



DOCKET #: F1359

PROPOSED ZONING:
HB

EXISTING ZONING:
AG

PETITIONER:
Richard V. Knowles
and Brenda S. Knowles

SCALE: 1" represents 200'

STAFF: Hughes

GMA: 4

ACRE(S): 2.61

MAP(S): 684826



February 19, 2002

Richard V. Knowles and Brenda S. Knowles
2140 Stonehaven Road
Kernersville, NC 27284

RE: ZONING MAP AMENDMENT F-1359

Dear Mr. & Mrs. Knowles:

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:-

Zoning map amendment of Richard V. Knowles and Brenda S. Knowles

COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:-

SUMMARY OF INFORMATION:-

Zoning map amendment of Richard V. Knowles and Brenda S. Knowles from AG to HB: property is located on the south side of High Point Road between Barney Road and Mowery Drive (Zoning Docket F-1359).

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

ATTACHMENTS:- YES NO

SIGNATURE: _____ **DATE:** _____

COUNTY ORDINANCE - GENERAL USE

Zoning Petition of Richard V. Knowles and Brenda S. Knowles, Docket F-1359

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 AG to HB the zoning classification of the following described property:

BEGINNING at an iron pipe in the centerline of US Highway 311, said iron pipe marking the easternmost corner of the herein described property and being located north 67° 59' 43" east 263.81 feet from the westernmost corner of that property now or formerly owned by Reuben York, Sr. (Deed Book 2137, Page 2543, Forsyth County Registry). Thence from said beginning point and running with the north line of property now or formerly owned by York, south 67° 59' 43" west (crossing over an iron pipe at 35 feet) a total of 263.81 feet to an iron pipe, York's westernmost corner; thence a new line south 65° 20' 38" west 237.6 feet to an iron pipe in the east line of property now or formerly owned by Alfred Scott (Deed Book 1920, Page 285); thence with Scott's east line, north 00° 30' 03" east 420.59 feet to an iron pipe within the right-of-way of US Highway 311; thence continuing north 00° 26' 25" east 49.8 feet to a point in or near the centerline of US Highway 311; thence running with the centerline of said highway, as it curves to the right, the following six chords and distances: south 66° 50' 49" east 113.80 feet to a point; south 62° 23' 40" east 93.96 feet to a point; south 59° 24' 25" east

91.34 feet to a point; south 56° 05' 19" east 55.81 feet to a point; south 56° 05' 19" east 53.55 feet to a point; and south 52° 20' 05" east 125.39 feet to the point and place of beginning, containing 2.611 acres, more or less, according to a survey by Brad K. Curry, PLS, dated 9-13-01, and revised 1-2-02.

The above described property is a part of Tax Block 5606, Lots 32 and 45, as the Forsyth County Tax Records are presently constituted.

Section 2. This ordinance shall become effective upon adoption.

ZONING STAFF REPORT

DOCKET # F-1359
STAFF: Suzy Gallaway

Petitioner(s): Richard V. Knowles and Brenda S. Knowles
Ownership: Same

REQUEST

From: AG Agricultural District
To: HB Highway Business District

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: 2.61 acres

LOCATION

Street: South side of High Point Road between Barney Road and Mowery Drive.
Jurisdiction: Forsyth County.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: No structures present on site.

Adjacent Uses:

North -	Church, zoned AG
Northeast -	Self-storage buildings, zoned HB
East -	Auto-related storage use, zoned HB
West -	Auto-related storage use, zoned HB

GENERAL AREA

Character/Maintenance: Low to moderately well maintained commercial uses and a well-maintained church.

Development Pace: Slow.

PHYSICAL FEATURES/ENVIRONMENTAL REVIEW

Impact on Existing Features: Site is wooded, and would likely be cleared for development to occur.

Topography: Property slopes from southwest to northeast from an elevation of 907 to an elevation of 880.

Streams: There is a stream adjacent to the High Point Road right-of-way.

Vegetation/habitat: The site has a significant amount of vegetation.

Watershed: Abbots Creek - WS-III watershed

Compliance with Watershed Protection Regulations: As this a general use rezoning request, the watershed regulations will be enforced when a building permit is sought.

TRANSPORTATION

Direct Access to Site: High Point Road.

Street Classification: Major thoroughfare.

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

High Point Road between Abbots Creek Church Road and Horneytown Road (NC 66) = 1,900/11,100

Horneytown Road between High Point Road and Davidson County line = 2,500/11,100.

Bike: Route 24, Union Cross Connector, along High Point Road.

HISTORY

Relevant Zoning Cases:

1. F-1276; AG to HB-S (Multiple Uses); withdrawn March 13, 2000; west side of Hwy. 66 across from Thomas Road and northeast of North Main Street across from Barney Road; 10.97 acres; Planning Board and staff recommended denial.
2. F-1268; HB and RS-20 to HB; approved September 13, 1999; northeast side of North Main Street/US 311 west of Skeet Club Road; 8.21 acres; Planning Board and staff recommended approval.
3. F-793; B-3-S to B-3; approved July 7, 1986; north side of US 311 across from Barney Road (across from current site); 7.5 acres; Planning Board and staff recommended approval.
4. F-658; R-6 to B-3; approved September 26, 1983; south side of US 311 west of Curry Road (west of current site); 2.9 acres; Planning Board recommended approval, staff recommended denial.
5. F-259; R-6 to B-3; withdrawn August 21, 1972; south side of High Point Road including current site; 4.0 acres; Planning Board and staff recommended denial.

CONFORMITY TO PLANS

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

Relevant Comprehensive Plan Recommendation(s): The site is in the Union Cross/Abbotts Creek area. The Union Cross/Southeast Forsyth County Area Plan, called for in *Legacy*, is currently underway in this area. *Legacy* recommends that more intense region-serving commercial development be located at planned locations including the Kernersville South Metro Activity Center at I-40/NC66. Other local serving commercial development should be located at village centers that are compact and pedestrian-friendly.

Area Plan/Development Guide: The Union Cross/Southeast Forsyth County Area Plan is currently underway, but has no recommendations written at this time. *The US 311 Area Plan* (adopted in 1984 by CCPB, BOA and CC) is the active plan for the area until the new plan is completed and adopted.

Relevant Development Guide Recommendation(s): The Union Cross/Southeast Forsyth County Area Plan is currently being developed.

ANALYSIS

The petitioner is requesting a portion of his property, fronting on US 311 be rezoned from AG to HB. The remainder of his property, which fronts along Barney Road is not in the request. The site contains 2.61 acres.

The site is wedged between two HB sites which are poorly maintained, and is diagonally across High Point Road from an HB site, developed with self-storage units. Ideally, this site would adhere to the *US 311 Area Plan* recommendations and remain AG or some type of residential zoning. This is not realistic however, due to the uses and character surrounding the site. The request is unlikely to impose a more adverse effect on the surrounding area than the existing uses adjacent to the site.

Staff has concern for the area, but is of the opinion the area is not likely to be comprehensively redeveloped in the near future. This request, therefore will not affect the character of the area fronting High Point Road. Staff is often wary of general use HB zoning requests because of their possible intensity. In this case, due to the intensity of surrounding uses, and the proximity to other general use HB zoning, staff does not find special use necessary and recommends approval of the request as submitted.

FINDINGS

1. The petitioner is requesting a portion of his property, fronting on High Point Road be rezoned from AG to HB.
2. Staff has concern for the area, but is of the opinion the area is not likely to be comprehensively redeveloped in the near future.

3. The site is wedged between two HB sites which are poorly maintained, and is diagonally across High Point Road from an HB site, developed with self-storage units.
4. This request, therefore will not affect the character of the area fronting on High Point Road.

STAFF RECOMMENDATION

Zoning: **APPROVAL**.

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Kem Schroeder moved approval of the zoning map amendment.

SECOND: Jerry Clark

VOTE:

FOR: Avant, Clark, Doyle, King, 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 Richard V. Knowles and Brenda S. Knowles as of January 7, 2002.

A. Paul Norby, AICP
Director of Planning