DOCKET #: W2809

PROPOSED ZONING: MH

EXISTING ZONING: RS9

PETITIONER: Weldon Gray Brannock and Cheryl Witson Brannock for property owned by Same

SCALE: 1" represents 400'

STAFF: King

GMA: 4

ACRE(S): 0.79

MAP(S): 642878, 642882
October 19, 2005

Weldon Gray Brannock and
Cheryl Wilson Brannock
5028 Davis Road
Winston-Salem, NC  27105

RE:  ZONING MAP AMENDMENT W-2809

Dear Mr. Brannock and Ms. Brannock:

The attached report of the Planning Board to the City Council is sent to you at the request of the Council Members. You will be notified by the City Secretary’s Office of the date on which the Council will hear this petition.

Sincerely,

A. Paul Norby, AICP
Director of Planning

pc:  City Secretary’s Office, P.O. Box 2511, Winston-Salem, NC  27102
## ACTION REQUEST FORM

**DATE:** October 19, 2005  
**TO:** The Honorable Mayor and City Council  
**FROM:** A. Paul Norby, AICP, Director of Planning

### COUNCIL ACTION REQUEST:

Request for Public Hearing on Zoning Map Amendment of Weldon Gray Brannock and Cheryl Wilson Brannock

### SUMMARY OF INFORMATION:

Zoning Map Amendment of Weldon Gray Brannock and Cheryl Wilson Brannock from RS-9 to MH: property is located on the west side of Davis Road north of Daysbrook Road (Zoning Docket W-2809).

### PLANNING BOARD ACTION:

**MOTION ON PETITION:** APPROVAL  
**FOR:** UNANIMOUS  
**AGAINST:** NONE  
**SITE PLAN ACTION:** NOT REQUIRED
BE IT ORDAINED by the City Council of the City of Winston-Salem as follows:

Section 1. The Winston-Salem City Zoning Ordinance and the Official Zoning Map of the City of Winston-Salem, N.C. are hereby amended by changing from RS-9 to MH the zoning classification of the following described property:

Tax Lot 09 Tax Block 3007

Section 2. This ordinance shall become effective upon adoption.
<table>
<thead>
<tr>
<th>Docket #</th>
<th>W-2809</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Aaron King</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>Weldon Gray Brannock and Cheryl Wilson Brannock</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property</td>
<td>Tax Lot 9 /Tax Block 3007</td>
</tr>
<tr>
<td>Type of Request</td>
<td>General Use Rezoning request from RS-9 to MH</td>
</tr>
</tbody>
</table>

**Proposal**
The petitioner is requesting to amend the Official Zoning Maps for the subject property from RS-9 (Residential Single Family) to MH (Manufactured Housing).

**NOTE:** Both general and special use district zoning were discussed with the petitioner(s) who decided to pursue the rezoning as presented. With a General use, all uses in the District must be considered.

**Zoning District Purpose Statement**
The MH District is primarily intended to accommodate manufactured housing developments with a maximum overall density of five (5) units per acre. This district is intended for application in Growth Management Area 3 where public facilities, including public water and sewer, public roads, parks, and other governmental support services, are available.

**Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)**

| (S)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)? |
| The request is not located within GMA 4, but would be compatible with surrounding uses in the general area. |

**GENERAL SITE INFORMATION**

<table>
<thead>
<tr>
<th>Location</th>
<th>West side of Davis Road north of Daysbrook Road</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction</td>
<td>Forsyth County (City of Winston-Salem ETJ; closest to Northeast Ward.)</td>
</tr>
<tr>
<td>Site Acreage</td>
<td>Approximately ± 0.79 acres</td>
</tr>
</tbody>
</table>

**Current Land Use**
The subject property currently contains a manufactured home and associated storage buildings.

<table>
<thead>
<tr>
<th>Surrounding Property Zoning and Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Direction</td>
</tr>
<tr>
<td>-----------</td>
</tr>
<tr>
<td>North</td>
</tr>
<tr>
<td>East</td>
</tr>
<tr>
<td>South</td>
</tr>
<tr>
<td>West</td>
</tr>
</tbody>
</table>

**Applicable Rezoning Consideration**

| (S)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity? |
| The request is not located within GMA 4, but would be compatible with surrounding uses in the general area. |
from Chapter B, Article VI, Section 6-2.1(S) | The uses allowed in the MH district would be compatible with other uses allowed in the area. A manufactured home zoned MH currently exists to the south of the subject property.

Physical Characteristics | The subject property slopes down gently from the front to the rear. The property contains no streams or wetlands.

Proximity to Water and Sewer | Public water is available to the subject property; however, public sanitary sewer is not.

Stormwater/Drainage | No known stormwater or drainage issues.

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

Analysis of General Site Information | The subject property is located on the west side of Davis Road north of Daybrook Road in a somewhat rural area of the County. The general area is characterized by single family homes on large lots due the lack of public sewer in the area. Currently, there are a few manufactured homes along Davis Road and more specifically one is located beside the subject property. The topography of the property slopes down gently from front to back.

### SITE ACCESS AND TRANSPORTATION INFORMATION

<table>
<thead>
<tr>
<th>Street Name</th>
<th>Classification</th>
<th>Frontage</th>
<th>ADT Count</th>
<th>Capacity/LOS D</th>
</tr>
</thead>
<tbody>
<tr>
<td>Davis Road</td>
<td>Minor Thoroughfare</td>
<td>+/- 120 feet of frontage</td>
<td>3,200</td>
<td>16,100</td>
</tr>
</tbody>
</table>

Proposed Access Point(s) | The property has public road frontage along the west side of Davis Road.

Planned Road Improvements | A portion of the subject property is located within the proposed Northern Beltway Corridor and may be impacted by this future road improvement.

Trip Generation - Existing/Proposed

- **Existing Zoning: RS-9 (No sewer available = 20,000 sf. lot size)**
  
  0.79 acres x 43,560 /20,000 = 1 unit x 9.57 (SFR Trip Rate) = 10 Trips per Day

- **Proposed Zoning: MH (No sewer available = 20,000 sf. lot size)**
  
  0.79 acres x 43,560 /20,000 = 1 unit x 9.57 (SFR Trip Rate) = 10 Trips per Day

Sidewalks | No sidewalks currently existing along Davis Road.

Transit | Not available

Analysis of Site Access and Transportation Information | The subject property is located on the west side of Davis Road and is partially located within the proposed Northern Beltway Corridor. According to the most recent plans for the eastern leg of the Northern Beltway, only a portion of the southeast corner of the property would need to be acquired for future right-of-way. Rezoning of this property from RS-9 to MH would not significantly increase the purchase price of this property for NCDOT, should it have to be obtained.

### CONFORMITY TO PLANS AND PLANNING ISSUES

Legacy GMA | GMA 4 (Future Growth Area)

Relevant Legacy Recommendations | • Legacy recommends providing a variety of quality housing types for
all income levels and fostering a climate that is hospitable to affordable housing development.

Relevant Area Plan(s)  
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)  
The subject property is not located within the boundaries of an adopted area plan.

(S)(3) - Have changing conditions substantially affected the area in the petition?  
No

(S)(4) - Is the requested action in conformance with Legacy?  
Applicable

Analysis of Conformity to Plans and Planning Issues  
The request would be in conformance with the recommendations of Legacy, in that it provides a different housing type for the general area. This request would also bring the existing manufactured home into conformance with UDO requirements. The existing manufactured home appears to be a class “B” manufactured home, which is only allowed in the City in the MH district or on the same property with a single family home for use by a blood relative. The existing single wide manufactured home was originally placed on this site in 1988 as an accessory dwelling to the single family home located on the adjacent lot which requires a Special Use Permit from the Zoning Board of Adjustment. The manufactured home was allowed to remain on the subject property by renewing this permit every three years from 1988 to 2000. In 2000, the permit was renewed for a period of five years expiring in September 2005. When the petitioner applied to renew this Special Use Permit, there was no longer a blood relative occupying the manufactured home, which meant that the property either had to be rezoned to MH or the manufactured home had to be removed from the property.

RELEVANT ZONING HISTORIES

<table>
<thead>
<tr>
<th>Case</th>
<th>Request</th>
<th>Decision &amp; Date</th>
<th>Direction from Site</th>
<th>Acreage</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>W-2289</td>
<td>RS-9 to RS-9-S</td>
<td>Withdrawn at the February 11, 1999 Planning Board meeting</td>
<td>North</td>
<td>5.16 acres</td>
<td>Approval NA</td>
</tr>
<tr>
<td>W-1921</td>
<td>R-5 &amp; R-7 to R-7</td>
<td>Approved September 6, 1994</td>
<td>South</td>
<td>1.5 acres</td>
<td>Approval Approval</td>
</tr>
<tr>
<td>W-1797</td>
<td>R-4 to R-7</td>
<td>Approved December 21, 1992</td>
<td>Southwest</td>
<td>0.77 acres</td>
<td>Approval Approval</td>
</tr>
</tbody>
</table>

CONCLUSIONS TO ASSIST WITH RECOMMENDATION

<table>
<thead>
<tr>
<th>Positive Aspects of Proposal</th>
<th>Negative Aspects of Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>The request would not produce any increases in trip generation.</td>
<td></td>
</tr>
</tbody>
</table>
The request is in conformance with the recommendations of Legacy.

**STAFF RECOMMENDATION:** APPROVAL

**NOTE:** These are staff comments only; final recommendations on projects are made by the City-County Planning Board, with final decisions being made by the appropriate Elected Body, who may approve, deny, table or request modification for any project. 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.

**PUBLIC HEARING**

FOR: None

AGAINST: None

**WORK SESSION**

MOTION: Paul Mullican moved approval of the zoning map amendment.
SECOND: Dara Folan
VOTE:
  FOR: Curtis, Clark, Eickmeyer, Folan, Glenn, King, Lambe, Mullican, Smith
  AGAINST: None
  EXCUSED: None

_______________________
A. Paul Norby, AICP
Director of Planning