



RESOLUTION TITLE: ZONING MAP CHANGE: Z21-14 DEAVIN WILSON (APPLICANT); PROPERTY PARCEL: 221628, LOCATED AT LEE HAGER RD., 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 October 26, 2021 by the County Commission, to take citizen comment into a map change application, as follows:

Tax Parcel Number(s): 221628
Applicant(s): Deavin Wilson
Owner(s): Megan H. & Deavin S. Wilson
Property Location: Lee Hager Rd.
Request: Rezone Parcel 221628 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: 221628, located at Lee Hager Rd., Bessemer City, NC, from the (R-1) Single Family Limited Zoning District to the (R-2) Single Family Moderate Zoning District on October 11, 2021 based on: staff recommendation, the request is reasonable and in the public interest and the request is in accordance with the County's Comprehensive Land Use Plan. The proposed rezoning is in the Rural future land use plan. Rural areas are those areas with residential homes 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. The use, going from (R-1) to (R-2) will allow the subject parcel to continue as a residential use in nature, which is consistent with the Rural Center designation and is in harmony with other residential uses within the immediate vicinity.

Motion: Hurst Second: Brooks Vote: Unanimous
Ayes: Brooks, Fallon, Hollar, Horne, Hurst
Nay: None
Absent: Ally, Harris, Houchard, Vinson
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	TKeigher	TPhilbeck	RWorley	Vote
2021-275	10/26/2021	BH	CB	A	A	A	A	A	AB	A	U

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Zoning Map Change: Z21-14 Deavin Wilson (Applicant); Property Parcel: 221628, Located at Lee Hager Rd., Bessemer City, NC, Rezone from the (R-1) Single Family Limited Zoning District to the (R-2) Single Family Moderate Zoning District
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NOW, THEREFORE, BE IT RESOLVED by the County Commission that after consideration of the map change application, public hearing comment and Planning Board recommendation:

- 1) The map change request is consistent with the County's approved Comprehensive Land Use Plan. The proposed rezoning is in the Rural future land use plan. Rural areas are those areas with residential homes 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. The use, going from (R-1) to (R-2) will allow the subject parcel to continue as a residential use in nature, which is consistent with the Rural Center designation and is in harmony with other residential uses within 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. Property parcel: 221628, 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.



Tom Keigher, Chairman
Gaston County Board of Commissioners

ATTEST:



Donna S. Buff, Clerk to the Board

General Rezoning Application (Z21-14)

STAFF REPORT

Request:	
To rezone property from the (R-1) Single Family Limited Zoning District to the (R-2) Single Family Moderate Zoning District	
Applicant:	Property Owner(s):
Deavin Wilson	Megan H. & Deavin S. Wilson
Parcel Identification (PID):	Property Location:
221628	Lee Hager Rd. (Bessemer City)
Total Property Acreage:	Acreage for Map Change:
3 ac	3 ac
Current Zoning:	Proposed Zoning:
(R-1) Single Family Limited	(R-2) Single Family Moderate
Existing Land Use:	Proposed Land Use:
Vacant / Undeveloped	Single Family Residential (Manufactured)

Area 1: Rural Gaston / Northwest 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; increased job opportunities; preservation of agriculture and maintaining the rural “feel” of the community; repurpose vacant buildings and facilities for new economic opportunities; and, steer development towards existing infrastructure.
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.

Water/Sewer Provider:
Private well / private septic
Road Maintenance:
North Carolina Department of Transportation

None provided

Prepared By: Sarah Carpenter Penley, Senior Planner

This property is located in a residential area of the northwest region of the county. The location is primarily residential and rural in nature. Housing types in the area include single family site built, modular and/or manufactured housing, including double wide style homes.

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).

Scheduled Meeting Date: October 11, 2021

Meeting Summary / Points of Discussion: Staff provided Board members with a brief presentation and overview of the property, which included, a list of uses allowed by right within the (R-2) Single Family Moderate Zoning District. Board members asked if staff was aware of the applicants intended use, at which point the applicant advised they intended to place a double wide manufactured home on the property. No further questions or discussion.

The Board voted to approve the application, with a vote of (5) to (0), based upon the following statement of consistency:

The proposed rezoning is in the Rural future land use plan. Rural areas are those areas with residential homes 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. The use, going from (R-1) to (R-2) will allow the subject parcel to continue as a residential use in nature, which is consistent with the Rural Center designation and is in harmony with other residential uses within the immediate vicinity.

Attachments: Maps



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 21-14**

Applicant ☒

Planning Board (Administrative) ☐

Board of Commission (Administrative) ☐

ETJ ☐

A. *APPLICANT INFORMATION

Name of Applicant: Deavin Wilson

(Print Full Name)

Mailing Address: 703 Oakland St., Kings Mountain, NC 28086

(Include City, State and Zip Code)

Telephone Numbers: (704)678-6118

(704)915-2241

(Area Code) **Business**

(Area Code) **Home**

Email: mbhager10@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: Megan H. & Deavin S. Wilson

(Print Full Name)

Mailing Address: 703 Oakland St., Kings Mountain, NC 28086

(Include City, State and Zip Code)

Telephone Numbers: (704)678-6118

(704)915-2241

(Area Code) **Business**

(Area Code) **Home**

Email: mbhager10@yahoo.com

C. PROPERTY INFORMATION

Physical Address or General Street Location of Property: Lee Hager Rd. (Bessemer City)

Parcel Identification (PID): 221628

Acreage of Parcel: 3 +/- Acreage to be Rezoned: 3 +/- Current Zoning: (R-1)

Current Use: Vacant / Undeveloped

Proposed Zoning: (R-2)

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: _____

(Area Code)

Telephone: _____

(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.

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

OFFICE USE ONLY

Date Received: _____ Application Number: _____ Fee: _____

Received by Member of Staff: _____ Date of Payment: _____ Receipt Number: _____
(Initials)

☐ COPY OF PLOT PLAN OR AREA MAP

☐ COPY OF DEED

☐ NOTARIZED AUTHORIZATION

☐ 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.

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:

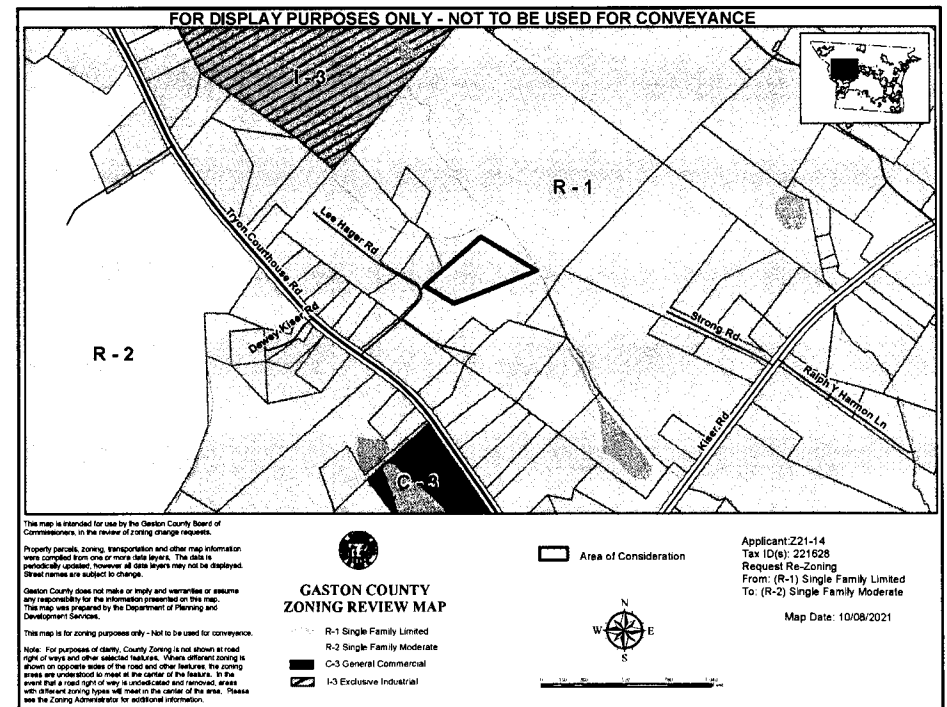
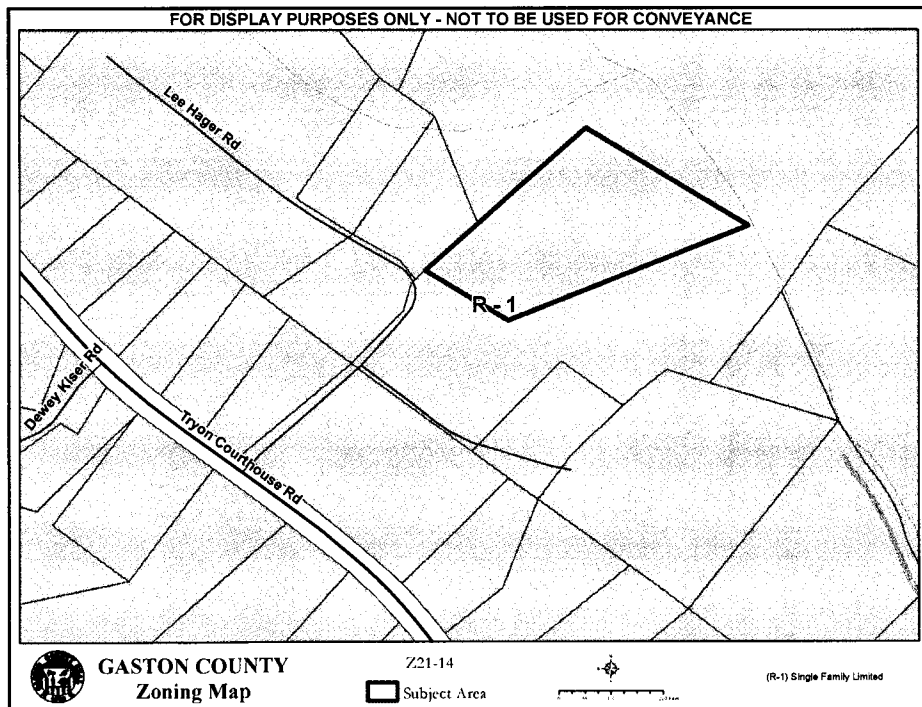
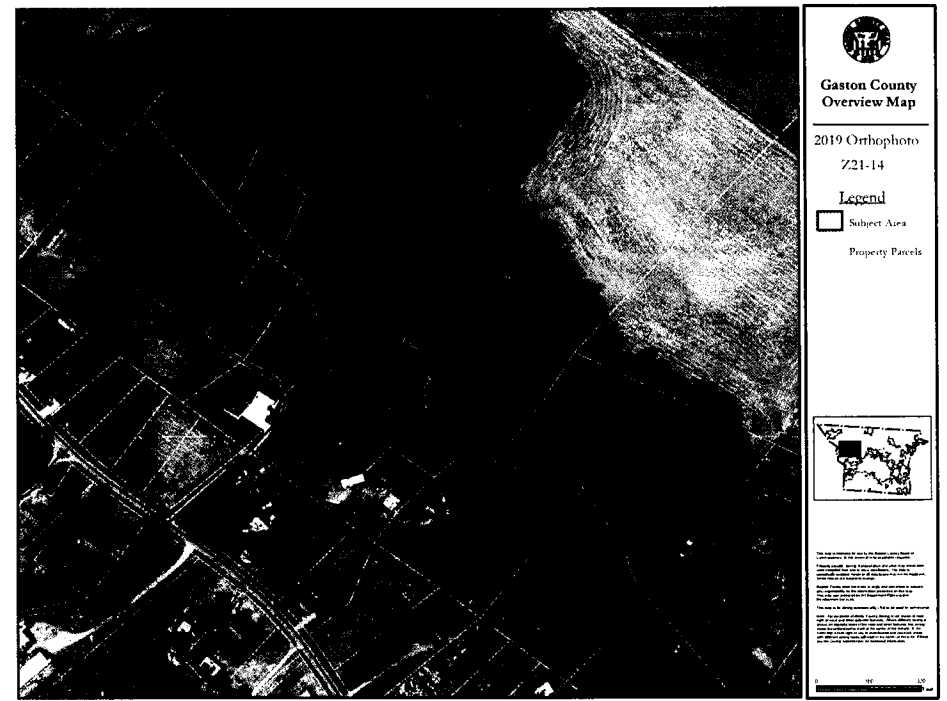
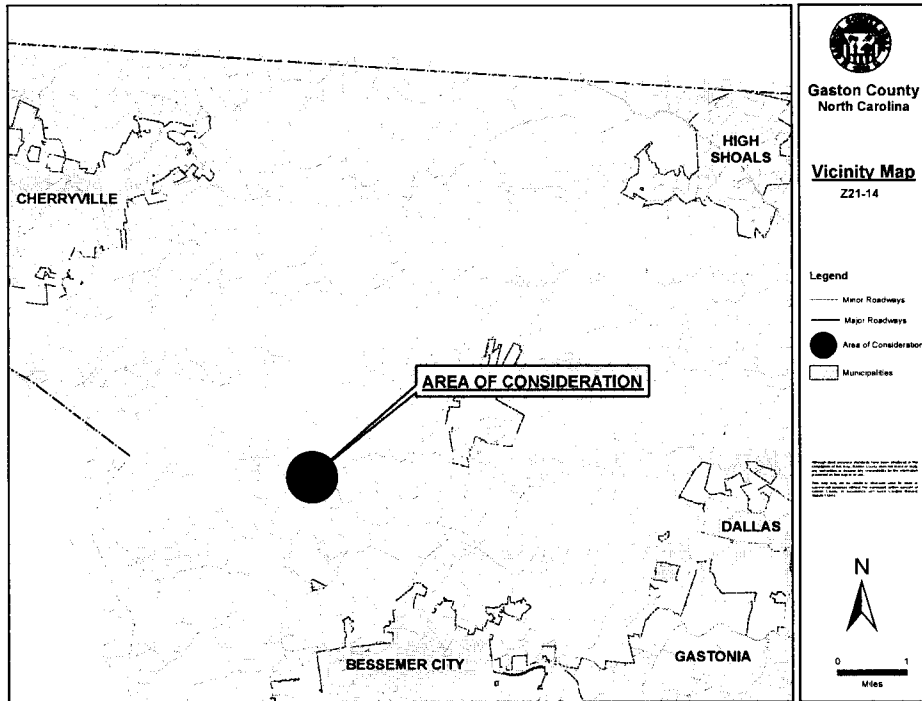
Dwelling, Manufactured Home Class C; Dwelling, Manufactured Home Class D; Manufactured Home Park

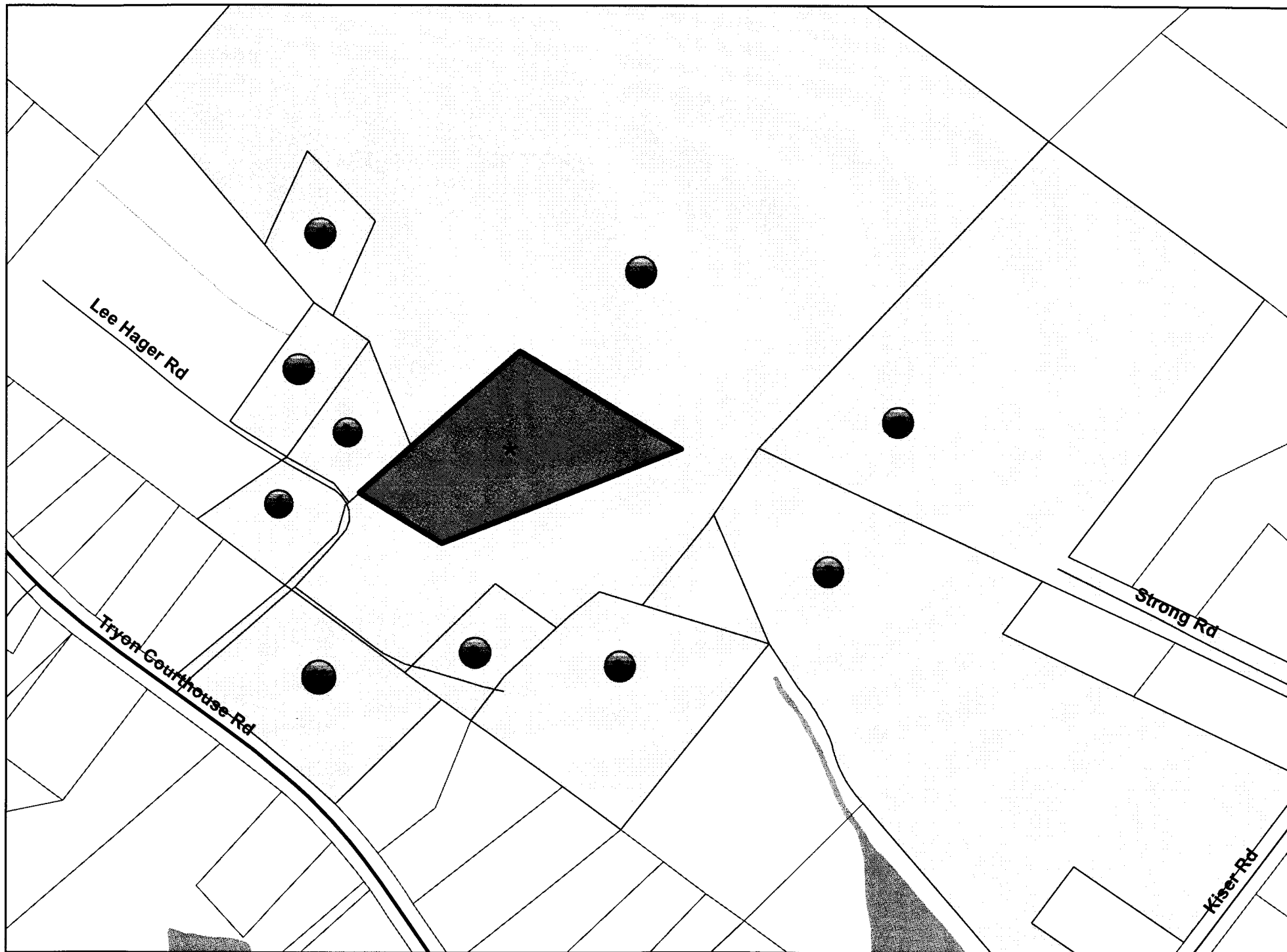
(6) By Conditional Zoning: None**(7) By Conditional Zoning with supplemental regulations:**

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





Z21-14 Subject and Adjacent Properties Map
See reverse side for listing of property owners

 Area of consideration

Z21-14 Owner and Adjacent Property 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>
*	221628	WILSON MEGAN H	WILSON DEAVIN S	800 SUNSET RD	CHERRYVILLE	NC	28021
1	163672	HAGER RICKY SCOTT		205 LEE HAGER RD	BESSEMER CITY	NC	28016
2	163671	HAGER RICKY SCOTT		205 LEE HAGER RD	BESSEMER CITY	NC	28016
3	163670	HAGER RICKY SCOTT		205 LEE HAGER RD	BESSEMER CITY	NC	28016
4	216467	BARNES JUSTIN BENJAMIN		2020 TRYON COURTHOUSE RD	BESSEMER CITY	NC	28016
5	221627	HAGER SHIRLEY MORRISON LIFE EST		202 LEE HAGER RD	BESSEMER CITY	NC	28016
6	163662	HAGER SHIRLEY MORRISON LIFE EST		202 LEE HAGER RD	BESSEMER CITY	NC	28016
7	163660	SMITH ALAN FORREST	SMITH BRIAN GLENN	243 KISER ROAD	BESSEMER CITY	NC	28016
8	213195	BARNES JORDIN C		198 LEE HAGER RD	BESSEMER CITY	NC	28016
9	213197	HAGER SHIRLEY MORRISON LIFE EST		202 LEE HAGER RD	BESSEMER CITY	NC	28016
10	163656	WILEY NELTON GLENN		2034 TRYON COURTHOUSE RD	BESSEMER CITY	NC	28016



Gaston County

Gaston County
Board of Commissioners
www.gastongov.com

Building and Development Services Board Action

File #: 21-395

Commissioner Hovis - Building & Development Services - Zoning Map Change: Z21-14 Deavin Wilson (Applicant); Property Parcel: 221628, Located at Lee Hager Rd., 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. Deavin Wilson (Applicant); Rezone Parcel: 221628, 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 26, 2021 with public hearing comments being on file in the Board of Commission Clerk's Office. Planning Board recommendation was provided on October 11, 2021, 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	TKelgher	TPhillbeck	RVKotley	Vote
2021-275	10/26/2021	BH	CB	A	A	A	A	A	AB	A	U

DISTRIBUTION:

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