

NORTH CAROLINA )  
 FORSYTH COUNTY )  
 )  
 ) WINSTON-SALEM CITY COUNCIL  
 )  
 ) ZONING PETITION OF  
 ) David & Jan Properties, LLC  
 )  
 ) FOR A SPECIAL USE PERMIT  
 )  
 ) (W- 3523 )

I, \_\_\_\_\_, am in support opposition (circle one) of the  
 aforementioned special use permit request pursuant to the following reasons attached hereto, which  
 are germane to the four findings set forth in Section B.6-1.5(F) of the UDO. (Please attach your  
 statement relating to the four findings when submitting this document, and be sure to include your name at the top of  
 each page of your statement.)

I believe I have standing in this matter because (check all that apply):

I am the applicant.

I am an agent of the applicant.

I live within 500 feet of any portion of the subject property for which the special use permit is  
 requested. (Please note that your proximity to the subject property does not automatically confer standing. If  
 necessary, be prepared at the hearing to articulate your status as an aggrieved party who will suffer special damages).

Other (If you require additional space, please attach a separate sheet, and be sure to include your name at the  
 top of each additional page):

Please see attached for written  
opposition statement.

I understand that if I am not present at the public hearing scheduled for the consideration of the  
 special use permit request by the City Council, this verified motion shall constitute hearsay, and  
 Council may refrain from considering this motion.

This the 6 day of April, 2022.

Andrew Bradford  
 Print Name: Andrew Bradford



STATE OF NORTH CAROLINA - FORSYTH COUNTY

I, SAMANTHA MITCHELL, a Notary Public of  
FORSYTH County, NC, do hereby certify that ANDREW BRADFORD personally  
 appeared before me this day and acknowledged the execution of the foregoing Verified Motion.

Witness my hand and notarial seal this the 6<sup>th</sup> day of APRIL, 2022.

SEAL/STAMP

Samantha Mitchell Notary Public

My commission expires MAY 25, 2025



Firstly, I am stating in writing my reasons for opposing the proposed rezoning requested by David & Jan Properties (Case W-3523), but I am unable to oppose in person due to a Protective Order that I have in place against David C. Bradford, filed with the Forsyth County District Court on 9/29/21.

David & Jan Properties, LLC and affiliated businesses, namely The Little Chapel at Havens Ridge, The Meadows at Havens Ridge, Bradford Farms Events Center, and Mollie B Marketing & Creative, LLC have been operating in bad faith, in noncompliance with permitting and zoning regulations, and without consideration for residential properties within 500' of said commercial activities.

Since at least 2020, the aforementioned have been engaging in on-going commercial activities at three adjoining RS9 parcels, owned by David & Jan Properties, LLC, (5460 Foxdale Drive, 516 S. Peace Haven Rd, 520 S. Peace Haven Rd), a portion of which is being considered for rezoning to RS20-S (Case W-3523).

As evidenced by Building Permit # R2101657 (issue date 5/18/21), cross-referenced with promotional and marketing materials that David & Jan Properties, LLC and its affiliates began making publicly-available in 2019, David & Jan Properties, LLC willfully applied for a building permit to construct a single-family accessory building with the explicit purpose of conducting commercial activities therein, immediately upon the structure's completion. David & Jan Properties, LLC not only willfully misrepresented the intended use of the structure, to avoid the more robust commercial permitting requirements and inherent costs of building a structure that satisfies commercial building requirements, but they blatantly advertised their true, premeditated and intended commercial use of this structure, which is explicitly prohibited per the Description of Work of Permit # R2101657.

It is further understood that David & Jan Properties, LLC were able to secure Permit # R2101657 by exploiting a loophole created by virtue of the fact that they own a series of adjacent properties between their primary residence at 5448 Kingsbridge Rd and the construction site, located at 516 S. Peace Haven Rd.

The decision to build a structure as a single-family accessory building with the foreknowledge that the structure's intended end-use is for commercial activities is a strong indicator that David & Jan Properties, LLC does not intend to invest in the full cost of upfitting their single-family accessory building to satisfying commercial property requirements, should their petition for rezoning be granted.

Additionally, David & Jan Properties LLC and its affiliates are using a gated entrance located at the dead-end residential street (Foxdale Drive) as the primary access for a portion of their on-going business activities. As a result of conducting commercial activities at RS9 zoned 5460 Foxdale Drive, and marketing both their current and future commercial activities, I have witnessed an increase in non-residential traffic on Foxdale Drive. Due to David & Jan Properties, LLC's gating of the entrance to 520 and 516 S. Peace Haven Rd (with 516 S. Peace Haven being the parcel containing the Building Permit # R2101657 single-family accessory building) they have effectively diverted all vehicle and pedestrian traffic (e.g. customers, perspective customers, and passers-by) down the dead-end residential street, Foxdale Drive. In the absence of a turn-about, cul-de-sac or any other means of turning a vehicle around on this public roadway, my property receives a significant amount of turn around traffic, despite the fact that the Foxdale Drive street sign is clearly marked "Dead End" and I have personally, conspicuously posted "private property" and "private drive, no turn around" signage

April 6, 2022

on my property. Should David & Jan Properties, LLC be allowed to continue their operations, as they are currently, I can only expect a proportional increase in non-residential traffic on Foxdale Drive, as public awareness of their businesses grows.

In light of the circumstances created by David & Jan Properties, LLC and their affiliates operating in bad faith, in noncompliance with permitting and zoning regulations, and without consideration for local residents, should the Planning Board recommend that the rezoning request be granted, I respectfully ask that all reasonable efforts are taken to ensure that all necessary bufferzones are properly implemented and enforced so that they fulfill their intended purpose of reducing potential nuisances, safeguarding property values, and preserving the character and integrity of the community.

I sincerely hope that the information provided in this written statement, along with any additional information that might be discovered as a result of inquiries made by city/county agents on behalf of the City of Winston-Salem/Forsyth County will be duly considered by the Planning Board in their report and recommendation for rezoning these RS9 properties owned by David & Jan Properties, LLC.