DOCKET #: F1435

PROPOSED ZONING:
AG

EXISTING ZONING:
AG-S (Residential Building, Single-Family; and Manufactured Home, Class A)

PETITIONER:
M. Joe Williams and Patsy A. Williams for property owned by Same

SCALE: 1" represents 600'

STAFF: Reed

GMA: 5

ACRE(S): 15.82

MAP(S): 672906
June 22, 2005

M. Joe Williams and Patsy A. Williams
327 Brookside Court
Kernersville, NC 27284

RE: ZONING MAP AMENDMENT F-1435

Dear Mr. Williams:

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 Jane Cole, Clerk to the County Commissioners, of the date on which the Commissioners will hear this petition.

Sincerely,

A. Paul Norby, AICP
Director of Planning

Attachment

pc: Jane Cole, County Manager's Office
    Harry A. Boles, 115 South Main Street, Kernersville, NC 27284
A. Public Hearing on Zoning Map Amendment of M. Joe Williams and Patsy A. Williams from AG-S (Residential Building, Single-Family; and Manufactured Home, Class A) to AG: property is located on the south side of Gauldin Road east of Pine Hall Road (Zoning Docket F-1435).

B. Ordinance amending the Forsyth County Zoning Ordinance and Official Zoning Map.

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 M. Joe Williams and Patsy A. Williams, Docket F-1435

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-S (Residential Building, Single-Family; and Manufactured Home, Class A) to AG the zoning classification of the following described property:

Tax Block 5233, Tax Lot 012K

Section 2. This ordinance shall become effective upon adoption.
ZONING STAFF REPORT

DOCKET #  F-1435
STAFF:    David Reed

Petitioner(s): M. Joe Williams and Patsy A. Williams
Ownership: Same

REQUEST

From: AG-S (Residential Building, Single-Family; and Manufactured Home, Class A)
To: AG (Agricultural)

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: 15.82± acres

LOCATION:

Street: South side of Gauldin Road east of Pine Hall Road
Jurisdiction: Forsyth County

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site and General Character of Surrounding Area: The site is vacant. The surrounding area is rural in character, and contains a mixture of small single family homes and double wide and single wide manufactured homes.

Adjacent Uses:
North - A small older site-built single family home and a single wide Class B or Class C factory-built home zoned AG.
East - Vacant land and a double wide Class A factory-built home zoned AG.
South - Vacant land zoned AG.
West - A single wide Class D factory-built home and a single family site-built home zoned AG.

GENERAL AREA

Character/Maintenance: Moderate to well maintained rural residences.
Development Pace: Slow
HISTORY

Relevant Zoning Case:

F-1263; AG to AG-S (Residential Building, Single-Family; and Manufactured Home, Class A); South side of Gauldin Road east of Pine Hall Road; 15.82± acres (current site); Planning Board and staff recommended approval.

TRANSPORTATION

No greater transportation impacts than what the existing special use zoning would generate.

CONFORMITY TO PLANS

Growth Management Plan Area (Legacy): The Rural Area (GMA 5)
Relevant Comprehensive Plan Recommendation(s): Legacy states that provisions will be made for the protection of farmland, natural areas, and rural character in GMA 5 (the Rural Area). Legacy also states that this area is intended to remain in very low density residential and agricultural uses for the Plan’s 15-year time horizon.
Area Plan/Development Guide: Site is not within the boundaries of an area plan or development guide.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Natural Heritage Sites: NA
Farmland Preservation Sites: Site is not a farmland preservation site, but is immediately north and east of a 40 acre tract in the Forsyth County Farmland Preservation Program.
Environmental Resources Beyond The Site: The site contains a tributary stream of Belews Creek. Belews Creek flows into Belews Lake, a Duke Power resource lake, also used for recreation. Belews Lake is located approximately ¾ of a mile from the site.
Water Supply Watershed: Site is not in a Water Supply Watershed.

ANALYSIS

The subject site was rezoned from AG to AG-S in 1999 to allow for the inclusion of Class A doublewide manufactured homes as a permitted use within a proposed subdivision. The AG District allows this housing type only if a Special Use Permit is granted by the Zoning Board of Adjustment. The Special Use Zoning eliminated the requirement for a Special Use Permit on a case-by-case basis. The Special Use Zoning also established the 11 lot site plan layout which was approved as part of the rezoning.

By rezoning the land from AG-S back to AG, the petitioner gives up the opportunity to place Class A doublewide manufactured homes on the lots without going to the Zoning Board of Adjustment for individual permits. The proposed rezoning back to AG also will eliminate the restriction of the site plan design as well as the limitation to only two AG uses (Residential Building, Single-Family; and Manufactured Home, Class A). Staff has no objections to rezoning this site back to the AG General Use zoning district.
FINDINGS

1. The petition is consistent with *Legacy* Plan recommendations.
2. The petition does not effect the rural character of the surrounding area.
3. Staff has no objections to rezoning this site back to the AG General Use zoning district.

STAFF RECOMMENDATION

Zoning: **APPROVAL**.

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Jerry Clark moved approval of the zoning map amendment.
SECOND: Clarence Lambe
VOTE:
   FOR: Clark, Eickmeyer, King, Lambe, Mullican, Smith
   AGAINST: None
   EXCUSED: None

According to information furnished by the Office of the Tax Assessor on April 21, 2005, the subject property was in the name of M. Joe Williams, et al., and Jason D. Allen

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A. Paul Norby, AICP
Director of Planning