

AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF HENDERSONVILLE FOR PARCELS POSSESSING PIN NUMBERS: 9579-98-0375, 9579-98-3527, 9579-99-4115, 9579-99-8724 BY CHANGING THE ZONING DESIGNATION FROM HENDERSON COUNTY R2R, RESIDENTIAL TWO RURAL TO PRD-CZD, PLANNED RESIDENTIAL DEVELOPMENT CONDITIONAL ZONING DISTRICT

IN RE: Parcel Numbers: 9579-98-0375, 9579-98-3527, 9579-99-4115 & 9579-99-8724
Address: 205 Old Sunset Hill Road
Half Moon Heights Phase II: (File # P24-41-CZD)

WHEREAS, the City is in receipt of a Conditional Rezoning application from applicant, Tricia Chassen of Forestar USA Real Estate Group, INC, and property owners, Gregory Albea, Julianne Albea, Josphe Taylor, and Laura Taylor, for the construction of a 59 unit detached single-family development on approximately 20.66 acres, and

WHEREAS, the Planning Board took up this application at its regular meeting on January 9th, 2025; voting 0-0 to recommend/not recommend City Council approve an ordinance amending the official zoning map of the City of Hendersonville, and

WHEREAS, City Council took up this application at its regular meeting on February 12th, 2025, and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hendersonville, North Carolina:

1. Pursuant to Article XI of the Zoning Ordinance of the City of Hendersonville, North Carolina, the Zoning Map is hereby amended by changing the zoning designation of the following: Parcel Numbers: 9579-98-0375, 9579-98-3527, 9579-99-4115 & 9579-99-8724, changing the zoning designation from Henderson County Residential Two Rural to PRD-CZD, Planned Residential Development Conditional Zoning District.
2. Development of the parcel pursuant to this Ordinance is subject to the following.
 - a. Development shall comply with the master site plan submitted by the applicant dated December 30th, 2024, including the conditions listed therein, [and/or as modified and presented to City Council][and/or including modifications approved by City Council which shall be added to the site plan. The updated site shall be submitted to the City at or before the applicant's execution of this Ordinance].
 - b. Permitted uses shall include:
 - i. Residential, Single-Family
 - c. Additional conditions that shall be satisfied prior to final site plan approval include:
 - i.
3. Except where modified by the terms of this Ordinance, development of the parcel(s) shall occur in accordance with the final site plan requirements of Article VII of the Zoning Ordinance of the City of Hendersonville, North Carolina.
4. Except where explicit relief is granted by the terms of this Ordinance, the development of the parcel(s) shall occur in accordance with all applicable standards within local ordinances and policies.

This ordinance shall be not be effective until the list of use(s) and conditions, established herein, is consented to in writing by the applicant and all owners of the subject property. Upon such written consent, this ordinance shall be effective retroactive to the date of its adoption.

Adopted this 12th day of February 2025.

Attest:

Barbara G. Volk, Mayor, City of Hendersonville

Jill Murray, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney

With their signatures below, the undersigned applicant(s) and property owner(s) consent to and agree to all conditions imposed pursuant to the terms of this Ordinance.

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Applicant/Developer: Tricia Chassen of
Forestar USA Real Estate Group, INC

Signature: _____

Printed Name: _____

Title: _____

Date: _____

Property Owner: Gregory Albea

Signature: _____

Printed Name: _____

Date: _____

Property Owner: Julianne Albea

Signature: _____

Printed Name: _____

Date: _____

Property Owner: Jospheh Taylor

Signature: _____

Printed Name: _____

Date: _____

Property Owner: Laura Taylor

Signature: _____

Printed Name: _____

Date: _____