



## STAFF REPORT

Type of Hearing: Rezoning/Map Amendment  
Applicant: Chris Witkus  
Staff Presenter: Adrienne Isenhower  
Property Location: 198 Elk Mountain Road  
Meeting Date: October 19, 2021

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A rezoning application was submitted by Chris Witkus for property located at 198 Elk Mountain Road. Currently, the property is zoned R-10 and is located in a residential neighborhood with neighboring properties zoned either R-10 or R-7. The property owner would like to down zone to the R-7 district to build a smaller dwelling in the rear section of the property.

The Planning and Zoning Board of Adjustment reviewed the request at their October 11<sup>th</sup> meeting and have provided a written recommendation for approval. The Board of Commissioners will hold a public hearing and make a final decision. A draft consistency statement is provided for your review during your deliberations.



## 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: Christopher Witkus  
Address: 198 Elk Mountain Road  
State: NC  
Phone: 828-778-2076

Date: 6/30/2021  
City: Woodfin  
Zip Code: 28804  
Email: witkus@ymail.com

### PROPERTY OWNER INFORMATION:

Property Owner Name: Christopher Witkus  
Address: 198 Elk Mountain Road  
State: NC  
Phone: 828-778-2076

Date: 06/30/2021  
City: Woodfin  
Zip Code: 28804  
Email: witkus@ymail.com

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

Address: 198 Elk Mountain Road  
NCPIN#: 97302 585 4 00000  
Current Zoning District: R-10

Acreage: 0.36  
Proposed Zoning District: R-7

**Statement of Reasonableness:** Currently my property is zoned as R10, however, my neighbor's property (200 Elk Mountain) is zoned R7. Rezoning my property would be consistent with the character of the area. The rezoning would match the surrounding zoning and keep my property consistent with the Comprehensive Plan. R10 is "intended to be a quiet medium density residential district" however, the Fire-Department is located directly behind me and a warehouse and church directly across the street. R7 would be more in line with current zoning and allow me the opportunity to build a smaller dwelling in the rear of the property with R7 setbacks and lot size requirements.

### 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.

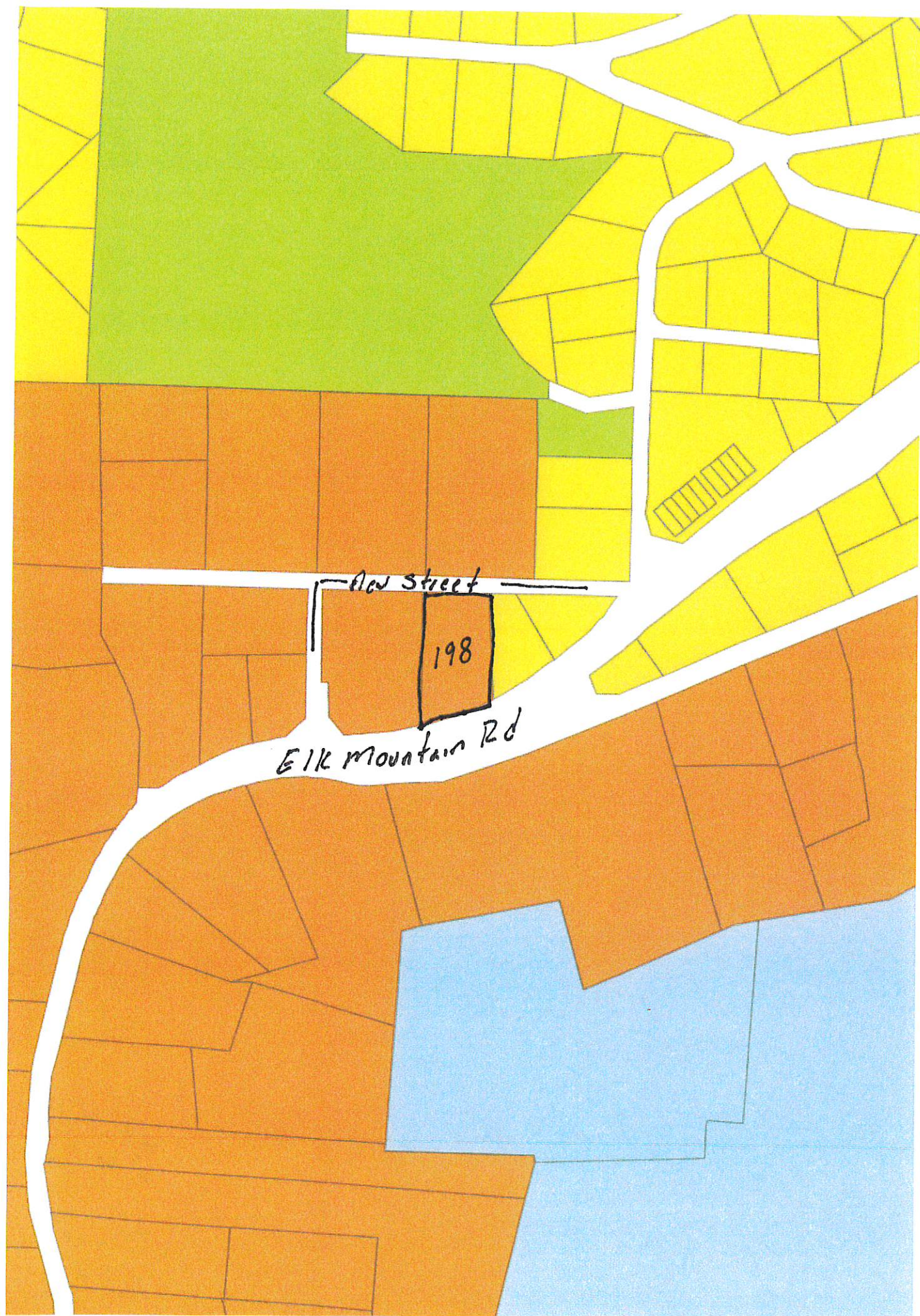
Applicant Signature:

Date: 6/30/2021

Owner Signature:

Date: 6/30/2021











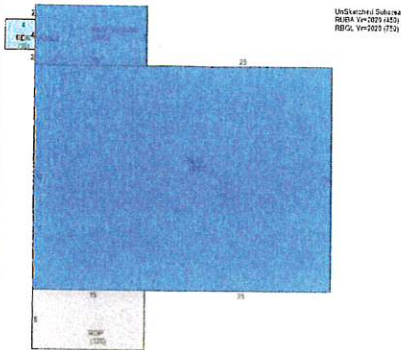
## Property Record Search

973025854100000

**198 ELK MOUNTAIN RD**

WITKUS CHRISTOPHER J  
PO BOX 16705, ASHEVILLE, NC, 28816

Total Appraised Value  
**\$260,000**



### Key Information

Zoning	<b>R10</b>	Neighborhood	<b>R4KL</b>
Land Use Code	<b>RES</b>	Municipality	<b>CWO</b>
Fire District	<b>FWO</b>	Special District	<b>-</b>
Present Use	<b>-</b>	Appraisal Area	<b>Laura Bradley (828) 250-4951 Laura.Bradley@buncombecounty.org</b>
Exemption	<b>-</b>		
Legal Description	<b>Deed Date:10/22/2020 Deed:5967-0570 Plat:0000-0000</b>		
Plat Reference	<b><a href="#">0-0</a></b>		

### Assessment Details

Land Value	<b>\$72,800</b>
Building Value	<b>\$187,200</b>
Features	<b>\$0</b>
Total Appraised Value	<b>\$260,000</b>
Deferred Value	<b>\$0</b>
Exempt Value	<b>\$0</b>
Total Taxable Value	<b>\$260,000</b>

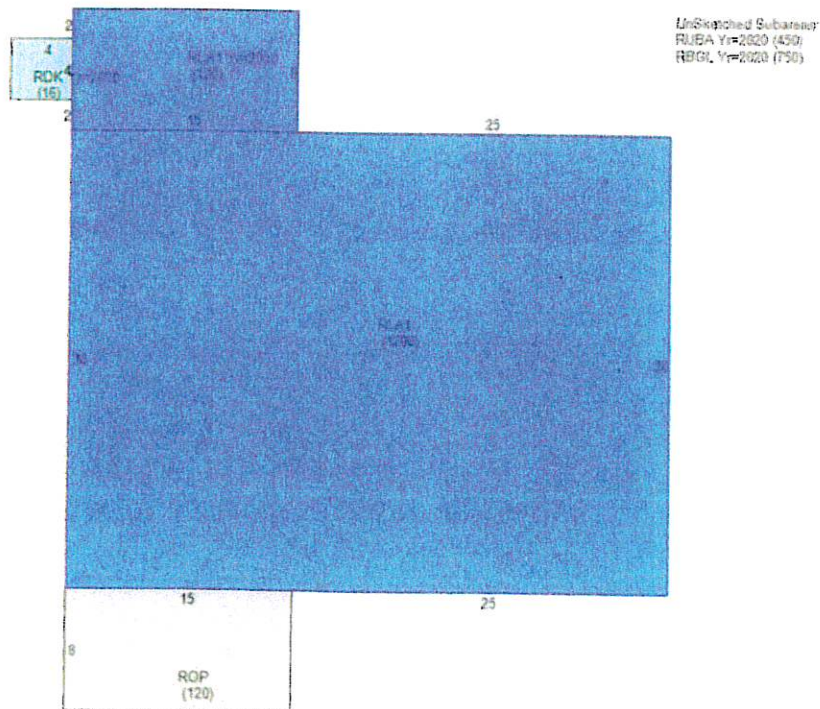
ZONING	LAND USE CODE	SIZE	NEIGHBORHOOD	ASSESSED VALUE	FLOODPLAIN
R10	RES	0.36 acres	R4KL	\$72,800	NO

## ▼ BUILDING INFORMATION

### Building(s)

#### ▼ Building (1)

Quality	<b>AVG</b>	Condition	<b>NORMAL</b>
Building Type	<b>1 STORY CONVENTIONAL</b>	Year Built	<b>1991</b>
Full Baths	<b>2</b>	Half Baths	<b>0</b>
Fireplaces	<b>0</b>	Story	<b>1.00</b>
Heat Type	<b>HEAT WITH A/C</b>	Green Certification	
Style	<b>1 STORY CONVENTIONAL</b>	Base	<b>1320</b>
Bedrooms	<b>3</b>	Deck	<b>16</b>
Patio	<b>0</b>	Carport	<b>0</b>
Garage	<b>0</b>	Utility	<b>0</b>
Unfinished Basement	<b>450</b>	Finished Basement	<b>750</b>
Porch	<b>120</b>	Building Value	<b>\$187,200</b>



TRANSFER DATE	TRANSACTION PRICE	VALID SALE	BOOK / PAGE	DEED INSTRUMENT
2020-10-22	\$230,000	Qualified Sale	<u>5967-570</u>	WDT
2009-09-11	\$150,000	Qualified Sale	<u>4722-1052</u>	WDT

## ▼ VALUE CHANGE HISTORY

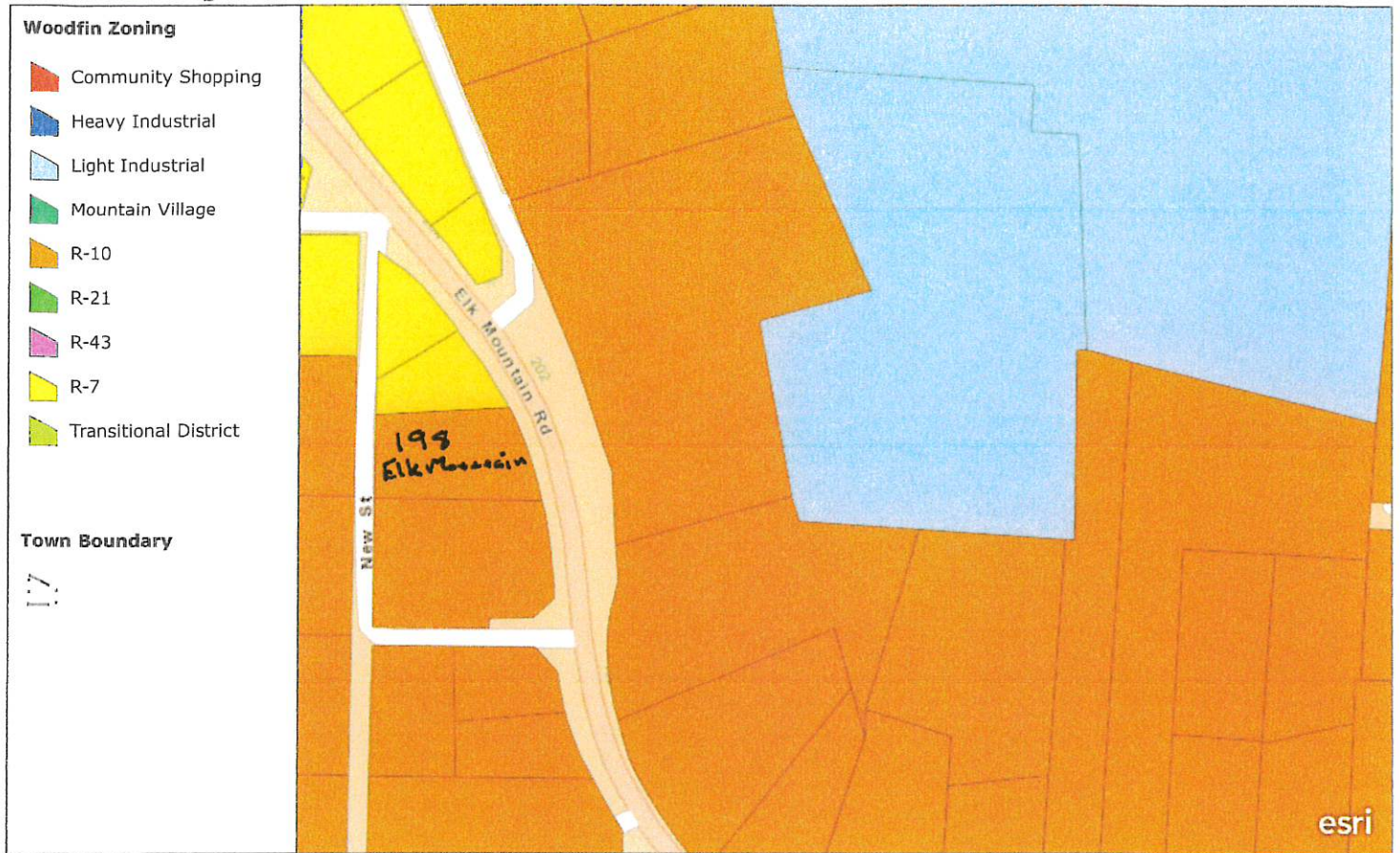
DATE OF VALUE CHANGE	EFFECTIVE TAX YEAR	REASON FOR CHANGE	LAND VALUE	BUILDING VALUE	FEATURES VALUE	NEW VALUE
2021-03-26	2021	HEARING WITH DECREASE	\$72,800	\$187,200	\$0	\$260,000
-	2021	GENERAL PARCEL REVIEW	\$72,800	\$216,900	\$0	\$289,700
2021-02-01	2021	RAPP REAPPRAISAL NOTICE	\$72,800	\$209,200	\$0	\$282,000
2017-01-27	2017	RAPP REAPPRAISAL NOTICE	\$42,800	\$143,200	\$0	\$186,000

## ▼ RECENT PERMIT ACTIVITY

PERMIT DATE	PERMIT TYPE	PERMIT STATUS
12/11/2020	RESIDENTIAL RENOVATION	PERMIT ISSUED



## Woodfin Zoning - Draft



Woodfin Zoning - Draft

Buncombe County, NC, State of North Carolina DOT, Esri, HERE, Garmin, INCREMENT P, NGA, USGS



### Search By Deed or Plat

[Sales Report](#)   [Buffer](#)   [Export Map](#)   [Export to Google Map](#)

## Search Results

[Export to Excel](#) [Print Results](#)

PropCard      PROPERTY CARD (http://www.azdhs.gov/5967/0570)

DEEDBOOK/DEEDPAGE:(<http://registerofdeed.baltimorecity.gov/DeedBook/DeedPage.aspx?bAutoSearch=true&bk=0000/0000>)

PLATBOOK/PLATPAGE: (<http://registerofdeeds.baltimorecity.gov/PlatBook/PlatPage.aspx?bAutoSearch=true&bk>)

Sales Report: Sales Report

OBJECTID: 3588

PINNUM: 973025854100000

OWNER: WITKUS CHRISTOPHE

CONDOUNIT:

CONDOBUILDING:

SUBNAME:

SUBLOT:

SUBBLOCK:

SUBJECT:

HOUSENUMBER: 198

NUMBERSUFFIX:

**DIRECTION:**

STREETNAME: ELK MOUNTAIN

STREETTYPE: RD

TOWNSHIP: 11

ACREAGE: 0.36000001

DEEDDATE: 20201022

COUNTY: BUN

CITY: CWO

FIRE DISTRICT: FWO

SCHOOL DISTRICT:

CARE OF:

ADDRESS: PO BOX 16705

ADDRESS: P O BOX 10703  
CITYNAME: ASHEVILLE

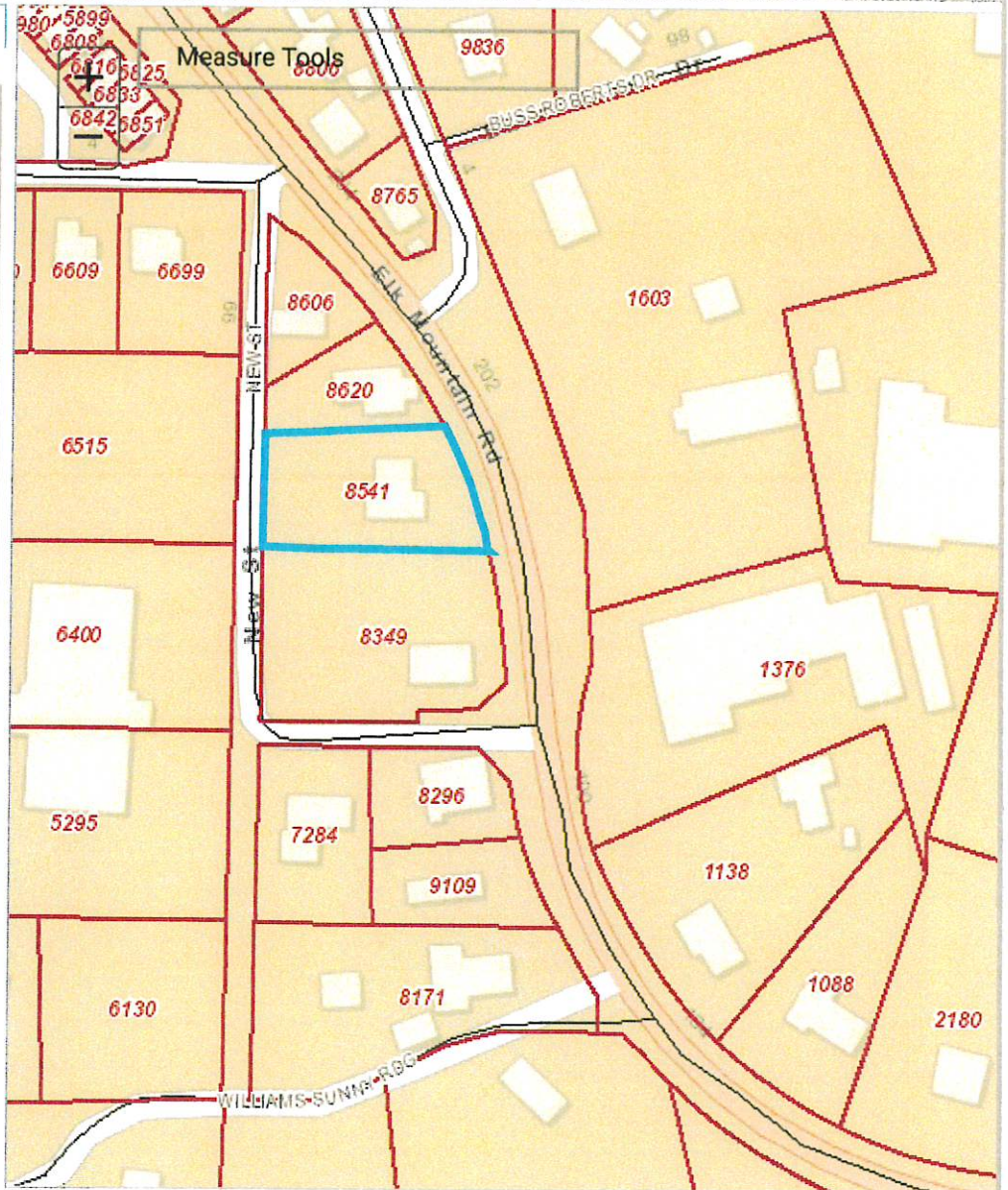
CITY NAME: ASHLVILLE  
STATE: NC

STATE: NC  
ZIPCODE: 28816

CLASS: 100 (<https://cis.hawaii.edu>)

CLASS. 100 (<https://gis.burkec>)  
TOTAL MARKET VALUE: 260000

TOTAL MARKET VALUE: 260000





## Search By Deed or Plat

[Sales Report](#) [Buffer](#) [Export Map](#) [Export to Google Map](#)

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PropCard      PROPERTY CARD (<http://registerofdeed:5967/0570>)  
DEEDBOOK/DEEDPAGE: (<http://registerofdeed:bAutoSearch=true&bk0000/0000>)  
PLATBOOK/PLATPAGE: (<http://registerofdeed:bAutoSearch=true&bk0000/0000>)  
Sales Report:      Sales Report  
OBJECTID:          3588  
PINNUM:            973025854100000  
OWNER:             WITKUS CHRISTOPHE  
CONDOUNIT:  
CONDOBUILDING:  
SUBNAME:  
SUBLOT:  
SUBBLOCK:  
SUBJECT:  
HOUSENUMBER:    198  
NUMBERSUFFIX:  
DIRECTION:  
STREETNAME:      ELK MOUNTAIN  
STREETTYPE:      RD  
TOWNSHIP:          11  
ACREAGE:           0.36000001  
DEEDDATE:          20201022  
COUNTY:           BUN  
CITY:                CWO  
FIREDISTRICT:     FWO  
SCHOOLDISTRICT:  
CAREOF:  
ADDRESS:           PO BOX 16705  
CITYNAME:          ASHEVILLE  
STATE:              NC  
ZIPCODE:           28816  
CLASS:              100 (<https://gis.buncc>)  
TOTALMARKETVALUE: 260000





**Rolling Hills of French Broad - Phase 2**

Asheville, NC

Engineer's Opinion of Costs

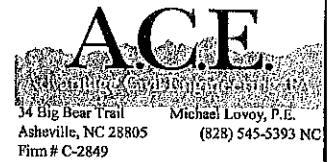
**Construction Costs**

JOB NO: 20031

DATE: 05/24/21

REVISED

BY: HSS

**DEMOLITION**

1	Mobilization	LS	\$5,000.00	1	\$5,000.00
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**SUBTOTAL OF DEMOLITION** \$5,000.00**ROADS AND SITE FEATURES**

2	New Road - 8" of CABC Stone Base	TN	\$35.00	1,154	\$40,390.00
3	New Road - 2" S9.5-B Asphalt Surface	TN	\$80.00	298	\$26,820.00
4	Street Sign	LS	\$500.00	3	\$1,500.00

**SUBTOTAL OF ROADS, WALLS, AND SITE FEATURES** \$68,710.00**GRADING AND EROSION CONTROL**

5	Grading On Site	LS	\$10,000.00	1	\$10,000.00
6	Commercial Construction Entrance (incl. maintenance & removal)	LS	\$4,000.00	1	\$4,000.00
7	Permanent Ground Stabilization (Grass Seed & Straw, 1 application)	AC	\$8,000.00	5	\$40,000.00

**SUBTOTAL OF GRADING AND EROSION CONTROL** \$54,000.00**STORMWATER MANAGEMENT**

8	Permanent Diversion Ditches w/ Erosion Control Matting	LF	\$12.00	970	\$11,640.00
9	2'x3' I.D. Precast Concrete Catch Basin with Curb Inlet Frame/Hood	EA	\$2,500.00	2	\$5,000.00
10	2'x5' I.D. Precast Concrete Junction Box with Manhole Ring/Cover, Steps, Outlet Control	EA	\$3,500.00	1	\$3,500.00
11	15" dia. HDPE Stormwater Pipe	LF	\$50.00	144	\$7,200.00
12	18" dia. HDPE Stormwater Pipe	LF	\$66.00	248	\$13,868.00
13	18" dia. HDPE Flared End Section	EA	\$1,200.00	2	\$2,400.00
14	Permanent Riprap Apron on Filter Fabric	LS	\$2,000.00	2	\$4,000.00

**SUBTOTAL OF STORMWATER** \$47,628.00**SUBTOTAL CONSTRUCTION (Round Up to Next \$1,000)** \$176,000.00

Town of Woodfin Contingency (25%) (Round Up to Next \$1,000) \$44,000.00

**TOTAL CONSTRUCTION** \$220,000.00



**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 198 Elk Mountain Road and further identified as NCPIN# 9730-25-8541 from R-10 Residential to R-7 Residential on **October 11, 2021** 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 October 11, 2021:

- (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. The plan recommends higher density around transportation corridors in accordance with pedestrian and transit-oriented development standards.
  - b. The plan recommends strategic corridors be developed in an urban style if so desired by the property owner.
  - c. All development of the parcel would be in compliance with the dimensional requirements of the Zoning Ordinance.
- (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.

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

10/11/2021  
\_\_\_\_\_  
Date





**STATEMENT OF CONSISTENCY AND REASONABLENESS**  
FOR MAP AMENDMENT FOR PROPERTY LOCATED AT  
198 Elk Mountain Road (PIN: 9730-25-8541)  
FROM R-10 to R-7

Having reviewed the **Map Amendment** to rezone the aforementioned property on **October 19, 2021** and having considered a written statement from the Planning and Zoning Board of Adjustment, information from the planning staff of the Town of Woodfin and comments from the applicant and other persons, pursuant to 160D-605(a), the Town of Woodfin Board of Commissioners hereby adopts one of the following motions, effective October 19, 2021:

(A) \_\_\_\_\_ Motion to adopt the following resolution: RESOVLED, the proposed 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. The plan recommends higher density around transportation corridors in accordance with pedestrian and transit-oriented development standards.
- b. The plan recommends strategic corridors be developed in an urban style if so desired by the property owner.
- c. All development of the parcel would be in compliance with the dimensional requirements of the Zoning Ordinance.

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

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Mayor

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Date