ARE NOT SHOWN ON THIS SURVEY.

NO UNDERGROUND UTILITIES WERE LOCATED. CALL 1-800-632-4949 BEFORE DIGGING.

ALL BUILDINGS, SURFACE AND SUBSURFACE IMPROVEMENTS ON AND ADJACENT TO THE SITE ARE NOT NECESSARILY SHOWN. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT SURVEYED OR CONSIDERED AS PART OF THIS SURVEY.

NO EVIDENCE OR STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONDITIONS, CONTAINERS, OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY.

AREA BY COORDINATE COMPUTATION.

PROPERTY LINES SHOWN AS DASHED WERE NOT FIELD SURVEYED. THEY WERE PLOTTED FROM RECORD DOCUMENTS. SUBJECT PROPERTY CURRENTLY ZONED RI BY HENDERSON COUNTY.

SETBACKS: FRONT-15' SIDE & REAR-10'

ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.

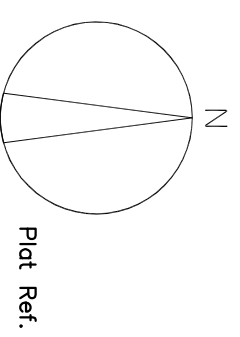
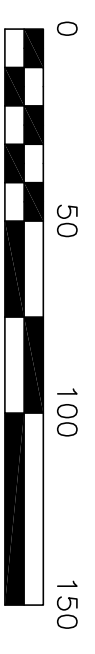
PLAT REFERENCE: PLAT FURNISHED BY GENE PARKER, PLS, JOB #13-023. BOUNDARY LINES AND EASEMENTS SHOWN HEREIN PER PARKER PLAT.

INTENT STATEMENT: THIS PLAT IS A SITE PLAN FOR NEW CONSTRUCTION ONLY.

TOTAL AREA: 117,438± SQ. FT.  
 TOTAL OPEN SPACE: 93,127± SQ. FT.  
 IMPERVIOUS AREA: 24,311± SQ. FT.

**MASTER SITE PLAN FOR**  
**ROBERT FRANCIS (OWNER)**  
**70 PRINCETONIA DRIVE**  
 STATE OF NORTH CAROLINA  
 HENDERSON COUNTY  
 HENDERSONVILLE TOWNSHIP

TOTAL AREA  
 2.70 AC.  
 DEED REF:  
 D.B. 1627, PG. 218  
 PLAT REF:  
 \*see note  
 PIN 9587-03-4418



I, David C. Huntley, certify that this plat was drawn under my supervision from an actual survey made under my supervision (Deed description recorded in Bk. 1627, Pg. 218); that the boundaries not surveyed are clearly indicated as drawn from information found in (see plat reference); that the ratio of precision as calculated is 1:10,000; that this plat was prepared in accordance with G.S.47-30 as amended. Witness my original signature, registration number, and seal this 2nd day of February, 2023.

David C. Huntley PLS L-3204

DAVID C. HUNTLEY  
 & ASSOCIATES, INC.  
 675 MAPLE STREET  
 HENDERSONVILLE, NC 28792  
 (828) 693-8077

**NORTH CAROLINA**  
**REGISTERED PROFESSIONAL**  
**LAND SURVEYOR**  
 David C. Huntley  
 No. 10000

SURVEY  
 DRAWN  
 SCALE  
 DATE  
 DWG. NO.

CPE  
 CPE  
 1"=50'  
 02/02/2023  
 H-7653

D.C. HUNTLEY PLS L-3204  
 C-1963



**Certification of Notice of Public Hearing**

In accordance with NCGS 160D-343 the Planning Department certifies notice of the June 5, 2023 hearing regarding Rezoning Application #R-2023-03-C were:

1. Submitted to the Hendersonville Lightning on May 19, 2023, to be published on May 24, 2023, and May 31, 2023, by Matt Champion;
2. Sent, via first class mail, to the owners of properties adjacent to the Subject Area(s) on May 19, 2023, by Matt Champion;
3. Sent, via first class mail, to the property owner on May 19, 2023, by Matt Champion; and
4. Signs were posted on the Subject Area(s) on May 22, 2023, by Matt Champion.

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

1. 

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

  Matt Champion  

personally appeared before me this day.

WITNESS my hand and notarial seal, this the   22<sup>nd</sup>   day of   May  , 2023.

My commission expires:

  6/29/26  





**BOARD OF COMMISSIONER ENACTMENT 2023- \_\_\_\_\_**

**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 Director and Planning Board provided recommendations regarding the proposed zoning map amendment with case #R-2023-03-C; and

**WHEREAS**, pursuant to N.C. General Statute §160D-601, the Planning Director provided the prescribed public notice and the Board held the required public hearing on June 5, 2023; 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 map amendment (#R-2023-03-C Princetonia Multi-Family) and finds that it is reasonable, in the public interest and it is consistent with the CCP and the Growth Management Strategy located therein; and
2. That the Board determines that the proposed map amendment 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 5<sup>th</sup> day of June 2023.

**HENDERSON COUNTY BOARD OF COMMISSIONERS**

**BY:** \_\_\_\_\_  
**Rebecca McCall, Chairman**

**ATTEST:**

\_\_\_\_\_  
**Denisa Lauffer, Clerk to the Board**

**[COUNTY SEAL]**

# Rezoning #R-2023-03-C Princetonia Dr Multi-Family



Board of Commissioners  
June 5, 2023

*Henderson County Planning Department*

1

## Public Hearing Notice

- Legal Ad was published in the Hendersonville Lightning on May 24<sup>th</sup> and May 31<sup>st</sup>
- The property was posted on May 22<sup>nd</sup>
- Letters were mailed to property owners within 400 feet of the Subject Area on May 19<sup>th</sup>

*Henderson County Planning Department*

2

## Conditional Districts

Conditional rezoning's are:

- Legislative decisions
- Require a site-specific plan (only what is on the plan is allowed)
- The BOC may require additional conditions of the development, provided the developer agrees to those conditions
- Process provides protection to adjacent properties

*Henderson County Planning Department*

3

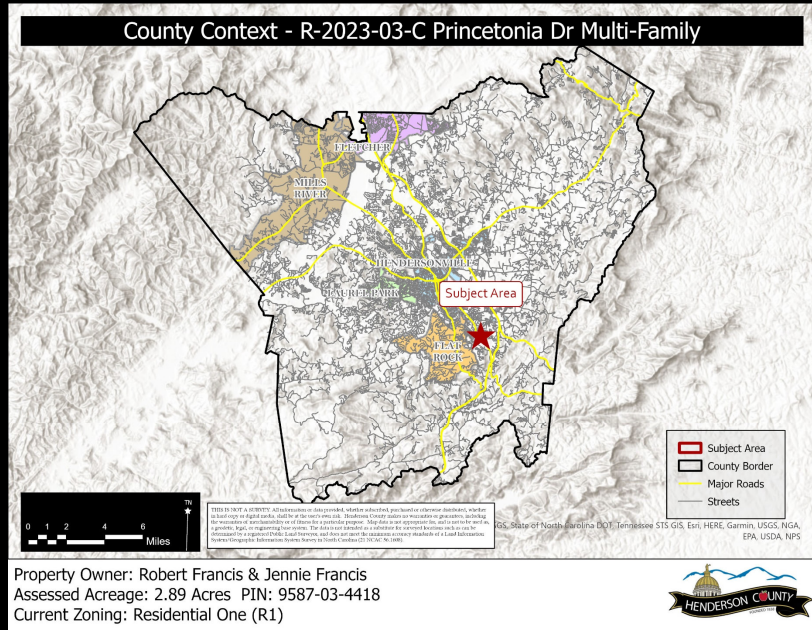
## Application Summary

- Conditional Rezoning Request: R-2023-03-C
- Owner(s): Robert Francis and Jennie Francis
- Applicant(s): Robert Francis
- Property Location: 70 Princetonia Dr PIN: 9587-03-4418
- Conditionally rezone from a Residential One (R1) Zoning District to a Conditional District (CD-2023-03)
- Approximately 2.7 acres

*Henderson County Planning Department*

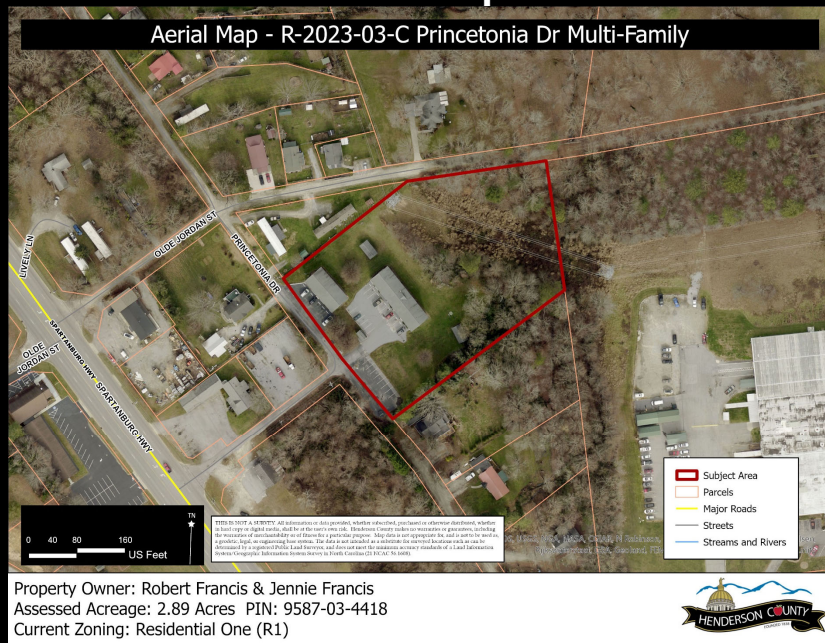
4

# County Context Map



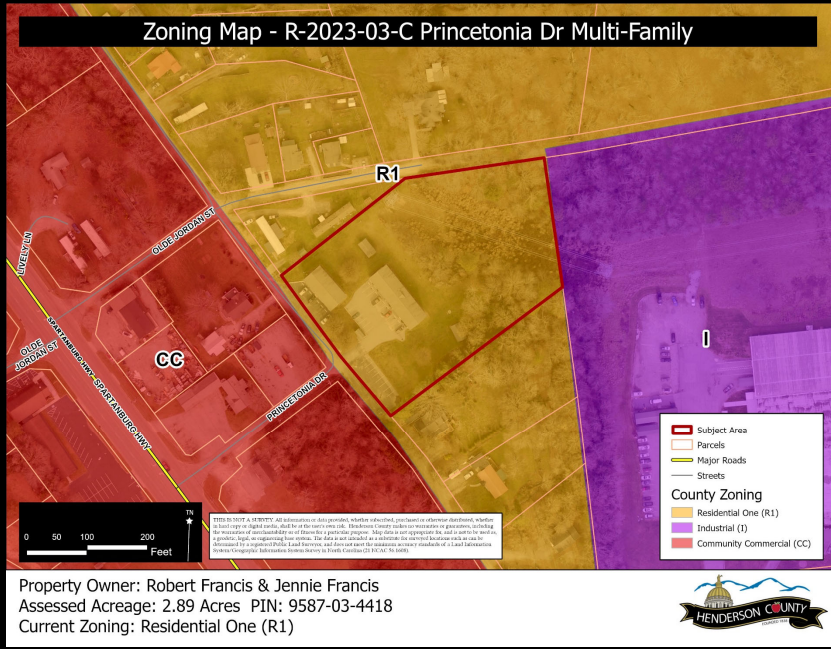
5

# Aerial Map



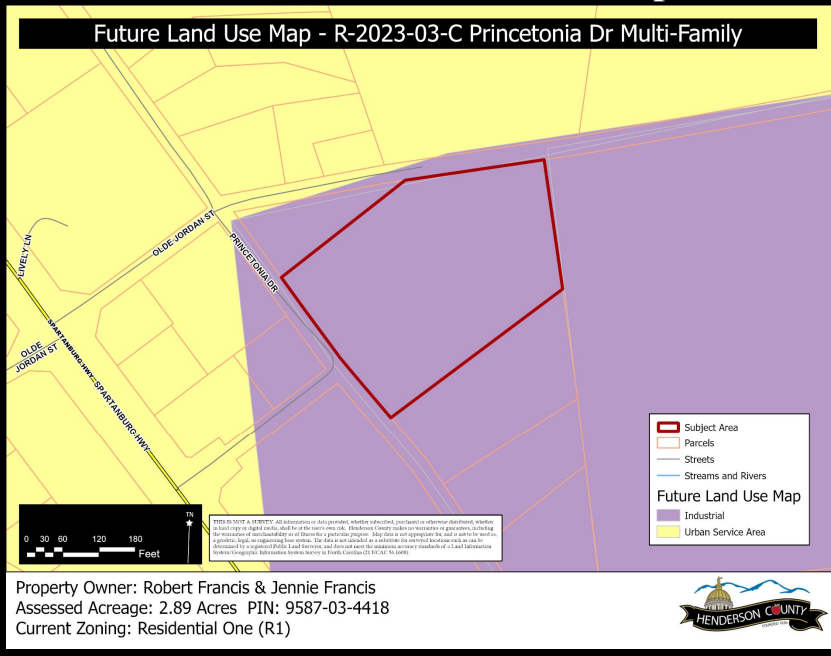
6

# Current Zoning Map



7

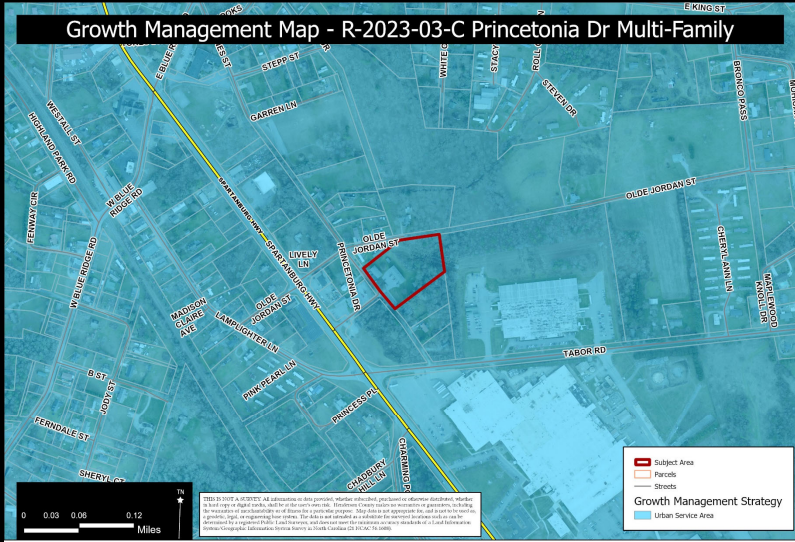
# CCP Future Land Use Map



8

# Growth Management Strategy Map

## Growth Management Map - R-2023-03-C Princetonia Dr Multi-Family



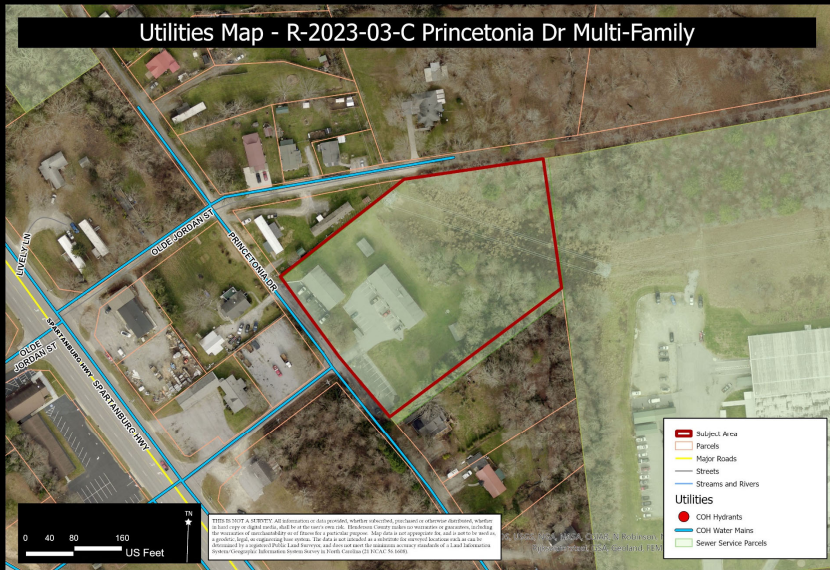
Property Owner: Robert Francis & Jennie Francis  
 Assessed Acreage: 2.89 Acres PIN: 9587-03-4418  
 Current Zoning: Residential One (R1)



9

# Public Utilities Map

## Utilities Map - R-2023-03-C Princetonia Dr Multi-Family



Property Owner: Robert Francis & Jennie Francis  
 Assessed Acreage: 2.89 Acres PIN: 9587-03-4418  
 Current Zoning: Residential One (R1)



10





## Conditional Rezoning's

- Conditions required by the LDC and additional conditions recommended for consideration and requests made by the TRC and Planning Board are found in the attached List of Conditions

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13

## Rezoning #R-2023-03-C The Princeton Dr Multi-Family

# Questions



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14