

REQUEST FOR BOARD ACTION

HENDERSON COUNTY PLANNING BOARD

MEETING DATE: February 20, 2025

SUBJECT: Rezoning Application #R-2024-07 Howard Gap Rd

PRESENTER: Liz Hanson, Planner

ATTACHMENTS: 1.) Staff Report
2.) Comprehensive Plan Statement
3.) Preliminary Survey
4.) PowerPoint Handouts

SUMMARY OF REQUEST:

Rezoning Application R-2024-07, submitted on November 11, 2024, requests that the County rezone approximately 2.81 acres of land from the Industrial (I) zoning district to the Residential Two Rural (R2R) zoning district. The zoning map amendment application is for a portion of PIN: 9660-85-8605 with access from Howard Gap Rd (SR 1006). The property owners and the applicants are Alex and Inna Bortnik.

The Technical Review Committee will review this application on February 18, 2025.

ACTION REQUESTED:

Staff requests the Planning Board make a recommendation to the Board of Commissioners on rezoning application (R-2024-07) for approximately 2.81 acres to rezone from Industrial (I) to Residential Two Rural (R2R).

Suggested Motion:

I move to recommend rezoning application #R-2024-07 to the Board of Commissioners, as it is reasonable and consistent with the 2045 Comprehensive Plan.



STAFF REPORT

HENDERSON COUNTY PLANNING DEPARTMENT

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

Prepared by:
Liz Hanson, Planner I

APPLICATION #
R-2024-07

PLANNING BOARD MEETING DATE:
FEBRUARY 20, 2025

PROPERTY OWNERS

Alex Bortnik
Inna Bortnik

PROPERTY LOCATION/ADDRESS

Howard Gap Rd (SR 1006)
Hendersonville Township

APPLICANTS

Alex Bortnik
Inna Bortnik

PIN(S):

9660-85-8605

SUMMARY OF REQUEST

A rezoning of the above referenced PINs (hereafter the subject area from Industrial (I) to Residential Two Rural (R2R).

Existing Zoning	Industrial (I)
FLUM Character Area	Neighborhood Anchor
Existing Land Use	Vacant
Site Improvements	NA
Request Acreage	2.81

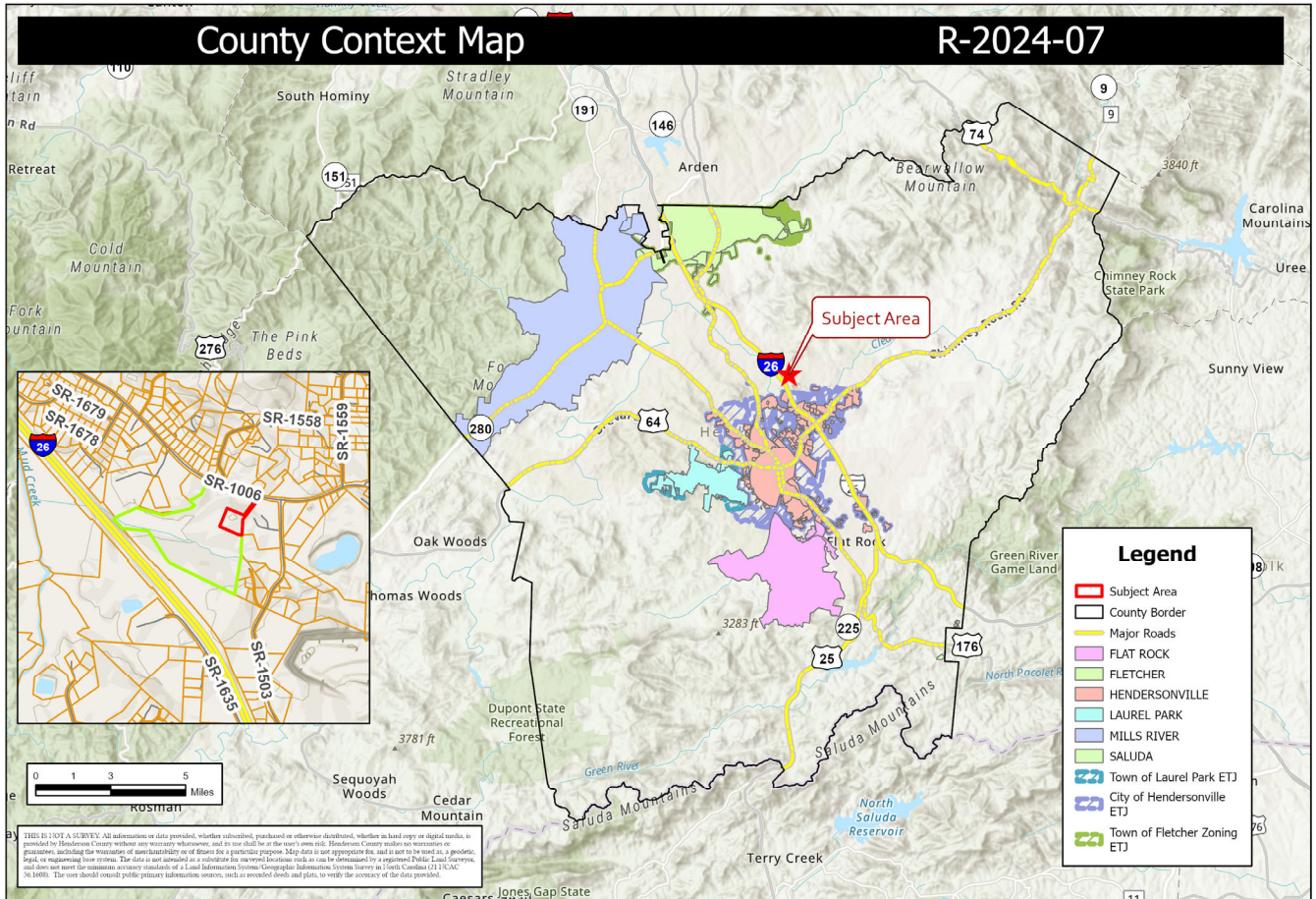
ADJACENT ZONING

North	R2R
East	R2R
South	I
West	I, R1

USE OF LAND

Residential
Residential
Vacant
Residential

Map A: County Context



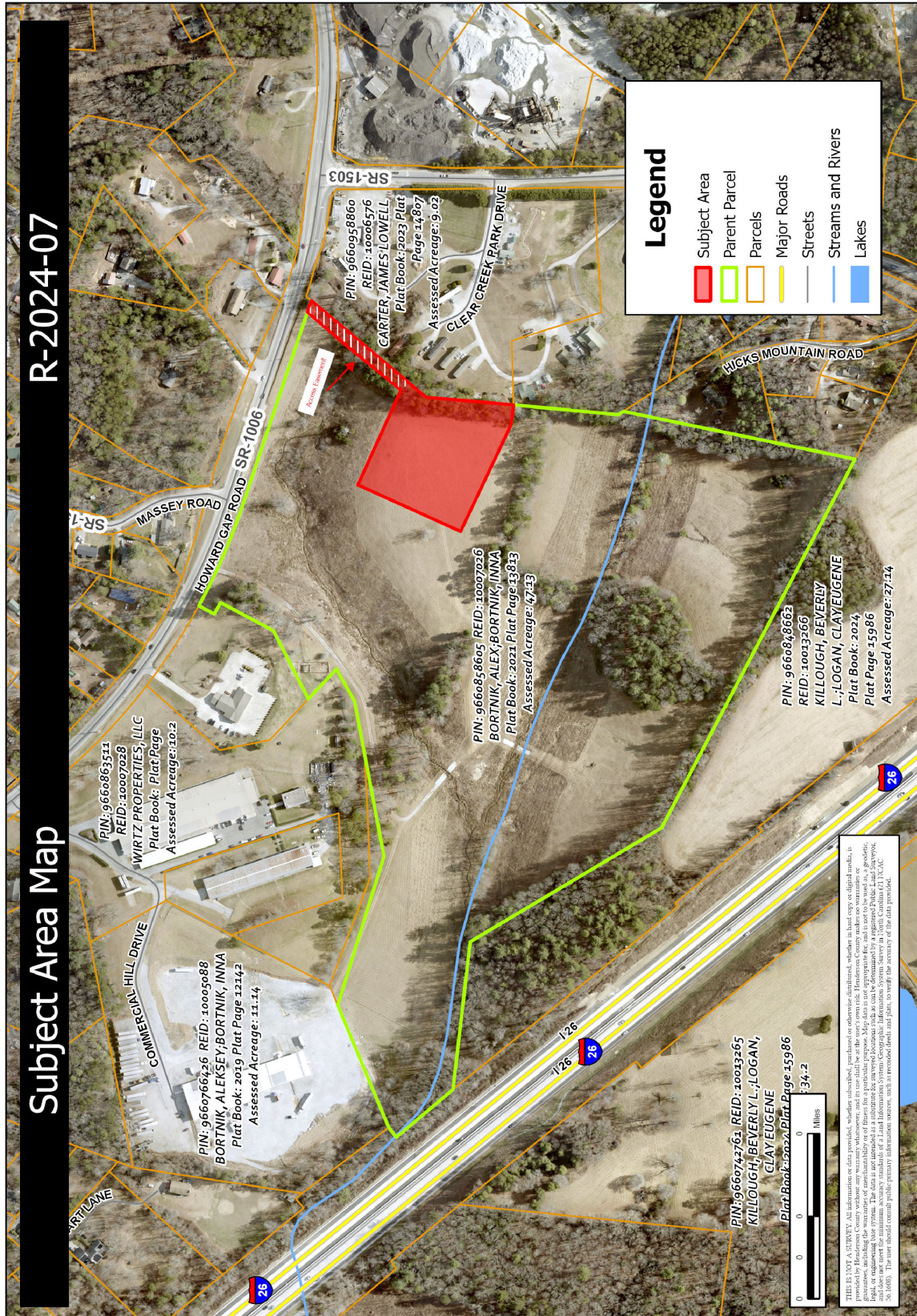
Property Owner(s): Alex and Inna Bortnik
 Total Acreage: 2.81
 Zoning District: R1



BACKGROUND:

The applicants, Alex and Inna Bortnik, seek to rezone a portion of PIN 9660-85-8605 from Industrial (I) to Residential Two Rural (R2R). The subject area is approximately 2.81 acres. The parcel is currently vacant.

Map B: Subject Area



Subject Area Map R-2024-07

Property Owner(s): Alex and Inna Bortnik
 Total Acreage: 2.81
 Industrial (I) to Residential Two Rural (R2R)

SUBJECT AREA & ADJACENT PROPERTIES:

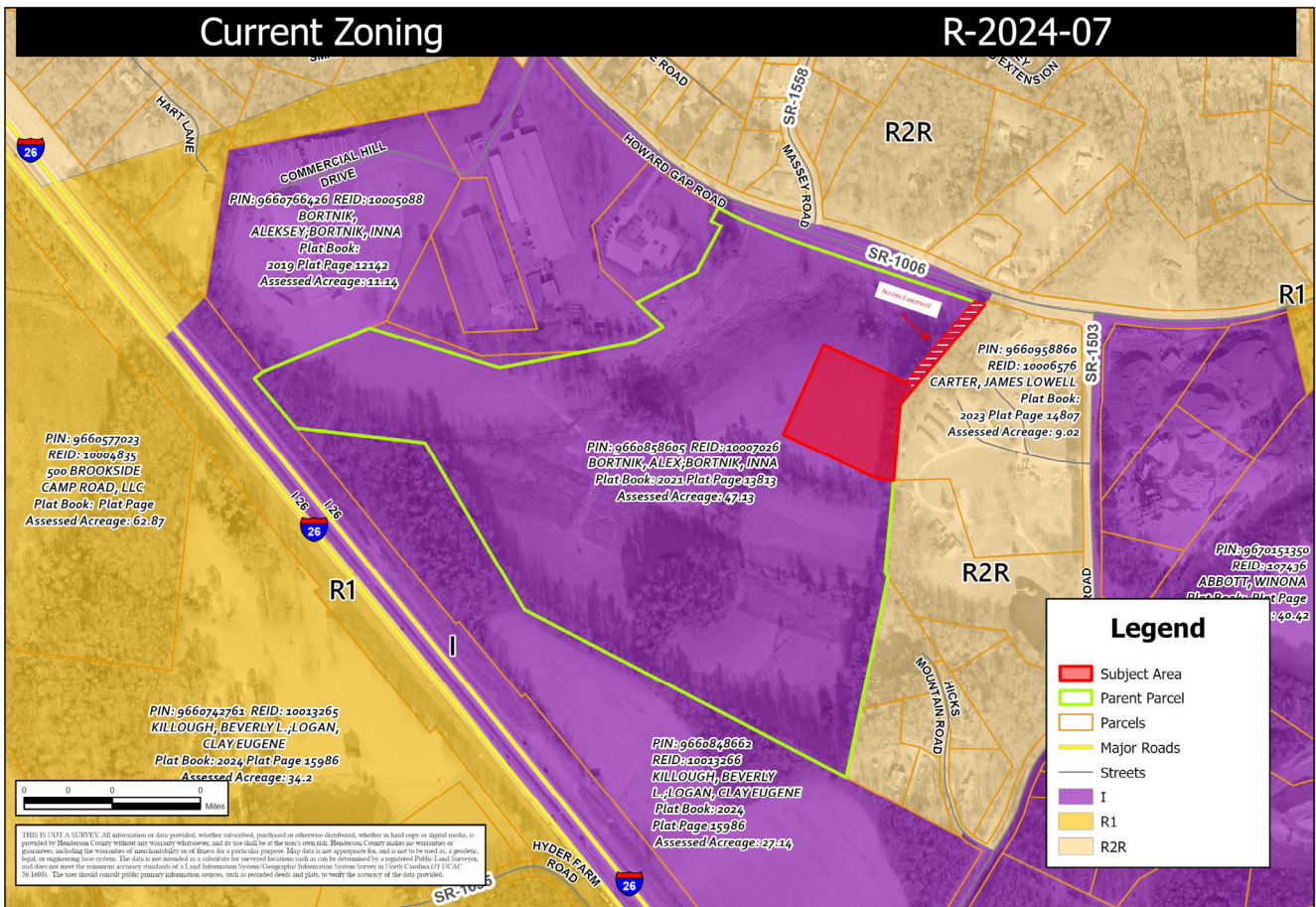
West: The parcels to the West of the subject area, across I-26, are currently vacant.

South: The parcel to the South of the subject area is currently vacant.

East: The parcels to the East of the subject area contain residential structures.

North: The parcels to the North of the subject area, across Howard Gap Rd, contain residential structures.

Map C: Current Zoning



Property Owner(s): Alex and Inna Bortnik
Total Acreage: 2.81
Industrial (I) to Residential Two Rural (R2R)

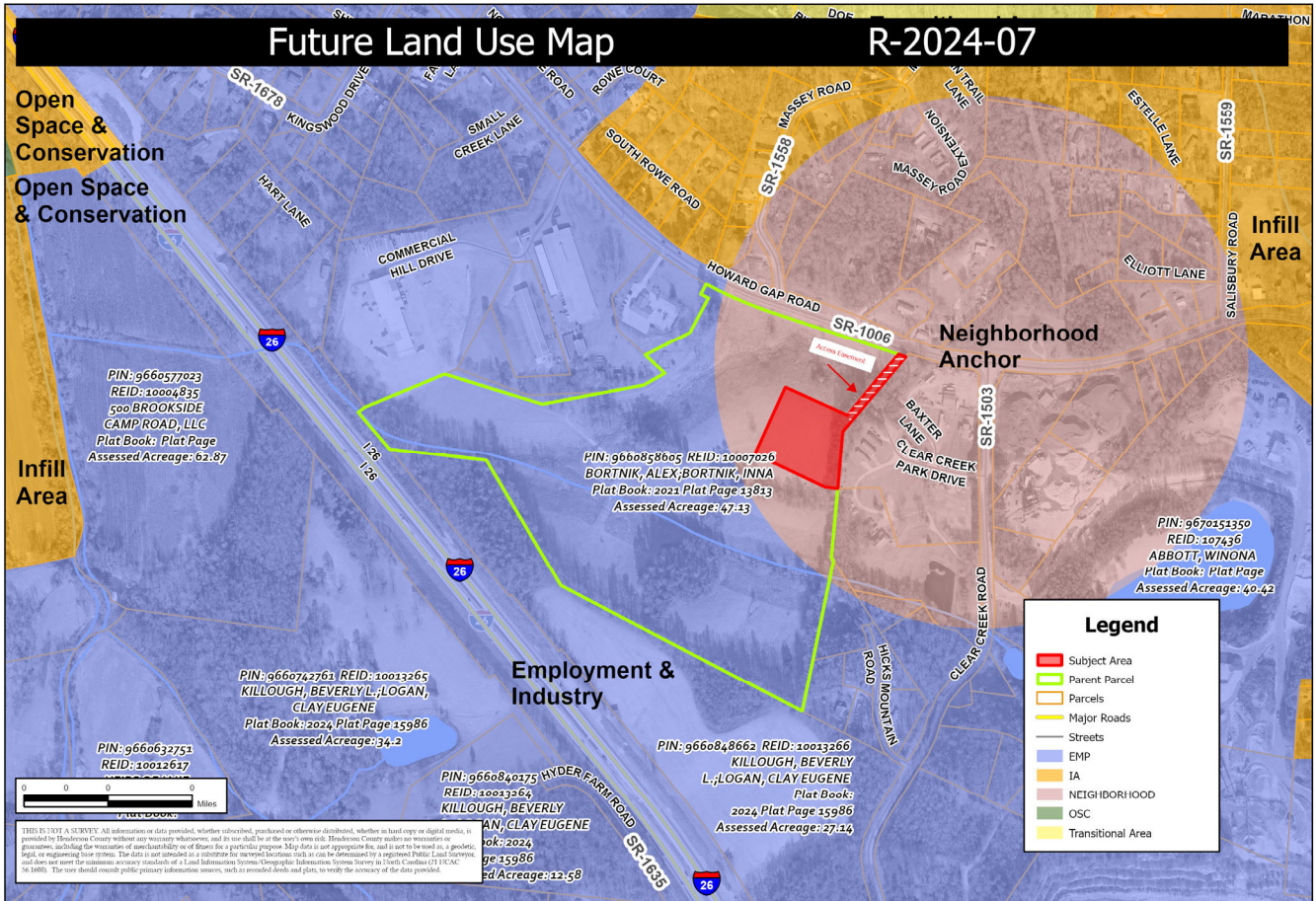


District Comparison:

Industrial (I): The purpose of the Industrial District (I) is to foster orderly growth where the *principal use* of land is a mixture of *industrial* and heavy commercial. The intent of this district is to allow for *industrial* and heavy *commercial development* that: (1) is compatible with adjacent development and the surrounding community; (2) will minimize conflict between land *uses*; and (3) is sensitive to its impact on surrounding land *uses* and the environment (natural and man-made). This general *use district* is meant to be in the Utility Service Area (USA) as defined in the *Comprehensive Plan*. (LDC §42-36).

Residential Two Rural (R2R): “The purpose of Residential District Two Rural (R2R) is to foster orderly growth where the principal use of land is residential. The intent of this district is to allow for low to medium density residential development and rural commercial and light industrial development consistent with the recommendations of the Comprehensive Plan. This general use district is typically meant to be utilized outside areas designated as Utility Service Area (USA) in the *Comprehensive Plan*.” Standard residential density is 1 unit per acre and a maximum height of 40’. (LDC §42-27).

Map D: 2045 Future Land Use Map



Property Owner(s): Alex and Inna Bortnik
 Total Acreage: 2.81
 Industrial (I) to Residential Two Rural (R2R)



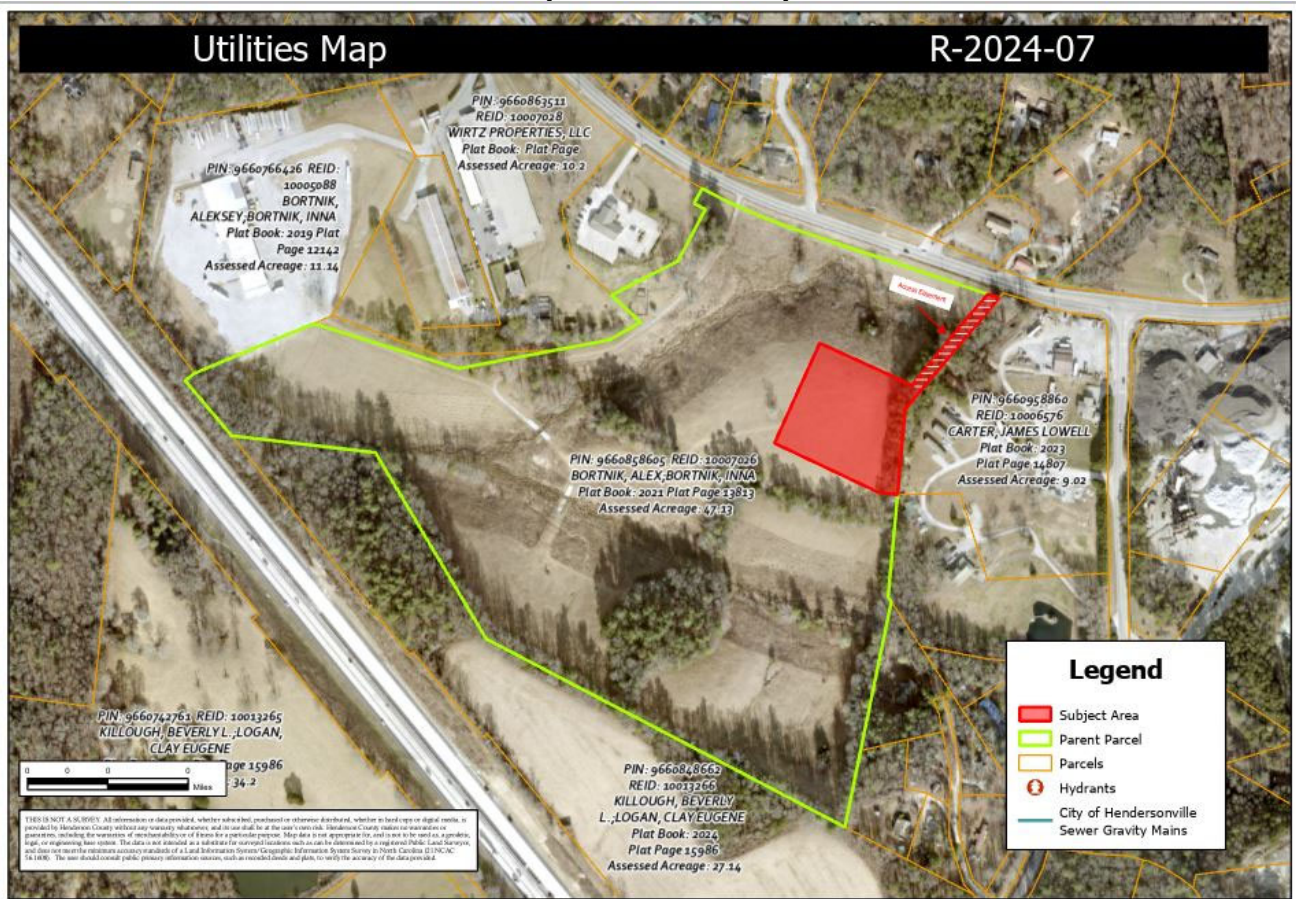
2045 Comprehensive Plan Compatibility

The 2045 Comprehensive Plan Future Land Use Map identifies the subject area as being in the **Neighborhood Anchor** character area.

Neighborhood Anchor: “Neighborhood Anchors are small concentrations of commercial, residential, and civic uses in more rural areas centered around structural anchors like schools, churches, and/or crossroads. These areas typically follow a development pattern where commercial uses are clustered directly adjacent to a crossroads, surrounded by residential development and agricultural uses. Developments that accommodate the ability to live, work, and play without commuting, are encouraged here.” (Part 2, page 45)

- **Where:** Typically found at intersections of State Roads or thoroughfares.
 - The subject area is near the intersection of Howard Gap Rd (SR 1006) and Clear Creek Rd (SR 1503).
- **Uses:** Small services and retail, churches, fuel stations, light industry, mix of residential types including small scale multi-family
 - Residential Two Rural (R2R) primary use is residential.
- **Utility Access:** Utilities are typically not necessary due to the small-scale of development, but may be necessary for some development types.

Map F: Utilities Map



Property Owner(s): Alex and Inna Bortnik
Total Acreage: 2.81
Industrial (I) to Residential Two Rural (R2R)



Water and Sewer

The subject area is not currently connected to any utilities.

Existing Roads and Easements

The subject area currently has access from Howard Gap Rd (SR 1006). The parent parcel contains a number of easements including:

- Duke Energy Corporation Easement
- Duke Power Corporation Easement
- Public Service Gas Company Easement
- State Highway Commission Easement
- Southern Bell Telephone
- Permanent Conservation Easement
- Water Quality Project Easement

The subject area is not included in any of the easement areas.

Technical Review Committee (TRC) Recommendations

The Technical Review Committee will review this application on February 18, 2025.

Planning Board Recommendations

TBD

Board of Commissioners Public Hearing

A public hearing for this application is anticipated to be held on March 3, 2025.



REZONING APPLICATION R-2024-07 COMPREHENSIVE PLAN STATEMENT

Related to rezoning application R-2024-07, the Comprehensive Plan states the following:

- **Plan Goal 7: Diversify Housing Choices and Increase Availability**
 - Rec 7.2: Encourage development of housing.
- **Neighborhood Anchor FLUM Character Area**
 - The 2045 Comprehensive Plan Future Land Use Map identifies the subject area as being in the Neighborhood Anchor character area. Neighborhood Anchors are small concentrations of commercial, residential, and civic uses in more rural areas centered around structural anchors like schools, churches, and/or crossroads. The principal use of land in the Residential Two Rural (R2R) zoning district is residential.

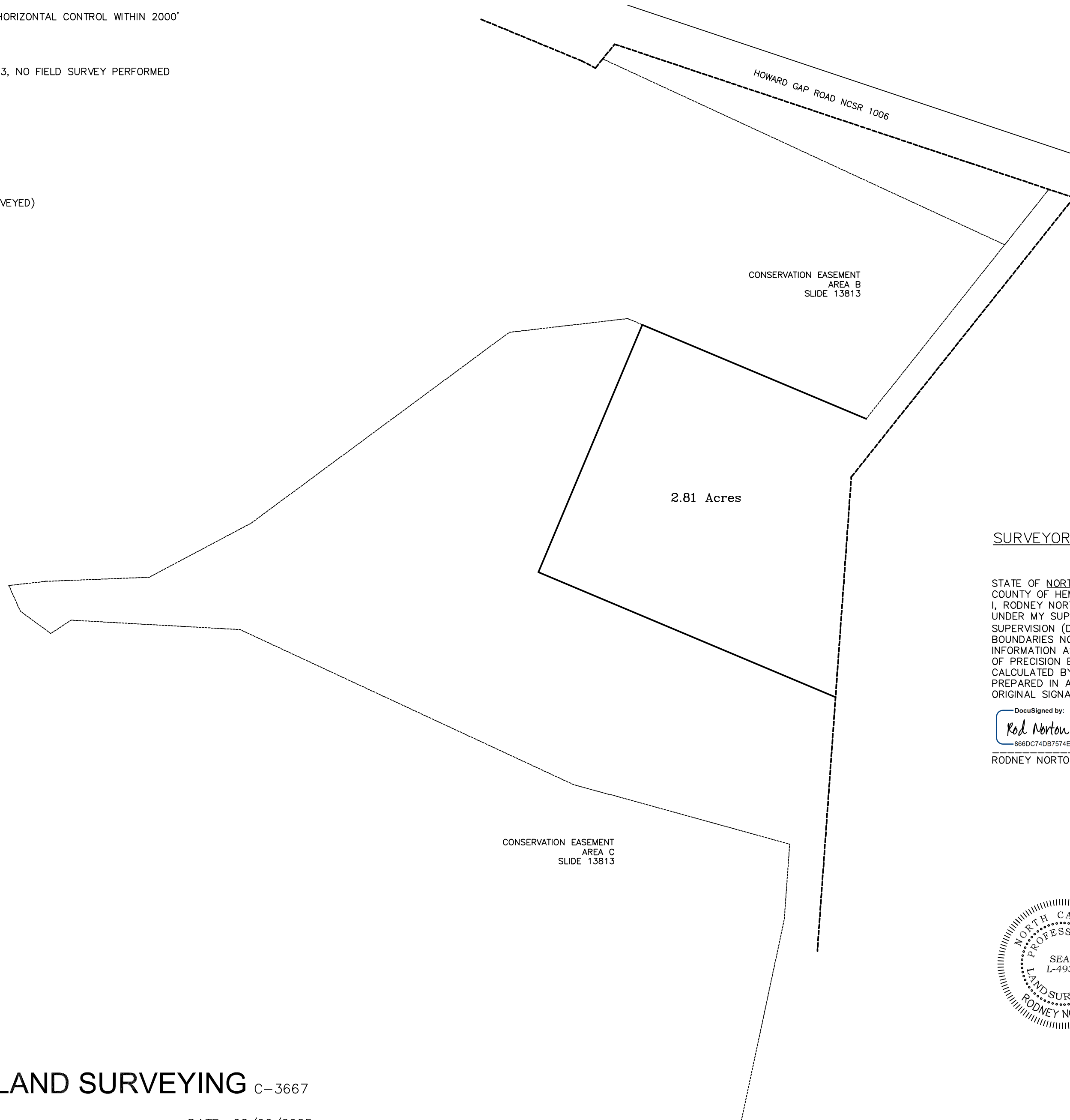
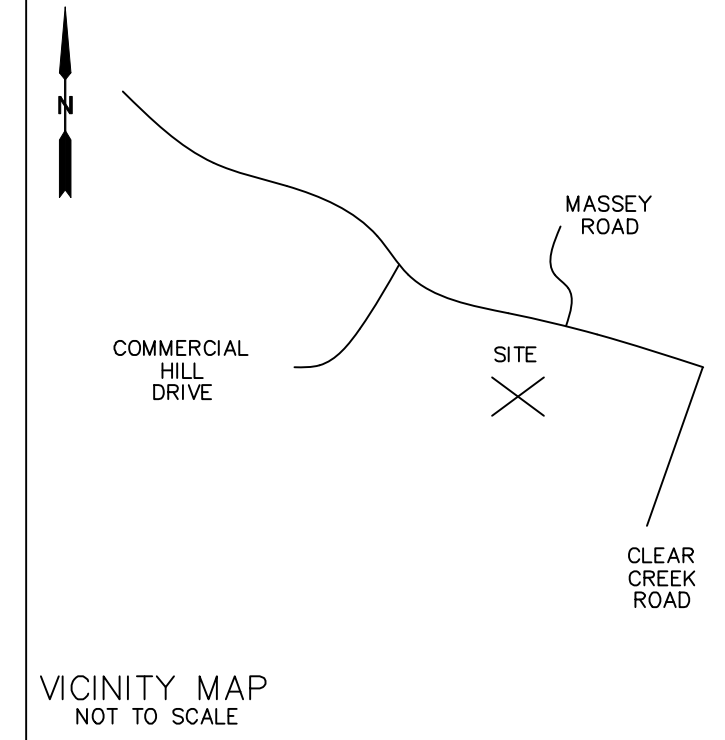
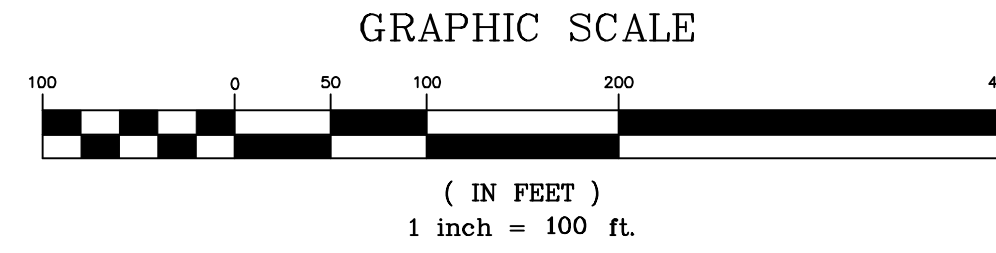
The Board should determine if the proposed amendment provides for the sound administration of the Land Development Code while balancing property rights and promoting reasonable growth within the County.

NOTES:

1. ALL DISTANCES ARE GROUND DISTANCES, UNLESS OTHERWISE SHOWN.
2. THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A TITLE COMMITMENT REPORT. ROD NORTON SURVEYING DOES NOT CLAIM THAT ALL MATTERS OF RECORD WHICH MAY OR MAY NOT AFFECT THE SUBJECT PROPERTY ARE SHOWN HEREON.
3. PROPERTY SUBJECT TO ALL RIGHTS OF WAY AND EASEMENTS SHOWN OR NOT SHOWN, VISIBLE OR NOT VISIBLE.
4. PHYSICAL IMPROVEMENTS MAY EXIST ON THIS PROPERTY THAT ARE NOT SHOWN HEREON.
5. THERE IS NO RECOVERABLE N.C.G.S. HORIZONTAL CONTROL WITHIN 2000' OF THE SUBJECT PROPERTY
6. AREA BY METHOD OF COORDINATES.
7. INFORMATION TAKEN FROM SLIDE 13813, NO FIELD SURVEY PERFORMED


LEGEND:

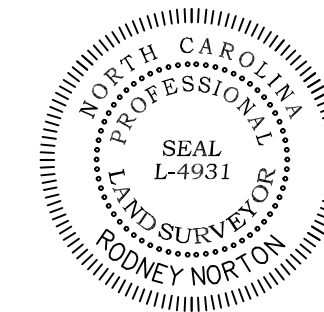
- PROPOSED LINE
- EXISTING BOUNDARY (NOT SURVEYED)
- EASEMENT AREA



SURVEYOR'S CERTIFICATE:

STATE OF NORTH CAROLINA
 COUNTY OF HEMDERSON
 I, RODNEY NORTON, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION NOT FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED REFERENCE DEED BOOK 4224, PAGE 311); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION AS REFERENCED ON THE FACE OF THIS PLAT; THAT THE RATIO OF PRECISION BEFORE ADJUSTING WAS ONE PART IN 20,000+ AS CALCULATED BY LATITUDES AND DEPARTURES, AND THAT THIS PLAT WAS NOT PREPARED IN ACCORDANCE WITH G.S. 47-30, AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 6TH DAY OF MARCH 2024, A.D.

DocuSigned by:

 968DC74DB7574EA
 2/6/2025
 RODNEY NORTON L-4931



ROD NORTON LAND SURVEYING C-3667

245 RUSH ROAD
 CLYDE, NC 28721
 828-316-1694
 NORTONSURVEYING@GMAIL.COM

DATE: 02/06/2025
 SCALE: 1"=100'
 SURVEY BY:
 PLAT BY: RAN

PLAT PREPARED FOR:
ALEX BORTNIK
 HENDERSONVILLE TOWNSHIP, HENDERSONSON COUNTY, NC.
 OWNERS OF RECORD:
 ALEX & INNA BORTNIK
 DB 4224, PG 311
 PIN 9660-85-8605

Rezoning Application: R-2024-07

Planning Board • February 20, 2025 • 5:30 PM

Henderson County Planning Department

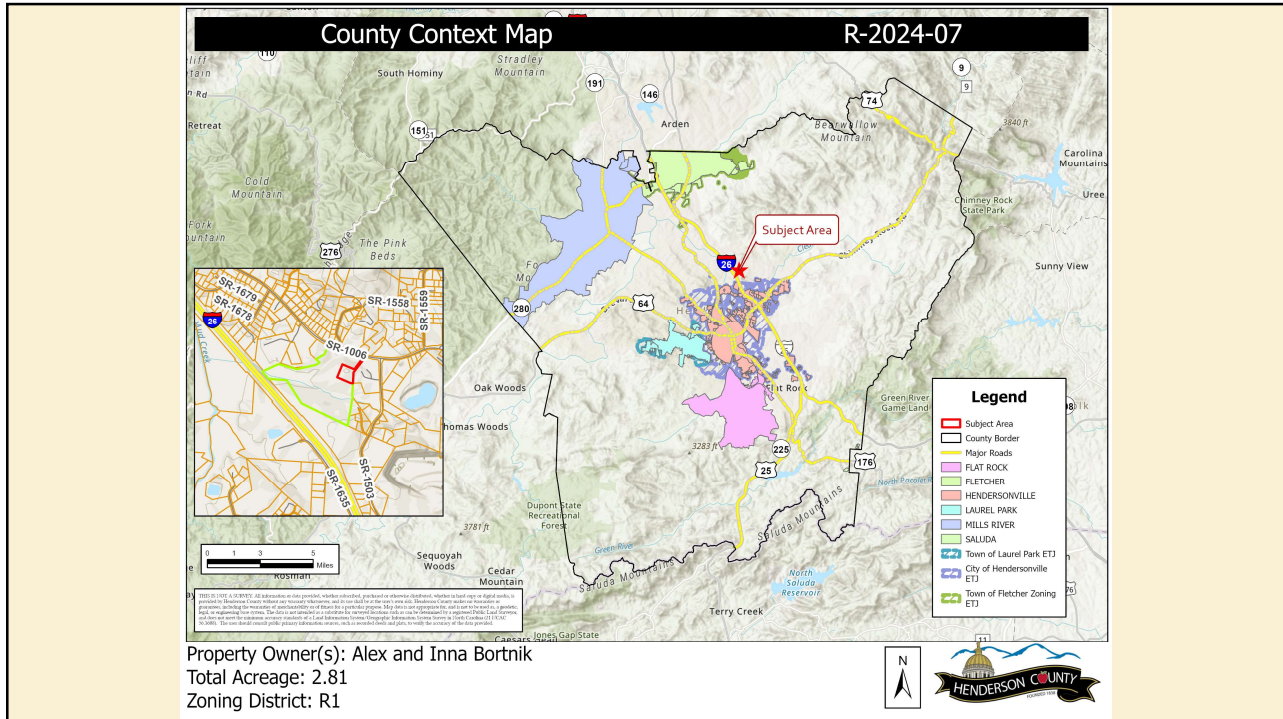
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Application Background

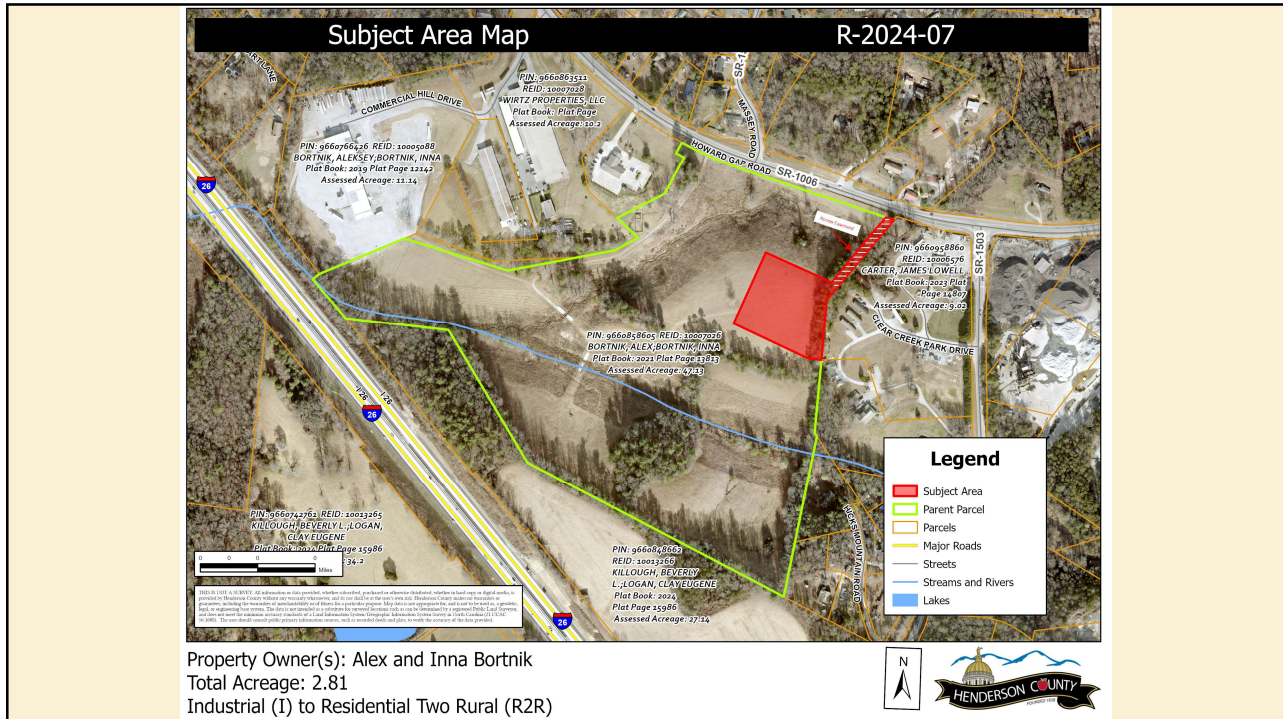
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- The zoning map amendment application is for a portion of PIN: 9660-85-8605 with access from Howard Gap Rd (SR 1006).
- The property owners and applicants are Alex and Inna Bortnik.
- The Technical Review Committee reviewed this application at their February 18, 2025, meeting and voted to move the application on to the Planning Board.

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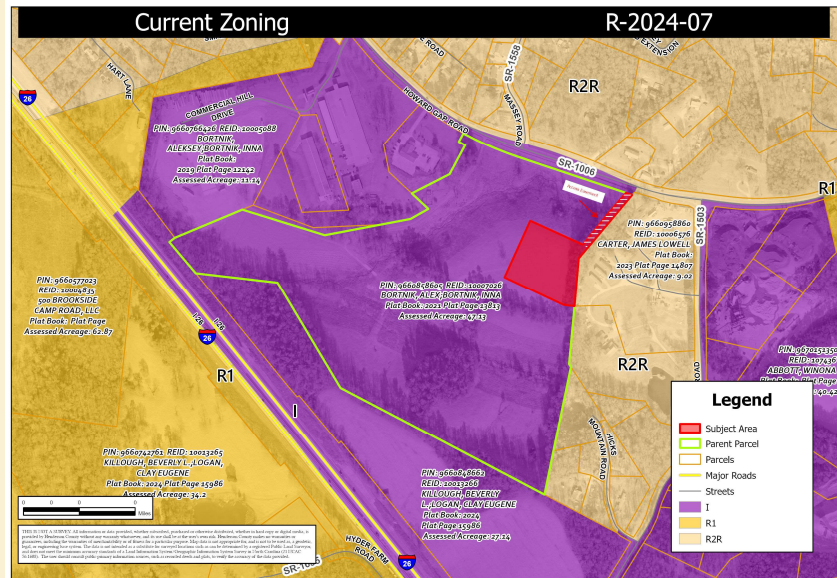
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Industrial (I): The purpose of the Industrial District (I) is to foster orderly growth where the principal use of land is a mixture of industrial and heavy commercial.

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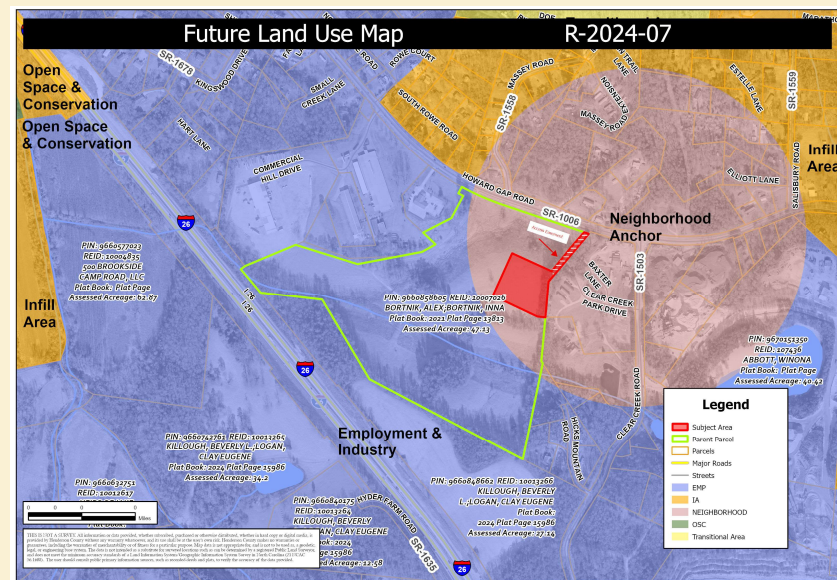
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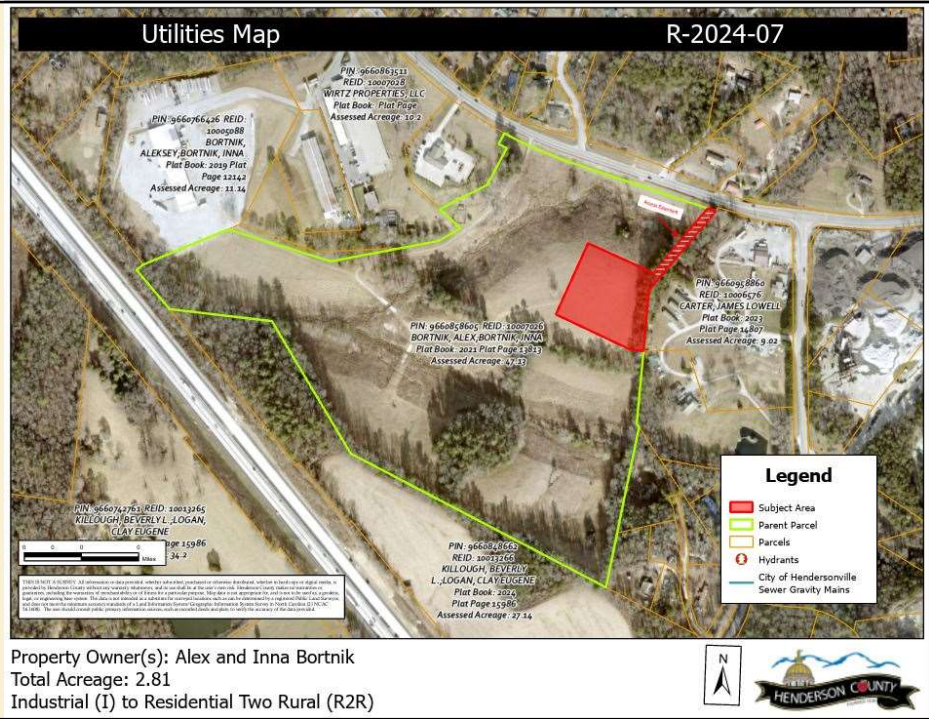
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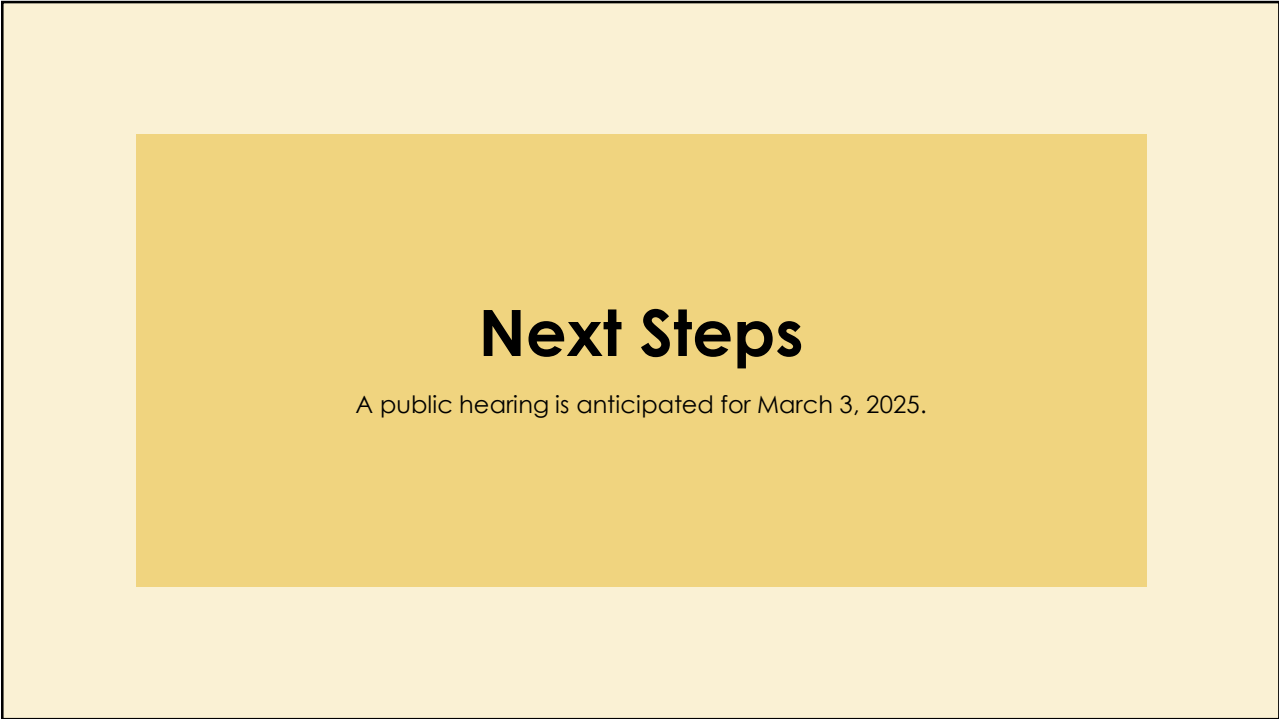
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Comprehensive Plan Statement

- **GOAL 7: DIVERSIFY HOUSING CHOICES AND INCREASE AVAILABILITY.**
 - Rec 7.2: Encourage development of housing.
- **NEIGHBORHOOD ANCHOR FLUM CHARACTER AREA**
 - The 2045 Comprehensive Plan Future Land Use Map identifies the subject area as being in the Neighborhood Anchor character area. Neighborhood Anchors are small concentrations of commercial, residential, and civic uses in more rural areas centered around structural anchors like schools, churches, and/or crossroads. The principal use of land in the Residential Two Rural (R2R) zoning district is residential.

8

8

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Next Steps

A public hearing is anticipated for March 3, 2025.

9

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Thank you! REZONING APPLICATION R-2024-07

Henderson County Planning Department

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