DOCKET #: F1523
(continued from 11/11/10)

PROPOSED ZONING:
RS40-S

EXISTING ZONING:
RS40

PETITIONER:
Art and Wendi Johnson
for property owned by Same

SCALE: 1" represents 500'

STAFF: Roberts

GMA: 4

ACRES: 12.24

NEAREST
BLDG: 40' south

MAP(S): 672878
December 22, 2010

Art and Wendi Johnson
2585 Dewberry Farm Lane
Kernersville, NC  27284

RE:   ZONING MAP AMENDMENT F-1523

Dear Mr. & Ms. Johnson:

The attached report of the Planning Board to the Forsyth County Board of Commissioners is sent to you at the request of the Commissioners.

When the rezoning is scheduled for public hearing, you will be notified by Carla Holt, Clerk to the County Commissioners, of the date on which the Commissioners will hear this petition.

Sincerely,

A. Paul Norby, FAICP
Director of Planning

Attachment

pc:   Carla Holt, County Manager’s Office
      Stephen G. Calaway, 370 Knollwood Street, Winston-Salem, NC  27103
      Jeannie Grimes, 2488 Dewberry Farm Lane, Kernersville, NC  27284
      Paul Shepard, 523 First Street, Winston-Salem, NC  27101
      Steve Sweeney, 110 Darvel Court, Kernersville, NC  27284
      Sandra G. Cecile, 2461 Dewberry Farm Lane, Kernersville, NC  27284
      Kirsten Osenga, 5950 Habersham Drive, Kernersville, NC  27284

F-1523 December 2010
FORSYTH COUNTY
BOARD OF COMMISSIONERS

MEETING DATE: ____________________ AGENDA ITEM NUMBER: ______

SUBJECT:-

A. Public Hearing on Zoning Map Amendment F-1523

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

C. Approval of Special Use District Permit

D. Approval of Site Plan

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 - SPECIAL USE

Zoning Petition of Art and Wendi Johnson, Docket F-1523

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 RS-40 to RS-40-S (Bed & Breakfast; Residential Building, Single Family; Agricultural Production, Crops; and Agricultural Production, Livestock) the zoning classification of the following described property:

PIN #'s 6877-38-9919, 6877-39-7495, and 6877-39-6003

Section 2. This Ordinance is adopted after approval of the site plan entitled Dewberry Manor, and identified as Attachment A of the Special Use District Permit issued by the Forsyth County Board of Commissioners the _____ day of ________________, 20___ to Art and Wendi Johnson.

Section 3. The Board of Commissioners hereby directs the issuance of a Special Use District Permit pursuant to the Zoning Ordinance of the Unified Development Ordinances for a development to be known as Dewberry Manor. Said Special Use District Permit and site plan with associated documents are attached hereto and incorporated herein.

Section 4. This Ordinance shall be effective from and after its adoption.
COUNTY, SPECIAL USE DISTRICT PERMIT

SPECIAL USE DISTRICT PERMIT

Issued by the Forsyth County Board of Commissioners

The Forsyth County Board of Commissioners issues a Special Use District Permit for the site shown on the site plan map included in this zoning petition of Art and Wendi Johnson (Zoning Docket F-1523). The site shall be developed in accordance with the plan approved by the Board and bearing the inscription: "Attachment A, Special Use District Permit for RS-40-S (Bed & Breakfast; Residential Building, Single Family; Agricultural Production, Crops; and Agricultural Production, Livestock), approved by the Forsyth County Board of Commissioners the ______ day of ________________, 20___" and signed, provided the property is developed in accordance with requirements of the RS-40-S zoning district of the Zoning Ordinance of the Unified Development Ordinances of the County Code, the Erosion Control Ordinance, and other applicable laws, and the following conditions be met:

• **PRIOR TO THE ISSUANCE OF ZONING PERMITS:**
  a. Developer shall obtain a driveway permit from NCDOT; additional improvements may be required prior to issuance of driveway permit.

• **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
  a. Developer shall complete all requirements of the NCDOT driveway permit.

• **OTHER REQUIREMENTS:**
  a. In the event that the future accessory dwelling is constructed, it may not be used in conjunction with the Bed and Breakfast use. It must meet the UDO accessory use requirements which include a Special Use Permit from the Board of Adjustment.
  b. Any events must be associated with and clearly incidental to the use of Bed and Breakfast.
• CONDITIONS VOLUNTEERED BY THE PETITIONER:
  a. All outdoor events associated with the use of Bed and Breakfast shall require room accommodations.
  b. All outdoor events associated with the use of Bed and Breakfast shall have a maximum capacity of 100 guests.
  c. All outdoor events associated with the use of Bed and Breakfast having greater than 80 guests up to the maximum of 100 shall be limited to no more than 2 such events per year.
  d. All outdoor events associated with the use of Bed and Breakfast shall be limited to one per week. (However, a single wedding event may include rehearsal, wedding and reception).
  e. All outdoor events associated with the use of Bed and Breakfast will be limited to no more than 22 per calendar year.
  f. As volunteered by the petitioners, all events shall end by 10:00 pm.
  g. As volunteered by the petitioners, amplified music may not be used past 9:30 pm.
  h. The overflow parking area shall have a maximum of 40 cars.
  i. All outdoor events associated with the use of Bed and Breakfast shall require parking attendants when overflow parking is used.
  j. A guest log for the Bed and Breakfast and all outdoor events will be maintained and made available upon request to the Inspections Division.
  k. The use of any exterior lighting other than typical residential security or landscaping lighting is prohibited.
  l. As volunteered by the petitioner, an on-duty sheriff’s deputy shall be present for all events with a guest total of thirty-five (35) or more.
# CITY-COUNTY PLANNING BOARD
## STAFF REPORT

<table>
<thead>
<tr>
<th>PETITION INFORMATION</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Docket #</strong></td>
</tr>
<tr>
<td><strong>Staff</strong></td>
</tr>
<tr>
<td><strong>Petitioner(s)</strong></td>
</tr>
<tr>
<td><strong>Owner(s)</strong></td>
</tr>
<tr>
<td><strong>Subject Property</strong></td>
</tr>
<tr>
<td><strong>Address</strong></td>
</tr>
<tr>
<td><strong>Type of Request</strong></td>
</tr>
<tr>
<td><strong>Proposal</strong></td>
</tr>
<tr>
<td><strong>Continuance History</strong></td>
</tr>
<tr>
<td><strong>Neighborhood Contact/Meeting</strong></td>
</tr>
</tbody>
</table>
We mailed out 210 letters to neighbors in a 360 radius surrounding us. The letter explained the zoning and inviting them to our home to see the site plan and answer any questions. We had the meeting last night here at our home. Our attorney Steve Calaway was here to answer questions and explain the procedures with the zoning board and County Commissioners. We had 17 people show up. 4 were opposed. (the neighbors on Darvel Ct.) We only had one neighbor from Dewberry Farm Ln. Jennie Sprague who is for us, the rest were from Abington and Fairidge, all seem very positive and said they would be in support of us, it would be nice to have something like this so close. We were very encouraged after the meeting."

Zoning District Purpose Statement

The RS-40 District is primarily intended to accommodate single family detached dwellings on large lots in areas without access to public water and sewer services. The district is established to promote single family detached residences where environmental features, public service capacities, or soil characteristics necessitate very limited development. This district is intended for application in GMAs 4 (Future Growth Area) and 5 (Rural Area) and appropriate protected watershed areas. This district may also be applicable to older, larger lot development in GMAs 2 (Urban Neighborhoods) and 3 (Suburban Neighborhoods) developed prior to the effective date of this Ordinance.

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

(R)(I) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?

Yes, the subject property, and many of the adjacent properties, are currently zoned RS-40 and are located within GMA 4.

GENERAL SITE INFORMATION

Location
Norther terminus of Dewberry Farm Lane, southwest of Darvel Court

Jurisdiction
Forsyth County

Site Acreage
± 12.24 acres

Current Land Use
The site is currently used as a single family residence.

Surrounding Property Zoning and Use

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning District</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>RS-40</td>
<td>Undeveloped property</td>
</tr>
<tr>
<td>East</td>
<td>RS-30 &amp; RS-40</td>
<td>Single family homes</td>
</tr>
<tr>
<td>South</td>
<td>RS-40</td>
<td>Undeveloped property and single family homes</td>
</tr>
<tr>
<td>West</td>
<td>RS-30 &amp; RS-40</td>
<td>Undeveloped property and single family homes</td>
</tr>
<tr>
<td>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R) (R)(2)</td>
<td>Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?</td>
<td></td>
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<td>---</td>
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<tr>
<td>The proposed uses are currently allowed either by right or with a Special Use Permit from the Zoning Board of Adjustment, on all of the adjacent properties. A Special Use District rezoning request, if approved by the elected body, can substitute for the requirement of a Special Use Permit by the Board of Adjustment for a use otherwise allowed in that district. The proposal, with certain conditions, is compatible with other properties in the general vicinity (see the Analysis of Conformity to Plans and Planning Issues section below).</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Physical Characteristics</th>
<th>A large portion of the site is undeveloped and heavily wooded. The site has variable topography with gentle to steep slopes. A small stream traverses the site.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Proximity to Water and Sewer</th>
<th>Public water is available along Old Valley School Road approximately 1,023' from the subject property. No public sewer is available. According to the Health Department it is the property owners’ responsibility to handle any wastes generated on the site.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Stormwater/Drainage</th>
<th>No known issues.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Watershed and Overlay Districts</th>
<th>The site is not within a water supply watershed.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Analysis of General Site Information</th>
<th>The subject property is nestled within a larger residential area. The topography within the area proposed for “Grassed Overflow Parking” is steeper than parking lots typically seen in this portion of the State. The site does not have access to public sewer service. Otherwise the site has no apparent constraints and appears to be suitable for the proposed improvements.</th>
</tr>
</thead>
</table>

| SITE ACCESS AND TRANSPORTATION INFORMATION |
|---|---|---|---|---|
| Street Name | Classification | Frontage | ADT Count | Capacity/LOS D |
| Dewberry Farm Lane | Private Street | 30' | NA | NA |
| Old Valley School Road | Minor Thoroughfare | NA | 2,950 | 11,100 |

<table>
<thead>
<tr>
<th>Proposed Access Point(s)</th>
<th>The site will continue to be accessed from Dewberry Farm Lane which connects the subject property to Old Valley School Road.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Planned Road Improvements</th>
<th>The Comprehensive Transportation Plan recommends a three lane cross section with widened outside lanes, curb and gutter and sidewalks for Old Valley School Road.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Trip Generation - Existing/Proposed</th>
<th>Existing Zoning: RS-9</th>
</tr>
</thead>
<tbody>
<tr>
<td>12.24 acres x 43,560 sf / 40,000 = 13 units x 9.57 (SFR Trip Rate) = 124 Trips per Day</td>
<td></td>
</tr>
<tr>
<td>Proposed Zoning: RS-40-S</td>
<td></td>
</tr>
<tr>
<td>No trip rate is available for the proposed use of Bed and Breakfast</td>
<td></td>
</tr>
<tr>
<td>Transit</td>
<td>Not available</td>
</tr>
<tr>
<td>---</td>
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</tr>
<tr>
<td>Connectivity</td>
<td>A 30' access easement extends north and south cross the entire site.</td>
</tr>
<tr>
<td>Traffic Impact Study (TIS)</td>
<td>Not required.</td>
</tr>
<tr>
<td>Analysis of Site Access and Transportation Information</td>
<td>Access to this site will be provided via Dewberry Farm Lane which located within is a 30' non-exclusive access easement. It will need to be widened from an eight to ten foot wide gravel drive to 20’ for fire truck access. Pruning existing trees may also be required to provide clearance for fire trucks. While no trip rate is available for the use of Bed and Breakfast there will obviously be an increase in traffic along Dewberry Farm Lane during special events.</td>
</tr>
</tbody>
</table>

**CONFORMITY TO PLANS AND PLANNING ISSUES**

<table>
<thead>
<tr>
<th>Legacy GMA</th>
<th>Growth Management Area 4 - Future Growth Area</th>
</tr>
</thead>
</table>
| Relevant Legacy Recommendations | • Development is discouraged in the Future Growth Area until urban services are provided.  
• These areas do not currently have sewer or other facilities and services to support urban development. However, because of their potential to be served efficiently by sewer and other facilities and services in the future and/or their proximity to towns, major roads and other public investments, the Growth Management Plan calls for them to eventually become urban. |
| Relevant Area Plan(s) | The site is within the Kernersville Land Use Plan, (adopted in 2005-updated January 2007) by the Town of Kernersville, but not the City-County Planning Board or County Commissioners. |
| Area Plan Recommendations | The plan recommends low-density single family residential use for the subject property. |
| Addressing | No address number or street naming concerns. |
| Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R) | (R)(3) - Have changing conditions substantially affected the area in the petition?  
No |
| (R)(4) - Is the requested action in conformance with Legacy? | See comments below |
| Analysis of Conformity to Plans and Planning Issues | The subject request would allow for the operation of a Bed and Breakfast on the 12.24 acre site. The Inspections Division has determined that this use may include other accessory events, such as weddings, provided the accessory event is associated with and is clearly incidental to the use of Bed and Breakfast.  
The use of Bed and Breakfast is allowed with a Special Use Permit from the Zoning Board of Adjustment in the RS-40 District. However, as is noted below in the Relevant Zoning Histories Section, such a request was recently denied by said Board for the subject property. Therefore, the petitioners are applying for Special Use District Zoning in an effort to seek essentially the same use through a legislative approach. |
While the Bed and Breakfast use is relatively small and its anticipated impact to adjacent residential properties is minimal, the possibility of frequent wedding parties with the associated traffic and noise could pose some concerns. In an effort to mitigate these potential impacts to the surrounding properties, the petitioners have worked with Planning staff on various site plan changes and conditions.

Specifically, the site plan includes a 40’ Type IV buffer yard around the portions of the southern and eastern property lines which are in closest proximity to adjacent homes. Additionally, the extent of the outdoor area shown on the site plan for events and parking is relatively limited and restricted compared to the overall size of the tract. The petitioners have also volunteered conditions related to: maximum number of guests, frequency of events, hours of operation, lighting, and amplified music.

Based upon these limitations proposed as zoning conditions, staff is of the opinion that the subject request and the associated activities could occur in a manner which is consistent with the purpose statement of the RS-40 District and with the recommendations of Legacy.

### 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>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Planning staff does not typically include</td>
<td></td>
<td></td>
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<td></td>
<td>Board of Adjustment cases in the history</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>section; however, the following case has</td>
<td></td>
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<td></td>
</tr>
<tr>
<td></td>
<td>been included due its relevancy to the</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>subject request.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Forsyth County</td>
<td>Special Use Permit</td>
<td>Denied 8-18-10</td>
<td>Current site</td>
<td>12.24</td>
</tr>
<tr>
<td>Board of</td>
<td>for Bed and Breakfast in RS-40</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Adjustment #3436</td>
<td></td>
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</tbody>
</table>

### SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS

<table>
<thead>
<tr>
<th>Building Square Footage</th>
<th>Square Footage</th>
<th>Placement on Site</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>3,700 sf (existing principal structure) + 1,280 sf future cottage and 1,920 sf future barn</td>
<td>Mid-eastern portion of the site</td>
</tr>
</tbody>
</table>

| Parking | Required | 6 spaces located around the existing structure; 40 spaces maximum in the grassed overflow area. |

<table>
<thead>
<tr>
<th>Building Height</th>
<th>Maximum</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>40’</td>
<td>Two stories</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Impervious Coverage</th>
<th>Maximum</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>NA</td>
<td>5.7%</td>
</tr>
</tbody>
</table>

| UDO Sections Relevant to Subject Request | Chapter B, Article II, Section 2-5.9 Bed and Breakfast Use Conditions |

F-1523 December 2010
Complies with Chapter B, Article VII, Section 7-5.3

(A) Legacy policies: See comments above
(B) Environmental Ord. NA
(C) Subdivision Regulations NA

Analysis of Site Plan Compliance with UDO Requirements
The revised site plan meets UDO requirements.

<table>
<thead>
<tr>
<th>CONCLUSIONS TO ASSIST WITH RECOMMENDATION</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Positive Aspects of Proposal</td>
<td>Negative Aspects of Proposal</td>
</tr>
<tr>
<td>Request is consistent with the RS-40 purpose statement.</td>
<td>Request will allow for a more intense use of the site than what is currently permitted.</td>
</tr>
<tr>
<td>The request, with the restrictions as shown in the site plan and the proposed conditions, is generally consistent with the recommendations of Legacy.</td>
<td>A Zoning Board of Adjustment Special Use Permit request for the use of Bed and Breakfast was denied for this site on 8-18-10.</td>
</tr>
</tbody>
</table>

SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL
The following proposed conditions are from interdepartmental review comments and are proposed in order to meet codes or established standards, or to reduce negative off-site impacts.

- **PRIOR TO THE ISSUANCE OF ZONING PERMITS:**
  a. Developer shall obtain a driveway permit from NCDOT; additional improvements may be required prior to issuance of driveway permit.

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
  a. Developer shall complete all requirements of the NCDOT driveway permit.

- **OTHER REQUIREMENTS:**
  a. In the event that the future accessory dwelling is constructed, it may not be used in conjunction with the Bed and Breakfast use. It must meet the UDO accessory use requirements which include a Special Use Permit from the Board of Adjustment.
  b. Any events must be associated with and clearly incidental to the use of Bed and Breakfast.

- **CONDITIONS VOLUNTEERED BY THE PETITIONER:**
  a. All outdoor events associated with the use of Bed and Breakfast shall require room accommodations.
  b. All outdoor events associated with the use of Bed and Breakfast shall have a maximum capacity of 100 guests.
  c. All outdoor events associated with the use of Bed and Breakfast having greater than 80 guests up to the maximum of 100 shall be limited to no more than 2 such events per year.
d. All outdoor events associated with the use of Bed and Breakfast shall be limited to one per week. (However, a single wedding event may include rehearsal, wedding and reception).

c. All outdoor events associated with the use of Bed and Breakfast will be limited to no more than 22 per calendar year.

f. As volunteered by the petitioners, all events shall end by 10:00 pm.

g. As volunteered by the petitioners, amplified music may not be used past 9:30 pm.

h. The overflow parking area shall have a maximum of 40 cars.

i. All outdoor events associated with the use of Bed and Breakfast shall require parking attendants when overflow parking is used.

j. A guest log for the Bed and Breakfast and all outdoor events will be maintained and made available upon request to the Inspections Division.

k. The use of any exterior lighting other than typical residential security or landscaping lighting is prohibited.

**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.**
MOTION: Clarence Lambe moved continuance of the zoning map amendment to December 9, 2010.
SECOND: Paul Mullican
VOTE:
   FOR: Wesley Curtis, Arnold King, Clarence Lambe, Darryl Little, Barry Lyons, Lynne Mitchell, Paul Mullican, Allan Younger
   AGAINST: None
CITY-COUNTY PLANNING BOARD
PUBLIC HEARING
MINUTES FOR F-1523
DECEMBER 9, 2010

Gary Roberts presented the staff report.

PUBLIC HEARING

FOR:

Stephen G. Calaway, 370 Knollwood Street, Winston-Salem, NC 27103
- I represent Mr. & Mrs. Johnson.
- This is a beautiful, working farm.
- We have worked long and hard with Inspections.
- In all my time of doing this I’ve never seen anything like the number of conditions submitted by a petitioner to control or shape the activity they wish to perform.
- Roads have to be improved.
- Buffers are in excess of what is required by the ordinance.
- I don’t know of a case anywhere where we’ve limited the number of events. Inspections tells us they think that’s enforceable.
- We’ve agreed to the limit of one event per week, the number of events per year, the hours of operations, lighting, outdoor music ending at 9:30.
- Think of your church and the events offered there. Most churches are located in or in close proximity to residential neighborhoods. We exceed some of these limits in most of our churches.
- These conditions are pretty tight.
- Very little of the farm is proposed to be used by this use.
- On the Darvel Court side, it’s very dense and the homes are very nice, but by reason of grade separation (where the homes are significantly lower than the farm) and road patterns, this area is disassociated from the farm.
- These are good people with nice facilities including buffers and fences already in place. More buffers are proposed.
- The way they’ve taken care of their property shows their attitude toward their neighbors.
- They are committed to many things in this development among them relocating mailboxes on Dewberry Lane if permitted by the Postmaster and required by the road widening. They will pave the first ten feet of Dewberry Lane, the road will be widened to 20 feet in width with gravel surfaces, correction of any drainage problems caused by
that, installation of two speed bumps, seeding and erosion control by reason of the road improvements, installation of two permanent “children at play” signs, two permanent “10 mile per hour” speed limit signs on this private road, they would commit to apply water if that’s a problem in the dry time of the year, and to do road maintenance as necessary or needed.

• When the Johnsons first went into this project, we and Inspections really didn’t know how to approach Bed and Breakfast wedding forums. It seemed like the closest thing was a coliseum-type venue. That certainly wasn’t right and everyone knew that wasn’t what we meant to do in the ordinance. By working with the conditions and by spending hours studying and researching this type of use in this part of North Carolina, Inspections determined that taking a bed and breakfast in RS-40 and limiting it with conditions like these would be an appropriate incidental use to (a Bed and Breakfast in) RS-40.

• The County Attorney and Inspections came to the conclusion that this would be a proper incidental use in the zoning category. The next step is to see if it’s a proper incidental use by the legislative body and by you folks.

• There is one other condition that we talked about and that I want to submit: In the event that there is an event with 35 or more people, we will hire an off-duty deputy sheriff to monitor the activities and maintain the log that we have to maintain anyway. Perhaps we’d have a little more control from the law enforcement side and from people wondering if there’s anything going on that shouldn’t be going on.

• We’ve met with neighbors who do not support this request. We’ve talked with them, sent them cards, talked with their attorney, Paul Shepard, and we don’t know. We certainly feel we’ve gone more than half-way across the bridge and we hope we have. We might make a few more steps if they have more suggestions.

Jeannie Grimes, 2488 Dewberry Farm Lane, Kernersville, NC 27284
• Two sides of my property adjoin the original Johnson farm.
• I’ve lived there for 27 years. I love it. I’ve lived in harmony with the Johnson family.
• There is a letter from me in your binder that you can read.
• Art & Wendi have reached out to all their neighbors. They have bent over backwards to get input from the neighbors and address all their concerns. I just don’t know what else they could do to try to work with the neighbors.
• I cannot comprehend the air of paranoia and fear that seems to be created about this. I think it’s a wonderful thing.
• There’s nothing else in our county that can offer the caliber of what they’re trying to do here.
• This would be an asset to Kernersville but also to the whole county.
• When people come from out of town to use this facility, business will trickle down. We need that. Small businesses are what America needs right now.

AGAINST:

Paul Shepard, 523 First Street, Winston-Salem, NC 27101
• I represent the neighbors in the Dewberry Farm Road area and in the Abington area as well.
• Distributed handout, copy of which is on file.
• This same request was brought before the Zoning Board of Adjustment (ZBOA) about six months ago. Shortly before that, the site plan was brought before you all. It was continued several times before the ZBOA and then was denied in August.
• As expressed by the ZBOA members who moved for denial, the reason it was denied is that there were safety concerns that involved the extensive traffic that would be created combined with the alcohol.
• There was also a concern about the impact on the neighboring properties.
• The properties on the Abington neighborhood side are much lower than this site is and the music and noise and light and everything else late at night with all these cars is far beyond what you would expect at a Bed and Breakfast that only had four rooms.
• The parking for the Bed and Breakfast is entirely met right at the house. All this overflow parking is really what they’re trying to get in as an accessory use. In other words, the accessory use parking is some seven times bigger than the parking for the so-called “principal use” as a Bed and Breakfast. That’s the precise problem we have with this case.
• When the request was before the ZBOA, the petitioners were specifically asked, “Can you live with just having a Bed and Breakfast without all these wedding events?” What is being proposed and what Inspections staff properly reacted to last month in saying this was outside the scale of what could be at a Bed and Breakfast which is not really an accessory use and would have to be in some other land use category is that this is really a wedding event center location. That’s what was promoted. All their advertising up in the summer and spring was as a wedding event place.
• Another thing to keep in mind is when they volunteer conditions saying 22 events, then you look a little closer and see that event means wedding which includes rehearsal dinner and wedding reception.
• As we all know, the wedding season is pretty much a five-month season from May to October so what you’re really asking this neighborhood to accept is having something where you’re going to have 80 to 100 guests every Friday and Saturday night from May to October in the guise of this being accessory to just a four-room Bed and Breakfast.
• I don’t think that’s proper. I don’t think that’s lawful. I don’t think that’s an accessory use.
• I think what Inspections staff said initially that trying to bring this forward as a Bed and Breakfast is not proper and the reason it is not proper is the wedding events is the principal use. The Bed and Breakfast is an accessory to that. It’s like the tail wagging the dog. That’s what has to be kept in mind.
• What the ZBOA specifically found on this issue by the two who moved that it be denied were the safety concerns with having so much traffic and alcohol in a residential area and the impact on values. Two neighbors will come speak to that as well.
• The advertising for this facility used to state $5,000 for an event. The average cost for one-night in a Bed and Breakfast in Forsyth County is $150. At that price, four rooms for two nights is considerably less than $5,000 which shows the intended purpose of the facility.
• The two neighborhoods I represent have different concerns.
• I think the ones in the Abington area are much more concerned about the noise and the light that goes right down the hill. The buffer isn’t going to help given the change in topography.
• The ones on Dewberry are more concerned about the safety issues.
• The ZBOA cited both of these conditions in denying it. I think they got it right. I’m not sure how appropriate it is if you have a situation where you’ve gone before the ZBOA, you’ve been denied for failing to meet the conditions specified in the ordinance as to when is a Bed and Breakfast appropriate and then not meeting that test. Then to turn around and try to do legislatively what they failed to do by the recognized process.
• I’m not saying you can’t go the legislative route but it’s like getting two bites of the apple.
• In reference to the handouts I distributed, all the areas in green represent people who have signed petitions in opposition to this and they’re in opposition for the very reasons I cited.
• Paul Shepard asked those in opposition and many of whom have signed this petition to stand. The neighbors take this very seriously. They are very concerned about it.
• I wish the conditions proposed addressed their concerns but they’re concerns are safety and values.

Steve Sweeney, 110 Darvel Court, Kernersville, NC 27284
• I took the photographs we submitted to you.
• Walked through photographs two and three of the five in the handout.
• Number two is taken through my bedroom window. That’s my son’s window in my house.
• Number three is taken from my deck.
• The point is that you can’t believe how close this is.
• If there are any questions about anything in the packets, I’m the one who crafted it and I’ll be glad to answer any questions.
• We get bogged down in details like number of people, number of cars, time of music. We’ve lost sight of the fact that these neighbors every weekend from May to October have to endure every single weekend an outdoor convention center in our back yard.
• Why should the peace and quiet, the safety and security, the tranquility and the harmony of over 100 homes be sacrificed for one house?

Sandra G. Cecile, 2461 Dewberry Farm Lane, Kernersville, NC 27284
• I’ve lived here for about 20 years. Our land abuts this site.
• My concern is with safety and alcohol issues.
• Two churches in the immediate area don’t want this because of the alcohol and safety issues.
• Our children play outside a lot in the summer and we are concerned about their safety if we have this use next to us.

Kirsten Osenga, 5950 Habersham Drive, Kernersville, NC 27284
• I’m in the Abington neighborhood which is the biggest subdivision in Kernersville.
• This affects the entire area.
• The noise travels a long way, even when it isn’t loud. Even speech travels far.
• Do the caterers and their cars count?
• To me, there’s no enforceability for this. Who is going to enforce this?
• What are the consequences if they don’t abide by the rules?
• Even after being denied, they held an event down the road a little ways so it wasn’t directly on this site.
• They aren’t abiding by the Zoning Board. Are they going to abide by these restrictions which they’ve volunteered?
• This has nothing to do with a Bed and Breakfast. Can people rent a room if there is no event? They haven’t mentioned the Bed and Breakfast.
• Their advertising literature is now reactive to the neighbors’ concerns. They did not have Bed and Breakfast anywhere in their original literature. They are doing it now to get special zoning.

**WORK SESSION**

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

1. Staff explained conditions “b.” and “c.” regarding events and the permissible number of guests:
   - At no time shall the number of guests exceed 100.
   - No more than twice a year may the number of guests at the event exceed 80.
   - The number of guests at all other events shall not exceed 80.
   - Regardless of the event size, a maximum of one event per week and 22 events per year shall be allowed.
   In addition, other conditions apply as noted in the staff report.

2. Charley Norton, Inspections Director for City-County Inspections, made the following points in response to questions by Planning Board members:
   - This will be enforced through our department based on the determination that they have or have not complied with the conditions and requirements that were set forth.
   - The conditions were worded regarding the number of guests. Persons providing catering services or other services are not counted as part of those limits.
   - The limitation of one event per week is not an average of one per week. It is actually one per seven-day week.
   - 10:00 PM would be when people who haven’t already left are doing so.
   - If a call came in on the weekend through City Link, they could try to contact us. More likely it would be the following Monday before we could respond. That’s why we wanted a way to do some follow-up with an event in case we got a complaint. That would provide a starting place for whether they violated any of the conditions.
   - Noise is measurable. How it carries varies depending on several variables such as weather. It would require equipment and expertise which Inspections does not have.
• We looked at what other localities do to address things like noise. Out of about 20 that we looked at, there were one or two that tried to do something about it. It’s just a matter of enforcement. The way it would need to be enforced is to hire an engineer to set up equipment and take readings. With there being so many variables it becomes very difficult to enforce.

• We knew we had to reduce the scale and intensity from the original proposal which was before the ZBOA and was denied. This is very different than that request. It’s difficult to pinpoint something but we were trying to determine what was a reasonable number.

• This is somebody’s property just like yours. Anyone can have a 4th of July barbecue or family gathering and could have 40, 50, 60 people on your property. We know that is completely different, but at the same time in the setting that’s close to the residential, there is some number that can be considered reasonable in a residential setting under certain limitations of time, frequency, etc.

• We asked the petitioners to tell us what the least numbers were which would work for them for this. It cut in half the maximum number from what was originally proposed. However, that 100 number is limited to twice a year.

• Their “bread and butter” events will be between 40 and 60-70. Two times a year it will be allowed to shoot up above that.

• We don’t have a specific requirement in our ordinance for parking, but we having similar uses where the requirement is one space for every three people. That’s where the number of vehicles came from.

• If there is a violation, we have to provide a notice of violation giving them a ten-day period to abate the violation. In a case like this that really means if they do it again we’ll have to take it to the next level. The ordinance allows civil penalties and court actions. Sometimes it does get difficult because they are given a certain time period to stop the action. Any violation within a certain time limit (like a year for the City), we do not have to cite them again. We can go straight to the next level.

4. In response to questions by Allan Younger, Paul Shepard made the following points:

• The two primary concerns of the neighbors are safety and property values. However, alcohol amplifies the safety issue.

• At wedding receptions, alcohol usually flows. There is no restriction against it. That exacerbates the safety concern.

• The property value issue will probably impact Abington more than Dewberry Farm Road because of the grade difference. Noise will radiate downward to those homes.

• Although the direct impact may only be to three or four houses, the domino effect would be significant.
5. The distance from the activity area to the back yards of the nearest homes is approximately 200 feet.

6. There is debate about whether noise goes down and out or up and out. However, if the buffer was placed at the top of the grade it would certainly be effective visually.

7. Clarence Lambe: Security lighting could also have an impact on adjoining properties. There are currently no standards applied to residential properties for spillover lighting.

8. Lynne Mitchell: There is a balancing act between individual property rights and the greater good of the community, in this case the neighbors. When this many people show up with concerns, that concerns me.

9. Clarence Lambe: They could withdraw this request, stop charging for events, and have a 200 person event every Friday night. The reality of that happening is slim.

10. Wesley Curtis: I try to consider what is currently allowed is already agreed to by anyone who has moved into an area. I’m also open to changes a person may want to make which could be good for the person and the community. The key for me is that if a change is requested by a property owner and a majority of the neighbors say they don’t like the change. No matter what kind of barriers you put up, it’s just never going to be enough. I will be voting to deny the request.

11. Clarence Lambe: This is difficult, but if it turns out to be something that turns out beautifully, it becomes an asset to the community. Everything doesn’t stay static.

12. Allan Younger: Staff, have you noticed a direct correlation between property values and doing things in residential areas that are different than what was done before this. A lot of times the fear of property values declining is not founded. Is there anything in your experiences that speaks to that? Paul Norby replied: I am not aware of any studies that have come to any conclusions about this type of use impacting property values of adjoining properties. You would have to have a professional of some competence in the area of property values to actually do a study of what happens with similar uses. For examples, with greenways along streams behind homes, you hear concerns that it will hurt property values; but studies have shown that homes next to greenways actually appreciate in value. Of course that does not have any bearing on this situation and you would need to have some sort of competent professional study to make that correlation.

13. Paul Mullican: This is really a rough case for me because the petitioner has bent over backwards to try to do what he feels is the right thing to do with all the conditions. It looks like he’s almost agreeing to anything. The real problem I have with it is the noise. Even if you have to listen to this for 10 minutes, I don’t think it’s fair to the neighborhood.
In response to a question from Paul Mullican about whether what the petitioners are requesting will disturb the neighbors from any means whatsoever, Steve Calaway made the following points:

- The Johnson family has been out here since 1920. They had a wonderful farm. It was farmland as far as they could see.
- Now there are hundreds of houses there. They didn’t bring those houses there. They didn’t sell land for that.
- They’re trying to use most of their land for a farm. All the farther part of this land is going to be further insurance for the neighborhoods that nothing is going to happen there.
- If the Johnsons developed the rest of their land as residential as densely as their neighbors, that would have a greater impact on the community than what they propose.
- What they propose here virtually makes the rest of their land a greenway for those neighborhoods.
- For that reason I don’t think this impacts them that greatly.
- My understanding of noise has always been that it goes up and out. It looks to me like it’s less of a problem this way. I understand that atmospheric conditions also have an effect on that like smoke would.
- I think all things being equal, they affected our value and maybe we affected theirs.

14. Clarence Lambe: I’m thinking now of development opportunities. What are the odds that they could get rezoned to RS-30? Probably pretty good. Is all of Abington RS-30? I thought it was RS-20. They have their own water treatment facility out there. Paul Norby: It is zoned RS-30, a more dense category. It is in the future growth area of Legacy which contemplates that when adequate utilities and plans have been put in place for the development of that area, development at suburban densities is appropriate. Certainly RS-30 is low density from a suburban density, but obviously it’s more dense than the present RS-40. I think a case for RS-30 could be made based on what’s next to it. That is a decision that would ultimately be made by the Board of County Commissioners. Clarence Lambe: There are 12.24 acres in this ownership, so that would be approximately 17-18 homes at RS-30.

15. Barry Lyons: I’m struggling in the opposite way this time. I tend to support neighborhoods, but in this case if the property were developed as residential I think it would have much more impact. I’m struggling because we have so many conditions. I understand how they would need some sort of business to maintain a property this large and with the amount of conditions I’m not sure it’s much more disturbance than it is when I have a party. I don’t do it that often but once in a while we have a party. Part of living near people is that there are sometimes outdoor activities. I see why there is a legitimate reason for a business there.
16. Arnold King: Mr. Shepard, they've agreed to have an officer there when there are 35 people or more. How many people do you think are going to come out of there having had too much to drink when there's an officer standing right there? Do you think that will have any impact on it?

Paul Shepard made the following points:
- I don’t think that would have much impact because an off-duty officer isn’t there to check whether people are inebriated as they leave.
- He’s there just to be a visible presence.

Steve Calaway made the following points:
- Arrangements have been made with the Sheriff’s department (Captain Hedgecock) that we would pay the Sheriff’s department and they would send an on-duty deputy so he has his gun and his car and everything I guess.
- That way it isn’t a sideline job for them like the guys that direct traffic on Stratford Road. This is a police officer like you would have serving in a funeral procession. Even though they are doing it as a courtesy, they can write tickets too.
- The fee would be paid to the Sheriff’s department, not directly to the deputy.

17. Paul Mullican: I still have a concern about the noise. That’s my problem. I think the liquor and traffic issues can all be controlled. The noise may impact two or three neighbors, but that’s still two or three neighbors that shouldn’t be disturbed.

18. Darryl Little: If this was a working farm, is the zoning conducive to machinery being used on that farm? If that machinery were to be used on a daily basis, would that also speak to noise? Paul Norby responded that in North Carolina, agricultural activities are exempt from zoning regulations so wherever you have a farm, an agricultural activity, they are allowed to carry out without zoning restriction whatsoever the activities that are necessary to conduct that farming activity. If that involves machinery at sunrise/sunset, livestock that are making noise, that is exempt from zoning regulation.

19. Barry Lyons: A couple months ago we had cases where we approved kennels to be in similar proximity to residences. Those would have a similar noise impact on surrounding properties. What is the difference between those and this? Lynne Mitchell: I think it’s the time of day and it’s indoors. This would be every Friday/Saturday in the evenings and outdoors where noise carries further.

20. Wesley Curtis: If the petitioner had a group of neighbors who stated that they like music and support this, that would be great. With the kennels, only some of the neighbors had issues with it. Most did not. I’m always willing to look at changes to what can happen in a certain area as long as everyone else in the area can agree
to what that might be. If you can’t have that, even if this is passed it’s just more conflict between neighbors. As a community we want to try to avoid more of that conflict. Hopefully the petitioner could meet with the neighbors and work out something they could live with. If that’s not possible, then everything stays as everyone has agreed it was before any change came about.

MOTION: Wesley Curtis moved denial of the zoning map amendment, certified that the site plan meets all code requirements and recommends staff conditions.
SECOND: Lynne Mitchell

21. Brenda Smith: My biggest concern is the consistency of the activity and the unenforceability of the noise and the lighting. Some of the most common noises like a car door slamming can be disruptive. I think this is an imposition beyond the normal thing.

22. Allan Younger: I noticed that there are three pages of signatures of people in support of this request.

23. Paul Mullican: This is a big dilemma for me. I’m business oriented and I like to see new things come about. However, I cannot in my heart support this because of the noise factor.

24. Clarence Lambe: I believe Abington is about 600 lots. It is not rural Lewisville. It’s GMA 4, but it’s a relatively dense neighborhood.

25. Arnold King: I’m torn on this. I believe it would be an asset to the community. I still wasn’t satisfied with the enforcement abilities. This is a different case than what went to the ZBOA. You have worked very closely to try to scale this thing back. In response to Chairman King’s request to have the penalties explained further, Charley Norton made the following points:
   • Any of our enforcement action would be in consultation with the County Attorney’s office.
   • The ordinance allows civil penalties, $100 a day.
   • It can be taken to court as a criminal misdemeanor which really doesn’t do a whole lot.
   • There is also the ability for a legal action to get an injunction to have the courts say this activity needs to stop.
   • The closest thing to a “three-strikes and you’re out” rule is a proposed change for the City to allow the City to abate the situation if there is a repeated violator within an 18 month period. However, there is no such proposal for the County.
   • With a special use zoning, the zoning could be revoked. Again that would be based on consultation with the County Attorney and would be based on the severity and the number of times it has occurred or what did occur.

Chairman King: I really don’t think these folks would violate the conditions, but just wanted to make sure there was a safety net there.
26. Paul Mullican: They can start a wedding at one and play until 9:30 pm and the only regulation on volume of the noise is our nuisance ordinance. Gary Roberts read the County’s noise ordinance. Charley Norton stated that to his knowledge that was enforced through the Sheriff’s department. The ordinance appears to apply to noise on public property.

Clarence Lambe: I think practically they are going to have to be quiet enough to where they don’t have neighbors complaining because they would put them out of business.

Paul Mullican: If they are out there with loud music, all the neighbors have to do is to call about it. If they do that enough, that could be a real problem. The only issue I have with it is the noise problem.

Clarence Lambe: There’s an Olympic size community pool in the subdivision and there are houses right across the street from it and there doesn’t seem to be a problem with that. I’m not saying there won’t be some noise. There will be. This is a beautiful piece of property. As I look at it, this activity is an event center, not a Bed and Breakfast. Whether or not this continues as a business will be determined by how happy they make the neighbors. This will be a self-policing type of activity. I think they will go out of business if they can’t make the neighbors happy.

Brenda Smith: I think there’s a lot to subjecting the neighbors to having to go to the point of doing that to solve a problem. It’s not as simple as it may seem for what may have to happen for some other action to be taken.

VOTE:
FOR: Wesley Curtis, Lynne Mitchell, Paul Mullican, Brenda Smith
AGAINST: Arnold King, Clarence Lambe, Darryl Little, Barry Lyons, Allan Younger

MOTION TO DENY FAILED.

MOTION: Clarence Lambe moved approval of the zoning map amendment, certified that the site plan meets all code requirements and recommends staff conditions, volunteered conditions, and the additional condition volunteered by the applicant that if more than 35 guests are attending, an on-duty sheriff’s deputy will be hired.
SECOND: Barry Lyons

27. Darryl Little: I will be in favor of this motion because for me, it boils down to a choice of one of two things: outdoor activities with conditions on that noise or a working farm with no conditions on noise. I support this motion based on the conditions that are offered.

28. Paul Mullican: Thank you for saying that. I’m going to support it too but I’m going to put it on the neighbors to control the noise.
VOTE:
    FOR: Arnold King, Clarence Lambe, Darryl Little, Barry Lyons, Paul Mullican, Allan Younger
    AGAINST: Wesley Curtis, Lynne Mitchell, Brenda Smith

According to information furnished on December 14, 2010 by the Office of the Tax Assessor, the subject property was in the name of Art B. and Wendi Denise Johnson.

[Signature]
A. Paul Norby, FAICP
Director of Planning
DOCKET #: F1523
(continued from 11/11/10)

PROPOSED ZONING:
RS40-S

EXISTING ZONING:
RS40

PETITIONER:
Art and Wendi Johnson
for property owned by Same

SCALE: 1" represents 500'

STAFF: Roberts

GMA: 4

ACRES: 12.24

NEAREST
BLDG: 40' south

MAP(S): 672878
**PRELIMINARY COMMENTS AND/OR RECOMMENDED CONDITIONS**

Note: City-County Planning staff is responsible for coordinating the Interdepartmental Review of Special Use Rezoning Requests; please contact the appropriate Department at the phone # indicated below if you have any questions about the comments or recommendations lists. Further, please note that additional information may be forthcoming from Departments that indicate “See Emailed Comments” or other similar phrase. A list of recommended conditions from this Interdepartmental Review will be sent to you via e-mail generally by the end of the business day on Friday the week prior to the Planning Board Public Hearing.

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<th>PROJECT TITLE: Dewberry Manor</th>
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<tr>
<td>PROJECT DESCRIPTION: Northern terminus of Dewberry Farm Lane. Southwest of Darvel Court</td>
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**NCDOT**
- Phone # - 336.703.6600 Email: wturner@ncdot.gov
- “If working on/improving drive for commercial use then driveway permit is required. Pave driveway 10’ from ep”
- (per email from Jeff Turner)
- Signature

**WSDOT**
- Phone # - 336.747.6872 Email: conniec@cityofws.org
- “Wheel stops to delineate parking on the gravel lot.”
- (per email from Wendy Miller)
- Signature

**City Engineer**
- Phone # - 336.747.6846 Email: albertcg@cityofws.org
- “No comments”
- (per email from Al Gaskill)
- Signature

**City Streets Division**
- Phone # - 336.734.1550 Email: robbvs@cityofws.org
- “No comments”
- (per email from Robby Stone)
- Signature

**Inspections (Zoning)**
- Phone # - 336.727.2626 Email: jeffv@cityofws.org
- “S.U. Condition: Other requirements: In the event that the future accessory dwelling is constructed, it may not be used in conjunction with the Bed and Breakfast use. It must meet the UDO accessory use requirements. Any events must be associated and clearly incidental with the use of Bed and Breakfast. Clearly define areas that outdoor events will be held. Specify plantings in “thickly wooded area”. Label Type and width of buffer required. Correct front, rear, and side setbacks. Rear setback must be opposite of front setback, everything else is side setbacks.”
- (per email from Jeff Vaughn)
- Signature

**Inspections (Erosion Control)**
- Phone # - 336.727.2388 Email: jeffk@cityofws.org
- “No Comments”
- (per email from Jeff Kopf)
- Signature
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<td>Stormwater Division</td>
<td>336.747.6961</td>
<td><a href="mailto:josephf@cityofws.org">josephf@cityofws.org</a></td>
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<td>Fire (County)</td>
<td>336.703-2550</td>
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<td>Utilities</td>
<td>336.747.7499</td>
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<td>&quot;Water and Sewer is private&quot; (per email from Bill Shookman)</td>
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<td>Sanitation</td>
<td>336.748.3080</td>
<td><a href="mailto:christc@cityofws.org">christc@cityofws.org</a></td>
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<td>Planning</td>
<td>336.747.7043/747.7068</td>
<td><a href="mailto:aaronk@cityofws.org">aaronk@cityofws.org</a></td>
<td>&quot;Staff recommends: increasing to a Type IV buffer along the southern and eastern property lines; a condition that limits &quot;event&quot; capacity to 100 people; reducing the size of overflow parking down to accommodate +/-50 cars. Have you checked with Forsyth County Health Department regarding any necessary permits?&quot; (per email from Aaron King)</td>
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<tr>
<td>Forsyth County Health Department</td>
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<td>Vegetation Management</td>
<td>336.748.3020</td>
<td><a href="mailto:keithf@cityofws.org">keithf@cityofws.org</a></td>
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<td>Street Names/Addresses</td>
<td>336.747.7048</td>
<td><a href="mailto:benfs@cityofws.org">benfs@cityofws.org</a></td>
<td>&quot;2585 Dewberry Farm Ln is the correct address assignment for this property.&quot; (per email from Ben Stamey)</td>
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USES ALLOWED IN THE RS-40 ZONING DISTRICT

USES ALLOWED WITH A PERMIT FROM THE ZONING OFFICER (Z)
Adult Day Care Home
Agricultural Production, Crops
Agricultural Production, Livestock
Child Day Care, Small Home
Church or Religious Institution, Neighborhood
Family Group Home A
Kennel, Outdoor
Police or Fire Station
Recreation Facility, Public
Residential Building, Single Family
Swimming Pool, Private

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)
Bed and Breakfast
Borrow Site
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
Transmission Tower

USES ALLOWED WITH SPECIAL USE PERMIT FROM ELECTED BODY (E)
Access Easement, Private Off-Site
Parking, Off-Site, for Multifamily or Institutional Uses

Uses Allowed in RS-40

Revised 12/23/2010
NOTE:

Copies of the submissions to the Planning Board on December 9, 2010 were sent to the County Commissioners' office. They are not included here due to their length.