

**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 9579-48-2415 & 9579-48-6832 BY CHANGING THE ZONING DESIGNATION FROM R-40 (LOW DENSITY RESIDENTIAL) AND C-2 (SECONDARY BUSINESS) TO PRD (PLANNED RESIDENTIAL DEVELOPMENT – CONDITIONAL ZONING DISTRICT)**

IN RE: Parcel Number: 9579-48-2415 & 9579-48-6832  
Addresses: 102 Francis Rd & 228 Mastermind Ln  
Cottages at Mastermind (File # P22-55-CZD)

**WHEREAS**, the City is in receipt of a Conditional Rezoning application from applicant, Elam Hall of DHIC, LLC. and property owners, The Hammond Family Trust & John Hammond Trustee for the development of 99 residential units on approximately 12.8 acres, and

**WHEREAS**, the Planning Board took up this application at its regular meeting on August 8, 2022; voting 0-0 to recommend City Council deny 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 September 1, 2022, 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: 9579-48-2415 & 9579-48-6832, changing the zoning designation from R-40 (Low Density Residential) and C-2 (Secondary Business) to PRD (Planned Residential Development – Conditional Zoning District)
2. Development of the parcel shall occur in accordance with the final site plan requirements of Article VII of the Zoning Ordinance of the City of Hendersonville, North Carolina, and shall be based on the site plan submitted by the applicant and conditions listed therein and subject to the following.
  - a. Permitted uses shall include:
    - i. Two-family residential
    - ii. Single-family residential
  - b. Conditions that shall be satisfied prior to final site plan approval include:
    - i. The development shall be consistent with the preliminary site plan and conditions therein as submitted and dated \_\_\_\_\_ [or as modified and presented].
3. This ordinance shall be not be effective until the stipulated 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 1<sup>st</sup> day of September 2022.

Attest:

\_\_\_\_\_  
Barbara G. Volk, Mayor, City of Hendersonville

\_\_\_\_\_  
Angela L. Reece, 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 the imposition of all conditions stated.

IN RE: Parcel Number: 9579-48-2415 & 9579-48-6832

Addresses: 102 Francis Rd & 228 Mastermind Ln  
Cottages at Mastermind (File # P22-55-CZD)

Applicant/Developer: Elam Hall, DHIC, LLC.

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Property Owner: The Hammond Family Trust

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Applicant/Developer: Tom Martinson

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Property Owner: John Hammond Trustee

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_