

**AGENDA**  
**CLEMMONS ZONING BOARD OF ADJUSTMENT**  
**6:30 P.M. - VILLAGE MEETING ROOM - CLEMMONS TOWN HALL - 3715 CLEMMONS RD**  
**Wednesday, December 11, 2019**

NOTE: ALL cases on the Zoning Board of Adjustment agenda are quasi-judicial in nature; as a result, NO communications should take place between yourself and the Zoning Board of Adjustment members prior to the public hearing.

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL OF MEMBERS
3. OPENING REMARKS
4. APPROVAL OF MINUTES
5. WITHDRAWAL OR CONTINUANCE REQUESTS
6. HEARING & DETERMINATION OF CASES

A. APPEALS

WEIDL PROPERTIES VII LLC  
(THE VAN WINKLE LAW FIRM)  
Case # **Z1900667**

Appeal of the Zoning Officer's decision. Property is a .57-acre tract of land located at 2558 Lewisville-Clemmons Rd, approximately 875 feet south of the intersection of Lewisville-Clemmons Road and Stadium Drive. Property is zoned HB. Tax Block 4207, Tax Lot 146.

7. UNFINISHED BUSINESS
8. NEW BUSINESS

21900667

**APPEAL TO THE CLEMMONS  
BOARD OF ADJUSTMENT**

**IN RE:  
VISIBLE PROPERTIES, LLC  
FORSYTH COUNTY, NORTH CAROLINA**

**Respectfully Submitted  
August 13, 2019**

## VISIBLE PROPERTIES, LLC'S WRITTEN STATEMENT

NOW COMES Visible Properties, LLC (hereinafter "VP"), and submits this written statement of Appeal and alleges and says as follows:

1. VP has leased land from the owner of PIN # 5893-11-1997, Weidl Properties VII, LLC (hereinafter "Owner") for the purpose of constructing and maintaining a billboard on that parcel (hereinafter "Parcel"). VP applied with the City of Winston-Salem Inspections Division in Forsyth County for a Sign Permit to construct said billboard. Said application was denied.

2. The City of Winston-Salem/Forsyth County Planning and Development Services (hereinafter "City") by and through Zoning Plans Examiner Elizabeth Colyer (hereinafter "Colyer") issued an email dated July 5, 2019 (hereinafter "Colyer Email"), received by VP on July 15, 2019, denying VP's Outdoor Advertising Permit (hereinafter "Permit") for a location on Lewisville Clemmons Road in Forsyth County situated on property owned by Weidl Properties VII, LLC (hereinafter "the Property"). Said email states that the permit is denied based on Clemmons UDO Ch. B.2-1.6(E), Ch. B.2-5.67 and B.3-2.1. A copy of the Colyer Email is attached hereto as Exhibit "A" and incorporated herein by reference. The basis for VP's appeal is as follows:

3. VP has complied with all requirements of the UDO for Outdoor Advertising Structures and Off-Premises Signs. The parcel in question is zoned HB, which permits Outdoor Advertising. According to Section 2-1.3 of the UDO, HB is a district "intended to accommodate retail service and distributive uses. The district is established to provide locations for establishments which require high visibility and good road access, or which cater primarily to passing motorists". According to Section 3-2.1(C)(3)(a) Permitted Areas. ....Ground signs (off-premises) are permitted only along Interstate 40 and Lewisville-Clemmons Road.

4. Based on the above, Colyer's decision should be reversed.

Respectfully submitted, this the 13th day of August, 2019.

**VAN WINKLE, BUCK, WALL,  
STARNES AND DAVIS, P.A.**

By: /s/ Craig D. Justus  
Craig D. Justus  
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## Cynthia Arrowood

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**From:** "Elizabeth R. Colyer" <[elizabethrc@cityofws.org](mailto:elizabethrc@cityofws.org)>  
**Date:** July 16, 2019 at 12:59:40 PM EDT  
**To:** Joseph Stancil <[joseph@josephstancil.net](mailto:joseph@josephstancil.net)>  
**Subject:** FW: S1900197 Zoning review

**From:** Elizabeth R. Colyer  
**Sent:** Friday, July 05, 2019 11:53 AM  
**To:** [joseph@josephstancil.net](mailto:joseph@josephstancil.net)  
**Subject:** S1900197 Zoning review

Joseph,

The subject sign permit application is failed for the following per the Clemmons UDO:

Proposed use "Sign, Ground (Off-Premises)" – see definitions section UDO Ch. A Article II.

- UDO Ch. B.2-1.6 (E) Lewisville-Clemmons Road South District Overlay lists the uses permitted in the overlay. The use for "Sign, Ground (Off-Premises)" is not listed as a permitted use in this overlay district.
- Use Conditions in UDO Ch. B.2-5.67 Sign, Off-Premises (the definitions section refers this use to "Sign, Ground (Off-Premises)", states that all signs must comply with the provisions of Section B.3-2 Sign Regulations.
- UDO B.3-2.1 Sign Regulations (A) (3) (d) Moving and Flashing Signs and (f) Electronic message boards are prohibited in all zoning districts in the Clemmons jurisdiction.

Clemmons is currently without a planner staff person. If you would like to reach out to Clemmons directly on this, I would call the main number 336-766-7511 and ask to speak to whomever is filling in, it may be the Village Manager.

Thank you,

Elizabeth

Elizabeth Colyer  
Zoning Plans Examiner  
Inspections Division  
City of Winston-Salem/Forsyth County  
Planning and Development Services  
100 E First St, Suite 328  
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