

**Planning Board Item III- GENERAL PUBLIC HEARING INFORMATION (Rezoning – Z17-04)**

**Board of Commissioners/Planning Board Public Hearing Date March 28, 2017**

**General Rezoning Application-Z17-04 for Parcel 193091**

**Request:** This is a request to zone parcel number 193091 from the (R-1) Single Family Limited Zoning District w/US Overlay to (R-2) Single Family Moderate Zoning District w/US Overlay.

**Applicant:** James B. Galloway and Christine Galloway

**Property Owner:** James B. Galloway and Christine Galloway

**Mailing Address of Applicant:** 80 Linestowe Drive, Belmont, NC 28012

**Site Information and Description of Area:**

**General Location:** 200 Crawford Road, Gastonia, NC 28056

**Tax Parcel Number(s):** 193091

**Township:** South Point

**Current Use of Property** undeveloped

**Total Acreage in Parcel(s):** 7.91 acres

**Acreage for Map Change:** 7.91 acres

**Current Zoning District(s):** (R-1) Single Family Limited (US) Urban Standards Overlay District

**General Area Zoning Districts:** (R-1) Single Family Limited, (C-3) General Commercial, (CU/C-3)) Conditional Use/General Commercial, (US) Urban Standards Overlay District, (NBS) Neighborhood Business Services, (R-3) Single Family General

**General/Adjacent Land Use(s):** various - residential, commercial, undeveloped, (primarily)

**Zoning District Information:**

**Current Zoning District(s):**

**R-1 SINGLE FAMILY LIMITED**

The purpose of this district is to accommodate single family site built and modular construction. The minimum lot size allowed in this district will be dependent on the provision of public or community water and sewer facilities. Although areas may be served with such utilities, most of these areas are located beyond existing or anticipated utility service coverage areas. The minimum lot size for residential uses in this district is therefore larger than in other residential zoning districts.

**Proposed Zoning District:**

**R-2 SINGLE FAMILY MODERATE**

The purpose of this district is to accommodate single family site built and modular construction and double-wide manufactured home placement. The minimum lot size allowed in this district will be dependent on the provision of public or community water and sewer facilities. Although areas may be served with such utilities, most of these areas are located beyond existing or anticipated utility service coverage areas. The minimum lot size for residential uses in this district is therefore larger than in other residential zoning districts

**USO URBAN STANDARDS OVERLAY DISTRICT**

Areas of the County which are located outside their corporate limits and /or municipal Extra Territorial Jurisdiction (ETJ) but where the provision of public water and sewer services can reasonably be expected to occur over the next 10-15 years, have been designated as the "Urban Standards Overlay District". Accordingly, standards for development, more akin to those that traditionally are found in urban areas, as opposed to rural areas, are called for. Standards addressed, but not limited to: building design, off-street parking, road, lot and subdivision standards.

**Note:** If any portion of the subject property is within the USO, then the entire property shall be developed in accordance with USO standards.

**STAFF COMMENTS:** It is staff's opinion the request is consistent with the Comprehensive Land Use Plan.

**2035 COMPREHENSIVE LAND USE PLAN:**

**Small Area Districts:**

Southeast (The Garden Gaston) Key issues: road improvements, better connectivity, another bridge crossing over the Catawba River, increase walkability and connectivity, coordination amongst local governments, maintain quality of life

It is staff's opinion the request is consistent with the Comprehensive Land Use Plan.

**TECHNICAL REVIEW COMMITTEE (TRC):**

Request was reviewed by TRC for comment and general compliance with applicable regulations and provisions. The Technical Review Committee is made up of various technical land use reviewing agencies such as North Carolina Department of Transportation (NCDOT), Environmental Health, Gaston Cleveland Lincoln Metropolitan Planning Organization (GCLMPO); Fire Marshall, etc. which reviews all land use proposals and site plans requiring Planning Board approval, and/or public hearing process.

**NOTIFICATION:**

Newspaper advertisement of public hearing was advertised in Gaston Gazette in accordance with County policy.

**ZONING SIGN PLACED ON PROPERTY:** March 08, 2017

**MAIL NOTIFICATION:**

Notice of the hearing was sent to adjacent property owners on March 10, 2017. Comments, if any, from the notification will be provided during public hearing.

**INFORMATION ATTACHED:**

Rezoning application (copy), current zoning district uses; proposed zoning district list of uses; adjacent property owner's map; vicinity map, zoning/subject area map, aerial map

**TRANSPORTATION PLANNING INFORMATION:**

Provided by GCLMPO (Gaston, Cleveland, Lincoln Metropolitan Planning Organization)

**STAFF CONTACT:**

Ron Smith, Development Services Planner (704) 866-3072, [ron.smith@gastongov.com](mailto:ron.smith@gastongov.com)





# GASTON COUNTY

Department of Planning & Development Services

Street Address: 128 W. Main Avenue, Gastonia, North Carolina 28052  
Mailing Address: P.O. Box 1578, Gastonia, N.C. 28053-1578

Phone: (704) 866-3195  
Fax: (704) 866-3966

## GENERAL REZONING APPLICATION

Application Number: Z17-04

Applicant ☒

Planning Board (Administrative) ☐

Board of Commission (Administrative) ☐

ETJ ☐

### A. \*APPLICANT INFORMATION

Name of Applicant: James B. Galloway Christine Galloway  
(Print Full Name)

Mailing Address: 80 Limestone Dr. Belmont NC 28012  
(Include City, State and Zip Code)

Telephone Numbers: 704-293-6744 704-241-7730  
(Area Code) Business Cell (Area Code) Home Alt-Cell

\* If the applicant and property owner(s) are not the same individual or group, the Gaston County Zoning Ordinance requires written consent 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: James B. Galloway Christine Galloway  
(Print Full Name)

Mailing Address: 80 Limestone Dr. Belmont NC 28012  
(Include City, State and Zip Code)

Telephone Numbers: 704-293-6744  
(Area Code) Business Cell (Area Code) Home

### C. PROPERTY INFORMATION

Physical Address or General Street Location of Property: 200 Crawford Rd.  
Gastonia NC 28056

Parcel Identification (PID): 193091

Acreage of Parcel: 7.91 +/- Acreage to be Rezoned: 7.91 +/- Current Zoning: R-1 W US overlay

Current Use: Undeveloped Proposed Zoning: R-2 W US overlay

### D. PROPERTY INFORMATION ABOUT MULTIPLE OWNERS

Name of Property Owner: \_\_\_\_\_ Name of Property Owner: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Mailing Address: \_\_\_\_\_

(Include City, State and Zip Code)

(Include City, State and Zip Code)

Telephone: \_\_\_\_\_ Telephone: \_\_\_\_\_  
(Area Code) (Area Code)

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

Christa Gallaway  
Signature of Property Owner or Authorized Representative

8 Feb 2017  
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: 2-8-2017 Application Number: 217-04 Fee: \$500.00

Received by Member of Staff: PLS Date of Payment: 2-8-17 Receipt Number: \_\_\_\_\_  
(Initials)

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

- ☐ COPY OF DEED  
☒ PAYMENT OF FEE

Date of Staff Review: \_\_\_\_\_ Date of Public Hearing: 03/28/17

Planning Board Review: 3/28/17 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.





# AGREEMENT TO AMEND CONTRACT

WARNING: ALL PARTIES, INCLUDING ANY LENDER AND SETTLEMENT AGENT,  
MUST BE PROVIDED A COPY OF THIS AGREEMENT



James Galloway, Christine Galloway, as Buyer, and  
Barbara B. Gunnings, as Seller,  
have entered into a contract on the Offer to Purchase and Contract (form 2-T) or the Offer to Purchase and Contract - Vacant Lot/Land  
(form 12-T) ("Contract") regarding the purchase and sale of the following property (insert property address): 0000 Union Rd,  
Gastonia, NC 28056 ("Property").

Buyer and Seller hereby agree to amend the Contract as set forth below [check applicable box(es)]:

- ☐ **Purchase Price.** The Purchase Price is hereby changed to: \$ \_\_\_\_\_.
- ☐ **(Additional) Earnest Money.** The (Additional) Earnest Money Deposit is hereby changed to: \$ \_\_\_\_\_.
- ☐ **(Additional) Earnest Money Deposit Date.** The date by which the (Additional) Earnest Money Deposit shall be paid to Escrow Agent is hereby changed to: \_\_\_\_\_.
- ☐ **Building Deposit.** The Building Deposit is hereby changed to: \$ \_\_\_\_\_.
- ☐ **Due Diligence Fee.** The Due Diligence Fee paid to Seller is hereby changed to: \$ \_\_\_\_\_.
- ☒ **Due Diligence Period.** The expiration date of the Due Diligence Period is hereby changed to February 15, 2017  
at 5:00 p.m., **TIME BEING OF THE ESSENCE.**
- ☒ **Settlement Date.** The Settlement Date is hereby changed to: February 17, 2017.  
☐ (check only if the following also will apply) Notwithstanding anything to the contrary in the Delay in Settlement/Closing paragraph in the Contract, if a Delaying Party fails to complete Settlement and Closing within four (4) days following the Settlement Date above, the Delaying Party shall be in breach and the Non-Delaying Party may terminate the Contract in accordance with the Delay in Settlement/Closing paragraph.
- ☐ **Expenses.** The amount Seller shall pay at Settlement toward Buyer's expenses associated with the purchase of the Property is hereby changed to: \$ \_\_\_\_\_.

All terms and conditions of the Contract not specifically amended herein shall remain in full force and effect.

THE NORTH CAROLINA ASSOCIATION OF REALTORS®, INC. MAKES NO REPRESENTATION AS TO THE LEGAL VALIDITY OR ADEQUACY OF ANY PROVISION OF THIS FORM IN ANY SPECIFIC TRANSACTION.

Buyer: James Galloway  Date 02/04/2017 15:35:28 Seller: Barbara B. Gunnings Date \_\_\_\_\_  
Buyer: Christine Galloway  Date 02/04/2017 15:34:21 Seller: \_\_\_\_\_ Date \_\_\_\_\_  
Entity Buyer: \_\_\_\_\_ Entity Seller: \_\_\_\_\_  
(Name of LLC/Corporation/Partnership/Trust/etc.) (Name of LLC/Corporation/Partnership/Trust/etc.)  
By: \_\_\_\_\_ By: \_\_\_\_\_  
Name: \_\_\_\_\_ Name: \_\_\_\_\_  
Title: \_\_\_\_\_ Title: \_\_\_\_\_  
Date: \_\_\_\_\_ Date: \_\_\_\_\_

Page 1 of 1



This form jointly approved by:  
North Carolina Bar Association  
North Carolina Association of REALTORS®, Inc.

Moss Realty, 945 N New Hope Road Gastonia, NC 28054  
Phone: 704-830-8587 Fax: 704-865-5540

Kristina Robertson

Produced with zipForm3 by zipLogix 16070 Fifteen Mile Road, Fraser, Michigan 48066 www.zipLogix.com



FORM 4-T  
Revised 7/2015  
© 7/2016

Union Road - 0000

Review Complete



Current

**R1 Single Family Limited**

**(1) Uses allowed by right:**

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 Garden; Churches/ Place of Worship; Day Care Center, Class A; Day Care Center, Class B; Essential Services Class 2; Essential Services Class 4; Family Care Home; Flex Space; Home Occupation, Customary; Home Occupation, Rural; Landfill, Beneficial Fill; Landfill, Land Clearing and Inert Debris, Minor; Marina, Accessory; Maternity Home; Park; Planned Residential Development (PRD); Private Residential Quarters (PRQ); Produce Stand; Restaurant within other facilities; Schools, Elementary & Middle (public & private); School, Senior High (public & private); Stadium; Telecommunication Antennae and Equipment Buildings; Traditional Neighborhood Development (TND)

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

Library; Museum; Zoo

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

Bed and Breakfast Inn; Cemetery; Country Club; Day Care Center, Class B; Essential Services Class 4; Fraternal & Service Organization Meeting Facility (non- or not-for profit) 0-9,999 sf GFA; Golf Course, Golf Driving Range, Golf Miniature; Maternity Home; Park; Parking Lot; Recreation Center and Sports Center; Recycling Deposit Station, principal use; Stadium; Tower and/or Station, Radio; 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:** Marina, Commercial

**(7) By Conditional Zoning with supplemental regulations:**

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

**(8) By Special exception:** None

**(9) By Special exception with supplemental regulations:**

Family Care Home



## Single Family Moderate R-2

*Proposed*

Below is a list of the uses allowed in the R-2 Zoning District:

The Gaston County Zoning Ordinance allows certain uses in the zoning districts: 1) by right; 2) by right, with supplemental regulations; 3) only with a conditional use permit; 4) only with a conditional use permit, with supplemental regulations; 5) Existing use subject to supplemental regulation; 6) By Conditional Zoning; 7) By Conditional Zoning with supplemental regulations; 8) By Special Exception; or 9) By Special Exception with supplemental regulations. Below are uses allowed in this district, broken down in the aforementioned categories?

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### **R-2 Single Family Moderate**

#### **(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.

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

Automobile Hobbyist, Cemetery (Accessory Use), 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).

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#### **(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, Zoo.

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#### **(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, Family Care Home, Fraternal and Service Organization Meeting Facility (non-or not for profit), 0- 9,999 Square Feet Gross Floor Area, Fraternal and Service Organization Meeting Facility (non-or not for profit), 10,000 Square Feet Gross Floor Area, 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, Planned Unit Development, Planned Residential Development, Stadium, Tower and/or Station, Radio and Television Broadcast, Traditional Neighborhood Development (TND), Wood Waste Grinding Operation.

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

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

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#### **(6) By Conditional Zoning:** None

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#### **(7) By Conditional Zoning with supplemental regulations:**

Planned Residential Development (PRD), and Planned Unit Development (PUD), and Traditional Neighborhood Development (TND)

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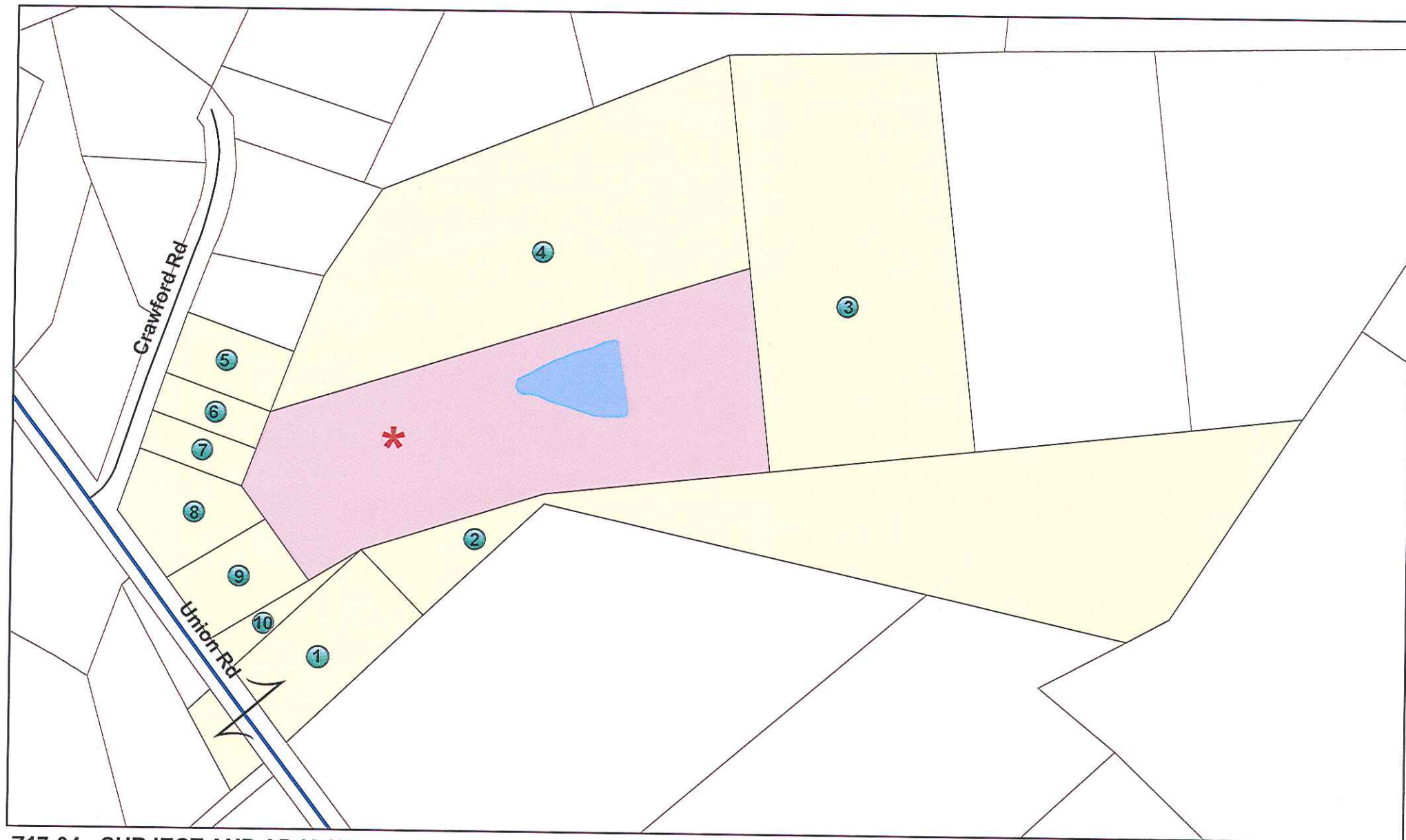
#### **(8) By Special exception:** None

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#### **(9) By Special exception with supplemental regulations:**

Family Care Home

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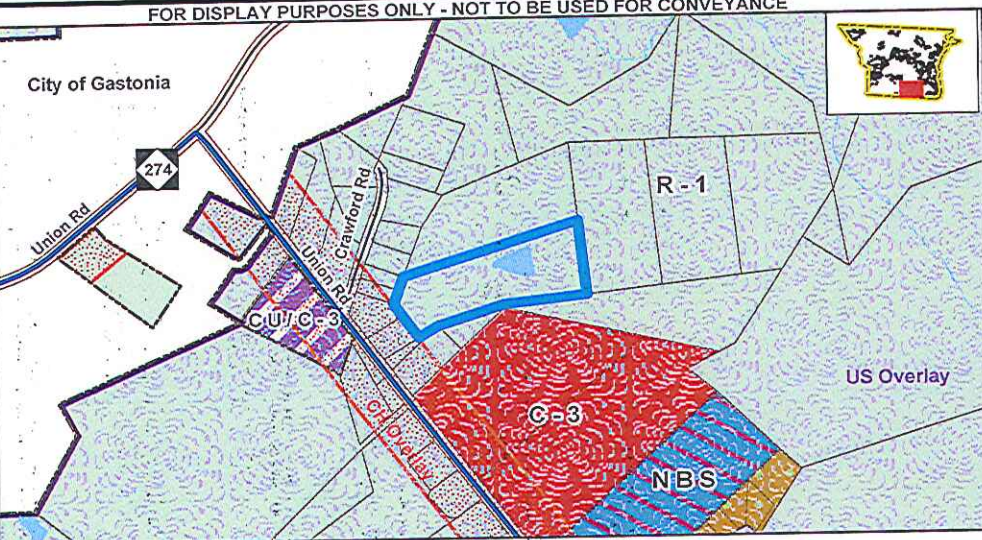
## Z17-04 - SUBJECT AND ADJACENT PROPERTIES

NO:	PARCEL	OWNER NAME 1	OWNER NAME 2	ADDRESS	CITY	STATE	ZIP
*	193091	GALLOWAY JAMES BRIAN	GALLOWAY CHRISTINE G	80 LINESTOWE DRIVE	BELMONT	NC	28012-3560
1	193044	DUNN PATRICIA C &	CRAWFORD THOMAS S JR	191 CAMINO RAYO DEL SOL	CORRALS	NM	87048-0000
2	193092	DUNN PATRICIA C &	CRAWFORD THOMAS S JR	191 CAMINO RAYO DEL SOL	CORRALS	NM	87048-0000
3	193093	MCLEAN WILTON L SR		303 TODD ST	BELMONT	NC	28012
4	193099	MCLEAN WILTON L SR		303 TODD ST	BELMONT	NC	28012
5	193054	CRAWFORD JAMES A		1479 AVE ASHFORD APT 1804	SAN JUAN	PR	00907-1547
6	193053	CRAWFORD GEORGE M HEIRS	C/O CANDICE MICHELLE CRAWFORD	208 CRAWFORD RD	GASTONIA	NC	28056-0000
7	193040	DUNN PATRICIA C &	CRAWFORD THOMAS S JR &	191 CAMINO RAYO DEL SOL	CORRALES	NM	87048-0000
8	193052	DUNN PATRICIA C &	CRAWFORD THOMAS S JR &	191 CAMINO RAYO DEL SOL	CORRALES	NM	87048-0000
9	193051	FRANTZ LAURA LOUISE		4025 SAND TRAP AVE UNIT A9	LITTLE RIVER	SC	29566-4005
10	193050	DUNN PATRICIA C &	CRAWFORD THOMAS S JR	191 CAMINO RAYO DEL SOL	CORRALS	NM	87048-0000



FOR DISPLAY PURPOSES ONLY - NOT TO BE USED FOR CONVEYANCE

City of Gastonia



This map is intended for use by the Gaston County Board of Commissioners, in the review of zoning change requests. Property parcels, zoning, transportation and other map information were derived from one or more data layers. The data is periodically updated, however all data layers may not be displayed. Discrepancies are subject to change.

Gaston County does not make or imply any warranties or assume any responsibility for the information presented on this map. The map was prepared by the Department of Planning and Development Services.

Note: For purposes of clarity, County Zoning is not shown at road right of ways and other selected features. Where different zoning is shown on opposite sides of the road and other features, the zoning areas are understood to meet at the center of the feature. In the event that a road right of way is undisturbed and removed, areas with different zoning types will meet in the center of the area. Please see the Zoning Administrator for additional information.

**GASTON COUNTY  
ZONING REVIEW MAP**

- R-1 Single Family Limited
- CU/C-3 Conditional Use/General Commercial
- C-3 General Commercial
- NBS Neighborhood Business Services
- R-3 Single Family General

Area of Consideration

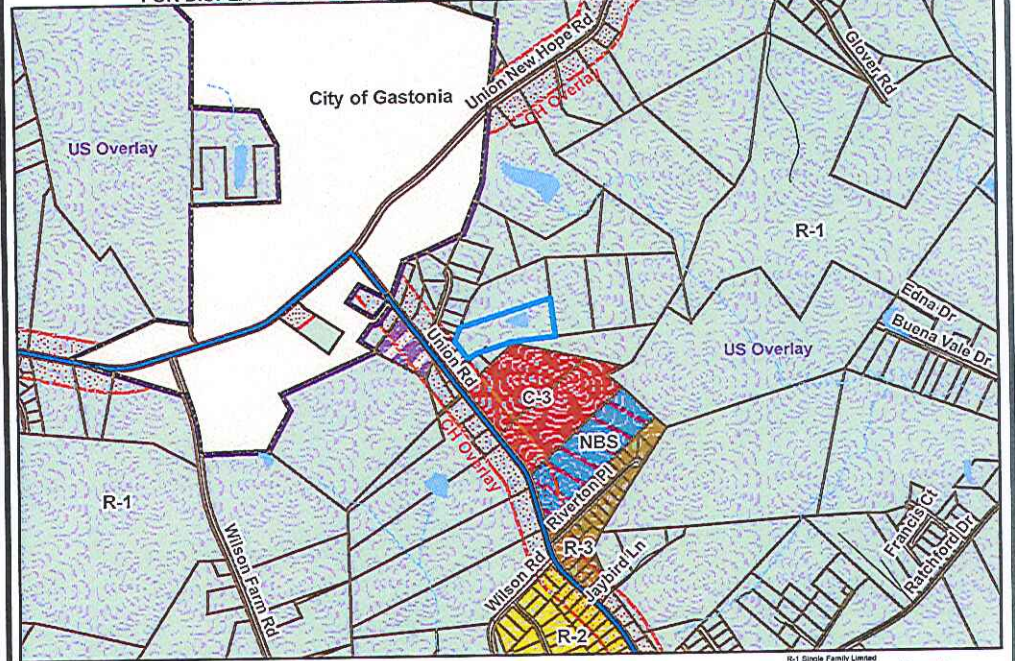


Applicant: Z17-04  
Tax Id: 193091  
Request Re- Zoning from:  
R-1 Single Family Limited with  
US Urban Standards Overlay  
To: R-2 Single Family Moderate  
with US Urban Standards Overlay

Map Date: 3/6/2017

FOR DISPLAY PURPOSES ONLY - NOT TO BE USED FOR CONVEYANCE

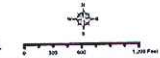
City of Gastonia



**GASTON COUNTY ZONING**

"Applicant: Z17-04"

Subject Area



- R-1 Single Family Limited
- CU/C-3 Conditional Use/General Commercial
- C-3 General Commercial
- NBS Neighborhood Business Services
- R-3 Single Family General
- US - Urban Standards Overlay
- CH - Centennial Highway Overlay

**Gaston County  
Zoning Review  
Overview Map**

2015 Aerial Imagery

Z 17-04

**Legend**

- Subject Area
- Property Parcels



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Gaston County  
North Carolina

**Vicinity Map**

**Legend**

- Minor Roadways
- Major Roadways
- Area of Consideration
- Municipalities

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This map may not be used or otherwise used for trade or commercial purposes without the expressed written consent of Gaston County, in accordance with North Carolina General Statute 152-10.



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