

STATE OF NORTH CAROLINA)
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COUNTY OF STOKES)
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OFFICE OF THE COMMISSIONERS
STOKES COUNTY GOVERNMENT
DANBURY, NORTH CAROLINA
TUESDAY DECEMBER 7, 2021

The Board of Commissioners of the County of Stokes, State of North Carolina, met for a regular session (Planning) in the Commissioners' Chambers of the Ronald Wilson Reagan Memorial Building (Administration Building) located in Danbury, North Carolina on Tuesday December 7, 2021 at 6:00 pm with the following members present:

Chairman Andy Nickelston
Vice-Chair Sonya Cox
Commissioner Wayne Barneycastle
Commissioner Ronnie Mendenhall
Commissioner Rick Morris

County Personnel in Attendance:
County Manager Shannon B. Shaver
Assistant County Manager/Clerk to the Board Amber Brown
Planning Director David Sudderth

Chairman Nickelston called the meeting to order and welcomed those in attendance.

INVOCATION

Chairman Nickelston delivered the Invocation.

GENERAL GOVERNMENT-GOVERNING BODY-PLEDGE OF ALLEGIANCE

Chairman Nickelston invited those in attendance to join the Board in the Pledge of Allegiance.

GENERAL GOVERNMENT – GOVERNING BODY – APPROVAL OF AGENDA

Chairman Nickelston entertained a motion to approve or amend the December 7th Agenda. Commissioner Mendenhall moved to approve the Agenda as presented.

Commissioner Barneycastle seconded.

Chairman Nickelston opened the floor for any discussion/questions/comments.

With no further discussion, the motion carried with a 5-0 vote.

PUBLIC COMMENTS

Chairman Nickelston opened the floor for Public Comments.

With no individuals signed up to speak, Chairman Nickelston closed the floor for Public Comments.

PRESENTATION/DISCUSSION/ACTION

Chairman Nickelston turned the floor over to Planning Director David Sudderth.

Planning Director David Sudderth presented the following information to the Board:

STAFF REPORT **Jonathan Wesley Watson** **RA to RA-CZ #21-873**

REQUEST: Request is to rezone **52.52 acres** from **RA (Residential Agricultural)** to **RA-CZ (Residential Agricultural Conditional Zoning)** for a Planned Recreational Resort with up to twelve (12) cabins with horseback riding and fishing.

SITE OWNER: Jonathan Wesley Watson

APPLICANT: Jonathan Wesley Watson & Paula Watson (sister)

SITE LOCATION: The property is located at 1105 Pilot Knob Ln., Pinnacle, NC 27043

Map: 5974 **Parcel(s)** 7318 **PIN #:** 5974457318

Deed Book & Page: 722/549 **Township:** Yadkin

SITE INFORMATION:

TOTAL PARCEL SIZE: Approximately 52.52 acres

REZONING PARCEL SIZE: Total tract approximately 52.52 acres

ZONING DISTRICT: RA (Residential Agricultural)

PROPOSED DISTRICT: RA-CZ (Residential Agricultural Conditional Zoning)

FLOOD HAZARD AREA: X

FIRM MAP #: N/A

FIRM MAP ZONE: The property is located outside of the 500-year flood zone in (Zone X).

WATERSHED DISTRICT: N/A

SEPTIC/WATER APPROVAL: The site has been evaluated for a sub-surface sewage by Piedmont Environmental Associates P.A. Mr. G. Christopher Murray a licensed soil scientist has submitted a report for the (12) proposed sites and accompanying bath house. The LSS (Licensed Soil Scientist) evaluation report is used to produce the design and construction of the waste water disposal system by a certified waste water engineer. The site has access to public water.

SCHOOL DISTRICTS: N/A

EMERGENCY SERVICES: Pinnacle VFD, EMS - Station # ST3 Pinnacle

EROSION CONTROL: Applicable at the time of construction if more than one (1) acre of land is disturbed.

ACCESS: The applicant has an existing driveway access off of Pilot Knob Park Rd. (SR# 1151).

SURROUNDING LAND USE: The subject property is located at 1105 Pilot Knob Ln. The surrounding land use consists of single family residential development and agricultural properties. All surrounding parcels are zoned RA (Residential Agricultural). To the west of the property located on Pilot Knob Park Rd. near the county line is Greystone RV Park.

ISSUES TO CONSIDER:

- Impact on and compatibility with surrounding development.
- Impact on community infrastructure, traffic, public services etc.
- Increase in tax value of the property.
- Economic benefit for the community through tourism

STAFF COMMENTS: This rezoning request comes to the Board as a conditional rezoning from RA (Residential Agricultural) to RA-CZ (Residential Agricultural Conditional Zoning) for a Planned Recreational Resort. The Planning Department does not see any major problems with the request. The applicant is able to meet all the applicable requirements for a Planned Recreational Resort facility. The property is located in close proximity to US 52 and is situated between Hanging Rock State Park and Pilot Mountain State Park and close to sections of the Sauratown Trail and segment (7) of the Mountain to Seas Trail. The closest recreational facility supplying overnight accommodations is Greystone RV Park which is located on Pilot Knob Park Rd. (SR# 1151) approximately .1 mile away. The proposed Planned Recreational Resort should benefit the county by providing an additional recreational site and overnight accommodations as well as providing an economic benefit with a minimal impact on the surrounding community. The lack of overnight accommodations of various types hinders the potential tourism industry for the county. As with all conditional rezoning requests the boards may request reasonable conditions be placed on the rezoning request.

Zoning Ordinance Requirements for a Planned Recreational Resort in the RA-CZ (Residential Agricultural Conditional Zoning) district.

Planned Recreational Resort

- 1) All conditional use requests are subject to the requirements and procedures as set forth in Article XIII (Conditional Uses).
- 2) A site plan reviewed by the Planning Board and approved by the Board of Commissioners.
- 3) The minimal tract shall be ten (10) acres unless otherwise determined by the board.
- 4) Any structure (including parking areas or swimming pools shall be at least one hundred (100) feet from any exterior property line.
- 5) Each dwelling unit shall comply with the off-street parking requirements found in Article VII, Section 74.
- 6) Recreational facilities such as trails, swimming pools, golf courses shall be secondary activities to the residential uses and be primarily for the benefit of the people residing there. Such uses as skeet, and firing ranges, motor cross, and go-cart tracts shall not be permitted.
- 7) Common open space shall be a part of the project.
- 8) Overall density shall not exceed that allowed in the current zoning classification, although clustering is allowed.
- 9) Roads within the project shall be public or private and comply with the development standards in the county subdivision regulations.
- 10) No billboards or freestanding commercial signs shall be permitted on site; however, one (1) identification sign shall be permitted at each entrance, directional signs shall be allowed on site as needed.

STATEMENT OF CONSISTENCY AND REASONABLENESS:

I have included example Statements of Consistency and Reasonableness supporting the request and opposing the request for your review. The Board must decide if the rezoning petition meets the requirements of the Stokes County 2035 Comprehensive Plan as to its consistency with the current development patterns and to the appropriateness of the request in regards to the plan. All decisions must be based on these standards. **Please make all motions for approval or disapproval referencing the petitions consistency or non-consistency with the Stokes County 2035 Comprehensive Plan.**

PUBLIC INFORMATION MEETING: The Public Information Meeting for this proposal was held on Saturday, August 21, 2021 at 2:00 pm at the proposed site located at 1105 Pinnacle, NC 27043

(See Attachment B for attendance and minutes of the meeting)

PLANNING BOARD RECOMMENDATION: The Planning Board voted 6 to 0 to recommend approval of rezoning request 21-873 to rezone **52.52 acres** from **RA (Residential Agricultural)** to **RA-CZ (Residential Agricultural Conditional Zoning)** for a Planned Recreational Resort with up to twelve (12) cabins with horseback riding and fishing. The Board stated that the request was consistent with the Stokes 2035 Comprehensive Plan and was a reasonable request.

STOKES COUNTY PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT
1014 MAIN STREET PO BOX 20 DANBURY, NC 27016
OFFICE 336-593-2439 OR 336-593-2444 FAX: 336-593-5434

Conditional Rezoning Petition

Statement of Consistency and Reasonableness

Case No. #21-873
Applicant: Jonathan Wesley Watson
Property Owner: Jonathan Wesley Watson
Parcel ID# 5974457318
Location: 1105 Pilot Knob Ln., Pinnacle, NC 27043
Proposed Amendment: **Rezone approximately 52.52 acres from RA to RA-CZ for a "Planned Recreational Resort" with up to twelve (12) cabins with horseback riding and fishing**".

The Stokes County 2035 Comprehensive Plan identifies portions of the county through the Land Use Transect methodology which shows transition zones between rural areas and more urbanized areas of the county. The proposed rezoning is best described in the transect zone identified as (G-1 Low Density Growth Areas). This is an area primarily associated with very low density residential development and agricultural uses that includes many of the rural areas in Stokes

County. The subject parcel is located on Pilot Knob Ln., (private road) off of Pilot Knob Park Rd. (SR# 1151) a rural secondary road in the county. The use of the property for a Planned Recreational Resort development would fit into this (G-1 Low Density Growth Areas) Transect Zone as identified in the comprehensive plan.

This proposed amendment **is consistent** with the Stokes County 2035 Comprehensive Plan and other adopted plans in that: The parcel is currently zoned RA (Residential Agricultural). The requested zoning district is RA-CZ (Residential Agricultural Conditional Zoning). The predominant zoning district in the area is RA (Residential Agricultural). The proposed use of this property is consistent with the Low Density development as identified in the Stokes County 2035 Comprehensive Plan.

This proposed amendment **is reasonable and in the public interest** in that: **The property is currently zoned RA (Residential Agricultural) and is being proposed to be rezoned to an RA-CZ (Residential Agricultural Conditional Zoning) district for a "Planned Recreational Resort with up to twelve (12) cabins with horseback riding and fishing". The parcel is located in an area of residential and agricultural properties on Pilot Knob Ln. in the Pinnacle, NC area.**

Chairman Nickelston opened the floor for any discussion/questions/comments.

There was some discussion among the Board on the request.

Chairman Nickelston entertained a motion on the request as presented.

Commissioner Barneycastle moved to approve the request to rezone **52.52 acres** from **RA (Residential Agricultural)** to **RA-CZ (Residential Agricultural Conditional Zoning)** for a Planned Recreational Resort with up to twelve (12) cabins with horseback riding and fishing.

Commissioner Barneycastle noted that this is consistent with the Stokes County 2035 Comprehensive Plan and is a reasonable request.

Vice-Chair Cox seconded.

Chairman Nickelston opened the floor for any discussion/questions/comments.

With no further discussion the motion carried with a 5-0 vote.

Planning Director David Sudderth presented another request to the Board:

STAFF REPORT

**Robert and Jessica Penley
R-20 to RA-CZ #21-1128**

REQUEST: Request by applicant Robert and Jessica Penley to rezone approximately **8.3 acres** of their property, (**4.044 acres**) for a **4-Lot Major Residential Subdivision to allow manufactured housing and the remaining 4.256 acres** from **R-20 (Residential Low Density)** to **RA-CZ (Residential Agricultural Conditional Zoning)**.

SITE OWNER: Robert and Jessica Penley

APPLICANT: Robert and Jessica Penley

SITE LOCATION: The property is located at 1096 Baux Mountain Rd. in Germanton, NC

Map: 6951 **Parcel:** 4670 **PIN #:** 6951084670

Deed Book: 638 **Page:** 2313 **Township:** Sauratown

SITE INFORMATION:

TOTAL PARCEL SIZE: Approximately 8.3 acres

REZONING PARCEL SIZE: Total tract approximately 8.3 acres

ZONING DISTRICT: R-20 (Residential Low Density)

PROPOSED DISTRICT: RA-CZ (Residential Agricultural Conditional Zoning)

FLOOD HAZARD AREA: X

FIRM MAP #: N/A

FIRM MAP ZONE: The property is located outside of the 500-year flood zone in Zone X.

WATERSHED DISTRICT: N/A

SEPTIC/WATER APPROVAL: The site has been approved to accommodate a sub-surface sewage disposal system for four (4) residences by the Stokes County Environmental Health Department. The proposed lots would be served by a well.

SCHOOL DISTRICTS: Germanton Elementary, Southeastern Middle and South Stokes High School

EMERGENCY SERVICES: Walnut Cove VFD, EMS - Station # ST1 101 –Walnut Cove

EROSION CONTROL: Applicable at the time of construction if more than one (1) acre of land is disturbed.

ACCESS: The applicant would have a residential driveway access off of Baux Mountains Rd. SR# 1950

SURROUNDING LAND USE: The subject property is located at 1096 Baux Mountain Rd. The surrounding land use consists of mixed residential development. There is a six (6) lot subdivision located on the southern boundary of the property. These properties are all developed and zoned R-20 (Residential Low Density). The other adjacent surrounding properties are zoned RA (Residential Agricultural).

ISSUES TO CONSIDER:

Compatibility with the surrounding land use

STAFF COMMENTS: This rezoning request comes to the Board as a conditional rezoning from R-20 (Residential – Low Density) for a **4-Lot Major Residential Subdivision to allow manufactured housing and the remaining 4.256 acres from R-20 (Residential Low Density) to RA-CZ (Residential Agricultural Conditional Zoning.** The Board may discuss this application in detail. The applicant has stated the purpose of requesting this rezoning was to be able to create a four (4) lot residential subdivision for their children. This property is zoned R-20 Residential Low-Density including six (6) lots to the south of the property and two (2) lots to the north of the subject property. This property was owned by Shugart Enterprises Inc. and portions of the property designated as Creekside Acres Section One, Lot 2 platted in 1982. It appears the developer did not continue to develop the property selling the subject property on March 8, 1985. The property was zoned R-20 Residential Low-Density in 1983 when the county adopted countywide zoning. The R-20 Residential Low-Density zoning district limits the housing type on the property to stick built and modular homes. The applicants want to be able to place manufactured housing on the proposed lots proposed for the major subdivision and eventually replace their home with a manufactured home on the remaining 4.256 acres. The request to rezone the property to RA-CZ (Residential Agricultural Conditional Zoning) for the proposed four (4) lot residential subdivision, (4.044 acres), minimum one (1) acre lots and the remaining acreage, (4.256 acres) does not appear to be inconsistent with the overall development pattern in this area. There are mixed residential housing types along Baux Mountain Rd., Leake Memorial Church Rd. and NC Hwy 65. As in any conditional rezoning request there is the ability for the boards to request reasonable conditions to be placed on the proposed development request.

STATEMENT OF CONSISTENCY AND REASONABLENESS:

I have included example Statements of Consistency and Reasonableness supporting the request and opposing the request for your review. The Board must decide if the rezoning petition meets the requirements of the Stokes County 2035 Comprehensive Plan as to its consistency with the current development patterns and to the appropriateness of the request in regards to the guide. All decisions must be based on these standards. **Please make all motions for approval or disapproval referencing the petitions consistency or non-consistency with the Stokes County 2035 Comprehensive Plan.**

PUBLIC INFORMATION MEETING: The Public Information Meeting for this proposal was held on Friday October 29, 2021 at the proposed site located at 1096 Baux Mountain Rd., Germanton, NC 27019

(See Attachment D for attendance and minutes of the meeting)

PLANNING BOARD RECOMMENDATION: The Planning Board voted 6 to 0 to recommend approval of rezoning request 21-1128 to rezone approximately **8.3 acres** of their property, **(4.044 acres)** for a **4-Lot Major Residential Subdivision to allow manufactured housing and the remaining 4.256 acres** from **R-20 (Residential Low Density)** to **RA-CZ (Residential Agricultural Conditional Zoning)**. The Board stated that the request was consistent with the Stokes 2035 Comprehensive Plan and was a reasonable request.

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1014 MAIN STREET PO BOX 20 DANBURY, NC 27016
OFFICE 336-593-2439 OR 336-593-2444 FAX: 336-593-5434

Conditional Rezoning Petition

Statement of Consistency and Reasonableness

Case No. #21-1128
Applicant: Robert and Jessica Penley
Property Owner: Robert and Jessica Penley
Parcel ID# 6951084670
Location: 1096 Baux Mountain Rd., Germanton, NC 27019
Proposed Amendment: **Rezone 8.3 acres from R-20 to RA-CZ for a 4-Lot Major Residential Subdivision to allow manufactured housing and the remaining 4.256 acres from R-20 (Residential Low Density) to RA-CZ (Residential Agricultural Conditional Zoning).**

The Stokes County 2035 Comprehensive Plan identifies portions of the county through the Land Use Transect methodology which shows transition zones between rural areas and more urbanized areas of the county. The proposed rezoning is best described in the transect zone identified as (O-2) Rural Community. This is an area primarily associated with very low density residential development and agricultural uses that includes many of the rural areas in Stokes County.

The subject parcel is located on Baux Mountain Rd. (SR# 1950) a rural secondary road in the county between Germanton and Walnut Cove. The use of the property for residential development would fit into this (O-2) Rural Community Transect Zone as identified in the comprehensive plan.

This proposed amendment **is consistent** with the Stokes County 2035 Comprehensive Plan and other adopted plans in that: The parcel is currently zoned R-20 (Residential Low Density) and the requested zoning district is RA-CZ (Residential Agricultural Conditional Zone). This area along Baux Mountain Rd. is currently zoned R-20 (Residential Low-Density) and RA (Residential Agricultural). The predominant zoning district in the area is RA (Residential Agricultural). The proposed use of this property is consistent with the very Low Density development as identified in the Stokes County 2035 Comprehensive Plan.

This proposed amendment **is reasonable and in the public interest** in that: **The property is currently zoned R-20 (Residential Low-Density) and is being proposed to be rezoned to an RA-CZ (Residential Agricultural Conditional Zoning) district for residential purposes with minimum one (1) acre lot sizes. The subject parcel is located in an area of residential properties along Baux Mountain Rd, (SR#1950) in the Germanton, NC area.**

Chairman Nickelston opened the floor for any discussion/questions/comments.

There was some discussion among the Board on the request.

Chairman Nickelston entertained a motion on the request as presented.

Commissioner Mendenhall moved to approve the request to rezone approximately **8.3 acres** of their property, **(4.044 acres)** for a **4-Lot Major Residential Subdivision to allow manufactured housing and the remaining 4.256 acres from R-20 (Residential Low Density) to RA-CZ (Residential Agricultural Conditional Zoning).**

Commissioner Mendenhall noted that this is consistent with the Stokes County 2035 Comprehensive Plan and is a reasonable request.

Commissioner Barneycastle seconded.

Chairman Nickelston opened the floor for any discussion/questions/comments.

With no further discussion the motion carried with a 5-0 vote.

Updates to the Board:

Planning Director David Sudderth provided several solar farm updates to the Board.

Adjournment

There being no further business to come before the Board, Chairman Nickelston entertained a motion to adjourn the meeting.

Commissioner Mendenhall moved to adjourn the meeting.

Vice-Chair Cox seconded.

Chairman Nickelston opened the floor for any discussion/questions/comments.

With no further discussion the motion carried with a 5-0 vote.

The meeting was adjourned.



Amber Brown
Clerk to the Board



Andy Nickelston
Chairman