

**June 27, 2019**

**Item #** <sup>1A - 1D</sup> \_\_\_\_\_

**ZONING MAP AMENDMENT**

**F-1582**

**FORSYTHCOUNTY**  
**BOARD OF COMMISSIONERS**

**BRIEFING**  
**DRAFT**

**MEETING DATE:** June 27, 2019

**AGENDA ITEM NUMBER:** 1A - 1D

**SUBJECT:-**

- A. Public Hearing on Zoning Petition of Gerald Byerly and William Byerly from RS9 to GB-L (Storage Services, Retail): Property is Located on the Southeast Side of Ebert Road, North of Evans Road (Zoning Docket F-1582)
- B. Ordinance Amending the Forsyth County Zoning Ordinance and Official Zoning Map of the County of Forsyth, N.C.
- C. Approval of Special Use District Permit
- D. Approval of Site Plan

**COUNTYMANAGER'S RECOMMENDATION OR COMMENTS:-**

**SUMMARY OF INFORMATION:-**

See attached staff report.

After consideration, the Planning Board unanimously recommended denial of the special use district - no site plan request.

**ATTACHMENTS:-**      X   YES            NO

**SIGNATURE:** \_\_\_\_\_  
County Manager

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

COUNTY ORDINANCE - SPECIAL USE

Zoning Petition of Gerald Byerly and William Byerly, Docket F-1582

AN ORDINANCE AMENDING  
THE FORSYTH COUNTY  
ZONING ORDINANCE AND THE  
OFFICIAL ZONING MAP OF  
THE COUNTY OF FORSYTH,  
NORTH CAROLINA

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BE IT ORDAINED by the Board of County Commissioners of the County of Forsyth as follows:

Section 1. The Zoning Ordinance of the *Unified Development Ordinances* of the County of Forsyth, North Carolina, and the Official Zoning Map of the County of Forsyth, North Carolina, are hereby amended by changing from RS9 to GB-S (Storage Services, Retail) the zoning classification of the following described property:

Beginning at an existing iron pin located at the northern corner of PIN # 6812-69-6922.00 and in the eastern right of way of Ebert Road (SR 2902) and having NAD83/2011 grid coordinates Northing 830295.156 and Easting 1616830.111. Said iron being the point and place of beginning of this description of a proposed lot of a portion of PIN # 6812-69-6922.00 as defined by the Forsyth county tax accessor's office. Said iron being S 42-08-20 W, 106.93' from an existing iron pin, the northwest corner of PIN # 6813-70-0005.00. Thence from said point of beginning S 00-16-28 W, 418.87' to an existing iron pin having NAD83/2011 coordinates Northing 829870.417 Easting 1616824.267, thence N 89-54-10 w, 377.74' to an existing iron pin in the right of way of Ebert Road, having NAD83/2011 coordinates Northing 829871.058 Easting 1616446.531, thence along the right of way of Ebert Road N42-14-20 E, 564.90' to the point and place of beginning. Containing 1.82 acres and being a portion of Pin# 6812-69-6922.00

Section 2. This Ordinance is adopted after approval of the site plan entitled Big Bargain Storage, and identified as Attachment A of the Special Use District Permit issued by the Forsyth County Board of Commissioners the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ to Gerald Byerly and William Byerly.

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 Big Bargain Storage. Said Special Use District Permit and site plan with associated documents are attached hereto and incorporated herein.

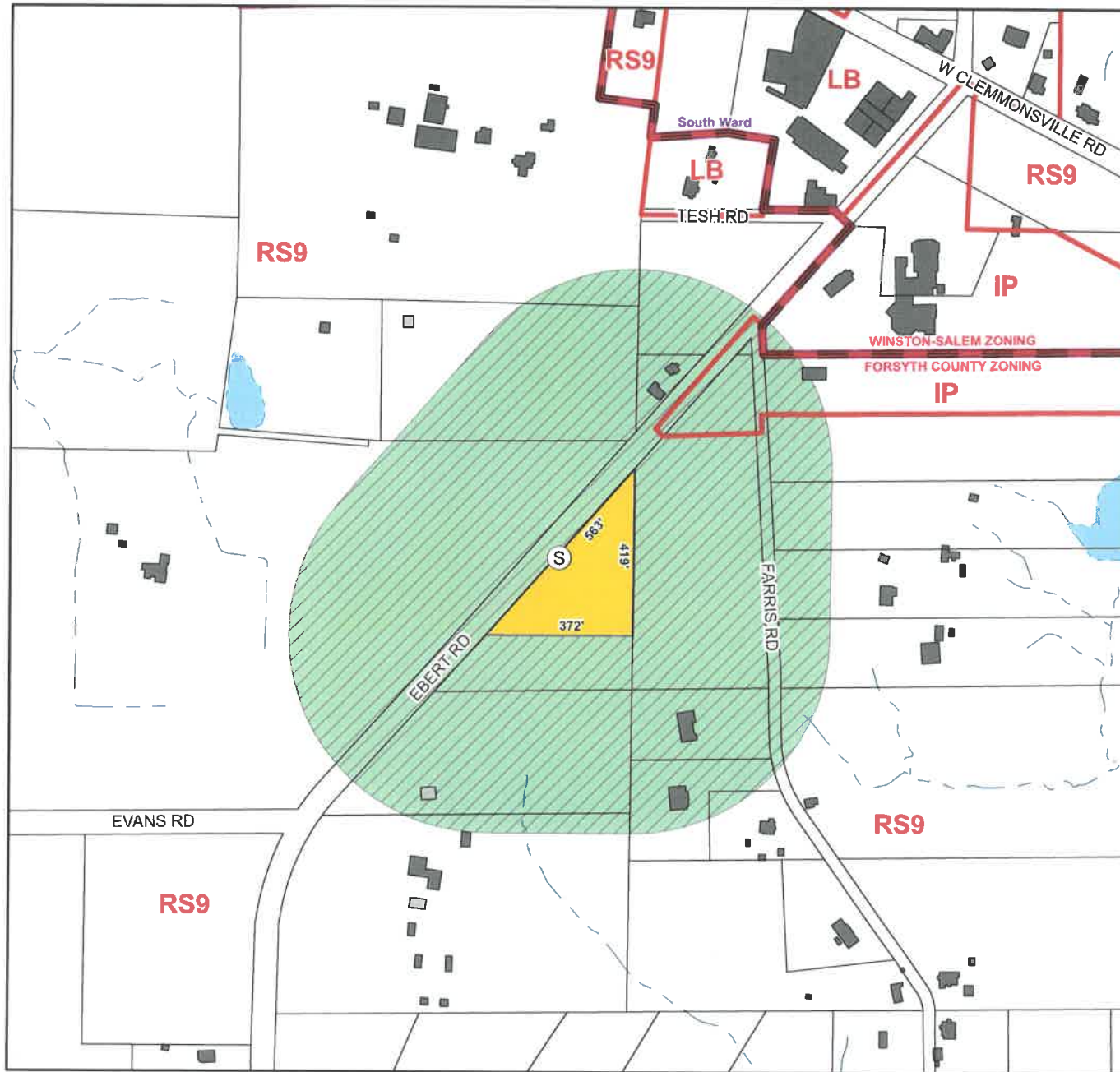
Section 4. This Ordinance shall be effective from and after its adoption.

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 Gerald Byerly and William Byerly (Zoning Docket F-1582). 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 GB-S (Storage Services, Retail), 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 GB-S zoning district of the Zoning Ordinance of the *Unified Development Ordinances* of the County Code, the Erosion Control Ordinance, and other applicable laws.


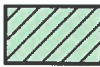


**DOCKET #:** F1582  
 (Continued from 4/11/2019)

**PROPOSED ZONING:**  
 GB-S

**EXISTING ZONING:**  
 RS9

**PETITIONER:**  
 Gerald Byerly and William Byerly

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

**SCALE:** 1" represents 400'

**STAFF:** Corley

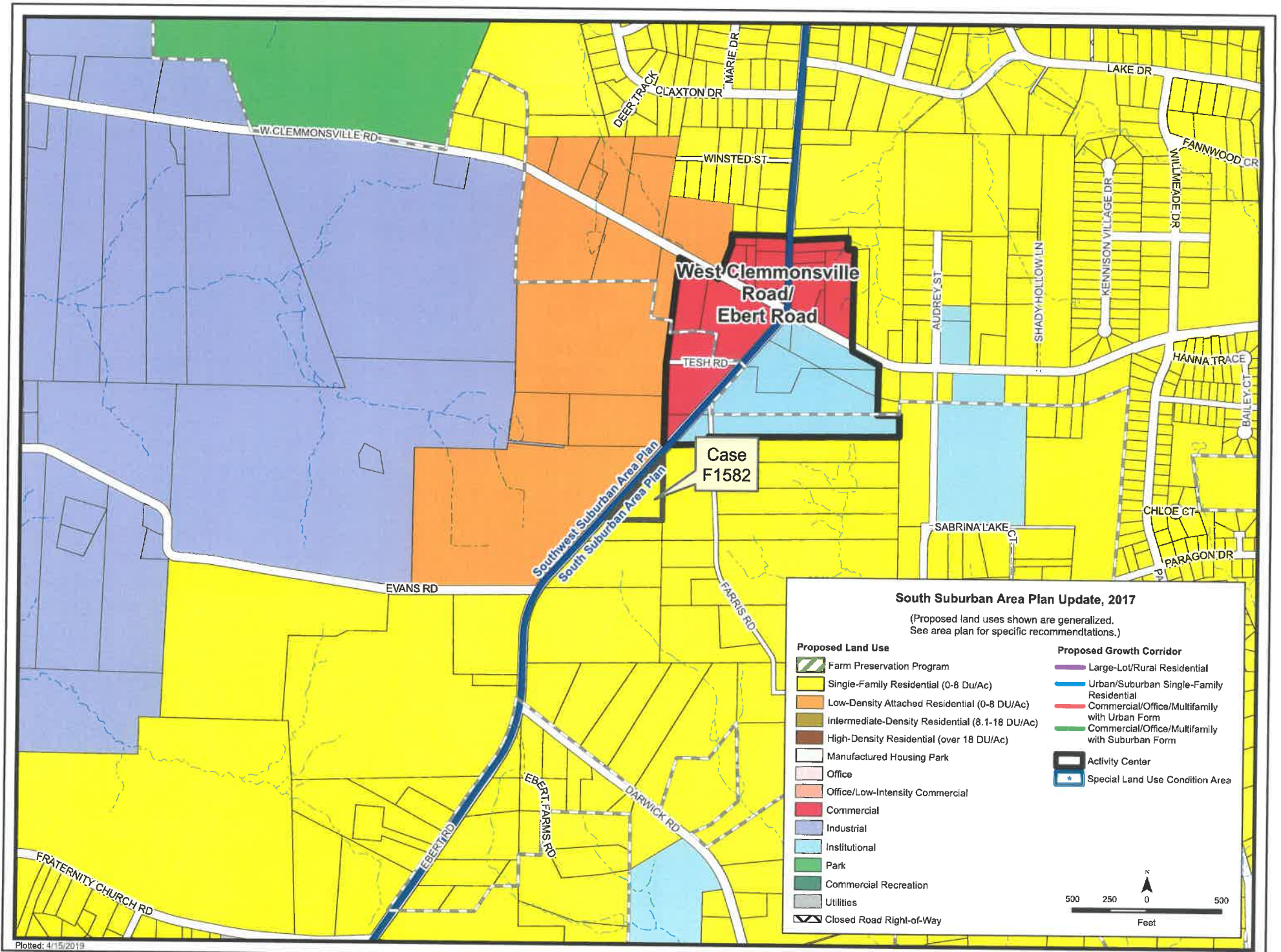
**GMA:** 3

**ACRES:** 1.82

**NEAREST BLDG:** 178' north

**MAP(S):** 6812.02, 6813.04











May 24, 2019

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](http://www.cityofws.org/planning)

Gerald and William Byerly  
1672 Buffalo Road  
Sandy Ridge, NC 27046

Re: Zoning Petition F-1582

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 Clerk to 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,  
5<sup>th</sup> Floor, 201 N. Chestnut Street, Winston-Salem, NC 27101  
Tyler and Todd Leinbach, 6130 Stadium Drive, Clemmons, NC 27012  
Christopher Plemmons, 4381 Farris Road, Winston-Salem, NC 27127  
Jorge M. Abrego, 4340 Farris Road, Winston-Salem, NC 27127

**CityLink311**  
Call 311 or 336-727-8000  
[citylink@cityofws.org](mailto:citylink@cityofws.org)

**City Council:** Mayor Allen Joines; Vivian H. Burke, Mayor Pro Tempore, Northeast Ward; Denise D. Adams, North Ward; Dan Besse, Southwest Ward; Robert C. Clark, West Ward; John C. Larson, South Ward; Jeff MacIntosh, Northwest Ward; Annette Scipio, 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. Linnville; Tonya McDaniel; Gloria D. Whisenhunt; Manager: Dudley Watts, Jr.

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

County

**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 public hearing in the Public Meeting Room on the fifth floor of the Bryce Stuart Municipal Building, 100 East First Street, Winston-Salem, North Carolina, at 4:30 P.M. on May 9, 2019 on the following rezoning and related matters:

1. Zoning petition of Gerald Byerly and William Byerly from RS9 to GB-S (Storage Services, Retail): property is located on the southeast side of Ebert Road, north of Evans Road; property consists of ±1.82 acres and is a portion of PIN# 6812-69-6922 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-1582). Continued from the April 11, 2019 Planning Board meeting.
  
2. Zoning petition of Rodney Longworth from AG to LI-S (Arts & Crafts Studio; Building Material Supply; Wholesale Trade A; Wholesale Trade B; Banking & Financial Services; Building Contractors, General; Offices; Services A; Services B; Storage Services, Retail; Testing & Research Laboratory; Warehousing; Recreation Services, Public; Adult Day Care Center; Child Care, Drop-In; Child Care, Sick Children; Child Day Care Center; College or University; Hospital or Health Center; Police or Fire Station; Government Offices, Neighborhood Organization, or Post Office; Postal Processing Facility; Schools, Vocational or Professional; Manufacturing A; Manufacturing B; Helistop; Park and Shuttle Lot; Parking, Commercial; Transmission Tower): property is located west of Millennium Drive, north of Cumbie Road; property consists of ±2.99 acres and is PIN# 6864-42-8429 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-1585).

**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. inside the Public Meeting Room.

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 Director of Planning and Development Services at (336) 747-7061.

BY DIRECTION OF THE CITY-COUNTY PLANNING BOARD

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Aaron King  
Director of Planning and Development Services

Please publish once in the JOURNAL on **Thursday**, April 25, 2019.

**BOLD HEADING-** Single Column

Please submit one (1) copy of the affidavit of publication and your charges to the City-County Planning Board.

**CITY-COUNTY PLANNING BOARD  
STAFF REPORT**

<b>PETITION INFORMATION</b>	
<b>Docket #</b>	F-1582
<b>Staff</b>	<a href="#">Desmond Corley</a>
<b>Petitioner(s)</b>	Gerald Byerly and William Byerly
<b>Owner(s)</b>	Same
<b>Subject Property</b>	Portion of PIN 6812-69-6922
<b>Address</b>	None (undeveloped)
<b>Type of Request</b>	Special Use rezoning from RS9 to GB-S
<b>Proposal</b>	<p>The petitioner is requesting to amend the Official Zoning Map for the subject property <b>from</b> RS9 (Residential, Single Family – 9,000 sf minimum lot size) <b>to</b> GB-S (General Business – Special Use). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> <li>• Storage Services, Retail</li> </ul> <p><b>NOTE:</b> General, Special Use Limited, and Special Use district zoning were discussed with the petitioner(s), who decided to pursue the rezoning as presented.</p>
<b>Continuance History</b>	<p>The petitioner originally requested a Special Use Limited rezoning of the subject property (from RS9 to GB-L). That request was heard by the City-County Planning Board in November 2018. Staff recommended denial of the request, and the Planning Board voted to recommend that the Forsyth County Board of Commissioners deny the request. At its meeting in December 2018, the Board of Commissioners voted to remand the request back to the Planning Board so the petitioners could submit a site plan (Special Use request). The current request was continued from the April 2019 meeting to allow the petitioners to comply with site plan requirements in the UDO and other applicable regulations.</p>
<b>Neighborhood Contact/Meeting</b>	<p>The petitioner held neighborhood meetings when the request was first heard by the City-County Planning Board and the Forsyth County Board of Commissioners.</p>
<b>Zoning District Purpose Statement</b>	<p>The GB District is primarily intended to accommodate a wide range of retail, service, and office uses located along thoroughfares in areas which have developed with minimal front setbacks. However, the district is not intended to encourage or accommodate strip commercial development. The district would accommodate destination retail and service uses, characterized by either a larger single business use or the consolidation of numerous uses in a building or planned development, with consolidated access. This district is intended for application in GMAs 1, 2 and 3 and Metro Activity Centers.</p>

<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)</b>	<b>(R)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</b>		
	No. While the subject property is located along a major thoroughfare, the residential area in which it is situated has developed with significant setbacks and is not recommended to become a destination retail or service location. The request may also promote continued commercial development southward from the intersection of Ebert Road and West Clemmonsville Road.		
<b>GENERAL SITE INFORMATION</b>			
<b>Location</b>	Southeast side of Ebert Road, north of Evans Road		
<b>Jurisdiction</b>	Forsyth County		
<b>Site Acreage</b>	± 1.82 acres		
<b>Current Land Use</b>	The site is currently undeveloped.		
<b>Surrounding Property Zoning and Use</b>	<b>Direction</b>	<b>Zoning District</b>	<b>Use</b>
	North	RS9	Undeveloped property and a nonconforming motor vehicle repair business
	East	RS9	Undeveloped property
	South	RS9	Undeveloped property and single-family homes
	West	RS9	Largely undeveloped property with a single-family home
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)</b>	<b>(R)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?</b>		
	No. While storage services do not generate high volumes of traffic, they are typically not visually compatible with single-family homes. Specifically, the proposed gravel lot with containers placed along the street is not visually or functionally compatible with surrounding low-density residential uses.		
<b>Physical Characteristics</b>	The undeveloped site is partially wooded and gradually slopes downward to the east.		
<b>Proximity to Water and Sewer</b>	The 30-inch sewer line within the Ebert Road right-of-way is a force main and cannot be accessed. There is also no public water service available to the site.		
<b>Stormwater/ Drainage</b>	No known issues.		
<b>Watershed and Overlay Districts</b>	The site is not located within a water supply watershed nor any overlay zoning districts.		
<b>Analysis of General Site Information</b>	The undeveloped site has no significant physical constraints but has limited access to public water and sewer service.		

RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-3299	LB to GB-L	Approved 8/1/2016	1,400 feet north	.70	Denial	Approval
SITE ACCESS AND TRANSPORTATION INFORMATION						
Street Name	Classification	Frontage	Average Daily Trip Count	Capacity at Level of Service D		
Ebert Road	Major Thoroughfare	565 feet	4,000	13,800		
<b>Proposed Access Point(s)</b>	The site has two proposed (full) access points onto Ebert Road, approximately 215 feet apart.					
<b>Planned Road Improvements</b>	The <i>Comprehensive Transportation Plan</i> recommends a three-lane cross section for this stretch of Ebert Road with wide outside lanes, curb and gutter, and sidewalks. These conditions do not currently exist, and the applicant has not proposed any improvements.					
<b>Trip Generation - Existing/Proposed</b>	<p><u>Existing Zoning: RS9</u> 1.82 acres x 43,560 square feet (per acre) / 9,000 square feet (per lot) = 8 lots x 9.57 (Single-family detached housing trip rate) = <b>77 trips per day</b></p> <p><u>Proposed Zoning: GB-S</u> 14,080 square feet (storage area) / 1,000 square feet x 2.5 (Mini-warehouse trip rate) = <b>36 trips per day</b></p>					
<b>Sidewalks</b>	There are no sidewalks in the general area, but the <i>Comprehensive Transportation Plan</i> recommends sidewalks along Ebert Road at this location.					
<b>Analysis of Site Access and Transportation Information</b>	<p>The site is located along a major thoroughfare with extra capacity and proposes a dual access onto said thoroughfare. The estimated trip generation for the proposed use is less than would be expected with development consistent with the existing zoning.</p> <p>The petitioner has addressed staff concerns regarding vehicle stacking and emergency vehicle turnarounds.</p>					
CONFORMITY TO PLANS AND PLANNING ISSUES						
<b>Legacy 2030 Growth Management Area</b>	Growth Management Area 3 – Suburban Neighborhoods					
<b>Relevant Legacy 2030 Recommendations</b>	<ul style="list-style-type: none"> <li>• New commercial rezonings can hurt older commercial areas.</li> <li>• Increase density at activity centers and growth corridors at planned locations.</li> </ul>					
<b>Relevant Area Plan(s)</b>	<i>South Suburban Area Plan Update (2017)</i>					
<b>Area Plan</b>	<ul style="list-style-type: none"> <li>• The subject property is recommended for single-family residential</li> </ul>					

<b>Recommendations</b>	<p>use.</p> <ul style="list-style-type: none"> <li>Commercial uses should be consolidated at existing commercial locations, in designated activity centers, and in certain Special Land Use Condition Areas.</li> <li>Commercial areas should not promote strip development.</li> </ul>
<b>Site Located Along Growth Corridor?</b>	The site is not located along a growth corridor.
<b>Site Located within Activity Center?</b>	The site is not located within an activity center.
<b>Other Applicable Plans and Planning Issues</b>	The County Attorney provided an analysis for spot zoning at the time of first submittal, concluding that approval of the request would not constitute illegal spot zoning (see attachment).
<b>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)</b>	<b>(R)(3) - Have changing conditions substantially affected the area in the petition?</b>
	No
	<b>(R)(4) - Is the requested action in conformance with <i>Legacy 2030</i>?</b>
<b>Analysis of Conformity to Plans and Planning Issues</b>	<p>No</p> <p>If approved, this request would rezone an undeveloped tract of land from RS9 to GB-S for traditional-style storage services in a suburban area between a commercial node to the north and institutional uses to the south.</p> <p>The <i>South Suburban Area Plan Update</i> recommends single-family residential use of the subject property. While the plan may also recommend redevelopment of the activity center to the north, it does not encourage the expansion of commercial uses down Ebert Road, instead recommending that such uses be concentrated around the intersection with West Clemmons Road. Similarly, <i>Legacy</i> recommends the consolidation of commercial uses at existing commercial locations and in designated activity centers. Staff sees no compelling reason to deviate from the plans and establish new commercial areas southward along Ebert Road.</p> <p>The request could also encourage future strip commercial development along this predominantly residential section of Ebert Road. Staff is further concerned that such a scenario could prove problematic for safe and convenient access to existing schools, as well as to the planned high school to the south.</p>

CONCLUSIONS TO ASSIST WITH RECOMMENDATION	
Positive Aspects of Proposal	Negative Aspects of Proposal
If approved, the site plan appears to meet the minimum requirements of the UDO.	The request is not consistent with the low-density residential land use recommendation of the area plan.
	The request would establish commercial zoning for a site which is surrounded by residential zoning.
	The request could discourage new investment and redevelopment of the nearby West Clemmons Road/Ebert Road Activity Center.
	The request may lead to additional strip commercial development along this portion of Ebert Road, which could have a detrimental, long-term transportation impact as it pertains to access to existing and future schools farther south.

**STAFF RECOMMENDATION: Denial**

**NOTE:** These are **staff comments** only; final recommendations on projects are made by the City-County Planning Board, with final decisions being made by the appropriate Elected Body, who may approve, deny, table or request modification for any project. **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.**



**F-1582**  
**USES ALLOWED IN THE EXISTING RS9 ZONING DISTRICT**  
**Forsyth County Jurisdiction Only**

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

Adult Day Care Home  
Agricultural Production, Crops  
Agricultural Production, Livestock  
Child Day Care, Small Home  
Church or Religious Institution, Neighborhood  
Family Group Home A  
Police or Fire Station  
Recreation Facility, Public  
Residential Building, Single Family  
Swimming Pool, Private  
Transmission Tower (see UDO)

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

Church or Religious Institution, Community  
Golf Course  
Library, Public  
Limited Campus Uses  
Planned Residential Development  
School, Private  
School, Public  
Utilities

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

Bed and Breakfast  
Child Day Care, Large Home  
Habilitation Facility A  
Manufactured Home, Class A  
Park and Shuttle Lot  
Transmission Tower

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

Access Easement, Private Off-Site<sup>5</sup>  
Parking, Off-Site, for Multifamily or Institutional Uses

<sup>5</sup>SUP not required if requirements of Section [B.2-5.2\(A\)](#) are met



# F-1582 big bargain storage #1



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

Phone: 336-747-7068

City of W-S Planning

clift bodenhamer  
d. clift bodenhamer jr  
po box 251  
bethania, NC 27010

Project Name: F-1582 big bargain storage #1  
Jurisdiction: City of Winston-Salem  
ProjectID: 264603

Wednesday, March 27, 2019

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 Wednesday the week before (8 days prior to) the Planning Board meeting.

## Open Issues: 14

### Erosion Control

#### General Issues

#### 10. Erosion Control Plan Needed

City of Winston-Salem  
Matthew Osborne  
336-747-7453  
matthewo@cityofws.org  
3/19/19 9:21 AM  
Interdepartmental  
Review

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/>

### Fire/Life Safety

#### SITEPLAN2000\_190311 Model (1).pdf [6 redlines] (Page 1)

#### 4. Cloud+ B

Forsyth County Fire  
Department  
Scott Routh  
336-703-2560  
[routhcs@forsyth.cc](mailto:routhcs@forsyth.cc)  
3/14/19 7:47 AM  
Interdepartmental  
Review

Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

#### 5. Cloud+ B

Forsyth County Fire  
Department  
Scott Routh  
336-703-2560  
[routhcs@forsyth.cc](mailto:routhcs@forsyth.cc)  
3/14/19 7:47 AM  
Interdepartmental  
Review

Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus.

### Fire/Life Safety County

#### General Issues

#### 7. Access

Forsyth County Fire  
Department  
Scott Routh  
336-703-2560  
[routhcs@forsyth.cc](mailto:routhcs@forsyth.cc)  
3/14/19 7:54 AM  
Interdepartmental  
Review

With the security fence there is several areas that the fire department will not have access to the structures within 150'

### SITEPLAN2000\_190311 Model (1).pdf [6 redlines] (Page 1)

#### 6. Text Box B

Forsyth County Fire  
Department  
Scott Routh  
336-703-2560  
[routhcs@forsyth.cc](mailto:routhcs@forsyth.cc)  
3/14/19 7:47 AM  
Interdepartmental  
Review

Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official. Exceptions: 1. For Group R-3 and Group U occupancies, the distance requirement shall be 600 feet (183 m). 2. For buildings equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement shall be 600 feet (183 m).

### Inspections

#### General Issues

#### 13. Zoning Use

City of Winston-Salem  
Jeff Hunter  
336-727-2626  
jeffph@cityofws.org  
3/22/19 9:46 AM  
Interdepartmental  
Review

-The parcel will need to be rezoned from the current RS-9 zoning district. If the site is rezoned to a Special Use district, a Special Use District Fee will apply.  
-A grading plan will be required, however, this site is within the Forsyth County jurisdiction and does not require a tree save area summary calculations table.  
-A standard site plan legend is recommended to be placed on the site plan.  
-If the parking spaces consist of gravel, anchored wheels stops will be required for each space.  
-A lighting plan is required per UDO-286 requirements.  
-A 5 foot pedestrian walkway to the ROW may be required if there is a principal designated building on this site.  
-Landscaping: For all landscaping requirements below, indicate the height, spacing and type of vegetation for each per UDO standards.  
    -A streetyard is required for all motor vehicle surface areas located within 100 feet of a street  
        right-of-way or vehicular right-of-way.  
    -MVSA – a large variety tree must be located within 75 feet of each parking space. Trees located  
        within the MVSA must be in a minimum planting area of 600 square feet.  
    -A Type III bufferyard is required adjacent to the residential zoning district.  
-Signage requires separate permits. A freestanding ground sign must be 1.5' out of the right-of-way and out of the 10' X 70' site triangle. Indicate these two dimensions on the site plan.

## MapForsyth Addressing Team

### General Issues

#### 3. Addressing & Street Naming

Forsyth County  
Government  
Gloria Alford  
3367032178  
alfordgd@forsyth.cc  
3/13/19 12:36 PM  
Interdepartmental  
Review

The assigned address is 4331 Ebert Rd.  
[Ver. 2] [Edited By Gloria Alford]

## NCDOT

### General Issues

#### 14. NCDOT Comments

NCDOT Division 9  
Victoria Kildea  
336-747-7900  
vrkildea@ncdot.gov  
3/25/19 4:18 PM  
Interdepartmental  
Review

- Show proposed 80' right-of-way per CPT
- NCDOT Driveway Permit required
- NCDOT Encroachment Agreement needed for any utility ties within right-of-way
- Provide enough room for vehicles to be off road while opening and closing gate
- Provide adequate sight distance

## Planning

### General Issues

#### 1. CPAD

**City of Winston-Salem** This request does not meet the recommendations of the South Suburban plan update, which recommends single family residential at this location.  
Kirk Ericson  
336-747-7045  
[kirke@cityofws.org](mailto:kirke@cityofws.org)  
3/12/19 1:59 PM  
Interdepartmental  
Review

## 2. CAC/Greenway

**City of Winston-Salem** No comment.  
Amy Crum  
336-747-7051  
[amyc@cityofws.org](mailto:amyc@cityofws.org)  
3/13/19 9:52 AM  
Interdepartmental  
Review

## 15. Rezoning

**City of Winston-Salem** The proposed sign appears to be within the restricted sight triangle. Staff recommends limiting the size of the sign to 6 feet in height and 36 square feet in area.  
Desmond Corley  
336-727-8000

[desmondc@cityofws.org](mailto:desmondc@cityofws.org) Is there a leasing office for the storage units? Where is it located?  
3/26/19 8:50 PM  
Interdepartmental  
Review

The site does not have any turnaround areas for people who cannot get through the gate, nor does it propose any significant off-road vehicle stacking.

How will stormwater runoff be managed?

Have you verified that building code requirements for the proposed use can be met with this proposal?

Staff's recommendation is unlikely to change from the initial hearing(s).  
[Ver. 2] [Edited By Desmond Corley]

## Utilities

### General Issues

## 9. General Comment

**City of Winston-Salem** Public water and sewer are not currently available for this site.  
Charles Jones  
336-727-8000  
[charlesj@cityofws.org](mailto:charlesj@cityofws.org)  
3/18/19 1:55 PM  
Interdepartmental  
Review

## WSDOT

### General Issues

## 11. General Comments

City of Winston-Salem Jeffrey Fansler 336-727-8000  
jeffreygf@cityofws.org 3/20/19 3:56 PM  
Interdepartmental Review

Dedicate R/W 40' from center per the 2012 CTP. Fee in lieu of sidewalk construction will be required.

SITEPLAN2000\_190311 Model (1).pdf [6 redlines] (Page 1)

**12. Callout B**

City of Winston-Salem Jeffrey Fansler 336-727-8000  
jeffreygf@cityofws.org 3/20/19 3:58 PM  
Interdepartmental Review

Show 10x70 sight triangles

Summary of Neighborhood Meeting for Case Number F-1582

A banner was placed on the property for two (2) weeks that gave a contact email and phone number for questions/comments and advertised a meeting on October 24<sup>th</sup> at 7pm. However, the banner fell at some point and this was not immediately discovered. No one called, emailed, or came to the meeting.

Another banner was printed and placed on the property with contact information and advertised a meeting for Tuesday, October 30<sup>th</sup>, at 7pm. The banner did not fall this time and one person emailed, but no one called or came to the meeting. A picture of the double-sided banner is below.

The one person that emailed asked what our intentions were, but did not reply when we simply stated that we intend to rezone for storage units.



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**CITY-COUNTY PLANNING BOARD  
PUBLIC HEARING  
MINUTES FOR F-1582  
MAY 23, 2019**

Desmond Corley presented the staff report.

**PUBLIC HEARING**

FOR: None

AGAINST:

Jorge Abrego, 4340 Farris Road, Winston-Salem, NC 27127

- I am an adjacent property owner and my main concern is that we do not know whether these shipping containers have been exposed to pesticides and lead paint. Our neighborhood is on well water so I am concerned about contamination.
- Everything about this business is temporary, and because there are no restrictions in place, we do not know what type of business could move in next should they decide to leave.
- I am against the zoning request.

**WORK SESSION**

Chris Murphy noted that he had spoken to the petitioner before the meeting and the petitioner had forgotten about the meeting. Chris offered to continue the hearing to a later date since the petitioner was not present, but the petitioner instructed Chris to go ahead and go forward with the hearing.

Chris noted that the site plan meets minimum UDO requirements and the Fire Marshal's requirements for access.

The issue of bathroom facilities was raised. Chris noted that from a building code perspective bathrooms are not required if there are no employees onsite.

Chris also noted that things like foundations, footings, tie-downs and other processes would need to be approved before actually becoming a structural element.



MOTION: Clarence Lambe recommended denial of the zoning petition and certified the site plan (including staff recommended conditions) meets all code requirements if the petition is approved.

SECOND: George Bryan

VOTE:

FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Tommy Hicks, Clarence Lambe, Chris Leak, Johnny Sigers, Brenda Smith

AGAINST: None

EXCUSED: None

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Aaron King  
Director of Planning and Development Services

**From:** [Desmond Corley](#)  
**To:** [Tarra Jolly](#)  
**Cc:** [Beth A. Broom](#)  
**Subject:** FW: rezoning docket F-1582  
**Date:** Thursday, May 23, 2019 3:18:02 PM

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**From:** Margie McKenzie <mmckenz@wakehealth.edu>  
**Sent:** Thursday, May 23, 2019 3:14 PM  
**To:** Desmond Corley <desmondc@cityofws.org>  
**Subject:** rezoning docket F-1582

Dear Mr. Corley,

My husband and I own the property south of the rezoning property across from Evans Road with the one building on the land.

Due to health reasons, we are unable to attend the meeting

We are opposed to the intended request.

1. At the first meeting , they stated they could not put water or sewer on the property. That is not valid since we are able to put water and sewer on our property if we want. It is not easy, but can be done.
2. My concern is the increased traffic especially if the High School is to be built near Flat Rock Middle. People already drive way too fast and it is concerning to add more traffic especially with young drivers on the road.
3. We are concerned about what will be stored on the property and its potential hazard and will it be fenced.
4. We are concerned about the possibility of increase of crime in the area.
5. Also when we purchased property, the agreement included no tractor trailer trailers were allowed on the land.
6. The area is also an area with homes not businesses and we would like to keep it that way.

Please take in to consideration our concerns and vote no for the rezoning.

Thank you for your time and help with this matter.

Margie and Charlie McKenzie

F1582 (S) 6812-69-6922.000  
BYERLY GERALD LYNN BYERLY WILLIAM  
MICHAEL  
1672 BUFFALO RD  
SANDY RIDGE NC 27046

F1582 (N) 6813-60-8581.000  
BEE DAVID WAYNE  
718 HICKS RD  
LEXINGTON NC 27295

F1582 (N) 6813-60-0120.000  
CRAMER WILLIAM ERNEST CRAMER DEBRA  
S  
2615 EVANS RD  
WINSTON SALEM NC 27127

F1582 (N) 6813-70-0005.000  
GILLEY SEAN T  
2241 ELIZABETH AVE  
WINSTON SALEM NC 27103

F1582 (N) 6812-79-1319.000  
HEGE COLE  
4410 HANOVER RD  
WINSTON SALEM NC 27127

F1582 (N) 6813-70-7188.000  
LAYELL EZRA W LAYELL MARTHA  
1810 VIRGIL RD  
DURHAM NC 27703

F1582 (N) 6813-70-7083.000  
LAYELL JOHN B LAYELL SUSAN D  
990 S NC 801 HWY  
ADVANCE NC 27006

F1582 (N) 6813-70-7581.000  
MOUNT CARMEL UNITED METHODIST  
4265 EBERT RD  
WINSTON-SALEM NC 27127

F1582 (N) 6812-79-5585.000  
TESH ETHEL F  
5070 SALEM TOWNE DR  
WINSTON SALEM NC 27106

F1582 (N) 6812-69-9684.000  
ABREGO JORGE M ABREGO CLYNETHIA D  
4340 FARISS RD  
WINSTON SALEM NC 27127

F1582 (N) 6812-69-9422.000  
BROOKS NATHAN J BROOKS ULANDA Y  
4350 FARISS RD  
WINSTON SALEM NC 27127

F1582 (N) 6813-70-0708.000  
CREWS DARYL K CREWS KATHLEEN M  
2090 SABRINA LAKE CT  
WINSTON SALEM NC 27127

F1582 (N) 6813-70-7366.000  
GOFORTH ROBERT E  
4976 BECKEL RD  
WINSTON-SALEM NC 27127

F1582 (N) 6812-69-4104.000  
JUDKINS WILLIAM L JUDKINS KATHRYN O  
4365 EBERT RD  
WINSTON SALEM NC 27127

F1582 (N) 6812-79-7893.000  
LAYELL JOHN LAYELL DARLENE  
990 S NC 801 HWY  
ADVANCE NC 27006

F1582 (N) 6812-69-5506.000  
MCKENZIE CHARLES F MCKENZIE MARGIE O  
1833 HUNTERS FOREST DR  
WINSTON SALEM NC 27103

F1582 (N) 6813-61-3121.000  
SMITH JERRY P SMITH JANE C  
2225 TESH RD  
WINSTON SALEM NC 27127