



DOCKET #: F1403

PROPOSED ZONING:
RS40

EXISTING ZONING:
GI

PETITIONER:
James V. Seives, Sr.,
for property owned by Same

SCALE: 1" represents 400'

STAFF: Gallaway

GMA: 4

ACRE(S): 5.33

MAP(S): 648878



February 18, 2004

James V. Seivers, Sr.
236 Hammock Farm Road
Winston-Salem, NC 27105

RE: ZONING MAP AMENDMENT F-1403

Dear Mr. Seivers:

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

FORSYTH COUNTY
BOARD OF COMMISSIONERS

MEETING DATE: _____ **AGENDA ITEM NUMBER:** _____

SUBJECT:-

- A. Public Hearing on zoning map amendment of James V. Seivers, Sr. from GI to RS-40: property is located at the northern terminus of Hammock Farm Road (Zoning Docket F-1403).

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

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:- YES NO

SIGNATURE: _____ **DATE:** _____
 County Manager

COUNTY ORDINANCE - GENERAL USE

Zoning Petition of James V. Seivers, Sr., Docket F-1403

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 GI to RS-40 the zoning classification of the following described property:

Tax Block 3236, Tax Lots 10 and 11A

Section 2. This ordinance shall become effective upon adoption.

ZONING STAFF REPORT

DOCKET # F-1403
STAFF: Suzy Gallaway

Petitioner(s): James V. Seivers, Sr.
Ownership: Same

REQUEST

From: GI General Industrial District
To: RS-40 Residential Single Family District; minimum lot size 40,000 sf

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: 5.33 acres

LOCATION:

Street: Northern terminus of Hammock Farm Road.
Jurisdiction: Forsyth County.

GENERAL AREA

Character/Maintenance: Rural in character with well-maintained homes south of the railroad.
Development Pace: Slow.

HISTORY

Relevant Zoning Cases:

1. F-269; I-3 to R-2; approved November 20, 1972; west of US 311 and southwest of Williston Road; 2.5 acres; Planning Board and staff recommended approval.
2. F-221; R-6 to I-3; approved February 7, 1972; between Old Walkertown Road and the Norfolk and Western Railroad southwest of Williston Road; 0.31 acre; Planning Board and staff recommended approval.
3. F-020; R-6 to I-3; approved October 2, 1967; southwest side of Williston Road between railroad and US 311; Planning Board and staff recommended approval.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

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

Topography: The subject property experiences a total elevation change of about 15 feet, rising from about 999 feet in the southeastern corner of the site, up to 1,016.6 feet in the north-central section of the site.

Vegetation/habitat: The eastern half of the subject property is completely covered with vegetation.

Environmental Resources Beyond The Site: Because this is a general use petition, the 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.

TRANSPORTATION

Direct Access to Site: Old Walkertown Road; Hammock Farm Road; Williston Road; New Walkertown Road

Street Classification: Old Walkertown Road – Major Thoroughfare; Hammock Farm Road – Local Road; Williston Road – Minor Thoroughfare; New Walkertown Road – Major Thoroughfare

Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day): Old Walkertown Road between Northampton and Williston Roads = 7,500/16,100
Williston Road between New Walkertown and Old Walkertown Roads = 1,800/16,100
New Walkertown Road between Northern Beltway and Williston Road = 2,800/16,100

Bicycle Route: Route 18, Walkertown Connector, along Old Walkertown Road, north of site.

CONFORMITY TO PLANS

GMP Area (*Legacy*): Future Growth Area (GMA 4).

Relevant Comprehensive Plan Recommendation(s): The petitioner's site and the surrounding area are not currently served by public sewer and cannot currently support urban development including industrial development.

Area Plan/Development Guide: There is no area plan or development plan for this area.

ANALYSIS

The petitioner is requesting to rezone 5.33 acres from General Industrial (GI) to RS-40 (Residential, Single Family with a minimum 40,000 square foot lot size). This site and other properties on the south side of Old Walkertown Road and southwest of Williston Road have been zoned Industrial from at least 1967. The area however, is developed as residential. There are several homes on the GI zoned land in this immediate area. Because of the residential trend development has taken on these tracts, it is unlikely industrial development is the best use at this site.

Staff recommends approval of the property being rezoned to RS-40. It is consistent with the character of the area. Industrial uses are not consistent with the area. Staff would also encourage other property owners from the Hammock Farm Road area to rezone their nonconforming properties to a residential zoning classification as well.

FINDINGS

1. This site and others surrounding it have been zoned Industrial from at least 1967.
2. The area is developed as residential, with several single family homes.
3. RS-40 is consistent with the character of the area.
4. Staff would also encourage other property owners from the Hammock Farm Road area to rezone their nonconforming properties to a residential zoning classification as well.

STAFF RECOMMENDATION

Zoning: **APPROVAL.**

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Dara Folan moved approval of the zoning map amendment.

SECOND: Carol Eickmeyer

VOTE:

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

AGAINST: None

EXCUSED: None

According to information furnished on January 9, 2004 by the Office of the Tax Assessor, the subject property was in the name of James V. Seivers.

A. Paul Norby, AICP
Director of Planning