

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: Alice Grindstaff, Trustee of the Margaret B. Grindstaff Trust

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

Address: PO Box 957 North Beach, MD 20714

Phone: (703) 994-2721 Fax: _____

Email: Grindstaff@comcast.net

PropertyOwner(s): Alice Grindstaff, Trustee of the Margaret B. Grindstaff Trust

(If the owner is different than the applicant)

Address: _____

Phone: _____ Fax: _____

Email: _____

Property Information:

Property Location/Address(es): Adjoins the north end of Sylva Plaza Shopping Center. See Tract 5 of PC 13, Slide 526 less and except that 0.36 acre tract conveyed to TWASA. A total of 15.44 acres.

Tax Parcel Identification Number(s): PIN 7642-20-8769

Current Use of Property(ies): Vacant land currently zoned Low Density Residential (LDR)

Acreage to be Rezoned: 15.441 +/- acres

Deed Book: 97 E 160 Page: _____ Lot / Tract Size: 15.44 (acres)

Property Street Frontage / Width: _____ Property Depth: _____

Flood Plain: _____ FIRM Panel: _____

Zoning Information:

Current Zoning District(s): Low Density Residential

Requested Zoning District(s): General Business

Purpose of Zoning Change *(optional)*: The property adjoins the northern boundary line of of Sylva Plaza Shopping Center which is zoned General Business. The property also abuts the south margin of U.S. Hwy 19/74, and is in the Grindstaff Corridor of the Sylva Land Use plan. The Sylva Land Use plan is for mixed use development. Under current zoning standards, General Business would most closely comply with the Sylva Land Use Plan.

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 subject property (PIN 7642-20-8769) adjoins the southern right-of-way of U.S. Highway 19/74 and is contiguous with the northern boundary line of Sylva Plaza Shopping Center (PIN 7642-20-2009). Sylva Plaza is zoned General Business. Rezoning the subject property in compliance with the Sylva Land Use Plan will not constitute a spot zoning.

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): Low Density Residiential

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.*

The Sylva Land Use Plan and Map includes all of the property depicted in Plat Cab. 13 Slide 526 within the Grindstaff Cove overlay corridor. The subject tract is currently zoned Low Density Residential. The Jackson County mapping office has recently assigned a new PIN to the Grindstaff property lying on the South side of US Hwy 19/74, thereby allowing this 15.44 acres tract to be properly zoned in accordance with the Sylva Land Use Plan.

In order to bring the property into compliance with the Sylva Land Use Plan, the subject tract should be re-zoned from Low Density Residential to General Business to allow for mixed use development.

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, Alice Grindstaff, Trustee (Land owner name) am the owner of the property located in the Town of Sylva Zoning Jurisdiction at:

Street address: Grindstaff Cove Rd intersection with Us Hwy 19/74 Property PIN: 7642-20-8769

I hereby authorize Alice Grindstaff (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: PO Box 957

City / State / Zip Code: North Beach, MC 20714

Phone Number: (703) 994-2721

Email Address: Grindstaff@comcast.net

Owners Signature: Alice Grindstaff, Trustee

Sworn to and subscribed before me, this the 21 day of August, 2026

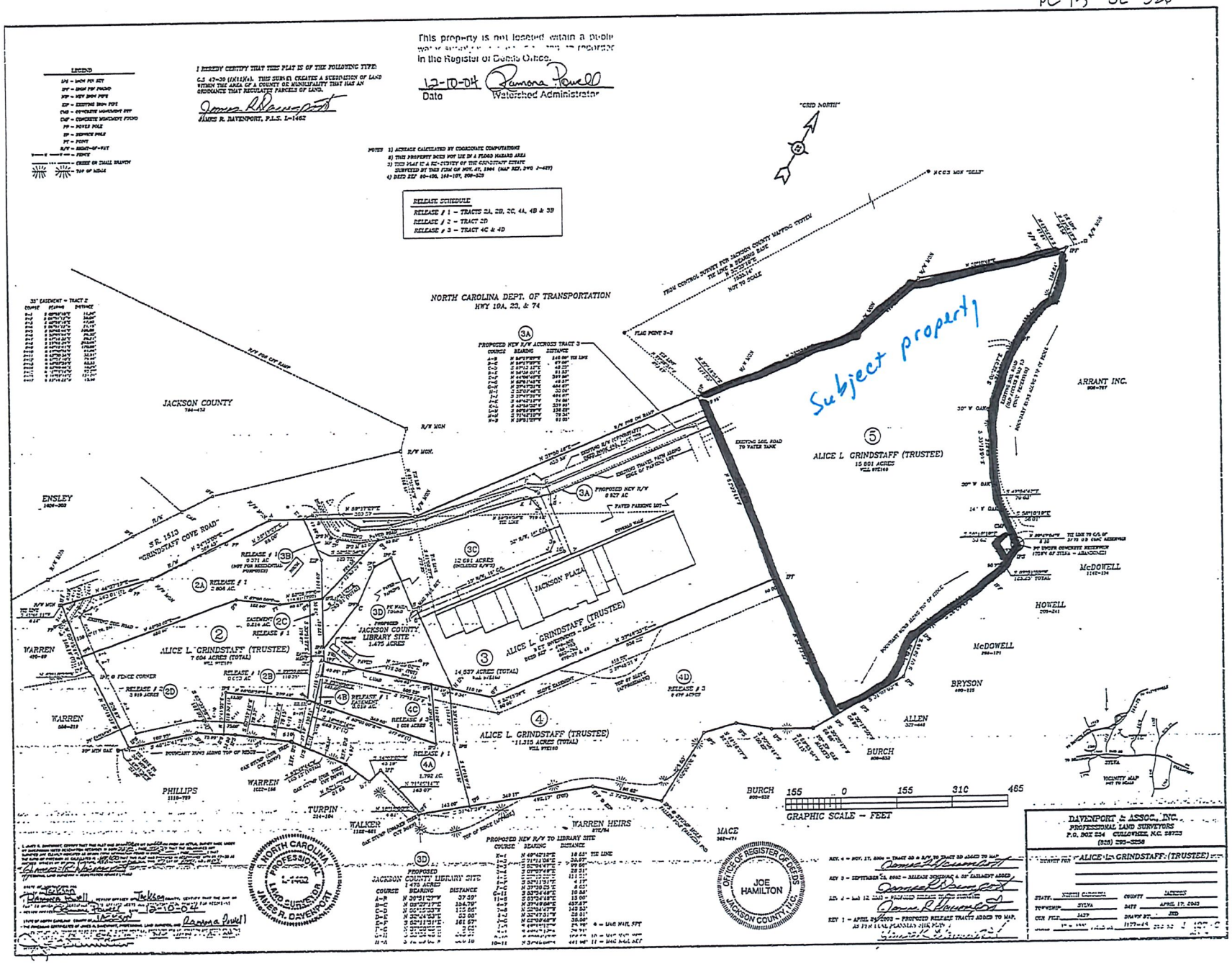
Claire N Bringley
Notary Public

My commission expires: 10/07/2028

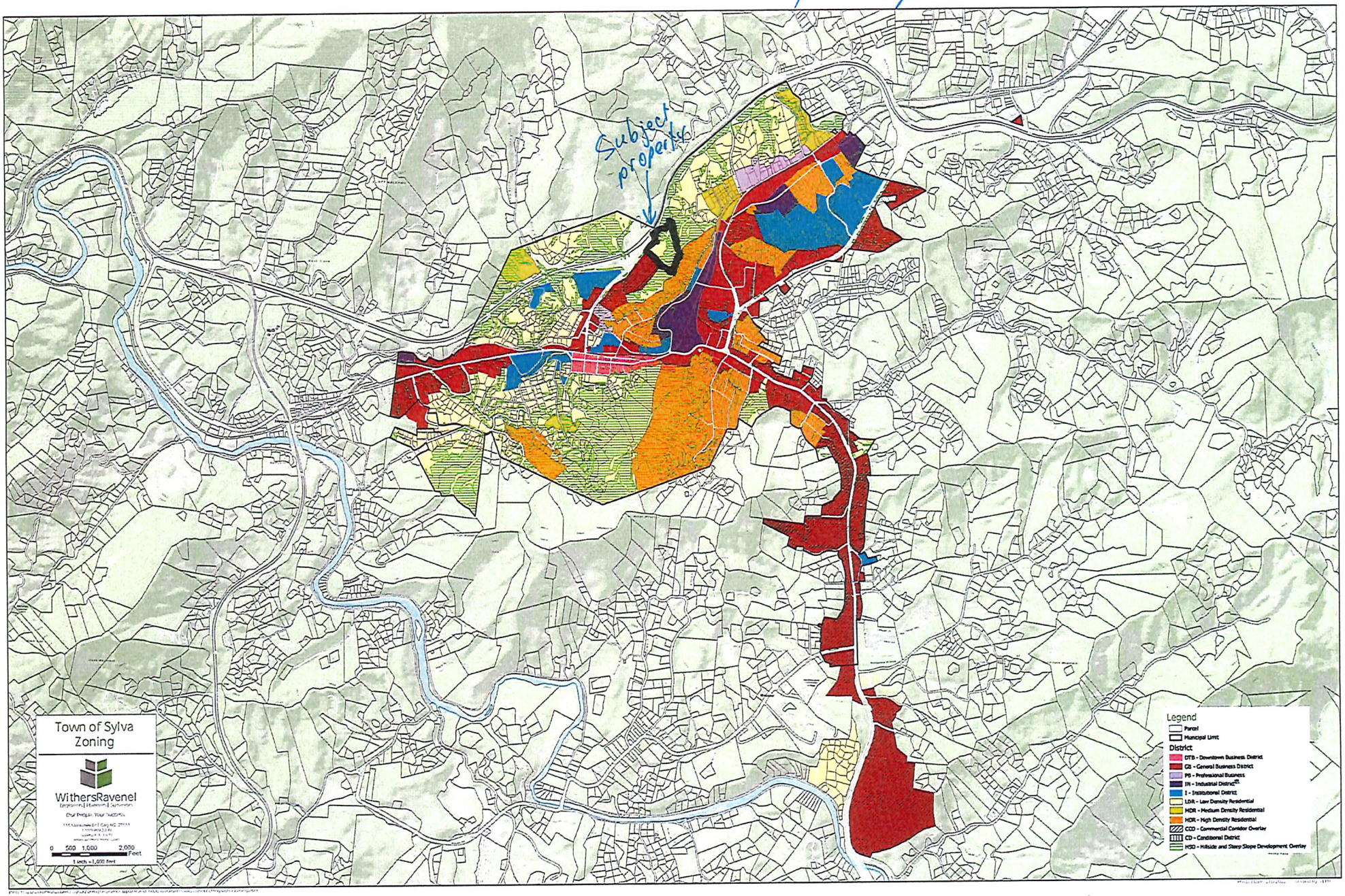
CLAIRE N BRINGLEY NOTARY PUBLIC CALVERT COUNTY, MD

Claire N Bringley
NOTARY PUBLIC
Calvert County
State of Maryland
My Commission Expires
October 07, 2028

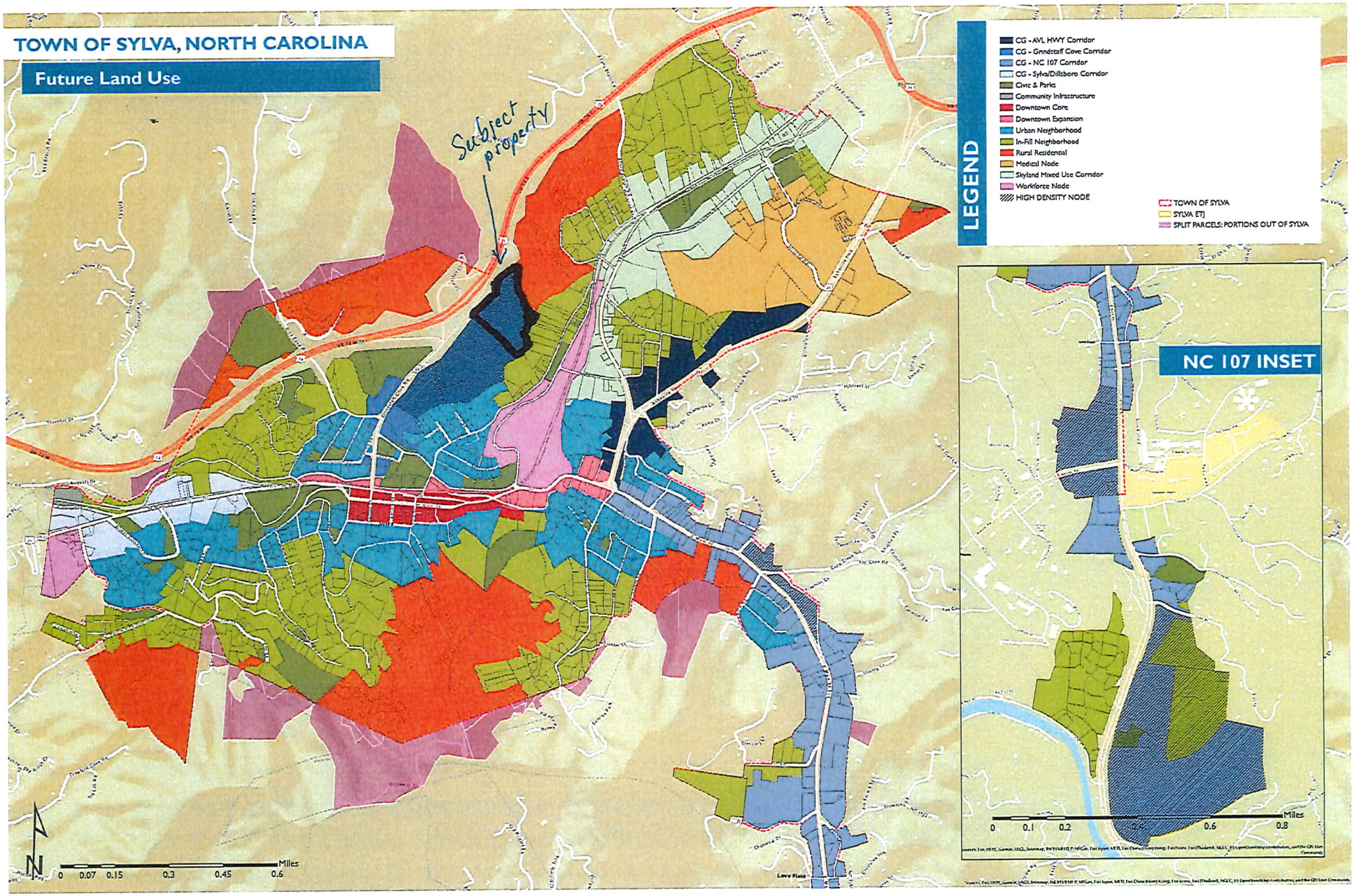
PC 13 SL 526


This property is not located within a public
in the Register of Deeds Office.
12-10-04 Ramona Powell
Date Watershed Administrator
I HEREBY CERTIFY THAT THIS PLAT IS OF THE FOLLOWING TYPE:
JAMES R. DAVENPORT, P.L.S. L-1462
LEGEND
NOTES 1) ACREAGE CALCULATED BY COORDINATE COMPUTATIONS
RELEASE SCHEDULE
RELEASE # 1 – TRACTS 2A, 2B, 2C, 4A, 4B & 3B
RELEASE # 2 – TRACT 2D
RELEASE # 3 – TRACT 4C & 4D
"GRID NORTH"
NORTH CAROLINA DEPT. OF TRANSPORTATION
HWY 19A, 23, & 74
Subject property
JACKSON COUNTY
ENSLEY
S.R. 1513 "GRINDSTAFF COVE ROAD"
ALICE L GRINDSTAFF (TRUSTEE)
15.501 ACRES
ARRANT INC.
McDOWELL
HOWELL
BRYSON
ALLEN
BURCH
WARREN
PHILLIPS
TURPIN
WALKER
WARREN HEIRS
MACE
JACKSON PLAZA
JACKSON COUNTY LIBRARY SITE
1.475 ACRES
7.604 ACRES (TOTAL)
14.639 ACRES (TOTAL)
11.315 ACRES (TOTAL)
PROPOSED NEW R/W ACCROSS TRACT 3
PROPOSED NEW R/W TO LIBRARY SITE
PROPOSED JACKSON COUNTY LIBRARY SITE
1.475 ACRES
GRAPHIC SCALE – FEET
155 0 155 310 465
VICINITY MAP
NOT TO SCALE
DAVENPORT & ASSOC., INC.
PROFESSIONAL LAND SURVEYORS
P.O. BOX 224 CULLOWHEE, N.C. 28723
(828) 293-3258
SURVEY FOR ALICE L. GRINDSTAFF (TRUSTEE)
STATE NORTH CAROLINA COUNTY JACKSON
TOWNSHIP SYLVA DATE APRIL 17, 2003
CUS FILE 3429 DRAWN BY JED
NORTH CAROLINA PROFESSIONAL LAND SURVEYOR JAMES R. DAVENPORT
OFFICE OF REGISTER OF DEEDS JOE HAMILTON JACKSON COUNTY, N.C.

Current Zoning Map



Land Use Map


TOWN OF SYLVA, NORTH CAROLINA
Future Land Use
Subject property
LEGEND
CG - AVL HWY Corridor
CG - Grindstaff Cove Corridor
CG - NC 107 Corridor
CG - Sylva/Dillsboro Corridor
Civic & Parks
Community Infrastructure
Downtown Core
Downtown Expansion
Urban Neighborhood
In-Fill Neighborhood
Rural Residential
Medical Node
Skyland Mixed Use Corridor
Workforce Node
HIGH DENSITY NODE
TOWN OF SYLVA
SYLVA ETJ
SPLIT PARCELS: PORTIONS OUT OF SYLVA
NC 107 INSET
N
0 0.07 0.15 0.3 0.45 0.6 Miles
0 0.1 0.2 0.4 0.6 0.8 Miles

Town of Sylva, North Carolina
Zoning Map Amendment Request
Staff Report – October 5, 2026

Applicant: Alice Grindstaff, Trustee of the Margaret B. Grindstaff Trust
Property Location: Lot 5 Jackson Plaza, Sylva NC 28779; PIN 7642-20-8769
Current Property Zoning: Low Density Residential (LDR)
Ordinance Section for which the Text Amendment is requested: Article 3 - Procedures - Section 3.9.B – Zoning and Map Amendments

Description of Request:
The applicant is requesting a map amendment that would designate the subject property as General Business District (GB).

Background:
The General Business District (GB) is the largest district within Sylva's commercially zoned jurisdiction. The GB District offers a broad range of permitted (use-by-right) and special uses (SUP) such as lodging, retail/commercial, restaurants, public/civil and recreational uses. Property improvements in this district are subject to development standards as set forth in the zoning ordinance including building setbacks, landscaping, architectural standards, sidewalk construction, parking, storm water treatment, etc.

The subject property is located off of Grindstaff Cove Road, adjacent to the Jackson Plaza which is owned by the applicant. This property is 15.44 acres in total land area and currently vacant. Access to this property is from Jackson Plaza. This property is adjacent to properties to the south that are in the General Business District and is not located within the 100-year flood plain. This property is or can be served by Tuckaseigee Water & Sewer Authority for public utilities.

Application Response:
The applicant is requesting that the existing Town of Sylva Zoning Map be amended to designate this property (15.44 acres total) as General Business District.

Staff Findings:
The requested map amendment would not constitute "spot zoning" as the properties to the south are zoned General Business District.

The Town's adopted Land Use Plan for 2040 establishes that this property will be in the future *Community Corridor District* with encouraged land uses for this district being mixed-use buildings, institutional uses, walkable neighborhood commercial (retail, office, personal services), large scale commercial, business centers, community services and civic/educational services. In addition, this requested map amendment will create available property and opportunity in the current GB District that may be needed to serve the community during/after the proposed Highway 107 improvement project.

October 22, 2026

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 # 7642-20-8769.

The Town of Sylva Planning Board has found the conditional district zoning map amendment to parcel identified by PIN # 7642-20-8769 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 32 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 1-Residents, students, commuting employees, and visitors to Sylva enter the town through one of four corridors which are primarily a mix of commercial, retail, and institutional land uses. The corridors include Asheville Highway, Grindstaff Cove, NC 107, and Sylva/Dillsboro (West Main Street). Combined, the corridors comprise 23% of land in The Plan for Sylva study area. While the supply of land should be adequate for near- and long-term needs, much can be done to integrate the corridors with Sylva's overall vision and improve conditions for the people who use these corridors.

- Community Corridors: The intent of the Community Corridor character areas is to create an authentic "Sylva Look and Feel" for the town's entryways. Community Corridors will be the town's "workhorse" corridors – connecting commercial areas to residential neighborhoods while providing a major transportation link between job centers and areas outside of Sylva. The key to success is redevelopment that incorporates a mix of land uses in compact development patterns, links downtown and neighborhoods, and provides additional housing options, neighborhood amenities, and job opportunities.

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

Signed: _____

Russ Harris, Vice-Chairman, Town of Sylva Planning Board