

Motion to Approve Zoning Map Amendment F-1597 and
Statement of Consistency with Comprehensive Plan

I move that Zoning Map Amendment F-1597, including site plan and special use district, be **approved** on the basis of the following:

The proposed special use zoning map amendment, as petitioned by E.M. Leight Heirs, to rezone a 97.01-acre piece of property from AG to RS40-S (Residential Building, Single Family, and Planned Residential Development) is consistent with the recommendations of the Legacy Comprehensive Plan and reasonable or in the public interest because

1. The subject property is an undeveloped, heavily wooded tract adjacent to Belews Lake, straddling the Forsyth County/Guilford County border, and the subject property is surrounded by property zoned AG;
2. The proposed RS40-S zoning is intended to accommodate large-lot, single-family houses in areas without access to sewer, and several large-lot residential subdivisions in the immediate vicinity of Belews Lake have similar zoning;
3. The proposed use and site plan feature the construction of 109 large-lot single-family houses, of which 76 are fully located in Forsyth County, with a density of approximately 0.78 houses per acre, which would be a consistent use to nearby residential neighborhoods;
4. The subject property would not have access to sewer, but would have access to public water from the Town of Stokesdale; and
5. The subject property is located in GMA 5, which is suitable for RS40-S zoning.

Second:

Vote:

FORSYTH COUNTY
BOARD OF COMMISSIONERS

MEETING DATE: December 3, 2020 **AGENDA ITEM NUMBER:** 4A- 4D

SUBJECT:

- A. Public Hearing on Zoning Petition of E.M. Leight Heirs from AG to RS40-S
(Residential Building, Single Family and Planned Residential Development):
Property is Located on the East Side of Belews Lake and North of Van Hoy Road
(Zoning Docket F-1597)**

- B. Ordinance Amending the Unified Development Ordinances and Official Zoning
Map of the County of Forsyth, North Carolina**

- C. Approval of Special Use District Permit**

- D. Approval of Site Plan**

COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:

SUMMARY OF INFORMATION:-

See attached staff report.

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

ATTACHMENTS:- X YES NO

SIGNATURE: _____
County Manager

DATE: November 30, 2020

COUNTY ORDINANCE - SPECIAL USE

Zoning Petition of E.M. Leight Heirs, Docket F-1597

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 RS40-S (Residential Building, Single Family and Planned Residential Development) the zoning classification of the following described property:

Tract A:

Beginning at a point on the northwest corner of Lot 8, Bentrige Forest, PIN #6899-48-1722, as recorded in Plat Book 172, page 27 in the Guilford County Registry. Said point having a NCGS NAD 83 coordinates of N=898,828.0077 and E=1,693,889.8391. Thence from said point of beginning and along the northern line of Vivian Fagg heirs, PIN #6899-27-8481, as recorded in deed book 618, page 406 in the Forsyth County Registry, N87°49'55"W, 425.83 feet to a point on the northeast corner of Bill F. Norman property, PIN #6899-38-2288, as recorded in deed book 3048, page 3429; Thence with said Norman property, N87°49'55"W, 584.69 feet to a point on the northeast corner of Christine E. Ryals property, PIN #6899-28-7332, as recorded in deed book 2372, page 1465; Thence with said Ryals property, N87°49'55"W, 535.54 feet to a point on the northeastern corner of Douglas C. Murray property, PIN #6899-28-2798, as recorded in deed book 2492, page 1177; Thence with said Murray property, N87°49'55"W, 41.88 feet to the southeast corner of Duke Power Company, PIN #6990-32-1050, as recorded in deed book 1006, page 170; Thence with the lines of Duke Power Company, following the edge of Belews Lake, the following courses and distances: N18°42'57"W, 65.45 feet; Thence N41°11'43"E, 56.59 feet; Thence N49°35'10"E, 84.41 feet; Thence N04°12'58"W, 93.95 feet; Thence N09°09'54"E, 104.18 feet; Thence S85°39'20"E, 102.06 feet; Thence N88°56'02"E, 130.64 feet; Thence S73°48'50"E, 74.65 feet; Thence N21°23'01"W, 64.29 feet; Thence N08°45'22"E, 53.11 feet; Thence S85°16'59"W, 74.39 feet; Thence N82°42'39"W, 82.55 feet; Thence N34°36'36"W, 97.62 feet; Thence S84°36'19"E, 61.89 feet; Thence N63°02'34"E, 132.30 feet; Thence S88°37'42"W, 102.71 feet; Thence S89°20'47"W, 92.41 feet; Thence N26°49'15"W, 94.66 feet; Thence N17°20'03"W, 208.58 feet; Thence N78°10'04"E, 135.58 feet; Thence N01°11'04"E, 46.84 feet; Thence N31°23'02"W, 161.79 feet; N12°34'56"E, 145.28 feet; Thence N45°05'23"E, 83.06 feet; Thence N14°05'04"E, 76.35 feet; Thence N30°53'38"E, 132.24 feet; Thence N31°32'53"E, 151.56 feet; Thence N18°03'50"W, 68.53 feet; Thence N17°21'13"E, 93.81 feet; Thence N81°01'14"W, 63.25 feet; Thence N54°19'24"W, 104.25 feet; Thence

N44°21'46"W, 117.99 feet; Thence N19°51'44"E, 114.17 feet; Thence N39°01'54"E, 137.61 feet; Thence N48°21'08"E, 142.69 feet; Thence N21°28'58"E, 167.10 feet; Thence N38°04'12"E, 107.73 feet; Thence N57°33'28"E, 85.39 feet; Thence S87°44'09"E, 163.54 feet; Thence S75°18'14"E, 170.03 feet; Thence S71°26'46"E, 158.35 feet; Thence S58°25'02"E, 139.94 feet; Thence S13°17'41"W, 253.86 feet; Thence S00°52'20"E, 136.08 feet; Thence S63°16'42"W, 67.60 feet; Thence S89°19'32"E, 67.41 feet; Thence S52°17'33"E, 72.12 feet; Thence S13°30'00"E, 98.87 feet; Thence S04°13'30"W, 90.07 feet; Thence S28°07'38"E, 72.58 feet; Thence S63°22'51"E, 77.46 feet; Thence S31°54'33"E, 42.33 feet; Thence S24°59'21"E, 153.74 feet; Thence S26°19'06"E, 146.10 feet; Thence S03°21'48"E, 94.09 feet; Thence N74°26'44"E, 147.01 feet; Thence N66°08'41"E, 99.50 feet; Thence N73°04'10"E, 118.43 feet; Thence S82°19'16"E, 74.57 feet; Thence S30°32'45"E, 102.27 feet to a point; Thence S28°06'55"E, 59.31 feet to a point in the approximate Forsyth County and Guilford County lines; Thence with said county line; S02°08'05"W, 1214.06 feet to a point in the northern line of the aforementioned Lot 8, Bentrige Forest; Thence with the northern line of Lot 8, N88°08'55"W, 311.97 feet to the point and place of beginning.

Containing 78.36± acres and being the southwestern portion of the property recorded in Deed Book 3175, page 1141 in the Forsyth County Registry, and also being the southwestern portion of the property known as Forsyth County Parcel Identification Number 6990-30-1268.

Tract B:

Beginning at a point on the Forsyth County and Guilford County line in the line of Duke Power Company, PIN #6990-32-1050, as recorded in Deed Book 1006, page 170 in the Forsyth county Registry. Said point having a NCGS NAD 83 coordinates of N=902,405.82 and E=1,694,355.97. Said point being located N42°56'27"W, 473.69 feet from the northwest corner of Duke Power Company, Guilford County PIN #6990-51- 3605, as recorded in Deed Book 2497, page 688 in the Guilford County Registry. Said point also being located S61°03'46"W, 392.23 feet from the northwest corner of Duke Power Company, Guilford County PIN #6990-51-32185, as recorded in Deed Book 2497, page 688 in the Guilford County Registry. Thence from said point of beginning and with the Forsyth County and Guilford County line, S02°08'05"W, 2,265.84 feet to a point in aforesaid Duke Power line. Thence with the aforementioned Duke Power Company property, following the edge of Belews Lake, the following courses and distances: N13°56'13"W, 177.92 feet; N38°53'43"W, 80.49 feet; S83°45'34"W, 138.23 feet; Thence N81°32'57"W, 139.16 feet; Thence N37°29'26"W, 135.45 feet; Thence N25°49'53"W, 87.53 feet; Thence N02°56'02"E, 167.91 feet; Thence N19°20'40"W, 115.00 feet; Thence N48°13'46"E, 116.89 feet; Thence S88°46'44"E, 168.88 feet; Thence N76°20'48"E, 80.16 feet; Thence N65°57'53"E, 120.71 feet; Thence S88°27'33"W, 181.48 feet; Thence N56°27'37"W, 126.07 feet; Thence N52°10'09W, 95.70 feet; Thence N06°54'47"E, 116.42 feet; Thence N59°20'05"E, 77.06 feet; Thence N67°54'37"W, 68.29 feet; Thence N45°30'18"E, 77.01 feet; Thence S74°15'14"W, 79.16 feet; Thence S89°36'23"W, 151.05 feet; Thence N17°13'21"W, 130.74 feet; Thence N31°47'56"E, 146.68 feet; Thence N86°46'27"E, 96.81 feet; Thence N17°20'06"W, 168.97 feet; Thence N57°39'55"E, 138.88 feet; Thence S75°05'14"E, 113.47 feet; Thence S45°19'40"E, 51.98 feet; Thence N15°28'21"W, 57.88 feet; Thence N05°39'13"E, 106.67 feet; Thence N41°12'12"E, 112.12 feet; Thence N39°02'03"E, 151.61 feet; Thence N60°23'49"E, 81.23 feet; Thence N87°40'38"E, 55.30 feet; Thence N54°02'32"W, 40.39 feet; Thence N04°37'08"E, 128.35 feet; Thence N26°48'26"E, 97.87 feet; Thence N49°36'17"E, 20.00 feet to the point and place of beginning.

Containing 18.65± acres and being the northwestern portion of the property recorded in Deed Book 3175, page 1141 in the Forsyth County Registry, and also being the northwestern portion of the property known as Forsyth County Parcel Identification Number 6990-30-1268.

Section 2. This Ordinance is adopted after approval of the site plan entitled Lakeside, and identified as Attachment A of the Special Use District Permit issued by the Forsyth County

Board of Commissioners the _____ day of _____, 20____ to E.M. Leight Heirs.

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 Lakeside. 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

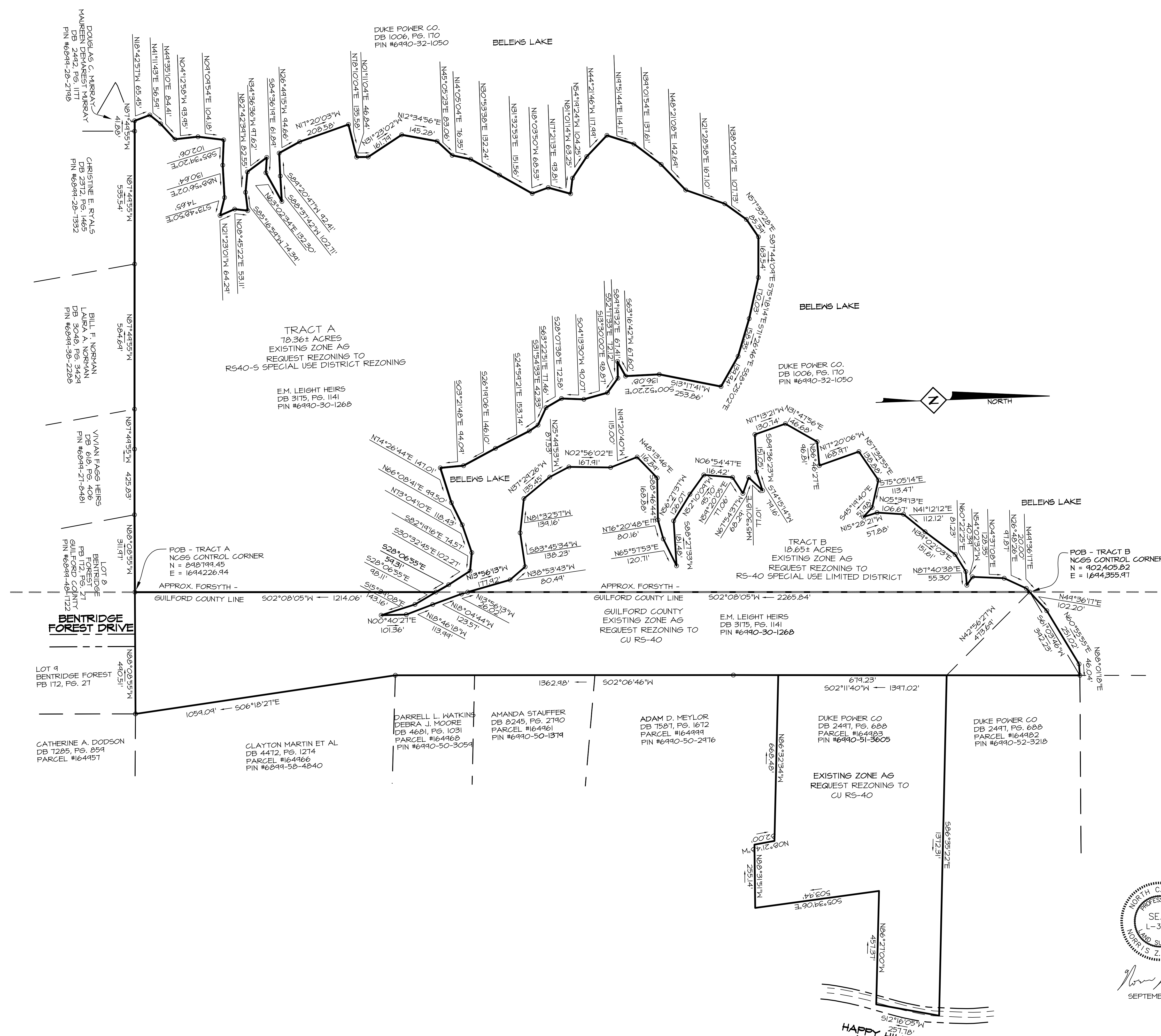
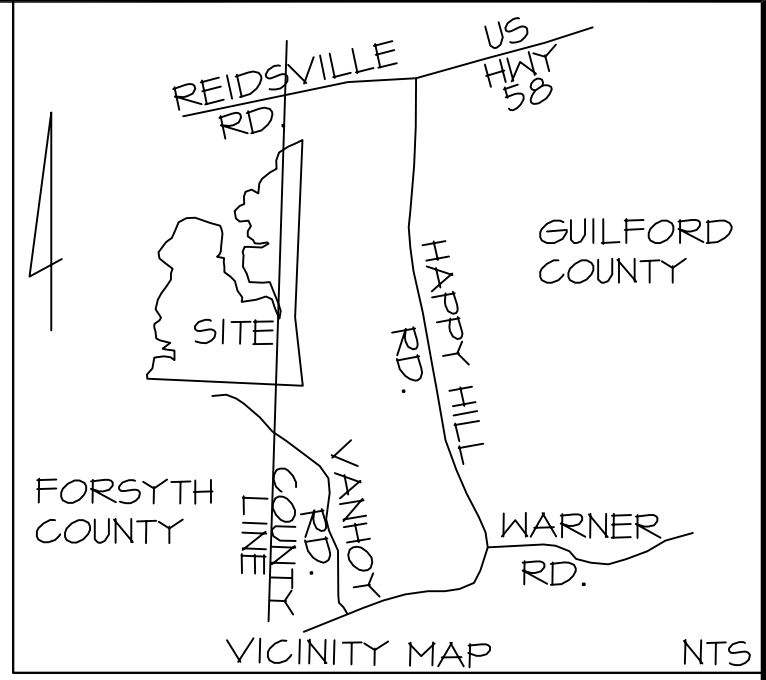
SPECIAL USE DISTRICT PERMIT

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 E.M. Leight Heirs (Zoning Docket F-1597). 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 RS40-S (Residential Building, Single Family and Planned Residential Development), 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 RS40-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 relevant development approvals for the portion of the site located within Guilford County.
 - b. Developer shall obtain all necessary permits (including those for stormwater management) from the North Carolina Department of Environmental Quality (NCDEQ) and/or the US Army Corp of Engineers.
 - c. Developer shall obtain driveway permits from NCDOT for proposed access from Bentrige Forest Drive and Happy Hill Road, along with any necessary encroachment agreements for utility ties within the public right-of-way.

- **PRIOR TO THE SIGNING OF PLATS:**
 - a. Developer shall complete all requirements of the NCDOT driveway permit.
 - b. All NCDEQ requirements shall be completed.
 - c. Developer shall obtain approval from the Forsyth County Department of Public Health for all proposed septic systems.



- NOTES:
- PIN #6990-30-1268 FORSYTH COUNTY
 - PIN #6990-51-3605 GUILFORD COUNTY
 - TOTAL AREA = 41.01± ACRES
 - EXISTING ZONE = AG
 - PROPOSED ZONE = RS40-S (FORSYTH COUNTY)
CU RS-40 (GUILFORD COUNTY)
 - ZONE AE, SPECIAL FLOOD HAZARD AREAS SHOWN, ELEVATION 131 PER FEMA FLOOD MAP FORSYTH COUNTY 310698000M, EFFECTIVE DATE 01/02/2009.
 - REFERENCES: DB 1006, PG. 170 & DB315, PG. 1141

PURPOSE STATEMENT
 THE PURPOSE OF THIS SUBMITTAL IS TO REZONE FROM AG TO RS40-S ZONE FOR APPROVAL TO DEVELOP A SINGLE FAMILY SUBDIVISION WITH PUBLIC STREETS, AND PRIVATE INDIVIDUAL WELLS AND SEPTIC SYSTEMS.

OWNERS:
 E.M. LEIGHT HEIRS
 ELIZABETH QUICK, POA
 5017 KNOW VIEW TRAIL
 WINSTON-SALEM, NC 27104
 ELIZABETH.QUICK@WHD-US.COM

DEVELOPERS:
 R.S. PARKER HOMES
 6420 HAMPTON KNOLL ROAD
 CLEMMONS, NC 27012
 REP. MR. GREG GARRETT
 336-344-1141
 BRAXTONREANDDEV@GMAIL.COM

PRELIMINARY - NOT FOR CONSTRUCTION

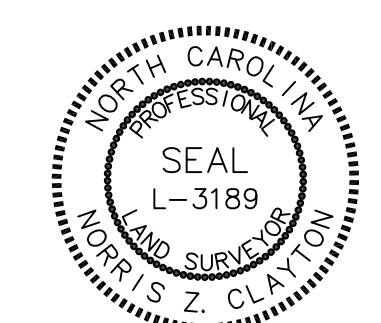
BOUNDARY COMPOSITE

LAKESIDE
R.S. PARKER HOMES
 BENTRIDGE FOREST DRIVE
 BELEWS CREEK TOWNSHIP
 FORSYTH COUNTY, NORTH CAROLINA

DATE: AUG. 24, 2024 SCALE: 1"=200' SHEET: 1 OF 2

HUGH CREED ASSOCIATES, INC., P.A.
 CONSULTING ENGINEERS AND LAND SURVEYORS

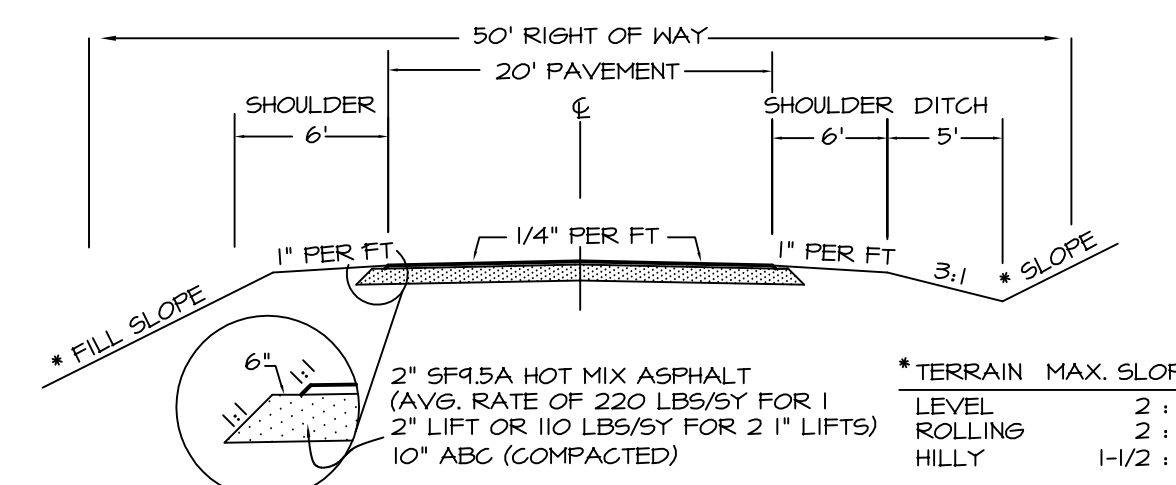
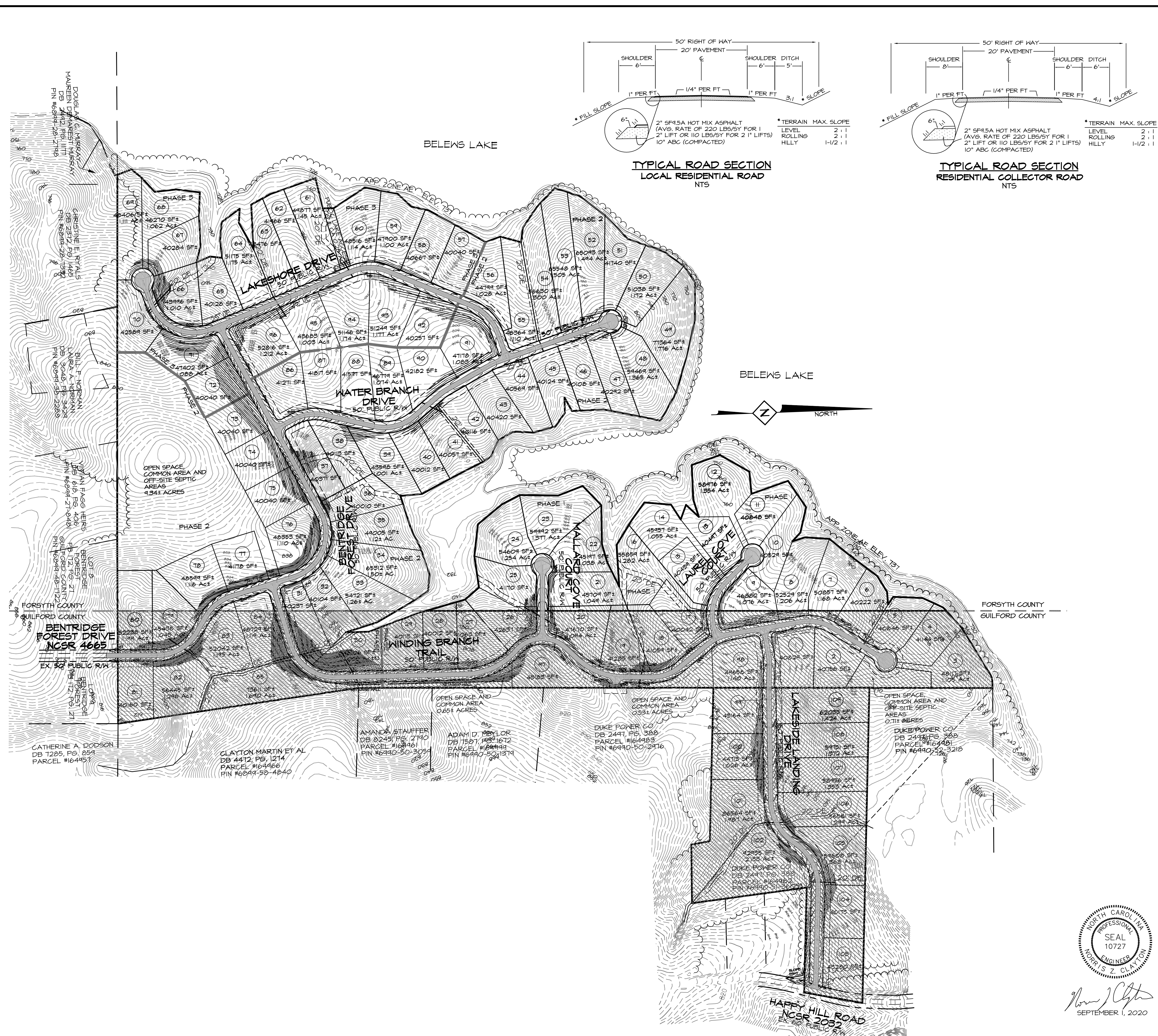
P.O. BOX 9623 GREENSBORO, N.C. 27408
 PHONE: (336) 275-9826 OR (336) 275-8084
 FIRM LICENSE #C-0551
 E-MAIL: HCA@HUGHCREEDASSOCIATES.COM



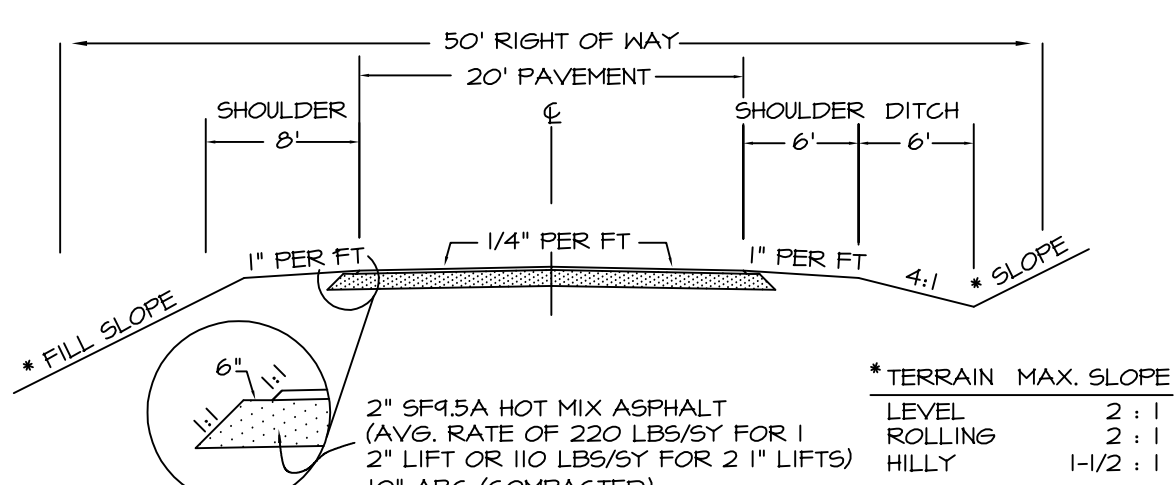
SEPTEMBER 1, 2020

HAPPY HILL ROAD
 NCSR 2032
 EX. 60' PUBLIC R/W

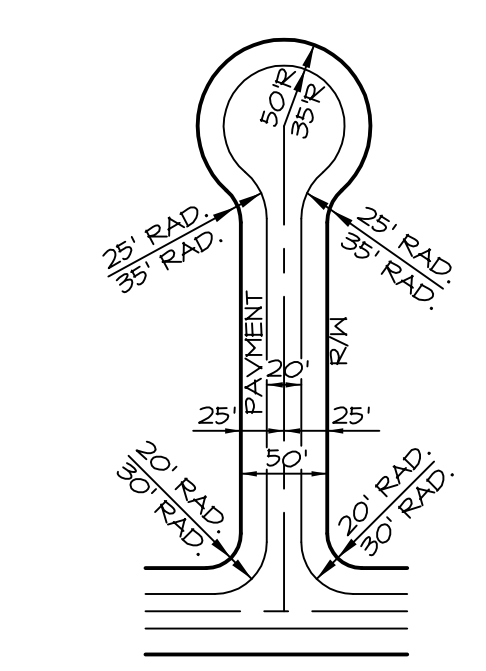
FILED FOR RECORDS: 200651 GABRIELLA BELEWS - LAKESIDE SWG SITE 3
 CAB: luc DWK: P



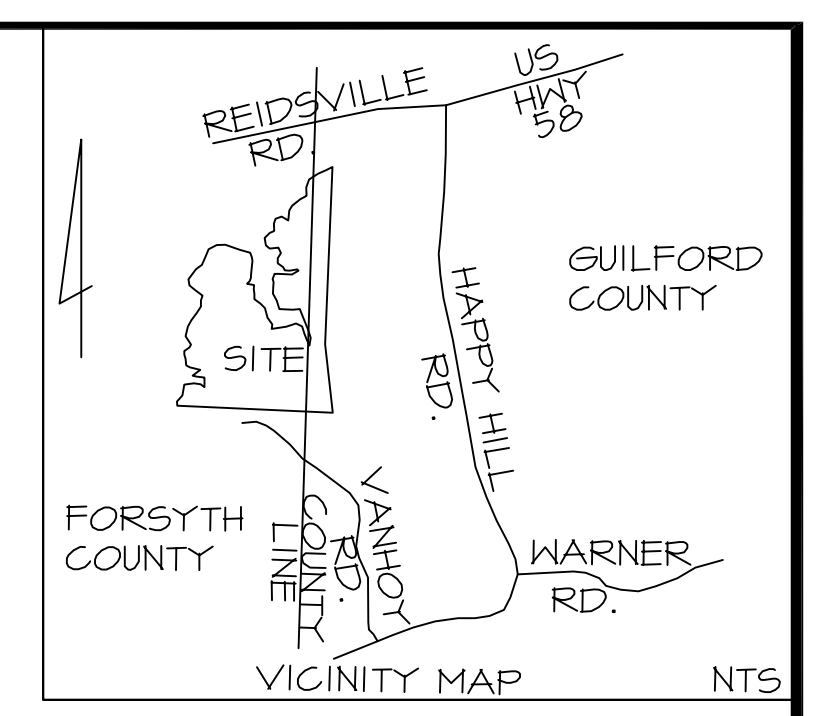
TYPICAL ROAD SECTION
LOCAL RESIDENTIAL ROAD
NTS



TYPICAL ROAD SECTION
RESIDENTIAL COLLECTOR ROAD
NTS



DETAIL
PROPOSED STREET DIMENSIONS
WITH SYMMETRICAL CUL-DE-SAC
NO SCALE

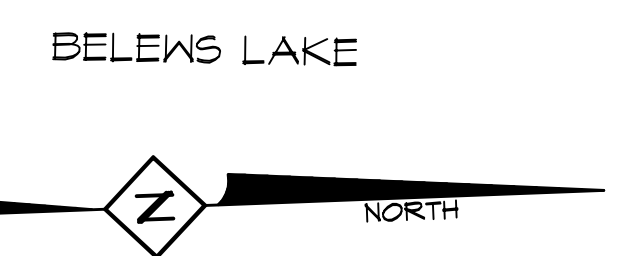


LEGEND:
DE = PRIVATE DRAINAGE EASEMENT
UE = PUBLIC UTILITY EASEMENT
— = STORM DRAIN PIPE (RCP)

MINIMUM SETBACK REQUIREMENTS:

 FORSYTH COUNTY
 MINIMUM WIDTH = 100'
 FRONT YARD = 35'
 REAR YARD = 40'
 ONE SIDE YARD = 10'
 COMBINED SIDE YARD = 25'
 SIDE STREET = 20'

 GUILFORD COUNTY
 MINIMUM WIDTH = 150'
 FRONT YARD = 40'
 SIDE STREET YARD = 40'
 SIDE YARD = 15'
 REAR YARD = 30'



- SITE NOTES:**
- PIN #6990-30-1268 FORSYTH COUNTY
PIN #6990-51-3605 GUILFORD COUNTY
TOTAL AREA = 91.01± ACRES
AREA IN LOTS = 80.30± ACRES (88.2% OF TOTAL AREA)
AREA IN STREETS = 7.09± ACRES
AREA IN OPEN SPACE, COMMON AREA AND OFF-SITE SEPTIC SITES = 4.62± ACRES (9.9% OF TOTAL AREA)
 - NUMBER OF PROPOSED SINGLE FAMILY LOTS = 75 (0.75 LOTS / ACRE)
 - SITE IS IN THE BELEWS LAKE WATER SHED
SITE IS IN THE ROANOKE RIVER BASIN.
LOTS TO BE SERVED BY PRIVATE INDIVIDUAL WELLS AND PRIVATE INDIVIDUAL SEPTIC SYSTEMS.
 - 10375 LF STREETS TO BE PUBLIC NCDOT STREETS
 - EXISTING ZONE = AG
PROPOSED ZONE = RS40-S (FORSYTH COUNTY)
ZONE AE, SPECIAL FLOOD HAZARD AREAS SHOWN, ELEVATION 731 PER FEMA FLOOD MAP FORSYTH COUNTY 3710648000M, EFFECTIVE DATE 01/02/2004.
 - REFERENCES: DB 1006, PG. 170 & DB 3175, PG. 1141
 - MINIMUM LOT SIZE = 40,000 SQ. FT.
 - THERE SHALL BE 10'x10' SITE TRIANGLES AT STOP CONDITIONS AT ALL INTERSECTIONS PER NCDOT
 - PROPOSED USES: RESIDENTIAL BUILDING, SINGLE FAMILY, PLANNED RESIDENTIAL DEVELOPMENT.
 - STREET NAMES ARE PENDING SUBJECT TO APPROVAL.

PURPOSE STATEMENT
 THE PURPOSE OF THIS SUBMITTAL IS TO REZONE FROM AG TO RS40-S ZONE FOR APPROVAL TO DEVELOP A SINGLE FAMILY SUBDIVISION WITH PUBLIC STREETS, AND PRIVATE INDIVIDUAL WELLS AND SEPTIC SYSTEMS.

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 336-349-7197
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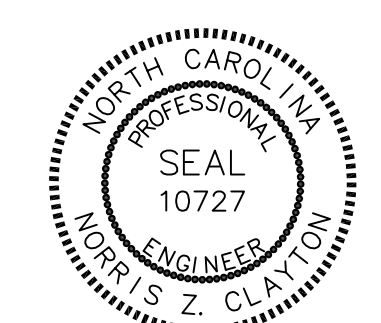
PRELIMINARY SITE PLAN

LAKESIDE
R.S. PARKER HOMES
 BENTRIDGE FOREST DRIVE
 BELEWS LAKE TOWNSHIP
 FORSYTH COUNTY, NORTH CAROLINA

DATE: AUG. 24, 2024 SCALE: 1"=200' 0 100 200 400 SHEET: 2 OF 2

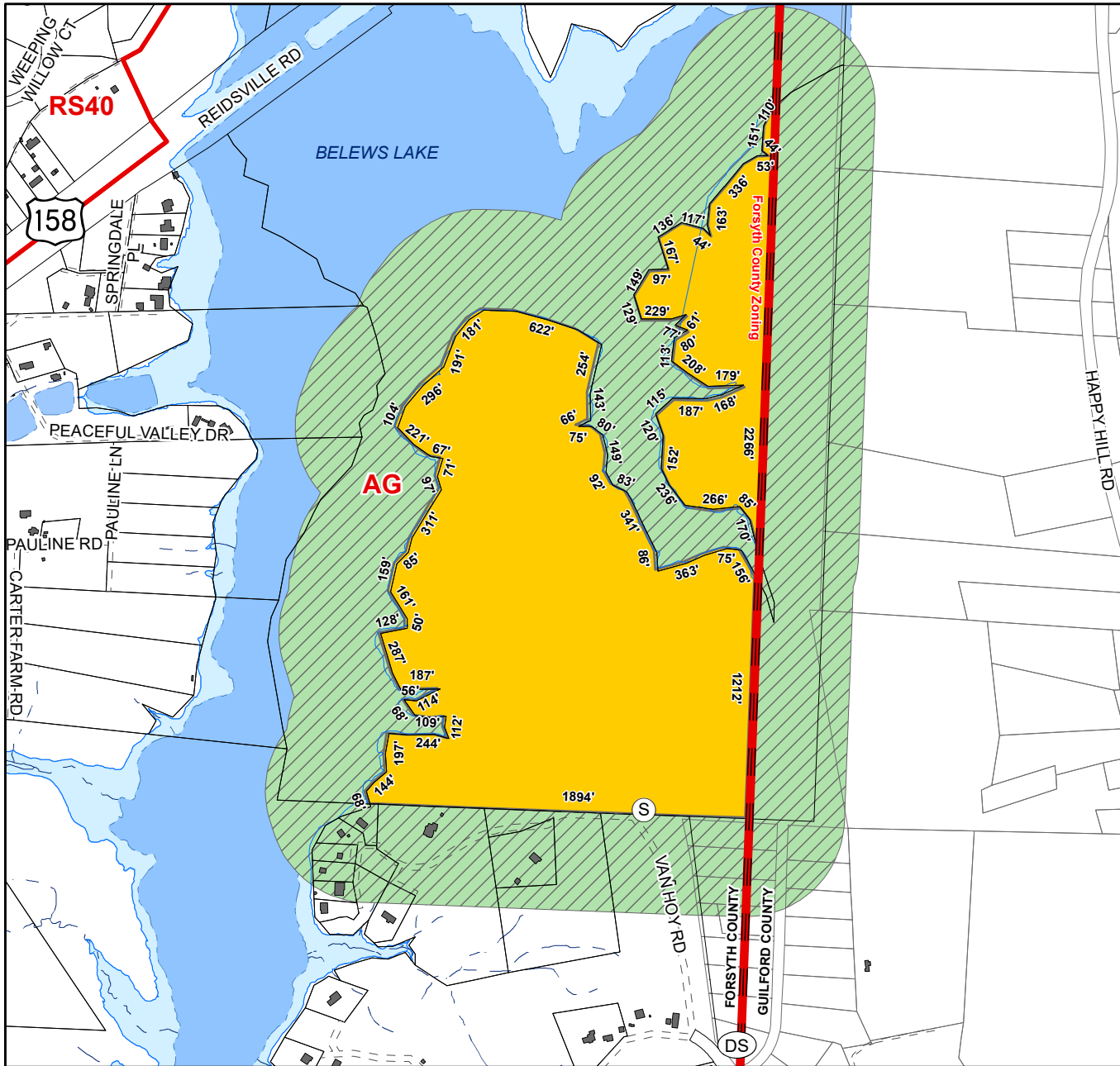
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 FIRM LICENSE #C-0551
 E-MAIL: TCA@HUGHCREEDASSOCIATES.COM



SEPTEMBER 1, 2020

FILED PROJECTS: 20065 GARRRETT BELLEWS LAKE SWAG SITES
 CAB USE DWG: P





DOCKET #: F1597

PROPOSED ZONING:
RS40-S

EXISTING ZONING:
AG

PETITIONER:
E.M. Leight Heirs (Lakeside)

 Property included in zoning request.

 500' mail notification radius. Property not in zoning request.

SCALE: 1" represents 800'

STAFF: Roberts

GMA: 5

ACRES: 97.01

NEAREST BLDG: 31' south

MAP(S): 6990.03;
6899.01





Bryce A. Stuart Municipal Building
100 E. First Street
P.O. Box 2511
Winston-Salem, NC 27102
CityLink 311 (336.727.8000)
Fax 336.748.3163
www.cityofws.org/planning

October 28, 2020

Greg Garrett
R.S. Parker Homes
6420 Hampton Knoll Road
Clemmons, NC 27012

Re: Zoning Petition F-1597

Dear Petitioner:

The attached report of the Planning Board to the Forsyth County Board of Commissioners is sent to you at the request of the Commissioners. You will be notified by the Board of Commissioner's Office of the date on which the Commissioners will hear this petition.

Sincerely,

Aaron King
Director of Planning and Development Services

pc: Clerk to the Board of Commissioners, Forsyth County Government Center, 5th Floor, 201 N. Chestnut Street, Winston-Salem, NC 27101
Hugh Creed Associates, Inc., P.A., Attn: Norris Clayton, 1306 W. Wendover Avenue, Greensboro, NC 27408



City Council: Mayor Allen Joines; Denise D. Adams, Mayor Pro Tempore, North Ward; Dan Besse, Southwest Ward; Robert C. Clark, West Ward; John C. Larson, South Ward; Jeff MacIntosh, Northwest Ward; Morticia "Tee-Tee" Parmon, Northeast Ward; Annette Scippio, East Ward; James Taylor, Jr., Southeast Ward; City Manager: Lee D. Garrity

County Commissioners: David R. Plyler, Chairman; Don Martin, Vice Chair, Fleming El-Amin; Ted Kaplan; Richard V. Linville; Tonya McDaniel; Gloria D. Whisenhunt; County Manager: Dudley Watts, Jr.

City-County Planning Board: Chris Leak, Chair; Melynda Dunigan, Vice-Chair; George M. Bryan, Jr.; Jason Grubbs; Tommy Hicks; Clarence R. Lambe, Jr.; Mo McRae; Brenda J. Smith; Jack Steelman

**NOTICE OF PUBLIC HEARING BEFORE THE
CITY-COUNTY PLANNING BOARD OF FORSYTH COUNTY
AND WINSTON-SALEM, NORTH CAROLINA ON
REZONING REQUESTS AND RELATED MATTERS**

Notice is hereby given, in accordance with the requirement of applicable law, that the City-County Planning Board will hold a remote public hearing in accordance with State and local laws on Zoom, an interactive web-based program, at 4:30 P.M. on October 8, 2020 on the following rezoning and related matters:

1. Zoning petition of E.M. Leight Heirs from AG to RS40-S (Residential Building, Single Family and Planned Residential Development): property is located on the eastside of Belews Lake and north of Van Hoy Road; property consists of ± 97.01 acres and is portions of PIN 6990-30-1268 as shown on the Forsyth County Tax Maps and on a site plan on file in the office of the City-County Planning Board (Zoning Docket F-1597).

NOTE: TIME LIMIT FOR SPEAKERS: Speakers in favor and speakers in opposition of rezoning requests or related public hearing matters shall be limited to twelve (12) minutes total speaking time for each side. All speakers should register prior to the meeting. Registration will begin at 4:00 P.M. You must inform the City-County Planning and Development Services staff if you would like to participate so they can add you to the virtual meeting.

The City of Winston-Salem does not discriminate on the basis of race, sex, color, age, national origin, religion or disability in its employment opportunities, programs, services or activities.

All requests for appropriate and necessary auxiliary aids and services must be made within a reasonable time prior to the hearing to the Office of Planning and Development Services at (336) 747-7040 or email at samuelhu@cityofws.org.

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION			
Docket	F-1597		
Staff	Gary Roberts, Jr., AICP		
Petitioner(s)	E.M. Leight Heirs		
Owner(s)	Same		
Subject Property	Portions of PIN 6990-30-1268		
Address	There is currently no address assignment for the subject property.		
Type of Request	Special Use rezoning from AG to RS40-S		
Proposal	<p>The petitioner is requesting to amend the Official Zoning Map for the subject property from AG (Agricultural – 40,000sf minimum lot size) to RS40-S (Residential, Single-Family – 40,000sf minimum lot size – Special Use). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> Residential Building, Single Family and Planned Residential Development 		
Neighborhood Contact/Meeting	A summary of the petitioner’s neighborhood outreach is attached.		
Zoning District Purpose Statement	<p>The RS40 District is primarily intended to accommodate single-family detached dwellings on large lots in areas without access to public water and sewer services. The district is established to promote single family detached residences where environmental features, public service capacities, or soil characteristics necessitate very limited development. This district is intended for application in GMAs 4 and 5 and appropriate protected watershed areas. This district may also be applicable to older, larger lot development in GMAs 2 and 3 developed prior to the effective date of this Ordinance.</p>		
Rezoning Consideration from Section 3.2.15 A 13	Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?		
	This proposal is consistent with the purpose statement of the RS40 district in that the site is located within GMA 5 and is not served with public water or sewer.		
GENERAL SITE INFORMATION			
Location	North of Van Hoy Road and west of Happy Hill Road (Guilford County)		
Jurisdiction	Forsyth County		
Site Acreage	± 97.01 acres		
Current Land Use	The site is currently undeveloped.		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	AG	Belews Lake
	East	AG (Guilford County)	Undeveloped property
	South	AG	Large lot single-family residential
	West	AG	Belews Lake

Rezoning Consideration from Section 3.2.15 A 13	Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?					
	Yes. The proposed low-density, single-family residential use is generally compatible with the uses permitted on the adjacent properties.					
Physical Characteristics	The site is heavily wooded with a mixture of deciduous and evergreen trees. The western edge of the site abuts Belews Lake, which includes some regulatory floodplain areas. The site also has a wide variation in topography, including some steep slope areas.					
Proximity to Water and Sewer	Because public sewer is not available, this development would utilize individual septic systems. The site does not have access to public water from the Winston-Salem/Forsyth County Utilities Commission; however, it does have access to public water service from the Town of Stokesdale.					
Stormwater/ Drainage	The proposed streets are not required to have curb and gutter. Stormwater runoff would sheet flow into side ditches, with outflow into several drainage easements flowing to the edges of the site.					
Watershed and Overlay Districts	The site is not located within a water supply watershed.					
Analysis of General Site Information	This undeveloped site is located in the northeast corner of Forsyth County adjacent to Belews Lake. The proposed development straddles the Forsyth/Guilford County line, which creates unique circumstances for providing services. Public sewer service is not available.					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
F-1591	AG to RS40-S	Approved 3/19/2020	± 3,000 feet north	66.39	Approval	Approval
F-1306	AG to RS40-S	Approved 6/12/2000	± 1,800 feet north	24.24	Approval	Approval
SITE ACCESS AND TRANSPORTATION INFORMATION						
Street Name	Classification	Frontage	Average Daily Trip Count	Capacity at Level of Service D		
Bentridge Forest Drive	Local Street	± 50 feet in Guilford County	N/A	N/A		
Happy Hill Road	Local Street	± 250 feet in Guilford County	N/A	N/A		
Proposed Access Point(s)	The site will be accessed from Bentridge Forest Drive and Happy Hill Road in Guilford County.					
Trip Generation - Existing/Proposed	<u>Existing Zoning: AG</u> 97.01 acres / 40,000 sf = 105 homes x 9.57 (single-family trip rate) = 1,005 trips per day					

	<p><u>Proposed Zoning: RS40-S</u> $\pm 76 \text{ homes}^* \times 9.57 \text{ (single-family trip rate)} = 727 \text{ trips per day}$ (* Approximate number of potential lots which could be fully within Forsyth County)</p>	
Sidewalks	Sidewalks are not required because curb and gutter is not required.	
Connectivity	The proposed public street system complies with the required connectivity index.	
Analysis of Site Access and Transportation Information	The site will be accessed from two streets within Guilford County. All proposed streets are public, and there are no practical opportunities for stub streets. Sidewalks are not required. Staff does not anticipate any transportation-related issues associated with the request, which proposes fewer single-family homes than would be permissible under the current zoning.	
SITE PLAN COMPLIANCE WITH UDO CLEARCODE REQUIREMENTS		
Units (by type) and Density	76 single-family homes* on 97.01 acres = .78 units per acre (* Approximate number of potential lots which could be fully within Forsyth County)	
UDO ClearCode Sections Relevant to Subject Request	<ul style="list-style-type: none"> • Section 4.5.3: RS40 District • Chapter 7: Subdivision Requirements 	
Complies with Section 3.2.11	(A) Legacy 2030 policies:	Yes
	(B) Environmental Ordinance	Yes
	(C) Subdivision Regulations	Yes
Analysis of Site Plan Compliance with UDO ClearCode Requirements	The proposed plan illustrates the street layout and lotting pattern for a conventional single-family subdivision. The proposed use is allowed in the existing and proposed zoning districts, and both districts have the same minimum lot size of 40,000 square feet. The relevant distinction for this request pertains to minimum lot width (150 feet in AG and 100 feet in RS40).	
CONFORMITY TO PLANS AND PLANNING ISSUES		
Legacy 2030 Growth Management Area	Growth Management Area 5 – Rural Area	
Relevant Legacy 2030 Recommendations	<ul style="list-style-type: none"> • Minimize the conversion of undeveloped land into residential subdivision development in Forsyth County’s Rural Area by limiting the extension of public sewer into the area. • Without public sewer, the Rural Area will be much more likely to contain only scattered, low-density residential uses in addition to agricultural uses and woodlands. • Encourage subdivisions that conserve open space and rural vistas. • Do not rezone property to more intense districts. 	
Relevant Area Plan(s)	The site is not within the boundaries of an area plan; however, it is located within the <i>Northeast Rural Area Study</i> (2012 - not adopted) prepared for the Forsyth County Board of Commissioners.	

Area Plan Recommendations	<ul style="list-style-type: none"> Do not extend sewer to the area and carefully evaluate the use of private package treatment plants. Encourage Planned Residential Developments (PRDs) in areas that are to be subdivided. Encourage rurally compatible design and landscaping of residential development to minimize the impact of new developments on the community's rural and scenic character.
Site Located Along Growth Corridor?	The site is not located along a growth corridor.
Site Located within Activity Center?	The site is not located within an activity center.
Addressing	The proposed street names have been approved by MapForsyth. Individual addresses will be assigned at platting.
Rezoning Consideration from Section 3.2.15 A 13	Have changing conditions substantially affected the area in the petition?
	No
	Is the requested action in conformance with <i>Legacy 2030</i>?
	Yes
Analysis of Conformity to Plans and Planning Issues	<p>The request is to rezone an undeveloped tract from AG to RS40-S to accommodate a single-family subdivision. The site is adjacent to Belews Lake and straddles the Forsyth/Guilford County line. Of the proposed 109 lots, approximately 88 are fully or partially within Forsyth County.</p> <p>The site is located within the Rural Area (GMA 5). The surrounding development pattern is a combination of large-lot residential and undeveloped land. Several large-lot residential subdivisions in the immediate vicinity of Belews Lake have similar zoning.</p>
CONCLUSIONS TO ASSIST WITH RECOMMENDATION	
Positive Aspects of Proposal	Negative Aspects of Proposal
The request is for fewer lots than could theoretically be approved under the current AG zoning.	The request would result in the conversion of a large, heavily wooded area in GMA 5 to a conventional single-family subdivision.
Multiple RS40 zoned neighborhoods exist within this portion of Forsyth County.	
The request complies with the RS40 district purpose statement and does not propose to extend public sewer into the Rural Area (GMA 5), a recommendation of <i>Legacy</i> .	
The site is not located within a water supply watershed.	

SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL

The following conditions are proposed from interdepartmental review comments to meet established standards or to reduce negative off-site impacts:

- **PRIOR TO THE ISSUANCE OF GRADING PERMITS:**
 - a. Developer shall obtain relevant development approvals for the portion of the site located within Guilford County.
 - b. Developer shall obtain all necessary permits (including those for stormwater management) from the North Carolina Department of Environmental Quality (NCDEQ) and/or the US Army Corp of Engineers.
 - c. Developer shall obtain driveway permits from NCDOT for proposed access from Bentrige Forest Drive and Happy Hill Road, along with any necessary encroachment agreements for utility ties within Coldwater Road.
 - d. Developer shall obtain approval from the Forsyth County Department of Public Health for all proposed septic systems.

- **PRIOR TO THE SIGNING OF PLATS:**
 - a. Developer shall complete all requirements of the NCDOT driveway permit.
 - b. All NCDEQ requirements shall be completed.

STAFF RECOMMENDATION: Approval

NOTE: These are **staff comments** only; the City-County Planning Board makes final recommendations on proposals, and final actions taken by the appropriate Elected Body, which may approve, deny, continue or request modification to any request. **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.**

**CITY-COUNTY PLANNING BOARD
PUBLIC HEARING
MINUTES FOR F-1597
OCTOBER 8, 2020**

Gary Roberts presented the staff report.

Jason Grubbs asked staff what the zoning is on the Guilford County side, and if there was a pending rezoning there as well.

Gary stated that it was currently zoned AG and would defer to the developer on any pending rezoning at this time.

George Bryan asked staff to provide more information about the plans for septic fields.

MelyndaDunigan asked staff to give more detail on the proposed lot lines in relation to how far they extended towards the lake.

Jack Steelman asked about school districts in the proposed neighborhood.

PUBLIC HEARING

FOR:

Greg Garrett, 6420 Hampton Knoll Road, Clemmons, NC 27012

- I am the developer for this project. I am also representing the E. M. Leight Estate. They have approached us about purchasing their property and felt the best use of the property was for residential development because of its extensive frontage on Belews Lake.
- There are 127 acres with 90-plus acres in Forsyth County. There are approximately 30 acres in the Oak Ridge jurisdiction and a deeded access easement through a Duke Energy parcel that adjoins Happy Hill Road. As of last week, the Oak Ridge Town Council approved our RS40 request for the Oak Ridge portion of this project. Stokesdale is requiring us to rezone the tract that the access easement runs through. That rezoning is in process.
- I have personally called every person adjoining the perimeter of the area and have spoken to almost all of them. I have also spent time driving the local roads and have been able to speak with residents that way. I feel it has been fairly well received. Once folks found out we were going to have public water, it alleviated their concern of wells running dry. There is a need for more infrastructure in this area. There is no high-speed internet on Happy Hill Road or Bentrige Forest Drive. Folks were very excited to hear that was coming.

- Home sites are consistent with other subdivisions in this area. Property values will be above average, particularly with the lots that adjoin the Duke Energy right-of-way. Lots do not go to the shore. The markers are very defined in what control Duke Energy has. Docks on the lake are prohibited. It is possible there could be a community dock, but that would require a lot of effort, and would go through a lot of process.
- We ask you to look at the plans presented and vote in favor of this project. Norris Clayton is available to answer any questions you may have as well.

Norris Clayton, 1306 West Wendover Avenue, Greensboro, NC 27408

- We are the design engineers for the site. We did a preliminary soil evaluation on the site. Most of the area will have perk sites on individual lots. For any off-site septic areas, each lot will have an individual pump and forced main that leads the septic to those areas.

AGAINST:

Dr. Art Taylor, 8731 Van Hoy Road, Kernersville, NC 27284

- I have 20 acres alongside Van Hoy Road, a portion in Forsyth County, and a portion in Guilford County. I have a little cowboy camp for kids called Little Hat Ranch. We do benefits and send money to children's hospitals, and my main concern (what I'm opposed to) is the connection between Brentwood and the proposed development, what the traffic will do to my camp, with horses and kids in the area. It would be good if they could not have this connection.

Christine Ryals, 8788 Van Hoy Road, Kernersville, NC 27284

- I have submitted some of my concerns earlier, which you should have in your file. One concern is the lot sizes. I knew we were requesting AG to Residential 40, but I thought there was an additional request to reduce the lot sizes from 150 feet to 100 feet, and that was something that I wanted the Board to reconsider. This is a rural area and rural means larger lot sizes. Even though some of the subdivisions that are being approved in other areas might have smaller ones, people move to a rural area because of the type of lifestyle it is, and cramming a lot of houses into a small space changes that. The additional traffic is huge for me. Most of the traffic looks like it's going to be coming from Forsyth County onto Guilford County. There are no lines on the roads. One of the suggestions was putting speed bumps in that might control some of the traffic. The two counties need to work together to see how they are going to get this done because the houses will be in Forsyth County, using Guilford County roads.

Maureen Murray, 8798 Van Hoy Road, Kernersville, NC 27284

- I have spoken with Mr. Garrett earlier today and had some questions answered. Our primary concern was whether similar restrictions would be applied along the lake edge by Duke Energy that applied to the rest of the homeowners like us. We are on the lakefront. We all have restrictions in terms of not clearcutting the property and leaving certain trees

that are above a certain diameter. Mr. Garrett says they have those same restrictions as well.

- We also were concerned about access and wanted to be sure that there was not going to be construction traffic coming down the private road. We also did not want to see the size of the lots reduced any further. We are pleased they are considering public water.
- I think if things stay as planned that I'm not actually speaking in opposition; we just didn't want it to change from what was being proposed.

George asked Ms. Murray if she knew what the general requirements were from Duke Energy in terms of trees. Ms. Murray stated that by her memory, in the realm of Duke Energy access lines, anything over a four-inch diameter - in terms of the tree trunk size - is not supposed to be cut down. That varies, depending on where your lot is and has to do with how far your lot can flood from the lake. There are also requirements, in terms of what you can and cannot do to the lake's edge, regarding whether you use stone, boarding, riprap, or other things.

With regard to Dr. Taylor's comment about traffic coming through a single access point, George asked him if he saw any other options for the developer. Dr. Taylor stated that he was opposed to the access into the Brentwood area that connects with Van Hoy Road, but if the rezoning passes, he would like to see some speed breakers put up every hundred yards. Construction trucks coming in and out of the area, with children on four-wheelers and such, may be using this as a cut-through, which was also a concern.

Clarence Lambe asked Mr. Clayton how they would handle replacing or repairing a septic field in a common area. Mr. Clayton responded that if a site did not have sufficient soil, then there has to be an off-site septic system. A pump is put on the lot, with a forced main going just outside the right-of-way and over to the common septic area, and each individual lot that needs an off-site septic system would be laid out separately for its initial and repair sites. It would be like an on-site initial repair system, but it would be located off-site. That area is surrounded by an easement detailed on the plat once it's approved by the health department.

WORK SESSION

MOTION: Clarence Lambe recommended that the Planning Board find that the request is consistent with the comprehensive plan.

SECOND: Tommy Hicks

VOTE:

FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Tommy Hicks, Clarence Lambe, Chris Leak, Mo McRae, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

MOTION: Clarence Lambe recommended approval of the zoning petition.

SECOND: Jack Steelman

VOTE:

FOR: George Bryan, MelyndaDunigan, Jason Grubbs, Tommy Hicks, Clarence Lambe,
Chris Leak, Mo McRae, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

Aaron King
Director of Planning and Development Services

USES ALLOWED IN THE EXISTING AG ZONING DISTRICT
Forsyth County Jurisdiction

**USES ALLOWED WITH A PERMIT
FROM THE ZONING OFFICER (Z)**

Adult Day Care Home
Agricultural Production, Crops
Agricultural Production, Livestock
Agricultural Tourism
Animal Feeding Operation
Child Day Care, Small Home
Church or Religious Institution, Neighborhood
Family Group Home A
Fish Hatchery
Kennel, Outdoor
Police or Fire Station
Recreation Facility, Public
Residential Building, Single Family
Swimming Pool, Private
Transmission Tower (see use-specific standards
in *UDO ClearCode*)

**USES ALLOWED WITH REVIEW BY
THE PLANNING BOARD (P)**

Cemetery
Church or Religious Institution, Community
Golf Course
Landfill, Land Clearing/Inert Debris, 2 acres or
less
Library, Public
Planned Residential Development
School, Private
School, Public
Utilities

**USES ALLOWED WITH SPECIAL USE
PERMIT FROM ZONING BOARD OF
ADJUSTMENT (A)**

Borrow Site
Campground
Child Day Care, Large Home
Dirt Storage
Fishing, Fee Charged
Habilitation Facility A
Manufactured Home, Class A
Manufactured Home, Class B
Manufactured Home, Class C
Nursing Care Institution
Park and Shuttle Lot
Recreational Vehicle Park
Riding Stable
Shooting Range, Outdoor
Special Events Center
Transmission Tower

**USES ALLOWED WITH SPECIAL USE
PERMIT FROM ELECTED BODY (E)**

Access Easement, Private Off-Site⁵
Landfill, Land Clearing/Inert Debris, greater
than 2 acres

⁵*SUP not required if standards of Section 5.2.2A are met*



F-1597 Lakeside (Special Use Rezoning & Preliminary Subdivision)



Bryce A. Stuart Municipal Building
100 East First Street, Suite 225
Winston-Salem, NC 27101
Fax: 336-748-3163

Phone: 336-747-7065

City of W-S Planning

Norris Clayton
Hugh Creed Associates, Inc., PA
1306 W. Wendover Ave.
Greensboro, NC 27408

Project Name: F-1597 Lakeside (Special Use Rezoning & Preliminary Subdivision)
Jurisdiction: City of Winston-Salem
ProjectID: 431229

Wednesday, September 16, 2020

The comments listed below reflect remaining issues that must be addressed before your request can proceed to the Planning Board. All outstanding issues included in this list must be satisfactorily addressed on the revised site plan and re-submitted back to Planning staff no later than 5:00pm on the Thursday two weeks before (14 days prior to) the Planning Board meeting.

Open Issues: 10

Erosion Control

General Issues

16. Erosion Control Plan Needed

<p>City of Winston-Salem Matthew Osborne 336-747-7453 matthewo@cityofws.org 9/8/20 3:05 PM 01.03) Rezoning- Special Use District - 2</p>	<p>If the proposed project creates more than 10,000 sq. feet of land disturbance, an Erosion Control/Grading Permit will be required prior to the start of work. In order to obtain this permit you must submit a professionally designed Erosion and Sedimentation Control Plan along with an original signed/notarized Financial Responsibility/Ownership (FRO) form for review and approval. Please submit the plan through the electronic plan review portal at the following link: https://winston-salem.idtplans.com/secure/</p>
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17. Project Crosses Jurisdictional Boundaries

[City of Winston-Salem](#) This project has portions in Forsyth and Guilford Counties. Will need to coordinate with Guilford County Erosion Control program on which agency will be primarily responsible for reviewing the Erosion Control plan and issuing the Grading/Erosion Control Permit for this project.
Matthew Osborne
336-747-7453
matthewo@cityofws.org
9/8/20 3:10 PM
01.03) Rezoning-
Special Use District - 2

Fire/Life Safety County

General Issues

18. Requirements

[Forsyth County Fire Department](#) Need to see roadways, roadway widths, fire hydrant locations, entrances into the development, remoteness between same.
Anthony Stewart
336-703-2562
stewaraj@forsyth.cc
9/9/20 8:57 AM
01.03) Rezoning-
Special Use District - 2

Inspections

General Issues

24. Zoning

[City of Winston-Salem](#) -A grading plan will be required.
Jeff Hunter -Label lot dimensions and square footages per UDO standards for the zoning district.
336-727-2626 -Label the mail kiosk location.
jeffph@cityofws.org -Any signage requires additional permits.
9/14/20 4:15 PM
01.03) Rezoning-
Special Use District - 2

MapForsyth Addressing Team

General Issues

19. Addressing & Street Naming

[Forsyth County Government](#) Road names approve are Rumbling Lake Ln, Water Branch Dr, Glistening Stream Ct, Winding Brook Dr, Bass Alcove Ct and Bentridge Forest Dr is extend.
Gloria Alford
3367032337
alfordgd@forsyth.cc
9/9/20 1:56 PM
01.03) Rezoning-
Special Use District - 2

NCDOT

General Issues

23. NCDOT Comments

[NCDOT Division 9](#)
Victoria Kildea
336-747-7900
vrkildea@ncdot.gov
9/14/20 11:08 AM
01.03) Rezoning-
Special Use District - 2

- A subdivision review would be required if the interior roads in Forsyth County are slated to become state maintained. This review would be performed by the Division 9/District 2 Office.
- Driveway permit would be required through the NCDOT Division 7/District 2 Office. In addition, an encroachment agreement would be required for any utility ties within the right of way. Bobby Norris, PE is the District Engineer in Division 7.

Planning

General Issues

15. Historic Resources

[City of Winston-Salem](#) No comments
Heather Bratland
336-727-8000
heatherb@cityofws.org
9/8/20 8:10 AM
01.03) Rezoning-
Special Use District - 2

Lakeside Preliminary Site 2020-09-01.pdf [1 redline] (Page 2)

25. Text Box B

[City of Winston-Salem](#) All lots need dimensions and SF calculations.
Bryan Wilson
336-747-7042
bryandw@cityofws.org
9/16/20 8:05 AM
01.03) Rezoning-
Special Use District - 2

Utilities

General Issues

14. General Comment

[City of Winston-Salem](#) WS/FC public utilities are not currently available for this site.
Charles Jones
336-727-8000
charlesj@cityofws.org
9/4/20 6:36 AM
01.03) Rezoning-
Special Use District - 2

WSDOT

General Issues

22. General Comments

City of Winston-Salem

David Avalos

336-727-8000

davida@cityofws.org

9/10/20 1:54 PM

01.03) Rezoning-
Special Use District - 2

- Curb and gutter and sidewalk on one side is required on all interior streets.

Tarra Jolly

Subject: Mailing list for F-1597

From: Greg Garrett <braxtonreanddev@gmail.com>

Sent: Wednesday, September 30, 2020 6:03 PM

To: Gary Roberts <garyr@cityofws.org>

Cc: Beth A. Broom <bethb@cityofws.org>; Tarra Jolly <tarraj@cityofws.org>; Ronnie Parker Junior <ronnie@rsparkerhomes.com>; Ronnie Parker <ronniesr@rsparkerhomes.com>

Subject: [EXTERNAL] Re: Mailing list for F-1597

Good Afternoon! Thank you for sending your notification list. Over the past several weeks I have spent a lot of time out at the subject site and have had the opportunity to meet many of the neighbors to the proposed project. Normally, I would hold a neighborhood meeting to inform the neighbors and hear their concerns, but COVID has prevented me from conducting those meetings. Instead my outreach has consisted of the following:

1. Outdoor encounters on the nearby roads (Bentridge Forest Drive and Van Hoy Road) and word of mouth contact and passing along my information.
2. One on One Meetings with concerned neighbors.
3. Phone calls and or voicemails to every adjoining property owner that I did not have contact with in the previous two methods.

I feel that for the most part the neighborhood is accepting of the change that will take place with the proposed rezoning and future development and are comforted by the following: 1. Additional infrastructure to the area, specifically public water and high speed internet. 2. The proposed home values for the proposed project. And 3. Entrance on Happy Hill Road. There were a few concerns about lot sizes and traffic but generally the RS-40 seems to be readily accepted.

Please let me know if you have any questions or concerns about my outreach to the community. I believe it to be thorough and effective and would be surprised if there was much opposition to the rezoning after my efforts to be a good neighbor.

Sincerely,

Greg Garrett
(336) 399-7197

On Wed, Sep 30, 2020 at 2:17 PM Gary Roberts <garyr@cityofws.org> wrote:

Beth or Tarra,
Would you please send the mailing list to Greg at the address above?
Thank you,
Gary

City of Winston-Salem
ONE TEAM
Committed to Excellence

All e-mails including attachments sent to and from this address are subject to being released to the media and the public in accordance with the North Carolina Public Records Law.

Tarra Jolly

Subject: FW: Opposition to F-1597

From: CHRISTINE RYALS <bluedeuilduke@msn.com>

Sent: Wednesday, September 30, 2020 3:39 PM

To: Gary Roberts <garyr@cityofws.org>

Cc: CHRISTINE RYALS <bluedeuilduke@msn.com>

Subject: [EXTERNAL] Case F-1597

Dear Gary,

Thanks so much for taking the time to speak with us addressing some of the concerns we have with the proposed development.

There is always going to be change, it's inevitable. We are respectfully requesting additional thought be put into this project before a final approval is given.

I've taken the time to compose a single list of concerns from the neighbors as suggested for you to share with the committee. I will also share with Guilford County, Stokesdale and Greg Garrett. There are only 3 items on the list for consideration.

*Lot size – this is a rural area. By definition of rural, lot sizes are larger than in subdivisions. Look at the lot sizes of homes at the crossroads of Happy Hill, Benefit Church, Goodwill Church some of the roads closest to this location. We believe Forsyth County should not allow the additional reduction in any lot size as requested from 150' to 100'. Keep it as it is written to stay 150' min.

*Traffic – it appears more of the traffic will be using Van Hoy Road to BentRidge Forrest vs. Happy Hill.

- What additional steps are being put into place to accommodate this additional traffic? Consider 75 homes perhaps 2 drivers per home possibly?
- There is a working cattle farm on Van Hoy Road with horses, bulls, cows etc. This farm "Little Hats Ranch" does a lot of good work for disabled children. Many events are held at the farm, some of which will include horses walking in the streets. This farm was purchased and set up strictly because of the rural area location. Has been in place for many years. Is it possible to consider several speed bumps on Van Hoy to ensure safety for all? Posting a reduced speed limit will not guarantee slower traffic. If speed bumps are in place, this might direct more traffic to use the Happy Hill Road entrance.

*Water – the notice says "each" home will have their own well.

- Has there been any study to show how much water there is on this development site?
- Is there enough to satisfy all these homes?
- Are there varying pockets of water to try to guide each building site on which pocket they should drill to and use to avoid any well going dry? Example: some 475' deep others 625' deep
- What recourse do we have if our wells start to dry up?
 - We can't assume there will always be a solid supply of water. We don't know how many people will be in each home or their particular usage.
 - During drought times, the water pressure is less as it is now
 - Belews water level has drop several feet during a drought allowing us to walk around the lake "IN" the lake!

The neighbors are not against change or the subdivision. Two of the three concerns we have offered solutions for which is a win for both sides if given consideration by the committee for further exploration.

Please let me know if you have any questions.

Again, thank you for your time.

Christine Ryals
336-314-7248 (mobile)

"The Key to Your Future"

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F1597(S)
LEIGHT E M
5017 KNOB VIEW TRL
WINSTON SALEM NC27104

F1597(N)
FAGG VIVIAN
8756 VAN HOY RD
KERNERSVILLE NC27284

F1597(N)
NEEDHAM LINDA NICKS
NEEDHAM SCOTT MILES
PO BOX 4
PILOT MOUNTAIN NC27041

F1597(N)
REYNOLDS JERRY D
REYNOLDS JOANN ANN
PO BOX 42
PLEASANT GARDEN NC27313

F1597(N)
WAITE NELSON R
WAITE BARBARA O
8784 VAN HOY RD
KERNERSVILLE NC27284

F1597(N)
DEVEREAUX AMY J
DEVEREAUX MARK D
3800 FIRESTONE RD
KERNERSVILLE NC27284

F1597(N)
HALE JOY T
8787 VAN HOY RD
KERNERSVILLE NC27284

F1597(N)
NORMAN BILL F
NORMAN LAURA A
8769 VAN HOY RD
KERNERSVILLE NC27284

F1597(N)
REYNOLDS WILLIAM DONAVON
PO BOX 42
PLEASANT GARDEN NC27313

F1597(N)
DUKE POWER CO
422 S CHURCH ST
CHARLOTTE NC28202

F1597(N)
MURRAY DOUGLAS C
MURRAY MAUREEN DEMAREST
3505 GRAMERCY RD
GREENSBORO NC27410

F1597(N)
R&E PIERCE FAMILY LLC
3800 FIRESTONE RD
KERNERSVILLE NC27284

F1597(N)
RYALS CHRISTINE E
8788 VAN HOY RD
KERNERSVILLE NC27284

F1597(N)
DUKE POWER CO TAX DEPT-PB05B
422 S CHURCH ST
CHARLOTTENC28242

F1597(N)
LULA MAE MARTIN HEIRS
PO BOX 37913
JACKSONVILLEFL32236

F1597(N)
MERCADO, PAULISHA YVETTE
5203 WEEPING CHERRY DR
BROWNS SUMMITNC27214

F1597(N)
MEYLOR, ADAM D
205 N CHERRY ST
KERNERSVILLENC27284

F1597(N)
MITCHCO INC
1111 S MARASHALL ST UJIT 172
WINSTON SALEMNC27101

F1597(N)
MITCHELL, LESLIE R
7024 SMOKERISE LN
KERNERSVILLENC27284

F1597(N)
MITCHELL, LESLIE R
1 PARK VISTA LN STE 210
WINSTON SALEMNC27101

F1597(N)
PENTZ, JOHN M;PENTZ, MARY
5698 WOLF RIDGE CT
OAK RIDGENC27310

F1597(N)
SAVOY, SAMUEL DAVID;SAVOY, STEPHANIE
PALMISANO
7513 BENTRIDGE FOREST DR
KERNERSVILLENC27284

F1597(N)
SCHMID, LEEANNE MARIE;SCHMID,
WILLIAM BRIAN
7512 BENTRIDGE FOREST DR
KERNERSVILLENC27284

F1597(N)
STAUFFER, AMANDA
7577 HAPPY HILL RD
KERNERSVILLENC27284

F1597(N)
WATKINS, DARRELL L;MOORE, DEBRA J
7575 HAPPY HILL RD
KERNERSVILLENC27284

F1597(N)
WESTALL, ROBERT T;WESTALL, MELISSA T
3308 MILL SPRING CT
GREENSBORONC27410

(For publication in the WS Journal Legal Section on
November 20 & 27, 2020)

NOTICE OF PUBLIC HEARING

NOTICE is hereby given that the Board of Commissioners will hold a public hearing on Thursday, December 3, 2020. The public hearing will be conducted remotely, as allowed by the Board's Remote Participation Policy during this state of emergency.

1. Public Hearing on zoning petition of E.M. Leight Heirs from AG to RS40-S (Residential Building, Single Family and Planned Residential Development): property is located on the east side of Belews Lake and north of Van Hoy Road; property consists of ± 97.01 acres and is a portion of PIN 6990-30-1268 as shown on the Forsyth County Tax maps and on a site plan on file in the office of the City-County Planning Board (Zoning Docket F-1597)

There will be no meeting place where members of the public can be physically present. The Meeting will be broadcast live at 2:00 p.m. on local cable channel WSTV 13-The Government Channel, http://winston-salem.granicus.com/MediaPlayer.php?publish_id=29 and <https://vimeo.com/forsythcountync>.

All persons interested in the proposed amendments are invited by the Board of Commissioners to present their views. If you wish to submit a written comment, please email to sloopam@forsyth.cc by Friday, December 4, 2020.

FORSYTH COUNTY BOARD OF COMMISSIONERS
Ashleigh M. Sloop, Clerk to the Board

Case #F-1597 Forsyth County

Members, I am writing to each of you to request you make the time to look at all areas of this proposed development. There is much to consider not only what will happen to the existing area/families/ranches but also because it crosses county lines.

People choose to live in a "rural" area for many reasons, larger lots, peace/quiet, views of wildlife and a different life style than living in the city. We are accustomed to gravel roads, wells, no trash pick-up in some places, no DSL cable, no gas lines, and much more.

This proposed development is squeezing homes in smaller lots, not keeping with similar home lots in the area. This could be because of the last two zonings allowing smaller lots with other developments. Why won't the counties require larger lot sizes in rural areas attempting to be developed to keep in more in line with what is there? Or why is it Guilford County lot sizes will be larger than Forsyth for the same subdivision? Shouldn't the same subdivision have similar lot sizes?

When I first moved to this area, there wasn't a shopping center at Hwy 68 and Hwy 150. Then a few years later another shopping center popped up at Hwy 68 and Haw River. Then the large lots with large homes on Haw River. In recent years Van Hoy Road was paved and so was Benefit Church which changes to Happy Hill Road at the crossroad with Van Hoy. Lots of changes. My only option for shopping back then was Bi-Rite in Stokesdale or driving to Kernersville.

It doesn't appear either county is talking with each other about the development and the various impacts. For example: most of the traffic will be using BentRidge Forest vs. Happy Hill Road. Are you aware there is a ranch, Little Hats Ranch, on Van Hoy Road? Been there for years, has to be located in a rural area. This ranch predominately services disabled children across NC, VA. Providing them opportunities to ride horses, pet cows, attend a live rodeo with bulls, cows, cowboys etc. To continue to do this good deed, the owners hold fundraisers which will have horse trailers galore, horses walking in the roads, walking through trails set up etc. This proposed development will cause huge issues.

I have put on the table an idea of possibly adding speed bumps to Van Hoy Road. It is my belief people do not like speed bumps and will then use the entrance from Happy Hill Road. Most of the homes for this development are in Forsyth, yet Guilford County will deal with the traffic coming from BentRidge Forest. A road which currently doesn't

have any markings for lanes, edge of road and now this additional traffic. Plus what is the weight limit for this road and all the traffic it will sustain when development starts bringing in heavy equipment and building materials? I am guessing 150+ cars each morning once the development is finished if figuring 2 people per household minimum. What is Guilford County planning to do about the traffic? Why is it or how is it Forsyth County will make a decision and just leave it for whatever to happen will happen without working through all the issues before making an approval? Seems backwards to me.

I have learned there will not be separate wells for each lot as on the original plan received and that all water will be public coming from Hwy 158 – this includes the homes that will be in Forsyth County. Glad to hear this as some of us were wondering just how much water is beneath the ground and is enough to provide water to so many homes. Some of the homes on Van Hoy have seen a drop in water pressure since BentRidge Forest was built.

My request is you give this entire development sincere consideration in all areas before providing a final approval.

Your consideration and taking the time to read this message is a great first step for which I am grateful.

Respectfully,

Christine Ryals
8788 Van Hoy Road
Kernersville, NC 27284
336-314-7248
bluedevilduke@msn.com

Case #F1597

Today, I am respectfully requesting you make the time to read this in its entirety. As a taxpayer and resident of Forsyth County, I am taking the time to share with you. Knowing each of us is different in our own way, this will include several different viewpoints with which to consider before making a ruling on the above case number.

Rural – by definition is comprised of open country, less density than an urban area. In addition to this Rural is a type of life style. Some of the amenities shared by urban subdivisions are not available in rural areas. The taxpayers who choose to live in a rural area, are ok with the differences.

Examples (only a few):

- No street lights. When the sun goes down, it's dark
- More relaxing, peace and quiet, not a lot of traffic, distance between neighbors
- Traveling a little longer to shops, drug stores, restaurants
- No DSL cable
- Some without garbage pickup and needing to hire their own or acquire a dumpster.
- Gravel Roads
- Wells and septic systems

Those of us who have spent our money to live in a rural area should be allowed to continue this life style and hope our elected officials agree. We shouldn't feel the need to sell to move to another rural area where this has the potential of happening again. Making your decision to keep the area similar is within your power to grant. I personally have been here over 20 years, my neighbors double the amount of time.

Change is inevitable. The right kind of change decision lies within each member. The density of this development is one concern. Rezoning from AG to residential is a no brainer. The lot size is something you should give consideration to. Staying with what is rural in my opinion is another no brainer. The lots should be 1.8 acres or larger to stay with the countryside that is in place!

My common sense is struggling to understand any agreement for the smaller lots when those of us kissing this subdivision are prohibited from no more than 3 cuts less than "10 acres". We are on a private road. The ruling doesn't designate differing lengths of a private road, all private roads fit into this little package. Only 3 cuts less than 10 acres which can be any size. For example: Van Hoy Road divides my property and I am unable to have this become 2 lots using the road as a boundary for each, 8 acres one side and 2.5 acres the other side because of this ruling. If this development is approved as is, I will have two neighbors side by side next to my home. I won't go into more about this as I wish to stay on track with the proposed subdivision.

Another concern is wells on "each" of these lots as the proposed plan states. Has a study been done to determine how much water there is below ground and is there enough to service all of these homes? My next question is will they also be using the same pockets of water those of us

currently living here are using? What happens when the wells run dry? Those of us on a private road do not have many other options other than to dig another well? At our cost? How long would this take? How long will we be without any water? What if we don't have that kind of money? Lots of questions.

Think about this, the new BentRidge subdivision is also using individual wells. Some existing homes on Van Hoy Road are already experiencing a decrease in water pressure and they still have available lots to build.

I received via email from both Gary Roberts – Project Planner with Forsyth County and Greg Garrett – Developer, there were not going to be wells. They were going to get public water from Stokesdale, piping it into the subdivision from Hwy 158. I spoke with the Mayor, John Flynt of Stokesdale. Was curious if Stokesdale would supply water to residents in Forsyth County. The answer is yes they would if asked. He is aware of this development yet “no one” has contacted Stokesdale about supplying the water. I have since gone back to Greg Garrett, the developer, relaying this information and as of the date I am typing this letter, he hasn't responded.

Doesn't this concern you? Gary Roberts repeated what the builder told him. I have repeated to neighbors what Greg Garrett mentioned in writing and at the virtual hearing. Yet after both of these I followed up with Mayor John Flynt in Stokesdale to learn something entirely different. So I ask you, how can you approve this many homes, using well water and not have a study done to determine is there enough water to supply all the homes including existing homes? Or at a minimum what to do to help existing residents should their well run dry due to extra demand.

I've been making the time to study community septic systems and the unknown concerns me. I've seen pictures of numbered pipes in the ground, side by side others, turning here and there and running long distances to the pond area. Keep in mind this development encompasses over 100 acres of land. IF there is an issue with a single numbered pipe, how long will it be before an issue is known? Once aware of an issue, how long will it take to identify where along the running of the pipe is the root of the issue? How long will it take to correct? What amount of time does it take to contaminate drinking water which will be below these pipes? What amount of time does it take to contaminate the lake water people use for recreational purposes? There is a lot more I need to learn about this. Do you know? In business I was always one to be proactive and not reactive.

In my opinion, one of the most important issues to consider when looking at this development are the current residents. Especially Little Hats Ranch which is on Van Hoy Road on the Guilford County side. This ranch was set up in a rural area, not a lot of traffic wide open spaces for a reason. It's a necessity for its survival. This ranch does a tremendous amount of work for disabled children. It is a working ranch with horses, cows and yes bulls! Servicing North Carolina and the surrounding states. Where else can children with disabilities go and experience the same thing? I'll save you the time, nowhere that I am aware of. In addition to the good work this ranch does for these children, they also host fundraisers and gatherings for people who love riding horses. It's not uncommon during these events to have horses in the street walking to the trails during the event. These events and the added traffic due to this development do not mix. Another reason to consider increasing the lot size to reduce the

amount of traffic. I've proposed adding speed bumps as a possible compromise for both parties. Thinking speed bumps might deter future residents from using the entrance/exit on Van Hoy Road through the BentRidge area and instead use the entrance/exit on Happy Hill Road.

This too I am studying and asking tons of questions. Doesn't appear this will happen unless the proposed subdivision will maintain the road. Still waiting on a final answer from Mr. Norris with Guilford County DOT 336-487-0100. Something else to consider is this road was gravel until a few years ago. Still a rural country road, no signage, no line markings, no lighting and was it built to maintain this amount of traffic or heavy equipment needed to build the development?

This development encompasses 3 territories. Forsyth County, Oak Ridge and Stokesdale. Back to my common sense, I don't understand how a decision can be made by either without conversing with one another and knowing the project as a "whole" vs. a piece? Isn't the smart thing to know the whole so the decision can be made?

I thank Don Martin for taking the time to call me a few times with updates about this development. Others of you I haven't heard from and must say I am disappointed. I realize everyone is busy and some with more than they can handle on their plates. This doesn't mean your due diligence as an elected official representing the taxpayers already in the area, allows for a quick answer without taking the time to do your homework first.

Will leave you with these:

"Wisely and slow; they stumble that run fast" -William Shakespeare

"People forget how fast you did a job – but they remember how well you did it" -Howard Newton

Please give this development thought. It will happen of that there is no doubt. How it will happen and under what guidelines is for you to decide. Don't allow this to be a good ole' boys' decision (including females). Study the area, all the facts mentioned above, delve into the issues to find the truth, make plans which will please both sides and is best for Forsyth County. This can be done, the only question is if you choose to accept the challenge and do it.

Thank you for taking the time to read in its entirety.

Respectfully,

Christine Ryals
8788 Van Hoy Road
Kernersville, NC 27284

Case #F1597

Yesterday as I was driving to the post office to mail the letters already prepared another possible solution took root in my mind. Upon arriving at home to verify, it's a definite possibility.

Currently BentRidge Forest is a "dead end" road, no thru traffic. I am proposing to keep it as it is.

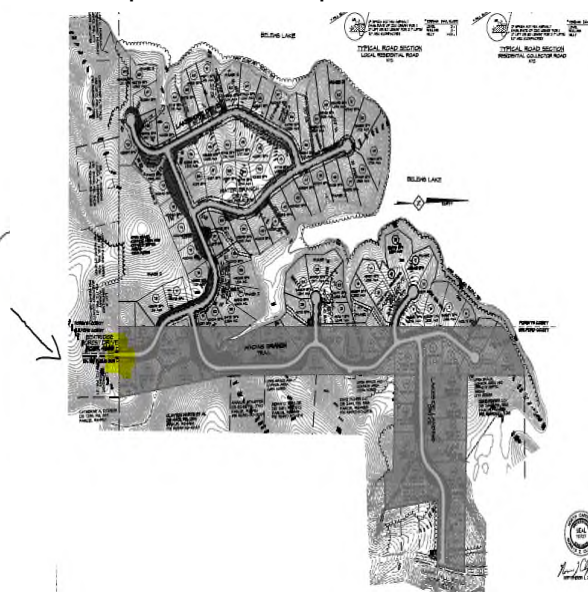
The proposed development instead of continuing the road, would also make their road a "dead end" road, with no thru traffic.

This solution clearly directs all traffic to use the entrance/exit on Happy Hill Road.

Bentridge Forest



Proposed Development



Think about it – this is the "best" solution all the way around. Surely the developer can either put up a dead end sign, or save 2-3 feet of road making it a natural area of some kind.

Doesn't cost the developer any additional money. Doesn't increase traffic on Van Hoy thus adversely affecting Little Hats Ranch. The new owners who choose to live in the subdivision will not be any the wiser or inconvenienced in any way.

They might need to change the proposed name of the street to something different yet this isn't unusual. Are you aware, Happy Hill Road changes to Benefit Church Road at the Van Hoy Road intersection? It's one continuous road, with 2 names. This thought/change is more than doable.

We are trusting our elected officials will give this entire project its due consideration before voting.

Thank you.

Christine Ryals