

ORDINANCE NO. 83

AN ORDINANCE REZONING REAL PROPERTY AND AMENDING THE ZONING MAP OF THE VILLAGE OF FLAT ROCK FOR A PARCEL OF LAND LOCATED AT 48 HIGHLAND GOLF DRIVE

The Council of the Village of Flat Rock, pursuant to the authority granted by the North Carolina General Statutes, particularly Chapter 160A, Article 19, Parts 2 and 3, and the authority vested in the Village of Flat Rock by its charter, hereby ordains and enacts the following ordinance changing the zoning classification of a parcel of land and amending the Official Zoning Map of the Village of Flat Rock, North Carolina, to reflect such rezoning.

ARTICLE I PROPERTY IDENTIFICATION; OWNERSHIP

Section 101. Property. The land parcel to be rezoned hereby is that certain 67.61 acre parcel of land (the “Property”) located at the intersection of Highland Lake Road and Highland Golf Drive, in Flat Rock, Henderson County, North Carolina, and depicted on a plat of survey dated May 29, 2013, by Gary L. Corn, Professional Land Surveyor, which plat was recorded on June 27, 2013, in the office of the Register of Deeds of Henderson County, North Carolina, at Plat Slide 8972. The Property has the street address of 48 Highland Golf Drive, and is further identified by Parcel Identification Number 9577-47-9769.

Section 102. Ownership. The owner of the Property is the Village of Flat Rock (the “Village”), having acquired the same by a deed dated June 27, 2013, from Course Doctors, Inc., a North Carolina corporation, which deed appears of record in Deed Book 1538 at page 202 in the office of the said Register of Deeds.

ARTICLE II USE OF PROPERTY; ZONING DISTRICT

Section 201. Use of property. The Property was acquired by the Village for the purpose of developing a municipal park as a recreational site for the use, benefit and enjoyment of the public, and to foster and support recreational and physical fitness opportunities in the community. To that end, the Village has dedicated, in perpetuity, the Property and the park to be developed thereon as a recreational site for the use and benefit of the public.

Section 202. Zoning district. The Village Council has determined that the highest and best use of the Property is as a municipal park, and that the most appropriate zoning classification for the Property is Government, Civic and Public Service District (GCPS district). The GCPS district will best permit the Village’s preservation of open space, protection of natural wetlands areas, and development of the Property as a site for passive recreational activities.

**ARTICLE III
REZONING; ZONING MAP AMENDMENT**

Section 301. Rezoning. The zoning classification of the Property is hereby changed from R-20 Low Density Residential District to Government, Civic and Public Service District (“GCPS district”).

Section 302. Zoning Map Amendment. The zoning map entitled the “Official Zoning Map of the Village of Flat Rock, North Carolina,” adopted by the Village Council and made a part of the Land Development Ordinance of the Village of Flat Rock, North Carolina (Ordinance No. 75, adopted September 12, 2013), is hereby amended to reflect the foregoing rezoning of the property and its zoning district reclassification.

**ARTICLE IV
EFFECTIVE DATE**

This ordinance, and the rezoning and zoning map amendment effected hereby, shall take effect and be in full force from and after its adoption this 10th day of October 2013.

Michelle Parker, CMC
Village Clerk

Robert V. Staton
Mayor

As to form: _____
Sharon B. Alexander
Village Attorney