

**MEETING SUMMARY**  
HENDERSONCOUNTY PLANNING BOARD  
September 20, 2012

Planning Board Members Present

Jonathon Parce, Chair  
Tommy Laughter, Vice-Chair  
Lee Roy Nicholson  
Rick Livingston  
Steve Dozier  
Mike Cooper  
Wayne Garren

Planning Board Members Not Present

Marilyn Gordon  
Stacy Rhodes  
Commissioner Bill O'Connor

Staff Present:

Anthony Starr, AICP, Planning Director  
Parker Sloan, Planner  
Matt Champion, Planner  
Autumn Radcliff, Senior Planner  
Todd Taylor, Board Secretary  
Sarah Zambon, Deputy County Attorney

Others Present:

Eva Ritchey

Meeting called to order: Mr. Laughter called the meeting to order and Roll Call was stated.

Annual Appointment of Officers: Chairman Parce asked if there were any nominations. Rick Livingston made a motion that the current officers remain the same. Lee Roy Nicholson seconded the motion. All Board members voted in favor of the motion.

Adjustment of Agenda: No adjustments were noted.

August Meeting Summary: No adjustments were noted.

Rezoning-#R-2012-02- Mr. Sloan presented a summary of the background and purpose behind the applicant's, Mr. Jarret Mitchem, request for the rezoning of two tracts of land, one 11.6 acre tract(PIN: 9680-89-7263) and one 16.9 acre tract(PIN: 9680-89-2699). Mr. Mitchem requested that the tracts be rezoned from a Local Commercial (LC) zoning district to a Residential Two Rural (R2R) zoning district. Mr. Sloan stated that the staff supports the rezoning based on recommendations of the CCP and the adjacent R2R Zoning. Mike Cooper was concerned about the strip of property from the larger tract which may be a road access because it is a narrow linear section of property connecting to US Highway 64. He suggested that there should be an amendment to the rezoning where the current zoning for that section would remain LC. Mike Cooper made the motion that the Planning Board recommend approval of the rezoning with the exception of the road access strip portion of the larger tract and that the recommendation is based on the application's consistency with the County Comprehensive Plan. Steve Dozier seconded the motion. All Board members were in favor of the motion.

Rezoning-#R-2012-03-Mr. Sloan presented a summary of the background and purpose behind the applicant, Eva Ritchey, request for the rezoning of a 0.77 acre parcel of land located along Hwy 64 West (Brevard Road)(PIN: 9559-60-2698). Ms. Ritchey requested that the parcel be rezoned from the Residential Two (R2) zoning district to an Office and Institutional (O&I) district. Mr. Sloan stated that the staff supports the rezoning based on recommendations of the CCP

and the adjacent O&I zoning. Ms. Ritchey stated that the purpose of her doing this is to be consistent with the adjacent O&I zoning as well as to keep pace with the constant development changes taking place in this part of the county. Mike Cooper made a motion that the Planning Board recommend approval of the rezoning based on its consistency with the County Comprehensive Plan. Rick Livingston seconded the motion. All Board Members were in favor of the motion.

Staff Reports:

Mr. Starr introduced Matt Champion, the new planner, to the Planning Board.

Mr. Starr stated that the LDC Text Amendments were approved and should be updated in the LDC Online in the next couple of weeks.

Mr. Starr updated the Board on the Green River, Tuxedo, and Zirconia community plan. He stated that at the public input meeting held in early September, 80 people attended and provided an enormous amount of valuable information to the staff. He also stated that out of the 2800 mailed surveys that were sent to the property owners, we have received approximately 1000 responses which is considered to be a very high response rate for mailed surveys.

Mr. Starr updated the Board on the Seven Falls case. He reminded the Board that the NC Court of Appeals ruled unanimously in favor of Henderson County, but the bond company appealed the case to the NC State Supreme Court. He stated that the case is basically back in limbo and according to Sarah Zambon the Supreme Court has no stipulations on the time frame in which they are required to hear the appeal; in fact, if they so choose they can decide not to hear the appeal at all. If the Supreme Court chooses to not hear the case, then the decision of the Court of Appeals will stand and Henderson County wins the case.

Public Input- No Public Input was noted.

Adjournment.