

## CITY ORDINANCE - SPECIAL USE

Zoning Petition of City of Winston-Salem, Docket W-3653

### AN ORDINANCE AMENDING THE WINSTON-SALEM CITY ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF WINSTON-SALEM, N.C.

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BE IT ORDAINED by the City Council of the City of Winston-Salem as follows:

Section 1. The Winston-Salem City Zoning Ordinance and the Official Zoning Map of the City of Winston-Salem, N.C. are hereby amended by changing from County MU-S to City MU-S the zoning classification of the following described property:

#### **Survey Description Phase 12:**

Lying and being in the City of Winston-Salem, Winston-Salem Township, Forsyth County, North Carolina, and more particularly described as follows:

Beginning at a #6 Rebar Found at a northern corner of now or formerly Heribert von Feilitzsch and wife, Berkley von Feilitzsch as recorded in Deed Book 3506, Page 1725; Deed Book 3333, Page 139 and Plat Book 71, Page 44 in the Forsyth County Register of Deeds, also being a #6 Rebar Found having NC Grid NAD83(2011) coordinates of **Northing 860,745.79 feet, Easting 1,592,757.46 feet** at a southern corner of now or formerly Brookberry Farm, LLC as recorded in Deed Book 3559, Page 3235 and being Lot 657 of Plat Book 78, Page 121; thence along a southern and eastern property line of said Lot 657, the following two (2) courses:

- 1) **North 54° 36' 34" East 134.23 feet** to a 3/4 Inch Pipe Found;
- 2) **North 28° 41' 00" West 200.02 feet** to a 3/4 Inch Iron Pipe Found at the southern right-of-way line of Chanterelle Court; thence along said southern right-of-way, the eastern terminus and the northern right-of-way line of line said Chanterelle Court, the following three (3) courses:

- 1) **North 64° 21' 57" East 56.74 feet** to a 3/4 Inch Pipe Found;
- 2) **North 25° 49' 27" West 50.00 feet** to a 3/4 Inch Pipe Found;
- 3) **South 64° 10' 33" West 32.34 feet** to a 3/4 Inch Pipe Found at the intersection of said northern right-of-way line of said Chanterelle Court and the eastern right-of-way line of Rosary Vine Lane; thence along said eastern right-of-way lines and northern terminus of Rosary Vine Lane the following three (3) courses:

- 1) along the arc of a curve to the right having a radius of **15.00 feet** with a chord bearing and distance of **North 68° 10' 04" West 22.17 feet** to a 3/4 Inch Pipe Found;
- 2) along the arc of a curve to the right having a radius of **200.05 feet** with a chord bearing and distance of **North 08° 58' 24" West 80.01 feet** to a 3/4 Inch Pipe Found;
- 3) **North 87° 26' 07" West 50.00 feet** to a 3/4 Inch Pipe Found at the northeastern corner of Lot 669 of said Plat Book 78, Page 121; thence along the northern property lines of said Lot 669, the following two (2) courses:

1) **North 73° 22' 31" West 52.25 feet** to a 3/4 Inch Pipe Found;  
2) along the arc of a curve to the right having a radius of **1,382.75 feet** with a chord bearing and distance of **South 69° 14' 15" West 95.66 feet** to a 3/4 Inch Pipe Found at the northeastern corner of Lot 670 of said Plat Book 78, Page 121 and a southeastern corner of now or formerly Brookberry Farm, LLC as recorded in Deed Book 3559, Page 3235 and Deed Book 3102, Page 3111; thence through the property of said Brookberry Farm, LLC and now or formerly Brookberry Farm, LLC as recorded in Deed Book 3559, Page 3235 and Deed Book 2439, Page 3684, the following seventeen (17) courses:

- 1) **North 08° 03' 09" East 91.61 feet** to a 3/4" Iron Pipe Set;
- 2) **North 06° 31' 44" East 103.67 feet** to a 3/4" Iron Pipe Set;
- 3) **North 15° 55' 41" West 192.55 feet** to a 3/4" Iron Pipe Set;
- 4) **North 15° 00' 50" West 384.45 feet** to a 3/4" Iron Pipe Set;
- 5) **North 78° 02' 43" East 155.96 feet** to a 3/4" Iron Pipe Set;
- 6) **North 78° 02' 43" East 50.00 feet** to a 3/4" Iron Pipe Set;
- 7) **South 11° 57' 17" East 176.77 feet** to a 3/4" Iron Pipe Set;
- 8) along the arc of a curve to the left having a radius of **475.00 feet** with a chord bearing and distance of **South 13° 39' 57" East 28.37 feet** to a 3/4" Iron Pipe Set;
- 9) along the arc of a curve to the left having a radius of **15.00 feet** with a chord bearing and distance of **South 62° 52' 17" East 22.12 feet** to a 3/4" Iron Pipe Set;
- 10) **North 69° 38' 04" East 137.72 feet** to a 3/4" Iron Pipe Set;
- 11) along the arc of a curve to the left having a radius of **200.00 feet** with a chord bearing and distance of **North 66° 36' 07" East 21.16 feet** to a 3/4" Iron Pipe Set;
- 12) **South 26° 25' 50" East 50.00 feet** to a 3/4" Iron Pipe Set;
- 13) **South 27° 02' 18" East 154.21 feet** to a 3/4" Iron Pipe Set;
- 14) **South 19° 13' 18" East 34.36 feet** to a 3/4" Iron Pipe Set;
- 15) **South 86° 53' 03" East 274.91 feet** to a 3/4" Iron Pipe Set;
- 16) **North 23° 36' 48" West 21.08 feet** to a 3/4" Iron Pipe Set;
- 17) **North 72° 59' 44" East 64.01 feet** to a to a 3/4" Iron Pipe Set at the northwestern corner of now or formerly Brookberry Residential Owners Master Association as recorded in Deed Book 2859, Page 1626 and being the Common Open Space of Plat Book 55, Page 140; thence along said Common Open Space, the following four (4) courses:

- 1) **South 24° 07' 48" East 133.08 feet** to a 3/4" Iron Pipe Set;
- 2) **South 05° 41' 03" West 94.62 feet** to a 3/4" Iron Pipe Set;
- 3) **South 07° 36' 17" East 176.17 feet** to a 3/4" Iron Pipe Set;
- 4) **South 17° 22' 58" East 103.91 feet** to a 3/4" Iron Pipe Set at a northern property line of now or formerly Brookberry Farm residential Owners Master Association, Inc. as recorded in Deed Book 3093, Page 4349 and Plat Book 55, Page 63; thence along the northern and eastern property line of said Brookberry Farm residential Owners Master Association, Inc., the following two (2) courses:

- 1) **South 56° 45' 56" West 114.36 feet** to a 3/4" Iron Pipe Set;
- 2) **South 11° 55' 16" East 353.60 feet** to a 1/2" Iron Pipe Found at an eastern property line of said Plat Book 71, Page 44; thence along the northern property lines of said Plat Book 71, Page 44, the following four (4) courses:

- 1) **North 48° 18' 29" West 17.25 feet** to a 1/2" Iron Pipe Found;
- 2) **North 22° 31' 05" West 36.77 feet** to a 1/2" Iron Pipe Found;
- 3) **South 88° 15' 04" West 556.08 feet** to a 1/2" Iron Pipe Found;
- 4) **North 01° 44' 09" West 43.25 feet** to the Point of Beginning, containing 14.734 Acres.

Section 2. This Ordinance is adopted after approval of the site plan entitled Brookberry Farm Phase 12 Zoning Conversion and identified as Attachment "A" of the Special Use District Permit issued by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ to City of Winston-Salem.

Section 3. The City Council hereby directs the issuance of a Special Use District Permit pursuant to the Zoning Ordinance of the *Unified Development Ordinances* for a development to be known as Brookberry Farm Phase 12 Zoning Conversion. Said Special Use District Permit and site plan with associated documents are attached hereto and incorporated herein.

Section 4. This Ordinance shall be effective from and after its adoption.