



RESOLUTION TITLE: ZONING MAP CHANGE: Z22-11 BRANDY LEWIS (APPLICANT); PROPERTY PARCEL: 302626, LOCATED AT 202 HUMPHREY BLVD., GASTONIA, 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 April 26, 2022 by the County Commission, to take citizen comment into a map change application, as follows:

Tax Parcel Number(s): 302626
 Applicant(s): Brandy Lewis
 Owner(s): Brandy and Henry Lewis
 Property Location: 202 Humphrey Blvd.
 Request: Rezone Parcel 302626 from the (R-1) Single Family Limited Zoning District to the (R-2) Single Family Moderate Zoning District

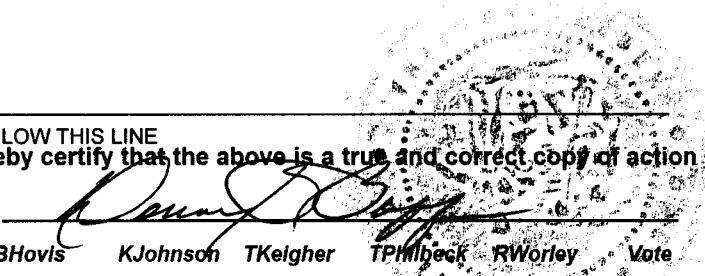
public hearing comments are on file in the Commission Clerk's Office as a part of the minutes of the meeting; and,

WHEREAS, the Planning Board recommended approval of the map change for parcel: 302626, located at 202 Humphrey Blvd. Gastonia, NC, from the (R-1) Single Family Limited Zoning District to the (R-2) Single Family Moderate Zoning District on April 4, 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 as the proposed rezoning is similar to adjacent zoning.

Motion: Sadler Second: Hurst Vote: Unanimous
 Aye: Hurst, Horne, Magee, Sadler, Vinson
 Nay: None
 Absent: Ally, Brooks, Harris
 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	TPhillbeck	RWorley	Vote
2022-096	04/26/2022	TP	TK	A	AB	A	AB	A	A	A	U

DISTRIBUTION:

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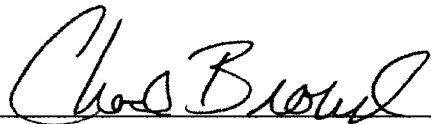
Zoning Map Change: Z22-11 Brandy Lewis (Applicant); Property Parcel: 302626, Located at 202 Humphrey Blvd. Gastonia, NC, Rezone from the (R-1) Single Family Limited Zoning District to the (R-2) Single Family Moderate Zoning District
Page 2

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 future land use designation for the parcel is Rural Community. Rural communities may not serve a purpose other than providing homes, while still maintaining a neighborhood look and feel. The proposed zoning going from (R-1) to (R-2) and the proposed residential use is consistent with the Comprehensive Land Use Plan and adjacent zoning.

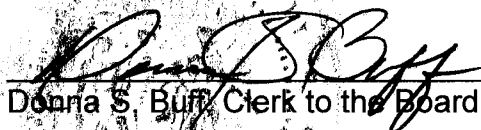
The Commission considers this action to be reasonable and in the public interest, based on: Planning Board recommendation and compatibility with existing land uses in the immediate area. Therefore, the map change request for Property parcel: 302626, is hereby approved, effective with the passage of this Resolution.

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



Chad Brown, Chairman

ATTEST:


Donna S. Buff, Clerk to the Board

GASTON COUNTY REZONING APPLICATION (Z22-11)

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):
Brandy Lewis	Brandy and Henry Lewis
Parcel Identification (PID):	Property Location:
302626	202 Humphry Blvd. Gastonia
Total Property Acreage:	Acreage for Map Change:
18.71 acres	18.71 acres
Current Zoning:	Proposed Zoning:
(R-1) Single Family Limited	(R-2) Single Family Moderate
Existing Land Use:	Proposed Land Use:
Residential	Residential

COMPREHENSIVE LAND USE PLAN
Area 2: Southwest Scenic
The Southwest Scenic area of the County has a large pocket of residential development southeast of Crowders Mountain State Park. Key issues for citizens in this area include: preservation of open space, road improvements and better connectivity to other areas of the County, preservation of existing conditions while allowing low to moderate growth, repurpose vacant buildings and facilities for new economic opportunities, increased commercial opportunities along existing major thoroughfares.
Comprehensive Plan future Land Use: Rural Community
Rural communities are areas in the largely Rural areas where there is a number of residential buildings on smaller lots, built closer to the roadway. These areas have a neighborhood look and feel.
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:
Access to the subject parcel is from a privately owned street

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

There are no funded transportation improvement projects on the CTP, the MTP, or the STIP. A copy of the comment letter from the GCLMPO is included in this packet.

STAFF SUMMARY

Prepared By: Jamie Mendoza Kanburoglu, Long Range Planner

The applicant is requesting a change in zoning so that she may build a new manufactured house for her son. 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). A copy of uses allowed in the (R-2) zoning district has been included with this staff report.

The proposed zoning change request from (R-1) to (R-2) is consistent with the Comprehensive Land Use Plan and the proposed residential use would be in harmony with the area.

PLANNING BOARD RECOMMENDATION

Scheduled Meeting Date: April 4, 2022

The Planning Board unanimously recommended approval of Z22-11 as the request is consistent with the Comprehensive Land Use Plan and is similar to adjacent zoning.

Attachments: Application, Uses allowed in (R-2), GCLMPO Comment Letter, 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**

Applicant

Planning Board (Administrative)

Board of Commission (Administrative)

ETJ

A. *APPLICANT INFORMATION

Name of Applicant: Brandy Lewis
(Print Full Name)

Mailing Address: 200 Humphrey Blvd Gastonia, NC 28052
(Include City, State and Zip Code)

Telephone Numbers: (704)2144138 (704)2144138
(Area Code) Business (Area Code) Home

Email: brandylewis18@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: Brandy Lewis
(Print Full Name)

Mailing Address: 200 Humphrey Blvd Gastonia, Nc 28052
(Include City, State and Zip Code)

Telephone Numbers: (704)2144138 (704)2144138
(Area Code) Business (Area Code) Home

Email: brandylewis18@gmail.com

C. PROPERTY INFORMATION

Physical Address or General Street Location of Property: 202 Humphrey Blvd Gastonia, Nc 28052

Parcel Identification (PID): 302626

Acreage of Parcel: 19 +/- Acreage to be Rezoned: 19 +/- Current Zoning: R1

Current Use: Home Residence Proposed Zoning: R2

D. PROPERTY INFORMATION ABOUT MULTIPLE OWNERS

Name of Property Owner: Brandy Lewis

Name of Property Owner: Henry Lewis

Mailing Address: 200 Humphrey Blvd
Gastonia, Nc 28052
(Include City, State and Zip Code)

Mailing Address: 200 Humphrey Blvd
Gastonia, Nc 28052
(Include City, State and Zip Code)

Telephone: (704)2144138
(Area Code)

Telephone: (704)2142895
(Area Code)

Parcel: 302626
(If Applicable)

Parcel: 302626
(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) 302626 hereby give Brandy Lewis consent to execute this proposed action.

 (Name of Applicant)

 (Signature) 3-16-2022

 (Signature) 3-16-2022

 (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.

Brandy Lewis 3-16-2022
 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: _____

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



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

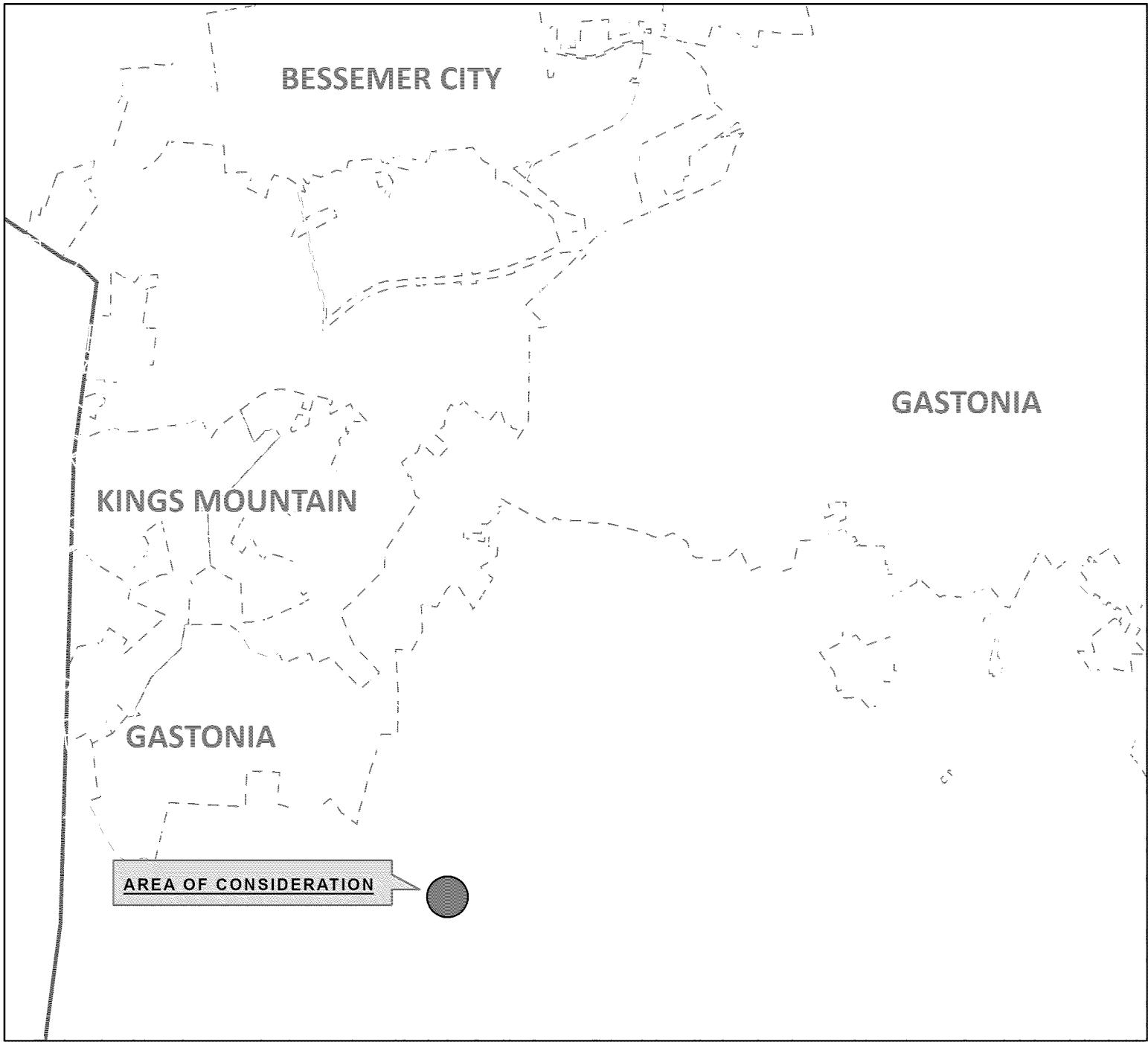
To: Jamie Kanburoglu, Long Range Planner Building and Development Services
From: Julio Paredes, Planner
Date: March 21, 2022
Subject: GCLMPO Rezoning Review – Z22-11 202 Humphrey Blvd

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 2050 Metropolitan Transportation Plan (MTP), and the current State Transportation Improvement Program (STIP).

The site is located at Humphrey Blvd, Gastonia, NC, 28052. PID: 302626. 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
BUILDING AND DEVELOPMENT SERVICES

VICINITY MAP
Z22-11

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 0.5 1 Miles







GASTON COUNTY
BUILDING AND DEVELOPMENT SERVICES

ORTHOPHOTO MAP Z22-11

LEGEND

-  Subject Area
-  Property Parcels

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

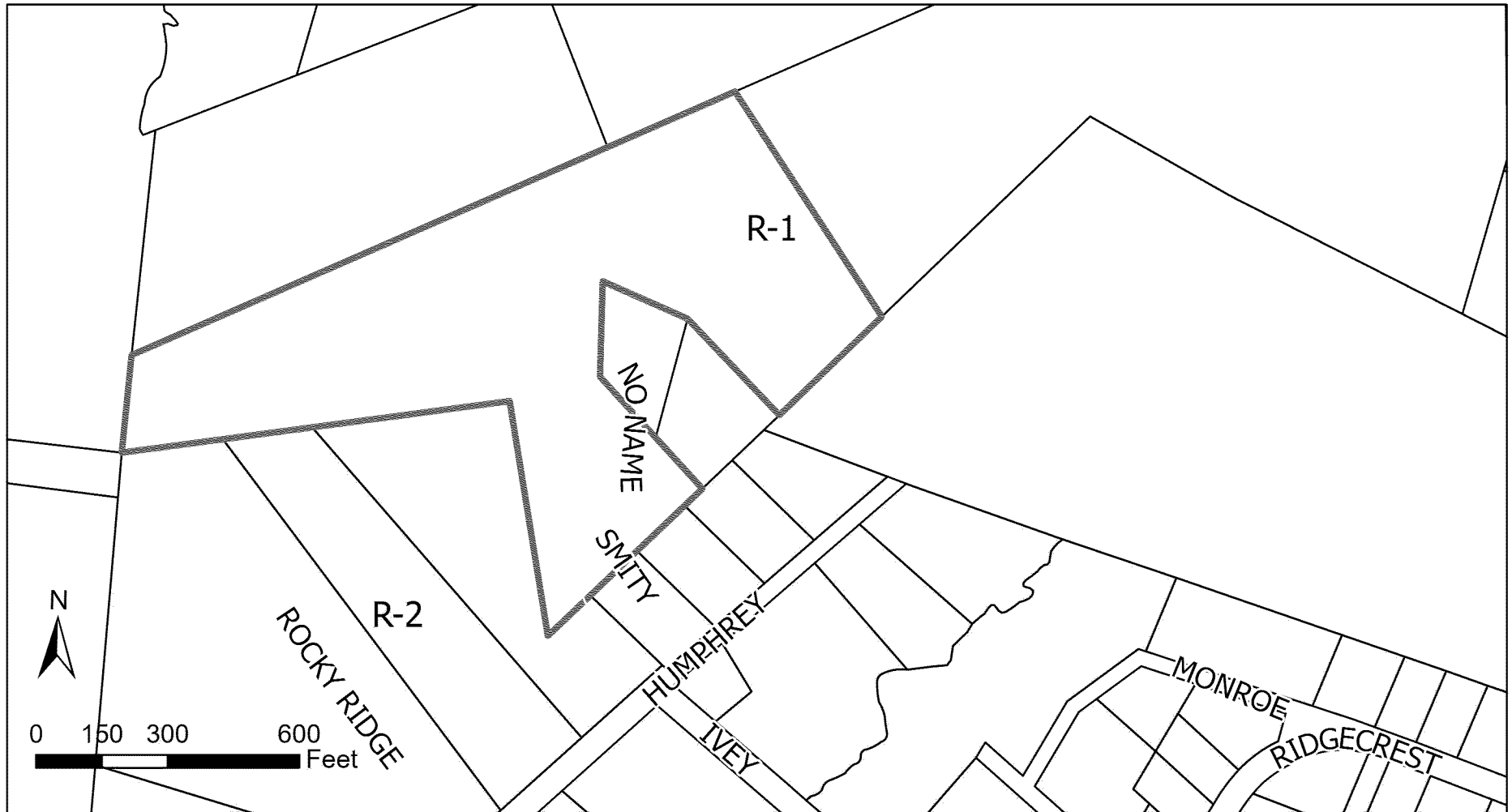
Property parcels, zoning, transportation, and other map information were compiled from one of more data layers. The data is periodically updated, however all data layers may not be displayed. Street names are subject to change.

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



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



ZONING REVIEW MAP




Application Z22-11
 Tax ID: 302626
 Request: General Rezoning
 From: (R-1)
 To: (R-2)

Map Date: 03/18/2022



Gaston County UDO

ZONE TYPE

-  R-1
-  R-2
-  Subject Parcel

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



ZONING REVIEW MAP

Application Z22-11
 Tax ID: 302626
 Request: General Rezoning
 From: (R-1)
 To: (R-2)

Map Date: 03/18/2022



Gaston County Overlays

TYPE

US OVERLAY

Gaston County UDO

ZONE TYPE

C-1

C-3

R-1

R-2

R-3

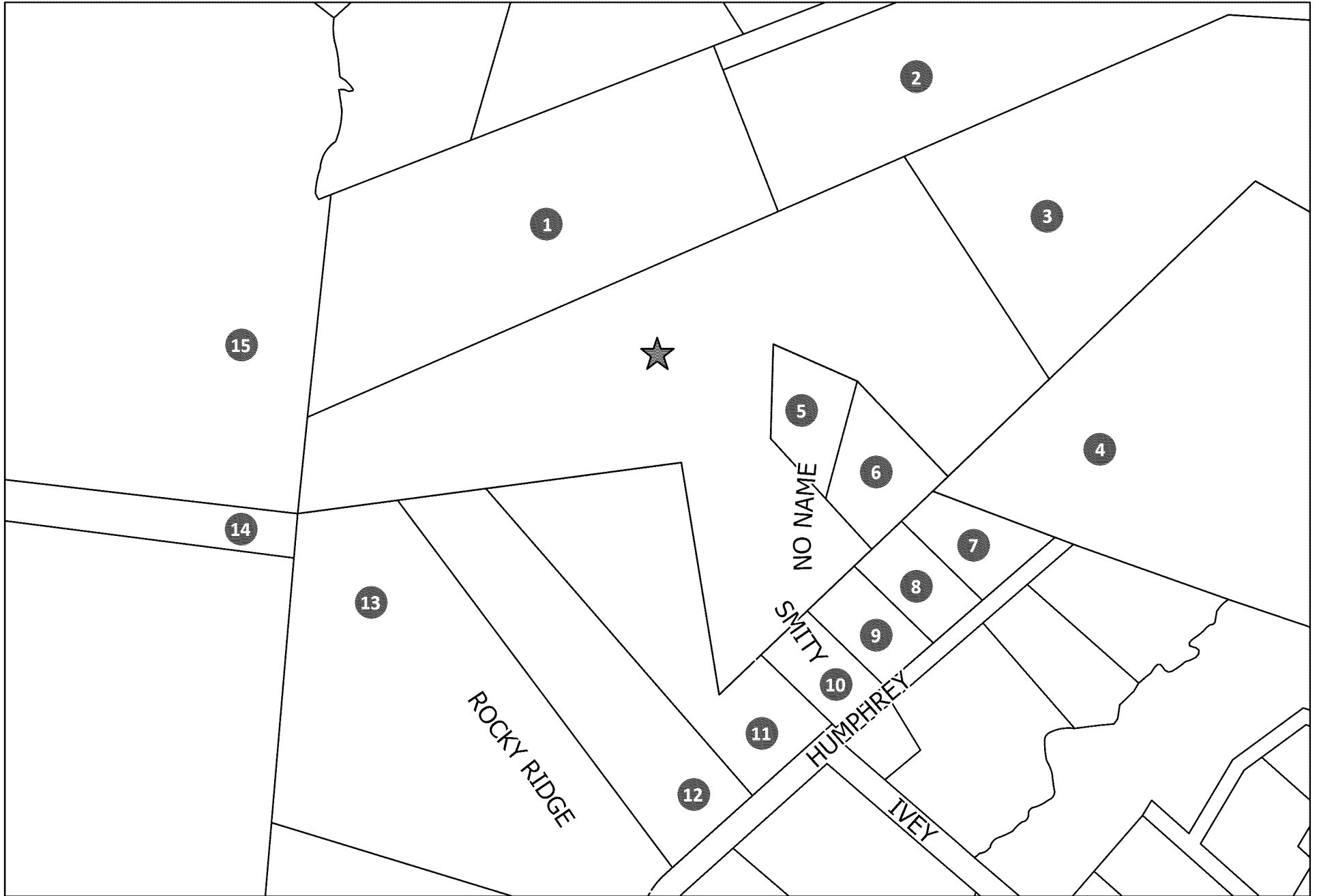
Subject Parcel

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Z22-11 Subject and Adjacent Properties Map
See reverse side or next page for listing of property owners.

★ SUBJECT PROPERTY

Z22-11 SUBJECT AND ADJECENT PROPERTY INFORMATION

NO:	PARCEL	NAME 1	NAME 2	ADDRESS 1	ADDRESS 2	CITY	STATE	ZIPCODE
*	302626	LEWIS BRANDY H	LEWIS HENRY E	200 HUMPHREY BLCD.		GASTONIA	NC	28052
1	155827	HUFFSTETLER ROBERT D LIFE EST&	HUFFSTETLER SARAH H LIFE EST	1010 LINWOOD RD		KINGS MOUNTAIN	NC	28086
2	155826	HAGANS LINDA E HEIRS	HAGANS JACK	5195 BATTLEGROUND AVE		KINGS MOUNTAIN	NC	28086
3	155825	HUFFSTETLER JASON DOUGLAS		5528 LEWIS RD		GASTONIA	NC	28052
4	218165	RINEHART NICOLE		5548 LEWIS RD		GASTONIA	NC	28054
5	202839	LEWIS BRANDY H	LEWIS HENRY E	200 HUMPHREY BLVD		GASTONIA	NC	28052
6	302625	LEWIS JOSEPH BLAKE		200 HUMPHREY BLVD		GASTONIA	NC	28052
7	156031	BLANTON GAIL H	BLANTON DAVID	104 HUMPHREY BLVD		GASTONIA	NC	28052
8	156030	BLANTON DAVID BRUCE	BLANTON GAIL H	104 HUMPHREY BLVD		GASTONIA	NC	28052
9	156029	HAMMONDS RONALD EUGENE	HAMMONDS SANDY BLANTON	118 HUMPHREY BLVD		GASTONIA	NC	28052
10	156028	HAMMONDS COREY JUSTIN		118 HUMPHREY BLVD		GASTONIA	NC	28052
11	156032	STOCKTON DANIEL E		204 HUMPHREY BLVD		GASTONIA	NC	28052
12	156267	MILLER DAVID B	MILLER ROBYN R	4514 TEKOA DR		GASTONIA	NC	28052
13	156059	NGUYEN HUNG DIHN	NGUYEN KATHY DO	533 ARMSTRONG PARK RD		GASTONIA	NC	28054
14	156027	MALDONADO MAIMO A	MALDONADO PAMELA	218 OLD WILLIS SCHOOL RD		DALLAS	NC	28034
15	155822	MILLER DAVID B	MILLER ROBYN R	4514 TEKOA DR		GASTONIA	NC	28052



Gaston County

Gaston County
Board of Commissioners
www.gastongov.com

Building and Development Services Board Action

File #: 22-147

Commissioner Keigher - Building & Development Services - Zoning Map Change: Z22-11 Brandy Lewis (Applicant); Property Parcel: 302626, Located at 202 Humphrey Blvd., Gastonia, NC, Rezone from the (R-1) Single Family Limited Zoning District to the (R-2) Single Family Moderate Zoning District

STAFF CONTACT

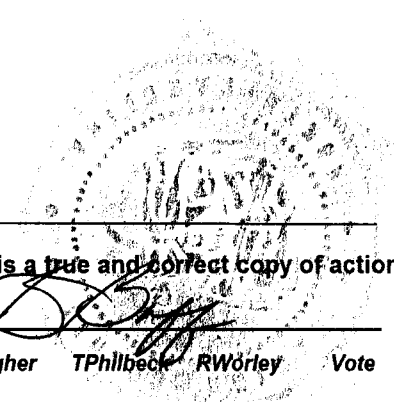
Joseph B. Sciba - Director - 704-866-3970

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. Brandy Lewis (Applicant); Rezone Parcel: 302626, 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 April 26, 2022 with Public Hearing comments being on file in the Board of Commission Clerk's Office. Planning Board recommendation was provided on April 4, 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	AFraley	BHovis	KJohnson	Tkeigher	TPhillbeck	RWorley	Vote
2022-096	04/26/2022	TP	TK	A	AB	A	AB	A	A	A	U

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