

REQUEST FOR COMMITTEE ACTION

HENDERSON COUNTY TECHNICAL REVIEW COMMITTEE

MEETING DATE: January 7, 2025

SUBJECT: Rezoning Application R-2024-08

PRESENTER: Carlos Martinez, Planner I

ATTACHMENTS: 1.) Staff Report
2.) Survey Plat
2.) Consent to Downzoning

SUMMARY OF REQUEST:

The zoning map amendment, application #R-2024-08, is for a portion of PIN: 9587-51-5538, owned by Pennie Melton. It is located on Continental Divide Drive and Shafer Road. The owner has requested a 6.65-acre portion of the property (hereafter the subject area) be rezoned from Regional Commercial (RC) to Residential District Two Rural (R2R). The application was submitted on December 11, 2024.

Staff requests that the subject area be rezoned from Regional Commercial (RC) to Residential District Two Rural (R2R), which is the current zoning of adjacent properties to the south and east.

ACTION REQUESTED:

Staff requests the Technical Review Committee review rezoning application #R-2024-08 and forward it to the Planning Board for its review and recommendation.

Suggested Motion:

I move the Technical Review Committee forward rezoning application R-2024-08 to the Planning Board for its review and recommendation with any comments as discussed.



STAFF REPORT

HENDERSON COUNTY PLANNING DEPARTMENT

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

Prepared by:

Carlos Martinez, Planner I

APPLICATION #
R-2024-08

TRC MEETING DATE:
JANUARY 7, 2025

PROPERTY OWNER
Pennie Melton

PROPERTY LOCATION/ADDRESS
Hendersonville Township

APPLICANT
Pennie Melton

PIN(S):
9587-51-5538

SUMMARY OF REQUEST

To rezone a portion of the above-referenced PIN (hereafter the subject area) from Regional Commercial (RC) to Residential District Two Rural (R2R).

Existing Zoning	Regional Commercial (RC), Residential District Two Rural (R2R)
FLUM Character Area	Transitional Area
Existing Land Use	Vacant
Site Improvements	NA
Request Acreage	6.65

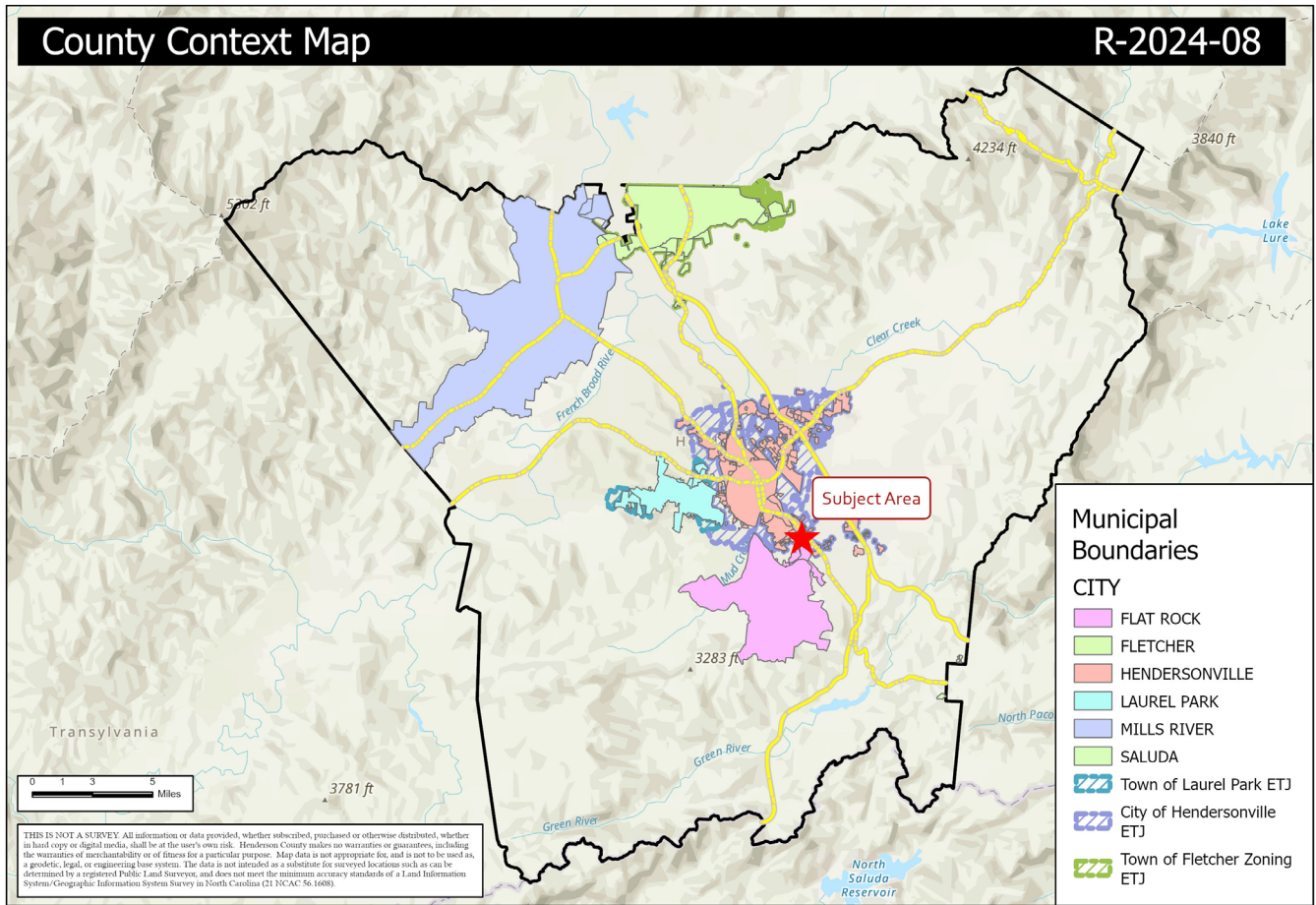
ADJACENT ZONING

North	RC
East	R2R
South	R2R
West	R1

PROPERTY CLASS

Commercial, Vacant
Residential, Vacant
Residential, Vacant
Residential

Map A: County Context



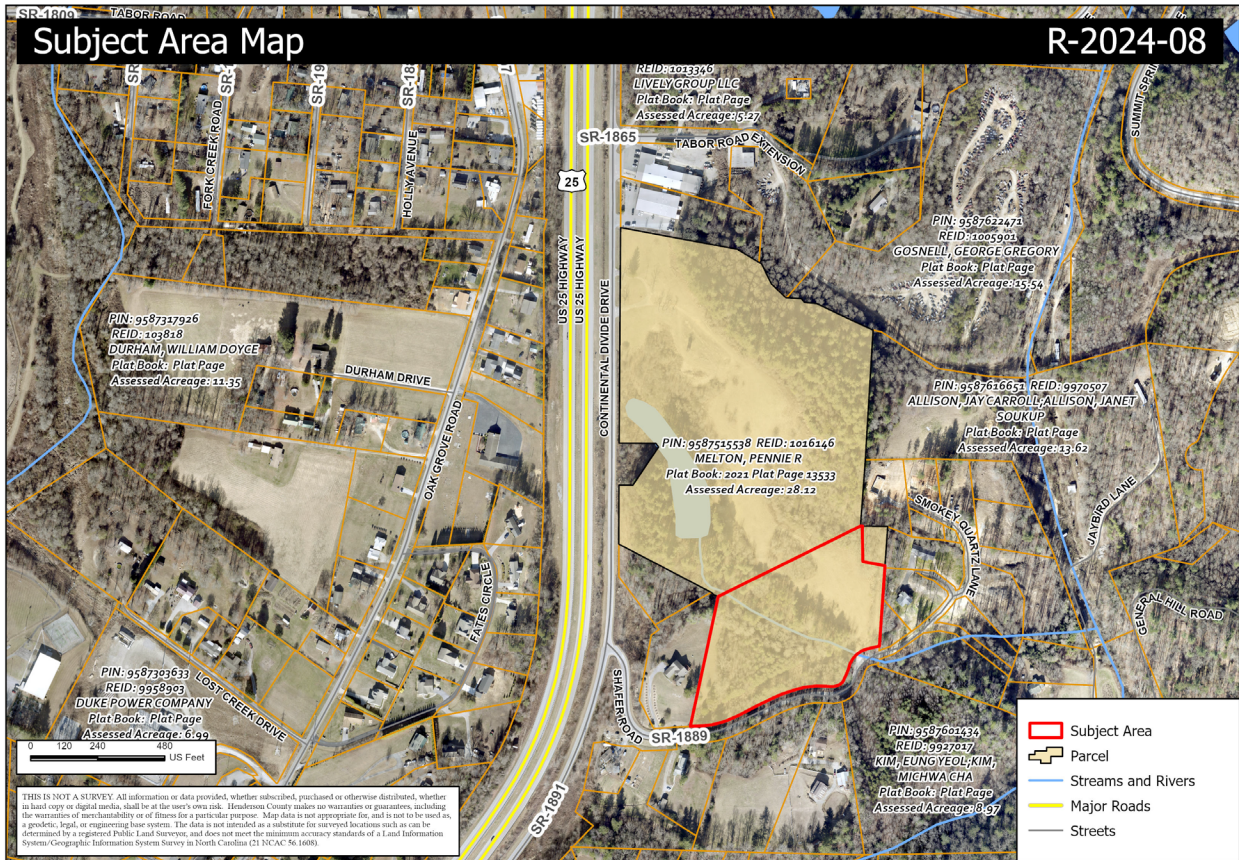
Property Owner(s): Pennie Melton
Total Acreage: 6.65 of 28.15 acres to be rezoned
RC to R2R Zoning



BACKGROUND:

The zoning map amendment, application #R-2024-08, is for a portion of PIN: 9587-51-5538. Pennie Melton owns the parcel, which has frontage along Continental Divide Drive and Shafer Road. The applicant is seeking to rezone a portion of the parcel from Regional Commercial (RC) to Residential District Two Rural (R2R). The subject area is approximately 6.65 acres of a 28.15-acre lot. The parcel is currently vacant.

Map B: Subject Area



Property Owner(s): Pennie Melton
 Total Acreage: 6.65 of 28.15 acres to be rezoned
 RC to R2R Zoning



SUBJECT AREA & ADJACENT PROPERTIES:

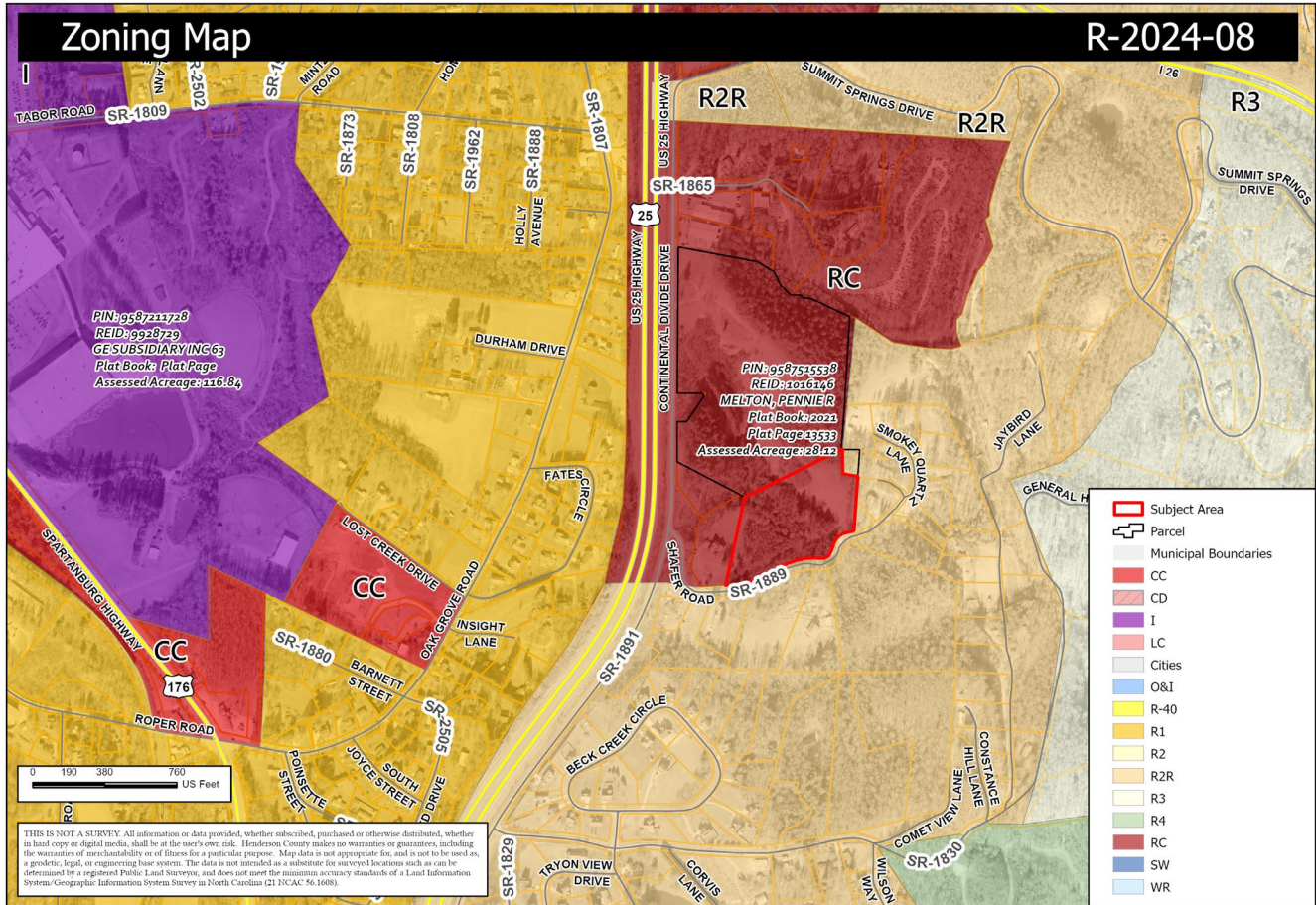
West: US 25 Hwy is west of the property. A church and residential uses are further west.

South: Residential uses and vacant land are south of the subject area.

East: Residential uses and vacant land are east of the subject area.

North: Auto parts stores and vacant land are north of the subject area.

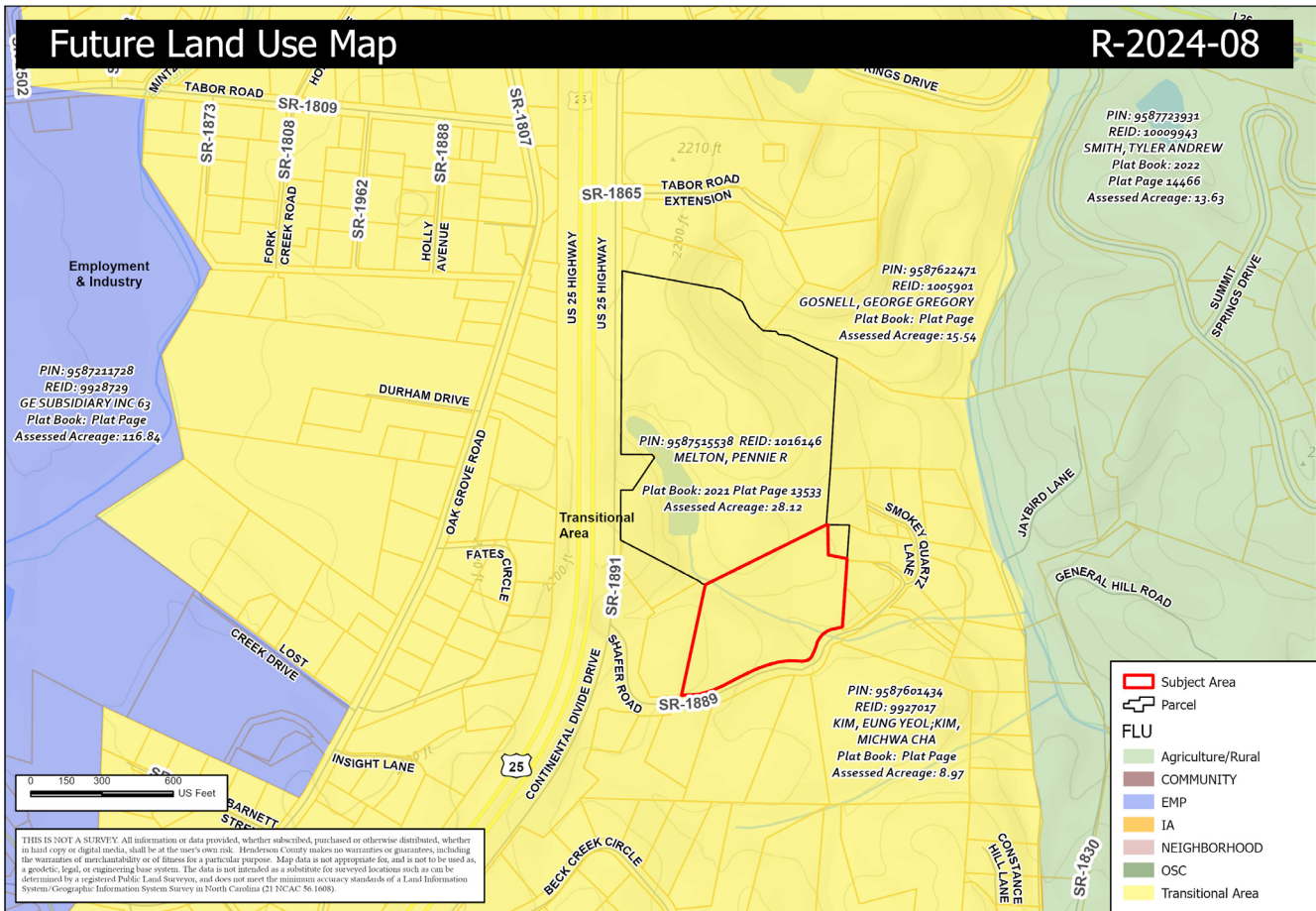
Map C: Current Zoning



Property Owner(s): Pennie Melton
 Total Acreage: 6.65 of 28.15 acres to be rezoned
 RC to R2R Zoning



Map D: 2045 Future Land Use Map



Property Owner(s): Pennie Melton
 Total Acreage: 6.65 of 28.15 acres to be rezoned
 RC to R2R Zoning



2045 Comprehensive Plan Compatibility

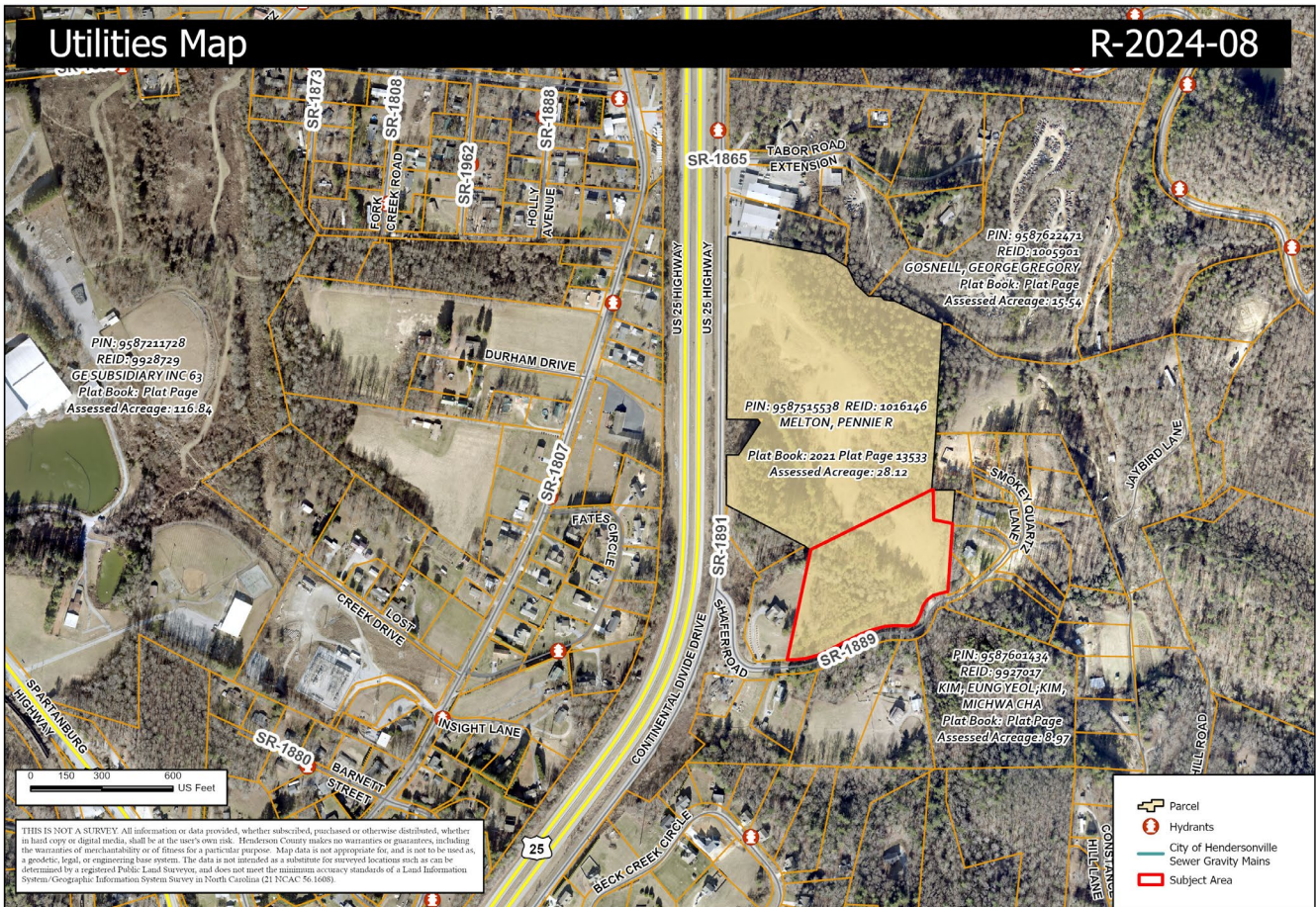
The 2045 Comprehensive Plan Future Land Use Map identifies the subject area as being in the **Transitional Area** character area.

Transitional Area (TA)

“Transitional Area encompasses residential areas of limited density” (Part 2, page 44).

- **Where:** Outside the core of the Utility Service Area and working agricultural lands.
- **Density:** The maximum allowable density range is two to four units per acre (gross density).
 - Residential District Two Rural (R2R) has a maximum density of two units per acre
- **Uses:** Single family residential, potentially some appropriately sized multi-family as part of planned developments, agricultural uses.
 - Residential District Two Rural (R2R) is intended primarily for residential uses.
- **Future Character Area:** When the 2045 Comprehensive Plan is amended to reflect this rezoning, the property to be rezoned will become part of the Transitional Area.

Map F: Utility Map



Property Owner(s): Pennie Melton
 Total Acreage: 6.65 of 28.15 acres to be rezoned
 RC to R2R Zoning



Water and Sewer

The applicant requested access to the City of Hendersonville sewer and was told that most of the property could not be serviced due to the slope. However, the property has access to the COH water.

Existing Roads and Easements

The subject area currently has access from Shafer Road (SR 1889) through an existing roadbed. The remainder of the site has access from Continental Divide Drive (SR 1891) through a paved driveway.

Technical Review Committee (TRC) Recommendations

TBD. January 7, 2025 Meeting.

Planning Board Recommendations

TBD. January 16, 2025 Meeting

Board of Commissioners Public Hearing

TBD. February 3, 2025 Hearing.

CONSENT TO DOWNZONING

I, Pennie R Melton, formally acknowledge and consent to the downzoning of a 6.97-acre portion of my property located at PIN 9587515538 (Shafer Rd). I understand that this change in zoning designation from Regional Commercial (RC) to Residential Two Rural (R2R) will impact the permitted uses and development potential of the property.

Henderson County staff has informed me that the proposed downzoning is entirely voluntary and that I am not required to agree to the rezoning. The staff explained the process to me, and I understand my involvement is voluntary.

I voluntarily applied for rezoning of the property at PIN 9587515538 on December 11, 2024, which was processed by the Henderson County Planning Department. This statement serves as my formal consent and acknowledgment that I am aware of and agree to downzoning my property.

Pennie R. Melton
Printed Name

Pennie Rae Melton 12/11/24
Signature Date

Additional Signatories, if applicable:

Printed Name

Signature Date

Printed Name

Signature Date