

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 JUNE 4, 2019

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 June 4, 2019 at 6:00 pm with the following members present:

Vice Chairman Jimmy Walker  
Commissioner Ronnie Mendenhall  
Commissioner Rick Morris  
Commissioner Jamie Yontz

Chairman Andy Nickelston (Absent)

County Personnel in Attendance:  
County Manager Jake M. Oakley  
Assistant County Manager/Clerk to the Board Shannon Shaver  
Planning Director David Sudderth

Vice Chairman Walker called the meeting to order and welcomed those in attendance and noted that Chairman Nickelston would not be in attendance at the meeting due to an illness in his family.

**INVOCATION**

Vice Chairman Walker delivered the invocation.

**GENERAL GOVERNMENT-GOVERNING BODY-PLEDGE OF ALLEGIANCE**

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

## **GENERAL GOVERNMENT – GOVERNING BODY – APPROVAL OF AGENDA**

Vice Chairman Walker entertained a motion to approve or amend the June 4<sup>th</sup> Agenda.

Commissioner Mendenhall moved to approve the June 4<sup>th</sup> Agenda as presented.

Commissioner Morris seconded and the motion carried with a 4-0 vote.

## **PUBLIC COMMENTS**

Vice Chairman Walker opened the floor for public comments.

There were no public comments.

Vice Chairman Walker closed the time for public comments.

## **PUBLIC HEARING/PRESENTATION/DISCUSSION/ACTION AGENDAS**

Request from the W. Wayne Frye Organization Inc. to rezone approximately 26.780 acres per GIS map, **25.897** acres from survey map from RA (Residential Agricultural) to RE-CZ (Residential Exclusive Conditional Zoning for a twelve (12) lot Residential Subdivision (Major).

### **Public Hearing**

Vice Chairman Walker opened the Public Hearing for comments regarding the request from the W. Wayne Frye Organization Inc. to rezone approximately 26.780 acres per GIS map, **25.897** acres from survey map from RA (Residential Agricultural) to RE-CZ (Residential Exclusive Conditional Zoning for a twelve (12) lot Residential Subdivision (Major).

There were no public comments.

Vice Chairman Walker closed the Public Hearing.

### **Presentation and Discussion by Planning Director David Sudderth**

Planning Director David Sudderth presented the following information regarding the request from the W. Wayne Frye Organization Inc. to rezone approximately 26.780 acres per GIS map, **25.897** acres from survey map from RA (Residential Agricultural) to RE-CZ (Residential Exclusive Conditional Zoning for a twelve (12) lot Residential Subdivision (Major).

## STAFF REPORT

### W. Wayne Frye Organization Inc. – RA to RE-CZ # 19-347

**REQUEST:** Rezone approximately 26.780 acres per GIS map, **25.897** acres from survey map from RA (Residential Agricultural) to RE-CZ (Residential Exclusive Conditional Zoning for a twelve (12) lot Residential Subdivision (Major).

**SITE OWNER:** W. Wayne Frye Organization Inc.

**APPLICANT:** W. Wayne Frye Organization Inc.

**SITE LOCATION:** The property is located on the corner of Chestnut Grove Rd. (SR# 1136) and Brown Rd. (SR# 1128)

**Map:** 5993 **Parcel:** 5156 **PIN #:** 5993975156

**Deed Book:** 696 **Pages:** 818 **Township:** Yadkin

#### **SITE INFORMATION:**

**PARCEL SIZE:** Total tract 26.780 acres per GIS map

**PARCEL SIZE PROPOSED:** **25.897** acres per survey (-.883 acres) from GIS map.

**CURRENT USE:** The property is currently vacant

**ZONING DISTRICT:** RA (Residential Agricultural)

**PROPOSED DISTRICT:** RE-CZ (Residential Exclusive Conditional Zoning)

**FLOOD HAZARD AREA:** Not located in flood hazard area.

**FIRM MAP #:** N/A

**FIRM MAP ZONE:** Property is located in Zone X - Areas outside the 500-year floodplain.

**WATERSHED DISTRICT:** A portion of the property is located in the Yadkin River WS-IV Watershed. The WS-IV Watershed allows up to a 36% built upon area. All proposed lots exceed the minimum square footage for lots located in a WS-IV watershed.

**SEPTIC/WATER APPROVAL:** The proposed subdivision will be served by individual septic systems for sewage disposal and by a public water supply provided by the City of King. A soil scientist, Richard Farris has performed a soil evaluation of the site.

**SCHOOL DISTRICTS:** Mt. Olive Elementary, Chestnut Grove Middle, West Stokes High School

**EMERGENCY SERVICES:** Fire Department – City of King, EMS – Station # 103/104 - Pinnacle

**EROSION CONTROL:** Required at time of permit if proposed project disturbs more than one (1) acre of land.

**ACCESS:** All lot would have an individual driveway access off of Chestnut Grove Rd. (SR# 1136) or Brown Rd. (SR# 1128)

**SURROUNDING LAND USE:** The adjacent surrounding properties are zoned (RA), (R-20), (RR – City of King) and are used for residential purposes. There is a church located diagonally from the lots proposed on Chestnut Grove Rd. that is zoned H-B-CU.

**STAFF COMMENTS:** This rezoning request comes to the Board as a conditional rezoning from RA (Residential Agricultural) to RE-CZ (Residential Exclusive Conditional Zoning). The applicant is requesting this rezoning to create a twelve (12) lot residential subdivision. The surrounding property other than a church parcel are all zoned for residential development. This area is located adjacent to the City of King's (ETJ) Extra Territorial Jurisdiction. The proposal is consistent with the surrounding residential development in the area and would appear to be the highest and best use of the property. The addition of twelve (12) lots all exceeding one (1) acre in size with the smallest lot being 1.234 acres and the largest lot being 2.805 acres should not pose a problem for the existing infrastructure in the area. The minimum size for lots with access to a public water supply is 30,000 sq. ft. (.6887) acres. The (RE-CZ) Residential Exclusive Conditional Zoning District allows for the following type of residential development:

**RE - Residential Exclusive - The residential exclusive district is intended primarily for major single-family subdivisions (see definition of major subdivision) consisting of only site-built or modular dwellings. Doublewides (Class A-multi-sectional) and singlewides (Class B with HUD label or Class C without HUD label) manufactured units are specifically excluded. Other compatible uses as specified in the Table of Uses by districts are permitted, but the range of uses is limited and the development criteria may be higher than in the RA (Residential Agricultural) district.**

The Planning staff sees no problem with this request as it is presented.

**PLANNING BOARD RECOMMENDATION:** The Planning Board recommended by a vote of 8 to 0 to approve rezoning petition 19-347 submitted by W. Wayne Frye Organization Inc. for a twelve (12) lot residential subdivision to be zoned RE-CZ (Residential Exclusive Conditional Zone). The Planning Board felt that this request was consistent with the Stokes County 2035 Comprehensive Plan and was a reasonable 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.**

**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. #19-347  
Applicant: **W. Wayne Frye Organization Inc.**  
Property Owner: **W. Wayne Frye Organization Inc.**  
Parcel ID# **5993975156**  
Location: **Corner of Chestnut Grove Rd. and Brown Rd.**  
Proposed Amendment: **Rezone 25.897 acres from RA to RE-CZ for a  
“Twelve (12) lot Residential Subdivision (major)”.**

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 Growth Sector (G-2). This is an area associated with an Urban Neighborhood/ Medium-Density Residential Growth area. The proposed development is for a twelve (12) lot Residential Subdivision that would be consistent with the surrounding residential development in the area and the (G-2) Urban Neighborhood/Medium-Density Residential Growth area 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) and the requested zoning district is RE-CZ (Residential Exclusive Conditional Zoning). The proposed use of this property and site development plan is consistent with the “Urban Neighborhood/ Medium Density” development as identified in the Stokes County 2035 Comprehensive Plan and is consistent with the surrounding neighborhood residential property development.

This proposed amendment **is reasonable and in the public interest** in that: **This property is currently zoned RA (Residential Agricultural) and is being proposed to remain residential in being proposed for a RE-CZ (Residential Exclusive Conditional Zoning) district with higher and more stringent development guidelines.**

Vice Chairman Walker opened the floor for any discussion/questions/comments.

There was favorable discussion among the Board related to the request from the W. Wayne Frye Organization Inc. to rezone approximately 26.780 acres per GIS map, **25.897** acres from survey map from RA (Residential Agricultural) to RE-CZ (Residential Exclusive Conditional Zoning for a twelve (12) lot Residential Subdivision (Major).

With no further discussion Vice Chairman Walker entertained a motion regarding the request from the W. Wayne Frye Organization Inc. to rezone approximately 26.780 acres per GIS map, **25.897** acres from survey map from RA (Residential Agricultural) to RE-CZ (Residential Exclusive Conditional Zoning for a twelve (12) lot Residential Subdivision (Major).

Commissioner Mendenhall moved to approve the request from the W. Wayne Frye Organization Inc. to rezone approximately 26.780 acres per GIS map, **25.897** acres from survey map from RA (Residential Agricultural) to RE-CZ (Residential Exclusive Conditional Zoning for a twelve (12) lot Residential Subdivision (Major) and noted that this request was consistent with the Stokes County 2035 Plan and was a reasonable request.

Commissioner Yontz seconded.

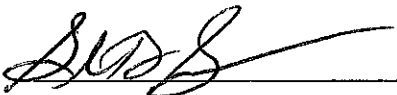
Vice Chairman Walker opened the floor for discussion/questions/comments.

With no further discussion the motion carried with a 4-0 vote.

### **Adjournment**

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

Commissioner Mendenhall moved to adjourn the meeting. Commissioner Morris seconded and the motion carried with a 4-0 vote.



**Shannon Shaver**  
Clerk to the Board



**Andy Nickelston**  
Chairman