



**DOCKET #:** F1336  
 (Continued from 4/12/01  
 CCPB meeting)

**PROPOSED ZONING:**  
 MH-S

**EXISTING ZONING:**  
 AG

**PETITIONER:**  
 Maurice Watts

**SCALE:** 1" represents 200'

**STAFF:** Hughes

**GMA:** 5

**ACRE(S):** 1.93

**MAP(S):** 630902



June 26, 2001

Maurice Watts  
3496 Hwy 8 & 65  
Germanton, N.C. 27019

RE: Rezoning Petition F-1336

Dear Mr. Watts:

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  
Sue Dupor, 6306 Germanton Rd., Rural Hall, N.C. 27045  
Bryant Broadus, 6210 Germanton Rd., Rural Hall, N.C. 27045  
Dorothy G. Whiteheart, 6205 Germanton Rd., Rural Hall, N.C. 27045  
Larry C. Folds, 290 Piccadilly Drive, Winston-Salem, NC 27104

**FORSYTH COUNTY  
BOARD OF COMMISSIONERS**

**MEETING DATE:** \_\_\_\_\_ **AGENDA ITEM NUMBER: F-1336** \_\_\_\_\_

**SUBJECT:-**

Zoning map amendment of Maurice Watts

**COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:-**

**SUMMARY OF INFORMATION:-**

Zoning map amendment of Maurice Watts for three separate tracts of land as follows: Tracts 1 and 2: Rezoning from AG to MH-S (Residential Building, Single Family; and Manufactured Home, Class A): properties are located on the east side of Germanton Road north of Grade Street. Tract 3: Rezoning from AG to MH-S (Residential Building, Single Family; and Manufactured Home, Class A): property is located on the south side of Grade Street east of Germanton Road (Zoning Docket F-1336).

After consideration, the Planning Board recommended approval of the rezoning petition.

**ATTACHMENTS:-**     YES             NO

**SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

COUNTY ORDINANCE - SPECIAL USE

Zoning Petition of Maurice Watts, Docket F-1336

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

Zoning map amendment of Maurice Watts for three separate tracts of land as follows:

Tract 1: Tax Lot 3, Tax Block 4997

Tract 2: Tax Lots 5 and 6, Tax Block 4997

Tract 3: Tax Lot 22, Tax Block 4997

Section 2. This Ordinance is adopted after approval of the site plan entitled Maurice Watts, and identified as Attachment A of the Special Use District Permit issued by the Forsyth County Board of Commissioners the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ to Maurice Watts.

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 Maurice Watts. 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 Maurice Watts (Zoning Docket F-1336). 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 MH-S (Residential Building, Single Family; and Manufactured Home, Class A), 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 MH-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 condition be met:

**C PRIOR TO THE ISSUANCE OF BUILDING PERMITS**

- a. Driveway permit shall be issued by the North Carolina Department of Transportation

## ZONING STAFF REPORT

**DOCKET #** F-1336  
**STAFF:** Suzy Hughes

Petitioner(s): Maurice Watts  
Ownership: Same

### **CONTINUANCE HISTORY**

This petition was continued to the June 14, 2001 from the April 12, 2001 public hearing to allow the petitioner to consider special use district zoning for all three tracts. The petitioner was only charged for the incremental difference between general and special use zoning fees and the cost of readvertising.

### **REQUEST**

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

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

Acreage: Three tracts totaling 1.93 acres

### **LOCATION**

Street: East side of Germanton Road north of Grade Street and south side of Grade Street east of Germanton Road.  
Jurisdiction: Forsyth County.

### **SITE PLAN**

Proposed Use: Residential Building, Single Family; and Manufactured Home, Class A.  
Square Footage: 1,456 sf per building.  
Building Height: One story.

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

Existing Structures on Site: Request consists of three sites. Two sites are wooded and otherwise vacant. The third site is two lots with no structures.  
Adjacent Uses: The surrounding area is a mixture of manufactured homes, site-built homes, and wooded areas. Across Germanton Road/NC 8 is a lower grassland area which is primarily vacant. Across from the site with two lots is a single family home. Numerous items are stored in sheds and in the open around the house.

## **GENERAL AREA**

Character/Maintenance: A range of maintenance levels from poorly maintained to well maintained single family and manufactured homes.

Development Pace: Slow.

## **PHYSICAL FEATURES/ENVIRONMENTAL REVIEW**

Impact on Existing Features: Sites will be developed for homes.

Topography: GIS maps indicate a 30'-40' grade change upward toward the rear property lines of each lot on these properties.

Vegetation/habitat: Sites are all heavily wooded.

Constraints: Moderate topographic constraints.

Natural Heritage Sites: This site is located near Providence Church Road Forest – a privately owned 115-acre site located about 0.5 miles southeast of the parcel located on Grade Street.

## **TRANSPORTATION**

Direct Access to Site: Germanton Road and Grade Street.

Street Classification: Germanton Road - major thoroughfare; Grade Street - local street.

Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day):

Germanton Road between Stanleyville Road and Shiloh Church Road = 6,400/10,500.

Trip Generation/Existing Zoning: AG

$1.93 \times 43,560/40,000 = 2 \text{ units} \times 9.57 \text{ (SFR)} = 19 \text{ trips}$

Trip Generation/Proposed Zoning: MH-S

$1.93 \times 43,560/20,000 = 4 \text{ units} \times 4.81 \text{ (Manufactured Dwelling Trip Rate)} = 19 \text{ trips}$

## **HISTORY**

Relevant Zoning Cases:

1. F-1020; R-5 to R-6-S (Dwellings: Single Family; and Manufactured homes not in manufactured home parks); approved January 13, 1992; west side of Orchard Lane (private) north of Grade Street and east of Germanton Road; 0.95 acre; Planning Board and Staff recommended approval.
2. F-1003; R-5 to R-6-S (Manufactured homes not in manufactured home parks); approved July 22, 1991; west side of Orchard Lane (private) north of Grade Street east of Germanton Road; 0.5 acre; Planning Board and staff recommended approval.
3. F-979; R-5 to R-6; approved January 14, 1991; west side of Maurice Circle north of Grade Street east of Germanton Road; 0.5 acre; Planning Board and staff recommended approval.



There are several other R-7-S rezonings which occurred in this area during the 1980's. These rezonings were all supported by Planning Board and staff. R-7 was converted to comparable MH in 1995.

### **CONFORMITY TO PLANS**

*Legacy Area:* Rural.

*Legacy Recommendation(s):* site is located in the Rural Area of *Legacy's* Growth Management Plan. The goal for the Rural Area is preservation of farmland, open space and rural character. One of the proposals in *Legacy* that future residential development be of an open space design. Housing would be clustered on a tract of land to retain open space and a sense of being in a rural place. *Legacy* states that manufactured homes can help fill the need for affordable housing.

*Area Plan/Development Guide:* The site is not within the boundaries of a development guide or an area plan.

### **ANALYSIS**

This request is to rezone approximately 1.93 acres in three separate parcels from AG to MH-S. This zoning change would allow the petitioners to place permanently a Class A manufactured home on each of the lots without obtaining a special use permit from the Zoning Board of Adjustment. The petition was originally submitted for general use zoning, but was resubmitted in its current form at the request of neighbors and the Planning Board.

Since 1982, six rezonings to allow manufactured homes have been approved in this general area. Overall, the area is a mixture of conventional single family and manufactured homes of varying maintenance levels. This rezoning request is consistent with the current land uses in the area.

*Legacy* recommends this area provide a variety of quality housing types for all income levels and foster a climate that is hospitable to affordable housing development. *Legacy* states that manufactured homes can help fill the need for affordable housing.

Because the character of housing on the south side of Grade Street appears to be more traditional site-built housing, the petitioner has chosen special use zoning for all lots to assure more design compatibility with adjacent homes by utilizing only single family homes and Class A manufactured homes.

### **FINDINGS**

1. This request is to rezone approximately 1.93 acres in three separate parcels from AG to MH-S.
2. The petition was originally submitted for general use zoning, but was resubmitted in its current form at the request of neighbors and the Planning Board.

3. This rezoning request is consistent with the current land uses in the area.
4. *Legacy* recommends this area be hospitable to affordable housing options.
5. This rezoning request is consistent with the current land uses in the area.

### **STAFF RECOMMENDATION**

Zoning: **APPROVAL**.

Site Plan: Staff certifies that **the site plan meets all code requirements**, and recommends the following condition:

#### **C PRIOR TO THE ISSUANCE OF BUILDING PERMITS**

- a. Driveway permit shall be issued by the North Carolina Department of Transportation

Suzy Hughes presented the staff report.

### **PUBLIC HEARING**

FOR:

Larry Folds, Diversified Realty, 290 Piccadilly Dr., Winston-Salem, NC 27104

Appreciates the Board looking favorably on his attempt to submit this as special use, as the Board had requested.

We are building brick foundations, with 4/12 pitch roofs and high quality, Class A manufactured homes on these four lots. The lots are left over from a 45-year old subdivision.

Man who owns these is about 83 years old, and would appreciate your consideration.

AGAINST:

Sue Dupor, 6306 Germanton Rd., Rural Hall, N. C. 27045

Opposes petition.

Is afraid that these sites will become rent houses.

Why should our side of town be considered second class?

Historical home is directly across Germanton Road from these mobile home lots.

Will not devalue the tax value, but will the resale value.

Bryant Bradus, 6210 Germanton Rd., Rural Hall, N.C. 27045

There are many businesses in the area, such as the World Headquarters for Sara Lee.

Encourage other businesses to come to this area, which will bring more people.

Stated that his neighbor, Ms. Whiteheart, was concerned about driveway connections.

Dorothy Gross Whiteheart, 6205 Germanton Rd., Rural Hall, N.C. 27045  
(Actually spoke during work session.)  
Someone tricked her to sign something about her property.  
Does not want land rezoned.

### **WORK SESSION**

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

1. Ms. Schroeder asked if anyone knew why Ms. Whiteheart's name is on the petition? Suzy Hughes stated that Ms. Whiteheart's signature is on the original petition, but due to the continuance to special use with intended uses being limited to single family site built and Class A manufactured homes, her lot has been dropped from the petition. Ms Hughes stated that the continuance motion at the April meeting was for all of the properties to be continued as special use. She noted that the decision to limit manufactured homes to Class A required dropping Ms. Whiteheart's property from the request since it has a single wide manufactured home on the lot.

MOTION: Schroeder moved for approval.

SECOND: Doyle

VOTE:

FOR: Avant, Doyle, Johnson, King, Norwood, Powell, Schroeder, Snelgrove

AGAINST: None

EXCUSED: None

MOTION: Schroeder moved for approval.

SECOND: Doyle

VOTE:

FOR: Avant, Doyle, Johnson, King, Norwood, Powell, Schroeder, Snelgrove

AGAINST: None

EXCUSED: None

According to information furnished by the Office of the Tax Assessor, the subject property was in the name of Maurice Watts as of April 25, 2001.

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A. Paul Norby, AICP  
Director of Planning