

Motion and
Statement of Consistency with Comprehensive Plan
F-1580

I move that the following statement be adopted in support of a *Motion to Approve* Zoning Map Amendment F-1580:

The proposed general use zoning map amendment, as petitioned by Forsyth County to rezone a 2.06 acre piece of property from City of Winston-Salem RS-9 to County RS-9 (Residential), is consistent with the recommendations of the Legacy Comprehensive Plan, and is reasonable and in the public interest because:

1. The uses allowed in the proposed County RS-9 zoning district are essentially equivalent to those allowed in the current zoning of City of Winston-Salem RS-9, and the proposed uses are compatible with the residential uses permitted on adjacent properties; and
2. The zoning request is necessary because the General Assembly de-annexed the property at issue, and the property is now in an unincorporated area of Forsyth County, and, therefore, City of Winston-Salem zoning is no longer applicable; and
3. The proposed zoning request would have negligible impact on the surrounding area.

Based on the foregoing Statement, I move adoption of F-1580.

Second:

Vote:

**FORSYTH COUNTY
BOARD OF COMMISSIONERS**

MEETING DATE: September 20, 2018 **AGENDA ITEM NUMBER:** 1 A&B

SUBJECT:-

- A. Public Hearing on Zoning Map Amendment of Forsyth County from City RS9 to County RS9 (Residential Single Family; 9,000 SF Lot Size): Property is Located on the North Side of Hilltop Drive and East of Hilltop Court (Zoning Docket F-1580)
- B. Ordinance Amending the Forsyth County Zoning Ordinance and Official Zoning Map of the County of Forsyth, North Carolina

COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:-

SUMMARY OF INFORMATION:-

See attached staff report.

consideration, the Planning Board recommended Approval of the rezoning petition.

ATTACHMENTS:- YES NO

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

COUNTY ORDINANCE - GENERAL USE

Zoning Petition of Forsyth County, Docket F-1580

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 City RS9 to County RS9 the zoning classification of the following described property:

PIN# 6806-08-9892

Section 2. This ordinance shall become effective upon adoption.

**CITY-COUNTY PLANNING BOARD DRAFT
STAFF REPORT**

PETITION INFORMATION	
Docket #	F-1580
Staff	Gary Roberts Jr., AICP
Petitioner(s)	Forsyth County
Owner(s)	Dennis A. Newman and Pamela C. Newman
Subject Property	PIN# 6806-08-9892
Type of Request	Zoning Jurisdiction Conversion
Proposal	The petitioner is requesting to amend the Official Zoning Maps for the subject property from City RS9 (Residential Single Family; 9,000 sf. lot size) to County RS9 (Residential Single Family; 9,000 sf. lot size).
GENERAL SITE INFORMATION	
Location	North side of Hilltop Drive, east of Hilltop Court
Jurisdiction	Forsyth County
Site Acreage	2.06
Analysis	<p>The review for this case focuses on the zoning conversion from Winston-Salem zoning jurisdiction to Forsyth County zoning jurisdiction triggered by the recent deannexation of the subject property. The Planning Board's role in reviewing this petition pertains only to the zoning jurisdiction. The decision to deannex the property was made by the North Carolina General Assembly.</p> <p>This proposal will not significantly change the permitted uses of the subject property, but will reclassify the property from its City of Winston-Salem zoning classification to the equivalent Forsyth County zoning classification. The two zoning classifications are essentially equivalent and Attachment A includes a listing of all the uses which are permitted in the RS9 district within each jurisdiction.</p>

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.**

**CITY-COUNTY PLANNING BOARD
PUBLIC HEARING
MINUTES FOR F-1580
AUGUST 9, 2018**

Aaron King presented the staff report.

PUBLIC HEARING

FOR: None.

AGAINST: None.

WORK SESSION

MOTION: Clarence Lambe moved approval of the zoning petition.

SECOND: George Bryan

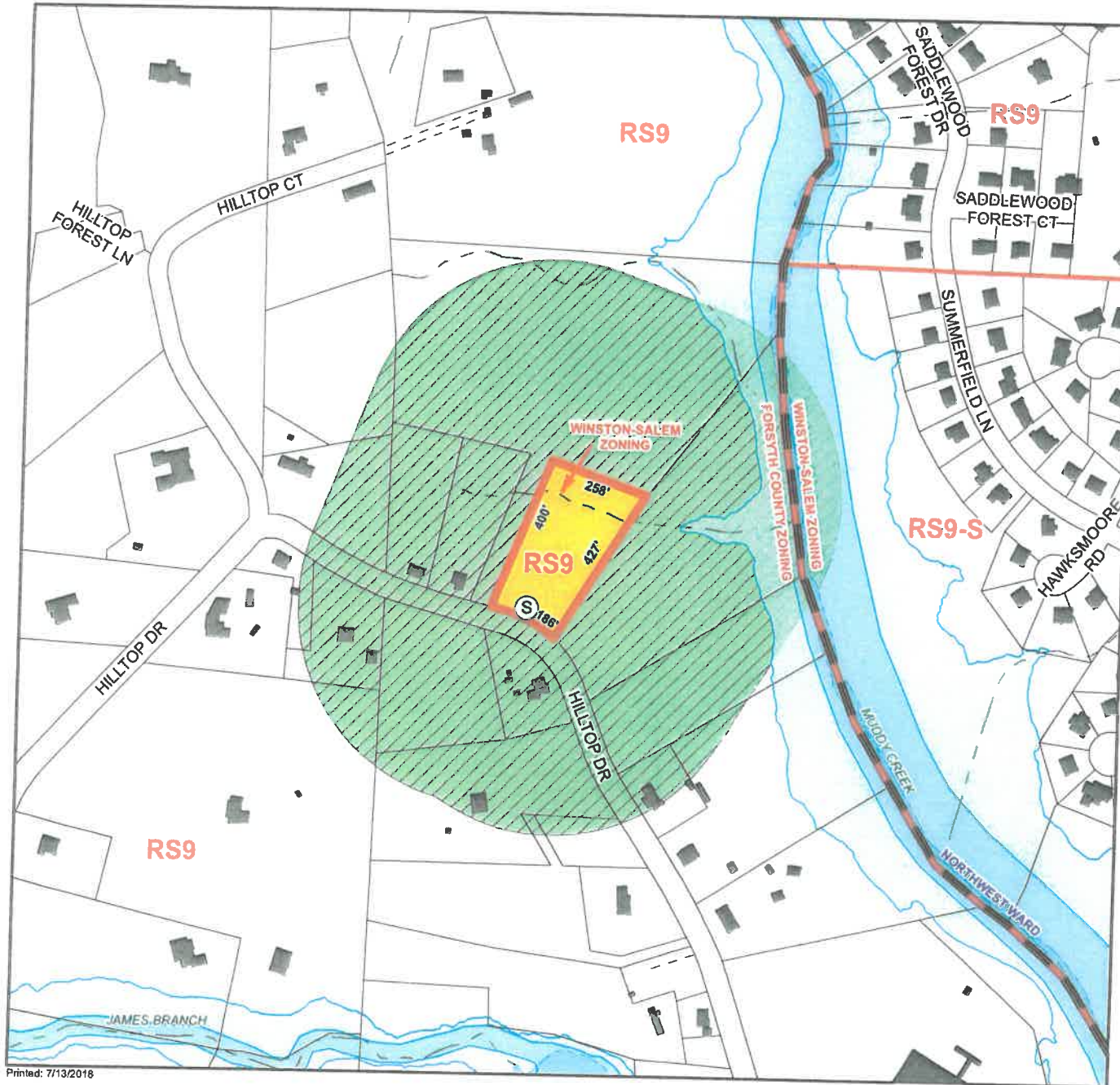
VOTE:

FOR: George Bryan, Melynda Dunigan, Tommy Hicks, Arnold King, Clarence Lambe,
Chris Leak, Johnny Sigers, Brenda Smith

AGAINST: None

EXCUSED: None

Chris Murphy, AICP
Acting Director of Planning and Development Services


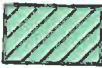


DOCKET #: F1580

PROPOSED ZONING:
County RS9

EXISTING ZONING:
City RS9

PETITIONER:
Forsyth County for property
owned by Dennis and Pamela
Newman

-  Property included in zoning request.
-  500' mail notification radius. Property not in zoning request.

SCALE: 1" represents 400'

STAFF: Roberts

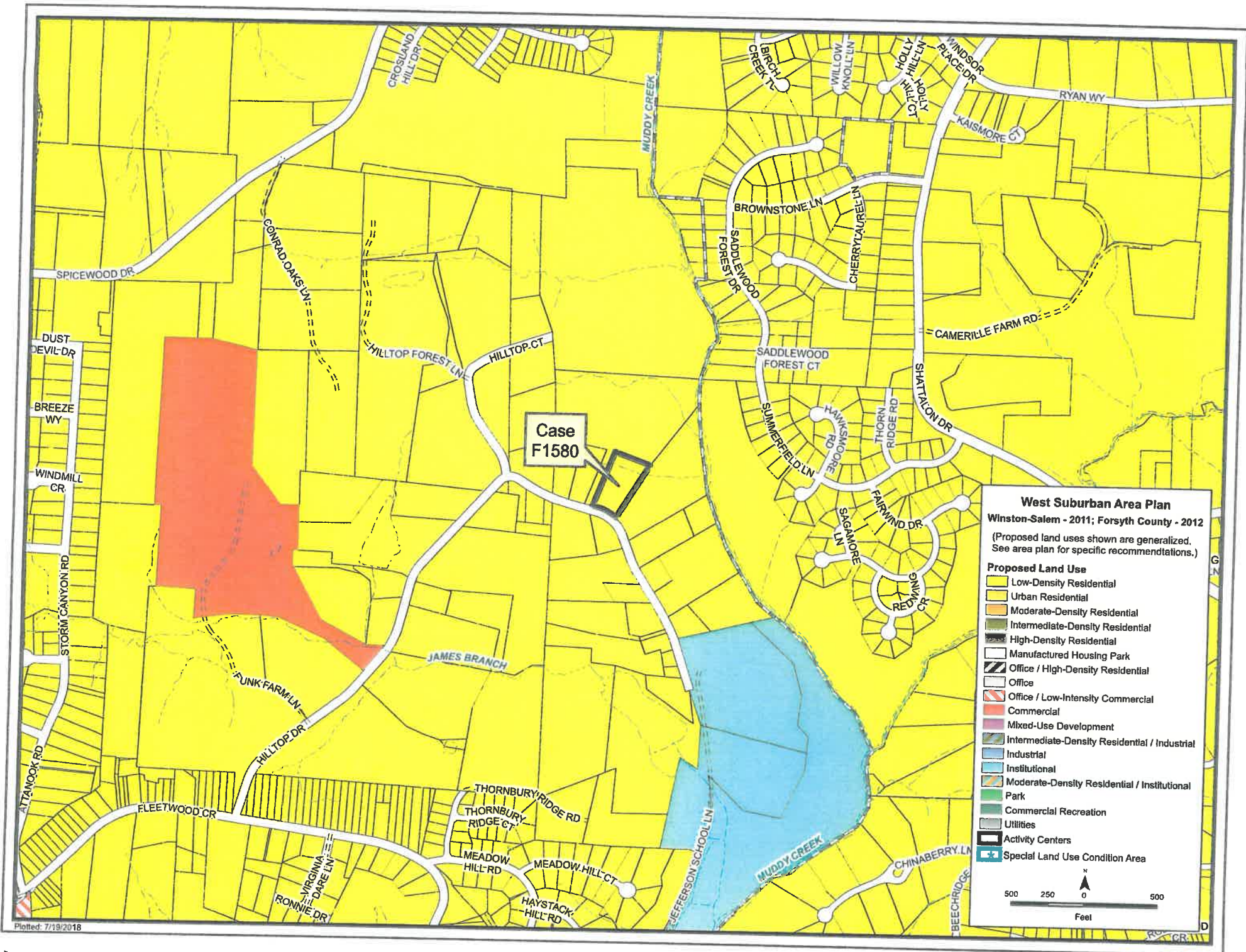
GMA: 3

ACRES: 2.06

NEAREST BLDG: 87' west

MAP(S): 6806.01





Case F1580



F-1580 ATTACHMENT A
EXISTING AND PROPOSED USES ALLOWED IN THE RS9
ZONING DISTRICT

(F) = Forsyth County Jurisdiction Only
(W) = City of Winston-Salem Jurisdiction Only

USES ALLOWED WITH A PERMIT FROM THE ZONING OFFICER (Z)

Adult Day Care Home
Agricultural Production, Crops (F)
Agricultural Production, Livestock (F)
Child Day Care, Small Home
Church or Religious Institution, Neighborhood
Family Group Home A
Police or Fire Station
Recreation Facility, Public
Residential Building, Single Family
Swimming Pool, Private
Transmission Tower (see UDO) (F)

USES ALLOWED WITH REVIEW BY THE PLANNING BOARD (P)

Church or Religious Institution, Community
Golf Course
Library, Public
Limited Campus Uses
Planned Residential Development
School, Private
School, Public
Utilities

USES ALLOWED WITH SPECIAL USE PERMIT FROM ZONING BOARD OF ADJUSTMENT (A)

Bed and Breakfast
Child Day Care, Large Home
Habilitation Facility A
Manufactured Home, Class A
Park and Shuttle Lot
Transmission Tower (F)
Urban Agriculture (W)

USES ALLOWED WITH SPECIAL USE PERMIT FROM ELECTED BODY (E)

Access Easement, Private Off-Site⁵
Parking, Off-Site, for Multifamily or Institutional Uses
Transmission Tower (W)

⁵SUP not required if requirements of Section B.2-5.2(A) are met



August 22, 2018

Forsyth County
County Manager's Office
201 North Chestnut Street
Winston-Salem, NC 27101

Re: Zoning Petition F-1580

Bryce A. Stuart Municipal Building
100 E. First Street
P.O. Box 2511
Winston-Salem, NC 27102
CityLink 311 (336.727.8000)
Fax 336.748.3163
www.cityofws.org/planning

Dear Petitioner:

The attached report of the Planning Board to the Forsyth County Board of Commissioners is sent to you at the request of the Commissioners. You will be notified by the Board of Commissioner's Office of the date on which the Commissioners will hear this petition.

Sincerely,

Chris Murphy, AICP
Acting Director of Planning and Development Services

pc: Clerk to the Board of Commissioners Forsyth County Government Center, 5th Floor, 201 N. Chestnut Street, Winston-Salem, NC 27101



Call 311 or 336-727-8000

citylink@cityofws.org

City Council: Mayor Allen Joines; Vivian H. Burke, Mayor Pro Tempore, Northeast Ward; Denise D. Adams, North Ward; Dan Besse, Southwest Ward; Robert C. Clark, West Ward; John C. Larson, South Ward; Jeff MacIntosh, Northwest Ward; Derwin L. Montgomery, East Ward; James Taylor, Jr., Southeast Ward; City Manager: Lee D. Garrity

County Commissioners: David R. Plyler, Chairman; Don Martin, Vice Chair, Fleming El-Amin; Ted Kaplan; Richard V. Linville; Gloria D. Whisenhunt; Everette Witherspoon; County Manager: Dudley Watts, Jr.

City-County Planning Board: Arnold G. King, Chair, Chris Leak, Vice-Chair; George M. Bryan, Jr.; Melynda Dunigan; Jason Grubbs; Tommy Hicks; Clarence R. Lambe, Jr.; Johnny Sigers; Brenda J. Smith

**NOTICE OF PUBLIC HEARING BEFORE THE
CITY-COUNTY PLANNING BOARD OF FORSYTH COUNTY
AND WINSTON-SALEM, NORTH CAROLINA ON
REZONING REQUESTS AND RELATED MATTERS**

Notice is hereby given in accordance with the requirement of applicable law that the City-County Planning Board will hold a public hearing in the Public Meeting Room on the fifth floor of the Bryce Stuart Municipal Building, 100 East First Street, Winston-Salem, North Carolina, at 4:30 P.M. on August 9, 2018 on the following rezoning and related matters:

1. Zoning petition of Forsyth County from City RS9 to County RS9: property is located on the northeast side of Hilltop Drive, east of Hilltop Court; property consists of ±2.06 acres and is PIN# 6806-08-9892 as shown on the Forsyth County Tax Maps (Zoning Docket F-1580).
2. Zoning petition of Dana Tucker from AG to RS15-S (Residential Building, Single Family; and Planned Residential Development): property is located west of NC 66 South and north of Andrews Acres Road; property consists of ±13.55 acres and is PIN# 6884-44-7427 as shown on the Forsyth County Tax Maps and on a site plan on file in the office of the City-County Planning Board (Zoning Docket F-1581).

NOTE: TIME LIMIT FOR SPEAKERS: Speakers in favor and speakers in opposition of rezoning requests or related public hearing matters shall be limited to twelve (12) minutes total speaking time for each side. All speakers should register prior to the meeting. Registration will begin at 4:00 P.M. inside the Public Meeting Room.

The City of Winston-Salem does not discriminate on the basis of race, sex, color, age, national origin, religion or disability in its employment opportunities, programs, services or activities.

All requests for appropriate and necessary auxiliary aids and services must be made within a reasonable time prior to the hearing to the Director of Planning and Development Services at (336) 747-7061.

BY DIRECTION OF THE CITY-COUNTY PLANNING BOARD

A. Paul Norby, FAICP
Director of Planning and Development Services

Please publish once in the JOURNAL on **Thursday**, July 26, 2018.

BOLD HEADING- Single Column

Please submit one (1) copy of the affidavit of publication and your charges to the City-County Planning Board.