



Town of Jamestown  
Planning Board

*Welcome to the Town of Jamestown Planning Board meeting. We appreciate your interest and we encourage public participation in our meeting. Your comments are important to our decision making process. Please note that there will be opportunities during the meeting for you to address the Board members. The first opportunity will come if there is a public hearing on the agenda, when the Chair declares the hearing open for comment. The second opportunity to address the Board will come near the end of the agenda when the Chair will inquire if anyone wishes to address the members of the Board. Anyone addressing the Board will approach the podium; give your first and last name and your complete physical address. Comments may be limited to three minutes.*

TO: Planning Board Members  
FROM: Anna Hawryluk, AICP – Town Planner  
RE: **Regular Meeting**  
**Monday, June 13, 2022 – 6:00PM**  
**Jamestown Town Hall, Civic Center**

Items on the agenda:

1. Call to Order – Ed Stafford, Vice Chair of the Planning Board
2. Roll Call – Anna Hawryluk, Town Planner
3. Approval of minutes from February 14, 2022 and March 14, 2022 meetings – Ed Stafford, Vice Chair of the Planning Board

4. Public Hearings:

*Procedure: Staff will present the case to the Board. The Chair will open the public hearing and request to hear from both those in favor and those opposed. If you wish to address the Board during the public hearing, please come to the podium and state your name and address for the record. Speakers may have up to 3 minutes to address the Board. Please note, this is not a time for dialogue or discussion and the Board may or may not engage with you at this time, even if direct questions are asked. **Once the public hearing is closed, no one may speak on the issue unless specifically requested by the Board Chair.***

A. Rezoning Request – Anna Hawryluk, Town Planner

A rezoning application has been received for the following parcels:

4718 Harvey Rd. (Parcel #223271) Approx. 31.4+/- acres. From AG

(Agricultural) to CZ-B (Conditional Zoning - Bypass).

- a. Vote on recommendation to Town Council –Chair of the Planning Board
- b. Adoption of the Statement of Consistency –Chair of the Planning Board

5. Public Comment Period: (Limited to a total of 30 minutes)

*Procedure: The Board Chair will ask the Town Clerk if anyone has signed up to speak to the Board. **It is advisable that if you wish to address the Board that you see the Town Clerk prior to the start of the meeting.** Once you have been recognized by the Chair, please come to the podium and state your name and address for the record. Speakers may have up to 3 minutes to address the Board. Please note, this is not a time for dialogue or discussion and the Board may or may not engage with you, even if direct questions are asked.*

6. Adjourn

7. Next Meetings: Special Called Joint Meeting: June 27, 2022

Next Regularly Scheduled Meeting: July 18, 2022



## **WORKING AGENDA**

### *Items on the agenda:*

#### **1. CALL TO ORDER – Ed Stafford, Vice Chair of the Planning Board**

- i. Welcome to the March 14, 2022, Planning Board meeting. In order to allow all attendees to be able to hear Board business, I would ask that at this time, members of the board and the audience please set your cell phones to “SILENT”. As a reminder, there are generally two opportunities for the public to address the Board. One will be during the “PUBLIC COMMENT” portion of the agenda. Speakers during that portion of the meeting will be limited to 3 minutes per speaker and were requested to sign up to speak with the Town Clerk. The other opportunity will be during any “PUBLIC HEARING”, when instructed by the Chair to do so. Speakers in a “PUBLIC HEARING” will be asked to keep their comments brief and must speak to the topic being considered. Thank you.

#### **2. ROLL CALL, Anna Hawryluk, Town Planner**

##### **Present**

##### **Absent**

Dennis Sholl

☐☐

Pamaila Burgess

☐☐

Jane Walker Payne

☐☐

Ed Stafford

☐☐

Russ Walker

☐☐

Donald Dale, ETJ

☐☐

Robert Coon, ETJ

☐☐

Peggy Levi, ETJ

☐☐

Sherrie Richmond, ETJ

☐☐

Rebecca Rayborn, Council Rep.

☐☐

#### **3. Approval of Minutes from February 14, 2022 and March 14, 2022 meeting – Ed Stafford, Vice Chair of the Planning Board**

- a. Request from Staff: Staff requests approval of minutes from the February 14, 2022 and March 14, 2022 meeting as presented
  - i. **Motion:**
  - ii. **Second:**
  - iii. **VOTE:**



#### **4. Public Hearings**

##### **Rezoning Request – Matthew Johnson, Assistant Town Manager/Director of Planning**

- a. Vote on recommendation to Town Council – Ed Stafford, Vice Chair of the Planning Board
  - i. **Motion:**
  - ii. **Second:**
  - iii. **ROLL CALL VOTE:**
  
- b. Adoption of the Statement of Consistency –Ed Stafford, Vice Chair of the Planning Board
  - i. **Motion:**
  - ii. **Second:**
  - iii. **ROLL CALL VOTE:**

#### **5. Public Comment (LIMITED TO A TOTAL OF 30 MINUTES)**

- a. Reminder from Board Chair to audience: The Board Chair will ask the Town Clerk if anyone has signed up to speak to the Board. It is advisable that if you wish to address the Board that you see the Town Clerk prior to the start of the meeting. Once you have been recognized by the Chair, please come to the podium and state your name and address for the record. Speakers may have up to 3 minutes to address the Board. Please note, this is not a time for dialogue or discussion and the Board may or may not engage with you, even if direct questions are asked.

#### **6. Adjourn**

- a. **Motion to adjourn:**
- b. **Second:**
- c. **VOTE:**

#### **7. Next Meetings:**

Special Called Joint Meeting – June 27, 2022

Next regularly scheduled meeting – July 18, 2022

**Planning Board Meeting  
February 14, 2022  
Civic Center  
Minutes and General Account**

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**Planning Board Members Present:** Sarah Glanville, Ed Stafford, Jane Walker Payne, Russ Walker, Jr, Peggy Levi, Donald Dale, Jr., (ETJ), Robert Coon (ETJ), Sherrie Richmond (ETJ), Kerry Miller (Alternate).

**Town Council Representative Present:** Rebecca Mann Rayborn

**Staff Present:** Matthew Johnson, Town Manager; Anna Hawryluk, Town Planner; Nancy Avery, Interim Town Clerk

**Visitors Present:** Brandon Emory, Alliance Enforcement Code (ACE)

**Call to order** - Hawryluk called the meeting to order at 6:00 pm.

**Election of Chair** -Hawryluk said the Rules of Procedures call for election of officers each year. The Chair and Vice Chair will be elected by the regular board members. ETJ members may not vote on the election. She called for nominations for Chair. Richmond made a motion to nominate Glanville. There were no nominations for the second and third call. Hawryluk asked for members in favor of the nomination of Glanville as Chair. Hawryluk closed the nominations. The vote was unanimous.

**Election of Vice Chair** - Glanville said Ed Stafford is now Vice Chair and as he is not at the meeting yet, she would like to table this until later in the meeting. Levi made a motion to table the Vice Chair election to later in the meeting. Miller made a second to the motion. The motion passed by a unanimous vote.

**Roll call** - Hawryluk took roll call as follows:

Sarah Glanville - Present  
Ed Stafford – arrived at 6:09 pm  
Jane Walker Payne - Present  
Russ Walker - Present  
Donald Dale - Present  
Robert Coon. Present  
Sherrie Richmond - Present  
Kerry Miller – Present  
Peggy Levi - present

Council Member Rayborn - Present

There was a quorum present.

### **Setting regular meeting schedule for 2022**

Glanville stated there was a request to change the July meeting date from the 11<sup>th</sup> to the 18<sup>th</sup>. Miller made a motion to approve the 2022 Meeting schedule with the change of the July meeting to the 18<sup>th</sup>. Dale made a second to the motion. The motion was passed by a unanimous vote.

### **Approval of Minutes**

- March 8, 2021
- May 10, 2021
- August 11, 2021
- September 20, 2021
- November 8, 2021

Glanville stated there is one change to the November 8, 2021 minutes in the Public Hearing section correcting Langholm Court. Richmond said her name is misspelled on pages 17 and 18.

Walker made a motion to approve the minutes as corrected. Miller made a second to the motion. The motion passed by a unanimous vote.

### **Public hearing on Land Development Ordinance updates**

Hawryluk stated at the November 2021 meeting, the board was presented with Article 17 and Article 24 Land Development Ordinance (LDO) updates. At that time the Minimum Housing Code and the Minimum Non Residential Code were presented as being from the North Carolina Building Code. Since that presentation, it has been corrected that the code language was from the International Property Maintenance Code (IPMC). This has now been referenced in the LDO updates. Council sent this back to this board for clarification and to address any questions this board may have. Article 12 of 160D (NC General Statute) does give municipalities the authority to adopt and enforce ordinances related to dwellings that are unfit for human habitation. She introduced Brandon Emory with Alliance Code Enforcement (ACE) who wrote Article 24.

Mr. Emory stated the ordinances are put together from things that have been utilized by other towns. Minimum housing code originally derived from the IPMC. The purpose was to establish minimum regulations for maintenance of existing buildings through model code regulations that contain clear and specific property maintenance improvement provisions. This language is universally used across all minimum housing ordinances. Jamestown is unique in that there is no minimum housing ordinance. It does have an unsafe ordinance which addresses similar things but it requires going outside the Town to have a county building inspector enforce it. What this does is allow the Town to handle everything within the Town. When we were brought on board, we made sure we put the Town in the best possible position to identify and handle issues. There is nothing in the ordinances out of the ordinary. It allows code enforcement to act when there is partial collapse, or outside elements are able to get in such as holes in the roof or rotting exterior surfaces or broken windows and things of that nature. It also allows us to deal with some plumbing, ventilation and electrical situations and do inspections with landlord/renter situations, to ensure safe living environments.

Board discussion

Richmond asked if there was a way to move beyond minimum regulations or handle issues when children are in the house.

Mr. Emory replied that there are specific general statutes that regulate what we can do. With some manufactured homes we can require more underpinning or certain exteriors, but for a basic stick built house, we can only use minimum requirements. We cannot force a home owner to do anything, but we can encourage someone and put the Town in the best position to deal with these issues. In the case of an abandoned property, the ordinance allows the Town to abate the matter as it sees fit to either fix the building to minimum regulations or tear it down. In cases where we have opted for violations and the homeowner does not want to do anything, we would have to go to the county building inspector to come in and inspect and provide stronger enforcement. We cannot handle issues related to abused children, but can look at situations where there is no heat or running water issues and get it fixed. The code does give the ability to shut down the property if it is not fixed.

Glanville referenced section 24.4-7 Basic Equipment and Facilities, B heating systems, number 1 central electrical hearing system. Stating she thinks there is a typo at 'every central or electric heating beating system' – thinks it should read 'every central or electric heating system'. Mr. Emory said that is a typo.

Glanville said she looked up the statute for this. She referenced in the LDO update 'every dwelling unit to a minimum temperature of 68 degrees Fahrenheit measured at a .3 feet above the floor. The statute adds 'with an outside temperature of twenty degrees Fahrenheit '. Someone brought this to her attention, that the language in the LDO should mirror the statute.

Mr. Emory replied that when they inspect the house, they look at the 68 degree requirement regardless of the outside temperature. We can add that language to mirror it verbatim, but we are only looking at whether it is 68 degrees inside the house.

Glanville said her concern is in a landlord/renter issue and the house is inspected on a warm day, then the landlord can say he is in compliance.

Mr. Emory said they would inspect the property same day the complaint is received or as quickly as possible in these situations. Most times we do not get calls like that unless there is an extended period of cold. We look at what a reasonable person would say.

Kerry asked Hawryluk about her title of Town Planner. There is also a Planning Director position. The LDO document says Planning Director. Is that the same position?

Johnson said typically it is the Planning Director and/or designee(s). The positions are in transition. The person addressing the issues would be code enforcement.

Hawryluk said she will address Glanville's wording concern discussed above. She said she will correct. She also said that not all language is word for word, but has same meaning.

Glanville asked about the section that talks about the procedure for enforcement; Service Complaints. The first procedure states whenever a petition is filed with the inspector or by at least five residents of the Town charging that a dwelling or any dwelling is unfit. She is glad it is five residents instead of just one. She is concerned about some property owners not being able to afford the same standard of others in the neighborhood.

Mr. Emory said this language has been there for years. Code Enforcement will look at any complaint by one person or more. We are not looking for minor things such as whether there are screens on the window (unless there is a ventilation issue) but for major items such as damage to the roof. If we get a call from a renter about problems that the landlord will not fix, we will warn the renter that if we come in, we cannot force anyone to clean up minor issues, and there is the probability that the house could end up being forced to close and not be rentable. We are more interested in electrical, water damage, and heating problems. A good thing about his company is that we have a lot of resources. We work for many towns doing this work. He gave an example of a widow being forced to move out of her house that did not have running water and had an unsafe porch. His company found a contractor willingly to donate time and materials along with a church group willing to fix her property. His company's goal is to go above and beyond to assist.

### **Public Hearing**

Glanville opened the Public Hearing at 6:36 pm

As no one wished to speak, Glanville closed the hearing at 6:36 pm.

### **LDO updates**

Levi made a motion to accept the LDO updates to Articles 17 and 24 as presented with referenced changes to section 24.4-7.

Dale made a second to the motion. The motion passed by a unanimous vote.

### **Consistency statement**

Stafford read the statement of consistency as follows:

1. The proposed zoning text amendment is consistent with the adopted Comprehensive Plan of the Town of Jamestown. The Planning Board further finds that the proposed zoning text amendment is consistent with the Comprehensive Plan because: Periodic updates to the zoning texts are necessary based upon changing conditions, regulations, and laws. Updates establish Town compliance with regulating bodies and ensure that guiding documents are accurately operational for each of the current goals of the Comprehensive Land Development Plan.
2. The proposed zoning test amendment is reasonable. The Planning Board considers the proposed zoning text amendment to be reasonable because:
  - A. The report of the Town staff finding the proposed zoning text amendment to be reasonable is adopted by reference.
  - B. The Planning Board further finds that the proposed zoning text amendment is reasonable because: The text edits correct any previous errors and add clarifying language and formatting to make the documents easier to interpret and apply.

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AND

3. The proposed zoning text amendment is in the public interest. The Planning Board considers the proposed zoning text amendment to be in the public interest because:

- A. The report of the Town staff finding the proposed zoning text amendment to be in the public interest is adopted by reference.
- B. The Planning Board further finds that the proposed zoning text amendment is in the public interest because: Continuous improvement to the guiding documents promotes consistent and equitable application of the regulations that promote the general health, safety, and welfare of the people of Jamestown.

Coon made a motion to adopt the Statement of Consistency. Payne made a second to the motion. The motion passed by a unanimous vote.

#### **Public comment**

None

#### **Election of vice chair**

Glanville nominated Ed Stafford as Vice Chair. There were no other nominations.

Miller made a motion to elect Ed Stafford as Chair. Payne made a second to the motion. The motion passed by a unanimous vote.

#### **Adjournment**

Dale made a motion to adjourn at 6:43 pm. Coon made a second to the motion. The motion passed by a unanimous vote.

The meeting adjourned at 6:43 pm

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**Planning Board Meeting  
March 14, 2022  
Civic Center  
Minutes and General Account**

**Planning Board Members Present:** Ed Stafford, Jane Walker Payne, Russ Walker, Jr, Donald Dale, Jr., (ETJ), Robert Coon (ETJ), Sherrie Richmond (ETJ), Cara Arena (ETJ), Pamaila Burgess (alternate)

**Town Council Representative Present:** Rebecca Mann Rayborn

**Staff Present:** Matthew Johnson, Town Manager; Anna Hawryluk, Town Planner; Nancy Avery, Interim Town Clerk

**Call to order** – Stafford called the meeting to order at 6:00 pm.

**Roll call**

Hawryluk took the roll call as follows:

Sarah Glanville – not present  
Jane Walker Payne - present  
Ed Stafford - present  
Russ Walker Jr. - present  
Pamaila Burgess, alternate - present  
Donald Dale, ETJ - present  
Robert Coon, ETJ - present  
Cara Arena, ETJ - present  
Sherrie Richmond, ETJ - present

Rebecca Rayborn, Council representative - present

A quorum was present.

**Approval of minutes from February 14, 2022**

Coon made a motion to accept the February 14, 2022 minutes as presented. Richmond made a second to the motion. The motion passed by a unanimous vote.

**Public Hearing on amendment to LDO section on Definitions**

Hawryluk stated there is an amendment in your packets to the LDO Definitions section. At the last meeting, Member Arena asked what happens if there is not a Planning Director in charge. Staff reviewed the Planning Director definition in the LDO and decided it needed clarification. The amendment language replaces the current with the following:  
“Planning Director – the Town of Jamestown official charged with administering, interpreting and enforcing the land development ordinance including the sign regulations and their designee. In the event that the position of Planning Director position is vacant, the Town Manager or their

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designee shall become the person responsible for administering the ordinances herein. Any references to Planning Director shall be interchangeable with that of Town Manager.”

Staff requested the board make a recommendation to the Town Council on this amendment. This is a Public Hearing.

Public Hearing opened at 6:09 pm and closed at 6:10 pm as there was no one signed up to speak.

Arena moved to recommend the adoption of the proposed amendment to the LDO Definitions section as presented. Payne made a second to the motion.

#### Roll Call vote

Hawryluk took the roll call as follows:

Jane Walker Payne - yes  
Ed Stafford - yes  
Russ Walker Jr. - yes  
Pamaila Burgess, alternate - yes  
Donald Dale, ETJ - yes  
Robert Coon, ETJ - yes  
Cara Arena, ETJ - yes  
Sherrie Richmond, ETJ – yes

The motion passed by a unanimous vote.

#### **Consistency statement**

Stafford read the statement of consistency as follows:

1. The proposed zoning text amendment is consistent with the adopted Comprehensive Plan of the Town of Jamestown. The Planning Board further finds that the proposed zoning text amendment is consistent with the Comprehensive Plan because: Periodic updates to the zoning texts are necessary based upon changing conditions, regulations, and laws. Updates establish Town compliance with regulating bodies and ensure that guiding documents are accurately operational for each of the current goals of the Comprehensive Land Development Plan.
2. The proposed zoning test amendment is reasonable. The Planning Board considers the proposed zoning text amendment to be reasonable because:
  - A. The report of the Town staff finding the proposed zoning text amendment to be reasonable is adopted by reference.
  - B. The Planning Board further finds that the proposed zoning text amendment is reasonable because: The text edits correct any previous errors and add clarifying language and formatting to make the documents easier to interpret and apply.

AND

3. The proposed zoning text amendment is in the public interest. The Planning Board considers the proposed zoning text amendment to be in the public interest because:
  - A. The report of the Town staff finding the proposed zoning text amendment to be in the

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public interest is adopted by reference.

- B. The Planning Board further finds that the proposed zoning text amendment is in the public interest because: Continuous improvement to the guiding documents promotes consistent and equitable application of the regulations that promote the general health, safety, and welfare of the people of Jamestown.

Walker made a motion to adopt the Consistency Statement as presented. Payne made a second to the motion.

#### Roll Call vote

Hawryluk took the roll call as follows:

Jane Walker Payne - yes  
Ed Stafford - yes  
Russ Walker Jr. - yes  
Pamaila Burgess, alternate - yes  
Donald Dale, ETJ - yes  
Robert Coon, ETJ - yes  
Cara Arena, ETJ - yes  
Sherrie Richmond, ETJ – yes

The motion passed by a unanimous vote.

#### **Adjournment**

Payne made a motion to adjourn at 6:13 pm. Richmond made a second to the motion. The motion passed by a unanimous vote.



**Town of Jamestown, North Carolina**  
**Department of Planning**

**Application for Zoning Amendment**

The following items must be submitted with this form before the application may be processed.

Please bring the following items with you when submitting your application form:

1. Copy of survey plat(s) and/or deed(s) or map to the parcel(s) requested for rezoning.
2. Completed *Adjoining Property Owner(s) List* form.
3. Completed *Project Questionnaire* included on page three of the application.
4. A site plan/development plan outlining features of the proposed use of the property (if new construction is proposed). The following items should be included on the plan:
  - Title, preparer, and date of plan
  - Property lines and dimensions
  - Easements affecting the property
  - Physical features such as flood plains
  - Setbacks, dimensions, floor area, and height of all existing and proposed buildings
  - Dimensions and locations of existing and proposed roads, driveways, entrances/exits, and parking areas (please label number of parking spaces on plan)
  - Location and description of site features such as landscaping, lighting, and signage (if proposed).

**Additional Notes:**

- Following approval of the rezoning application, your project may require additional permits. Please contact the Planning Department to discuss permits that may be required for the construction of your project at (336) 454-1138.
- BY SIGNING THIS FORM, YOU ARE GRANTING PERMISSION FOR MEMBERS OF THE STAFF OR ANY APPOINTED OR ELECTED BOARD THE RIGHT TO ACCESS YOUR PROPERTY, INCLUDING BUT NOT LIMITED TO THE USE OF UNMANNED AERIAL SYSTEMS TO OVERFLY YOUR PROPERTY.
- You (or a designated representative) are strongly encouraged to attend all public hearings for your project. Failure to appear may result in the delay of the application.

**Applicant Information**

Applicant Name: Land Acquisition and Development Services, LLC

PO Box 9147

Greensboro, N.C. 27429

Street Address or P.O. Box

336-549-9699

336-549-9699

City/State/Zip Code

chall@windsorinvestments.com

Home/Work Phone Number

Mobile Number

Email

Is the applicant the owner of the parcel(s) to be rezoned?

Yes

☒ No

**Owner Information**

Owner Name: Sherrill L. Auman and Kitle Gloria Auman

5203 Edmondson Ave

Dallas, TX 75209

Street Address or P.O. Box

214-957-4424

214-957-4424

City/State/Zip Code

lenaumanmd@gmail.com

Home/Work Phone Number

Mobile Number

Email

**Applicant and Owner Certification and Signature**

(If Applicant and Owner are different individuals, both must sign. If Applicant and Owner are the same, please sign as Owner.)

Applicant Signature: Tanner C. Hall, Manager

Date: 5-6-2022

I, THE UNDERSIGNED, AM AN OWNER OF THE ABOVE-DESCRIBED PARCEL(S) AND CERTIFY I AM LEGALLY AUTHORIZED TO MAKE THIS APPLICATION FOR REZONING, HAVING THE PERMISSION OF ALL OTHER OWNERS (IF ANY).

Owner Signature: Sherrill L. Auman POA for Kitle M. Auman

Date: 05/07/2022

**NOTARY STATEMENT:**

State of Texas, County of Dallas to wit:

Tanner C. Hall

a notary public in and for the state and county aforesaid, do hereby certify that

Sherrill L. Auman Jr POA for Kitle M. Auman whose name(s) is (are) signed to the foregoing statement, personally appeared before me in my state and county and acknowledged the same.

My commission expires

Given under my hand this

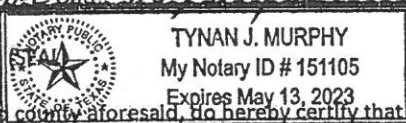
Day of

May

2022

Notary Signature

Printed Name of Notary:



Tynan J. Murphy

Permit Information			
Owner Requests Rezoning of the Following Parcel(s):			
Parcel #1: <u>223271</u>	Parcel Size: <u>31.4 Acres</u>	<u>4718 Harvey Rd. Jamestown, N.C. 27282</u>	
Tax Map ID	Acres/Square Ft	Street Address	
Current Parcel Zoning: <u>AGRI/HORT</u>		Request to Rezone to: <u>CZ-Bypass</u>	
Current Parcel Use:    Agricultural    Commercial    Industrial    Residential <span style="border: 1px solid black; padding: 2px;">Vacant/Unused</span>			
Owner Requests Rezoning of the Following Parcel(s):			
Parcel #2: _____	Parcel Size: _____	_____	
Tax Map ID	Acres/Square Ft	Street Address	
Current Parcel Zoning: _____		Request to Rezone to: _____	
Current Parcel Use:    Agricultural    Commercial    Industrial    Residential    Vacant/Unused			
Owner Requests Rezoning of the Following Parcel(s):			
Parcel #3: _____	Parcel Size: _____	_____	
Tax Map ID	Acres/Square Ft	Street Address	
Current Parcel Zoning: _____		Request to Rezone to: _____	
Current Parcel Use:    Agricultural    Commercial    Industrial    Residential    Vacant/Unused			
<b>If you are requesting a Zoning Text Amendment, please provide proposed new language or uses below. Add additional sheets if necessary.</b>			
<b>Adjoining Property Owner(s)</b>			
Please list ALL property owner(s) and street address(es) of parcel(s) immediately adjoining AND directly across street(s), road(s), and highway(s) from parcel(s) requested for rezoning.			Tax Map Numbers
James A. & Phyllis E. Willard	4818 Harvey Rd, Jamestown, N.C. 27282	160105	
Adjoining Property Owner	Street Address of Adjoining Property (if none, list 'Vacant')		
Jonathan E. & Lisa A. Knight	4822 Harvey Rd. Jamestown, N.C. 27282	160115	
Adjoining Property Owner	Street Address of Adjoining Property (if none, list 'Vacant')		
Creek Run, LLC	612 R-1 Oakdale Mill Rd. Jamestown, N.C. 27282	160135	
Adjoining Property Owner	Street Address of Adjoining Property (if none, list 'Vacant')		
Sherril L. Auman & Kitsie G. Auman	4718 ZZ Harvey Rd. Jamestown, NC 27282	233809	
Adjoining Property Owner	Street Address of Adjoining Property (if none, list 'Vacant')		
Shelba Auman & Michelle Preston Watson	4714 ZZ Harvey Rd. Jamestown, N.C. 27282	223270	
Adjoining Property Owner	Street Address of Adjoining Property (if none, list 'Vacant')		

### Project Questionnaire

Rezoning requests involve analysis by Town staff, Planning Board, and Town Council members. The information provided below will help staff members review the application for compliance with town regulations. The questionnaire will also serve as an introduction to the Planning Board, as a copy of the application will be included in information delivered to each member prior to the meeting date. Please use additional sheets and attach photographs if necessary.

#### Why are you requesting this rezoning?

We are requesting rezoning for this property from AGR/HORT to Bypass zoning because we would like to develop a site that includes attached 2 car garage master down townhomes with the potential for a +/- 2.5 acre commercial parcel included at the northern part of the property where it fronts Harvey Road.

#### Please provide a description of the site before and after development (if construction is proposed).

Currently the site has quite a bit of terrain on it sloping from front to back towards the creek that is cutting through the middle of the site. The site is mostly wooded with a mix of hardwoods and pines. There is a creek that cuts through the site as well as a couple of areas on the site shown as wetlands. After the development, the site will have attached single family dwellings on it and potentially a +/- 2.5 acre commercial site.

#### Please describe the operation proposed including number of employees and hours of operation, if applicable.

N/A

#### Please describe how the properties around your site are used (residential, churches, business, schools) and how the proposed project may impact the surrounding area (e.g. noise, traffic, light, impact on environmental or other unique features).

There are residential homes around this site. There are also some vacant parcels surrounding the site. To the north of the site is the new bypass and Ragsdale High School.

Due to the move down product we are proposing, we believe there will be a minimal impact to noise, light, traffic and the environment.

#### Please describe potential impacts on public facilities and infrastructure such as the water/wastewater system, public schools, and roads.

Our community will consist of townhomes targeted towards empty nesters thus the impact on schools should be minimal. Traffic generation, public facility usage, water usage and wastewater system usage will be lower than normal because of the reduced number of average occupants per townhome unit compared to a typical single family household.

#### Will your project require a permit from other licensing agencies (e.g. NCDENR, NC Department of Transportation, US Army Corps of Engineers, etc). Yes No If yes, please explain.

Potentially some state agencies- such as NCDOT, NCDENR and Army Corps of Engineers.

### For Town Use Only

Date Application Received: 5/9/22 Ann C. Hargrave

Town of Jamestown, North Carolina

301 E. Main St.

Jamestown, NC 27282

(336) 454-1138



## Town of Jamestown, North Carolina Department of Planning

## Rezoning Permit Process Guide

### Frequently Asked Questions

**What is a rezoning?** A rezoning is required if the proposed use of your property is not permitted by right or with a Special Use Permit.

**What is the process?** Applicants submit an application for rezoning to the Planning Department by the second Monday of the month to meet the deadline for the following month's Planning Board meeting. Applications are then considered at a public hearing before the Planning Board which makes a recommendation for consideration by the Town Council.

**How long does the process take?** The process *typically* takes 2 to 3 months to complete from beginning to end. This time frame can vary if an application requires additional time for review by the Planning Board or Town Council.

**What happens during a public hearing?** All rezoning applications require two public hearings, one by the Planning Board and one by the Town Council. The NC General Statutes requires that a notice of public hearing be placed in the newspaper. Generally, all property owners within a 500 ft. radius of your property will receive a notice of the date, time and nature of the public hearing and are invited to attend to make public comments.

**What can I expect during the meetings?** At the time of your public hearing, the meeting chairperson will introduce the item by reading the case summary from the meeting agenda. The Chair will then ask town staff to provide a summary of the application. The applicant and those attendees in support and opposed to the project are then invited to speak.

**Why is it important for the applicant to attend both public hearings?**

During the public hearing, you (or your representative) will have the opportunity to present your project and respond to questions from Planning Board members and Interested parties in the audience.

### Typical Timeline

**Step 1.** Meet with town staff to discuss your proposed project. Staff members can assist you with the application and answer any questions you may have about the rezoning process.

**Step 2.** Applications are always due on the second Monday of the month. A non-refundable application fee is due upon submittal.

**Step 3.** Your application is reviewed by town staff for completeness. Applicants are notified if there are any deficiencies.

**Step 4.** Complete applications are advertised for public hearing.

**Step 5.** The Planning Board meeting is held on the 2<sup>nd</sup> Monday of every month.

**Step 6.** The Town Council public hearing is scheduled, generally, for the 3<sup>rd</sup> Tuesday in the following month.

**Step 7.** Approved applications may proceed with the building permit application process.

### Contact Information

**You may find the following numbers helpful during your application process:**

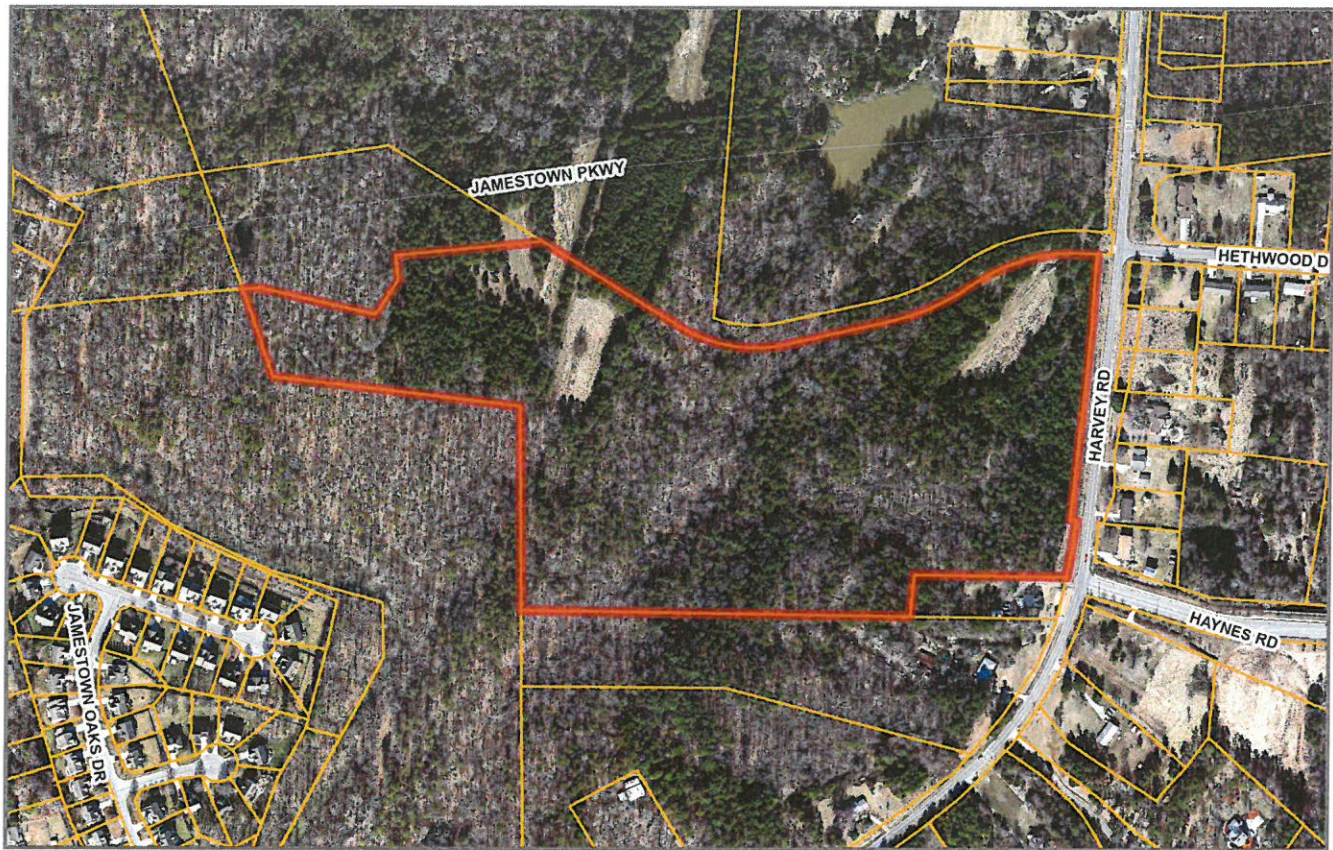
Planning Department	336-454-1138
Town Manager	336-454-1138
Public Services Department	336-454-1138
Guilford County Health Department	336-641-7777
NC Department of Transportation	336-487-0000
NC Department of Environmental Quality	336-641-3334
NC Department of Motor Vehicles	336-884-1003
NorthState Telecom	336-886-3600
Duke Energy	800-777-9898
Piedmont Natural Gas	800-752-7504
Time Warner Cable	800-892-4357
Utility Location Services	811

### Planning Board Members

Sarah Glanville	336-209-1712
Ed Stafford	336-669-5106
Jane Walker Payne	336-454-6552
Dennis Sholl	336-454-5902
Russell Walker, Jr.	336-302-8135
Cara Arena**	336-409-1175
Robert Coon**	336-580-1835
Donald Dale**	336-687-2453
Sherrie Richmond**	336-491-8983

\*\*Denotes ETJ member

## Guilford County, NC



Parcel Number	223271	Total Out Building Value	0
PIN	7821755114	Total Land Value	200000
Owner	AUMAN, SHERRILL L;AUMAN, KITSIE GLORIA	Total Deferred Value	0
Owner History	Card Image	Bldg Card	
Mail Address	5203 EDMONDSON AVE	Appraisal Model Code	
Mail City	DALLAS	Deed Data	10/6/2015
Mail State	TX	Neighborhood	7821A03
Mail Zip	75209	Property Type	AGRI/HORT
Property Address	4718 HARVEY RD	Structure Size	
Legal Description		Lot Size	31.4
Deed	007747-02672	Year Built	
Plat		Bedrooms	
Condo		Bathrooms	
Total Assessed	200000	Grade	
Total Building Value	0		



*Disclaimer: While every effort is made to keep information provided over the internet accurate and up-to-date, Guilford County does not certify the authenticity or accuracy of such information. No warranties, express or implied, are provided for the records and/or mapping data herein, or for their use or interpretation by the User.*

Map Scale  
1 inch = 500 feet  
5/6/2022

Rezoning Case: 2022-01  
4718 Harvey Road  
AG to CZ-Bypass; Rezoning Request

**Conditions as requested by the applicant:**

1. The area of potential commercial use shall be limited to 2.5 Acres. The remainder of the site shall be limited to residential uses only.
2. No apartments shall be allowed.
3. The maximum number of residential lots shall be 95.
4. Setbacks – Maximum front setback of 30' along the internal roads and 65' along Harvey Road
5. Architectural standards –
  - a. Vinyl exterior with some element of stone or brick wainscot on the front. Decorative vinyl shakes or board and batten in front gable. Shutters per plan and elevation (some elevations are designed to not be conducive for shutters). A variety of elevations and neutral exterior colors.
6. Commercial shall be limited to:
  - a. Post office
  - b. Medical, dental, or related office
  - c. Real estate office or other professional office such as insurance; legal; accounting; consulting
  - d. Bank / financial institution
  - e. Florist/gift shop
  - f. Hardware store



**AFFIDAVIT OF NOTICE**

REGARDING NOTIFICATION REQUIREMENTS FOR rezoning request before the Planning Board for 4718

Harvey Rd located on Guilford County Tax Map/Parcel(s), and

PIN#(s) 7821755114.

Check box if additional sheets are attached: ☐

STATE OF NORTH CAROLINA  
COUNTY OF GUILFORD, to-wit:

I Anna Hawryluk, the undersigned, being first duly sworn, do hereby depose and certify as follows:

That in accordance with Section 160A-384 of the North Carolina General Statutes, the property owners listed on the attached sheet were notified of the June 13, 2022, public hearing before the Planning Board, to be held at 301 E Main Street at 6:00 PM.

That said notification consisted of a written notification letter mailed to each listed property owner or their agent at least 10 and no more than 25 calendar days before the referenced public hearing.

That a sample notification letter and a list of the names of property owners or their agents or occupants of the property to whom notification was sent are attached.

That said notification was mailed from the Jamestown Post Office, on May 27, 2022 by First Class mail.

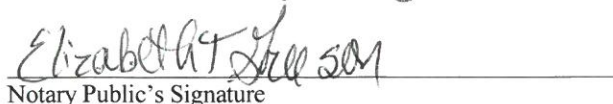
That pursuant to the Town of Jamestown Land Development Ordinance, placards furnished by the Town, indicating the date, time and place of the public hearing before the Planning Board, a brief description of the matter being heard, and identifying the land which is the subject of the application, were erected on the property at least 10 and no more than 25 calendar days prior to the public hearing, and further, that said placards have been maintained up to the time of said hearing.

That the placards were posted on May 27, 2022.

  
Town Planner's Signature

Subscribed and sworn to before me this 27th day of May, 2022.

My Commission Expires: February 20, 2027

  
Notary Public's Signature

Elizabeth T Greeson  
Printed Name of Notary Public



Owner	Mail Address	Mail City	Mail State	Mail Zip	Property Address
ALDEN, CHARLES J;ALDEN, TERESITA M	3637 LAUREL CREEK WAY	DURHAM	NC	27712	100 HETHWOOD DR
AUMAN, B STEVEN	PO BOX 1588	JAMESTOW	NC	27282	4722 ZZ HARVEY RD
AUMAN, SHERRILL L;AUMAN, KITSIE GLORIA	5203 EDMONDSON AVE	DALLAS	TX	75209	4718 HARVEY RD
BAIN, JACQUELINE S	PO BOX 517	JAMESTOW	NC	27282	4834 HARVEY RD
BASSETT, JAMES R;BASSETT, CARY L M	4829 HARVEY RD	JAMESTOW	NC	27282	4829 HARVEY RD
BEAMON, DEBOY;BEAMON, MARLENE	209 FARRIERS LN	JAMESTOW	NC	27282	209 FARRIERS LN
BRAFFORD, KIMBERLY M	207 FARRIERS LN	JAMESTOW	NC	27282	207 FARRIERS LN
CALDER, LEROY A III;CALDER, HEATHER MAE	205 FARRIERS LN	JAMESTOW	NC	27282	205 FARRIERS LN
CANTY, AISHA F T	212 FARRIERS LN	JAMESTOW	NC	27282	212 FARRIERS LN
CREEK RUN LLC	1317 BEACH AVE	CAPE MAY	NJ	8204	612 R-1 OAKDALE MILL RD
DEPARTMENT OF TRANSPORTATION	1505 MAIL SERVICE CENTER	RALEIGH	NC	27699	612 R-2 OAKDALE MILL RD
DEPARTMENT OF TRANSPORTATION	1546 MAIL SERVICE CENTER	RALEIGH	NC	27611	4723 ZZ HARVEY RD
FALLS, ALISON R	213 FARRIERS LN	JAMESTOW	NC	27282	213 FARRIERS LN
FRANCES A BOYLES LIVING TRUST;BOYLES, FRANCES A TRUSTEE	4731 HARVEY RD	JAMESTOW	NC	27282	4731 HARVEY RD
GREENWELL, RICHARD A;GREENWELL, KATHLEEN M	102 FARRIERS LN	JAMESTOW	NC	27282	102 FARRIERS LN
GUILFORD COUNTY BOARD OF EDUCATION	712 N EUGENE ST	GREENSBO	NC	27401	4817 HARVEY RD
HANF, LAURA;DAVIS, JESSE ROYAL JR	4809 HARVEY RD	JAMESTOW	NC	27282	4809 HARVEY RD
HAWKINS, KEITH T	4811 HARVEY RD	JAMESTOW	NC	27282	4811 HARVEY RD
HETHCOX, DONALD RICK;HETHCOX, SYLVIA S	202 ARROWOOD LN	JAMESTOW	NC	27282	4807 REAR HARVEY RD
JOHNSON, CARLTON R	4846 HARVEY RD	JAMESTOW	NC	27282	4846 HARVEY RD
KNIGHT, JONATHAN E;KNIGHT, LISA A	4822 HARVEY RD	JAMESTOW	NC	27212	4822 HARVEY RD
KNOX, GEORGE COWAN JR	4831 HARVEY RD	JAMESTOW	NC	27282	4831 HARVEY RD
KOONTZ, CALVIN W;KOONTZ, MINNIE P	PO BOX 955	PILOT MOL	NC	27041	105 HETHWOOD DR
MAREYLI C GONZALEZ IRREVOCABLE SPECIAL NEEDS TRUST;CORPORATION OF GUARDINSHIP TRUSTEE	122 N ELM ST STE 600	GREENSBO	NC	27401	102 HETHWOOD DR
MCMURRAY, SARAH;MCMURRAY, JOHN DAVID	211 FARRIERS LN	JAMESTOW	NC	27282	211 FARRIERS LN
MCNEAR, MARLA	104 HETHWOOD DR	JAMESTOW	NC	27282	104 HETHWOOD DR
MURA, MICHAEL J;MURA, ANN MARIE	100 FARRIERS LN	JAMESTOW	NC	27282	100 FARRIERS LN
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION	PO BOX 14996	GREENSBO	NC	27415	4723 HARVEY RD
PARKS, SHARON TOWNSEND;TOWNSEND, DEBRA	103 HETHWOOD DR	JAMESTOW	NC	27282	103 HETHWOOD DR
POND, MARK T;POND, CHRISTINA E	201 FARRIERS LN	JAMESTOW	NC	27282	201 FARRIERS LN
RANDO, THOMAS J	4807 HARVEY RD	JAMESTOW	NC	27282	4807 HARVEY RD
REGAN, GARY A;REGAN, NORMA JEAN	4823 HARVEY RD	JAMESTOW	NC	27282	4823 HARVEY RD
SANDRIDGE, WILLIAM LEE	4813 HARVEY RD	JAMESTOW	NC	27282	4813 HARVEY RD
THE BOBBY CARROLL AUMAN FAMILY FARM DEVELOPMENT LLC	PO BOX 1588	JAMESTOW	NC	27282	4714 HARVEY RD
TINSBLOOM, CHARLES EUGENE;KRIS, JUDY MAE	4819 HARVEY RD	JAMESTOW	NC	27282	4819 HARVEY RD
TOWN OF JAMESTOWN	301 E MAIN ST	JAMESTOW	NC	27282	212 NEAR FARRIERS LN
WATSON, SHELBA AUMAN;WATSON, MITCHELL PRESTON	590 CENTRAL DR APT C13	SOUTHERN NC		28387	4714 ZZ HARVEY RD
WILLARD, JAMES A;WILLARD, PHYLLIS E	4818 HARVEY RD	JAMESTOW	NC	27282	4818 HARVEY RD
YENGLE, JOHN R;YENGLE, ELIZABETH A	203 FARRIERS LN	JAMESTOW	NC	27282	203 FARRIERS LN



Planning Board Hearing Date: June 13, 2022

## **GENERAL INFORMATION**

**Applicant:** Charlie Hall c/o Windsor Homes  
Land Acquisition and Development Services, LLC  
PO Box 9147  
Greensboro, NC 27429

**Request:** Request for rezoning of the following parcels:  
• 4718 Harvey Rd (Parcel #223271) 31.4 +/- acres, From AG to CZ-B

**Conditions:** See Attached.

**Location:** 4718 Harvey Rd

**Parcel ID#:** 223271

**Public Notice:** Notice of Pubic Hearing mailed 05/27/2022

**Tract Size:** Total of all tracts is approximately 31.4 +/- acres

**Topography:** Generally flat throughout, an unnamed tributary to Bull Run Creek runs through the center of the parcel, a wetland area is on the southern portion of the parcel

**Vegetation:** Primarily forested throughout the parcel

**TRC Review:** TRC has reviewed the proposed rezoning and a detailed construction plan review will be required prior to the issuance of any construction permits

## **SITE DATA.**

**Existing Use:** Vacant

### **Adjacent Uses:**

	Adj. Zoning	Adj Land Uses
North	AG	Agricultural
South	SFR	Single Family Residential
East	SFR, CIV	Single Family Residential, Civic
West	SFR	Single Family Residential

### **Zoning History:**

Case #	Date	Summary

## **SPECIAL INFORMATION**

**Overlay Districts:** N/A

### **Environmental:**

**Watershed:** Randleman Lake GWA, Randleman Tier 3

**Floodplains:** Site is not adjacent to any floodplain per FEMA maps.

**Streams:** There is an unnamed tributary to Bull Run Creek through the center of the parcel

**Other:** N/A

**Utilities:** Public Water and Sanitary Sewer are available near this site. A letter of intent has been provided to obtain an easement to construct a sanitary sewer line across the property located at 612 R-1 Oakdale Mill.

**Landscape Requirements:** Landscaping requirements shall be per the TOJ Land Development Ordinance.

**Tree Conservation Areas (TCA):** Per LDO and to be reviewed by TRC. LDO requires six percent (6%) of lot area be preserved in a TCA.

**Open Space:** Per LDO and to be reviewed by TRC. LDO requirement: Other residential: 500 square feet of open space per unit or 10% of lot area, whichever is greater. Nonresidential uses (e.g., churches, schools, etc.): 10% of lot area.

**Transportation:**

Street Classification: Harvey Road – NCDOT, Local Secondary Route

Site Access: Harvey Road

Traffic Counts: NCDOT Traffic Counts on Harvey Rd between Vickrey Chapel Rd and Oakdale Rd are:  
2019: 3,500 ADT    2020: 2,900 ADT    2022 Projected: 3,800 ADT

Sidewalks: No existing sidewalks. Extension of sidewalks will be required by the Jamestown LDO and/or the site-specific master plan.

Transit: Not currently serviced by transit.

Traffic Impact Study: No TIS is required

Street Connectivity: N/A

Other: N/A

**IMPACT ANALYSIS**

**Land Use Compatibility and Envision Jamestown Comprehensive Plan**

The future land use map identifies these parcels future land use as “Mixed Use”. The 2020 Land Development Plan defines “Mixed Use” as:

MIXED USE: The Mixed Use future land use classification is applied exclusively to the properties located on, and adjacent to, the intersection of the Jamestown Bypass and Harvey Road. The intent of the Mixed Use classification is to facilitate the development of these key properties with a mixture of low intensity office and service uses in proximity to the bypass intersection, along with a mixture of a wide range of housing types in larger integrated developments in this prime growth area. In general, all nonresidential uses should be located along the Harvey Road and bypass frontages - with development standards that maintain the small town and historic aesthetic of the community, while residential uses should represent the majority of the development and occupy the interior of these parcels.

**Envision Jamestown Comprehensive Guiding Principles Applying To This Proposal**

**Guiding Principle #1:** Jamestown will actively facilitate high-quality growth that is both compatible with the Town’s traditional development pattern and innovative in how it meets the needs of our diverse and dynamic community.

- Implement subdivision standards that facilitate growth in a manner that achieves the Town’s desired urban development pattern and quality of public infrastructure.

**Guiding Principle #2:** As the strength of our community is directly tied to the long-term success of our neighborhoods, we will work diligently to promote and maintain the quality of life and aesthetic standards that our residents expect in Jamestown.

- Ensure that Jamestown’s residents have access to housing that is appropriate for all stages of life and family situations, including housing to allow older residents to “age in place”.

**Guiding Principle #4:** The ability to safely walk and ride a bicycle throughout the Town is critical to maintaining our community’s high quality of life. We will ensure that our community is well-connected with the necessary infrastructure to support walking and biking as an important mode of transportation for all residents.

- Provide every neighborhood in Jamestown with connections to a pedestrian system that will allow them to walk safely to any other destination in the community.

**Guiding Principle #10:** Jamestown is a welcoming and inclusive community that values the benefits of diversity in all aspects of the Town and its residents.

- Promote the development (and retention) of a wide range of housing types that meet the needs of current and future residents of all ages, abilities, family compositions, and socioeconomic backgrounds.

**Guiding Principle #11:** The quality and health of the natural environment is as important to our community as the quality of the built environment, and we will work to preserve and protect these vital resources.

- Protect and preserve mature trees and tree stands from removal in conjunction with land development activity, and promote the growth of healthy forests in the community.
- Protect riparian areas from encroachment by development to preserve water quality and natural habitats

#### **CONFORMITY WITH OTHER PLANS**

Town Plans:	N/A
Other Plans:	N/A

#### **STAFF COMMENTARY:**

The parcel is adjacent to the Jamestown Bypass and the applicant wishes to rezone the parcels to CZ-B, identifying the primary land use as residential with a potential commercial parcel that will compliment residential uses through conditional zoning (conditions attached).

The Technical Review Committee met on May 18, 2022. Public Services Director, Paul Blanchard, has investigated the parcels and found they can be served by Jamestown Public Utilities for water. A sewer easement is necessary for sewer service and the applicant has provided a letter of intent to gain access to sewer from an adjacent property.

Staff believe that the request to rezone this property from AG (Agriculture) to CZ-B (Conditional Zoning – Bypass) is appropriate and consistent with the Envision Jamestown Comprehensive Plan. Therefore, staff recommends that the Planning Board and Council follow the “Motion Finding Proposed Amendment Consistent With Comp Plan” procedure outlined below. *This will require two motions - one to consider the proposed zoning amendment and one to adopt the consistency statement.*

#### **Suggested timeline for consideration:**

Planning Board Public Hearing: June 13, 2022  
Town Council Public Hearing: July 19, 2022

\*\*All dates, locations and times will be advertised according to North Carolina law.\*\*

#### **WRITTEN RECOMMENDATION ADDRESSING COMPREHENSIVE LAND USE PLAN CONSISTENCY:**

Effective October 1, 2017, state law has changed regarding the adoption of “consistency statements” when amending zoning ordinances. I have attached the UNC School of Government’s blog on the topic for your review. However, I thought I would pull some of the pertinent information out and place it below in a bulleted format:

- Boards are not required to take action that is consistent with an adopted Land Development Plan (aka – Comprehensive Plan or “Comp” Plan). They only need to consider what it says.
- The Council and Planning Board **must** adopt a statement that addresses plan consistency when considering zoning ordinance amendments.
- The adopted statement **may not be** something simple like “we find the request to be consistent/inconsistent with adopted policies”. Rather, it must say **how/why** the Council feels as it does.
- The consistency statement must include some modest discussion and explanation about the Planning Board and Council’s feelings on their actions. In other words, the statement should not be crafted beforehand by staff.
- The new law states that the Council must make their statement conform to one of three forms:
  - A statement approving the proposed zoning amendment and describing its consistency with the plan;
  - A statement rejecting the proposed zoning amendment and describing its inconsistency with the plan; or
  - A statement approving the proposed amendment and declaring that this also amends the plan, along with an explanation of the change in conditions to meet the development needs of the community that were taken into account in the zoning amendment.
- Each consistency statement **must** include an **explanation of why the board deems the action to be reasonable and in the public interest.**

All amendments must now follow this approach:

- 1) Consideration of the proposed zoning amendment and public hearing.
- 2) Deliberation by the Board.
- 3) Motion on consistency/inconsistency with the Land Development Plan (Comp Plan).
  - a. ***If the Board finds that the proposed amendment is inconsistent with the Comp Plan, but wishes to approve the amendment, it must also make a motion (separately) to amend the Comp Plan to conform to the amendment.*** The same is true if the Board finds that a proposed amendment is consistent with the Plan, yet wishes to deny the amendment.
- 4) Motion to approve/deny the zoning amendment.

A sample format is provided on the following pages.

**MOTION**  
**FINDING PROPOSED AMENDMENT CONSISTENT WITH COMP PLAN**

I make a motion that the proposed zoning amendment **be approved** based on the following:

1.     *The proposed zoning amendment **is consistent** with the adopted comprehensive plan of the Town of Jamestown.* The Planning Board further finds that the proposed zoning amendment is consistent with the comprehensive plan because:\_\_\_\_\_.

AND

2.     *The proposed zoning amendment is reasonable.* The Planning Board considers the proposed zoning amendment to be reasonable because:

A.     The report of the Town staff finding the proposed zoning amendment to be reasonable is adopted by reference.

B.     The Planning Board further finds that the proposed zoning amendment is reasonable because:\_\_\_\_\_.

AND

3.     *The proposed zoning amendment is in the public interest.* The Planning Board considers the proposed zoning amendment to be in the public interest because:

A.     The report of the Town staff finding the proposed zoning amendment to be in the public interest is adopted by reference.

B.     The Planning Board further finds that the proposed zoning amendment is in the public interest because:\_\_\_\_\_.

[Call for second etc .]

**MOTION**  
**FINDING PROPOSED AMENDMENT INCONSISTENT WITH COMP PLAN**

I make a motion that the proposed zoning amendment **be rejected** based on the following:

1.       *The proposed zoning amendment is not consistent with the adopted comprehensive plan of the Town of Jamestown.* The Planning Board finds that the proposed zoning amendment is inconsistent with the comprehensive plan because:\_\_\_\_\_.

AND/OR

2.       *The proposed zoning amendment is not reasonable.* The Planning Board considers the proposed zoning amendment to be unreasonable because:

A.       The report of the Town staff finding the proposed zoning amendment to be unreasonable is adopted by reference.

B.       The Board further finds that the proposed zoning amendment is unreasonable because:\_\_\_\_\_.

AND/OR

3.       *The proposed zoning amendment is in the public interest.* The Board considers the proposed zoning amendment to be against the public interest because:

A.       The report of the Town staff finding the proposed zoning amendment to be against the public interest is adopted by reference.

B.       The Board further finds that the proposed zoning amendment is against the public interest because:\_\_\_\_\_.

[Call for second etc .]

**MOTION  
TO APPROVE  
ZONING AMENDMENT  
(EVEN IF INCONSISTENT WITH COMP PLAN)**

I make a motion that the proposed zoning amendment **be approved** based on the following:

1. *Even though the proposed zoning amendment is inconsistent with the adopted comprehensive plan of the Town of Jamestown, a change in conditions in meeting the development needs of the community has occurred since plan adoption.* These changes include:

\_\_\_\_\_.

Furthermore, the Board finds that the proposed zoning amendment meets the development needs of the community because:\_\_\_\_\_

AND

2. *The proposed zoning amendment is reasonable.* The Board considers the proposed zoning amendment to be reasonable because:

A. The report of the Town staff finding the proposed zoning amendment to be reasonable is adopted by reference.

B. The Board further finds that the proposed zoning amendment is reasonable because:\_\_\_\_\_.

AND

3. *The proposed zoning amendment is in the public interest.* The Council considers the proposed zoning amendment to be in the public interest because:

A. The report of the Town staff finding the proposed zoning amendment to be in the public interest is adopted by reference.

B. The Board further finds that the proposed zoning amendment is in the public interest because:\_\_\_\_\_.

AND

4. By approving this motion, the Board also recommends that the Town Council also hereby amends the Town of Jamestown Land Development Plan (comprehensive plan) to reflect the approved zoning amendment.

[Call for second etc.]

**Zoning Staff Report prepared for the Town of Jamestown Planning Department by Anna Hawryluk, AICP.**