

# GASTON COUNTY REZONING APPLICATION (REZ-22-02-24-00099)

## STAFF REPORT

### APPLICATION SUMMARY

**Request:**

To rezone the property from the (R-1) Single Family Limited Zoning District with (US) overlay to the (I-2) General Industrial Zoning District with (US) overlay.

**Applicant(s):**

Jan & Barbara Vaculcik dba VF Ventures LLC

**Property Owner(s):**

VF Ventures LLC

**Parcel Identification (PID):**

308825 (Updated after recombination)

**Property Location:**

1558 Stanley Lucia Rd. Mount Holly

**Total Property Acreage:**

1.3 acres (Updated acreage)

**Acreage for Map Change:**

1.3 acres

**Current Zoning:**

(R-1) with (US) overlay

**Proposed Zoning:**

(I-2) with (US) overlay

**Existing Land Use:**

Machine Shop

**Proposed Land Use:**

Machine Shop

### COMPREHENSIVE LAND USE PLAN

**Area 3**

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, increased job opportunities, maintaining the “rural” feel of the area, and increased commercial opportunities.

**Comprehensive Plan, Future Land Use: Rural**

Rural areas are characterized as having plenty of open space along with farmstead-style housing as well as agribusiness. There are many opportunities for agribusiness ventures in this designation. This is the default designation for the County.

**Staff Recommendation:**

The 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)**

Included in Staff Packet

**STAFF SUMMARY**

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

This property is in a residential area in the northeastern region of the county. There is an existing nonconforming use on the lot. The property owners want to rezone the lot to a zoning district that allows the current and existing use, by-right.

The property owner purchased the lot in 1987 and placed the existing structure on it in 1988 prior to zoning regulations being established in the County. This structure and lot became nonconforming existing situations when zoning was adopted in the county in 1992. This lot recently went through the recombination process to add more land to the subject property to ensure that the septic system is on the subject lot. The property owners have been taking all the necessary steps to bring this lot into conformity.



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

**PLANNING BOARD RECOMMENDATION**

**The Planning Board met in a regular session on January 9, 2023 and unanimously recommended approval of this request based on the following:**

**The proposed use is consistent with the vision and goals of the Comprehensive Land use Plan (CLUP) as it will maintain the (rural) feel of the area while increasing commercial opportunities, which meets the key goals for this area. the rural land use designation envisions open space with opportunities for agribusiness ventures.**

**Attachments: Application, MPO Comment Letter, Allowed Used in the (I-2) zoning district, and Property Maps**





# 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: **Z**

Applicant ☐ Planning Board (Administrative) ☐ Board of Commission (Administrative) ☐ ETJ ☐

### A. \*APPLICANT INFORMATION

Name of Applicant: Jan & Barbara Vaculcik dba VF Ventures LLC

(Print Full Name)

Mailing Address: 3425 Aurore Ct., York SC 29745

(Include City, State and Zip Code)

Telephone Numbers: 704-677-4160

(Area Code) **Business**

(Area Code) **Home**

Email: barbaravaculcik@yahoo.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: Jan & Barbara Vaculcik dba VF Ventures LLC

(Print Full Name)

Mailing Address: 3425 Aurore Ct., York, SC 29745

(Include City, State and Zip Code)

Telephone Numbers: 704-677-4160

(Area Code) **Business**

(Area Code) **Home**

Email: barbaravaculcik@yahoo.com

### C. PROPERTY INFORMATION

Physical Address or General Street Location of Property: 1558 Stanley Lucia Rd., Mt. Holly, NC 28120

Parcel Identification (PID): KEY 174656 Legal Description 14 037 007 00 000 Deed Reference 4464-0037

Acreage of Parcel: >.82 +/- Acreage to be Rezoned: .82 +/- Current Zoning: R-1

Current Use: Machine Shop Proposed Zoning: I-2 General Industrial

### D. PROPERTY INFORMATION ABOUT MULTIPLE OWNERS

Name of Property Owner: Jan Vaculcik

Name of Property Owner: Barbara Vaculcik

Mailing Address: 3425 Aurore Ct.

Mailing Address: 3425 Aurore Ct.

York SC 29745

York, SC 29745

(Include City, State and Zip Code)

(Include City, State and Zip Code)

Telephone: 704-677-4157

(Area Code)

Telephone: 704-677-4160

(Area Code)

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 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

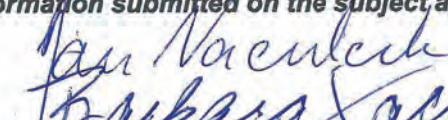

(I/We), also agree to grant permission to allow employees of Gaston County to enter the subject property during reasonable hours for the purpose of making **Zoning Review**.

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.

  
  
Signature of Property Owner or Authorized Representative

  
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

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Date Received: \_\_\_\_\_ Application Number: \_\_\_\_\_ Fee: \_\_\_\_\_

Received by Member of Staff: \_\_\_\_\_ Date of Payment: \_\_\_\_\_ 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: \_\_\_\_\_

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 Mendoza Kanburoglu, Director of Planning and Zoning/  
Building & Development Services  
**From:** Julio Paredes, Planner  
**Date:** December 7, 2022  
**Subject:** GCLMPO Rezoning Review – Stanley Lucia Rd. - REZ-22-02-24-00099

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 plan 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 1558 Stanley Lucia Rd. in Mt. Holly. Parcel ID# 174656. 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. The CTP shows recommended bike facilities improvements along Stanley Lucia Rd.
4. 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.

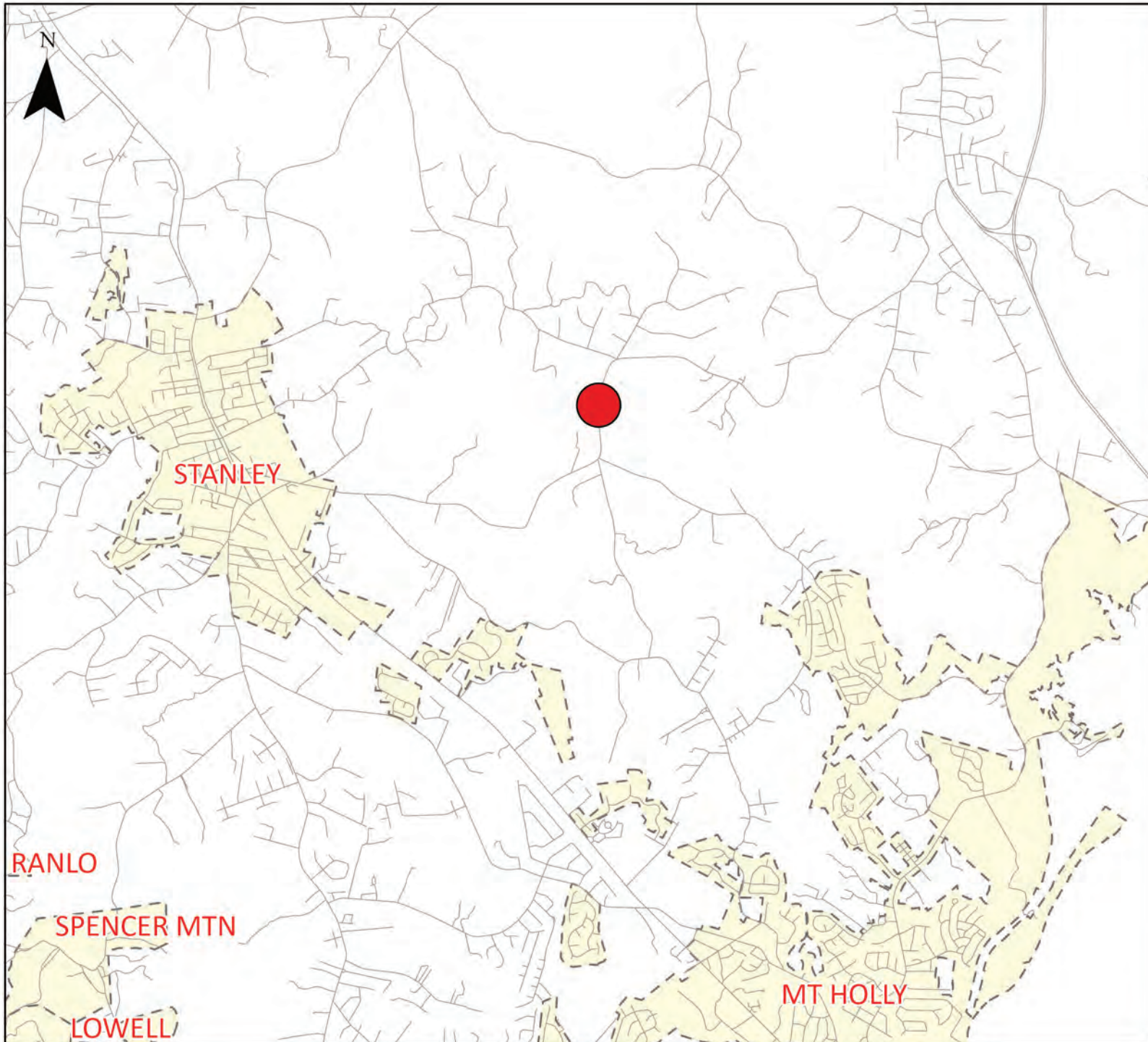
If you have any questions regarding my comments, please do not hesitate to contact me at 704-866-6980 or [juliop@cityofgastonia.com](mailto:juliop@cityofgastonia.com).

# Allowed Uses in the (I-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

Abattoir Class 1	SP	Commercial Vehicle and Truck Storage	Xs/SPs	Firing Range, Indoors, principal use	Xs/SPs	Offices, Excluding Medical, 200,000+sqft GFA	SP	Special Events Facility, Accessory	Xs
Abattoir Class 2	SP	Contractor Storage & Equipment Yard	Xs	Firing Range, Outdoors, principal use	SPs	Offices, Excluding Medical, 50,000-99,999sqft GFA	X	Telecommunication Antennae & Equipment Buildings	Xs
Adult Establishments	Xs	Contractor's Office	X	Fish Hatcheries	SP	Paint Ball / Laser Tag Facility	Xs	Telecommunication Tower & Facilities	SPs
Aircraft Sales & Service	SP	Contractor's Office and Equipment / Storage Yard	Xs/SPs	Flea Market, Indoor	SPs	Park	Xs/SPs	Telecommunication Tower, Freestanding Monopole, up to 199.9ft	Xs
Airport, Airstrip, Freight & Flying Service	SPs	Contractor's Office and Operation Center	X	Flea Market, Outdoor	SPs	Parking Lot	Xs	Theater, outdoor movie	SP
Animal Kennel	SPs	Convenience Store, Closed 12AM to 5AM	Xs	Flex Space	Xs	Photo finish Laboratory	X	Tire Recap Facility	SP
Animal Shelter	SPs	Convenience Store, Open up to 24 hours	Xs	Heavy, Industrial, Farm Equipment Sales and Services	X	Planned Unit Development (PUD)	Xs/CDs	Tower and/or Station, Radio & Television Broadcast	SPs
ATM (Automated Teller Machine)	Xs	Crematorium	X	Helipoint / Helistop	SPs	Portable Toilet Service	Xs	Transit Station	SP
Auction House	Xs/SPs	Day Care Center, Accessory	X	Laboratories - Dental, Medical	X	Post Office	X	Truck Stop	SP
Automobile Body Shop / Automobile, Truck Sales, Accessory	X	Distribution / Wholesale / Storage Operation	X	Lawn and Garden Center	X	Postal & Parcel Processing & Bulk Handling Facility	X	Truck Terminal	SPs
Automobile Hobbyist	Xs	Dry Cleaning / Laundry Plant	X	Lounge / Nightclub	Xs/SPs	Race Track, Large	SPs	Truck Washing Facility	SP
Automobile Repair Shop / Automobile, Truck Sales, Accessory	Xs	Dwelling, Manufactured Home Class C	Es	Machine, Metal, Wood Working, Welding Shop	Xs	Railroad Terminal & Yard	SP	Warehouse, 0-99,999sqft GFA	X
Automobile Service Station / Automobile, Truck Sales, Accessory	Xs/SPs	Dwelling, Manufactured Home Class D	Es	Manufactured Goods, Class 1	Xs	Recycling Deposit Station, accessory	X	Warehouse, 100,000+sqft GFA	X
Automobile Towing and Wrecker Service / Automobile, Truck Sales, Accessory	Xs/SPs	Electric, Heating, Air Conditioning, Ventilating, Plumbing Supplies & Equipment Sales	X	Manufactured Goods, Class 2	CDs	Recycling Deposit Station, principal use	Xs	Wood Waste Grinding Operation	Xs
Automobile, Truck, Boat, Motorcycle, Manufactured Home, Recreational Vehicle Sales and Rental	SPs	Electronic Gaming Operation	Xs	Manufactured Home Park	Es	Recycling Processing Facility	SP		
Baseball Hitting Range	X	Essential Services Class 1	X	Medical Offices, 0-49,999sqft GFA	X	Restaurant	Xs		
Bona Fide Farms	Xs	Essential Services Class 2	Xs	Medical Offices, 50,000-99,999sqft GFA	X	Restaurant, with drive thru	Xs/SPs		
Building Material and Lumber Sales	X	Essential Services Class 3	SP	Military Reserve Center	Xs	Restaurant, within other facilities	Xs		
Bus and Train Terminal, Passenger	SPs	Essential Services Class 4	X	Mini-Warehouse	Xs	School, Vocation	Xs		
Bus Charter Service	Xs/SPs	Farm Supply Store, with outdoor storage	X	Monument Sales	X	Sign Shop	X		
Business Services	X	Farm Supply Store, without outdoor storage	X	Moving & Storage Facilities	X	Solid Waste & Septic Tank Vehicle Storage Facility	SPs		
Church / Place of Worship	Xs	Farmers Market	SPs	Offices, Excluding Medical, 0-49,999sqft GFA	X	Solid Waste Transfer Station	SPs		
Club, Private (without Adult Entertainment)	Xs/SPs	Financial Institution (excluding principal use ATMs)	X	Offices, Excluding Medical, 100,000-199,999sqft GFA	SP	Special Events Facility	Xs		





VICINITY MAP  
REZ-22-02-24-00099  
1558 Stanley Lucia

## Legend

- Roads
- Municipalities
- Subject Property

Although strict 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 of commercial purposes without the expressed written consent of Gaston County, in accordance with North Carolina General Statute 132-10.





## OVERVIEW MAP REZ-22-02-24-00099

### LEGEND

-  Subject Parcels
-  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 or more data layers. The data is periodically updated, however, all data layers may not be displayed. Street names are subject to change.

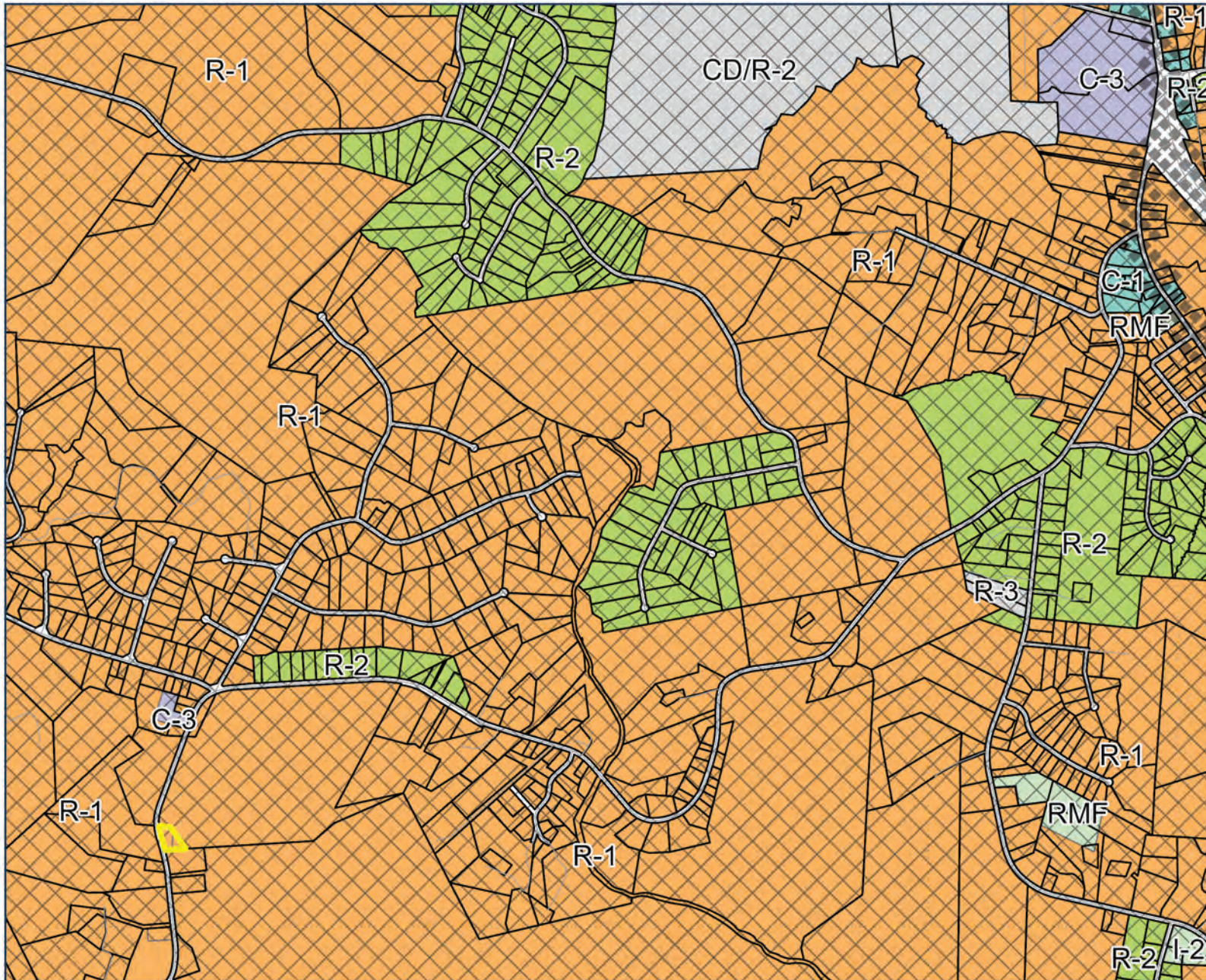
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This map is for zoning purposes only - Not to be used for conveyance.



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## ZONING REVIEW MAP REZ-22-02-24-00099

### Legend

#### Gaston County Overlays

##### TYPE

- ◆ CH OVERLAY
- ✕ US OVERLAY

#### Gaston County UDO

##### ZONE TYPE

- C-1
- C-3
- CD/R-2
- I-2
- R-1
- R-2
- R-3
- RMF
- Parcels
- Roads
- Gaston County Line
- 1558 Stanley Lucia



Miles

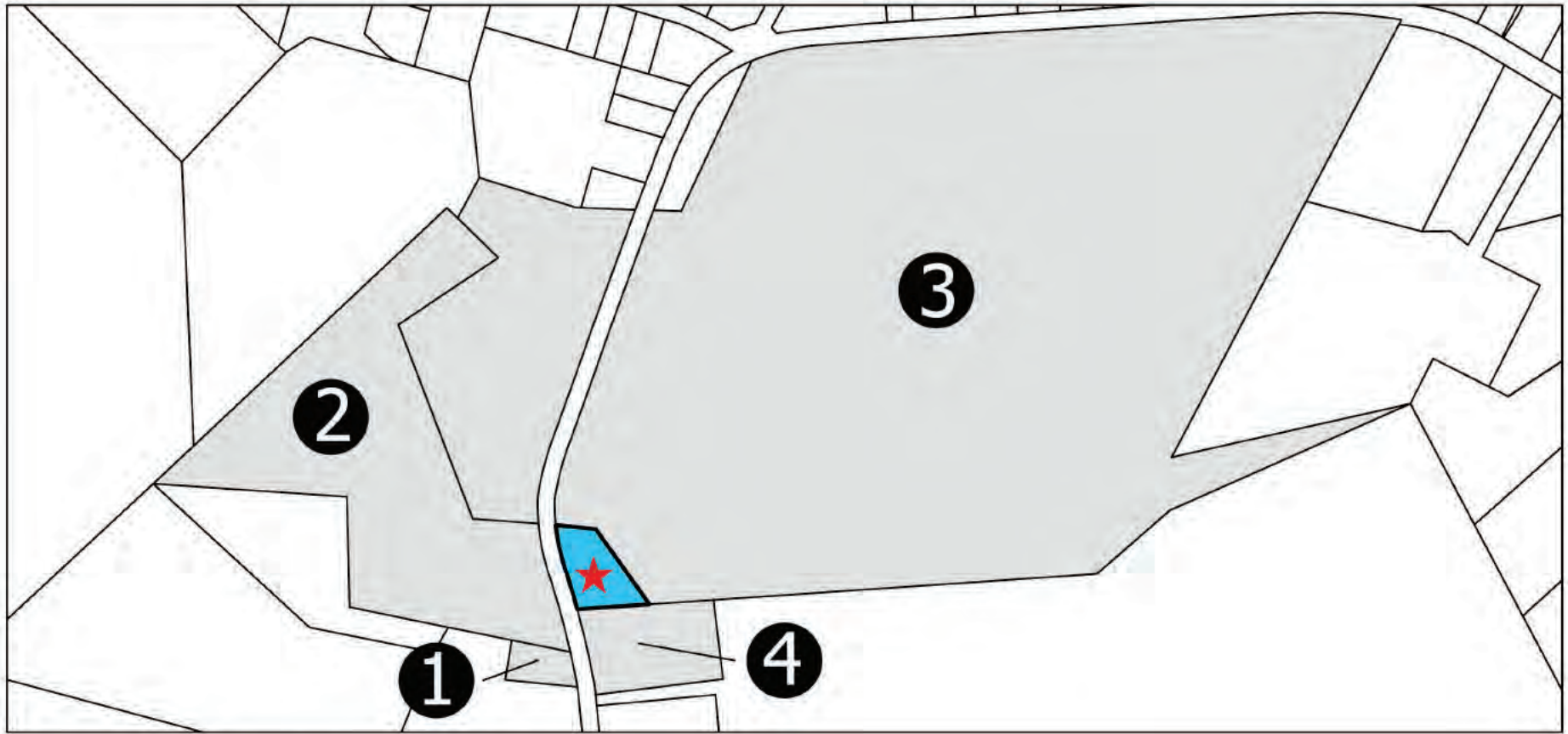
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1558 Stanley Lucia Rd. Adjacent Parcels and Property Owners

NUMBER	PARCEL ID	NAME 1	NAME 2	ADDRESS 1	CITY	STATE	ZIP CODE
*	308825	VF VENTURES LLC		3425 AURORE CT.	YORK	SC	29745
1	175259	CLAGG INVESTMENTS LLC		PO BOX 249	LOWELL	NC	28098
2	174577	ALEXANDER STELLA B		PO BOX 148	STANLEY	NC	28164
3	308823	RUTLEDGE JAMES CARLYLE 1/3	MACON MARTHA RUTLEDGE 1/3	1615 EASTWOOD DR	KANNAPOLIS	NC	28083
4	174657	BLANCHE GENEVIEVE SIMONE		1556 STANLEY LUCIA ROAD	MOUNT HOLLY	NC	28120