

**PARTIAL MINUTES OF THE
ZONING COMMISSION**

April 15, 2019

Z-19-04-003: An original zoning request from County RS-40 (Residential Single Family) to City R-3 (Residential Single Family-3) for 5308 Winterset Drive, generally described as south of Winterset Drive and west of Millstream Road, 1.13 acres. (Favorable Recommendation)

Mr. Carter provided the zoning map and other summary information for the subject property and surrounding properties and noted there were no conditions associated with the request.

Mr. Holston asked where the nearest city zoning was from the property, Mr. Kirkman responded he did not have an exact distance but there was City zoning located to the northwest and north of this property.

Speakers from the Floor

James Pugh, 5308 Winterset Drive, stated this property is his residence and the situation is a septic issue. Mr. Pugh noted all his neighbors are on the City system but because of the new rule change, he is requesting annexation for his lot. Mr. Pugh thought it was at least a mile to any other City lots in the area and he is requesting annexation to meet the new requirements for the City.

Speaking in Opposition:

Mr. James Alston, 5304 Winterset Drive, stated he is concerned with the possible implications of being zoned by the City regarding tax implications. He had a lot of unanswered questions about what would result if Mr. Pugh's property were rezoned, how it would affect his property value and therefore he is against it.

Rebuttal:

Mr. Pugh stated as far as he knows there will not be any tax implications other than to himself. The other neighbors are already on the system and probably at some point the City may decide to annex his property and then he would have his yard dug up again, which does not make sense to him. Mr. Alston stated he does understand Mr. Pugh's situation and is only concerned about the tax implications going from zoning of County RS-40 which is 1-dwelling per acre to a proposed zoning of City R-3, which allows a density of 3 dwellings per acre.

Discussion:

Chair Lester closed the public hearing. Ms. Mazzurco stated there were State laws passed several years ago against forced annexation. In response to Mr. Alston's question, the City cannot force anyone else into the City. You must go to the City and make application and request to be annexed.

Mr. Kirkman added this is a question that comes up often where there is water and sewer infrastructure on the periphery of the city. These services were extended at various points in time in anticipation of the City initiating annexation when other services such as fire and solid waste were available to those areas. Mr. Kirkman stated State law did change a few years ago that effectively has stopped the City initiating annexation.

Chair Lester inquired if there were any other questions. Being none, he requested Mr. Kirkman to present staff's recommendation.

Mr. Kirkman advised this property is designated as Interim Residential on the Generalized Future Land Use Map of the Comprehensive Plan. The Interim Residential designation encourages a mixture of all types of residential densities and uses with some limited local serving non-residential uses as well. The proposed request does support the Comprehensive Plan's Housing and Neighborhoods goal to meet the needs of present and future Greensboro citizens for a choice of decent and affordable housing in a stable and livable neighborhoods, as well as the Growth of the Fringe goal to provide a development framework for the fringe that

guides sound and sustainable patterns of land use. The proposed City R-3 zoning district allows for low-density, single-family detached residential development and staff is recommending approval of the request.

Mr. Holston asked if staff knew how many of Mr. Pugh's and Mr. Alston's neighbors are currently utilizing city services. Mr. Kirkman responded he did not have that information.

Zoning Commission Action

Mr. Pinto stated as to agenda item Z-19-04-003, the Greensboro Zoning Commission believes its action to approve the zoning amendment for the property located at 5308 Winterset Drive from County RS-40 (Residential Single-Family) to City R-3 (Residential Single Family-3) to be consistent with the adopted Connections 2025 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: their request is consistent with the Comprehensive Plan's Housing and Neighborhood goal to meet the needs of present and future Greensboro citizens for a choice of decent affordable housing in stable livable neighborhoods that offer security, quality of life, and the necessary array of services and facilities. The request is consistent with the Comprehensive Plans Growth at the Fringe goal to encourage development at the fringe that follows a sound, sustainable pattern of land use, limits sprawl, protects rural character, evidence of sound stewardship of the environment, and provides for the efficient provision of the public services and facilities as the City expands. Seconded by Mr. Blackstock. The Commission voted 7-0 for a favorable recommendation. (Ayes: Chair Lester, Mazzurco, Marshall, Pinto, Holston, Blackstock, and I Alford. Nays: none). Chair Lester advised the motion passed and constituted a favorable recommendation and is subject to a public hearing at the May 21, 2019 City Council meeting..