



ZONING AMENDMENT STAFF REPORT

Rezoning Case Number: **ZCR1068**

Applicant: **Dewey R. Hall, Jr., Bobby E. Beck, Bobby W. Beck**

Current Zoning: RB Proposed Zoning: RA

Tax Parcel ID Number(s): 595701365775, 595700369161, 595700369273

Nature of the Request

Overview: The proposal is to reclassify three contiguous parcels totaling about 14 acres, for rural/agricultural purposes.

General Use Rezoning

Conditional Rezoning

If the nature of the request is a Conditional Rezoning, the following uses shall be permitted in this proposed conditional zoning district:

n/a

The following development conditions have been offered by the applicant:

n/a

Property Specifics

Property Owner: Dewey R. Hall, Jr., Bobby E. Beck, Bobby W. Beck

Property Location: Beck Lane, off Service Road, south about 1/2 mile from Simmons Grove Church Road, abutting the east side of US Hwy 52; 3 miles NW of Pilot Mtn.

Township: Longhill **Acreage:** 14

Deed Book: 746 **Page:** 17

Zoning History of Parcel(s): Has been zoned RB since 2001.

Character of the Area

Overview: A limited-access highway corridor along the SW boundary of the property, with open space, woods, farmland; residential and scattered non-residential uses.

Existing Land Use(s) on the Property: Four (4) single-family dwellings with outbuildings; one home is site-built or modular, and three are manufactured homes. One 1500sf metal garage and one 2000sf pole shed sharing the residential driveway.

Surrounding Land Use(s) and Zoning:

Location	Land Use	Zoning
North	Residential, agricultural, woods, open land	RA, RR
South	Residential, agricultural, woods, open land	RA, RG, RR
East	Residential, agricultural, woods, open land	"
West	Highway right-of-way	RA

Historic Properties: None in the immediate area. Nearest in Pilot Mountain 3 miles SE.

Infrastructure and Community Facilities

Public Schools:

District	Enrollment	Existing Capacity
Shoals	432	384
Pilot Middle	514	452
East Surry High	623	695

Fire District: Ararat

Water and Sewer Services:

Private Well Private Septic Public Water Public Sewer

Public Water/Sewer Provider: None

Public Water/Sewer Planning: Capital improvements plan projects public water service along Simmons Grove Church Road 1/2 mile north of the subject property by 2027.

Transportation:

Property Access: Property is accessed only by Beck Lane from NW, an unpaved private road extending SE from Service Road, which runs SE along US Hwy 52 from Simmons Grove Church Road. No vehicular access exists at US Hwy 52 to/from Simmons Grove Church Road.

ADT: 380 (at Simmons Grove Ch Rd) trips per day **Year:** 2009

Proposed Improvements: None.

Projected Traffic Generation: None likely. Small, contained family neighborhood.

Thoroughfare Plan Consistency: n/a

Environmental Assessment

Topography: Rolling. Flood zone along north edge of property.

Flood Hazard: 100-year flood

Streams: Yes **Perennial:** Yes

Wetlands: Unknown

Watershed: None

Watershed Development Density: n/a

Land Use Planning Consistency

Applicable Land Use Plan(s): Land Use Plan 2015

Future Land Use Classification(s): Rural Growth Area

Consistency Principle(s):

Land Use Plan 2015

5.4.6.2 Appropriate non-residential uses should be permitted in rural and agricultural areas on a case-by-case basis, which blend well with the rural agricultural framework.

5.4.7.2 Medium-density residential development within areas designated as Rural Growth Areas on the Future Land Use Map should be limited to housing that promotes a

strong and established tax base; these areas should see the highest rate of growth in the County's planning jurisdiction.

Meeting Summaries

Staff met with applicant Dewey Hall Jr. at time of application on September 8, and during a visit to the property on September 9. Petition to rezone was prompted when application to replace an existing manufactured home with a modular home was recently denied by the County due to the RB zoning. Applicant holds that the non-residential use on the property had been discontinued as of the initial 2001 zoning.

Recommendation

P&D staff recommends rezoning as proposed. Predominant use is residential with significant open space. The non-residential use, if active, is not intensive and occupies no more than one-half acre including the pole shed storage area; thus did not justify RB zoning of the entire 14 acres in 2001. Expansion of the non-residential use would be difficult if attempted; the garage use is confined to a small area surrounded by three residences and a shared driveway. Staff projection is that the predominant land use on the property as a whole will likely remain residential with no new business development.

Ordinance criteria for Planning Board review (Article 4, Section 3):

~Will the proposal place all property similarly situated in the area in the same category, or in appropriate complementary categories? [Staff response: Yes]

~Is there convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the interest of an individual or small group? [Staff response: Yes]

~Is there convincing demonstration that all uses permitted under the proposed district classification would be appropriate in the area included in the proposed change? (When a new district designation is assigned, any use permitted in the district is allowable, so long as it meets district requirements, and not merely uses which applicants state that they intend to make of the property involved.) [Staff response: Yes]

~Is there convincing demonstration that the character of the neighborhood will not be materially or adversely affected by any use permitted in the proposed change? [Staff response: Yes]

~Is the proposal in accord with the Land Use Plan and sound planning principles? [Staff response: Yes]

Attachment(s)

Map, pictures, use list