

# General Rezoning Application (Z22-23)

## STAFF REPORT

### APPLICATION SUMMARY

**Request:**

To rezone property from the (R-1) Single Family Limited Zoning District to the (R-3) Single Family General Zoning District

**Applicant(s):**

Delores Gillespie Barrett

**Property Owner(s):**

Heirs of Annie Sue Gillespie

**Parcel Identification (PID):**

219660

**Property Location:**

338 Carpenter Rd. (Bessemer City)

**Total Property Acreage:**

2.01 ac

**Acreage for Map Change:**

2.01 ac

**Current Zoning:**

(R-1) Single Family Limited

**Proposed Zoning:**

(R-3) Single Family General

**Existing Land Use:**

Vacant

**Proposed Land Use:**

Residential

### COMPREHENSIVE LAND USE PLAN

**Area 2: North 321 Gaston**

Key issues for citizens in this area include: preservation of open space; road improvements and better connectivity to other areas of the County and throughout the region; more transportation alternatives; preservation of agriculture and maintaining the rural “feel” of the community; and, steer development towards existing infrastructure and areas immediately surrounding towns and cities.

**Comprehensive Plan future Land Use: Rural**

Rural areas are areas characterized by green, rolling hills and plenty of open space, along with farmstead style housing, as well as agribusinesses. This designation exemplifies Gaston County and the existing natural resources that exist throughout the jurisdiction. Residential homes are located on large lots and are set back from the roads they front upon. There are many opportunities for agribusiness ventures in this designation as well, including farming, landscaping and associated nurseries, etc. It is understood that this is the default use designation for Gaston County.

**Staff Recommendation:**

Application, as presented, **is consistent** with the Comprehensive Land Use Plan.

### UTILITIES AND ROAD NETWORK INFRASTRUCTURE

**Water/Sewer Provider:**

Private well / private septic

**Road Maintenance:**

North Carolina Department of Transportation

**Technical Review Committee (TRC) comments provided by Gaston Lincoln Cleveland Metropolitan Planning Organization (MPO)**

See Attached

**STAFF SUMMARY**

**Prepared By: Sarah Carpenter Penley, Senior Planner**

This property is located in the north west/central region of the county. The location has a diversity of residential uses and diverse housing types within close proximity to the proposed location. The application presented is currently residential in nature, occupied by a single family home, with a subdivision plat on file for review. Large tracts of vacant acreage surround the immediate site.

If approved, any uses allowed in the current zoning (R-3) zoning district would be permitted in accordance with standards and regulations as adopted in the Gaston County Unified Development Ordinance (UDO).

**PLANNING BOARD RECOMMENDATION**

**Scheduled Meeting Date: September 12, 2022**

Meeting Summary / Points of Discussion: Staff provided Board members with a brief presentation of the property, which included, a list of uses allowed by right within the (R-3) Single Family General Zoning District. Board members questioned staff regarding the main difference between the residential uses, and specifically the uses allowed in (R-3) that required a Special Use Permit. Once explained that the additional uses allowed required a SUP and went before a separate board for approval (Board of Adjustment), the Board had no further questions or concerns.

The Board voted to approve the application, with a vote of (5) to (1) based upon the following statement of consistency:

*The proposed rezoning is in the Rural future land use plan. The area consists of mixed housing types that are residential in nature. The use, going from (R-1) to (R-3) will maintain the subject parcel as residential in nature, which **is consistent** with the Rural designation.*



# GASTON COUNTY

Department of Planning & Development Services

Street Address: 128 W. Main Avenue, Gastonia, North Carolina 28052

Phone: (704) 866-3195

Mailing Address: P.O. Box 1578, Gastonia, N.C. 28053-1578

Fax: (704) 866-3966

## GENERAL REZONING APPLICATION

Application Number: **Z 22-23**

Applicant ☒

Planning Board (Administrative) ☐

Board of Commission (Administrative) ☐

ETJ ☐

### A. \*APPLICANT INFORMATION

Name of Applicant: Delores Ann Gillespie Barrett  
(Print Full Name)

Mailing Address: 338 Carpenter Rd Bessemer City, NC 28016  
(Include City, State and Zip Code)

Telephone Numbers: \_\_\_\_\_  
(Area Code) Business (Area Code) Home

Email: \_\_\_\_\_

\* If the applicant and property owner(s) are not the same individual or group, the Gaston County Zoning Ordinance requires written consent form from the property owner(s) or legal representative authorizing the Rezoning Application. Please complete the Authorization/Consent Section on the reverse side of the application.

### B. OWNER INFORMATION

Name of Owner: Heirs of Annie Sue Gillespie (Delores Ann Gillespie Barrett)  
(Print Full Name)

Mailing Address: 338 Carpenter Rd Bessemer City NC 28016  
(Include City, State and Zip Code)

Telephone Numbers: \_\_\_\_\_  
(Area Code) Business (Area Code) Home

Email: \_\_\_\_\_

### C. PROPERTY INFORMATION

Physical Address or General Street Location of Property: 338 Carpenter Rd. & 340 Carpenter Rd

Parcel Identification (PID): 219660

Acreage of Parcel: 2.01 +/- Acreage to be Rezoned: \_\_\_\_\_ +/- Current Zoning: R-1

Current Use: SFD Proposed Zoning: R-3

### D. PROPERTY INFORMATION ABOUT MULTIPLE OWNERS

Name of Property Owner: John Philip Gillespie Heir

Name of Property Owner: Scott Douglas Gillespie Heir

Mailing Address: \_\_\_\_\_  
(Include City, State and Zip Code)

Mailing Address: \_\_\_\_\_  
(Include City, State and Zip Code)

Telephone: 980 734-9258  
(Area Code)

Telephone: 828 291-9715  
(Area Code)

Parcel: \_\_\_\_\_  
(If Applicable)

Parcel: \_\_\_\_\_  
(If Applicable)

(Signature)

(Signature)

See Reverse Side For Completion of Additional Sections

## E. AUTHORIZATION AND CONSENT SECTION

(I/We), being the property owner(s) or heir(s) of the subject property referenced on the **Gaston County Rezoning Application** and having authorization/interest of property parcel(s) \_\_\_\_\_ hereby give \_\_\_\_\_ consent to execute this proposed action.  
(Name of Applicant)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

I, \_\_\_\_\_, a Notary Public of the County of \_\_\_\_\_  
State of North Carolina, hereby certify that \_\_\_\_\_  
personally appeared before me this day and acknowledged the due execution of the foregoing instrument.  
Witness my hand and notarial seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public Signature

\_\_\_\_\_  
Commission Expiration

(I/We), also agree to grant permission to allow employees of Gaston County to enter the subject property during reasonable hours for the purpose of making **Zoning Review**.

Please be advised that an approved general rezoning does not guarantee that the property will support an on site wastewater disposal system (septic tank). Though a soil analysis is not required prior to a general rezoning submittal and/or approval, the applicant understands a chance exists that the soils may not accommodate an on site wastewater disposal system thus adversely limiting development choices/uses unless public utilities are accessible.

If the application is not fully completed, this will cause rejection or delayed review of the application. In addition, please return the completed application to the Planning and Development Services Department within the County Administrative Building located at 128 West Main Avenue, Gastonia, NC 28052.

## APPLICATION CERTIFICATION

(I/We), the undersigned being the property owner/authorized representative, hereby certify that the information submitted on the subject application and any applicable documents is true and accurate.

x Debra Ann Gillespie Barnett  
Signature of Property Owner or Authorized Representative

7-27-22  
Date

Note: Approval of this request does not constitute a zoning permit. All requirements must be met within the UDO.

### OFFICE USE ONLY

Date Received: Rez 22-07-27-119

### OFFICE USE ONLY

Application Number: Z22-23

### OFFICE USE ONLY

Fee: 787.00 Invoice # 36772

Received by Member of Staff: SCP  
(Initials)

Date of Payment: 07/27/22

Receipt Number: \_\_\_\_\_

☐ COPY OF PLOT PLAN OR AREA MAP  
☐ NOTARIZED AUTHORIZATION

☐ COPY OF DEED  
☐ PAYMENT OF FEE

Date of Staff Review: \_\_\_\_\_

Date of Public Hearing: 09/27/22

Planning Board Review: \_\_\_\_\_ Recommendation: \_\_\_\_\_ Date: \_\_\_\_\_

Commissioner's Decision: \_\_\_\_\_ Date: \_\_\_\_\_

### Mission Statement

Gaston County seeks to be among the finest counties in North Carolina. It will provide effective, efficient and affordable services leading to a safe, secure and healthy community, an environment for economic growth, and promote a favorable quality of life.





Post Office Box 1748  
Gastonia, North Carolina 28053  
Phone (704) 866-6980

150 South York Street  
Gastonia, North Carolina 28052  
Fax (704) 869-1960

## Memorandum

**To:** Sarah Carpenter Penley, Senior Planner/Subdivision Administrator, Building & Development Services  
**From:** Julio Paredes, Planner  
**Date:** August 8, 2022  
**Subject:** TRC Review – 338 Carpenter Rd– GCLMPO Zoning Review

Thank you for the opportunity to provide comments on a proposed rezoning within the Gaston-Cleveland-Lincoln Metropolitan Planning Organization (GCLMPO) planning area. My comments are based on review of the site in accordance with the adopted Comprehensive Transportation Plan (CTP), the 2050 Metropolitan Transportation Plan (MTP), and the current State Transportation Improvement Program (STIP).

The site is located at 338 Carpenter Rd, Bessemer City, NC, 28016, USA. Parcel ID: 219660. On behalf of the GCLMPO, I offer the following comments:

1. According to the 2020-2029 STIP, there are no funded transportation improvement projects in the immediate vicinity of this site.
2. Neither the GCLMPO 2050 Highway MTP nor Highway CTP include any proposed improvements to any streets adjacent to the subject property.
3. Please note that for any site plan that requires a driveway permit on an NCDOT roadway, or is adjacent to NCDOT roadways, the property owner/developer should work with NCDOT on any required driveway permits or any TIA requirements.

If you have any questions regarding my comments, please do not hesitate to contact me at 704-866-6980 or [juliop@cityofgastonia.com](mailto:juliop@cityofgastonia.com)

**R3 SINGLE FAMILY GENERAL****(1) Uses allowed by right:**

Dwelling, Manufactured Home Class A; Dwelling Manufactured Home Class B; Dwelling, Single-Family; Essential Services, Class 1; Recycling Deposit Station, Accessory; Taxidermy.

**(2) Uses allowed by right with supplemental regulations:**

Automobile Hobbyist; Bona Fide Farms; Botanical Gardens; Churches/ Place of Worship; Day Care Center, Class A; Day Care Center, Class B; Dwelling, Two Family; Essential Services Class 2; Essential Services Class 4; Family Care Home; Flex Space; Group Home; Home Occupation, Customary; Home Occupation, Rural; Landfill, Beneficial Fill; Landfill, Land Clearing and Inert Debris, Minor; Marinas, Accessory; Maternity Home; Park; Planned Residential Development (PRD); Planned Unit Development (PUD); Private Residential Quarters (PRQ); Produce Stand; Restaurant, within other facilities; Schools, Elementary and Junior High (Public and Private); School, Senior High (Public and Private); Stadium; Telecommunication Antennae and Equipment Buildings; Traditional Neighborhood Development (TND).

**(3) Uses allowed with a conditional use permit:**

Animal Grooming Service for household pet (Indoor Kennels); College/University; Essential Services Class 3; Fish Hatcheries; Library; Marina, Commercial; Museum; Post Office; School for the Arts; Upholstery Shop; Zoo.

**(4) Uses allowed with a conditional use permit, with supplemental regulations:**

Abattoir Class 1; Animal Hospital (Outdoor Kennel); Animal Hospital (Indoor Kennel); Animal Kennel; Animal Shelter; Assisted Living Center; Automobile Repair Shop; Automobile Towing and Wrecker Service; Bed and Breakfast Inn; Camping and Recreational Vehicle Park; Cemetery; Continuing Care Facility; Convenience Store, Closed 12 a.m. to 5 p.m.; Country Club; Day Care Center, Class B; Day Care Center, Class C; Essential Services Class 4; Firing Range, Indoors, principle use; Firing Range, outdoors, principle use; Fraternal and Service Organization Meeting Facility (non-or not for profit), 0- 9,999sf GFA; Fraternal and Service Organization Meeting Facility (non-or not for profit), 10,000sf GFA; Golf Course; Golf Driving Range; Golf Miniature; Machine, Metal, Wood Working, Welding Shop; Maternity Home; Military Reserve Center; Nursery (Garden); Nursing Home, Rest Home; Park; Paint Ball Facility; Parking Lot; Race Track, Small; Recreation Center and Sports Center; Recycling Deposit Station, principal use; Riding Stables; Rodeo/Accessory Rodeo; Stadium, Telecommunication Tower and Facilities; Tower and/or Station, Radio and Television Broadcast; Wood Waste Grinding Operation.

**(5) Existing Use subject to supplemental regulations:**

Dwelling, Manufactured Home Class C; Dwelling, Manufactured Home Class D; Manufactured Home Park

**(6) By Conditional Zoning: None****(7) By Conditional Zoning with supplemental regulations:**

Planned Residential Development (PRD); Planned Unit Development (PUD); Traditional Neighborhood Development (TND)


**(8) By Special exception: None****(9) By Special exception with supplemental regulations:**

Family Care Home






## Vicinity Map

**Z22-23**

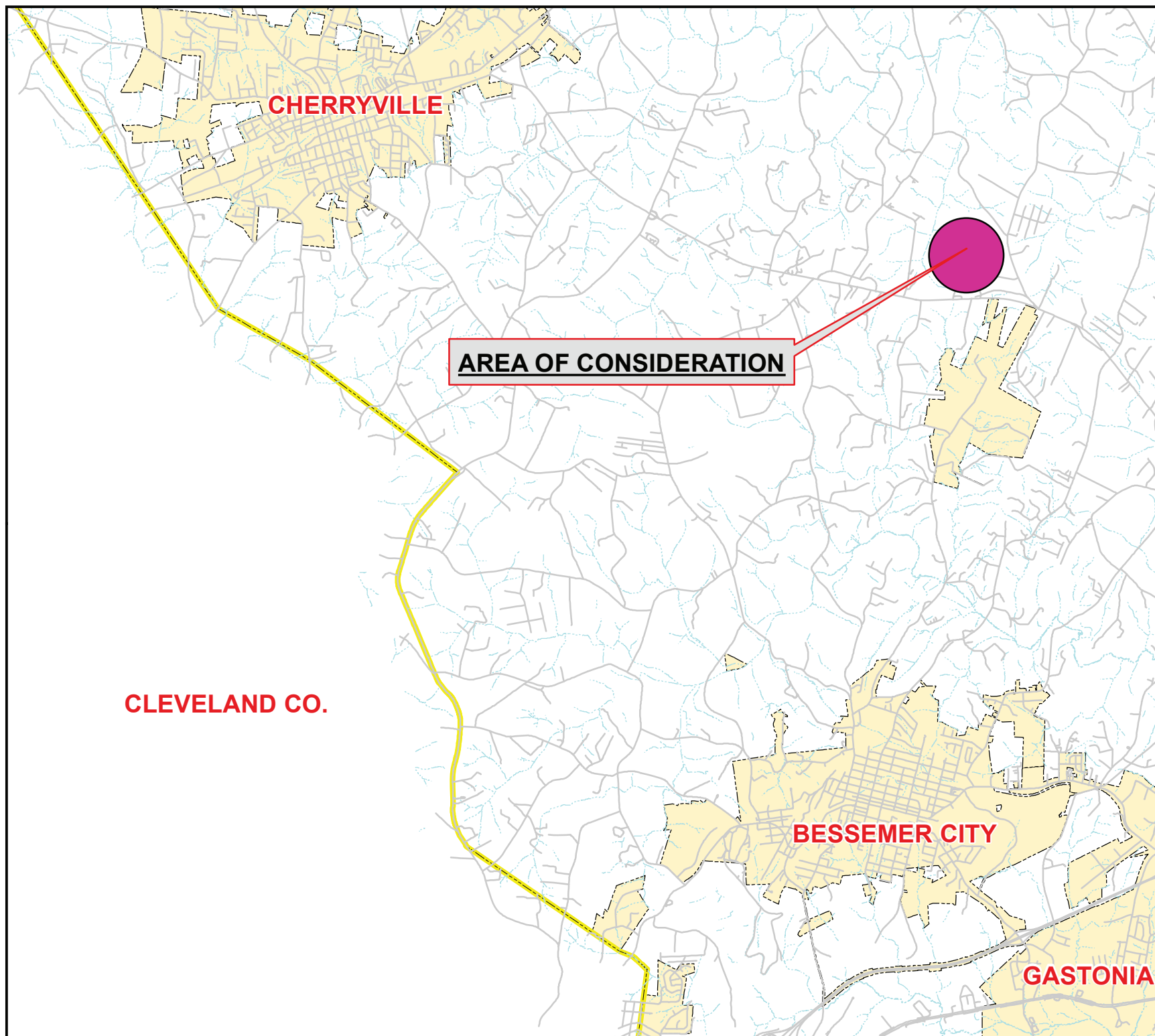
 Area of Consideration

### **Legend**

-  Minor Roadways
-  Major Roadways
-  Municipalities



0 1  
Miles









## Overview Map

2019 Orthophoto  
Z22-23

### Legend

-  Subject Area
-  Property Parcels



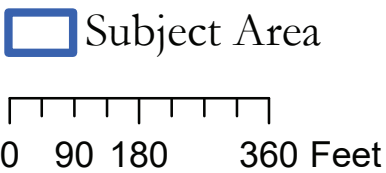
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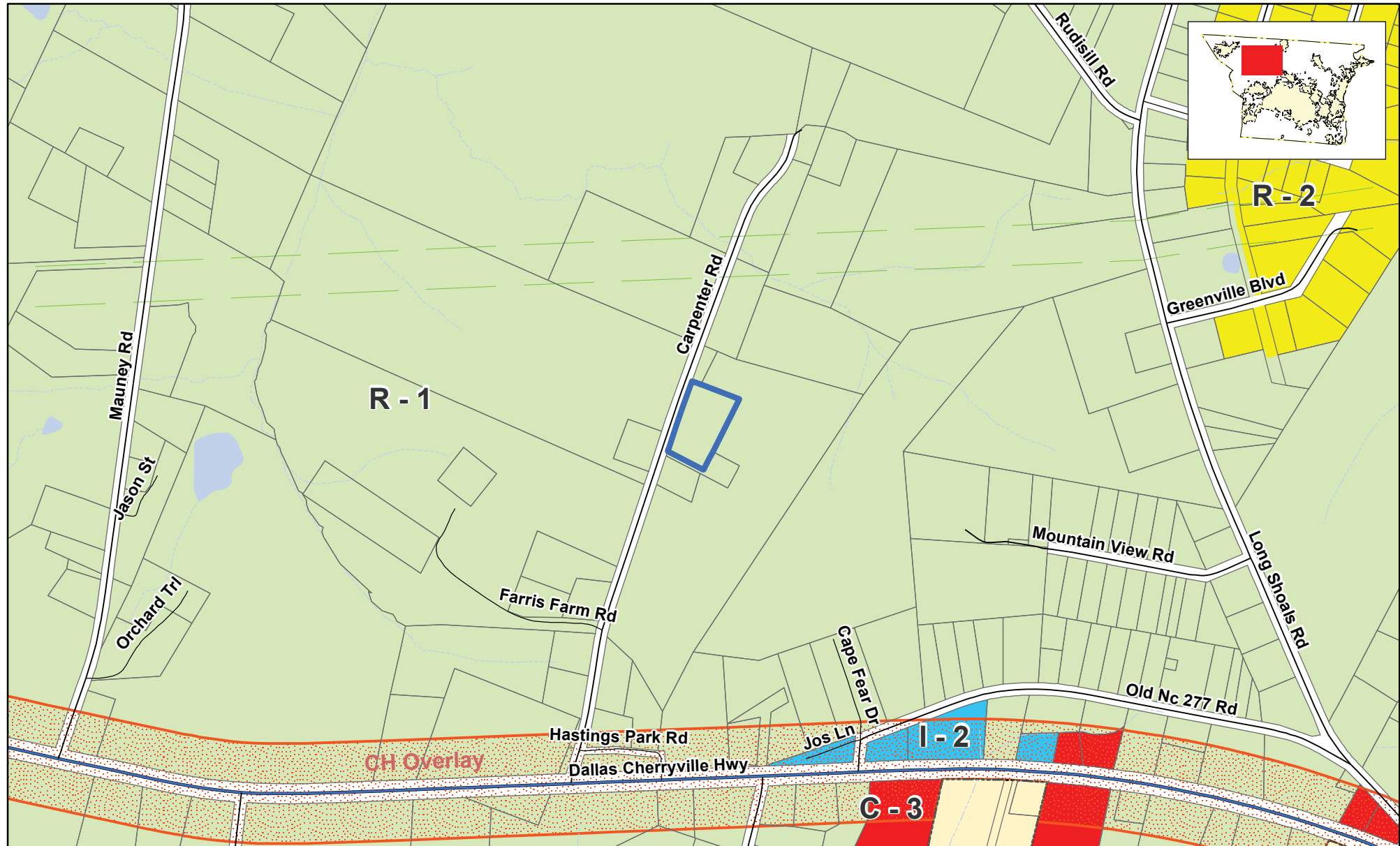
FOR DISPLAY PURPOSES ONLY - NOT TO BE USED FOR CONVEYANCE



**GASTON COUNTY**  
**Zoning Map**  
Z22-23



(R-1) Single Family Limited



## GASTON COUNTY ZONING REVIEW MAP

0 150 300 600 900 1,200  
Feet

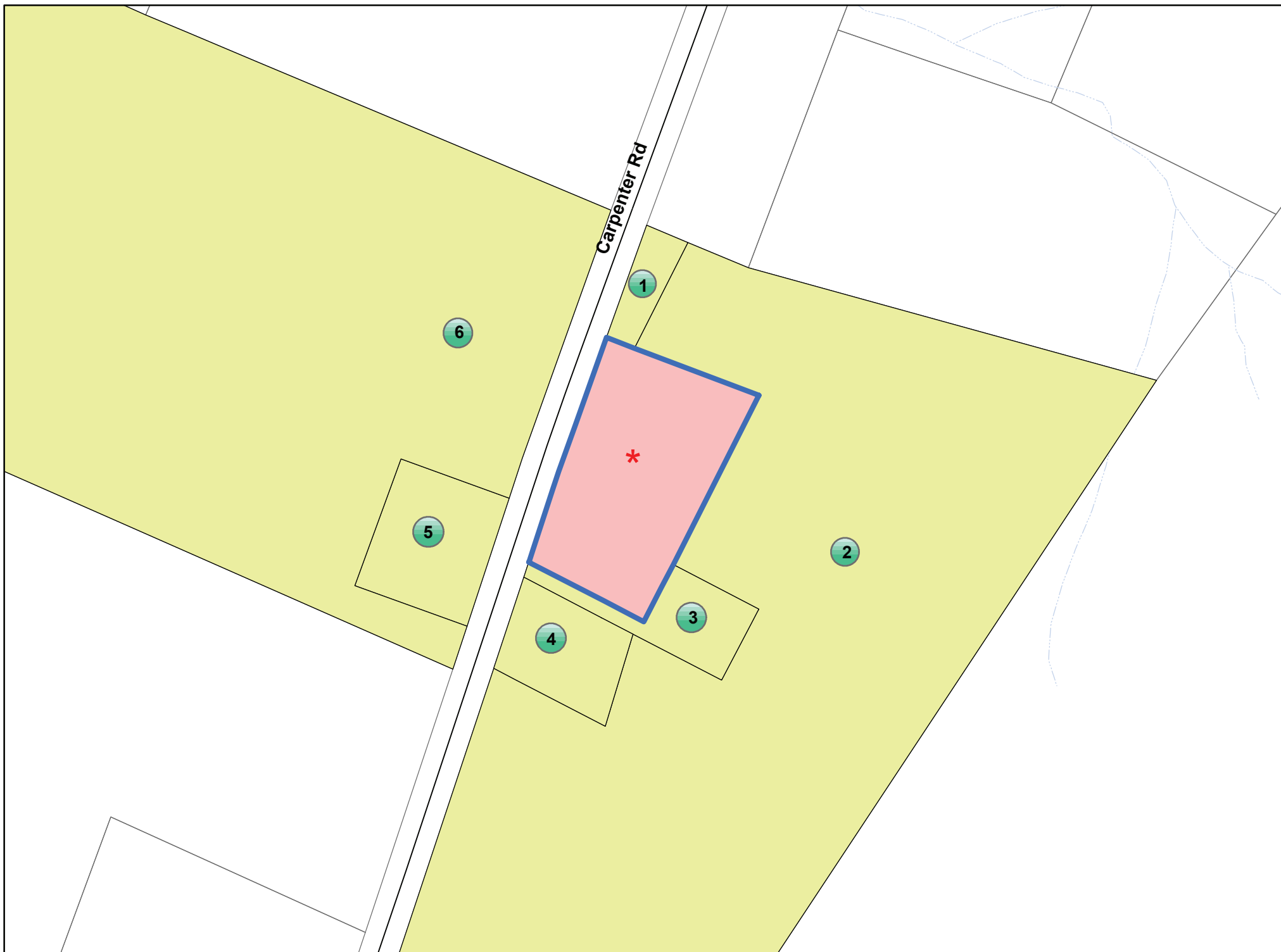


- Area of Consideration
- R-1 Single Family Limited
- R-2 Single Family Moderate
- C-3 General Commercial
- I-2 General Industrial

Application: Z22-23  
Parcel(s): 219660  
Request: (R-1) to (R-3)

Map Date: 06/30/22





**Z22-23 Subject and Adjacent Properties Map**

 **Area of consideration**

**Z22-23 OWNER & ADJACENT PROPERTY OWNER LISTING**

<u>NO:</u>	<u>PARCEL</u>	<u>OWNER NAME</u>	<u>OWNER NAME 2</u>	<u>ADDRESS</u>	<u>CITY</u>	<u>STATE</u>	<u>ZIP</u>
*	219660	HEIRS OF ANNIE SUE GILLESPIE	C/O DELORES GILLESPIE BARRETT	338 CARPENTER RD	BESSEMER CITY	NC	28016
1	219655	GREGG CINDY MCCARTER	GREGG MICHAEL FRANKLIN	344 CARPENTER RD	BESSEMER CITY	NC	28016
2	219653	GREGG CINDY MCCARTER	GREGG MICHAEL FRANKLIN	344 CARPENTER RD	BESSEMER CITY	NC	28016
3	161150	LAVIGNE LAURETTE LIFE ESTATE	C/O MICHAEL FRANKLIN GREGG	344 CARPENTER RD	BESSEMER CITY	NC	28016
4	161151	GREGG MICHAEL FRANKLIN		344 CARPENTER RD	BESSEMER CITY	NC	28016
5	161130	HASTINGS GILFORD W	HASTINGS LINDA	341 CARPENTER RD	BESSEMER CITY	NC	28016
6	161133	HASTINGS LINDA FARRIS		341 CARPENTER RD	BESSEMER CITY	NC	28016