



**CITY OF HENDERSONVILLE
AGENDA ITEM SUMMARY
PLANNING DIVISION**

SUBMITTER: City of Hendersonville **MEETING DATE:** January 9th, 2025

AGENDA SECTION: New Business **DEPARTMENT:** Community Development

TITLE OF ITEM: Zoning Text Amendment: Board of Adjustment Member and Quorum Changes (P24-088-ZTA) –*Sam Hayes, Planner II*

SUGGESTED MOTION(S):

<u>For Recommending Approval:</u>	<u>For Recommending Denial:</u>
<p>I move Planning Board recommend City Council adopt an ordinance amending the official City of Hendersonville Zoning Ordinance, Section 10-1. Establishment of board of adjustment and qualifications of members., Section 10-6. Quorum and voting., Section 10-8-2 Preliminary site plan., and Section 10-8-3 Evidentiary hearings on applications for special use permits. based on the following:</p> <p>1. The petition is found to be <u>consistent</u> with the City of Hendersonville Gen H 2045 Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:</p> <p style="padding-left: 40px;">The petition aligns with the City’s adopted plan’s policy guidance to provide efficient government services.</p> <p>2. We [find] this petition, in conjunction with the recommendations presented by staff, to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:</p> <p style="padding-left: 20px;">1. Changing the number of members on the Board of Adjustment will assist with ensuring applications will be heard in a timely manner.</p> <p style="text-align: center;">[DISCUSS & VOTE]</p>	<p>I move Planning Board recommend City Council deny an ordinance amending the official City of Hendersonville Zoning Ordinance, Section 10-1. Establishment of board of adjustment and qualifications of members., Section 10-6. Quorum and voting., Section 10-8-2 Preliminary site plan., and Section 10-8-3 Evidentiary hearings on applications for special use permits. based on the following:</p> <p>1. The petition is found to be <u>consistent</u> with the City of Hendersonville Gen H 2045 Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:</p> <p style="padding-left: 40px;">The petition aligns with the City’s adopted plan’s policy guidance to provide efficient government services.</p> <p>2. We [<u>do not find</u>] this petition to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:</p> <p style="padding-left: 20px;">1. Decreasing the number of board members will adversely impact the Board of Adjustment and the City operations.</p> <p style="text-align: center;">[DISCUSS & VOTE]</p>

SUMMARY:

City staff is proposing changes to the Board of Adjustment's membership structure, reducing the number of regular members from ten to five while increasing the number of alternates to four. This would bring the total number of appointees to nine, while also lowering the number of members required to establish a quorum. Additionally, staff recommends that the approval threshold for variance requests be set at four-fifths of the board, in alignment with state legislation.

PROJECT/PETITIONER NUMBER:	P24-088-STA
PETITIONER NAME:	City of Hendersonville
ATTACHMENTS:	<ol style="list-style-type: none">1. Staff Report2. Draft Ordinance