July 22, 2020

Weidl Properties, LLC
2806 Reynolda Road, #172
Winston-Salem, NC 27101

Re: Zoning Petition F-1596

Dear Petitioner:

The attached report of the Planning Board to the Forsyth County Board of Commissioners is sent to you at the request of the Commissioners. You will be notified by the Board of Commissioner’s Office of the date on which the Commissioners will hear this petition.

Sincerely,

Aaron King
Director of Planning and Development Services

pc: Clerk to the Board of Commissioners Forsyth County Government Center, 5th Floor, 201 N. Chestnut Street, Winston-Salem, NC 27101
MEETING DATE: ________________________ AGENDA ITEM NUMBER: ______

SUBJECT: -

A. Public Hearing on zoning petition of Weidl Properties, LLC from AG to RS20: property is located on the southwest corner of Skylark Road and Millstone Lane (Zoning Docket F-1596)

B. Ordinance amending the Forsyth County Zoning Ordinance and Official Zoning Map of the County of Forsyth, North Carolina.

COUNTY MANAGER'S RECOMMENDATION OR COMMENTS: -

SUMMARY OF INFORMATION: -

See attached staff report.

After consideration, the Planning Board recommended approval of the rezoning petition.

ATTACHMENTS: -  X YES  ___ NO

SIGNATURE: ___________________________________________ DATE: __________________

County Manager
COUNTY ORDINANCE - GENERAL USE

Zoning Petition of Weidl Properties, LLC, Docket F-1596

AN ORDINANCE AMENDING
THE FORSYTH COUNTY
ZONING ORDINANCE AND THE
OFFICIAL ZONING MAP OF THE
COUNTY OF FORSYTH,
NORTH CAROLINA

BE IT ORDAINED by the Board of County Commissioners of the County of Forsyth as follows:

Section 1. The Zoning Ordinance of the Unified Development Ordinances of the County of Forsyth, North Carolina, and the Official Zoning Map of the County of Forsyth, North Carolina, are hereby amended by changing from AG to RS20 the zoning classification of the following described property:

PIN 5897-18-3243

Section 2. This ordinance shall become effective upon adoption.
**PETITION INFORMATION**

<table>
<thead>
<tr>
<th>Docket</th>
<th>F-1596</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Gary Roberts, Jr., AICP</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>Weidl Properties, LLC</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property</td>
<td>PIN 5897-18-3243</td>
</tr>
<tr>
<td>Address</td>
<td>0 Skylark Road</td>
</tr>
<tr>
<td>Type of Request</td>
<td>General Use rezoning from AG to RS20</td>
</tr>
<tr>
<td>Proposal</td>
<td>The petitioner is requesting to amend the Official Zoning Map for the subject property <strong>from</strong> AG (Agricultural – 40,000 sf minimum lot size) <strong>to</strong> RS20 (Residential, Single Family – 20,000 sf minimum lot size).</td>
</tr>
</tbody>
</table>

**NOTE:** General, Special Use Limited, and Special Use district zoning were discussed with the petitioner(s), who decided to pursue the rezoning as presented. With a General Use request, all uses in the district must be considered.

**Continuance History**

This request was automatically continued from the June 11, 2020 Planning Board meeting to the July 9 meeting.

**Neighborhood Contact/Meeting**

A summary of the petitioner’s neighborhood outreach is attached.

**Zoning District Purpose Statement**

The RS20 District is primarily intended to accommodate single family detached dwellings in suburban areas and may also be applicable to older, large lot development constructed prior to the effective date of this Ordinance. The district is established to promote orderly development in areas where public water is available. This district is intended for application in GMAs 2, 3 and 4.

**Rezoning Consideration from Section 3.2.15 A 13**

**Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?**

Yes. The site is located within Growth Management Area 3 and is adjacent to other RS20 properties.

**GENERAL SITE INFORMATION**

<table>
<thead>
<tr>
<th>Location</th>
<th>Southwest corner of Skylark Road and Millstone Lane intersection</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction</td>
<td>Forsyth County</td>
</tr>
<tr>
<td>Site Acreage</td>
<td>± 4.61 acres</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>The site is currently undeveloped.</td>
</tr>
<tr>
<td>Surrounding Property Zoning and Use</td>
<td></td>
</tr>
<tr>
<td>Direction</td>
<td>Zoning District</td>
</tr>
<tr>
<td>North</td>
<td>AG</td>
</tr>
<tr>
<td>East</td>
<td>AG and RS20</td>
</tr>
<tr>
<td>South</td>
<td>RS20</td>
</tr>
<tr>
<td>West</td>
<td>AG</td>
</tr>
</tbody>
</table>
Rezoning Consideration from Section 3.2.15 A 13

Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?
The uses permitted in the proposed RS20 district are generally compatible with the uses permitted on the adjacent RS20 and AG properties.

Physical Characteristics
The majority of the site is pasture/farmland with some mature trees located around the perimeter. The topography slopes moderately downward toward the south.

Proximity to Water and Sewer
Public water service is located within Skylark Road. Public sewer service is not available.

Watershed and Overlay Districts
The site is not located within a water supply watershed.

Analysis of General Site Information
The undeveloped site is located in a suburban/rural setting and has generally favorable topography. However, it does not have direct access to public sewer service.

RELEVANT ZONING HISTORIES
There are no relevant zoning histories in the vicinity of the subject property.

SITE ACCESS AND TRANSPORTATION INFORMATION

<table>
<thead>
<tr>
<th>Street Name</th>
<th>Classification</th>
<th>Frontage</th>
<th>Average Daily Trip Count</th>
<th>Capacity at Level of Service D</th>
</tr>
</thead>
<tbody>
<tr>
<td>Skylark Road</td>
<td>Minor Thoroughfare</td>
<td>646 feet</td>
<td>1,100</td>
<td>15,800</td>
</tr>
</tbody>
</table>

Proposed Access Point(s)
Because this is a General Use request without a site plan, proposed access points are unknown.

Trip Generation - Existing/Proposed

Existing Zoning: AG
4.61 acres / 40,000 sf = 5 units x 9.57 (single-family trip rate) = 48 trips per day

Proposed Zoning: RS20
4.61 acres / 20,000 sf = 10 units x 9.57 (single-family trip rate) = 96 trips per day

Analysis of Site Access and Transportation Information
The site has extensive frontage on a minor thoroughfare with ample capacity. Staff foresees no transportation-related issues associated with this request. However, it should be noted that the future alignment of the Northern Beltway is located approximately 100 feet east.

CONFORMITY TO PLANS AND PLANNING ISSUES

Legacy 2030 Growth Management Area
Growth Management Area 3 – Suburban Neighborhoods

Relevant Legacy 2030 Recommendations
- Concentrate growth in GMAs 1, 2, and 3 while preserving farmland, open space, and rural character in the Rural Area.
- Encourage development in areas with existing infrastructure before extending infrastructure farther.
**Relevant Area Plan(s)**

West Suburban Area Plan Update (2018)

**Area Plan Recommendations**

- The area plan recommends single-family residential uses at this location.

**Site Located Along Growth Corridor?**

The site is not located along a growth corridor.

**Site Located within Activity Center?**

The site is not located within an activity center.

**Rezoning Consideration from Section 3.2.15 A 13**

- Have changing conditions substantially affected the area in the petition? No
- Is the requested action in conformance with Legacy 2030? Yes

**Analysis of Conformity to Plans and Planning Issues**

The subject property is located within the Suburban Neighborhoods Growth Management Area (GMA 3), where Legacy encourages the concentration of new development because services are typically already in place. The site fronts along a minor thoroughfare, is adjacent to other RS20 properties, and is also consistent with the single-family residential recommendation of the West Suburban Area Plan Update.

**CONCLUSIONS TO ASSIST WITH RECOMMENDATION**

<table>
<thead>
<tr>
<th>Positive Aspects of Proposal</th>
<th>Negative Aspects of Proposal</th>
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</thead>
<tbody>
<tr>
<td>The site is located within GMA 3.</td>
<td>The request could result in the conversion of farmland into a single-family subdivision.</td>
</tr>
<tr>
<td>The site is adjacent to other RS20 properties.</td>
<td></td>
</tr>
<tr>
<td>The request is consistent with the RS20 purpose statement.</td>
<td></td>
</tr>
<tr>
<td>The site has frontage on a minor thoroughfare which has ample capacity.</td>
<td></td>
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</tbody>
</table>

**STAFF RECOMMENDATION:** Approval

**NOTE:** These are staff comments only; the City-County Planning Board makes final recommendations, and final action is taken by the appropriate Elected Body, which may approve, deny, continue, or request modification to any request. THE APPLICANT OR REPRESENTATIVE IS STRONGLY ENCOURAGED TO ATTEND THE PUBLIC HEARINGS WHERE THE CASE WILL BE CONSIDERED BY THE PLANNING BOARD AND THE ELECTED BODY.
Desmond Corley presented the staff report.

PUBLIC HEARING

FOR:  None
AGAINST:  None

WORK SESSION

MOTION:  Clarence Lambe recommended that the Planning Board find that the request is consistent with the comprehensive plan.
SECOND:  Jason Grubbs
VOTE:
   FOR:  George Bryan, Melynda Dunigan, Jason Grubbs, Tommy Hicks, Clarence Lambe, Chris Leak, Brenda Smith, Jack Steelman
   AGAINST:  None
   EXCUSED:  None

MOTION:  Clarence Lambe recommended approval of the zoning petition.
SECOND:  Jason Grubbs
VOTE:
   FOR:  George Bryan, Melynda Dunigan, Jason Grubbs, Tommy Hicks, Clarence Lambe, Chris Leak, Brenda Smith, Jack Steelman
   AGAINST:  None
   EXCUSED:  None

____________________________
Aaron King
Director of Planning and Development Services
DOCKET #: F1596
(continued from 6/11/2020)

PROPOSED ZONING:
RS20

EXISTING ZONING:
AG

PETITIONER:
Weidl Properties, LLC

SCALE: 1" represents 400'
STAFF: Roberts
GMA: 3
ACRES: 4.61
NEAREST BLDG: 7' west
MAP(S): 5897.01
West Suburban Area Plan Update, 2018

Proposed land uses shown are generalized. See area plan for specific recommendations.

Proposed Land Use
- Low-Density Residential
- Urban Residential
- Low-Density Attached Residential (0-8 DU/Ac)
- Intermediate-Density Residential (8.1-18 DU/Ac)
- High-Density Residential (over 18 DU/Ac)
- Manufactured Housing Park
- Office
- Office / Low-Intensity Commercial
- Commercial
- Mixed-Use Development
- Intermediate-Density Residential / Industrial
- Industrial
- Institutional
- Park
- Commercial Recreation
- Utilities
- Rivers, Lakes
- Activity Center
- Special Land Use Condition Areas

Proposed Growth Corridor
- Urban/Suburban Form - Single-Family Residential
- Urban Form - Commercial/Office/Multifamily
- Suburban Form - Commercial/Office/Multifamily

Legend:
- Feet

Map Area:
- West Suburban Area Plan
- West Rural Policy Area 1
- West Suburban Area Plan Update, 2018 (Proposed land uses shown are generalized. See area plan for specific recommendations.)

Map Extent:
- 500 Feet

Map Scale:
- 500

Map Orientation:
- Feet

Map Reference:
- Case F1596
USES ALLOWED IN THE EXISTING AG ZONING DISTRICT
Forsyth County Jurisdiction

USES ALLOWED WITH A PERMIT FROM THE ZONING OFFICER (Z)

- Adult Day Care Home
- Agricultural Production, Crops
- Agricultural Production, Livestock
- Agricultural Tourism
- Animal Feeding Operation
- Child Day Care, Small Home
- Church or Religious Institution, Neighborhood
- Family Group Home A
- Fish Hatchery
- Kennel, Outdoor
- Police or Fire Station
- Recreation Facility, Public
- Residential Building, Single Family
- Swimming Pool, Private
- Transmission Tower (see use-specific standards in UDO ClearCode)

USES ALLOWED WITH REVIEW BY THE PLANNING BOARD (P)

- Cemetery
- Church or Religious Institution, Community
- Golf Course
- Landfill, Land Clearing/Inert Debris, 2 acres or less
- Library, Public
- Planned Residential Development
- School, Private
- School, Public
- Utilities

USES ALLOWED WITH SPECIAL USE PERMIT FROM ZONING BOARD OF ADJUSTMENT (A)

- Borrow Site
- Campground
- Child Day Care, Large Home
- Dirt Storage
- Fishing, Fee Charged
- Habilitation Facility A
- Manufactured Home, Class A
- Manufactured Home, Class B
- Manufactured Home, Class C
- Nursing Care Institution
- Park and Shuttle Lot
- Recreational Vehicle Park
- Riding Stable
- Shooting Range, Outdoor
- Special Events Center
- Transmission Tower

USES ALLOWED WITH SPECIAL USE PERMIT FROM ELECTED BODY (E)

- Access Easement, Private Off-Site
- Landfill, Land Clearing/Inert Debris, greater than 2 acres

SUP not required if standards of Section 5.2.2A are met
USES ALLOWED IN THE PROPOSED RS20 ZONING DISTRICT  
Forsyth County Jurisdiction

<table>
<thead>
<tr>
<th>USES ALLOWED WITH A PERMIT FROM THE ZONING OFFICER (Z)</th>
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<tbody>
<tr>
<td>Adult Day Care Home</td>
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<tr>
<td>Agricultural Production, Crops</td>
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<tr>
<td>Agricultural Production, Livestock</td>
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<tr>
<td>Child Day Care, Small Home</td>
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<tr>
<td>Church or Religious Institution, Neighborhood</td>
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<td>Family Group Home A</td>
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<tr>
<td>Police or Fire Station</td>
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<tr>
<td>Recreation Facility, Public</td>
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<tr>
<td>Residential Building, Single Family</td>
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<tr>
<td>Swimming Pool, Private</td>
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<tr>
<td>Transmission Tower (see use-specific standards in UDO ClearCode)</td>
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</table>

<table>
<thead>
<tr>
<th>USES ALLOWED WITH REVIEW BY THE PLANNING BOARD (P)</th>
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</thead>
<tbody>
<tr>
<td>Church or Religious Institution, Community</td>
</tr>
<tr>
<td>Golf Course</td>
</tr>
<tr>
<td>Library, Public</td>
</tr>
<tr>
<td>Planned Residential Development</td>
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<tr>
<td>School, Private</td>
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<td>School, Public</td>
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<tr>
<td>Utilities</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>USES ALLOWED WITH SPECIAL USE PERMIT FROM ZONING BOARD OF ADJUSTMENT (A)</th>
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<tbody>
<tr>
<td>Bed and Breakfast</td>
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<tr>
<td>Borrow Site</td>
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<tr>
<td>Child Day Care, Large Home</td>
</tr>
<tr>
<td>Dirt Storage</td>
</tr>
<tr>
<td>Fishing, Fee Charged</td>
</tr>
<tr>
<td>Habilitation Facility A</td>
</tr>
<tr>
<td>Kennel, Outdoor</td>
</tr>
<tr>
<td>Landfill, Land Clearing/Inert Debris, 2 acres or less</td>
</tr>
<tr>
<td>Manufactured Home, Class A</td>
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<tr>
<td>Manufactured Home, Class B</td>
</tr>
<tr>
<td>Nursing Care Institution</td>
</tr>
<tr>
<td>Park and Shuttle Lot</td>
</tr>
<tr>
<td>Riding Stable(^3)</td>
</tr>
<tr>
<td>Shooting Range, Outdoor</td>
</tr>
<tr>
<td>Special Events Center</td>
</tr>
<tr>
<td>Transmission Tower</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>USES ALLOWED WITH SPECIAL USE PERMIT FROM ELECTED BODY (E)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Landfill, Land Clearing/Inert Debris, greater than 2 acres</td>
</tr>
<tr>
<td>Access Easement, Private Off-Site(^3)</td>
</tr>
<tr>
<td>Parking, Off-Site, for Multifamily or Institutional Uses</td>
</tr>
</tbody>
</table>

\(^3\)See Section 5.2.74

\(^5\)SUP not required if standards of Section 5.2.2A are met
June 3, 2020

City of Winston Salem/Forsyth County Planning
C/O Desmond Corley
Via Email: desmondc@cityofws.org

RE: SKYLARK ROAD REZONING F-1595 and F-1596

Mr. Corley –

A mailer was prepared and sent via regular mail on May 22, 2020 to all property owners within 500’ of the proposed rezoning site. The letter contained background information regarding the proposed rezoning request, general information about the rezoning process (available on the planning website), and an email address for receiving comments.

As of today, we have received no comments regarding the rezoning request. Additionally, a continuance has been requested for the requests and a further update will follow prior to the next planning board meeting should any comments be received.

A sample letter and copy of the response letter received is attached for your records.

Sincerely,

Alex Carter, PE

CC: Weidl Properties, LLC
Encl: Sample docs
May 20, 2020

<Name First> <Name Last>
<Address>, <City>, <State> <Zip>

RE: INFORMATION ON PROPOSED RS20 ZONING SKYLARK ROAD
CASE #F-1595 and #F-1596

Dear <Name First> <Name Last>:

Neighborhood outreach is an important tool to receive community feedback on proposed zoning activity in your neighborhood. The sites on Skylark Road noted above are within 500’ of your property and the planning board requests your feedback as part of the review and approval process. I am reaching out to you today to provide background information on these rezoning cases and offer an opportunity to collect your feedback.

BACKGROUND

The zoning proposal for both sites is to revise the zoning district from AG to RS20. The AG District is primarily intended to accommodate uses of an agricultural nature. The district is also intended to accommodate scattered non-farm residences on large tracts of land, but, is not intended for residential subdivisions with small lots.

The RS-20 District is primarily intended to accommodate single family detached dwellings in suburban areas and may also be applicable to older, large lot development. The district is established to promote orderly development in areas where public water is available.

You can find mapping and planning staff information regarding the site by going to the City of Winston Salem website (cityofws.org) and entering “F-1595” or “F-1596” in the search bar. This information is generally posted around the end of the month.

COMMENTS

Please send any comments you may have to SkylarkZoning@gmail.com. I will summarize all comments received and provide them to the planning staff at least eight (8) days prior to the scheduled Planning Board meeting.

Additional information provided by City of Winston Salem planning staff regarding the rezoning process is included. Please read over this information and direct any questions you may have to the contact listed on the information sheet.

Thank you and we look forward to hearing your comments,

Beeson & Carter, P.A.
<table>
<thead>
<tr>
<th>First Name</th>
<th>Last Name</th>
<th>Middle Name</th>
<th>Address</th>
<th>City</th>
</tr>
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<tbody>
<tr>
<td>John</td>
<td>Alexander</td>
<td>H</td>
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<td>Pfafftown NC 27040</td>
</tr>
<tr>
<td>Melissa</td>
<td>Butner</td>
<td>M</td>
<td>4371 Transou RD</td>
<td>Pfafftown NC 27040</td>
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<tr>
<td>Robert</td>
<td>Crawford</td>
<td>O</td>
<td>2969 Kecoughtan RD</td>
<td>Pfafftown NC 27040</td>
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<tr>
<td>David</td>
<td>Felton</td>
<td>M</td>
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<td>Gary</td>
<td>Grogan</td>
<td>L</td>
<td>2721 Garces CIR</td>
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<tr>
<td>KATY</td>
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<td>Hagaman</td>
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<td>Cheryl</td>
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<td>Todd</td>
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<tr>
<td>William</td>
<td>Ryan</td>
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<td>Pfafftown NC 27040</td>
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<td>NUFER</td>
<td>PUCKETT</td>
<td>G</td>
<td>7403 Quixote Ct</td>
<td>Pfafftown NC 27040</td>
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<tr>
<td>RYAN</td>
<td>Read</td>
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<td>Pfafftown NC 27040</td>
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<td>JAMES</td>
<td>PUCKETT</td>
<td>G</td>
<td>5901 La Sierra Dr</td>
<td>Pfafftown NC 27040</td>
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<tr>
<td>KATHRYN</td>
<td>-stockton</td>
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<td>Cameron</td>
<td>CAMERON</td>
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<td>Pfafftown NC 27040</td>
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<tr>
<td>Barry</td>
<td>BARRY</td>
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<td>5910 La Sierra Dr</td>
<td>Pfafftown NC 27040</td>
</tr>
<tr>
<td>William</td>
<td>STOCKTON</td>
<td>M</td>
<td>1605 Westbrook Plaza DR, STE 201</td>
<td>Pfafftown NC 27040</td>
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<tr>
<td>William</td>
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<td>-WISE</td>
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<td>Pfafftown NC 27040</td>
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</table>
June 23, 2020

City of Winston Salem/Forsyth County Planning
C/O Desmond Corley
Via Email: desmondc@cityofws.org

RE: SKYLARK ROAD REZONING F-1595 and F-1596

Mr. Corley –

As an update to the prior communication on June 3, 2020, I am enclosing a correspondence received via email on June 1, 2020 and postal mail on June 4, 2020. I have attempted to contact Mr. Wilson via phone and email multiple times since June 4, 2020 and have not received a reply for comment or feedback on the rezoning case as of today. If any additional information comes available prior to the planning board meeting I will update you immediately.

Sincerely,

Alex Carter, PE

CC: Weidl Properties, LLC
Encl: Letter from D. Wilson Law
June 1, 2020

Beeson and Carter P.A.
P.O. Box 669
Walkertown, NC 27051
SkylarkZoning @gmail.com

Re: Rezoning of F-1595 and F-1596

To Whom It May Concern:

Please be advised that I represent Katy H. Grubbs. Please direct all future correspondence regarding Mrs. Grubbs' properties to me. I am in receipt of your letter dated May 20, 2020 regarding the above-referenced rezoning. Please advise when the next Planning Board meeting is scheduled to take place.

Best Regards,

[Signature]
Dana Jackson Wilson
Attorney at Law
1066 West 4th Street Suite 101B
Winston-Salem, North Carolina 27101
(336) 414-2686
dwilson@danawilsonlaw.com
Dear Mr. Roberts,

I am writing to express opposition to the rezoning request for Case# f-1595 and Case# f-1596 on Skylark Road in Pfafftown. I have lived in the nearby Dorchester neighborhood for 18 years and have always loved the quiet, rural character of the surrounding area. All of the houses in Dorchester were built in the early 1980s and none of them can be seen from Skylark. There are fields all along Skylark, possibly belonging to the same owner. The fields are currently growing corn. Some years they are planted in soybeans. I travel to and from work driving along Skylark and taking Community Church Road to Yadkinville Road. In the evenings on my way home from work, if there is no traffic behind me as is often the case, I drive 35 mph on Skylark even though the speed limit is 50 along that road. I drive slowly in part because of the possibility of hitting a deer but mostly just to enjoy the scenery. The area is simply beautiful. The two-lane road winds past fields and woods, open skies and the occasional house, even two old farm houses that are still occupied. Just before reaching the entrance to my neighborhood, I look to the right and, on a clear day, can see nothing but the tops of trees all the way to Pilot Mountain on the horizon.

My concern about the rezoning is that, in addition to the increased number of houses that can be built on the land in the request, it will mark the beginning of increased building in the area. I ask you to please help preserve the rural character of this area and to protect an area of working farms in a state where farmland is everywhere under threat from development.

Thank you for your consideration.
Yours truly,

Joan Johnson
(336) 480-6522