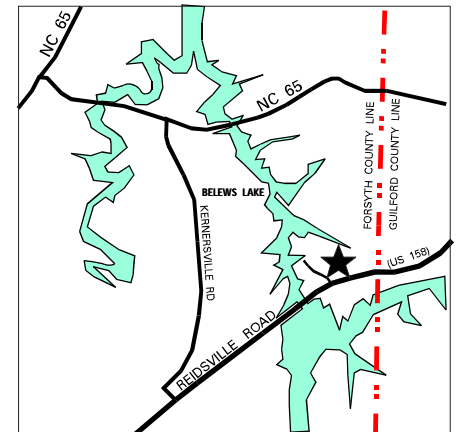


**DOCKET #:** F1306

**PROPOSED ZONING:**  
RS40-S (Residential Building, Single Family)

**EXISTING ZONING:**  
AG

**PETITIONER:**  
Edgar G. Parrish, Jr.



Location Map

**SCALE:** 1" represents 400'

**STAFF:** D. Reed

**GMA:** 5

**ACRE(S)** 24.24

**MAP(S) :** 690902

May 24, 2000

Larry L. Callahan  
935 E. Mountain Street, Suite I  
Kernersville, NC 27284

RE: ZONING MAP AMENDMENT F-1306

Dear Mr. Callahan:

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  
Edgar G. Parrish, Jr., 1712 Oak Ridge Road, Oak Ridge, NC 27310-9729

**FORSYTH COUNTY**  
**BOARD OF COMMISSIONERS**

**MEETING DATE:** \_\_\_\_\_ **AGENDA ITEM NUMBER:** \_\_\_\_\_

**SUBJECT:-**

Zoning map amendment of Larry L. Callahan and Edgar G. Parrish, Jr. for property owned by Edgar G. Parrish, Jr.

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

**SUMMARY OF INFORMATION:-**

Zoning map amendment of Larry L. Callahan and Edgar G. Parrish, Jr. for property owned by Edgar G. Parrish, Jr. from AG to RS-40-S (Residential Building, Single Family): property is located on the northwest side of Reidsville Road/US 158 northeast of Marion Pointe Drive (Zoning Docket F-1306).

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

**ATTACHMENTS:-**     YES             NO

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

\_\_\_\_\_

COUNTY ORDINANCE - SPECIAL USE

Zoning Petition of Larry L. Callahan and Edgar G. Parrish, Jr. for property owned by Edgar G. Parrish, Jr., Docket F-1306

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 RS-40-S (Residential Building, Single Family) the zoning classification of the following described property:

BEGINNING at a 3/4" existing iron pipe in the northern right-of-way line of US Highway 158 (Reidsville Road), said iron pipe also being the southeastern corner of Lot 1 of "Marion Pointe" as recorded in Forsyth County Registry in Plat Book 37, Page 168, thence from said beginning point along the eastern and northern lines of said plat the following two courses: 1) north 47E 49' 00" west 1,215.91 feet to an existing concrete monument, 2) north 89E 17' 41" west 241.78 feet to an existing concrete monument marking the northwest corner of Lot 7 of said plat; thence along the line of Duke Power Company (Deed Book 1005, Pages 453-455) the following 20 courses: 1) north 57E 01' 12" west 73.71 feet to a 3/4" existing iron pipe, 2) north 46E 05' 58" west 93.29 feet to a 3/4" existing iron pipe, 3) north 04E 31' 22" east 120.67 feet to a 3/4" existing iron pipe, 4) north 30E 07' 16" east 107.17 feet to a 3/4" existing iron pipe, 5) north 77E 49' 34" east 259.04 feet to a 3/4" existing iron pipe, 6) north 45E 14' 27" east 147.21 feet to a 3/4" existing iron pipe, 7) north 49E 37' 38" east 65.94 feet to a 3/4" existing iron pipe, 8) north 80E 16' 30" east 71.51 feet to a 3/4" existing iron pipe, 9) north 87E 07' 36" east 120.34 feet to a 3/4" existing iron pipe, 10) south 62E 14' 07" east 155.43 feet to a 3/4" existing iron pipe, 11) south 45E 20' 53" east 134.13 feet to a 3/4" existing iron pipe, 12) south 53E 40' 00" east 69.13 feet to a 3/4" existing iron pipe, 13) south 33E 51' 00" east 77.03 feet to a 3/4" existing iron pipe, 14) south 26E 07' 07" east 75.43 feet to a 3/4" existing iron pipe, 15) south 77E 45' 00" east 40.82 feet to a 3/4" existing iron pipe, 16) south 60E 58' 15" east 110.63 feet to a 3/4" existing iron

pipe, 17) south 49E 09' 29" east 55.34 feet to a 3/4" existing iron pipe, 18) south 30E 26' 23" east 52.71 feet to a 3/4" existing iron pipe, 19) south 65E 10' 42" east 104.37 feet to a 3/4" existing iron pipe, 20) north 41E 24' 58" east 78.95 feet to an existing concrete monument; thence, along the line of Duke Power Company (Deed Book 1005, Page 397) the following 2 courses: 1) south 00E 21' 04" west 260.29 feet to a 3/4" existing iron pipe, 2) south 88E 40' 46" east 281.55 feet to a 3/4" existing iron pipe; thence, along the western line of Fleata Mae Taylor (Deed Book 632, Page 354) south 01E 22' 08" west 493.60 feet to a new iron pipe in the northern right-of-way line of US Highway 158, thence along said right-of-way line the following two courses: 1) a curve to the left having a radius of 5,759.58 feet, a chord of south 72E 12' 29" west 180.04 feet to a new iron pipe, 2) a curve to the left having a radius of 5,759.58 feet, a chord of south 70E 13' 32" west 216.48 feet to the point and place of Beginning, containing 24.239 acres more or less and being Tax Lots 14D and 305 of Tax Block 5238.

Section 2. This Ordinance is adopted after approval of the site plan entitled Heron Point, and identified as Attachment A of the Special Use District Permit issued by the Forsyth County Board of Commissioners the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ to Larry L. Callahan and Edgar G. Parrish, Jr. for property owned by Edgar G. Parrish, Jr.

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 Heron Point. 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 Larry L. Callahan and Edgar G. Parrish, Jr. for property owned by Edgar G. Parrish, Jr. (Zoning Docket F-1306). 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 RS-40-S (Residential Building, Single Family), approved by the Forsyth County Board of Commissioners the \_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_" and signed, provided the property is developed in accordance with requirements of the RS-40-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:

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

- a. All lots along Reidsville Road/NC 158 must have a negative access easement shown on the final plats.

## ZONING STAFF REPORT

**DOCKET #** F-1306  
**STAFF:** David Reed

Petitioner(s): Larry L. Callahan and Edgar G. Parrish, Jr.  
Ownership: Edgar G. Parrish, Jr.

### **REQUEST**

From: AG Agricultural District  
To: RS-40-S Residential Single Family District; minimum lot size 40,000 sf  
(Residential Building, Single Family)

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

Acreage: 24.24 acres

### **LOCATION**

Street: Northwest side of Reidsville Road/US 158 northeast of Marion Pointe Drive.  
Jurisdiction: Forsyth County.

### **SITE PLAN**

Proposed Use: Residential Building, Single Family.  
Density: One unit per acre.

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

Existing Structures on Site: Site is vacant.

Adjacent Uses:

- North - Belews Lake and vacant wooded land.
- East - Single family homes, vacant wooded land, and Belews Lake.
- South - Farm land, vacant wooded land, and Belews Lake.
- West - Single family homes and Belews Lake.

### **GENERAL AREA**

Character/Maintenance: Well maintained single family homes.  
Development Pace: Slow.

## **PHYSICAL FEATURES/ENVIRONMENTAL REVIEW**

Impact on Existing Features: Minor.

Topography: Site slopes down slightly to the north.

Streams: The site is adjacent to Belews Lake.

Vegetation/habitat: Site is partially wooded.

Constraints: Site is surrounded on two sides by Belews Lake.

Floodplains: Unknown. Belews Lake and the streams feeding it have not been studied for their flooding potential.

Natural Heritage Sites: The 110-acre Benefit Church Forests are located across US 158 from the site on the west side of the southern tip of Belews Lake. This is an example of a Dry-Mesic Oak-Hickory Forest dominated by a mixture of white oak, red oak, hickories, and tulip trees.

Farmland Preservation Sites: None.

## **TRANSPORTATION**

Direct Access to Site: Marion Pointe Drive, Reidsville Road.

Street Classification: Marion Pointe Drive - neighborhood street, Reidsville Road - major thoroughfare.

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

Trip Generation/Existing Zoning: AG 24.24 ac/40,000 sf = 26 lots x 9.55 = 248 avg. trips/day

Trip Generation/Proposed Zoning: RS-40 24 lots x 9.55 = 229 avg. trips/day

Planned Road Improvements: State TIP project #2577 proposes to widen Reidsville Road to multi-lanes from Business 40 to US 220; the project has not been funded or scheduled.

Sight Distance: Good.

Interior Streets: Public.

Transit: Transit is not available at this time.

## **HISTORY**

There are no relevant zoning cases near the site.

## **CONFORMITY TO PLANS**

GMP Area (*Vision 2005*): Area 5: Rural.

Relevant Comprehensive Plan Recommendation(s): Limited residential and commercial development, retention of farming activities, preservation of the natural environment.

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



## **ANALYSIS**

The subject site is lake frontage property on Belews Lake. The site has road frontage on Reidsville Road/US 158; however, the site plan proposes access only through the adjacent Marion Pointe Subdivision which serves to minimize the number of entrances on the highway.

Although the property is zoned AG, the proposed lotting pattern is consistent with the adjoining subdivision and the proposed RS-40-S zoning is consistent with other RS-40 zoning to the east and west of the site. Because of the lake frontage and the adjacent lakefront subdivision, the site is not agricultural in character. With the only road frontage being on a busy highway, it would be difficult to bring agricultural implements to and from the site.

Staff is sensitive to the need to preserve AG zoning where appropriate to preserve viable farmland as well as rural open space. Because there are drawbacks to using the subject property for agriculture and because the proposed zoning is consistent with the adjoining lotting pattern and other RS-40 zoning in the immediate area, staff supports the RS-40-S zoning.

## **FINDINGS**

1. The subject site is lake frontage property on Belews Lake.
2. The site plan proposes access only through the adjacent Marion Pointe Subdivision which serves to minimize the number of entrances on Reidsville Road/US 158.
3. Although the property is zoned AG, the proposed lotting pattern is consistent with the adjoining subdivision and the proposed RS-40-S zoning is consistent with other RS-40 zoning to the east and west of the site.
4. Staff is sensitive to the need to preserve AG zoning where appropriate to preserve viable farmland as well as rural open space.
5. Because there are drawbacks to using the subject property for agriculture and because the proposed zoning is consistent with the adjoining lotting pattern and other RS-40 zoning in the immediate area, staff supports the RS-40-S zoning.

## **STAFF RECOMMENDATION**

Zoning: **APPROVAL.**

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

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

- a. All lots along Reidsville Road/NC 158 must have a negative access easement shown on the final plats.

[For information purposes only: The draft *Legacy* plan identifies the site as being located in the Rural Area on *Legacy's* Growth Management Map. The draft *Legacy* plan proposes to preserve farmland, open space and rural character in designated Rural Areas by limiting the provision of sewers, new roads and other public investments there and by promoting open space subdivision design and Forsyth County's farmland preservation program.]

**PUBLIC HEARING**

FOR: None

AGAINST: None

**WORK SESSION**

MOTION: Kem Schroeder moved approval of the zoning map amendment, certifies that the site plan meets all code requirements and recommends staff conditions.

SECOND: Norman Williams.

VOTE:

FOR: Bost, Johnson, King, Powell, Schroeder, Snelgrove, Williams

AGAINST: None

EXCUSED: None

According to information furnished by the Office of the Tax Assessor, the subject property was in the name of Edgar G. Parrish, Jr. as of March 31, 2000.

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A. Paul Norby, AICP  
Director of Planning