

MINUTES

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

BOARD OF COMMISSIONERS
JULY 27, 1992

The Henderson County Board of Commissioners met for a special called meeting at 7:00 p.m. in the Commissioners' Meeting Room of the Henderson County Office Building.

Present were: Chairman J. Michael Edney, Vice-Chairman Vollie G. Good, Commissioner F. Richard Baker, Commissioner Hugh D. Randall, County Manager David F. Thompson, County Planners Matt Matteson and Karen Collins, and Clerk to the Board Elizabeth W. Corn. Absent was Commissioner William McKay.

WELCOME

Chairman Edney welcomed all in attendance and stated that the purpose of tonight's Special Called Meeting is a Public Hearing to receive public input on the proposed zoning amendments in the Ladson Road/Banner Farm Road area. He explained that a Public Hearing is the time for citizens to voice their comments on the issue to the Board. He asked if citizens have questions to please hold them until break or until the end of the Public Hearing and the planners will be glad to answer the questions at those times.

Chairman Edney explained that the planning staff will make a short presentation and then the representative of the petitioners will be recognized to make a short presentation. After this any public comment will be heard.

PUBLIC HEARING

Commissioner Good made the motion to go into Public Hearing. All voted in favor and the motion carried.

Mr. Matteson stated that this public hearing is being held in accordance with Section 1204 of the Henderson County Zoning Ordinance. The following is a chronology of events leading up to this hearing:

October 15, 1991 - Mrs. Irene Mangan met with the Planning Department staff to discuss the procedure for obtaining zoning in the Ladson Road area near Bannerwood Subdivision.

May 8, 1992 - Petition was received from 55 property owners in the Ladson Road and Banner Farm Road area requesting zoning for approximately 832 acres.

May 26, 1992 - Planning Board Meeting. The Board received request for zoning and tabled action until their June meeting.

June 26, 1992 - Irene Mangan submitted formal request to include one additional parcel to the zoning study area.

June 30, 1992 - Planning Board Meeting. The Board considered the request for zoning. Since the meeting of May 26, additional property owners within the study area had signed the zoning petition. The Board voted to submit a favorable recommendation on the proposed zoning to the Board of Commissioners.

July 6, 1992 - Board of Commissioners' Meeting. Commissioners set the public hearing on the proposed zoning for Monday, July 27, 1992, at 7:00 p.m.

Mr. Matteson stated that (140) letters have been mailed out to all relevant property owners.

The study area is bounded on the east by the French Broad River, on the north by North Carolina Hwy. #191 and School House Road. It includes parcels on each side of Ladson Road including some on both Banner Farm Road and Warlick Road.

Based on the proposed R-30 permitted uses, there appear to be nine known and existing non-conforming uses. This includes six manufactured homes, one incidental home occupation, one small business, and one public utility communications facility. There is also one issued permit for a convenience store. Since the May application date, there has been one property subdivision. Mr. Matteson stated that most of the lots in the area appear to meet the R-30 lot size and set back without difficulty. The majority of undeveloped area is in agriculture use which is exempt to zoning regulation under state law. Approximately one half of the land within the study area lies within the 100 year flood plain. The study area is very similar to the existing R-40 zoning to the east side of the French Broad River.

Mr. Matteson stated that as of July 23, 80 out of 96 property owners (approx. 83%) have signed petitions in general support of the proposal. This represents 86% of the total number of parcels and also represents 75% of the acreage within the study area. As of this date, the Planning Department has received letters of general support from 24 property owners and letters of opposition from one person within the study area, one person owning property adjacent to the area, and one person owning property within the general area.

Craig Justus, Attorney

Mr. Justus spoke on behalf of the residents of the study area. Mr. Justus stated that these residents have been working with the planners for 11 months on proposed zoning for their community. He said that the area to be zoned includes farmland, residential areas, and environmentally sensitive areas (50% in floodplain).

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Mr. Justus said concerning the people to be zoned that 88 have signed to date out of 96 property owners. He submitted six new signatures. Mr. Justus said the community is made up of families, young and old; retirees; people from many different walks of life; and some farmers. Mr. Justus requested that the Board of Commissioners zone the area R-30 tonight.

Public Input

1. Tom Mangan - spoke for R-30 zoning.
2. Drew Brannon - spoke for R-30 zoning.
3. Doug Shipman - spoke for R-30 zoning.
4. Mr. Ray - spoke for R-30 zoning.
5. Ken Campbell - spoke for R-30 zoning.
6. Jim Fritts - spoke for R-30 zoning.
7. Larry Merrill - Mr. Merrill is not against R-30 zoning on **Ladson Road** but does not want R-30 zoning on his property on Banner Farm Road. He wants agricultural zoning.

Commissioner Baker made the motion to close the Public Hearing. All voted in favor and the motion carried.

Commissioner Baker made the motion to accept the recommendation of the Planning Board and zone the Ladson Road/Banner Farm Road area R-30. All voted in favor and the motion carried.

There being no further business, the meeting was adjourned at 7:40 p.m.

ATTEST:


Elizabeth W. Corn, Clerk


J. Michael Edney, Chairman

Public Hearing - Sign-up Sheet
 Proposed Zoning Amendments
 Ladson Rd. / Banner Farm Rd. Area

Please Print	<u>Name</u>	<u>Address</u>
✓ 1-	TOM MANGAN	31 Amber Dr
✓ 2-	Drew Brannon	mt. 2 Horse shoe.
✓ 3-	Doug Shipman	65 Ladson Rd
✓ 4-	Dr. Ray	
5-		
✓ 6-	Ken Campbell	29 Amber Dr, Horse Shoe, Nc
7-		
8-		
✓ 9-	Jim FRETTS	48 LADSON Rd, Horse Shoe
✓ 10-	Robert Gibson / -	C. Justus spoke for
✓ 11-	Craig Johns	
✓ 12-	Larry Merrill -	