

83 Allen Street, Sylva, NC 28779

## **APPLICATION FOR ZONING TEXT OR MAP AMENDMENT**

Submit this completed application and all supporting documentation that may be helpful in the review process. In order to ensure that the proposed text amendment or map amendment complies with the Town of Sylva's regulations, we recommend that the applicant review the Town of Sylva Zoning Ordinance prior to application submittal. The request for a Zoning text or Zoning Map amendment may only be initiated by the Town Board of Commissioners, the Town Planning Board, Planning Staff, the owner of property in the Town of Sylva or a citizen of the Town of Sylva.

All responses in this application must be legible and filled out completely. Illegible and/or incomplete applications will be returned to the applicant. The application fee for a text amendment or map amendment is set forth in the Town of Sylva's fee schedule, is non-refundable and must be submitted with the completed application. For map amendment requests, a current survey prepared and sealed by an NC Registered Surveyor will be required. Applications are not accepted via facsimile or email. Please submit application, fees and supporting documentation to the Town of Sylva, 83 Allen Street, Sylva, NC 28779 via hand delivery or U.S. Mail.

Application deadlines are 30 days prior to the Town of Sylva's Planning Board next scheduled meeting. The applicant will be notified of scheduled hearing dates and times. The average text or map amendment petition timeline is 45 days from date of application to Town Hall. Depending on the complexity of the request, it is not unusual for a petition to take up to 6 months to be considered before the Town Board of Commissioners. Hearing schedules are not guaranteed and subject to change.

**Conditional Zoning Districts (CD)** are a zoning tool, permitted in accordance with NCGS 160D-703.b., which may be utilized to create new unique, site-specific districts for uses or developments that may have particular benefits and/or impacts on both the immediate area and the community as a whole. The development of these uses may require deviation of the general district standards. The applicant must provide an initial Master Site Plan and zoning proposal that includes all proposed uses and standards for the conditional zoning district being proposed. It is not the intention of Conditional Zoning to circumvent, reduce, or eliminate particular regulations as they would normally be applied to any particular district or use but rather provide flexibility and design standards unique to the subject property and use.

This negotiated approach between the applicant and the Town through a legislative decision allows maximum flexibility to tailor regulations to a particular site and project. Special restrictions have been placed on Conditional zoning. Conditional Zoning Districts occur at the owner's request and conditions cannot be imposed without the owner's agreement. The individual conditions and site-specific standards that can be imposed are limited to those that are needed to bring a project into compliance with town ordinances and adopted plans and to those addressing the impacts reasonably expected to be generated by the use of the site. The town must assure that all of the factors defining reasonable spot zoning are fully considered and that the public hearing record reflects that consideration.

Conditional Zoning shall be subject to the specific procedural rules located in Articles 3 and 5.

**PLEASE COMPLETE ALL SECTIONS OF THE APPLICATION;  
INCOMPLETE APPLICATIONS WILL BE RETURNED TO THE APPLICANT;  
INDICATE "NOT APPLICABLE" OR "N/A" WHERE APPROPRIATE**

**Contact Information:**

Applicant/Agent: Catherine F. Connors or Gary D. Ellis

(This person will be the contact person and will receive all mailings)

Address: 324 Sunstone Drive, Cary, NC 27519

Phone: 919-610-7883

Fax: n/a

Email: cathy.connors@solsticepartners.net

Property Owner(s): COOP Properties LLC

(If the owner is different than the applicant)

Address: c/o Don Hensley, P.O. Box 96, Sylva, NC 28779

Phone: 828-586-5094

Fax: n/a

Email: don@westernbuildersinc.com

**Property Information:**

Property Location/Address(es): Savannah Drive, Sylva, NC

Tax Parcel Identification Number(s): #7631-66-1393

Current Use of Property(ies): Vacant Land

Acreage to be Rezoned: 6.83 acres

Deed Book: 2348

Page: 905

Lot / Tract Size: 6.83

(acres)

Property Street Frontage / Width: Approx. 800 feet

Property Depth: Approx. 625 feet

Flood Plain: Zone X

FIRM Panel: 3700763100J

**Zoning Information:**

Current Zoning District(s): General Business District – Sylva ETJ

Requested Zoning District(s): Conditional District

Purpose of Zoning Change (optional): We are requesting a conditional district zoning to allow for a 48-unit multifamily project.

**Spot Zoning Statement:**

In the space below, please indicate whether the proposed rezoning *will* or *will not* constitute a spot zoning and explain *why* the proposed rezoning *will* or *will not* constitute a spot zoning. (For more information on spot zoning, refer to the attachment on spot zoning).

The proposed zoning will not constitute a spot zoning because it is adjacent to property that is already zoned General Business District.

---



---



---



---

**Town of Sylva LAND USE PLAN CONSISTENCY**

All rezoning requests must be consistent with the Town of Sylva's Land Use Map

**Current Land Use Classification(s):** \_\_\_\_\_

- This rezoning request is:
- Consistent with the Town's Land Use Map.
  - NOT consistent with the Town's Land Use Map.

**IF THE REZONING REQUEST IS NOT CONSISTENT WITH THE LAND USE MAP:**

A Land Use Map Amendment is *REQUIRED*. All rezoning requests **MUST BE CONSISTENT** with the Town of Sylva's *Land Use Map* and/or the *Town's Land Use Plan*. All Land Use Amendments must be consistent with one or more of the adopted Land Use Plan Policies located within the Town's Land Use Plan Update document and/or demonstrate a change in the character of the area that warrants a departure from the adopted Land Use Plan. In the space below, please explain *why* the proposed Land Use Amendment will be consistent with the Town of Sylva's Land Use Plan and how the character of the area has changed (A copy of the Town of Sylva's Land Use Plan and Map can be viewed at Town Hall).

---



---



---



---



---



---



---



---



---



---

## **APPLICATION REQUIREMENTS:**

All written materials and photographs must be a minimum of 8½"x11" paper; maps, surveys and plans must be submitted on a minimum 11"x17" paper. For the first level of review with the Town of Sylva Planning Board, the applicant must supply one (1) original and ten (10) copies of the completed application, supporting documents, photographs and materials. For Clerk advertisement and Board of Commissioners consideration, the Planning Staff may request additional documents as necessary. Please plan to attend all meetings and be prepared to answer questions or present information as necessary to the Planning Board or Town Board of Commissioners. Failure to attend may result in a delay or denial of your application.

- 1. Legal description and property survey:** For a Major map amendment or if the applicant is seeking to subdivide a property to amend, attach a complete legal description (metes and bounds) of the property. Provide an existing survey of the property, with a scale indicating dimensions. If the applicant is seeking a text amendment, please attach a tax map with PIN number.
- 2. Requested zoning change and use:** Indicate the current zoning classification and the proposed zoning classification being requested.
- 3. Adjacent property zoning and land use:** Provide the current zoning and land use for the parcels immediately adjacent to the subject property (include all directions – north, south, east and west). Do not include right-of-way when considering adjacent uses.
- 4. Land use and future development:** Describe how land use and future development conditions have changed that make the existing zoning designation unsuitable; include detail as to why a rezoning would be compatible with the character of the area.
- 5. Public need:** Indicate the perceived need for the additional land to be zoned to the requested classification stated above.
- 6. Community impact:** Describe the impact the proposed rezoning would generate on the adjacent properties and the surrounding neighborhoods/communities/businesses. Include in your discussion: transportation, utilities, storm water management, fire, public safety, open space, topography, density, property access and economic development. Provide in detail why or why not (and if so, how) the proposed rezoning will affect the surrounding properties.
- 7. Infrastructure demand:** Describe the impact the proposed rezoning would have on public services, facilities and infrastructure (e.g. schools, parks, recreational services, roads, senior services, etc.). Provide in detail estimated demand for existing and/or new services based upon build-out and population projections.
- 8. Zoning Ordinance and Comprehensive Plan compliance:** Explain how the proposed rezoning or development will be in compliance with Town's Land Use Plan and/or Comprehensive Plan.

## ***Notification:***

All property and business owners within 100 feet of the property being considered for a text or map amendment must be mailed an Adjacent Property Owner Notification a minimum 10 days prior to the Town of Sylva Planning Board and Town Board of Commissioners meetings. The applicant is responsible for supplying a list of the names and mailing address for these properties and businesses affected by the possible text or map amendment change. In addition, the applicant must supply two (2) set of stamped, addressed #10 envelopes for each property and business owner within a 100' radius. The return address should read:

Town of Sylva  
83 Allen Street  
Sylva, NC 28779

---

## ***SPOT ZONING***

### ***SPOT ZONING DEFINED:***

"A zoning ordinance, or amendment, which singles out and reclassifies a relatively small tract owned by a single person and surrounded by a much larger area uniformly zoned, so as to impose upon the smaller tract greater restrictions than those imposed upon the larger area, or so as to relieve the small tract from restrictions to which the rest of the area is subjected, is called spot zoning."

### ***How to determine whether a particular rezoning is spot zoning when a relatively small tract of land is:***

- o Zoned differently from the surrounding area
- o Not taking into account the larger community context
- o Not in accordance with the comprehensive plan

### ***Factors to Consider:***

#### ***1. Size of Rezoning Area***

The smaller the area/tract the more likely the rezoning can be considered a spot zoning. The size of the tract must be looked at in context for the larger area.

#### ***2. Compatibility with the Plan***

How consistent is the rezoning with the Land Use Plan(s). Relationship of the Town's Land use policies and objectives. Is the land suitable for the following:

- o Development (e.g., topography, soil types, wetland locations, and flood areas)
- o Availability of Services (e.g., water, sewer, roads)
- o Existing and Needed Land Uses.

#### ***3. Benefits & Detriments***

Look at who will benefit and be harmed (if anyone) from the result of the rezoning (e.g. owner, adjacent owners & community at large).

#### ***4. Relationships of Uses***

The relationship of the proposed uses versus the current uses on adjacent land.

**Authorization:**

**Note: If the person requesting of The Town of Sylva, to take action on a particular piece of property is not the owner of the property, or under contract to purchase, then the actual owner of the land must complete this form with his/her signature notarized. If the property owner is the applicant please complete the section below and sign as indicated.**

**Fax, Scan or Copied images of the original document will not be accepted.**

I, Don Henley (Land owner name) am the owner of the property located in the Town of Sylva Zoning Jurisdiction at:

Street address: Savannah Drive Property PIN: 7631-66-1393

I hereby authorize Catherine F. Connors or Gary D. Ellis (owner or applicant's name) to appear with my consent before the Town of Sylva Planning Board and Board of Commissioners in order to request a rezoning for the above noted location. I authorize the Town of Sylva to advertise and the applicant to present this matter in my name as the owner of the property. I hereby authorize the Town Officials to enter my property to conduct relevant site inspections as deemed necessary to process the application. All information submitted and required as part of the approval process shall become public records. I, as the land owner, hereby CERTIFY THAT THE INFORMATION CONTAINED HERIN IS TRUE TO THE BEST OF MY KNOWLEDGE; AND BY ACCEPTING THIS REZONING, if approved, shall in every respect conform to the terms of this application and to provisions of the Statutes and Ordinances regulating development in the Town of Sylva. Any VIOLATION of the terms above stated and/or Town Ordinances or Regulations will result in civil penalties. If there are any questions, you may contact me at:

Street Address: P.O. Box 96

City / State / Zip Code: Sylva, N.C. 28779

Phone Number: 828-399-1914

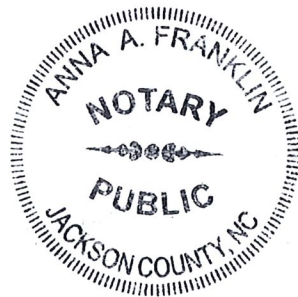
Email Address: don@westernbuildersinc.com

Owners Signature: Don Henley

Sworn to and subscribed before me, this the 31<sup>st</sup> day of March, 2023

Anna A. Franklin  
Notary Public

My commission expires: 7/30/2027



**Town of Sylva**

**Rezoning Application - Addendum**

**Dated: March 30, 2023**

- 1. Legal description and property survey:** For a Major map amendment or if the applicant is seeking to subdivide a property to amend, attach a complete legal description (metes and bounds) of the property. Provide an existing survey of the property, with a scale indicating dimensions. If the applicant is seeking a text amendment, please attach a tax map with PIN number.

**See attached.**

- 2. Requested zoning change and use:** Indicate the current zoning classification and the proposed zoning classification being requested.

**Current zoning is General Business District in the Sylva ETJ. We are requesting a conditional zoning to allow for 48 multifamily units.**

- 3. Adjacent property zoning and land use:** Provide the current zoning and land use for the parcels immediately adjacent to the subject property (include all directions – north, south, east and west). Do not include right-of-way when considering adjacent uses.

**North – Sylva GB – General Business District (apartments)**

**East – Sylva LDR – Low Density Residential (apartments and single-family homes)**

**South – Sylva LDR – (apartments and single-family homes)**

**West – No zoning – vacant land**

- 4. Land use and future development:** Describe how land use and future development conditions have changed that make the existing zoning designation unsuitable; include detail as to why a rezoning would be compatible with the character of the area.

**The award of a conditional zoning to allow for a 48 unit multi-family project would be compatible with the character of the area because there are several multi-family units to the north, east and south of**

**the existing parcel.**

- 5. Public need:** Indicate the perceived need for the additional land to be zoned to the requested classification stated above.

**The award of the requested conditional rezoning would allow for 48 new units of affordable housing to be developed for the residents of Sylva. A market study was recently completed for this project and it showed strong support for the project of 48 units, as proposed. The following is taken from the Executive Summary of the Market Study:**

**The proposed subject can attain its required share of the market area for the following reasons:**

- Its design will be similar to existing projects.**
- Its unit sizes and amenities will be competitive to the existing facilities.**
- The subject property will be a 48-unit complex designated for families. It is anticipated that the property will reach a stable occupancy level within three months.**
- The occupancy rate in the market area is strong, and several properties have waiting lists.**
- The population and households are growing in the market area, indicating a need for new housing.**
  
- There are no recommended changes to this property.**

- 6. Community impact:** Describe the impact the proposed rezoning would generate on the adjacent properties and the surrounding neighborhoods/communities/businesses. Include in your discussion: transportation, utilities, storm water management, fire, public safety, open space, topography, density, property access and economic development. Provide in detail why or why not (and if so, how) the proposed rezoning will affect the surrounding properties.

**If the proposed rezoning is approved, we believe the impacts for the adjacent properties and surrounding neighborhoods/communities/businesses would all be positive impacts. The residents of Sylva who earn less than 60% of the**



**median income for Jackson County will have access to new, workforce housing units that will be available to folks like local teachers, county/city employees, fire and police officers, etc.**

**Attached is the proposed site plan for the 48 unit multi-family project. The plans, once fully engineered, will include a detailed utility plan, a stormwater management plan and open space that meets the Town requirements. The site also will be designed to provide safe access for the residents as well as sufficient room for fire trucks, police and ambulances to be able to provide emergency services to the community. The density of the project is 7 units per acre. The economic impact on the community will be positive because it will provide housing inside the town limits of Sylva for workforce housing residents who may be driving into work from other neighboring communities because of the lack of available housing there.**

**We do not believe the rezoning will have a negative impact on the surrounding properties because this is a low density multi-family project that will abut existing multi-family properties and low density single family properties so the project will blend into the existing community.**

- 7. Infrastructure demand:** Describe the impact the proposed rezoning would have on public services, facilities and infrastructure (e.g. schools, parks, recreational services, roads, senior services, etc.). Provide in detail estimated demand for existing and/or new services based upon build-out and population projections.

**Information regarding the impact on public services, facilities and infrastructure can be reviewed in the attached Market Study dated February 3, 2023.**

- 8. Zoning Ordinance and Comprehensive Plan compliance:** Explain how the proposed rezoning or development will be in compliance with Town's Land Use Plan and/or Comprehensive Plan.

**We believe the proposed rezoning request will be in compliance with the Town's Land Use Plan because the neighborhood to the east of the site is characterized as "Urban Neighborhoods" which is described in the Town's Land Use Plan as follows:**

## **“Urban Neighborhoods**

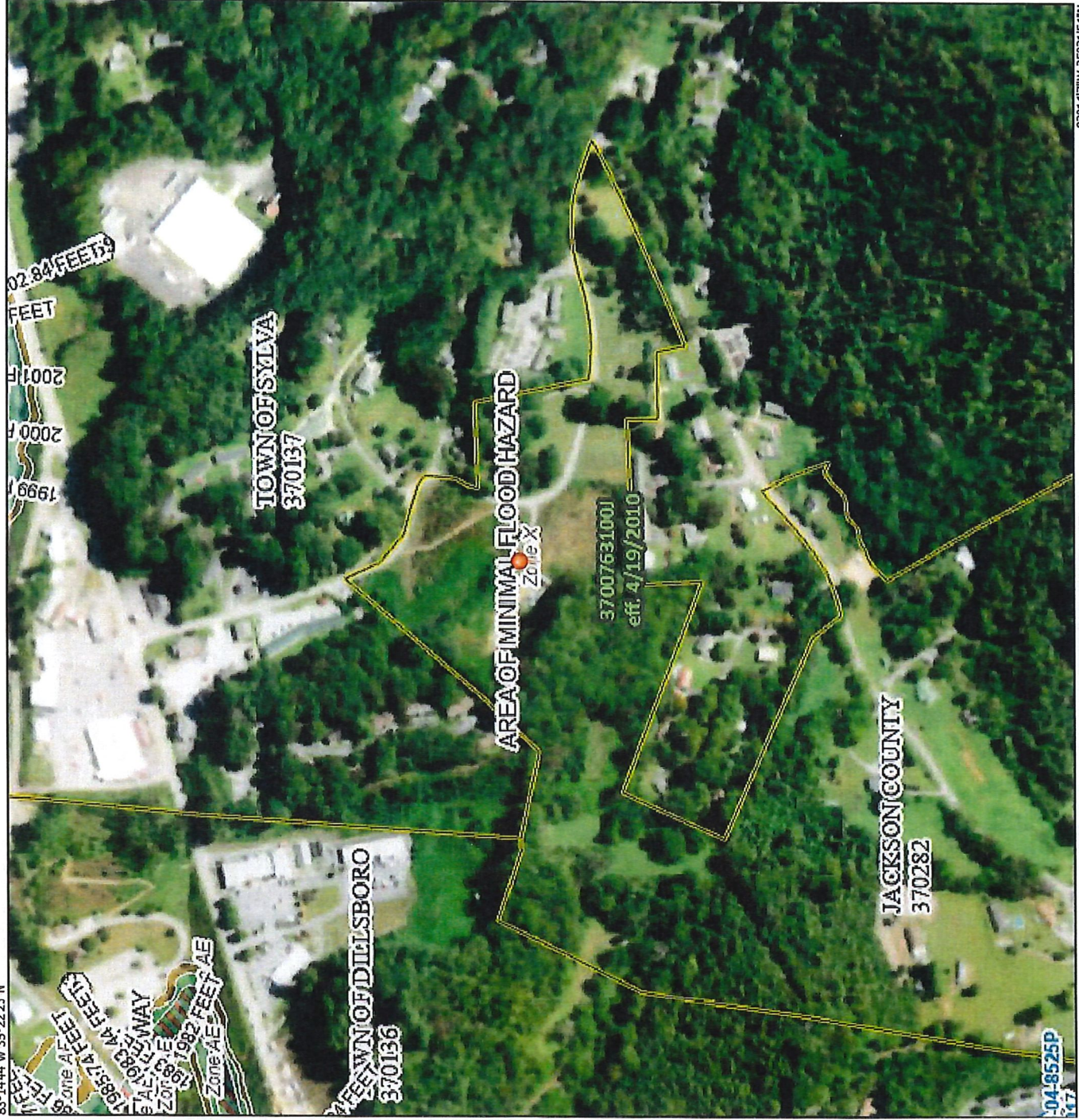
**The Urban Neighborhood character area includes existing residential and new areas where it is envisioned that reinvestment in the community can and will occur, with a focus on providing a variety of housing options that are walkable to Downtown Sylva and the Town’s other commercial areas. Higher-density residential uses (greater than 12 units per acre), including multifamily residential, small-lot single-family residential, higher-density townhomes, condominiums, and du-, tri-, and quadruplexes are appropriate for and encouraged within this character area. Building heights should fall into the 3 to 4 story range. Encouraged Land Uses:**

- Primarily residential: small lot single family, townhome residential, two-, three- or four-family units, and multifamily**
- Civic and educational uses that support community residents • Live-work units**
- Small scale in-home businesses**
- Small scale public open space (e.g. active pocket parks, passive open space, greenways)**
- Areas that currently allow manufacture housing will continue to allow for this land use**

# National Flood Hazard Layer FIRMette



83°14'44"W 35°22'23"N



83°14'7"W 35°21'54"N

## Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

**SPECIAL FLOOD HAZARD AREAS**

- Without Base Flood Elevation (BFE) Zone A, V, A99
- With BFE or Depth Zone AE, AC, AH, VE, AR
- Regulatory Floodway

**OTHER AREAS OF FLOOD HAZARD**

- 0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile (Zone 2)
- Future Conditions 1% Annual Chance Flood Hazard (Zone X)
- Area with Reduced Flood Risk due to Levee. See Notes. (Zone X)
- Area with Flood Risk due to Levee (Zone D)

**OTHER AREAS**

- Area of Minimal Flood Hazard (Zone X)
- Effective LOMIRs
- Area of Undetermined Flood Hazard (Zone X)

**GENERAL STRUCTURES**

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

**OTHER FEATURES**

- Cross Sections with 1% Annual Chance Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

**MAP PANELS**

- Digital Data Available
- No Digital Data Available
- Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

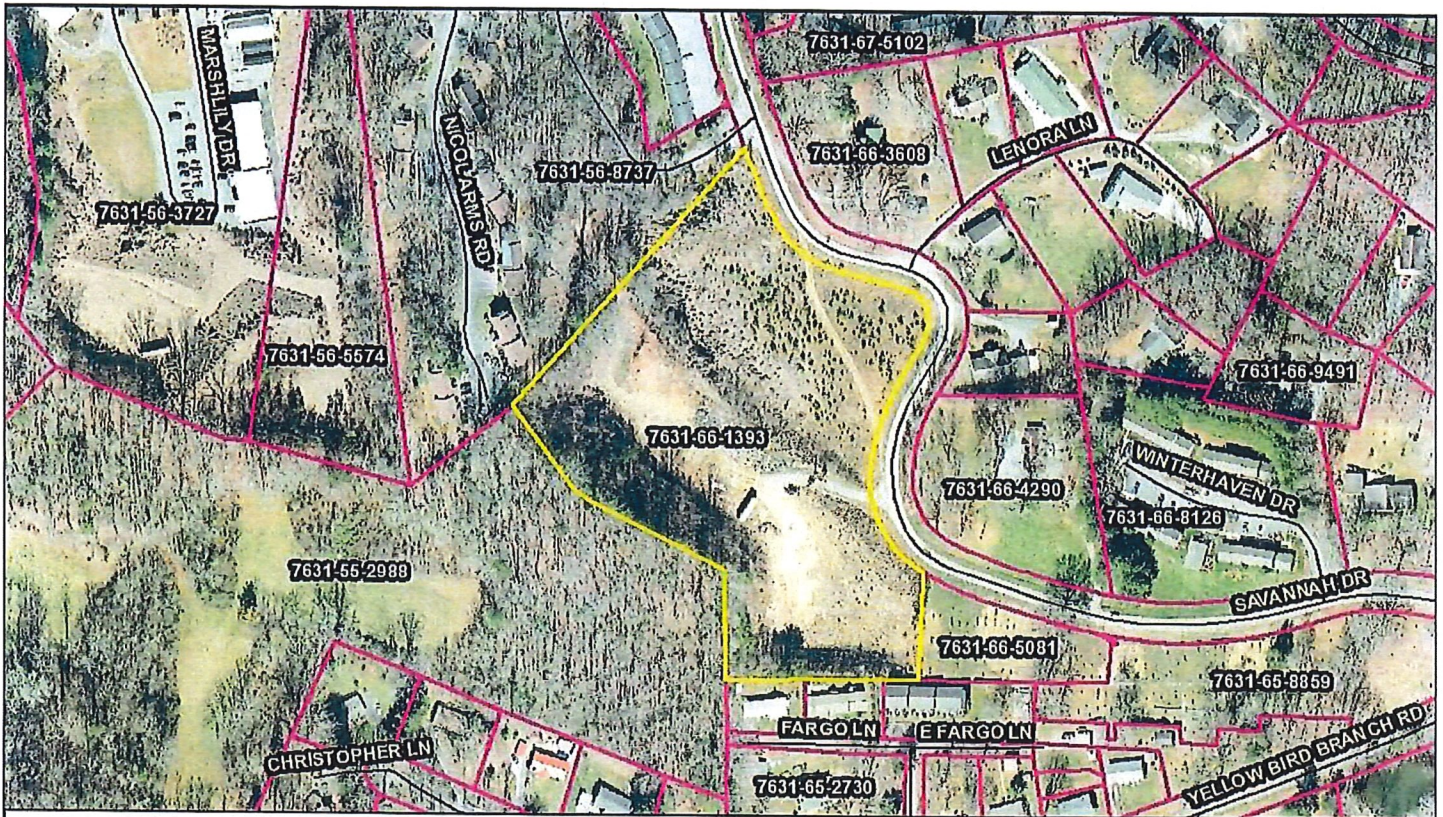
This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **3/30/2023 at 2:54 PM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

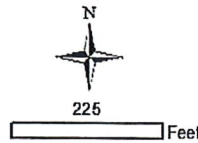
This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

# Property Report for 7631-66-1393

3/30/2023



Centerlines  
Parcels



**"WARNING: THIS IS NOT A SURVEY!"** This map is prepared for inventory of real property within Jackson County. It is compiled from recorded deeds, plats, and public data records. Users of this map are hereby notified that the aforementioned public information sources should be consulted for verification. Jackson County or any County representative assumes no legal responsibility for the contents of this map.

## Parcel Information

**Parcel ID:** 7631-66-1393  
**Parcel Address:**  
SAVANNAH DR  
**Neighborhood Name:**  
DILLSBORO RURAL  
**Property Description:**  
SAVANNAH DR  
**Sale Date:** 2022-12-16  
**Sale Price:** \$0  
**Plat Reference:** 9/210

## Ownership Information

**Owner Name #1:** COOP  
PROPERTIES LLC  
**Owner Name #2:** None  
**Mailing Address 1:** PO  
BOX 96  
**Mailing Address 2:** None  
**City/State/Zip:** SYLVA NC  
28779  
**Owner Account:** 192646

## Tax/Value Information

**Fire District:** None  
**Building Value:** \$0  
**Land Value:** \$220,740  
**Assessed Total Value:**  
\$220,740

## Zoning Information

**Zoning District:** None

2348/905

**Township:** DILLSBORO

RURAL

**Assessed Acres:** 6.8300

General Business District

**Jurisdiction:** None

Exhibit A

BEING that certain tract of land containing 6.83 acres more or less as shown on a plat entitled "Michael D. and wife, Sue Ann P. Cooper" by Burns Land Surveying, recorded in Plat Cabinet 9, Slide 210, Jackson County Public Registry, to which express reference is SUBJECT TO the public right of way of SR 1356, now Savannah Drive, formerly Parris Cemetery Road, to its full legal width.

SUBJECT TO all utility easements of record and those not of record but visible upon the ground.

SUBJECT TO that sewer easement recorded in Deed Book 600, Page 392, Jackson County Public Registry.

WITHOUT RESTRICTIONS: Previously this tract was conveyed in a deed from Sue Ann P. Cooper to Michael D. Cooper in Book 1617 at Page 645, without title search and in settlement of a marital property distribution. Such deed erroneously included restrictions of an adjoining tract previously subdivided by Sue Cooper and Michael Cooper during coverture. Such restrictions were erroneously then repeated in the Quitclaim Deed (without title search) in which Michael Cooper conveyed this tract to his North Carolina Corporation, Bradco Construction Co., Inc. in Book 1770 at Page 611. No subdivision of this tract having been made and no parcel of this tract having been conveyed to any persons with such restrictions, this Grantor hereby releases this tract from any such restrictive covenants and specifically releases this tract from those restrictions as recorded in Book 1054 at Page 779 for the neighboring Franklin Cove Estates Subdivision.

BEING the same property as described in a deed recorded in Book 1770, Page 613, Jackson County Registry.

BEING the same property acquired by Grantor in a deed recorded in Book 1891, Page 177, Jackson County Registry.

**Town of Sylva, North Carolina**  
**Zoning Map Amendment – Conditional District**  
**Staff Report – April 18, 2023**

**Applicant:** COOP Properties, LLC; (Solstice Partners, LLC; Cathy Connors, Partner)

**Property Location:** Savannah Drive, Sylva – PIN 7631-66-1393

**Current Property Zoning:** General Business District (GB), ETJ

**Ordinance Sections for Review:** Article 3 – Procedures; Section 3.5.J – Review Process/Conditional Zoning; Section 3.9.B – Zoning and Map Amendments and Article 4, Section 4.4 – Conditional District

**Description of Request:**

The applicant is requesting a map amendment to create a *General Business - Conditional District* on the property identified by PIN 7631-66-1393 to allow for a multi-family residential development. The Town Board of Commissioners may approve Conditional Districts through the legislative review process identified in *Article 3 – Procedures, Section 3.5 – Review Process*.

This proposed conditional district for a multi-family residential development includes three, 2-story structures consisting of eight 1-bedroom units, twenty-eight 2-bedroom units and twelve 3-bedroom units (48 total units). Included amenities are a community center with laundry, computer center; playgrounds and cover picnic shelter with tables/grills.

**Background:**

The property for this development is located on the south and west sides of Savannah Drive and approximately 1,120 lf south of the intersection of Business 23 (West Main Street) and Savannah Drive. The area of this vacant property is 6.83 total acres and this proposed complex would be developed on the entire tract. Public utilities will be provided by Tuckasegee Water and Sewer Authority (water and sanitary sewer) and Duke Power. This property will be served by the Sylva Fire Department. Driveway access and 3-party encroachment (sidewalk) will be required from NCDOT during their review/approval process as Savannah Drive is a state road (S.R. 1356).

**Application Response:**

The applicant is requesting a zoning map amendment to create a *General Business - Conditional District* on the 6.83-acre property. *Article 4 - Section 4.4 Conditional Districts* of the Town's Zoning and Subdivision Ordinance allows the Town Board of Commissioners to create these districts:

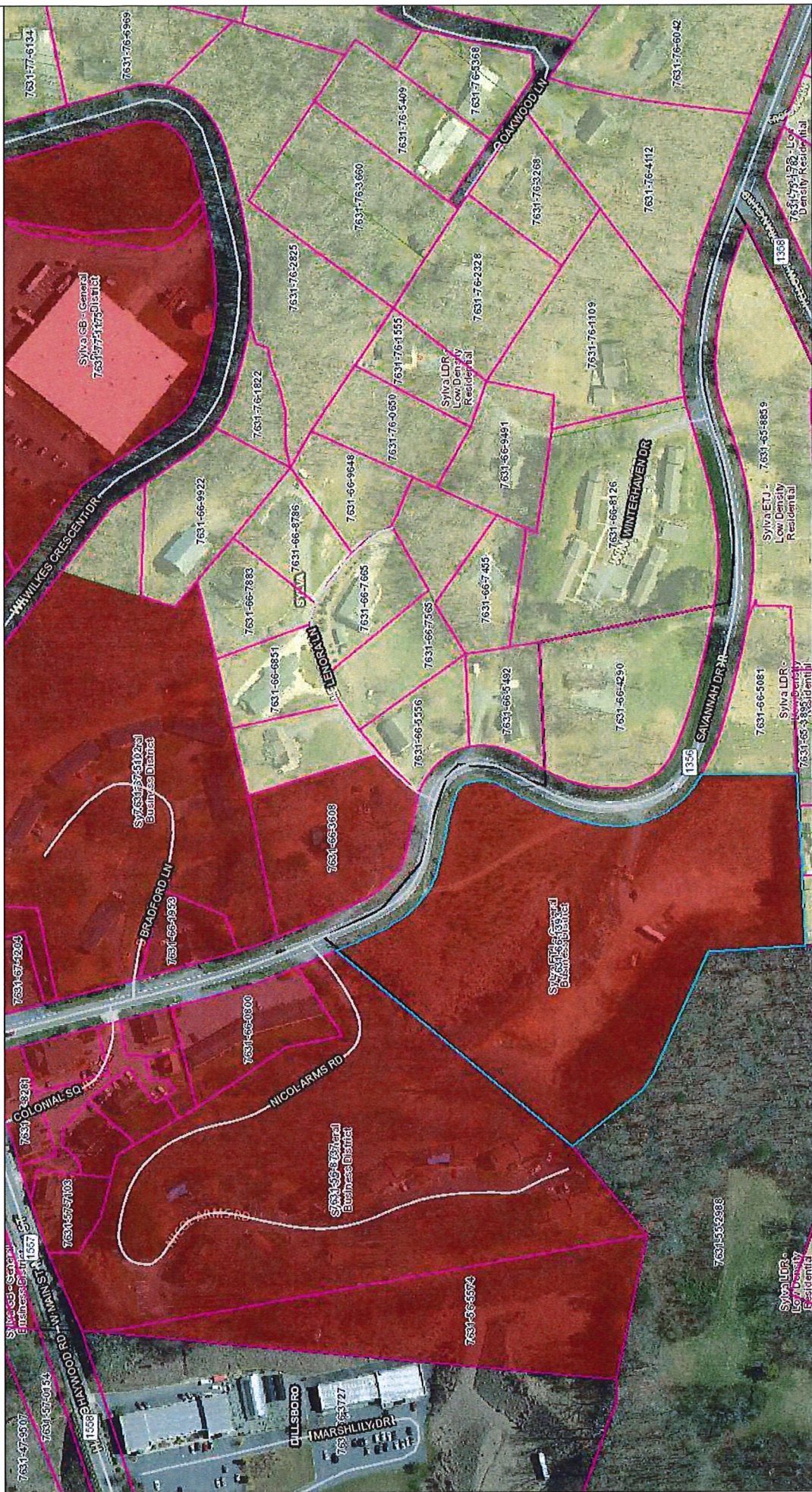
Conditional Zoning Districts (-CD) are a zoning tool, permitted in accordance with NCGS 160D-703.b., which may be utilized to create new unique, site-specific districts for uses or developments that may have particular benefits and/or impacts on both the immediate area and the community as a whole. The development of these uses may require deviation of the general district standards. The applicant must provide an initial Master Site Plan and zoning proposal that includes all proposed uses and standards for the conditional zoning district being proposed. It is not the intention of Conditional Zoning to circumvent, reduce, or eliminate particular regulations as they would normally be applied to any particular district or use but rather provide flexibility and design standards unique to the subject property and use. This negotiated approach between the applicant and the Town through a legislative decision allows maximum flexibility to tailor regulations to a particular site and project. Special restrictions have been placed on Conditional zoning. Conditional Zoning Districts occur at the owner's request and conditions cannot be imposed without the owner's agreement. The individual conditions and site-specific standards that can be imposed are limited to those that are needed to bring a project into compliance with town ordinances and adopted plans and to those addressing the impacts reasonably expected to be generated by the use of the site. The town must assure that all of the factors defining reasonable spot zoning are fully considered and that the public hearing record reflects that consideration.

**Staff Findings:**

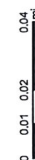
The conclusion of Planning Staff is that this proposed development can meet or exceed the regulations set forth in of the zoning ordinance including; General Business District standards and required development regulations (Article 7). Approval for this *Conditional District* is required by the Town Board of Commissioners for this application. Planning Staff will issue a zoning permit at the time of final plan review/approval.



# ArcGIS WebMap



**WARNING: THIS IS NOT A SURVEY!**  
 This map is prepared for the use of real property within Jackson County, it is compiled from recorded deeds, plats, and public data records. Users of this map are hereby notified that the aforementioned public information sources should be consulted for verification. Jackson County GIS Department assumes no legal responsibility for the contents of this map.

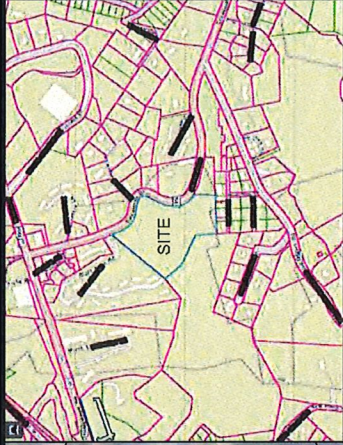


- Centerlines
- Parcel Lines
- Easement
- Hooks
- Leader Line
- Lot Line
- Subdivision ROW
- Parcels
- Parcels
- Municipal\_LI...
- Overlay\_Districts
- CCO - Commercial Corridor Overlay
- CD - Conditional District
- Syva Zoning
- Syva DTB - Downtown Business District
- Syva GB - General Business District
- Syva PB - Professional Business
- Syva IN - Industrial District
- Syva I - Institutional District
- Syva LDR - Low Density Residential
- Syva MDR - Medium Density Residential
- Syva HDR - High Density Residential

# WATERFALL GARDENS CONCEPTUAL LAYOUT EXHIBIT

JACKSON CO, SYLVIA NC

Project Manager:	TSG
Date:	01.16.23
Project #:	P230xxx
SHEET	
EXHIBIT 1	



VICINITY MAP



SCALE 1"=100'



NOTE  
RETAINING WALL LOCATIONS ARE PRELIMINARILY SHOWN - PRELIMINARY RETAINING WALLS HAVE NOT BEEN ENGINEERED AND WILL BE AVOIDED DURING DESIGN IF POSSIBLE.





WATERFALL  
GARDENS  
JACKSON COUNTY  
STILVA, NC  
48 RESIDENTIAL UNITS

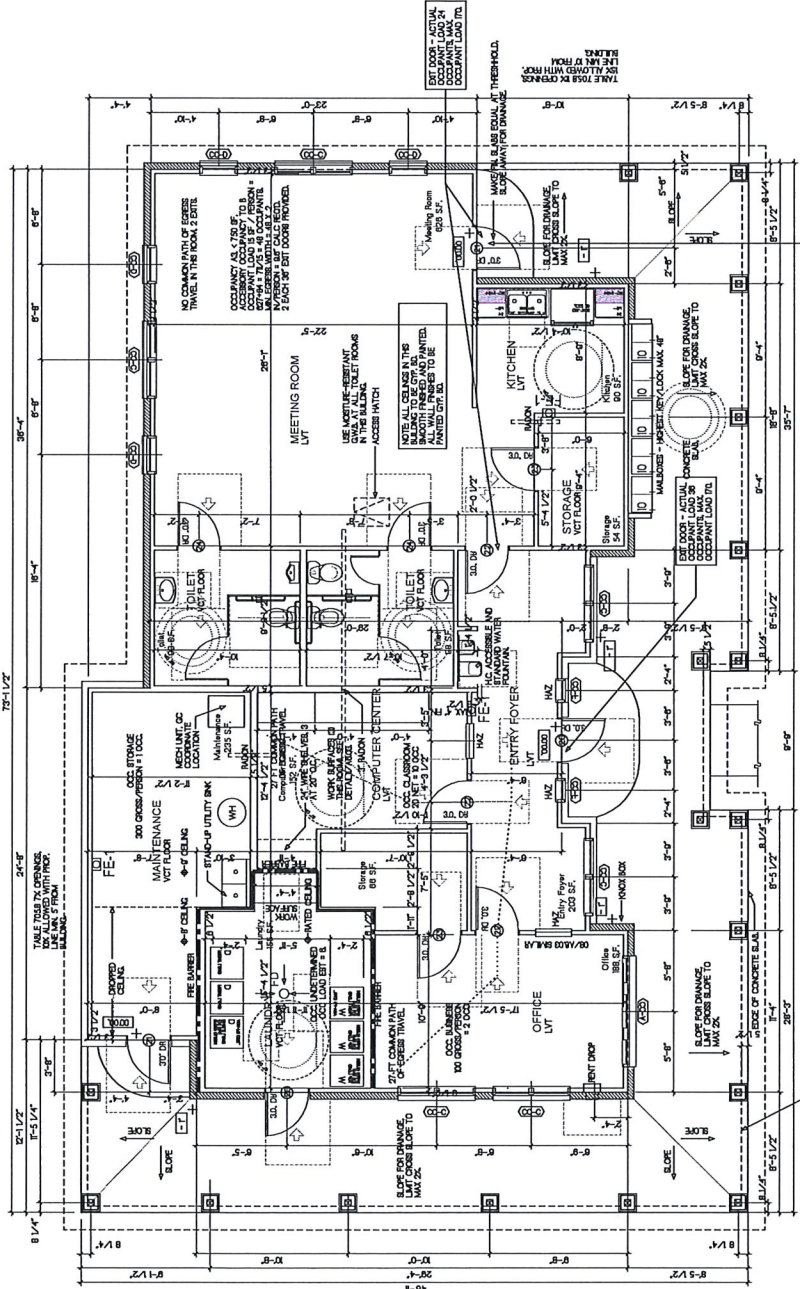
THESE PLANS ARE THE PROPERTY OF JONES ARCHITECTURE, PLLC AND ARE NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, WITHOUT WRITTEN PERMISSION FROM JONES ARCHITECTURE, PLLC.

DATE: 01-15-2023  
BY: JAJ  
REV: 001

NCHFA PREL. APPLICATION

BUILDING PLANS

A1.01



ALL DOORS ARE 2'-0" CLEAR  
HORIZONTAL SET COMPONENT  
DOOR CAPACITY TO EACH DOOR.

TABLE 1058.20X  
OPENINGS ARE ALLOWED  
FROM BUILDING

CEILING ALL ROOMS UNLESS OTHERWISE NOTED  
COMMUNITY BUILDING  
SCALE: 1/4" = 1'-0"

LINE OF FINISH ABOVE NOTE  
DO NOT CROSS FINISH  
NOT ON THE SAME LINE

NO FIRE PROTECTION SPRINKLES THIS BUILDING  
SET WINDOW HEAD ELEVATE  
8'-0" FROM FINISH FLOOR

TABLE 1058.20X  
OPENINGS ARE ALLOWED  
FROM BUILDING

TABLE 1058.20X  
OPENINGS ARE ALLOWED  
FROM BUILDING





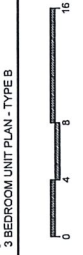
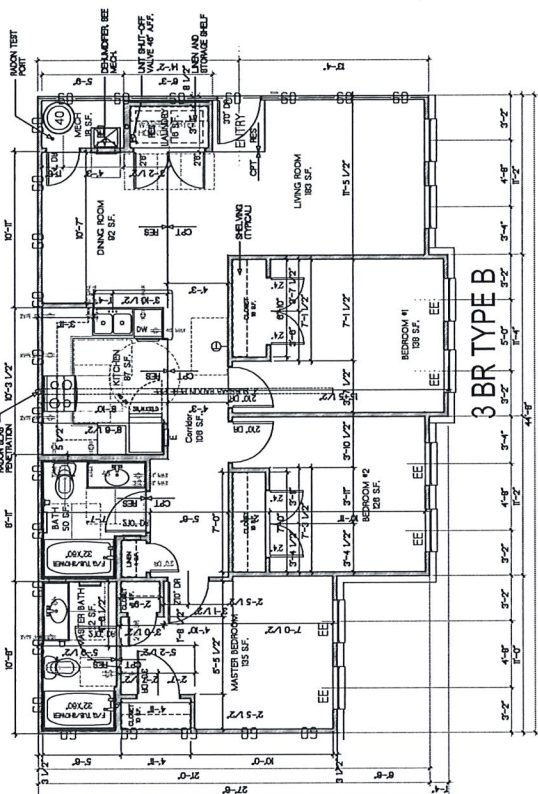
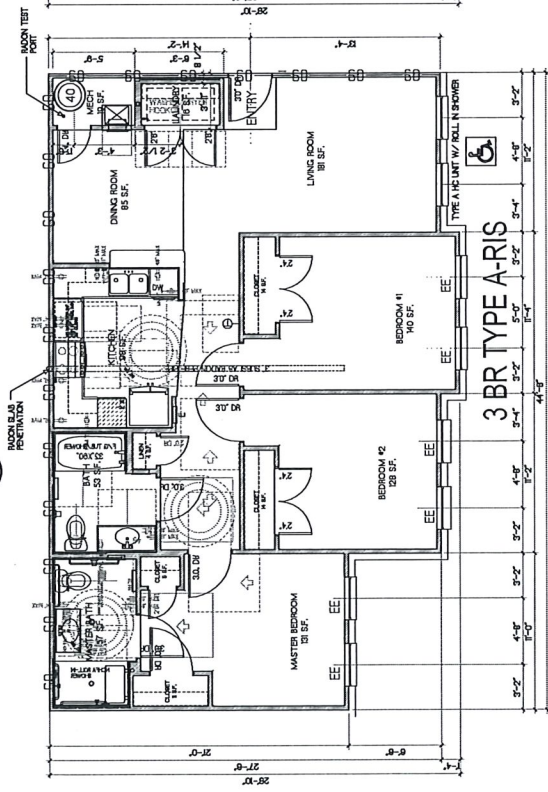
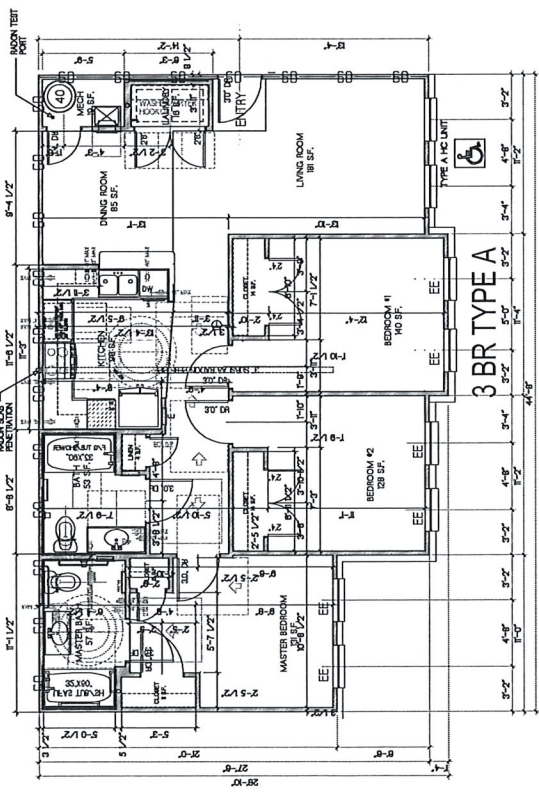


WATERFALL  
GARDENS  
JACKSON COUNTY  
S.V.L.V.A., NC  
48 RESIDENTIAL UNITS

THESE DRAWINGS ARE THE  
PROPERTY OF JONES ARCHITECTURE, P.L.L.C.  
NO PART OF THESE DRAWINGS IS TO BE  
REPRODUCED OR TRANSMITTED IN ANY  
FORM OR BY ANY MEANS, ELECTRONIC  
OR MECHANICAL, INCLUDING PHOTOCOPYING,  
RECORDING, OR BY ANY INFORMATION  
SYSTEMS WITHOUT THE WRITTEN PERMISSION  
OF JONES ARCHITECTURE, P.L.L.C.  
ALL RIGHTS RESERVED.  
DATE: 01-19-2023  
BY: J.A.J.  
REV: J.A.J.

NCHFA P.R.E.L. APPLICATION  
3 BEDROOM  
UNIT PLANS  
A2.03

- General Notes - Unit Plans - North Carolina
1. Type 1 units - install the following controls for mechanical lifts or fire-rated walls:  
- minimum 15" and maximum 48" above finished floor or as noted (ANSI 308.2.1.1)
  2. Electrical outlets
  3. See building plans for rated wall locations.
  4. All ramps to be built to the 5% fire-rated gypsum board, fire-rated finish, see U.I. Detail for details.
  5. All partitions to have 5/8" UL listed gypsum wall board to maintain continuity of rated ceiling.
  6. See notes for 2018 ICC code.
  7. All partitions to have 5/8" UL listed gypsum wall board to maintain continuity of rated ceiling.
  8. See notes for 2018 ICC code.
  9. All partitions to have 5/8" UL listed gypsum wall board to maintain continuity of rated ceiling.
  10. See notes for 2018 ICC code.
  11. All partitions to have 5/8" UL listed gypsum wall board to maintain continuity of rated ceiling.
  12. See notes for 2018 ICC code.
  13. All partitions to have 5/8" UL listed gypsum wall board to maintain continuity of rated ceiling.
  14. See notes for 2018 ICC code.
  15. All partitions to have 5/8" UL listed gypsum wall board to maintain continuity of rated ceiling.
  16. See notes for 2018 ICC code.
  17. All partitions to have 5/8" UL listed gypsum wall board to maintain continuity of rated ceiling.
  18. See notes for 2018 ICC code.
  19. All partitions to have 5/8" UL listed gypsum wall board to maintain continuity of rated ceiling.
  20. See notes for 2018 ICC code.
  21. All partitions to have 5/8" UL listed gypsum wall board to maintain continuity of rated ceiling.
  22. See notes for 2018 ICC code.
  23. All partitions to have 5/8" UL listed gypsum wall board to maintain continuity of rated ceiling.
  24. See notes for 2018 ICC code.
  25. All partitions to have 5/8" UL listed gypsum wall board to maintain continuity of rated ceiling.
  26. See notes for 2018 ICC code.
  27. All partitions to have 5/8" UL listed gypsum wall board to maintain continuity of rated ceiling.
  28. See notes for 2018 ICC code.
  29. All partitions to have 5/8" UL listed gypsum wall board to maintain continuity of rated ceiling.
  30. See notes for 2018 ICC code.
  31. All partitions to have 5/8" UL listed gypsum wall board to maintain continuity of rated ceiling.
  32. See notes for 2018 ICC code.
  33. All partitions to have 5/8" UL listed gypsum wall board to maintain continuity of rated ceiling.
  34. See notes for 2018 ICC code.
  35. All partitions to have 5/8" UL listed gypsum wall board to maintain continuity of rated ceiling.
  36. See notes for 2018 ICC code.
  37. All partitions to have 5/8" UL listed gypsum wall board to maintain continuity of rated ceiling.
  38. See notes for 2018 ICC code.
  39. All partitions to have 5/8" UL listed gypsum wall board to maintain continuity of rated ceiling.
  40. See notes for 2018 ICC code.
  41. All partitions to have 5/8" UL listed gypsum wall board to maintain continuity of rated ceiling.
  42. See notes for 2018 ICC code.
  43. All partitions to have 5/8" UL listed gypsum wall board to maintain continuity of rated ceiling.
  44. See notes for 2018 ICC code.
  45. All partitions to have 5/8" UL listed gypsum wall board to maintain continuity of rated ceiling.
  46. See notes for 2018 ICC code.
  47. All partitions to have 5/8" UL listed gypsum wall board to maintain continuity of rated ceiling.
  48. See notes for 2018 ICC code.
  49. All partitions to have 5/8" UL listed gypsum wall board to maintain continuity of rated ceiling.
  50. See notes for 2018 ICC code.
  51. All partitions to have 5/8" UL listed gypsum wall board to maintain continuity of rated ceiling.
  52. See notes for 2018 ICC code.
  53. All partitions to have 5/8" UL listed gypsum wall board to maintain continuity of rated ceiling.
  54. See notes for 2018 ICC code.
  55. All partitions to have 5/8" UL listed gypsum wall board to maintain continuity of rated ceiling.
  56. See notes for 2018 ICC code.
  57. All partitions to have 5/8" UL listed gypsum wall board to maintain continuity of rated ceiling.
  58. See notes for 2018 ICC code.
  59. All partitions to have 5/8" UL listed gypsum wall board to maintain continuity of rated ceiling.
  60. See notes for 2018 ICC code.
  61. All partitions to have 5/8" UL listed gypsum wall board to maintain continuity of rated ceiling.
  62. See notes for 2018 ICC code.
  63. All partitions to have 5/8" UL listed gypsum wall board to maintain continuity of rated ceiling.
  64. See notes for 2018 ICC code.
  65. All partitions to have 5/8" UL listed gypsum wall board to maintain continuity of rated ceiling.
  66. See notes for 2018 ICC code.
  67. All partitions to have 5/8" UL listed gypsum wall board to maintain continuity of rated ceiling.
  68. See notes for 2018 ICC code.
  69. All partitions to have 5/8" UL listed gypsum wall board to maintain continuity of rated ceiling.
  70. See notes for 2018 ICC code.
  71. All partitions to have 5/8" UL listed gypsum wall board to maintain continuity of rated ceiling.
  72. See notes for 2018 ICC code.
  73. All partitions to have 5/8" UL listed gypsum wall board to maintain continuity of rated ceiling.
  74. See notes for 2018 ICC code.
  75. All partitions to have 5/8" UL listed gypsum wall board to maintain continuity of rated ceiling.
  76. See notes for 2018 ICC code.
  77. All partitions to have 5/8" UL listed gypsum wall board to maintain continuity of rated ceiling.
  78. See notes for 2018 ICC code.
  79. All partitions to have 5/8" UL listed gypsum wall board to maintain continuity of rated ceiling.
  80. See notes for 2018 ICC code.
  81. All partitions to have 5/8" UL listed gypsum wall board to maintain continuity of rated ceiling.
  82. See notes for 2018 ICC code.
  83. All partitions to have 5/8" UL listed gypsum wall board to maintain continuity of rated ceiling.
  84. See notes for 2018 ICC code.
  85. All partitions to have 5/8" UL listed gypsum wall board to maintain continuity of rated ceiling.
  86. See notes for 2018 ICC code.
  87. All partitions to have 5/8" UL listed gypsum wall board to maintain continuity of rated ceiling.
  88. See notes for 2018 ICC code.
  89. All partitions to have 5/8" UL listed gypsum wall board to maintain continuity of rated ceiling.
  90. See notes for 2018 ICC code.
  91. All partitions to have 5/8" UL listed gypsum wall board to maintain continuity of rated ceiling.
  92. See notes for 2018 ICC code.
  93. All partitions to have 5/8" UL listed gypsum wall board to maintain continuity of rated ceiling.
  94. See notes for 2018 ICC code.
  95. All partitions to have 5/8" UL listed gypsum wall board to maintain continuity of rated ceiling.
  96. See notes for 2018 ICC code.
  97. All partitions to have 5/8" UL listed gypsum wall board to maintain continuity of rated ceiling.
  98. See notes for 2018 ICC code.
  99. All partitions to have 5/8" UL listed gypsum wall board to maintain continuity of rated ceiling.
  100. See notes for 2018 ICC code.

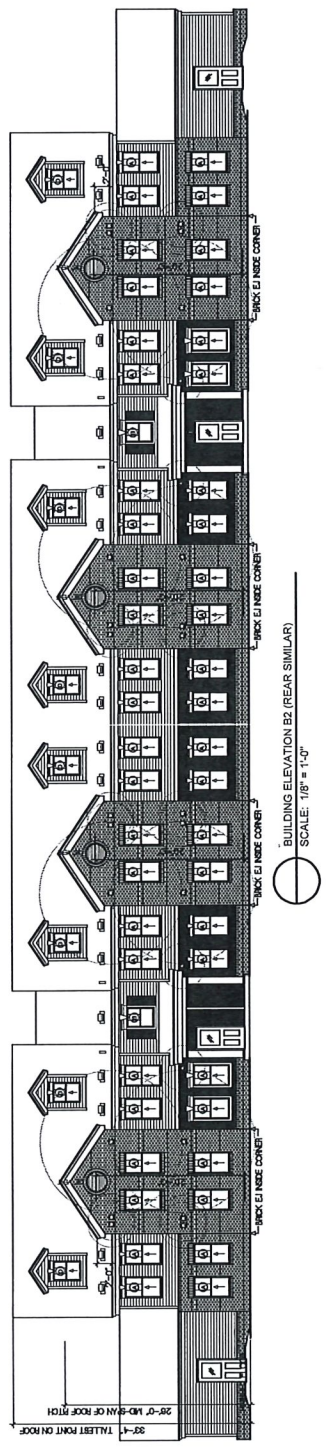
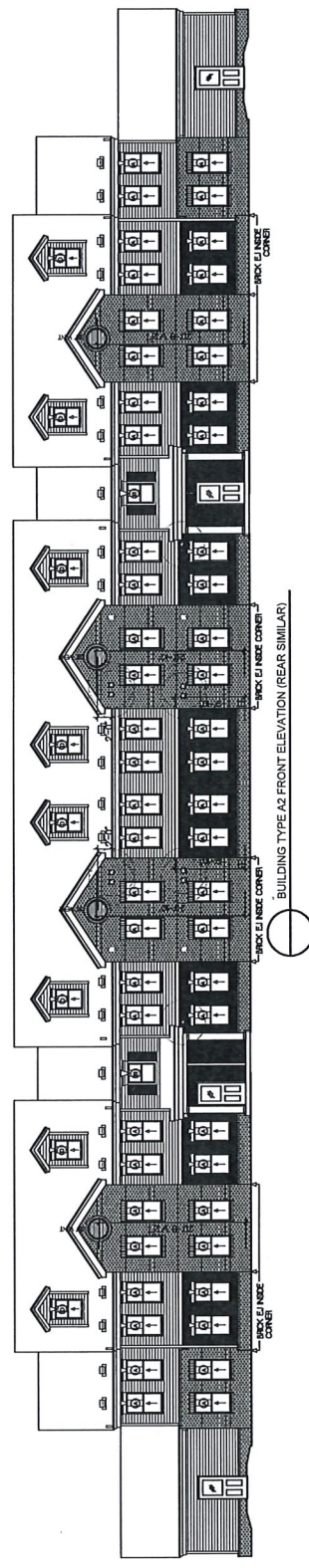
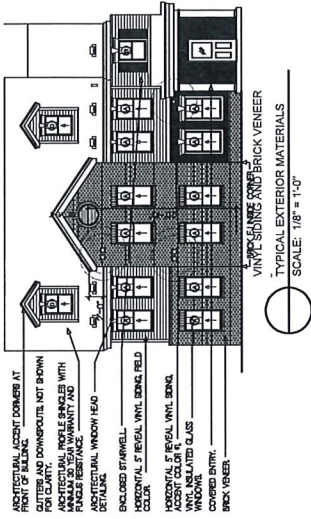




WATERFALL  
GARDENS  
JACKSON COUNTY  
SYLVA, NC  
48 RESIDENTIAL UNITS

THESE DRAWINGS ARE THE  
PROPERTY OF JONES ARCHITECTURE, PLLC  
AND ARE NOT TO BE REPRODUCED,  
COPIED, OR TRANSMITTED IN ANY  
MANNER WITHOUT WRITTEN PERMISSION  
FROM JONES ARCHITECTURE, PLLC  
ALL RIGHTS RESERVED.  
DATE: 01-18-2023  
BY: [Signature]  
REV: [Signature]

NCHFA PREL. APPLICATION  
BUILDING ELEVATIONS  
A5.01





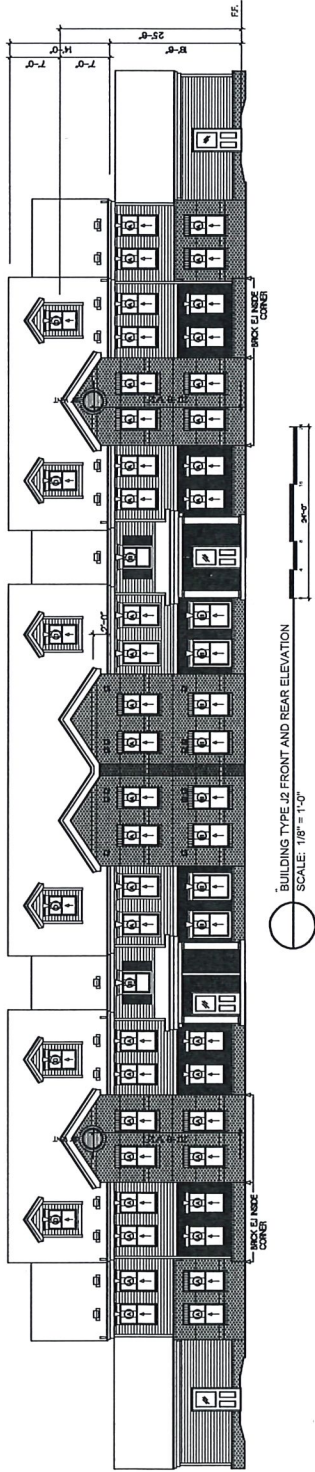
WATERFALL  
 GARDENS  
 JACKSON COUNTY  
 SYLVIA, NC  
 48 RESIDENTIAL UNITS

THESE DIMENSIONS ARE THE  
 FINISHED DIMENSIONS UNLESS  
 INDICATED OTHERWISE. ALL  
 DIMENSIONS ARE TO FACE UNLESS  
 OTHERWISE NOTED. ALL DIMENSIONS  
 ARE TO FACE UNLESS OTHERWISE  
 NOTED. ALL DIMENSIONS ARE TO  
 FACE UNLESS OTHERWISE NOTED.  
 CONTRACTOR TO VERIFY ALL  
 DIMENSIONS AND CONDITIONS  
 BEFORE CONSTRUCTION.  
 DATE: 01-15-2013

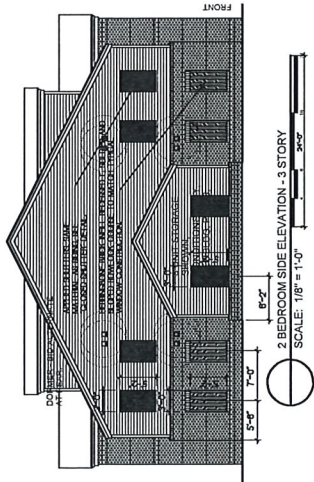
NCHFA PREL. APPLICATION

BUILDING ELEVATIONS

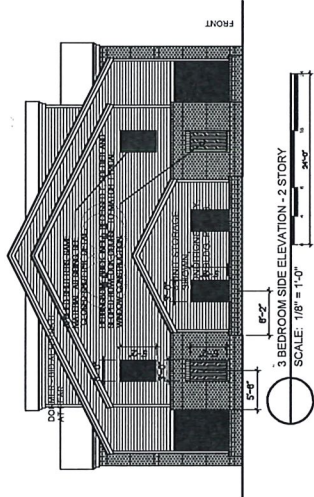
A5.02



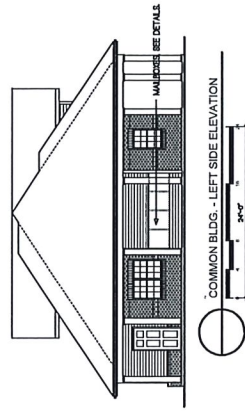
BUILDING TYPE 1/2 FRONT AND REAR ELEVATION  
 SCALE: 1/8" = 1'-0"



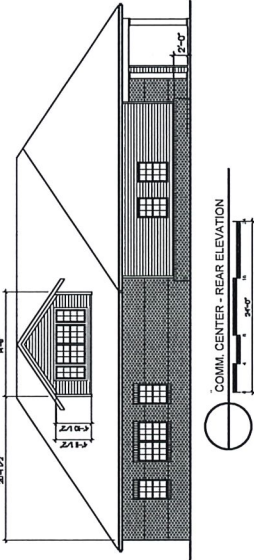
2 BEDROOM SIDE ELEVATION - 2 STORY  
 SCALE: 1/8" = 1'-0"



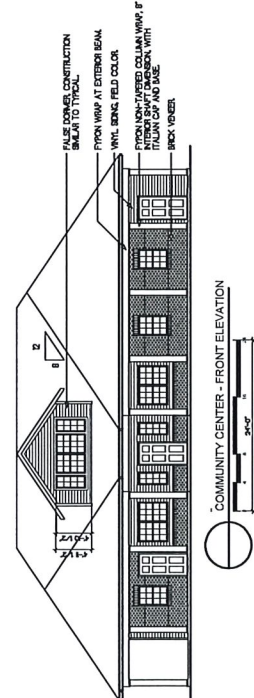
3 BEDROOM SIDE ELEVATION - 2 STORY  
 SCALE: 1/8" = 1'-0"



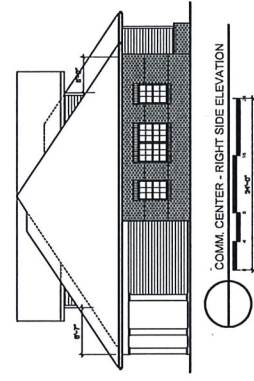
COMMON BLDG. - LEFT SIDE ELEVATION  
 SCALE: 1/8" = 1'-0"



COMMON CENTER - REAR ELEVATION  
 SCALE: 1/8" = 1'-0"



COMMON CENTER - FRONT ELEVATION  
 SCALE: 1/8" = 1'-0"



COMMON CENTER - RIGHT SIDE ELEVATION  
 SCALE: 1/8" = 1'-0"

FALSE DOWER CONSTRUCTION  
 BACK TO THROAT  
 PLYON WRAP AT EXTERIOR BEAM  
 WHL BEING FIELD COLOR  
 INTERIOR SHUT DAMPERS WITH  
 ITALIAN COP AND BUSE  
 BACK VENEER





April 27, 2023

TOWN OF SYLVA PLANNING BOARD

**Statement of Consistency pursuant to G.S. 160D**

Re: Proposed zoning map amendment to apply a conditional zoning district to parcel identified by PIN# 7631-66-1393.

The Town of Sylva Planning Board has found the conditional district zoning map amendment to parcel identified by PIN# 7631-66-1393 to be supported by the Town of Sylva 2040 Land Use Plan.

We find the proposed amendment to be consistent with the key drivers for The Plan for Sylva identified on page 20 and corridor specifications found on page 29 of the Town of Sylva 2040 Land Use Plan. The term driver refers to a top planning consideration that shapes The Plan for Sylva. More specifically:

- Driver 2—Providing Diversity in Housing Choices: To align with the vision, Sylva needs a wide range of housing options to attract the full range of employees necessary for existing and future employers and service providers. In addition, providing a wider range of housing provides more options for Sylva residents as they age over time, allowing residents to stay in their community as they age in place. Diversifying the mix of housing types in Sylva would offer more choices to the consumer.
- Urban Neighborhoods: The Urban Neighborhood character area includes existing residential and new areas where it is envisioned that reinvestment in the community can and will occur. A focus on things such as the walkability to Downtown Sylva and the Town's other commercial areas, higher density residential units and live-work units are included in the Urban Neighborhoods. This parcel lies in the Town's ETJ area directly adjacent to the Urban Neighborhood corridor area of the Town of Sylva 2040 Land Use Plan.

We therefore consider the proposed zoning map amendment to be reasonable and in the public interest.

Signed: \_\_\_\_\_

Alan Brown, Chairman, Town of Sylva Planning Board



May 11, 2023

TOWN OF SYLVA BOARD OF COMMISSIONERS

**Statement of Consistency pursuant to G.S. 160D**

Re: Proposed zoning map amendment to apply a conditional zoning district to parcel identified by PIN# 7631-66-1393.

The Town of Sylva Board of Commissioners has found the conditional district zoning map amendment to parcel identified by PIN# 7631-66-1393 to be supported by the Town of Sylva 2040 Land Use Plan.

We find the proposed amendment to be consistent with the key drivers for The Plan for Sylva identified on page 20 and corridor specifications found on page 29 of the Town of Sylva 2040 Land Use Plan. The term driver refers to a top planning consideration that shapes The Plan for Sylva. More specifically:

- Driver 2-Providing Diversity in Housing Choices: To align with the vision, Sylva needs a wide range of housing options to attract the full range of employees necessary for existing and future employers and service providers. In addition, providing a wider range of housing provides more options for Sylva residents as they age over time, allowing residents to stay in their community as they age in place. Diversifying the mix of housing types in Sylva would offer more choices to the consumer.
- Urban Neighborhoods: The Urban Neighborhood character area includes existing residential and new areas where it is envisioned that reinvestment in the community can and will occur. A focus on things such as the walkability to Downtown Sylva and the Town's other commercial areas, higher density residential units and live-work units are included in the Urban Neighborhoods. This parcel lies in the Town's ETJ area directly adjacent to the Urban Neighborhood corridor area of the Town of Sylva 2040 Land Use Plan.

We therefore consider the proposed zoning map amendment to be reasonable and in the public interest.

Signed: \_\_\_\_\_

David Nestler, Mayor, Board of Commissioners