

MINUTES OF THE HENDERSON COUNTY
ZONING BOARD OF ADJUSTMENT

The Henderson County Zoning Board of Adjustment held its regular meeting, Wednesday June 24 at 4:00 p.m. in the King Street Meeting Room, 100 N. King Street, Hendersonville, North Carolina. Those present were: Jim Phelps, Chairman, Jim Crafton, Vice-chairman, Tony Engel, Ann Pouch, Alternate Board Member JoAnne Telker, Zoning Administrator Toby Linville, Deputy County Attorney Sarah Zambon, Planning Director, Anthony Starr, Senior Planner, Autumn Radcliff and Zoning Board Secretary, Karen Ann Antonucci.

Chairman Phelps called the meeting to order at 4:05 PM. He introduced those present.

Chairman Phelps: Asked for a motion to accept the March 25 minutes as written.

JCrafton: Move to accept.

APouch: Second.

Chairman Phelps: All in favor, Aye.

All board members were in favor of adopting the minutes.

There were no cases to be heard at this meeting therefore Planning Director, Anthony Starr provided training on Land Development Code 2008 Annual Text Amendments Adopted by the Board of Commissioners.

Some points of Mr. Starr's presentation were:

-Subdivision appeals may come before the Zoning Board.

-LDC Text Amendment 10 (Variance Review)

-Added a provision to prevent a variance being granted to subdivide a lot(s) if there is insufficient land/acreage to meet the density of the current zoning district.

-New Standards for Variance Written Finding (200A-335 G 1)

-The Variance shall not allow for an increase in density for the purposes of subdividing the land that would otherwise not be permitted by the applicable zoning district or subdivision regulations.

-LDC Text Amendment 13 (Zoning Districts) Requires a Special Use Permit

-Amended the Mixed Use district to reflect its intended purposes for allowing mixtures of uses beyond residential and commercial used (Article II, Subpart C)

-New Standards:

*Removed the following requirements to allow for MU developments:

-Land use ration requirements

-Dimensional requirement

-Road class requirements

-Nonresidential use requirements

-Food store limitations

-Open space composition requirements

-LDC Text Amendment 15 (Definitions) *May apply to Special Use Permits*

-The definition of sewage disposal systems and water supply systems now distinguish between different types of systems allowed to ensure clarity of requirements for water and sewer connection and consistency with State standards and terminology.

-New Standards:

- New Sewage Disposal System and Water Supply System definitions by type (municipal, public or community, and septic tank or private well)
- Clarified system connectivity requirements to achieve maximum densities
- Clarified SRs (MH & RV Parks) and Major Subdivision connectivity requirements to match new definitions

-LDC Text Amendment 21 (Permitted Uses) *Requires a Special Use Permit*

-Developers of subdivisions within the RAA utilize small accessory wastewater treatment plants in contradiction to CCP recommendations. This amendment added a provision that small accessory wastewater treatment plants would be allowed as a special use in the R3 & R4 districts. (Previously allowed by right)

-New Standards:

- Small accessory wastewater treatment plants permitted by right in all districts except the R3 and R4 districts.
- Due to their application within the RAA (Rural Agricultural Area), small accessory wastewater treatment plants are permitted as special uses in the R3 and R4 districts.

Deputy County Attorney, Sarah Zambon provided training on Functions and Quasi-Judicial Overview as it pertains to the Zoning Board

Chairman Phelps: Motion to adjourn the meeting.

APouch: Second.

All board members were in favor of adjourning the meeting at 6:17 p.m.

Chairman, Jim Phelps

Karen Ann Antonucci, Secretary