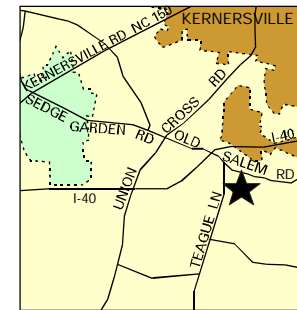


**DOCKET #:** F1316

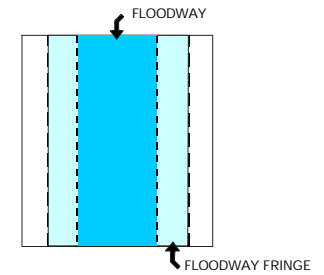
**PROPOSED ZONING:**  
RS20

**EXISTING ZONING:**  
AG

**PETITIONER:**  
Michael O. Hampton  
and Gayle M. Hampton



Location Map



**SCALE:** 1" represents 200'

**STAFF:** G. Simmons

**GMA:** 5

**ACRE(S):** 1.97

**MAP(S):** 678846

July 19, 2000

Michael O. and Gayle M. Hampton  
1299 Old Salem Road  
Kernersville, NC 27284

RE: ZONING MAP AMENDMENT F-1316

Dear Mr. and Mrs. Hampton:

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  
Charles L. Edwards, 2349 Heston Farm Drive, Kernersville, NC 27284

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

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

**SUBJECT:-**

Zoning map amendment of Michael O. Hampton and Gayle M. Hampton

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

**SUMMARY OF INFORMATION:-**

Zoning map amendment of Michael O. Hampton and Gayle M. Hampton from AG to RS-20:  
property is located on the south side of Old Salem Road, across from Cheviot Drive

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

**ATTACHMENTS:-**     YES             NO

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

COUNTY ORDINANCE - GENERAL USE

Zoning Petition of Michael O. Hampton and Gayle M. Hampton, Docket F-1316

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-20 the zoning classification of the following described property:

Beginning at a point in the southern right-of-way of Old Salem Road, said point also being the northwest corner of Lot 7M, Tax Block 5643, thence with said right-of-way the following courses and distances: south 77° 15' 07" east 226.0 feet to a point; thence south 74° 44' 00" east 100.0 feet to a point; thence south 70° 29' 00" east 100.0 feet to a point; thence south 63° 46' 00" east 100.0 feet to a point; thence south 17° 43' 00" west 306.0 feet to a point; thence north 61° 47' 00" west 302.0 feet to a point; thence north 76° 38' 08" west 222.5 feet to a point; thence north 16° 35' 34" east 262.0 feet to a point to the point of beginning. Containing 145,773 square feet or 3.346 acres, more or less. This description is a compilation of deeds and plats of record. Tax Lot 8M, Tax Block 5643.

Section 2. This ordinance shall become effective upon adoption.

## ZONING STAFF REPORT

**DOCKET #** F-1316

**STAFF:** Glenn Simmons

Petitioner(s): Michael O. Hampton and Gayle M. Hampton

Ownership: Same

### **REQUEST**

From: AG Agricultural District

To: RS-20 Residential Single Family District; minimum lot size 20,000 sf

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: 1.97 acres

### **LOCATION**

Street: South side of Old Salem Road, across from Cheviot Drive.

Jurisdiction: Forsyth County.

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

Existing Structures on Site: None.

Adjacent Uses:

- North - Developed RS-20 zoned residential subdivision within the Town of Kernersville Limits.
- East - Undeveloped AG zoned land on the north and south sides of Old Salem Road east of Abbotts Creek. NC 66 and the Bishop McGuiness High School (under construction) are located about one mile east of the site.
- South - Moderately high density residential subdivision accessing off Teague Lane.
- West - Developed, moderate density RS-20 zoned property located on the north side of Old Salem Road.

### **GENERAL AREA**

Character/Maintenance: Generally well maintained residential subdivisions and rural residential homes on moderate sized lots facing Old Salem Road and Teague Lane.

Development Pace: Moderate.

## **PHYSICAL FEATURES/ENVIRONMENTAL REVIEW**

Impact on Existing Features: Moderate impact associated with one half acre residential development.

Topography: Site slopes gently to moderately downward toward the east of the property to Abbotts Creek.

Streams: Abbotts Creek.

Vegetation/habitat: Mixed woods and open areas.

Constraints: Moderate slopes and low lying wet areas.

Floodplains: Extensive floodplain of Abbott's Creek includes approximately one-third of the western portion of the petitioner's site.

Is the project in a water supply watershed? Yes.

Which one? Abbotts Creek WS-III.

Compliance with Watershed Protection Regulations: Development under the low density option at the petition's site would allow 2du/ac or 24% built-upon area. Higher densities from 24% to 50% built-upon area would require a plan showing how the runoff from the 1" storm event would be controlled.

## **TRANSPORTATION**

Direct Access to Site: Old Salem Road.

Street Classification: Major thoroughfare.

Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day):  
Old Salem Road from Teague Road to NC 66 - 1,800/9,000.

Planned Road Improvements: None.

Sight Distance: Adequate.

Traffic Impact Study Recommended: No.

Bike: Route 16 along Old Salem Road.

## **HISTORY**

No relevant zoning cases in the area.

## **CONFORMITY TO PLANS**

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

Relevant Comprehensive Plan Recommendation(s): The objectives for the rural area in *Vision 2005* include limited residential and commercial development, retention of farming activities, and preservation of the natural environment.

Area Plan/Development Guide: None.

## **INCORPORATED AREA COMMENTS**

This property lies adjacent to the Kernersville Town Limits and is expected to be annexed into the Kernersville along with other properties in the area proximate to the current site. The Town's Planning Director supports proposed RS-20 zoning.

## **ANALYSIS**

The property is a relatively small, 1.97 acre tract, with approximately one-third of the property located within the Abbotts Creek floodplain. The property is contiguous to RS-20 zoned property opposite the site on the north side of Old Salem Road. The property is also contiguous to the south to a smaller lot subdivision which was approved under the former R-6 zoning prior to the adoption of the UDO in 1995. This development was subdivided and constructed to smaller lot standards primarily based on the availability of public sewer to the area.

The project site exists within the Abbotts Creek WS-III Water Supply Watershed. Residential development under the low density watershed option would limit development to a maximum of two dwelling units per acre or 24% built-upon area. Higher densities from 24% to 50% built-upon area would require a plan showing how the runoff from the 1" storm event would be controlled. With the proposed RS-20 zoning and the floodplain constraint on the property, staff believes it unlikely that more than two units per acre would be constructed on the site.

Although staff has concerns regarding the conversion of AG zoned land to more intense residentially zoned land, the site is relatively small and the established neighborhoods to the north and south make future agricultural use of the land very unlikely. In addition, given the current availability and likely extension of sanitary sewer in the area, staff anticipates that this area will continue to grow with smaller lot residential subdivisions. Based on the existing patterns of development and the availability of other supporting infrastructure, Planning staff supports the current RS-20 request.

## **FINDINGS**

1. The property is relatively small, 1.97 acre, with approximately one third of the property lying within the Abbotts Creek Floodplain.
2. RS-20 zoned land, lying within the Kernersville Town Limits, is located north of the property opposite Old Salem Road. A smaller lot subdivision, with sewer service, is contiguous to the property on the south side.
3. The property lies within the Abbotts Creek WS-III Water Supply Watershed and is generally limited to a maximum residential development density of two units per acre.
4. The property is situated in an increasingly popular residential area of the county and is generally well served by public infrastructure.

## **STAFF RECOMMENDATION**

Zoning: **APPROVAL**.

[*For information purposes only:* Draft Legacy Comprehensive Plan: The petitioner's site and the Abbotts Creek watershed is designated as Future Growth in *Legacy*. *Legacy* calls for preparation of an area plan for the Abbotts Creek watershed which will soon be getting underway. *Legacy* calls for an area plan that emphasizes "conservation development". That concept recognizes the development potential of this area but calls for application of new planning tools like open space subdivisions and village commercial centers along with watershed protection measures and farmland preservation initiatives to conserve some of the open space and rural character while allowing for significant residential and non-residential development.]

## **PUBLIC HEARING**

David Reed noted that staff is recommended approval of this petition because the surrounding land is zoned in such manner as to discourage agricultural use of this property.

FOR: None

AGAINST: None

## **WORK SESSION**

MOTION: James Rousseau moved approval of the zoning map amendment.

SECOND: Arnold King

VOTE:

FOR: Bost, King, Powell, Rousseau, 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 Michael O. and Gayle M. Hampton as of May 10, 2000.

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A. Paul Norby, AICP  
Director of Planning