

**AN ORDINANCE TO AMEND THE
OFFICIAL ZONING MAP OF THE
TOWN OF MILLS RIVER, NORTH CAROLINA
IN ACCORDANCE WITH R-23-01**

WHEREAS, the Town Council for the Town of Mills River enacted the Zoning Ordinance for the Town of Mills River, effective March 1, 2004, including the Official Zoning Map for the Town of Mills River; and,

WHEREAS, the owner(s) of all certain real property have applied pursuant to Chapter 154, Subchapter 154.196 of the Zoning Ordinance to amend the Official Zoning Map to rezone their real property from Mills River Low-Density Residential (MR-30) to Mills River Neighborhood Commercial (MR-NC); and,

WHEREAS, said real property is described as approximately 2.3 acres with an address of 1936 Butler Bridge Road, and is currently owned by Judy Alvarez, the executor of the estate of B. V. Alvarez, and owner of 1936 BBR, LLC. The Henderson County Registry PIN# is identified as 9642420034; and,

WHEREAS, notice of the proposed rezoning has been duly published and all subject property owners and adjoining property owners have been notified as required by Section 154.199 of the Zoning Ordinance and N.C.G.S. 160D-602; and,

WHEREAS, a public meeting was held by the Town of Mills River Planning Board on June 6, 2023 and the Planning Board voted unanimously to recommend approval of the rezoning request and submitted a Statement of Consistency that rezoning R-23-01 is consistent with the Making Mills River 2040 Comprehensive Plan and Future Land Use Vision Map.

WHEREAS, the Town Council held a public hearing on August 10, 2023 as required by N.C.G.S. 160D-601 to hear the request, and gave the public an opportunity to be heard.

WHEREAS, the Town Council concur with the Planning Board's consistency findings and have approved a statement of reasonableness and a statement of consistency and briefly explained why Council considers the action taken to be reasonable and in the public interest.


NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MILLS RIVER:

THAT, the Official Zoning Map of the Town of Mills River, North Carolina hereby shall be and is amended to rezone the property identified as PIN 9642420034 of the Henderson County Registry from Mills River Low-Density Residential (MR-30) to Mills River Neighborhood

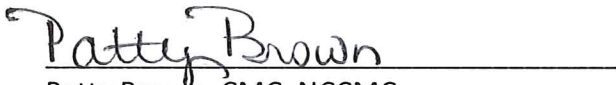
Commercial (MR-NC). The Official Zoning Map of the Town of Mills River as amended herein shall be available in the office of the Town of Mills River from and after the effective date of this Ordinance.

This ordinance and the amendment to the Official Zoning Map of the Town of Mills River shall take effect and be in full force and effect on the date of adoption and thereafter.

ADOPTED AND PASSED by the Town Council of the Town of Mills River, this 10th day of August, 2023 and becoming effective on August 11th, 2023 at 12:01 A.M.


Shanon Gonce
Mayor

ATTEST:


Patty Brown, CMC, NCCMC
Deputy Town Clerk

