

TITLE:

ZONING MAP CHANGE: REZ-24-07-29-00188. MICHAEL **SMITH** (APPLICANT): PROPERTY PARCEL: 313630, LOCATED AT 144 WRIGHT VIEW DR, KINGS MOUNTAIN, NC, REZONE FROM THE (R-1) SINGLE FAMILY LIMITED ZONING DISTRICT TO THE (R-2) SINGLE FAMILY MODERATE ZONING DISTRICT

WHEREAS.

a County Zoning ordinance was adopted on April 24, 2008, and a public hearing was held on October 22, 2024, by the County Commission, to take citizen comments into a map change application, as follows:

Tax Parcel Number(s): 313630

Applicant(s): Owner(s):

Michael Smith Kathy Bridges

Property Location:

144 Wright View Dr.

Request:

Rezone from the (R-1) Single Family Limited Zoning District to the

(R-2) Single Family Moderate Zoning District

public hearing comments are on file in the Commission Clerk's Office as a part of the minutes of the meeting; and,

WHEREAS,

the Planning Board recommended approval of the map change request for parcel 313630, located on Wright View Dr., Kings Mountain, NC, to be rezoned from the (R-1) Single Family Limited Zoning District to the (R-2) Single Family Moderate Zoning District on September 9, 2024, based on: staff recommendation; and the request is reasonable and is in the public interest and is consistent with the goals of the Comprehensive Land Use Plan as it will keep the parcel residential in nature and maintain the rural "feel" of the community, as envisioned by the Rural future land use designation detailed in the comprehensive land use plan.

Motion: Crane

Second: Horne

Vote: 9-0

Aye: Harris, Brooks, Crane, Harvey, Horne, Hurst, Magee, Marcantel, Vinson

Nay: None

Absent: Houchard Abstain: None

DO NOT TYPE BELOW THIS LINE

	. Buff, Clerk t ne Board of C					reby cert	ify that the	above is a true and correct copy of action
NO.	DATE	M1	M2	CBrown	CCloninger	AFraley	BHovis	KJohnson TKeigher RWorley Vote
2024-342	10/22/2024	TK	KJ	AB	А	Α	Α	A A U
DISTRIRI	ITION:							the many section of the section of t

DISTRIBUTION: Laserfiche Users Zoning Map Change: REZ-24-07-29-00188, Michael Smith (Applicant); Property Parcel: 313630, Located at 144 Wright View Dr., Kings Mountain, NC, Rezone from the (R-1) Single Family Limited Zoning District to the (R-2) Single Family Moderate Zoning District Page 2

WHEREAS,

the Unified Development Ordinance allows the Planning Board and the Board of Commissioners to do one of the following:

- a. Grant the rezoning as requested.
- b. Grant the rezoning with a reduction of the area requested.
- c. Grant the rezoning to a more restrictive general zoning district or districts.
- d. Grant the rezoning with a combination of Subsections (b) and (c) above
- e. Deny the rezoning.

NOW, THEREFORE, BE IT ORDAINED by the Gaston County Board of Commissioners, upon consideration of the map change application, public hearing comment, and recommendation from the Planning Board and Planning staff, finds:

1) The map change request is consistent with the County's approved Comprehensive Land Use Plan. It will keep the parcel residential in nature and maintain the rural "feel" of the community, as envisioned by the Rural future land use designation detailed in the Comprehensive Land Use Plan.

The Commission considers this action to be reasonable and in the public interest, based on: Planning Board recommendation and compatibility with existing land uses in the immediate area. Therefore, the map change request for Property parcel: 313630, is hereby approved, effective with the passage of this Ordinance to be rezoned to the (R-2) Single Family Moderate Zoning District.

2) The County Manager is authorized to make necessary notifications in this matter to appropriate parties.

Chad Brown, Chairman

Gaston County Board of Commissioners

ATTEST:

Donna S. Buff, Clerk to the Board

GASTON COUNTY REZONING APPLICATION (REZ-24-07-29-00188) STAFF REPORT

APPLICATION SUMMARY				
Request:				
To rezone the property from the (R-1) Single-Family Limited Zoning District to the (R-2) Single-Family Moderate Zoning				
District.				
Applicant(s):	Property Owner(s):			
Michael Smith	Kathy Wright Bridges			
Parcel Identification (PID):	Property Location:			
313630 - Previously PID 223003 (Subdivision Approved	144 Wright View Dr.			
earlier this year)				
Total Property Acreage:	Acreage for Map Change:			
1.37 acres	1.37 acres			
Current Zoning:	Proposed Zoning:			
(R-1) Single-Family Limited	(R-2) Single-Family Moderate			
Existing Land Use:	Proposed Land Use:			
Vacant	Residential			

COMPREHENSIVE LAND USE PLAN

Area 5: Scenic Gaston / Southwest Gaston

Key issues for citizens in this area include: the preservation of open space, road improvements and better connectivity to other areas of the County and throughout the region, preservation of existing conditions while allowing low to moderate growth, repurposing vacant buildings and facilities for new economic opportunities, increased commercial opportunities along existing major thoroughfares

Comprehensive Plan Future Land Use: Rural

Rural areas are characterized by green, rolling hills and plenty of open space, along with farmstead-style housing, as well as agribusiness. This designation exemplifies Gaston County and the existing natural resources 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:

Wright View Drive is a private road that will be maintained by the property owners who have access to it. A typical easement has been included on the subdivision plat.

Technical Review Committee (TRC) Comments

EMS – Concerns over addressing and access for emergency vehicles

Staff Note: The approval of the subdivision included a 20' access easement to the proposed lot along with an easement typical. The UDO also requires that an easement maintenance agreement be recorded and in place prior to the issuance of any zoning permits.

The Gaston Cleveland Lincoln MPO provided their comment letter and it states there are no funded transportation improvement plans for the immediate vicinity of this area on the STIP, the MTP, or the CTP.

Environmental Health commented and shared that a septic permit has been issued for the site. A copy of the permit has been included in the agenda packet.

STAFF SUMMARY

Prepared By: Jamie Mendoza Kanburoglu, Director of Planning and Zoning

This property is in a residential area in the county's western region. The location is primarily residential, with different housing types and styles included. While the area that is being requested for rezoning is currently vacant, the parent parcel has three existing homes. The homes were built in 1985, making all three existing nonconforming residential structures. The applicant recently went through the subdivision process to create a parcel that is just over one acre on the site, and this is the only area that is proposed to go to (R-2). The rest of the lot will remain (R-1). The applicant has received a septic permit for the site.

If approved, any uses allowed in the (R-2) Single Family Moderate Zoning District would be permitted in accordance with standards and regulations as adopted in the Gaston County Unified Development Ordinance (UDO).

PLANNING BOARD MEETING DATE

The Planning Board unanimously recommended approval of the request as presented at their September 9, 2024 meeting.

Attachments: Application, Maps, Approved Subdivision Plat, Septic Permit, GLCMPO Letter



GASTON COUNTY PLANNING BOARD

Statement of Consistency

In considering the general rezoning case REZ-24-07-29-00188, the planning board finds:

- 1. This is a reasonable request and in the public interest; and
- 2. It is consistent with the goals of the comprehensive land use plan as it will keep the parcel residential in nature and maintain the rural "feel" of the community, as envisioned by the Rural future land use designation detailed in the comprehensive land use plan.



GASTON COUNTY Department of Building & Development Services

Street Address:

128 W. Main Avenue, Gastonia, North Carolina 28052

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

Phone: (704) 866-3195

Fax: (704) 866-3966

GE	NERAL REZONING APPLICATION Application Number: REZ-
Appl	licant 🗹 Planning Board (Administrative) 🔲 Board of Commission (Administrative) 🔲 ETJ
Α.	*APPLICANT INFORMATION Name of Applicant: Mailing Address: Mailing Address: (Area Code) Business (Area Code) Business (Area Code) Home
eriosodssasonpopoj	Email: mrchael 69325@gmall.com
con	he applicant and property owner(s) are not the same Individual or group, the Gaston County Zoning Ordinance requires written usent form from the property owner(s) or legal representative authorizing the Rezoning Application. Please complete the thorization/Consent Section on the reverse side of the application.
B.	Name of Owner: Name of Owner: Mailing Address: (Include City, State and Zip Code) Telephone Numbers:
	Email: 150010 q es 3\ @ yahoo. Com
C.	PROPERTY INFORMATION Physical Address or General Street Location of Property: 158 Wright Diew Dr. Kings Man, N. L. 28086 Parcel Identification (PID): 23003
	Acreage of Parcel: 96 +/- Acreage to be Rezoned: 131 +/- Current Zoning:
D.	PROPERTY INFORMATION ABOUT MULTIPLE OWNERS Name of Property Owner: Mailing Address: Mailing Address:
	Parcel: Parcel: (If Applicable) Parcel: (If Applicable)
	(Signature) (Signature)

E. AUTHORIZATION AND CONSENT SECTION

(I/We), being the property owner(s) or heir(s) of the su Application and having authorization/interest of prop	ubject property referenced on the Gaston County Rezoning		
hereby give MYChae R. S	consent to execute this proposed action		
(Name of App	plicant)		
1 on w Brodges	1-28-24		
(Signature)	(Date)		
(Signature)	(Date)		
l,	, a Notary Public of the County of		
State of North Carolina, hereby certify that			
personally appeared before me this day and ackr	nowledged the due execution of the foregoing instrument.		
Witness my hand and notarial seal, this the	, day of, 20		
Notary Public Signature	Commission Expiration		
	yees of Gaston County to enter the subject property during		
reasonable hours for the purpose of making Zoning F			
	g does not guarantee that the property will support an on site		
	soil analysis is not required prior to a general rezoning submittal		
disposal system thus adversely limiting development	exists that the soils may not accommodate an on site wastewater 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.			
APPLICAT	ION CERTIFICATION		
	owner/authorized representative, hereby certify that the cation and any applicable documents is true and accurate.		
Signature of Property Owner or Authorized Repr	1-38-34		
Note: Approval of this request does not constitut	te a zoning permit. All requirements must be met within the UDO.		
OFFICE USE ONLY	OFFICE USE ONLY OFFICE USE ONLY		
Date Received: Appli	ication Number: Fee:		
Received by Member of Staff: Date of F (Initials)	Payment: Receipt Number:		
COPY OF PLOT PLAN OR AREA MA	AP COPY OF DEED		
NOTARIZED AUTHORIZATION	PAYMENT OF FEE		
Date of Staff Review:			
Planning Board Review:	Recommendation: Date:		
Commissioner's Decision:	Date:		

Uses Allowed in the (R-2) Zoning District

X = Permitted use by right; CD = Conditional Zoning required; E = Existing use subject to limitations; SP = Special Use Permit required; s = Supplemental regulations listed in addition to X, CD, E, SP

Animal Grooming Service for household pet (indoor kennels)	SP
Animal Hospital (Outdoor kennel)	SPs
Animal Hospital, (Indoor kennel)	SPs
Animal Kennel	SPs
Automobile Hobbyist	Xs
Bed and Breakfast Inn	SPs
Bona Fide Farms	Xs
Botanical Garden	Xs
Camping and Recreational Vehicle Park	SPs
Cemetery	SPs
Church / Place of Worship	Xs
College / University	SP
Conference / Retreat / Event Center	SPs
Continuing Care Facility	SPs
Country Club	SPs
Day Care Center, Class A	Xs
Day Care Center, Class B	Xs/SPs

All the business of the	
Dwelling, Manufactured Home Class A	х
Dwelling, Manufactured Home Class C	Es
Dwelling, Manufactured Home Class D	Es
Dwelling, Single Family	х
Dwelling, Two Family	Xs
Essential Services Class 1	Х
Essential Services Class 2	Xs
Essential Services Class 3	SP
Essential Services Class 4	Xs/SPs
Family Care Home	Xs/SPs
Flex Space	Xs
	,
Fraternal & Service Organization Meeting Facility (non- or not- for profit), 0 - 9,999sqft GFA	SPs
Fraternal & Service Organization Meeting Facility (non- or not- for profit), 0 -	
Fraternal & Service Organization Meeting Facility (non- or not- for profit), 0 - 9,999sqft GFA Fraternal & Service Organization Meeting Facility (non- or not- for profit), 10,000+sqft	SPs
Fraternal & Service Organization Meeting Facility (non- or not- for profit), 0 - 9,999sqft GFA Fraternal & Service Organization Meeting Facility (non- or not- for profit), 10,000+sqft GFA Golf Course: Golf Driving	SPs SPs
Fraternal & Service Organization Meeting Facility (non- or not- for profit), 0 - 9,999sqft GFA Fraternal & Service Organization Meeting Facility (non- or not- for profit), 10,000+sqft GFA Golf Course; Golf Driving Range; Golf Miniature	SPs SPs SPs
Fraternal & Service Organization Meeting Facility (non- or not- for profit), 0 - 9,999sqft GFA Fraternal & Service Organization Meeting Facility (non- or not- for profit), 10,000+sqft GFA Golf Course: Golf Driving Range; Golf Miniature Group Home Home Occupation,	SPs SPs SPs Xs

Library

SP

	F. F. B. F. L. 1975
Manufactured Home Park	Es
Marina, Accessory	Xs
Marina, Commercial	SP
Maternity Home	Xs/SPs
Military Reserve Center	SPs
Museum	SP
Nursery (Garden)	SPs
Nursing Home, Rest Home	SPs
Paint Ball / Laser Tag Facility	SPs
Park	Xs/SPs
Parking Lot	SPs
Planned Residential Development (PRD)	Xs/CDs
Planned Unit Development (PUD)	Xs/CDs
Private Residential Quarters (PRQ)	Xs
Produce Stand	Xs
Recreation Center and Sports Center	SPs
Recycling Deposit Station, accessory	Х
Recycling Deposit Station,	SPs

Restaurant, within other facilities	Xs
Riding Stables	SPs
Rodeo / Accessory Rodeo	SPs
School for the Arts	SP
School, Elementary & Middle (public & private)	Xs
School, Senior High (public & private)	Xs
Small House Community	SP
Special Events Facility	SPs
Special Events Facility, Accessory	SPs
Stadium	Xs/SPs
Taxidermy	Х
Telecommunication Antennae & Equipment Buildings	Xs
Telecommunication Tower & Facilities	SPs
Tourist Home	х
Tower and/or Station, Radio & Television Broadcast	SPs
Traditional Neighborhood Development (TND)	Xs/CDs
Wood Waste Grinding Operation	SPs
Zoo	SP





VICINITY MAP REZ-24-07-29-00188

LEGEND

Roads

[]] Municipalities



Subject Parcel(s)

The information provided on this map is not intended to be considered as a legal document or description. This map is believed to be accurate but Gaston County does not guarantee its accuracy. This map may not be resold or otherwise used for trade or commercial purposes without the expressed written consent of Gaston County, in accordance with NCGS 132-10.

0 0.230.45 0.9 Miles





ORTHOPHOTO MAP REZ-24-07-29-00188

LEGEND

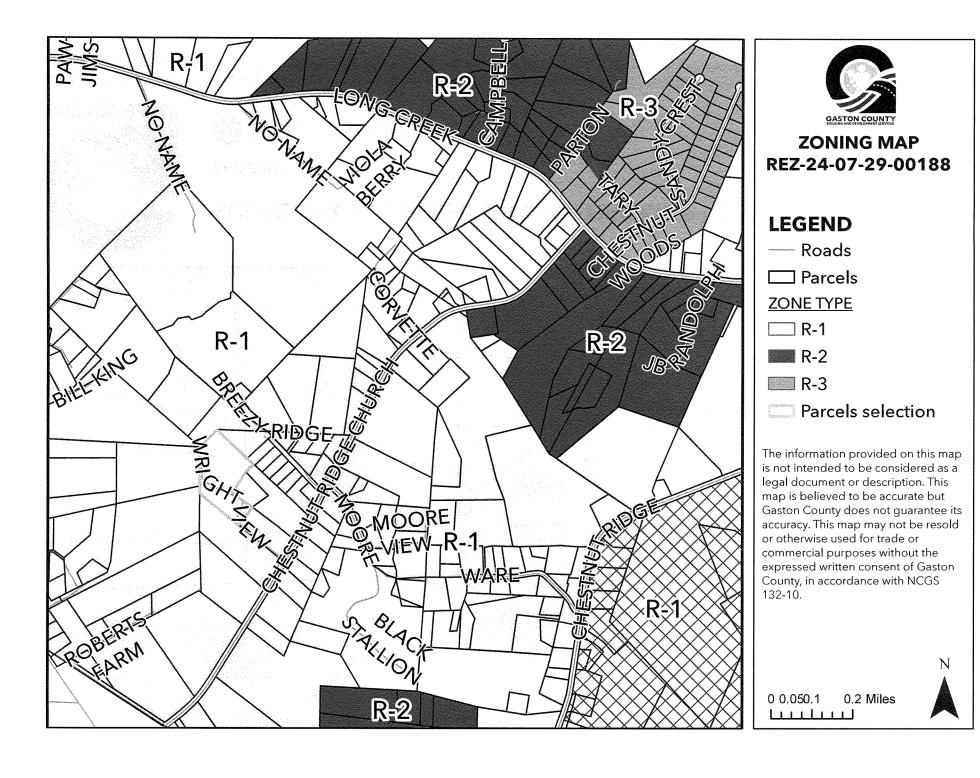
Roads

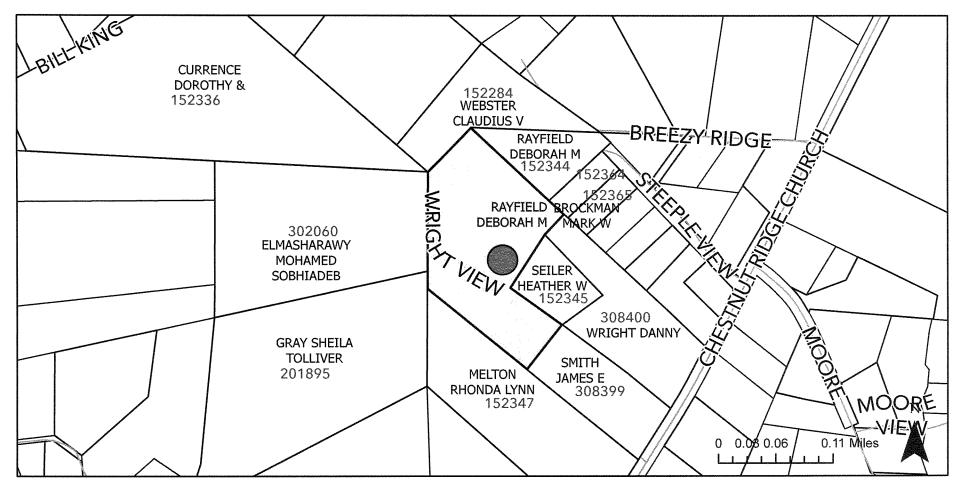
Parcels

Subject Parcel(s)

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0 0.03 0.05 0.1 Miles







SUBJECT & ADJACENT PROPERTIES MAP | REZ-24-07-29-00188

LEGEND



Subject Parcel(s)

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GASTON COUNTY DEPARTMENT OF HEALTH & HUMAN SERVICES ENVIRONMENTAL HEALTH

IMPROVEMENT PERMIT

PID/Lot Identifier: <u>223003</u>		
The same of the sa	ion Tima	$\overline{\gamma}$
Property Location: U Whith View Dr Kings 1		
Subdivision (If applicable) Lot II:	Block:	Property Size:
New System Relocation System Selocation	Change of Use	
Facility Type: SINGLE TAMILY DWELLING		
Number of bedrooms: 3 Number of Occupants: 6 Other:		
Design Wastewater Strength: 🔀 Domestic 🔲 High Strength 🔲 Industri	ial Process Wastewater	
Proposed Design Daily Flow: 360 GPD Proposed LTAR (Initial): · 3 Pr	roposed LTAR (Repair): _	, 3
Proposed Wastewater System Type *	quired: 🗌 Yes 🔯 No	May be required
Proposed Wastewater System Type*: (Repair) Pump Req	juired: 🗌 Yes 🔀 No	☐ May be required
*Please include system classification for proposed wastewater system types in accordance with Rule		
Effluent Standard: Standar		
Saprolite System (Initial): 🛛 Yes 🔲 No Saprolite System (Repair): 🗌 Yes 💢 No		
Fill System (Initial): Yes No If yes, specify: New Existing (when adding more than 6	inches of fill to system	area provide a fill plan)
Fill System (Repair): Yes No If yes, specify: New Existing (when adding more than	6 inches of fill to system	area provide a fill plan)
Usable Depth to LC (Initial)*: 60 Usable Depth to LC (Repair)*: 34	× Limiting Con	ndition
Max. Trench Depth (Initial)*: 34 Max. Trench Depth (Repair)*: 20	Measured on the down	hill side of the trench
Artificial Drainage Required: Yes Ro If yes, please specify details:	A-11-2	
Type of Water Supply: Private well Public well Shared well Municipal Supply	Spring Other	*
Drainfield location meets requirements of Rule .0508: Yes 🔃 No 🗌 Drainfield location meets	requirements of Rule .00	601: Yes 🕢 No 🗌
Permit valid for: 🔀 Five years [site plan submitted pursuant to GS 130A-334(13a)] 🔲 No expiration	on (plat submitted pursu	ant to GS 130A-334(7a)
Permit conditions: FILLOW ALL NC RULES/LIMIS. NO PRIVING, PARKING, PAVING, OF PO NOT DIVERT SURFACE WATER OVER OR INSTALL WILLITIES. NEED NEW SURVEY SHOWING PROPERTY UNES RECORDED WILL TONSTRUCTION ANTHORIZATION,	THROUGH SEPTIC	AREA.
Authorized Agent's Printed Name: ALEXANDER MELWEE	Expiration Date	: 6/25/25
Authorized Agent's Signature: Meykunder Milit		125/24
See attached site sketch		

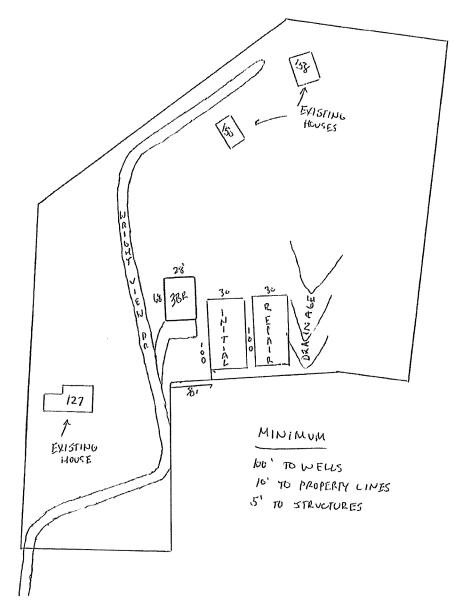
The issuance of this permit in no way guarantees the issuance of other permits. The permit holder is responsible for checking with appropriate governing bodies in meeting their requirements. <u>This permit is subject to revocation if the site plan, plat, or the intended use changes.</u> The Improvement Permit shall not be affected by a change in ownership of the site. This permit is subject to compliance with the provisions of 15A NCAC 18E and to the conditions of this permit.

GASTON COUNTY DEPARTMENT OF HEALTH & HUMAN SERVICES ENVIRONMENTAL HEALTH

SITE SKETCH

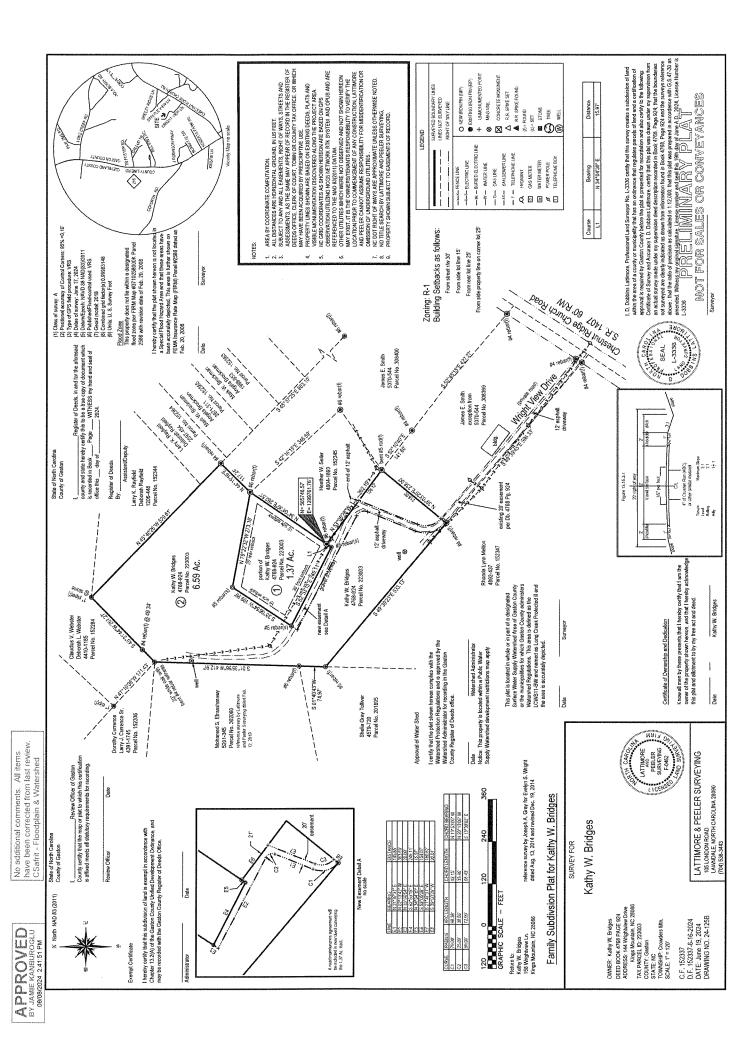
PID BRYINN OF 223005	Permit Number 310596	
DANN TIMSON	WRIGHT VIEW DR	
Applicant's Name Algenton Migh	Subdivision/Section/Lot Number	
Authorized State Agent	Date	

System components represent approximate contours only. The contractor must flag the system prior to beginning the installation to ensure that the proper grade is maintained.



NCDHHS/DPH/EHS/OSWP

Revised January 2024 Form IP-24.1





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: Jamie Mendoza Kanburoglu, MPA, CZO, Director of Planning and Zoning,

Building and Development Services

From: Julio Paredes, AICP, Senior Planner, Gaston—Cleveland—Lincoln MPO

Date: August 23rd, 2024

Subject: General Rezoning Request for TRC Review - Wright View Drive – GCLMPO Site

Plan Review

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

The site is located at 158 Wright View Drive, Kings Mountain, NC, 28086. Parcel ID# 223003. 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.



Gaston County

Gaston County Board of Commissioners www.gastongov.com

Building and Development Services Board Action

File #: 24-453

Commissioner Hovis - Building & Development Services - Zoning Map Change: REZ-24-07-29-00188, Michael Smith (Applicant); Property Parcel: 313630, Located at 144 Wright View Drive, Kings Mountain, NC, Rezone from the (R-1) Single Family Limited Zoning District to the (R-2) Single Family Moderate Zoning District

STAFF CONTACT

Jamie Kanburoglu - Director of Planning and Zoning - 704-862-5510

BACKGROUND

Chapter 5 of the Unified Development Ordinance requires a public hearing by the Commission, with recommendation by the Planning Board prior to consideration for final action by the Commission. Michael Smith (Applicant); Property Parcel: 313630, Located at 144 Wright View Drive, Kings Mountain, NC, Rezone from the (R-1) Single Family Limited Zoning District to the (R-2) Single Family Moderate Zoning District. A public hearing was advertised and held on October 22, 2024, with public hearing comments being on file in the Board of Commission Clerk's Office. Planning Board recommendation was provided on September 9, 2024, and the Commission is requested to consider the public hearing comment, Planning Board recommendation, and other pertinent information, then (approve), (disapprove) or (modify) the map change.

ATTACHMENTS

Laserfiche Users

Ordinance, Staff Report, Application Packet, Maps & GCLMPO Comments

DO NOT TYPE BELOW THIS LINE I, Donna S. Buff, Clerk to the County Commission, do hereby certify that the above is a true and correct copy of action taken by the Board of Commissioners as follows: CCloninger AFraley **BHovis KJohnson** Vote NO. DATE M1 M2 **CBrown** 2024-342 10/22/2024 TK KJ AB Α U DISTRIBUTION: