



**DOCKET #:** F1322

**PROPOSED ZONING:**

LI-S (Building Contractor General; and Building Contractor Heavy) and RS20

**EXISTING ZONING:**

RS20 and RS40

**PETITIONER:**

Edgar L. Lockhart and Faye D. Lockhart

**SCALE:** 1" represents 200'

**STAFF:** Simmons

**GMA:** 5

**ACRE(S):** 4.84

**MAP(S):** 588902

September 20, 2000

Edgar L. & Faye D. Lockhart  
4901 Tobaccoville Road  
Tobaccoville, NC 27050

RE: ZONING MAP AMENDMENT F-1322

Dear Mr. & Mrs. Lockhart:

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  
Greg Arrington, 411 Sunpath Circle, Winston-Salem, NC 27103

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

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

**SUBJECT:-**

Zoning map amendment of Edgar L. Lockhart and Faye D. Lockhart

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

**SUMMARY OF INFORMATION:-**

Zoning map amendment of Edgar L. Lockhart and Faye D. Lockhart for two separate tracts of land as follows:

Tract 1: Rezoning from RS-20 and RS-40 to RS-20: property is located off the south side of Ridge Road west of Tobacoville Road (Zoning Docket F-1322).

Tract 2: Rezoning from RS-20 and RS-40 to LI-S (Building Contractor, General): property is located off the south side of Ridge Road west of Tobacoville Road (Zoning Docket F-1322).

After consideration, the Planning Board recommended the following:

Denial of the zoning map amendment for Tract 1.

Denial of the zoning map amendment for Tract 2.

Approval of the site plan for Tract 2 with staff recommendations.

**ATTACHMENTS:-**     YES         NO

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

—

COUNTY ORDINANCE - GENERAL USE

Zoning Petition of Edgar L. Lockhart and Faye D. Lockhart, Docket F-1322

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 RS-20 and RS-40 to RS-20 the zoning classification of the following described property (Tract 1):

Lying and being in Old Richmond Township, Forsyth County, North Carolina and being a portion of the Edgar L. Lockhart property (DB 2035, PG 711 Tax Block 4740, Lot 303) and bounded on the west by the properties of Bobby G. Kye and Michael G. Kye, on the north, east and south by Edgar L. Lockhart and being more particularly described as follows:

Beginning at a point a new corner for Edgar L. Lockhart in the east line of Bobby G. Kye (DB 785, PG 484 Tax Block 4740, Lot 38Q); thence with the east line of Bobby G. Kye north 01E 03' 09" east a distance of 259.64 feet to an iron stake the NE corner of Bobby G. Kye and the southeast corner of Michael G. Kye (DB 1338, PG 1307 Tax Block 4740, Lot 38L); thence north 73E 10' 42" east a distance of 143.87 feet to an iron stake the southwest corner of Hoyal B. Kye (Tax Block 4740, Lot 38E); thence with the south line of Hoyal B. Kye north 73E 26' 07" east a distance of 131.96 feet to an iron stake the southeast corner of Hoyal B. Kye and also the southwest corner of Helen S. Kye; thence with the south line of Helen S. Kye north 79E 23' 25" east a distance of 130.50 feet to a point the southeast corner of Helen S. Kye (DB 1042, PG 1530 Tax Block 4740, Lot 38B) in the west line of Edgar L. Lockhart (DB 1709, PG 2802 Tax Block 4740, Lot 39D); thence south 00E 43' 00" west a distance of 148.05 feet to a point the northwest

corner of Edgar L. Lockhart (DB 1894, PG 3612); thence continuing with the line of Lockhart south 00E 43' 00" west a distance of 222.78 feet to an iron stake the southwest corner of Edgar L. Lockhart (DB 1714, PG 3461, Tax Block 4740, Lot 39B); thence with a new line for Lockhart north 88E 50' 38" west a distance of 392.68 feet to the point of Beginning. Containing 2.88 acres more or less and being Tax Block 4740, Lot 303.

Section 2. This ordinance shall become effective upon adoption.

COUNTY ORDINANCE - SPECIAL USE

Zoning Petition of Edgar L. Lockhart and Faye D. Lockhart, Docket F-1322

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 RS-20 and RS-40 to LI-S (Building Contractor, General) the zoning classification of the following described property (Tract 2):

Lying and being in Old Richmond Township, Forsyth County, North Carolina and being a portion of the Edgar L. Lockhart property (DB 2035, PG 711 Tax Block 4740, Lot 303) and bounded on the west by the properties of Bobby G. Kye and on the north by Edgar L. Lockhart and on the east by Lynette V. Tutterow and Shirley M. Hunter and on the south by Wanda R. Hepler and being more particularly described as follows:

BEGINNING at an iron stake the northeast corner of Wanda R. Hepler (DB 1758, PG 3433 Tax Block 4740, Lot 221) in the west line of Shirley M. Hunter (DB 1230, PG 1130 Tax Block 4740, Lot 64B); thence with the north line of Wanda R. Hepler north 87E 49' 06" west a distance of 393.97 feet to an iron stake the northwest corner of Wanda R. Hepler in the east line of Bobby G. Kye (DB 785, PG 484 Tax Block 4740, Lot 38Q); thence with the east line of Bobby G. Kye north 01E 03' 09" east a distance of 200.00 feet to a point a new corner for Edgar L. Lockhart; thence with a new line for Edgar L. Lockhart south 88E 50' 38" east a distance of 392.68 feet to an iron stake the southwest corner of Edgar L. Lockhart (DB 1714, PG 3461 Tax Block 4740, Lot 39B) and the northwest corner of Lynette V. Tutterow (DB 1430, PG 1321 Tax Block 4740, Lot 65); thence with the west line of Lynette V. Tutterow and Shirley M. Hunter south 00E 43' 00" west a distance of 207.06 feet to the point of beginning. Containing 80,041 square feet or 1.84 acres more or less and being Tax Block 4740, Lot 303.

Section 2. This Ordinance is adopted after approval of the site plan entitled Plumbing and Mechanical Services, Inc., and identified as Attachment A of the Special Use District Permit issued by the Forsyth County Board of Commissioners the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ to Edgar L. Lockhart and Faye D. Lockhart.

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 Plumbing and Mechanical Services, Inc. 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

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 Edgar L. Lockhart and Faye D. Lockhart (Zoning Docket F-1322). 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 LI-S (Building Contractor, General), 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 LI-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 watershed permit.
- b. Developer shall have a storm water management study submitted for review by the Public Works Department of the City of Winston-Salem. If required, an engineered storm water management plan shall be submitted and approved by the Public Works Department of the City of Winston-Salem.

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

- a. Developer shall obtain a Special Use Permit from the Forsyth County Board of Commissioners for vehicular access over residentially zoned properties to the LI-S property.

- **PRIOR TO ISSUANCE OF OCCUPANCY PERMITS**

- a. Any required storm water management devices shall be installed.

- **OTHER REQUIREMENTS**

- a. Developer may have one sign only on the LI-S zoned portion of the property. Said sign shall be a monument type with a maximum height of five (5) feet and a maximum copy area of twelve (12) square feet.



## ZONING STAFF REPORT

**DOCKET #** F-1322

**STAFF:** Glenn Simmons

Petitioner(s): Edgar L. Lockhart and Faye D. Lockhart

Ownership: Same

### **REQUEST**

From: RS-20 Residential Single Family District; minimum lot size 20,000 sf and RS-40 Residential Single Family District; minimum lot size 40,000 sf (Tracts 1 and 2)

To: RS-20 Residential Single Family District; minimum lot size 20,000 sf (Tract 1) and LI-S Limited Industrial District (Building Contractor, General) (Tract 2).

[Reference companion Special Use Permit request to access LI-S zoning tract through residentially zoned properties (Docket F-1323).]

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

**NOTE:** Tract 1 is a general use zoning petitions therefore, ALL uses permitted in the above requested district should be considered for Tract 1.

Acreage: Tract 1: 2.88 acres (Proposed RS-20)

Tract 2: 1.84 acres (Proposed LI-S)

### **LOCATION**

Street: South side of Ridge Road west of Tobaccoville Road.

Jurisdiction: Forsyth County (adjacent to Village of Tobaccoville Limits)

### **SITE PLAN**

Proposed Use: Tract 1 - All uses permitted in the RS-20 District

Tract 2 - Building Contractor, General.

Square Footage: Tract 1 - N/A

Tract 2 - 8,000 sf total (6,000 sf shop and storage area; 2,000 sf office)

Building Height: One story (Tract 2).

Density: N/A.

Parking: For Tract 2 (Building Contractor site) - 20 spaces required @ 1 space / 400 sf; 20 proposed layout shows parking in side and front of proposed structure.

Bufferyard Requirements: Type IV around proposed LI-S (Tract 2) portion of property.

Vehicular Use Landscaping Standards Requirements: UDO standards apply.

## **PROPERTY SITE/IMMEDIATE AREA**

Existing Structures on Site: None; LI portion of site (Tract 2) is largely cleared.

Adjacent Uses:

- North - Tobaccoville incorporated limits are immediately north of this site. Further north is a partially cleared/partially wooded area zoned RS-20 and a single family home, also zoned RS-20.
- East - Single family homes zoned RS-20 located along Ridge and Tobaccoville Roads. A moderately sized single family subdivision, also zoned RS-20 is located opposite the current site.
- South - Rural residential single family homes zoned RS-20 located along Tobaccoville Road.
- West - Single family homes zoned RS-40.

## **GENERAL AREA**

Character/Maintenance: Generally well maintained rural residential single family homes with some conventional residential subdivisions nearby.

Development Pace: Slow to moderate.

## **INCORPORATED AREA COMMENTS**

Incorporated Jurisdiction: Village of Tobaccoville limits are adjacent to the current site on the north east side.

Expressed Concern: The Village Council voted to recommend denial of both the LI-S and RS-20 portions of the current zoning request. The denial is based on the inconsistency of the proposal with the existing residential character of the area, recommendations of *Vision 2005*, and the recommendations of the draft Village Development Guidelines currently under review by the Tobaccoville Village Council.

## **PHYSICAL FEATURES/ENVIRONMENTAL REVIEW**

Impact on Existing Features: Proposed LI-S portion of site is largely cleared; proposed RS-20 portion is largely wooded except for existing private drive accessing Tract 2.

Topography: Site slopes gently downward from the south (rear) to north (front).

Streams: None.

Vegetation/habitat: Tract 1; largely wooded  
Tract 2; largely cleared.

Constraints: No major constraints.

Floodplains: None

Is the project in a water supply watershed? Yes, Yadkin River WS-IV.

Compliance with Watershed Protection Regulations: Yes; 36 % impervious surface allowance for development without curb and gutter streets (LI-S portion of site); two or three units per acre maximum density of proposed RS-20 single family portion of site (Tract 2).

Direct Access to Site: Ridge Road

Street Classification: Minor thoroughfare

Utilities: Public water is available. Sewer will be provided through private septic system.

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

Tobaccoville Road between Boiling Springs Rd and Ridge Rd - 3,300/11,000

Tobaccoville Road between Ridge Rd and Bethania-Tobaccoville Rd - 4,700/11,500

Trip Generation/Existing Zoning: RS-20 and RS-40

.7744 acres in RS-20;  $.7744 \times 43,560 \text{ sf} = 33,733 \text{ sf} / 20,000 \text{ sf} = 1 \text{ lot} \times 9.55 \text{ trip rate} = 9.55 \text{ trips}$

4.066 acres in RS-40;  $4.066 \times 43,560 = 177,115 \text{ sf} / 40,000 \text{ sf} = 4 \text{ lots} \times 9.55 \text{ trip rate} = 38 \text{ trips}$

Total existing trips =  $9.55 + 38.2 = 48 \text{ trips}$

Trip Generation/Proposed Zoning: RS-20 and LI-S

RS-20-2.88 acres  $\times 43,560 \text{ sf} = 125,453 / 20,000 = 6 \text{ lots}$  (but only 3 lots off private access easement)  $3 \text{ lots} \times 9.55 = 29 \text{ trips}$

LI-S -  $8,100 \text{ sf} / 1,000 \text{ sf} = 8.1 \times 11.57 = 94 \text{ trips}$

Total proposed trips  $29 + 94 = 122 \text{ trips}$

## **HISTORY**

No relevant cases for the LI-S portion of the site.

Note:

The Village of Tobaccoville "town center" area is located approximately one mile northwest of the property at the intersection of Tobaccoville Road and Doral Road. This area was originally converted to the old B-3 (Business) classification in 1967 with the adoption of county-wide zoning in 1967. This area was subsequently reclassified to LB in 1995 with adoption of the UDO.

There is, otherwise, no other commercial zoning in the area. Planning staff asked for a spot zone opinion from the County Attorney on the LI-S portion of this zoning petition.

Relevant zoning case for RS-20 portion of site:

F-1312; AG to RS-20; pending consideration by the Forsyth County Commissioners September 11, 2000; south side of Tobaccoville Road 300 feet east of Flip Newsome Road; 37.45 acres; Planning Board and staff recommended approval.

## **SPOT ZONE OPINION**

The County Attorney has offered an opinion that this rezoning, if approved, would constitute an illegal spot zone. In the opinion, the County Attorney notes that the case meets the definition of a spot zone (rezoning that singles out a relatively small tract owned by a single person and surrounded by a much larger uniformly zoned area, to relieve the tract from restrictions

applicable to the larger area), and further does not meet four criteria from case law as to whether there is a reasonable basis for the spot zone, including size of the tract, compatibility with the comprehensive plan, benefits and detriments to the property owner and surrounding community, and the relationship of proposed uses with currently approved uses.

## **CONFORMITY TO PLANS**

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

Relevant Comprehensive Plan Recommendation(s): Area 5 objectives include limited residential and commercial development; retention of farming activities; and preservation of the natural environment. The plan also recommends separation and buffering of commercial from residential uses.

Area Plan/Development Guide: A Land Use Study Committee, comprised of representatives from within Tobaccoville's area of annexation consideration, recently completed a draft of their "Village Development Guidelines". This document was produced with assistance from the regional office of the North Carolina Division of Community Assistance (DCA).

Tobaccoville officials anticipate that the Village Council will adopt the final draft of the guidelines within the next couple of months after the City-County Planning staff has an opportunity to comment. After adoption, the Village anticipates submitting the guidelines to the City-County Planning Board and the Forsyth County Board of Commissioners for possible adoption. At such time as the guidelines may be adopted, Planning staff will then be authorized to refer to the plan more rigidly with respect various future zoning requests within and near the Village of Tobaccoville.

The current draft of the "Village Development Guidelines" and associated proposed land use plan call for the current site to remain residentially zoned with the possible conversion to RS-30 (PRD).

## **ANALYSIS**

The current zoning request is a dual petition to rezone two adjacent tracts of land from RS-40 to RS-20 (Tract 1) and LI-S (Tract 2). The proposed LI-S portion of the property is for "Building Contractors, General". Neither tract has public street access. Alternatively, both are proposed to be served by a drive, via private easement, off Ridge Road which lies approximately 400 feet north of the site through other property (zoned RS-20). The intervening property is also owned by the petitioner.

According to the UDO, private vehicular access to any property which does not permit the same uses as the property being accessed must obtain a Special Use Permit for access from the County Commissioners. Therefore, this zoning request has a companion Special Use Permit request for vehicular access which must also be approved if the proposed LI-S portion of the zoning petition is to function.

The property is located within the fork of Ridge and Tobaccoville Roads. As the current site does not have public street frontage on either road, the property is visually separated from both roads by existing single family homes and undeveloped wooded acreage. Both tracts are located approximately five to six hundred feet from either of the two roads.

Although largely out of sight, Planning staff anticipates that local neighbors may likely experience significant impacts from the LI-S portion of the site if developed as proposed. The transport and customary maintenance of commercial equipment would be associated with the use. Staff believes the normal business activities associated with a general contractor are inherently incompatible with the character of the surrounding residential landscape.

The proposed Special Use Permit for vehicular access is also troublesome to staff. Staff believes the routine commercial traffic from the current site to job locations will also be noisy and generally a nuisance to the area. Staff also notes that there is additional property adjacent to the project site owned by the petitioner which fronts on Ridge and Tobaccoville Roads. Staff would prefer to see a comprehensive proposal for these lands in which access could be consolidated and coordinated.

In general staff believes that the proposed LI-S portion of the proposal is substantially incompatible with the rural residential character of the surrounding area. Staff notes that whereas in the past such requests may have been acceptable within the culture of the region, Forsyth County is now becoming too populated and urbanized to accommodate such zoning anomalies and the precedent setting effect they have on promoting sprawl development.

The County Attorney has issued an opinion that this zoning, if approved, would constitute an illegal spot zone, with no reasonable basis to relieve the project site from the zoning regulations to which the rest of the area is subject.

Staff is also concerned that the proposed RS-20 portion of the site is not sufficiently integrated with other properties to warrant the increased densities that RS-20 zoning would permit. Particularly with respect to the proposed commercial access easement to serve the LI-S portion of the property, staff believes that smaller lot provisions of the proposed RS-20 would further exacerbate the conflicts between residential and commercial uses.

The Village Council voted to recommend denial of both the LI-S and RS-20 portions of the current zoning request. The denial is based on the inconsistency of the proposal with the existing residential character of the area, recommendations of *Vision 2005*, and the recommendations of the draft "Village Development Guidelines" currently under review by the Tobaccoville Village Council.

## **FINDINGS**

1. The current site consist of two zoning requests from existing RS-40 to RS-20 (Tract 1) and LI-S (Tract 2).

2. The property is proposed to be accessed by a private easement over adjacent land owned by the petitioner, some of which is currently zoned RS-20 and some RS-40 land requested in this petition to be RS-20.
3. The UDO requires approval of a companion Special Use Permit (Docket F-1323) for private vehicular access to the LI-S portion of the site over residentially zoned properties, which Planning staff does not support.
4. The proposed "Building Contractor, General" use is incompatible with surrounding residential properties.
5. The County Attorney has offered an opinion that the rezoning, if approved, would constitute an illegal spot zone.
6. The Village of Tobacoville Council voted to recommend denial of both the RS-20 and LI-S portions of the request.
7. If approved the LI-S portion of the zoning proposal will establish an inappropriate zoning precedent in this otherwise rural residential area.
8. The RS-20 portion of the request is insufficiently integrated with other residential properties, particularly with respect to the associated commercial access easement, to warrant additional residential densities.

**STAFF RECOMMENDATION**

Zoning: Tract 1 (RS-20) **DENIAL**.

Tract 2 (LI-S) **DENIAL**.

Site Plan: Staff certifies that **the site plan meets all code requirements**, and recommends the following conditions for Tract 2:

- **PRIOR TO THE ISSUANCE OF GRADING PERMITS**
  - a.. Developer shall obtain a watershed permit.
  - b. Developer shall have a storm water management study submitted for review by the Public Works Department of the City of Winston-Salem. If required, an engineered storm water management plan shall be submitted and approved by the Public Works Department of the City of Winston-Salem.
  
- C **PRIOR TO ISSUANCE OF BUILDING PERMITS**
  - a. Developer shall obtain a Special Use Permit from the Forsyth County Board of Commissioners for vehicular access over residentially zoned properties to the LI-S property.

- **PRIOR TO ISSUANCE OF OCCUPANCY PERMITS**
  - a. Any required storm water management devices shall be installed.
- **OTHER REQUIREMENTS**
  - a. Developer may have one sign only on the LI-S zoned portion of the property. Said sign shall be a monument type with a maximum height of five (5) feet and a maximum copy area of twelve (12) square feet.

*[For information purposes only: The draft Legacy plan identifies the area within which the project lies as Rural Area, just outside the Future Growth Area (within the incorporated limits of Tobacoville). The Rural Area is beyond the area that can be provided public sewerage in a cost effective manner, and is intended to remain in very low density residential and agricultural uses in the plan's 20-year time horizon.]*

Glenn Simmons presented the staff reports for F-1322 and F-1323 together.

### **PUBLIC HEARING**

FOR:

Greg Arrington, 411 Sunpath Circle, Winston-Salem, NC 27103

I work for the petitioner.

I have worked extensively with the staff, trying to figure out how to make this work.

The road shown in the slides was put in because the logging work had torn the site up enough that we needed to do something to get the rest of the wood out.

Mr. Lockhart owns most of the surrounding land and has promised that he can buy the portion he does not own when the owners are ready to sell.

He lives here.

I saw the Tobacoville proposed plan. Their plan for mixed commercial and business uses misses this property by 0.2 mile. Three-tenths of a mile the other way is a commercial business.

Mr. Lockhart is wanting to build a business that he can some day pass on to his family.

He owns this land and wants to do something with it. The RS-20 is for the hope of future nice rent homes.

As far as we know, there was no opposition to this request.

AGAINST: None

### **WORK SESSION**

During discussion by the Planning Board, the following points were made:

1. The County Attorney has determined that the LI-S is an illegal spot zone.

2. John Bost noted that the gentleman petitioning for this request owns most of the surrounding land. No one is opposed to it.

MOTION: Kerry Avant moved approval of the zoning map amendment for Tract 1.

SECOND: John Bost

VOTE:

FOR: Avant, Bost, King, Rousseau

AGAINST: Johnson, Powell, Schroeder, Snelgrove, Williams

EXCUSED: None

MOTION FAILED.

MOTION: Steve Johnson moved denial of the zoning map amendment for Tract 1.

SECOND: Kem Schroeder

VOTE:

FOR: Johnson, Powell, Schroeder, Snelgrove, Williams

AGAINST: Avant, Bost, King, Rousseau

EXCUSED: None

MOTION: Steve Johnson moved denial of the zoning map amendment for Tract 2.

SECOND: Terry Powell

VOTE:

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

AGAINST: Bost, Avant, Rousseau

EXCUSED: None

SITE PLAN MOTION: Steve Johnson certifies that the site plan for Tract 2 meets all code requirements and recommends staff conditions.

SECOND: Kerry Avant

VOTE:

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

AGAINST: None

EXCUSED: None

John Bost asked if Tract 2 (LI-S) request could theoretically be approved by itself (if the RS-40 for Tract 1 and the Special Use Permit for access were denied). Paul Norby stated that Tract 1 (RS-20) request could be individually approved without the special use permit for access, but Tract 2 would need to have approval of the special use permit to be able to get the access back to the road.



According to information furnished by the Office of the Tax Assessor, the subject property was in the name of Edgar L. and Faye D. Lockhart as of June 22, 2000.

---

A. Paul Norby, AICP  
Director of Planning