

**DOCKET #:** F1466

**PROPOSED ZONING:**  
NB-S (Services, Personal)

**EXISTING ZONING:**  
RS20

**PETITIONER:**  
Donald C. Patterson and  
Patricia S. Patterson  
for property owned by  
Same

**SCALE:** 1" represents 200'

**STAFF:** King

**GMA:** 4

**ACRE(S):** 0.87

**MAP(S):** 684826



July 26, 2006

Donald C. and Patricia S. Patterson  
P. O. Box 256  
Wallburg, NC 27373

RE: ZONING MAP AMENDMENT F-1466

Dear Mr. & Ms. Patterson:

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, FAICP  
Director of Planning

Attachment

pc: Jane Cole, County Manager's Office



COUNTY ORDINANCE - SPECIAL USE

Zoning Petition of Donald C. and Patricia S. Patterson, Docket F-1466

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 RS-20 to NB-S (Services, Personal) the zoning classification of the following described property:

Tax Block 5612, Tax Lot 51B

Section 2. This Ordinance is adopted after approval of the site plan entitled Rezoning Plat for Don Patterson, and identified as Attachment A of the Special Use District Permit issued by the Forsyth County Board of Commissioners the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ to Donald C. and Patricia S. Patterson.

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 Rezoning Plat for Don Patterson. 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 Donald C. and Patricia S. Patterson (Zoning Docket F-1466). 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 NB-S (Services, Personal), 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 NB-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 conditions be met:

- **PRIOR TO THE ISSUANCE OF GRADING PERMITS:**
  - a. Developer shall obtain a driveway permit from NCDOT; additional improvements may be required prior to issuance of driveway permit.
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
  - a. Developer shall complete all requirements of the NCDOT driveway permit.
- **OTHER REQUIREMENTS:**
  - a. Any on-site lighting shall not exceed a maximum of 15 feet in height and shall be of the "cutoff" type or otherwise designed not to cast direct light on adjacent properties.

**CITY-COUNTY PLANNING BOARD STAFF  
STAFF REPORT FOR: Docket # F-1466  
July 13, 2006**

<b>PETITION INFORMATION</b>			
<b>Docket #</b>	F-1466		
<b>Staff</b>	Aaron King		
<b>Petitioner(s)</b>	Donald C. Patterson and Patricia S. Patterson		
<b>Owner(s)</b>	Same		
<b>Subject Property</b>	Tax Lot 51B, Tax Block 5612		
<b>Type of Request</b>	Special use rezoning request from RS-20 to NB-S for a hair salon.		
<b>Proposal</b>	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property <b>from</b> RS-20 (Residential Single Family; 20,000 sf. lot size) <b>to</b> NB-S (Neighborhood Business – Special Use Zoning). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> <li>• Services, Personal</li> </ul>		
<b>Zoning District Purpose Statement</b>	<p>The NB District is primarily intended to accommodate very low intensity office, retail, and personal service uses close to or within residential areas. The district is established to provide convenient locations for businesses which serve the everyday household needs of nearby residents without disrupting the character of the neighborhood. The district is not intended to accommodate retail uses which attract customers from outside the neighborhood or which primarily cater to motorists. This district is intended for application in Growth Management Areas 2, 3, 4, and 5.</p>		
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)</b>	<b>(S)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</b>		
	Yes, the subject property is located in GMA 4 (Future Growth Area) and the requested use is neighborhood serving.		
<b>GENERAL SITE INFORMATION</b>			
<b>Location</b>	East side of NC 66 South, north of North Main Street/High Point Road		
<b>Jurisdiction</b>	Forsyth County		
<b>Site Acreage</b>	Approximately ± 0.87 acres		
<b>Current Land Use</b>	Vacant commercial building		
<b>Surrounding Property Zoning and Use</b>	<b>Direction</b>	<b>Zoning District</b>	<b>Use</b>
	North	RS-20	Single family home
	East	RS-20	Single family homes
	South	RS-20 & HB	Single family home; and undeveloped land
	West	HB	Automobile repair business

<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)</b>	<b>(S)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?</b>			
	Yes, the request would provide a good transition between the commercial activity at the intersection of NC 66 and High Point Road and the single family homes to the north.			
<b>Physical Characteristics</b>	The site is flat and contains no streams or wetlands.			
<b>Proximity to Water and Sewer</b>	The subject property has no access to public water or public sanitary sewer.			
<b>Stormwater/ Drainage</b>	No known issues.			
<b>Watershed and Overlay Districts</b>	The subject property is not located within a water supply watershed.			
<b>Analysis of General Site Information</b>	The subject property is 0.87 acres in size and contains a relatively flat topography. The site also contains an existing building that appears to have been used for commercial purposes in the past. The site poses no development issues.			
<b>SITE ACCESS AND TRANSPORTATION INFORMATION</b>				
<b>Street Name</b>	<b>Classification</b>	<b>Frontage</b>	<b>ADT Count</b>	<b>Capacity/LOS D</b>
NC 66	Major Thoroughfare	+/- 100 feet	8,000	16,100
<b>Proposed Access Point(s)</b>	The site plan proposes one access point to be located near the northwest corner of the site.			
<b>Planned Road Improvements</b>	The Thoroughfare Plan recommends that NC 66 be constructed as a three-lane cross section with curb and gutter and sidewalks.			
<b>Trip Generation - Existing/Proposed</b>	<u>Existing Zoning: RS-20</u> $0.87 \times 43,560 / 20,000 = 1 \text{ unit} \times 9.57 \text{ (SFR Trip Rate)} = 10 \text{ Trips per Day}$  <u>Proposed Zoning: NB-S</u> No trip generation numbers available for this use.			
<b>Sidewalks</b>	None existing			
<b>Transit</b>	No			
<b>Traffic Impact Study (TIS)</b>	Not required			
<b>Analysis of Site Access and Transportation Information</b>	The subject request poses no negative transportation impacts. Although staff is unable to provide an estimated number of trips that this request would generate, it can be expected that trip generation will be minimal based on the intensity of the use and the small square footage of the building.			
<b>Generalized Recommended Conditions</b>	<u><b>BRIEF DESCRIPTION OF CONDITION(S):</b></u> <ul style="list-style-type: none"> <li>Obtain NCDOT driveway permit</li> </ul>			

CONFORMITY TO PLANS AND PLANNING ISSUES						
<b>Legacy GMA</b>	GMA 4 (Future Growth Area)					
<b>Relevant Legacy Recommendations</b>	<ul style="list-style-type: none"> <li>Legacy recommends concentrating commercial activity towards identified activity centers.</li> </ul>					
<b>Relevant Area Plan(s)</b>	<i>Horneytown/ Old U.S. 311 Development Plan and Union Cross/Southeast Forsyth County Area Plan</i>					
<b>Area Plan Recommendations</b>	<ul style="list-style-type: none"> <li>Commercial and office land uses are anticipated along North Main Street (High Point) near its intersections with Skeet Club Road and Highway 66 South-Horneytown Road along both sides of Highway 66. Commercial zoning (Highway Business District) is found along North Main Street (High Point) in all corners of the Highway 66 South-Horneytown Road Intersection. According to the <i>Union Cross/Southeast Forsyth County Area Plan</i> the subject property is located within an activity center.</li> </ul>					
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)</b>	<b>(S)(3) - Have changing conditions substantially affected the area in the petition?</b>					
	No					
	<b>(S)(4) - Is the requested action in conformance with Legacy?</b>					
Yes						
<b>Analysis of Conformity to Plans and Planning Issues</b>	The subject request is in conformance with the general recommendations of Legacy and the specific recommendations of the <i>Union Cross/Southeast Forsyth County Area Plan (UCAP)</i> . The site is located within a designated neighborhood activity center and the requested use of Services, Personal is neighborhood serving in character.					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
F-1359	AG to HB	Approved 3/11/02	West	2.61	Approval	Approval
F-1390	AG to HB-S	Denied 9/8/03	Northwest	10	Denial	Approval
F-1276	AG to HB-S TWO-PHASE	Withdrawn at 3/13/00 BOCC meeting	Northwest	10.97	Denial	Denial
SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS						
<b>Building Square Footage</b>	<b>Square Footage</b>			<b>Placement on Site</b>		
	988 sf.			Approx. 81 feet from western property line		
<b>Parking</b>	<b>Required</b>	<b>Proposed</b>		<b>Layout</b>		
	1 space	3 spaces		Located to the rear of the building		
<b>Building Height</b>	<b>Maximum</b>			<b>Proposed</b>		
	40 feet			1-story		



<b>Impervious Coverage</b>	<b>Maximum</b>	<b>Proposed</b>
	60%	18%
<b>UDO Sections Relevant to Subject Request</b>	<ul style="list-style-type: none"> <li>Section 2-1.3(E) NB District</li> </ul>	
<b>Complies with Chapter B, Article VII, Section 7-5.3</b>	(A) <i>Legacy</i> policies:	Yes
	(B) <i>Environmental Ord.</i>	Yes
	(C) <b>Subdivision Regulations</b>	NA
<b>Analysis of Site Plan Compliance with UDO Requirements</b>	The site plan proposes only minor changes to the existing site conditions. The existing building will be retained and used for a beauty salon with parking located to the rear of the building. An area of existing asphalt in front the building will be removed.	
<b>Generalized Recommended Conditions</b>	<u><b>BRIEF DESCRIPTION OF CONDITION(S):</b></u> <ul style="list-style-type: none"> <li>Lighting condition</li> </ul>	
<b>CONCLUSIONS TO ASSIST WITH RECOMMENDATION</b>		
<b>Positive Aspects of Proposal</b>		<b>Negative Aspects of Proposal</b>
The request is consistent with the recommendations of <i>Legacy</i> and the <i>UCAP</i> .		Proposal would allow commercial use adjacent to existing single family residential use.
The NB district and requested use are neighborhood serving in character.		
The site makes good use of an existing vacant commercial building.		
<b>SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL</b>		
<u><b>PRIOR TO THE ISSUANCE OF GRADING PERMITS:</b></u>		
a. Developer shall obtain a driveway permit from NCDOT; additional improvements may be required prior to issuance of driveway permit.		
<u><b>PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:</b></u>		
a. Developer shall complete all requirements of the NCDOT driveway permit.		
<u><b>OTHER REQUIREMENTS:</b></u>		
a. Any on-site lighting shall not exceed a maximum of 15 feet in height and shall be of the “cutoff” type or otherwise designed not to cast direct light on adjacent properties.		

**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.**

**PUBLIC HEARING**

FOR: None

AGAINST: None

**WORK SESSION**

MOTION: Clarence Lambe moved approval of the zoning map amendment, certified that the site plan meets all code requirements and recommends staff conditions with a reduced bufferyard.

SECOND: Paul Mullican

VOTE:

FOR: Jerry Clark, Wesley Curtis, Carol Eickmeyer, Arnold King, Arthur King, Clarence Lambe, Lynne Mitchell, Paul Mullican

AGAINST: None

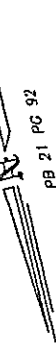
EXCUSED: None

According to information furnished by the Office of the Tax Assessor on April 24, 2006, the subject property was in the name of Donald C. and Patricia S. Patterson.

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A. Paul Norby, FAICP  
Director of Planning

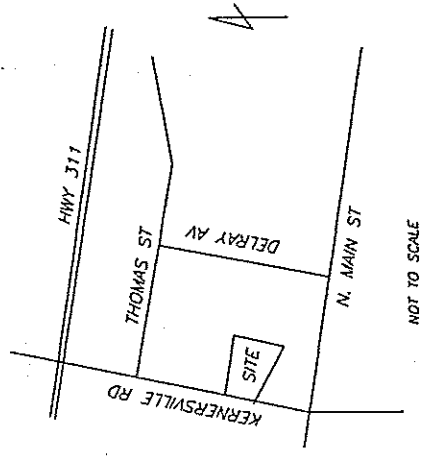
REZONING PLAT FOR:  
**DON PATTERSON**  
 2939 HWY 66 SOUTH  
 HIGH POINT, NORTH CAROLINA 27265  
 FORSYTH COUNTY  
 TAX ID: 7718870542  
 DEED BOOK: 2057 PAGE: 1498



PB 21 PG 92

VICINITY MAP

NOT TO SCALE



**NOTE**  
 SURVEY BASED ON EXISTING IRONS AND IS SUBJECT TO ANY EASEMENTS, RIGHTS OF WAY OR AGREEMENTS OF RECORD PRIOR TO THIS SURVEY.  
 EIP = EXISTING IRON PIPE  
 NIP = NEW IRON PIPE  
 EIS = EXISTING IRON STAKE  
 NIS = NEW IRON STAKE  
 R = PROPERTY LINE  
 PP = POWER POLE  
 C = CENTERLINE  
 TP = TELEPHONE POLE  
 ECH = EXISTING CONCRETE MONUMENT  
 CP = CALCULATED POINT  
 PRECISION: 1:20000  
 AREAS CALCULATED BY COORDINATE METHOD  
 NO HORIZONTAL CONTROL FOUND WITHIN 2000'.

CONTOURS TAKEN FROM THE CITY OF WINSTON SALEM/  
 FORSYTH COUNTY GIS WEBSITE  
 PROPERTY IS 100% WITHIN THE  
 JURISDICTION OF FORSYTH COUNTY  
 TRASH TO BE COLLECTED PRIVATELY  
 BY MOBILE TROTTERS  
 TOPOGRAPHY TO REMAIN UNCHANGED  
 PRIVATE WATER AND SEWER

RAY IDOL ESTATE  
 PB 21 PG 92

THOMAS CAUDILL  
 BLOCK 5612  
 LOT 015R  
 RS20 (15)

ROBIN DANIELS  
 BLOCK 5612  
 LOT 016R  
 RS20 (16)

REBECCA CUMBLIDGE  
 BLOCK 5612  
 LOT 017R  
 RS20 (17)

JO ANN HAUSER  
 BLOCK 5612  
 LOT 018R  
 RS20 (18)  
 ELLEN CLODFELTER  
 BLOCK 5612  
 LOT 04B  
 RS20

EIP S 13°44'32"W 100.28' EIP S 13°43'00"W 173.00' EIP S 13°43'00"W 178.00' EIP

**SITE PLAN LEGEND**

**ZONING**  
 Existing Zoning: RS20  
 Proposed Review: REZONING TO NB-S (SERVICES, PERSONAL)  
 (i.e. Rezoning, Planning Board Review, Subdivision, etc.)

**SITE SIZE AND COVERAGES**  
 Total Acreage: 39549 SF± OR 0.91 AC±  
 Site Coverages: Building to Land - 3 %  
 Pavement to Land - 15 %  
 Open Space - 82 %

**TOTAL** - 100 %  
 Building Square Footage: 988 Building Height: 1 STORY

**OFF-STREET PARKING**  
 Required Parking: 1 Spaces / 400 SF GFA  
 988.4 SF / 400 = 2.5 Spaces Required  
 Parking Provided: 3 Spaces

**BUFFERYARDS**  
 Adjoining Zoning: RS20 (side)  
 Type Required: II Width Provided: 10 FT  
 TYPE II BUFFERYARD ALONG DRIVEWAY MAY BE REDUCED  
 IN SIZE AS PER ORDINANCE B3-5.4C.

Adjoining Zoning: HB (REAR)  
 Type Required: I Width Provided: 10 FT

STUART HOLBAUGH  
 DB 2480 PG 815  
 BLOCK 5612  
 LOT 117  
 RS20

WOODED AREA TO  
 BE REMOVED

2939 HIGHWAY 66 SOUTH  
 AREA = 39549 SF±  
 OR 0.91 ACRES±  
 DB 2057 PG 1498  
 BLOCK 5612  
 LOT 051

10' TYPE I BUFFER

NEW LINE

N 63°27'59"W 296.83'

324.00'

10' TYPE II BUFFER

28.0'

EXISTING 1 STORY BLOCK

EXISTING ASPHALT TO REMAIN

EXISTING ASPHALT TO REMAIN

EXISTING ASPHALT TO REMAIN

EXISTING ASPHALT TO REMAIN

10' TYPE II BUFFER

TO DRIVEWAY

8.2'

TO DRIVEWAY

22.35'

TO DRIVEWAY

10'

TO DRIVEWAY

10'

TO DRIVEWAY

10'

200.00' EIP N 13°05'27"E 200.00' EIP N 13°05'27"E

DRIVEWAY

DRIVEWAY

DRIVEWAY

DRIVEWAY

DRIVEWAY

DRIVEWAY

DRIVEWAY

DRIVEWAY

DRIVEWAY

DRIVEWAY

PROPOSED (NOT TO EXCEED SIGN 4 SO. FEET)

DRIVEWAY

DRIVEWAY

DRIVEWAY

DRIVEWAY

DRIVEWAY

DRIVEWAY

DRIVEWAY

DRIVEWAY

DRIVEWAY

DRIVEWAY

N 13°05'27"E 96.17' 920

DRIVEWAY

DRIVEWAY

DRIVEWAY

DRIVEWAY

DRIVEWAY

DRIVEWAY

DRIVEWAY

DRIVEWAY

DRIVEWAY

DRIVEWAY

NC HIGHWAY 66  
 PAVED 26.4' 40' PUBLIC R/W

CARRIE HEDGECOCK  
 BLOCK 5608  
 LOT 53  
 AC/HB

DRIVEWAY

DRIVEWAY

GEORGE STEWART  
 BLOCK 5609  
 LOT 46  
 HB

PRELIMINARY - NOT FOR CONSTRUCTION  
 F-1466 REVISED FILE COPY  
 Job No. 4445



SURVEYED ON APRIL 19, 2004  
 DRAWN ON MARCH 21, 2006  
 REVISED JUNE 1, 2006  
 REVISED JUNE 29, 2006

**HORNER-ENGLAND & ASSOCIATES, PA**  
 LAND SURVEYING AND ENGINEERING  
 109 SALEM STREET, THOMASVILLE, NC 27360  
 PHONE: (336)476-7211 FAX: (336)476-7212

OWNER/DEVELOPER  
 DON PATTERSON  
 PO BOX 256  
 WALLBURG, NC 27375  
 PHONE: 336-769-9866  
 FAX: 336-769-3417