



**DOCKET #:** F1420

**PROPOSED ZONING:**  
RS20

**EXISTING ZONING:**  
AG

**PETITIONER:**  
David S. Wall and  
Barbara Wall for  
property owned by Same

**SCALE:** 1" represents 400'

**STAFF:** Roberts

**GMA:** 3

**ACRE(S):** 2.0

**MAP(S):** 600910, 606910



December 10, 2004

David S. Wall and Barbara G. Wall  
P. O. Box 1647  
King, NC 27021

RE: ZONING MAP AMENDMENT F-1420

Dear Mr. Wall and Ms. Wall:

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



COUNTY ORDINANCE - GENERAL USE

Zoning Petition of David S. Wall and Barbara G. Wall, Docket F-1420

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

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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 RS-20 the zoning classification of the following described property:

Tax Block 4971, Tax Lot 7T

Section 2. This ordinance shall become effective upon adoption.

## **ZONING STAFF REPORT**

**DOCKET #** F-1420  
**STAFF:** Gary Roberts

Petitioner(s): David S. Wall and Barbara G. Wall  
Ownership: Same

### **REQUEST**

From: AG Agricultural District; 40,000 sf minimum lot size  
To: RS-20 Residential Single Family District; 20,000 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: 2.00

### **LOCATION:**

Street: West side of Jefferson Church Road and on the east side of Coachman Lane north of  
Tobaccoville Road.  
Jurisdiction: Forsyth County.

### **PROPERTY SITE/IMMEDIATE AREA**

Existing Structures on Site: Site is currently undeveloped.

Adjacent Uses:

North-	Undeveloped property and single family homes zoned AG.
East-	Single family homes zoned AG.
South-	Single family homes zoned RS-20.
West-	Single family homes zoned RS-20.

### **GENERAL AREA**

Character/Maintenance: Undeveloped property and well maintained single family homes.

Development Pace: Slow.

## **HISTORY**

Relevant Zoning Cases:

1. F-1375; AG to RS-20-S (Residential Building, Single Family); approved February 10, 2003; southwest side of Helsabeck Road south of Tuttle Road; 13.5 acres; Planning Board recommended approval, staff recommended denial.
2. F-1269; AG to AG-S (Residential Building, Single Family; and Manufactured Home, Class A); denied September 27, 1999; east side of Jefferson Church Road across from Trolley Lane; 37.2 acres; Planning Board recommended denial and staff recommended approval.

## **PHYSICAL FEATURES/ENVIRONMENTAL REVIEW**

Impact on Existing Features: Because it is a general use petition, the impact of this proposal to the site's existing physical features cannot be determined at this time.

Topography: Moderate slope downward from the northeastern section of the site to the southwestern corner of the site.

Streams: A perennial stream that eventually feeds into Parkers Creek is located approximately 250 feet west of the subject property.

Vegetation/habitat: No significant vegetation is currently located on the subject property.

Farmland Preservation Sites: None.

Environmental Resources Beyond The Site: Because it is a general use petition, this proposal's impact to environmental resources beyond the site cannot be determined at this time.

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

Amount of AG Zoned Land Rezoned to Other Districts Since the Creation of the AG District on December 31, 1994: 1,696.9 acres; Balance: 59,819.63 acres.

## **TRANSPORTATION**

Direct Access to Site: Jefferson Church Road; Coachman Lane

Street Classification: Jefferson Church Road – Minor Thoroughfare; Coachman Lane – local street.

Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day):  
Jefferson Church Road between Tobaccoville and Tuttle Roads = 1,200/11,100

## **CONFORMITY TO PLANS**

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

Relevant Comprehensive Plan Recommendation(s): The petitioner's site is located between Tobaccoville, Rural Hall and King. It is within the municipal services area of the *Legacy* Plan and is therefore a suitable location for the increased residential densities that a RS-20 designation would allow.

Area Plan/Development Guide: *Village of Tobaccoville: Village Development Guidelines – 2020* (2001)

Relevant Development Guide Recommendation(s): The *Village of Tobaccoville: Village Development Guidelines – 2020* shows the subject property being utilized for an Open Space Residential use. The recommended zoning categories for this use is either RS-30-S or RS-20-OS (Open Space). The Open Space Residential district, which has not been established within the UDO, would be designed to provide for medium-density, single-family residential development that seeks to promote the preservation of open space. The plan specifically recommends that the RS-30-S zoning classification with 25% open space be utilized until such time as there is an RS-20-OS (Open Space) district requiring 50% open space. The retained open space should come from the following categories, ranked highest to lowest priority – environmental open space, scenic open space (protecting vistas), and internal open space as common areas (squares, greens, etc.).

## **ANALYSIS**

The subject request is to rezone two acres of undeveloped property from AG to RS-20. The property is located on the west side of Jefferson Church Road and on the east side of Coachman Lane north of Tobaccoville Road.

The surrounding development pattern consists of agricultural and single family residential uses on one half acre and larger lots. The property directly across Coachman Lane is zoned RS-20 as is the adjoining property to the south. The adjacent properties on the remaining two sides of the subject site are zoned AG.

The request would enable the subject property to be subdivided into four lots. Only two lots are permitted under the current AG zoning. The site is located within *Legacy's* Future Growth Management Area. Public water is located along Jefferson Church Road. No public sewer is available in the general area. The *Tobaccoville Village Development Guidelines* recommend either RS-30-S or RS-20-OS (Open Space) for the subject property. Specifically, that RS-30-S zoning with 25% open space be utilized until such time as there is an RS-20-OS (Open Space) district requiring 50% open space.

While Planning staff is supportive of the adopted area plan, the subject property is unique in the fact that it is adjacent to existing RS-20 zoned property on two sides. In addition, the parcel is relatively small and located along the RS-20/AG border, rather than within the interior of AG zoned area. Staff would not be supportive of leapfrogging with RS-20 general use into an area surrounded by AG. Nor would staff generally be supportive of a significant encroachment of RS-20 along the border of these two districts. However, the subject request in essence represents a relatively small rounding off of the RS-20/AG boundary line. Staff therefore recommends approval.

## **FINDINGS**

1. The site is within the municipal services area of the *Legacy* Plan and is therefore a suitable location for the increased residential densities that a RS-20 designation would allow.

2. The *Village of Tobaccoville: Village Development Guidelines* recommend either RS-30S or RS-20-OS (Open Space). Specifically that RS-30-S zoning with 25% open space be utilized until such time as there is an RS-20-OS (Open Space) district requiring 50% open space.
3. The subject property is contiguous to RS-20 on two sides.

### **STAFF RECOMMENDATION**

Zoning: **APPROVAL**.

### **PUBLIC HEARING**

FOR: None

AGAINST: None

### **WORK SESSION**

MOTION: Paul Mullican moved approval of the zoning map amendment.

SECOND: Jimmy Norwood

VOTE:

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

AGAINST: None

EXCUSED: None

According to information furnished by the Office of the Tax Assessor on October 7, 2004, the subject property was in the name of David Wall and Barbara Wall.

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A. Paul Norby, AICP  
Director of Planning