

**Town of Woodfin  
Planning Board  
Town Hall  
March 1, 2022  
6:00 P.M.**

**A. Call to Order**

1. Meeting Call to Order

**B. Approval of the Agenda**

**C. Approval of the Minutes from February 1, 2022**

**D. Public Comment**

*Everyone wishing to address the Board must sign up with the Town Clerk 15 minutes prior to the meeting. Each speaker will be recognized by the Chair when it is their time to be heard. Comments are limited to three minutes per speaker and the time allotted to public comment will be at the discretion of the Chair.*

**E. Old Business**

**F. New Business**

1. **Item 1: Rezoning:** The property is located at 99999 Elk Mountain Road, further identified by Buncombe County Parcel Identification Number 9730-73-4056. The request is to rezone the property from Community Shopping to R-7.

**G. Adjournment**



## STAFF REPORT

Type of Hearing: Rezoning

Address: 99999 Elk Mountain Road

Presenter: Adrienne Isenhower

Meeting Date: March 1, 2021

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**Summary:** The applicant is under contract to purchase the property located at 99999 Elk Mountain, further identified by Buncombe County Parcel Identification Number 9730-73-4056. The property owner has submitted written permission for the applicant to request this rezoning. The property is currently zoned Community Shopping and the district does not allow residential development. The applicant is interested in rezoning the property to R-7 to allow for single-family or two-family residential development. The properties adjacent to two sides of the property are currently zoned Community Shopping and are zoned R-7 on the other two sides.

**Consistency with Comprehensive Plan:**

The comprehensive plan references goals and objectives in the Land Use and the Housing sections pertaining to this rezoning request.

1. **Land Use, Goal 1, Objective 1:** Pursue compatible infill development in order to actively promote appropriate development and redevelopment of vacant and underdeveloped properties within the Town.

**Materials included in Packet:**

- Rezoning Application and Supporting Documentation
- GIS map of property

**Staff Recommendation:** Staff recommends approval of the rezoning of the aforementioned property from Community Shopping to R-7 based on the consistency with the goals and objectives of the Town of Woodfin 2021 Comprehensive Plan.



## REZONING APPLICATION

Complete the following application. All requested information must be provided, and supplemental information submitted for the application to be complete. Please submit the application to Planning Department staff at least 21 days prior to the Planning Board meeting at which the request will be heard.

### PETITIONER INFORMATION

Petitioner Name: Nazar Sadovnik  
Address: 72 Wind Stone Dr  
State: NC  
Phone: 8284509289

Date: 2/1/2021  
City: Asheville  
Zip Code: 28804  
Email: [carolinahomecontractors@gmail.com](mailto:carolinahomecontractors@gmail.com)

### PROPERTY OWNER INFORMATION:

Property Owner Name: Thomas Johnson (Leloo Dallas Multipass LLC)  
Address: 455 North Louisiana Ave, Suite C1  
State: NC  
Phone: 8285457324

Date: 2/1/2021  
City: Asheville  
Zip Code: 28806  
Email: [thomasjohnsonag@gmail.com](mailto:thomasjohnsonag@gmail.com)

### PARCEL INFORMATION: Please include a legal description or most recent plat with application.

Address: 99999 Elk Mountain Rd

NCPIN#: 973073405600000

Current Zoning District: Community Shopping

Acreage: .66

Proposed Zoning District: R-7

**Statement of Reasonableness:** Rezoning is consistent with the character of the area and the rezoning will match the surrounding zoning. Abutting roads ( Locust St, and Mulberry ) are zoned residential

### APPLICANT/OWNER SIGNATURE

I certify that I understand that my rezoning request must be consistent with the Comprehensive Plan. I further certify that I am authorized to submit this application and that all the information presented is accurate to the best of my knowledge. I also understand that incomplete applications will delay the application process.

Applicant Signature: *nazar sadovnik*

Date: 2/1/2022

Owner Signature:

Date: Click or tap to enter a date.

REGISTERED THIS THE 10 DAY OF April 2006  
AT 3:20 AM. RECORDED IN BOOK 117 PAGE 83  
Otto W. DeBruhl REGISTER OF DEEDS  
BY Paul Hector DEPUTY REGISTER

ALL DISTANCES ARE HORIZONTAL  
SURFACE MEASUREMENTS UNLESS  
NOTED OTHERWISE. A COMBINED  
FACTOR OF 0.999799 SHOULD BE  
APPLIED TO OBTAIN GRID LENGTHS.

N.C. GRID STATION  
"ELK"  
N 703671.627'  
E 936073.830'  
(NAD 83)

( GRID )  
S 06°04'52"E 1358.10'  
( PLAT )  
S 10°17'35"E 1358.37'

N.C. GRID STATION  
"WOODFIN"  
N 702521.167'  
E 936217.704'  
(NAD 83)

NOTE:

THIS PLAT WAS PREPARED WITHOUT THE  
BENEFIT OF A TITLE REPORT, WHICH MAY  
REVEAL ADDITIONAL CONVEYANCES, EASEMENTS,  
RIGHTS-OF-WAY, OR BUILDING RESTRICTION  
LINES NOT SHOWN. ALL PROPERTY OWNERSHIPS  
WERE TAKEN FROM CURRENT TAX RECORDS ONLY.

LEGEND OF SYMBOLS

- EXISTING MONUMENT
- MONUMENT SET
- EXISTING IRON PIPE OR PIN
- IRON PIPE OR PIN SET
- UNMARKED POINT
- AS INDICATED AT POINT

NOTE:

AREAS DETERMINED BY COORDINATE METHOD  
PROPERTY CORNERS MARKED AS NOTED  
PROPERTY LINES NOT MARKED UNLESS NOTED OTHERWISE

STATE OF NORTH CAROLINA  
COUNTY OF BUNCOMBE

TERO RANLEY JR. REVIEW OFFICER  
OF BUNCOMBE COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH  
THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS  
FOR RECORDING  
4-10-06 DATE  
REVIEW OFFICER

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT  
SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH  
THE SUBDIVISION REGULATIONS OF THE TOWN OF  
WOODFIN, NORTH CAROLINA AND THAT THIS PLAT  
HAS BEEN APPROVED FOR RECORDING IN THE  
OFFICE OF THE REGISTER OF DEEDS OF BUNCOMBE  
COUNTY.

Paul Hector  
TOWN ADMINISTRATOR

April 10, 2006  
DATE

I, J. GLENN HAYNES, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY  
SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION  
(DEED DESCRIPTION RECORDED IN BOOK 2837, PAGE 536 ECT.) (OTHER):  
THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM  
INFORMATION FOUND IN BOOK PB. 87 PAGE 27; THAT THE RATIO OF  
PRECISION AS CALCULATED IS 1:15000; THAT THIS PLAT WAS PREPARED  
IN ACCORDANCE G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE,  
LICENSE NUMBER AND SEAL THIS 19 DAY OF JAN, A.D., 2006



J. Glenn Haynes  
SURVEYOR

L-1386  
LICENSE NUMBER

J. GLENN HAYNES P.L.S.

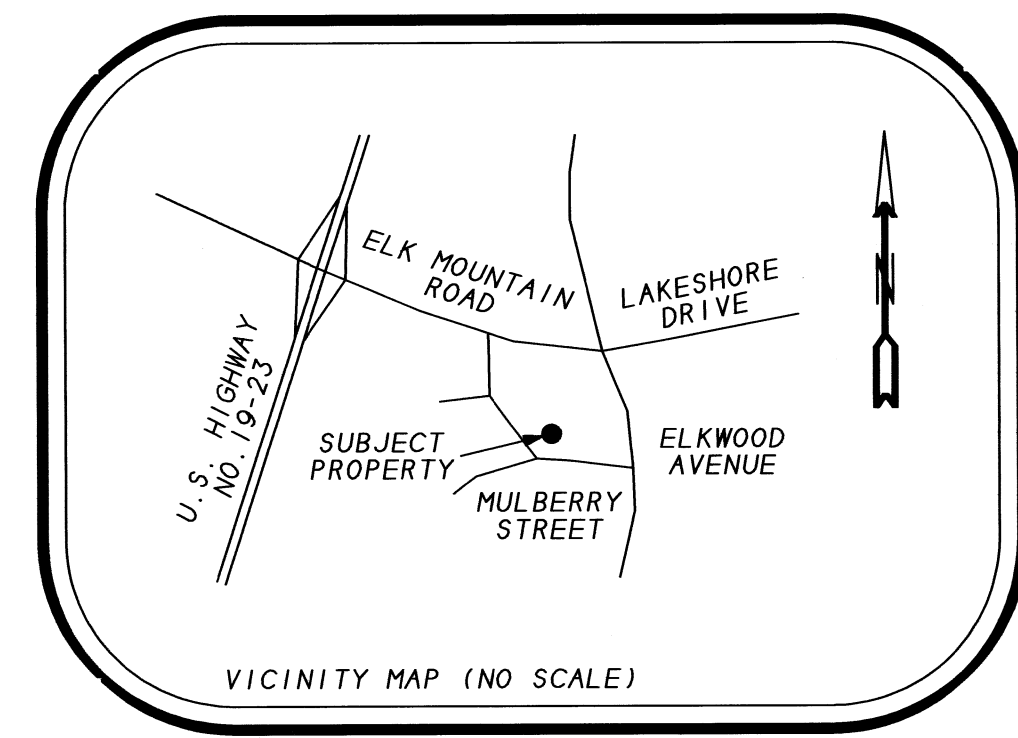
BUILDING-A SUITE-105

31 COLLEGE PLACE  
ASHEVILLE, NORTH CAROLINA

TELE. (828) 254-8466  
FAX. 254-8907

GCD.TAY3 9

Doc ID: 017319060001 Type: CRP  
Recorded: 04/10/2006 at 03:22:24 PM  
Fee Amt: \$21.00 Page 1 of 1  
Workflow# 2019709  
Buncombe County, NC  
Otto W. DeBruhl, Register of Deeds  
BK 117 PG 83



VICINITY MAP (NO SCALE)

- BOUNDARY LINE
- LINES PLATTED FROM DEEDS  
OR RECORDED PLATS OR AS NOTED
- OVERHEAD UTILITY LINES  
AS NOTED
- SEWER LINE OR AS NOTED
- OLD DEED OR RECORDED  
LINES OR AS NOTED

SUBJECT PROPERTY IN  
ZONE X  
FIRM MAP  
MAP NUMBER 37021C0189 C  
EFFECTIVE DATE:  
MAY 6, 1996

[x] a. THAT THE SURVEY CREATES A SUBDIVISION OF LAND WITHIN  
THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN  
ORDINANCE THAT REGULATES PARCELS OF LAND:

J. Glenn Haynes  
SURVEYOR

SURVEY FOR  
KATHERINE A. McGUINN  
&  
MARGARET M. McGUINN  
ELK MOUNTAIN ROAD  
TOWN OF WOODFIN  
BEAVERDAM TOWNSHIP  
BUNCOMBE COUNTY, NORTH CAROLINA

BEING TRACT 11  
PLATBOOK 87 PAGE 27  
DEED REFERENCE - DB.2837 PG.536

PROPERTY SUBJECT TO ALL APPLICABLE EASEMENTS AND RIGHTS OF WAY OF RECORD  
THIS MAP IS NOT TRANSFERABLE, AND MAY NOT BE USED BY ANY OTHER PERSON  
OR ENTITY WITHOUT WRITTEN AUTHORIZATION BY J. GLENN HAYNES  
THE MAP IS PROVIDED FOR THE PARTIES NAMED HEREON.

SCALE 1" = 50' JAN. 19, 2006

PIN # 9730.15-73-3039

B-6351



**WRITTEN STATEMENT OF THE  
TOWN OF WOODFIN PLANNING BOARD  
TO  
TOWN OF WOODFIN BOARD OF COMMISSIONERS**

Having reviewed the **Map Amendment** to rezone property at 99999 Elk Mountain Road and further identified as NCPIN# 9730-73-4056 from Community Shopping to R-7 on **March 1, 2022** and having considered information from the planning staff of the Town of Woodfin and comments from the applicant and other persons, pursuant to 160D-604(d), the Town of Woodfin Planning Board hereby adopts one of the following motions, effective March 1, 2022:

(A) \_\_\_\_\_ Motion to adopt the following resolution: RESOLVED, that the Town of Woodfin Planning Board hereby advises and comments to the Town of Woodfin Board of Commissioners that the proposed map amendment is consistent with the Town of Woodfin comprehensive plan. The proposed zoning map amendment can be considered consistent with the Town of Woodfin Comprehensive Plan and the Town of Woodfin Zoning Ordinance and is reasonable and in the public interest because:

- a. Section III. Planning Elements, Paragraph A. Land Use, Goal 1 recommends to "Promote infill development as both a land use priority and an economic development strategy.
- b. Section III. Planning Elements, Paragraph A, Land Use, Goal 1, Objective 1 recommends to "pursue compatible infill development in order to actively promote appropriate development and redevelopment of vacant and underdeveloped properties within the Town.

(B) \_\_\_\_\_ Motion to adopt the following resolution: RESOLVED, that the Town of Woodfin Planning Board hereby advises and comments to the Board of Commissioners that the proposed map amendment is not consistent with the Town of Woodfin comprehensive plan because:

- a. \_\_\_\_\_
- b. \_\_\_\_\_
- c. \_\_\_\_\_

\_\_\_\_\_  
Planning Board Chair

\_\_\_\_\_  
Date