



RESOLUTION TITLE: ZONING MAP CHANGE: Z22-05 BOYD & ALETA WEST (APPLICANTS); PROPERTY PARCEL: 218666, LOCATED AT 105 END OF THE TRAIL, BESSEMER CITY, 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 March 22, 2022 by the County Commission, to take citizen comment into a map change application, as follows:

Tax Parcel Number(s): 218666
Applicant(s): Boyd & Aleta West
Owner(s): Boyd Dean West Jr. and Aleta Sylvia West
Property Location: 105 End of the Trail
Request: Rezone Parcel 218666 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 for parcel: 218666, located at 105 End of the Trail, Bessemer City, NC, from the (R-1) Single Family Limited Zoning District to the (R-2) Single Family Moderate Zoning District on March 14, 2022 based on: staff recommendation; and the request is reasonable and is in the public interest and the request is in accordance with the County's Comprehensive Land Use Plan. The proposed zoning district meets the rural land use designation and would allow the parcel to continue as a residential use in nature while still providing for agribusiness opportunities and remain in harmony with the other residential uses in the immediate vicinity.

Motion: Vinson Second: Ally Vote: Unanimous
Aye: Ally, Brooks, Horne, Hurst, Vinson
Nay: None
Absent: Harris, Sadler, Houchard, Magee
Abstain: None

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:

NO.	DATE	M1	M2	CBrown	AFrale	BHovis	KJohnson	TKelgher	TPhilbeck	RWorley	Vote
2022-064	03/22/2022	TK	BH	A	A	A	A	A	AB	A	U

DISTRIBUTION:

Laserfiche Users

A=AYE, N=NAY, AB=ABSENT, ABS=ABSTAIN, U=UNANIMOUS

Zoning Map Change: Z22-05 Boyd & Aleta West (Applicants); Property Parcel: 218666, Located at 105 End of the Trail, Bessemer City, NC, Rezone from the (R-1) Single Family Limited Zoning District to the (R-2) Single Family Moderate Zoning District

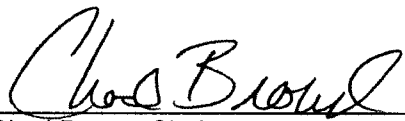
Page 2

NOW, THEREFORE, BE IT RESOLVED by the County Commission, 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. The proposed zoning district meets the rural land use designation and would allow the parcel to continue as a residential use in nature while still providing for agribusiness opportunities and remain in harmony with the other residential uses in the immediate vicinity.

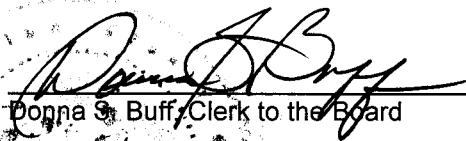
The Commission considers this action to be reasonable and in the public interest, based on: Planning Board recommendation and compatibility with existing land uses in the immediate area. Therefore, the map change request for Property parcel: 218666, is hereby approved, effective with the passage of this Resolution.

- 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

SEAL

PLANNING BOARD ITEM II – GASTON COUNTY REZONING APPLICATION (Z22-05)

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):

Boyd and Aleta West

Property Owner(s):

Boyd and Aleta West

Parcel Identification (PID):

218666

Property Location:

Puetts Chapel Road and End of the Trail

Total Property Acreage:

2.11 acres

Acreage for Map Change:

1.19 acres

Current Zoning:

(R-1) Single Family Limited

Proposed Zoning:

(R-2) Single Family Moderate

Existing Land Use:

Vacant and Residential

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, steer development towards existing infrastructure and areas immediately surrounding towns and cities

Comprehensive Plan future Land Use:

Rural– The rural designation is characterized as having plenty of open space, along with farmstead style housing and agribusiness. Residential homes are located on large lots and are set back from the roads they front upon. There are opportunities for agribusiness ventures in this designation.

Staff Recommendation:

Application, as presented, is consistent with the Comprehensive Land Use Plan. The use going from (R-1) to (R-2) will keep the subject parcel residential in nature, which is consistent with the Rural designation and is in harmony with the uses in the immediate vicinity.

UTILITIES AND ROAD NETWORK INFRASTRUCTURE

Water/Sewer Provider:

Private well / private septic

Road Maintenance:

Puetts Chapel (North Carolina Department of Transportation) and End of the Trail (Private)

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

Comments from the GCLMPO have been included in the staff report. CTP shows proposed unfunded minor road improvements to Puetts Chapel Rd along with bike facilities improvements.

STAFF SUMMARY

Prepared By: Jamie Mendoza Kanburoglu, Long Range Planner
--

This property is in a predominantly residential area. (R-1), (R-2) and (R-3) zoned parcels as well as a mix of housing types can be found all along Puetts Chapel Road. The applicant is in the process of subdividing this lot which is why they are rezoning only part of the parcel. The parent parcel will remain (R-1).
--

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 RECOMMENDATION

Scheduled Meeting Date: March 14, 2022

The Planning Board unanimously recommended approval of this request at their regularly scheduled meeting on Monday, March 14, 2022.

Attachments: Maps



GASTON COUNTY Department of Building & 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**

Applicant ☐

Planning Board (Administrative) ☐

Board of Commission (Administrative) ☐

ETJ ☐

A. *APPLICANT INFORMATION

Name of Applicant: Boyd Dean West Jr / Aleta Sylvia West
(Print Full Name)

Mailing Address: 2006 Puetts Chapel Rd. Bessemer City NC 28016
(Include City, State and Zip Code)

Telephone Numbers: 704 524 8980 980 636 4579
(Area Code) Business (Area Code) Home

Email: dean west 308 @ gmail.com

** 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: Boyd Dean West Jr / Aleta Sylvia West
(Print Full Name)

Mailing Address: 2006 Puetts Chapel Rd Bessemer City
(Include City, State and Zip Code)

Telephone Numbers: 704-534-8980 980-636-4579
(Area Code) Business (Area Code) Home

Email: dean west 308 @ gmail.com

C. PROPERTY INFORMATION

Physical Address or General Street Location of Property: 105 End of the Trail
2006 Puetts Chapel Rd and
Corner of Puetts Chapel Rd and End of Trail (Private)

Parcel Identification (PID): 4987-774 PID 218666

Acreage of Parcel: 2.18 +/- Acreage to be Rezoned: 2.18 +/- Current Zoning: R1

Current Use: unused and SFD Proposed Zoning: R2

D. PROPERTY INFORMATION ABOUT MULTIPLE OWNERS

Name of Property Owner: Boyd D. West Jr Name of Property Owner: Aleta S. West

Mailing Address: 2006 Puetts Chapel Rd Mailing Address: 2006 Puetts Chapel Rd
Bessemer City NC 28016 Bessemer City NC 28016
(Include City, State and Zip Code) (Include City, State and Zip Code)

Telephone: 704-524-8980
(Area Code)

Telephone: 704-524-8980
(Area Code)

Parcel: _____
(If Applicable)

Parcel: _____
(If Applicable)

Boyd Dean West Jr
(Signature)

Aleta Sylvia West
(Signature)

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) 2006 Puetts Chapel Rd hereby give Boyd Dean West Jr consent to execute this proposed action.
(Name of Applicant)

Boyd Dean West Jr
(Signature)

2-4-22
(Date)

Alita Dylwies West
(Signature)

2-4-22
(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.

Boyd Dean West Jr
Signature of Property Owner or Authorized Representative

2-4-22
Date

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

OFFICE USE ONLY

OFFICE USE ONLY

OFFICE USE ONLY

Date Received: 2-4-22

Application Number: 222-

Fee: 500-

Received by Member of Staff: LT
(Initials)

Date of Payment: 2-4-22

Receipt Number: 32147

- ☒ COPY OF PLOT PLAN OR AREA MAP
☐ NOTARIZED AUTHORIZATION

- ☐ COPY OF DEED
☒ PAYMENT OF FEE

Date of Staff Review: _____

Date of Public Hearing: _____

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: Jamie Kanburoglu, Long Range Planner, Building and Development Services
From: Julio Paredes, Planner
Date: February 24, 2022
Subject: GCLMPO Rezoning Review – Z22-05: Puetts Chapel Rd.

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 adopted 2045 Metropolitan Transportation Plan (MTP), and the current State Transportation Improvement Program (STIP).

The site is located at Puetts Chapel Road and End of the Trail. PID: 218666. 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. The GCLMPO 2045 Highway MTP does not include any proposed improvements to any streets adjacent to the subject property.
3. A proposed unfunded Minor Road Improvement to Puetts Chapel Rd is included in the MPO's CTP. The typical cross section for a two-lane road involves a minimum of 60 ft. right-of-way. The existing right-of-way along Puetts Chapel Rd is 60 ft.

CTP projects shown as "Needs Improvement" or "Recommended" could become a funded project in the future, part of a development project, or may never become a funded project. If a project shown on the CTP becomes a funded project, NCDOT will acquire necessary right of way in compliance with 49 CRF Code of Federal Regulations as well as NC General Statutes.

4. The CTP shows bike facilities improvements along Puetts Chapel Rd.
5. 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.

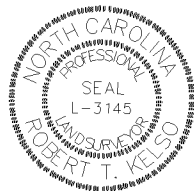
If you have any questions regarding my comments, please do not hesitate to contact me at 704-866-6980 or juliop@cityofgastonia.com.

I, Robert T. Kelso, Professional Land Surveyor, certify that this plot is drawn from an actual site survey by me of the physical monuments which are relevant to the deeds noted, improvements, and obvious easements, however; unobserved easements may exist, lines not surveyed are drawn as noted; that the ratio of precision is as calculated as 1:10,000 that this plot is drawn in accordance with 21 NCAC 56.0802 as amended. Witness my original hand and seal this 22nd day of April, 2020

Robert T. Kelso

Tom Kelso
Land Surveyor

P.O. Box 1583RLS L-3145
GASTONIA, NC 28053
P-0983



VICINITY

SKETCH

SURVEYORS CERTIFICATE OF SUBDIVISION

This plat is of a survey of another category, such as recombination of existing parcels, a court ordered survey or other exemptions or exceptions to the definition of subdivision.

HOWARD STIWALT
4922-2148

DEAN WEST
4987-774

CHARLES DAVIS
4719-1

DANIEL DAVIS 4800-22

ZONED R-1

BUILDING SETBACKS
30 FT FRONT
15 FT SIDES
25 FT REAR

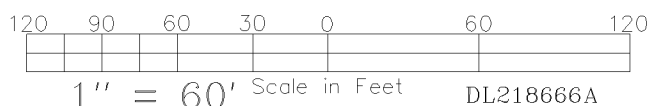
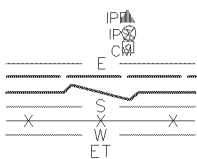
SUBDIVISION FOR:

DEAN WEST

PART OF DEED BOOK 4987 PAGE 774
NEAR CITY OF BESSEMER CITY
DALLAS TWSP., GASTON CO., N.C.

LEGEND

iron pin found
iron pin set
concrete monument
electric service line
line not surveyed
line not to scale
sewer line
water line
electric transformer



R2 SINGLE FAMILY MODERATE**(1) Uses allowed by right:**

Dwelling, Manufactured Home Class A; 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; Library; Marina, Commercial; Museum; School for the Arts; Upholstery Shop; Zoo.

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

Animal Hospital (Outdoor Kennel); Animal Hospital (Indoor Kennel); Animal Kennel; Bed and Breakfast Inn; Camping and Recreational Vehicle Park; Cemetery; Continuing Care Facility; Country Club; Day Care Center, Class B; Day Care Center, Class C; Essential Services Class 4; 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; Maternity Home; Military Reserve Center; Nursery (Garden); Nursing Home, Rest Home; Park; Parking Lot; Recreation Center and Sports Center; Recycling Deposit Station, principal use; Riding Stables; Rodeo/Accessory Rodeo; Stadium; Tower and/or Station, Radio and Television Broadcast; Wood Waste Grinding Operation.

(5) Existing Use subject to supplemental regulations:

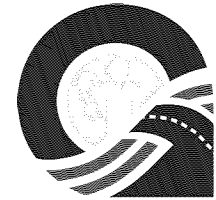
Dwelling, Manufactured Home Class C; Dwelling, Manufactured Home Class D; Manufactured Home Park

(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



GASTON COUNTY
BUILDING AND DEVELOPMENT SERVICES

VICINITY MAP Z22-05

LEGEND


-  Roads
-  Municipalities
-  Area of Consideration

Although strict accuracy standards have been employed in the compilation of this map, Gaston County does not make or imply any warranties or assume any responsibility for the information presented on this map or its use.

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 North Carolina General Statute 132-10.



0 0.75 1.5 Miles







GASTON COUNTY
BUILDING AND DEVELOPMENT SERVICES

ORTHOPHOTO MAP Z22-05

LEGEND

-  Subject Area
-  Property Parcels

This map is intended for use by the Gaston County Board of Commissioners, in the review of rezoning requests.

Property parcels, zoning, transportation, and other map information were compiled from one of more data layers. the data is periodically updated, however all data layers may not be displayed. Street names are subject to change.

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This map is for zoning purposes only - Not to be used for conveyance.

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Feet







FOR DISPLAY PURPOSES ONLY -- NOT TO BE USED FOR CONVEYANCE



Application Z22-05
Tax ID: 218666
Request Re-Zoning
From: (R-1) Single Family Limited
To: (R-2) Single Family Moderate

Map Date: 02/10/2022

ZONING REVIEW MAP

-  R-1 Single Family Limited
-  R-2 Single Family Moderate
-  R-3 Single Family General
-  Subject Area

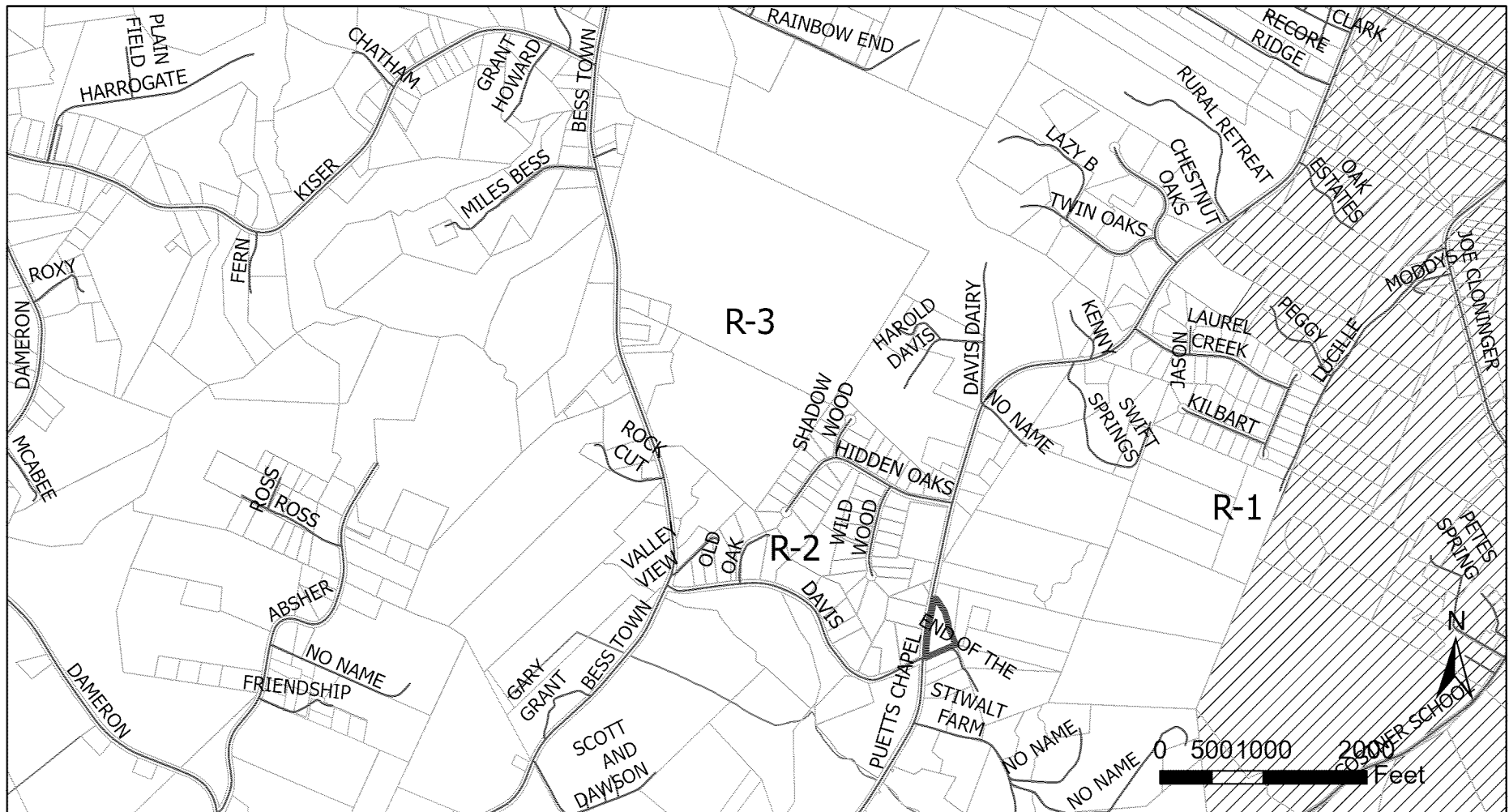
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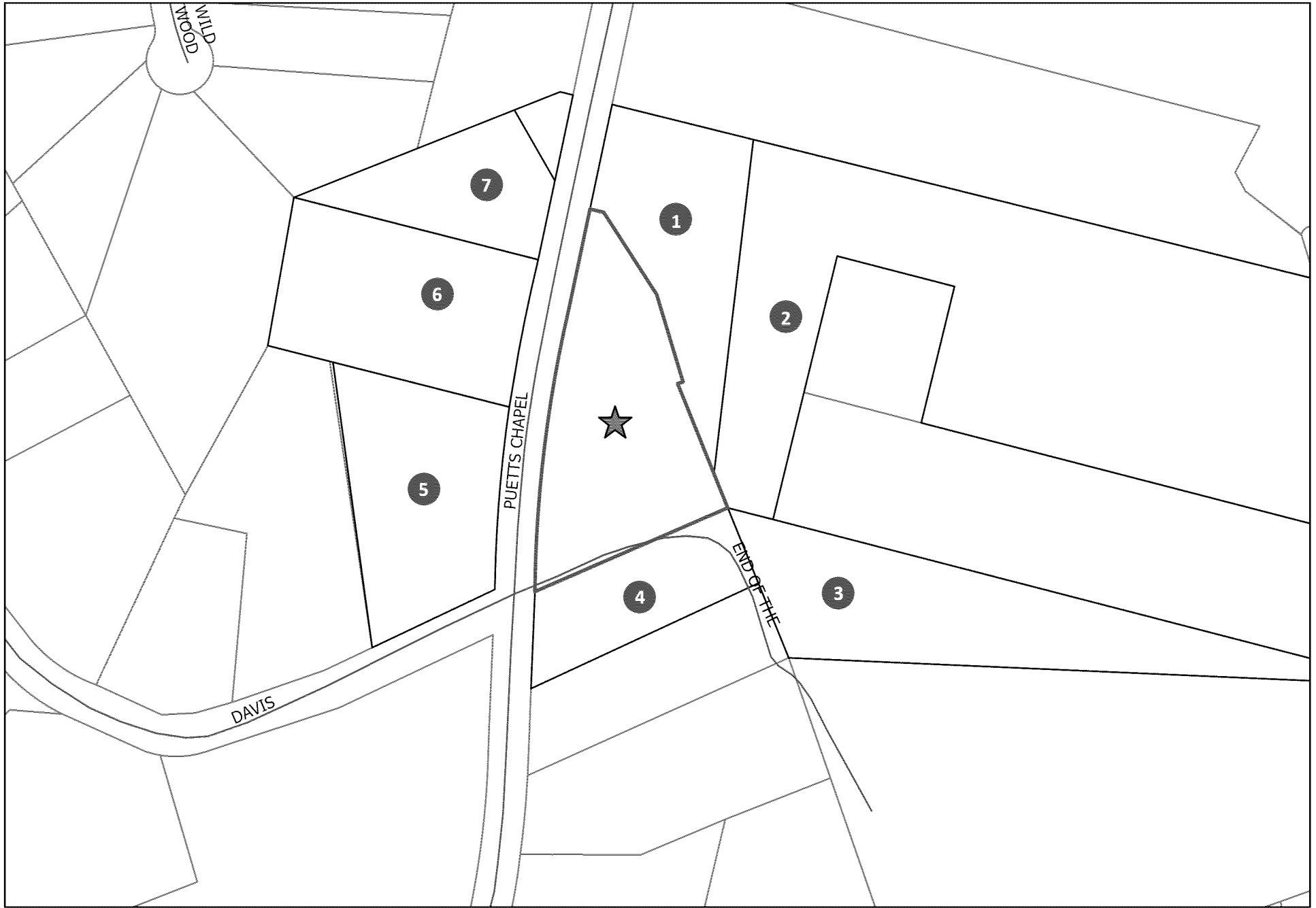
Application Z22-05
Tax ID: 218666
Request Re-Zoning
From: (R-1) Single Family Limited
To: (R-2) Single Family Moderate

Map Date: 02/10/2022

ZONING REVIEW MAP



Subject Area



Z22-05 Subject and Adjacent Properties Map
See reverse side or next page for listing of property owners.

★ SUBJECT PROPERTY

Z22-05 Owner and Adjacent Propert 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>
*	218666	WEST BOYD DEAN JR	WEST ALETA SYLVIA	2006 PUETTS CHAPEL RD	BESSEMER CITY	NC	28016
1	222036	DAVIS DANIEL JAY		2025 PUETTS CHAPEL RD	BESSEMER CITY	NC	28016
2	222035	DAVIS CHARLES EARL	DAVIS PATRICIA H	2025 PUETTS CHAPEL RD	BESSEMER CITY	NC	28016
3	170717	ETHERTON CHARLES MICHAEL		121 END OF THE TRAIL	BESSEMER CITY	NC	28016
4	170698	HOWARD & LINDA STIWALT IRR TR		1922 PUETTS CHAPEL RD	BESSEMER CITY	NC	28016
5	170691	HARMONY BAPT CH OF B C INC		2009 PUETTS CHAPEL RD	BESSEMER CITY	NC	28016
6	170687	DAVIS JAMES T		2017 PUETTS CHAPEL RD	BESSEMER CITY	NC	28016
7	170686	DAVIS CHARLES EARL	DAVIS PATRICIA H	2025 PUETTS CHAPEL RD	BESSEMER CITY	NC	28016



Gaston County

Gaston County
Board of Commissioners
www.gastongov.com

Building and Development Services

Board Action

File #: 22-080

Commissioner Philbeck - Building & Development Services - Zoning Map Change: Z22-05 Boyd and Aleta West (Applicants); Property Parcel: 218666, Located at 105 End of the Trail, Bessemer City, NC, Rezone from the (R-1) Single Family Limited Zoning District to the (R-2) Single Family Moderate Zoning District

STAFF CONTACT

Joseph B. Sciba - Director - 704-866-3970

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. Boyd and Aleta West (Applicants); Rezone Parcel: 218666, 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 March 22, 2022 with Public Hearing comments being on file in the Board of Commission Clerk's Office. Planning Board recommendation was provided on March 14, 2022, 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

Resolution, Staff Report & Application Packet

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:

NO.	DATE	M1	M2	CBrown	AFrale	BHovis	KJohnson	TKeigher	TPhilbeck	FWorley	Vote
2022-064	03/22/2022	TK	BH	A	A	A	A	A	AB	A	U

DISTRIBUTION:

Laserfiche Users

A=AYE, N=NAY, AB=ABSENT, ABS=ABSTAIN, U=UNANIMOUS