



DOCKET #: W2714

PROPOSED ZONING:
MH

EXISTING ZONING:
RS9

PETITIONER:
Nathan Spear for
property owned by Same

SCALE: 1" represents 200'

STAFF: Roberts

GMA: 3

ACRE(S): 1.23

MAP(S): 612882



DRAFT ZONING STAFF REPORT

DOCKET # W-2714
STAFF: Gary Roberts

Petitioner(s): Nathan Spear
Ownership: Same

REQUEST

From: RS-9 Single Family Residential District; 9,000 sf minimum lot size
To: MH Manufactured Housing District; 10,000 sf minimum lot size

Both general and special use district zoning were discussed with the applicant(s) who decided to pursue the zoning as requested.

NOTE: This is a general use zoning petition; therefore, ALL uses permitted in the above requested district should be considered.

Acreage: 1.23

LOCATION:

Street: North side of Shattalon Drive west of Murry Road.
Jurisdiction: City of Winston-Salem.
Ward: North.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: One accessory building.

Adjacent Uses:

North- Single family residence zoned RS-9 with undeveloped RM12-S property located further north.

East- Single family residence zoned RS-9.

South- Vista Court apartments across Shattalon Drive zoned RM-12.

West- Single family residences zoned RS-9.

GENERAL AREA

Character/Maintenance: Moderate to well maintained commercial and residential properties.

Development Pace: Slow to moderate.

HISTORY

Relevant Zoning Cases:

1. W-2486; RM12-S (Residential Building, Multifamily) to LO-S (Professional Office; and Offices, Miscellaneous); withdrawn at September 13, 2001 Planning Board meeting; northeast corner of Shattalon Drive and Ionia Street; 0.92 acre.
2. W-2063; RS-9 to RS9-S (Planned Residential Development; Manufactured Home, Class A; and Residential Building, Single Family); denied November 4, 1996; west side of Murray Road, north of Becks Church Road, 800± feet north of current site; 23.06 acres; Planning Board and staff recommended approval.
3. W-1210; R-5 to R-2-S (Dwellings, Multifamily); approved December 17, 1984; northeast corner of Shattalon Drive and Ionia Street; 0.92 acre; Planning Board and staff recommended approval.
4. W-827; R-6 to R-2-S (Dwellings, Multifamily); approved May 18, 1981; west side of Murray Road north of Shattalon Drive; 21.68 acres; Planning Board and staff recommended approval.
5. W-704; R-6 to R-2; approved April 2, 1979; south side of Shattalon Drive, directly south of current site; 12.6 acres; Planning Board and staff recommended approval.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: No impact determined with general use request.

Topography: Moderate slope downward from the northern section of the subject property southern section.

Streams: No streams are on the subject property.

Vegetation/habitat: Some vegetation exists in the southern half and along the northern border of the subject property.

Water Supply Watershed: The subject property is not located in a water supply watershed.

TRANSPORTATION

Direct Access to Site: Shattalon Drive.

Street Classification: Shattalon Drive – Minor Thoroughfare.

Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day):
Shattalon Drive between Murray Road and Bethabara Road = 10,000 / 11,100

Planned Road Improvements: Shattalon Drive between Reynolda Road and University Parkway;
from 2-3 lanes to 3 lanes; 2005-2014.

Transit: Route 16 along Bethabara Road; Route 44 along Bethabara Road and Shattalon Drive.

CONFORMITY TO PLANS

GMP Area (*Legacy*): Suburban Neighborhoods (GMA 3).

Relevant Comprehensive Plan Recommendation(s): A housing goal in the *Legacy* plan is to . . .
“provide a variety of quality housing types for all income levels and foster a climate that is hospitable to affordable housing development.” *Legacy* notes the negative perception

many people have of manufactured housing and the need for better design of manufactured home developments to make them more compatible with and acceptable to surrounding neighborhoods.

Area Plan/Development Guide: Site is within the *North Suburban Small Area Plan* study area, which is still in progress, with no land use recommendations completed at this time.

ANALYSIS

The subject request is to rezone 1.23 acres located on the north side of Shattalon Drive from RS-9 to MH. Currently located on the site are Recreational Vehicles and one accessory building. One of the Recreational Vehicles is being used illegally as a “permanent” residence and is in the process of being cited by the Inspections Division.

The adjoining properties to the east, west and north of the subject property are zoned RS-9 and are developed with site built, single family homes. Across Shattalon Drive to the south, is the Vista Court multifamily development zoned RM-12.

In 1998, the previous property owner obtained a three year, renewable Special Use Permit from the Zoning Board of Adjustment in order to place a single wide manufactured home on the subject property. The unit was removed at the end of the allotted time and the property was sold to the current property owner/petitioner in 2003. While several pre-UDO manufactured housing developments are located within a half mile radius of the subject property, the general residential character of the surrounding area, as viewed from the public streets, is one of conventional, site built homes. The current general use request would permit up to five, Class C Manufactured Homes to be located on the site. In addition, these units could have a much greater visual impact on the future development pattern of the area due to the amount of street frontage along Shattalon Drive. The attached handout illustrates the distinction between each of the four classes of manufactured homes.

While staff is supportive of affordable housing when developed in the proper context, the current request would allow a type of housing that is not compatible with the immediately adjacent properties. Although at one time a portion of the subject property was granted a renewable permit for one single wide manufactured home, staff notes that there is a significant difference on the impact to the character of a residential area between one or two Class A Manufactured Homes and the potential of five Class C Manufactured Homes. This impact is magnified when placed on a relatively small highly visible property. In contrast, a Manufactured Housing Development, which consists of at least four acres, must comply with various site requirements and undergo a Planning Board Review. Therefore, staff does not support the current request.

FINDINGS

1. The previous property owner obtained a renewable Special Use Permit from the Board of Adjustment to place one single wide manufactured home on the subject property
2. The manufactured home was removed from the site prior to the current owner purchasing the site.

3. The immediately adjacent single family residential properties are developed with site built homes.
4. The current general use request would allow multiple Class C Manufactured Homes to be placed on the subject property which would be inconsistent with the character of the surrounding area.

STAFF RECOMMENDATION

Zoning: **DENIAL**

Gary Roberts presented the staff report.

PUBLIC HEARING

FOR:

Alan Spear, 1060 Danny Lane, Germanton, NC 27019

I'm speaking on behalf of my father, Nathan Spear. There's a large manufactured home park 1,000 feet or less from this site. I didn't see it on the map and am wondering why it wasn't shown. Staff noted that a larger scale map might have shown the park, but at this scale it is too small to be seen. It was mentioned in the staff report.

This is the first time we've done this, so it's new to us.

When my father bought the property, he was unaware of any zoning violations on the property. He has rectified most of them now. Our intention now was to replace the existing unit with a manufactured home or modular home.

When we came to get the permit, we were advised that the best way to approach this was to request a change in zoning to MH.

A few of his neighbors came today in support of this request.

Nathanial Wilson, 5325 Shattalon Drive, Winston-Salem, NC 27106

I support his request to put a manufactured home on this lot.

Betty Wilson, 5325 Shattalon Drive, Winston-Salem, NC 27106

A second manufactured home park is open on Bethabara Road.

Behind Nathan is another manufactured home unit.

He has done very good work on this lot and you would be proud of it.

I see no reason to deny this request.

AGAINST: None

WORK SESSION

During discussion by the Planning Board, the following points were made:

1. A 3-year renewable special use permit would be possible as a way of doing what he wants to do.
2. With a general use request, as many as five homes could be placed on this site.
3. Where would staff feel manufactured housing was appropriate if not in a location like this where multifamily is on three sides of this site? Staff noted that there is a significant amount of manufactured housing in this area, however this site is immediately surrounded by site built homes.
4. Arnold King noted that if it wasn't visible from Shattalon, he would be able to support it.
5. The petitioner requested that the petition be continued so it can be refiled as a special use district request. The Planning Board noted that there is no guarantee it would be approved as a special use district request, however several members indicated that they would be more comfortable with knowing that there would only be one home on the site instead of the five that would be permissible if the general use district request were approved..
6. Ronnie Grubbs noted that the applicant could not apply for a permit for a single-wide unit because the unit was moved in 2001.

MOTION: Paul Mullican moved that the zoning map amendment be withdrawn. If within six (6) months the zoning map amendment is refiled as a special use district request, all fees shall be waived except the advertising costs and the difference between the cost of general and special use district rezoning.

SECOND: Jerry Clark

VOTE:

FOR: Clark, Eickmeyer, Folan, King, Lambe, Mullican, Norwood, Smith

AGAINST: None

EXCUSED: None

A. Paul Norby, AICP
Director of Planning