

**Planning Board Item IV- GENERAL PUBLIC HEARING INFORMATION (Rezoning – Z16-08)**  
**Board of Commissioners/Planning Board Public Hearing Date October 11, 2016**

**General Rezoning Application-Z16-08 for Parcel 192373**

Request: To rezone parcel number 192373 from the (C-1) Light Commercial Zoning District w/CH, SV, and US Overlays to (C-2) Highway Commercial Zoning District w/CH, SV, and US Overlays

Applicant: Jeffrey Scott Welch

Property Owner: Jeffrey Scott Welch

Mailing Address of Applicant: 5704 South New Hope Road, Belmont, NC 28012

**Site Information and Description of Area:**

General Location (see attached map): 5704 South New Hope Road, Belmont, NC 28012

Tax Parcel Number(s): 192373

Township: South Point Township

Current Use of Property: Auto Repair

Total Acreage in Parcel(s): .69

Acreage for Map Change: .69

General Area Zoning Districts: (C-1) Light Commercial, (C-3), General Commercial, (R-1) Single Family Limited, (USO) Urban Standards Overlay, (CH) Corridor Highway Overlay, (SV) Scenic View Overlay

**Zoning District Information:**

**Current Zoning District(s):**

**C-1 LIGHT COMMERCIAL**

The C-1 Light Commercial District is designed to accommodate a large variety of retail uses designed to meet the needs of individual neighborhoods, or other relatively small geographic areas. Stores and shopping complexes are therefore relatively small in size and are designed to be compatible and integrated with adjoining residential neighborhoods. This zoning district is not intended to accommodate retail uses which attract persons from outside the neighborhood or which attract large numbers of passing motorists.

(CH, SV, and USO Overlays-see attached)

**Proposed Zoning District:**

**C-2 HIGHWAY COMMERCIAL**

The C-2 Highway Commercial District is primarily intended to accommodate those retail service and distributive uses that are typically located along or adjacent to principal or minor arterials and which require high visibility, good road access, and which cater primarily to passing motorists. Development in this district is designed to promote aesthetics and the safe and efficient movement of traffic so as to not unduly burden adjacent thoroughfares. As larger and/or more intensive developments normally will create more significant impacts on adjoining neighborhoods and road and utility infrastructures, larger developments may be allowed in this zoning district. Most C-2 zoning districts will be located within the Urban Standards Overlay District.

(CH, SV, and USO Overlays-see attached)

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

**COMPREHENSIVE PLAN:**

Small Area Districts: Area 4: The Garden Gaston/Southeast of the Comprehensive Plan

Key Issues: road improvement and better connectivity to other areas of the county and region, another bridge crossing, the Catawba river, increase walkability and connectivity between communities, coordination amongst local governments, maintaining enhanced quality of life

**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

**Planning Board Item II- GENERAL PUBLIC HEARING INFORMATION (Rezoning – Z16-08)**  
**Board of Commissioners/Planning Board Public Hearing Date October 11, 2016**

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:** September 30, 2016

**MAIL NOTIFICATION:**

Notice of the hearing was sent to adjacent property owners on September 30, 2016. Comments, if any, from the notification will be provided during public hearing.

**INFORMATION ATTACHED:**

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

**TRANSPORTATION PLANNING INFORMATION:**

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

**STAFF CONTACT:**

Ron Smith, Development Services Planner (704-866-3072), email: [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

Phone: (704) 866-3195

Mailing Address: P.O. Box 1578, Gastonia, N.C. 28053-1578

Fax: (704) 866-3966

### GENERAL REZONING APPLICATION

Application Number: **Z16-08**

Applicant ☒

Planning Board (Administrative) ☐

Board of Commission (Administrative) ☐

ETJ ☐

#### A. \*APPLICANT INFORMATION

Name of Applicant: **Jeffrey Scott welch**

(Print Full Name)

Mailing Address: **5704 S. Newhope Rd Belmont, Nc 28012**

(Include City, State and Zip Code)

Telephone Numbers: **704-219-9292**

(Area Code) Business

**704-219-9292**

(Area Code) Home

*\* 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: \_\_\_\_\_

(Print Full Name)

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

(Include City, State and Zip Code)

Telephone Numbers: \_\_\_\_\_

(Area Code) Business

(Area Code) Home

#### C. PROPERTY INFORMATION

Physical Address or General Street Location of Property: **5704 South Newhope Rd Belmont Nc 28012**

Parcel Identification (PID): **192373**

Acreage of Parcel: **.69** +/- Acreage to be Rezoned: **.69** +/- Current Zoning: **C-1 w/ CH<sub>145</sub> overlay**

Current Use: **Auto Repair** Proposed Zoning: **C2 w/ CH<sub>145</sub> overlay**

#### D. PROPERTY INFORMATION ABOUT MULTIPLE OWNERS

Name of Property Owner: **Jeffrey Scott Welch**

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

Mailing Address: **5704 S. Newhope Rd Belmont Nc 28012**

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

(Include City, State and Zip Code)

(Include City, State and Zip Code)

Telephone: **704-219-9292**

(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 Jeffrey Scott Welch \_\_\_\_\_ consent to execute this proposed action.  
(Name of Applicant)

\_\_\_\_\_  
(Signature) 8-29-2016  
(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 29 day of August, 2016.

\_\_\_\_\_  
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

8/29/2016  
\_\_\_\_\_  
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: 8-29-16 Application Number: 216-08 Fee: \$500.00

Received by Member of Staff: RP Date of Payment: 8-29-16 Receipt Number: \_\_\_\_\_  
(Initials)

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

- ☐ COPY OF DEED  
☒ PAYMENT OF FEE

Date of Staff Review: 10/10/16 Date of Public Hearing: 10/11/16  
Planning Board Review: 10/11/16 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.

## **C2 HIGHWAY COMMERCIAL**

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

ABC Store; Amusement & Sporting Facility, indoor; Amusement Arcade; Animal Grooming Service for household pet, indoor kennels; Art Gallery; Auction House; Auditorium, Assembly Hall, Amphitheater, Community Center, <500 seats; Bail Bond; Baseball Hitting Range; Billiard Parlor; Bowling Lanes; Building Material & Lumber Sales; Business Services; Check Cashing Establishment, closed 12AM to 5AM; Cleaning & Maintenance Service; College / University; Contractor's Office & Operation Center; Crematorium; Day Care Center, Accessory; Distribution / Wholesale / Storage Operation; Electric, Heating, Air conditioning, Ventilating, Plumbing Supplies & Equipment Sales; Essential Services Class 1; Essential Services Class 4; Exterminators Office; Farm Supply Store, with outdoor storage; Farm Supply Store, without outdoor storage; Financial Institution (excluding principal use ATMs); Food Pantry; Food Store, 0-9,999 sqft GFA; Food Store, 10,000+ sqft GFA; Funeral Homes; Furriers; Game Room; Glass & Mirror Shop; Grooming Services; Gunsmith, Gun & Ammunition Sales; Hardware Store; Health Club, Spa Gymnasium (principal use); Laboratories – Dental, Medical; Lawn & Garden Center; Library; Medical Offices, 0-49,999sqft GFA; Medical Offices, 50,000-99,999sqft GFA; Monument Sales; Moving & Storage Facilities; Museum; Offices, excluding Medical, 0-49,999sqft GFA; Personal Business Services; Photo Finish Laboratory; Post Office; Recycling Deposit Station, accessory; School for the Arts; Sign Shop; Theater, indoor movie; Upholstery Shop

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

Adult Establishments; Animal Hospital, indoor kennel; Assisted Living Center; ATM (Automated Teller Machine); Automobile Body Shop; Automobile Detail Shop; Automobile Hobbyist; Automobile Repair Shop; Automobile Service Station; Automobile, Truck, Boat, Motorcycle, Manufactured Home, Recreational Vehicle Sales & Rental; Automobile Towing & Wrecker Service; Bona Fide Farms; Car Wash, Automatic; Car Wash, Self Service; Cemetery; Charitable Service Facility; Church / Place of Worship; Club, private (without adult entertainment); Convenience Store, closed 12AM to 5AM; Convenience Store, open up to 24 hours; Country Club; Day Care Center Class B; Day Care Center Class C; Dwelling, Mixed Use; Essential Services Class 2; Firing Range, indoors, principal use; Flea Market, indoor; Flex Space; Food Catering Facility; Fraternal & Service Organization Meeting Facility (non- or not- for profit), 0-9,999sqft GFA; Fraternal & Service Organization Meeting Facility (non- or not- for profit), 10,000+ sqft GFA; Golf Course, Golf Driving Range, Golf Miniature; Health & Behavioral Care Facility; Hotel or Full Service Hotel; Landfill, Beneficial Fill; Landfill, Land Clearing & Inert Debris, minor; Laundromat, closed 12AM to 5AM; Laundromat, open up to 24 hrs; Lounge / Nightclub; Machine, Metal, Wood Working, Welding Shop; Manufactured Goods, class 1; Maternity Home; Military Reserve Center; Nursery (Garden); Nursing Home, Rest Home; Paint Ball Facility; Park; Parking Lot; Planned Unit Development (PUD); Produce Stand; Race Track, small; Recreation Center & Sports Center; Recycling Deposit Station, principle use; Restaurant; Restaurant, with drive thru; Restaurant, within other facilities; Retail, 0-24,000sqft GFA; Retail, 25,000-49,999sqft GFA; Retail, 50,000-99,999sqft GFA; School, vocational; Shopping Center, 0-24,999 sqft GFA; Shopping Center, 25,000-49,999 sqft GFA; Shopping Center, 50,000-99,999sqft GFA; Stadium; Swimming Pool, Sales, Service & Supplies; Telecommunication Antennae & Equipment Buildings; Tire Sales, new or used; Warehouse, 0-99,999 sqft GFA; Warehouse, 100,000+ sqft GFA; Wood Waste Grinding Operation

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

Check Cashing Establishment, open up to 24 hrs; Fish Hatcheries; Marina, commercial; Offices, excluding medical, 50,000-99,999sqft GFA; Offices, excluding Medical, 100,000-199,999sqft GFA; Offices, excluding Medical, 200,000+ sqft GFA; Railroad Terminal & Yard; School, elementary & middle (public & private); School, senior high (public & private); Septic Tank Cleaning Service; Transit Station; Zoo

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

Amusement & Sporting Facility, Outdoor; Animal Hospital, indoor kennel; Animal Hospital, outdoor kennel; Animal Kennel; Animal Shelter; Auditorium, Assembly Hall, Amphitheater, Community Center, 500 or more seats; Automobile Service Station; Automobile Towing & Wrecker Service; Body Piercing Establishment & Tattoo Parlor; Bus & Train Terminal, Passenger; Camping & RV Park; Car Wash, Self Service; Club, Private (without adult entertainment); Continuing Care Facility; Correctional Facility; Farmers Market; Firing Range, Indoors, principal use; Flea Market, Outdoor; Food Catering Facility; Fraternal & Service Organization Meeting Facility (non- or not- for profit), 0-9,999sqft GFA; Fraternal & Service Organization Meeting Facility (non- or not- for profit), 10,000+ sqft GFA; Landfill, LCID, major; Lounge / Nightclub; Mini-Warehouse; Motel; Park; Race Track, large; Restaurant, with drive thru; Retail, 100,000+sqft GFA; Riding Stables; Rodeo / Accessory Rodeo; Shopping Center, 100,000+sqft GFA; Stadium; Telecommunication Tower & Facilities; Warehouse, 100,000+sqft GFA

### **(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 Unit Development (PUD)

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

### **(9) By Special exception with supplemental regulations: None**



#### **6.3.4 SV SCENIC VIEW OVERLAY DISTRICT**

The purpose of the SV District is to protect the scenic views from within the Daniel Stowe Botanical Garden. Gaston County hereby finds that the Daniel Stowe Botanical Garden has become a major asset to economic development, tourism, recreation, and natural resource conservation for Gaston County and the surrounding region. In order to preserve and enhance the natural scenery fostered by the Botanical Garden and enjoyed by visitors to the Garden, Gaston County finds it necessary to control the height of structures within the view from the Garden. Gaston County also finds that the erection of tall structures in areas within view of the Botanical Garden can result in the degradation of its natural scenic views and thus reduce its attraction as a natural scenic area and a retreat from urban development.

#### **6.3.5 TH THOROUGHFARE HIGHWAY OVERLAY DISTRICT**

The TH district has been created to insure that development that takes place along designated thoroughfares be well planned. At some point in the future, widening or construction of these roads will take place. In order to minimize any negative impacts to adjoining property owners occurring as a result of such widening projects, the TH district has been created to require that all new structures lying on properties along these roads be adequately set back from existing and/or projected road rights-of-way. In this manner, all structures built per the TH district requirements will be adequately set back from the road when it is widened. The thoroughfare roads are shown on the adopted Thoroughfare Map, not the official Zoning Map. This thoroughfare is addressed when a development is submitted for review.

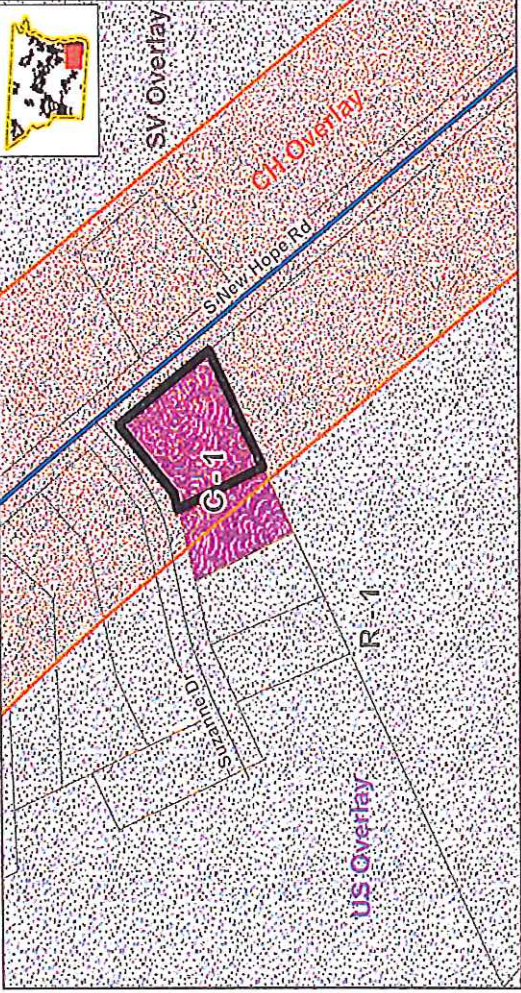
#### **6.3.6 USO URBAN STANDARDS OVERLAY DISTRICT**

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.

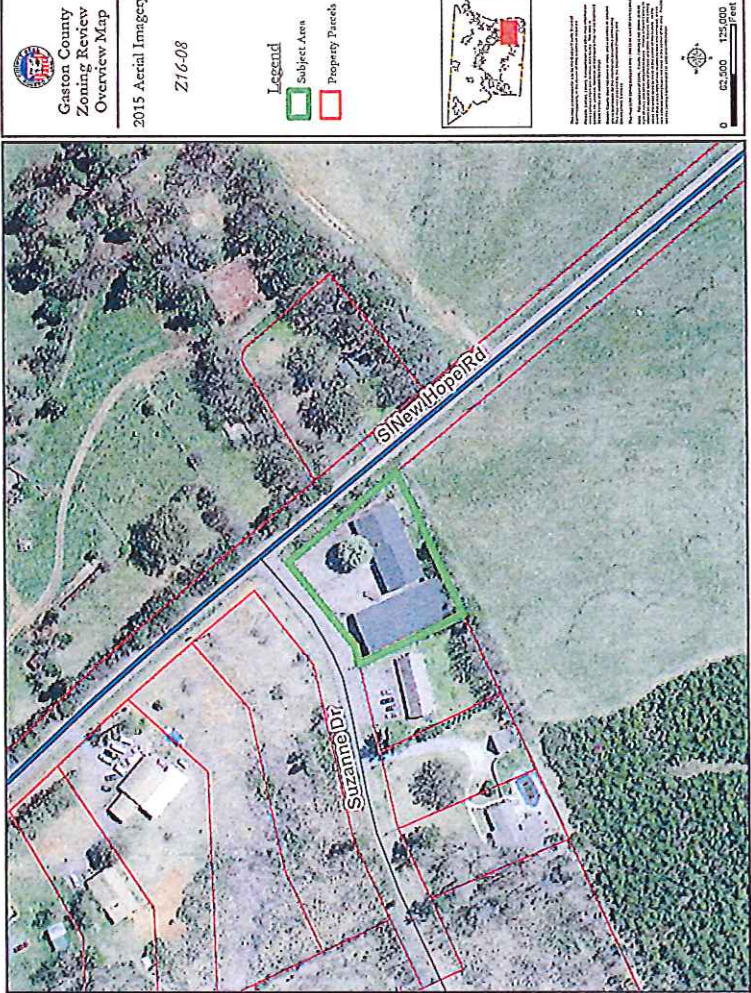
**Note:** If any portion of the subject property is within the USO, then the entire property shall be developed in accordance with USO standards.

FOR DISPLAY PURPOSES ONLY - NOT TO BE USED FOR CONVEYANCE



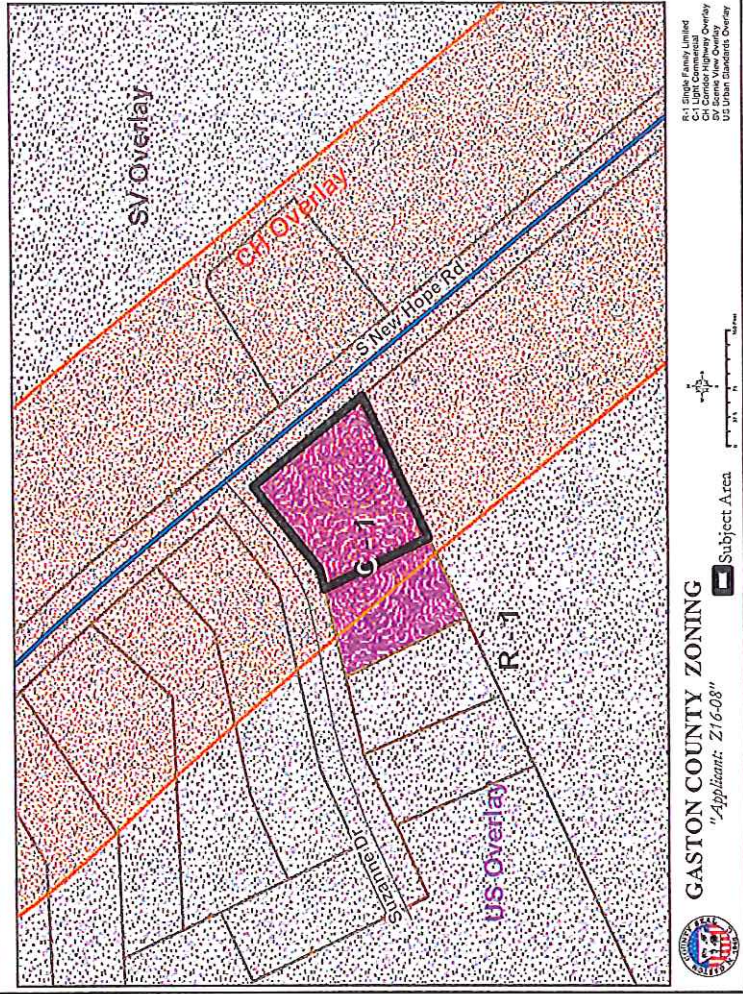
**GASTON COUNTY ZONING REVIEW MAP**  
R-1 Single Family Limited  
C-1 General Commercial  
USO Urban Standards Overlay  
CH Corridor Highway Overlay  
SV Scenic View Overlay

Applicant: Z 16-08  
Tax Id: 192373  
Existing Zoning: C-1 w/CH, SV & US Overlays  
Proposed Zoning: C-2 w/CH, SV & US Overlay  
Map Date: 8/30/2016



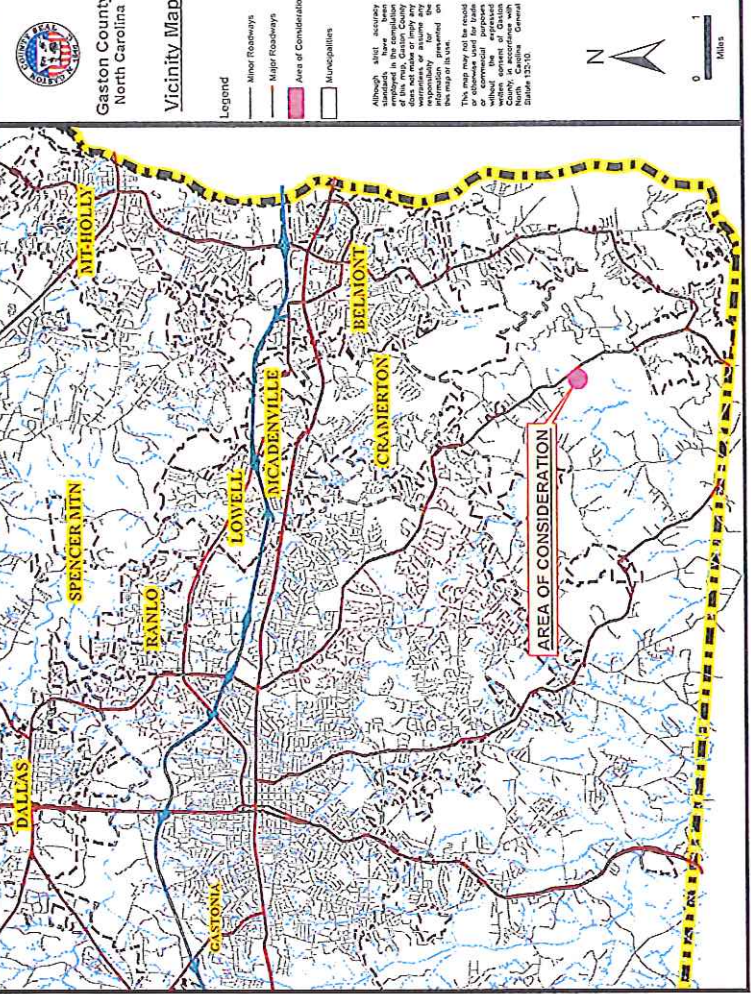
**Gaston County Zoning Review Overview Map**  
2015 Aerial Imagery  
Z16-08

Legend  
Subject Area  
Property Tracts



**GASTON COUNTY ZONING**  
"Applicant: Z16-08"

R-1 Single Family Limited  
C-1 Urban Commercial  
USO Urban Standards Overlay  
CH Corridor Highway Overlay  
SV Scenic View Overlay



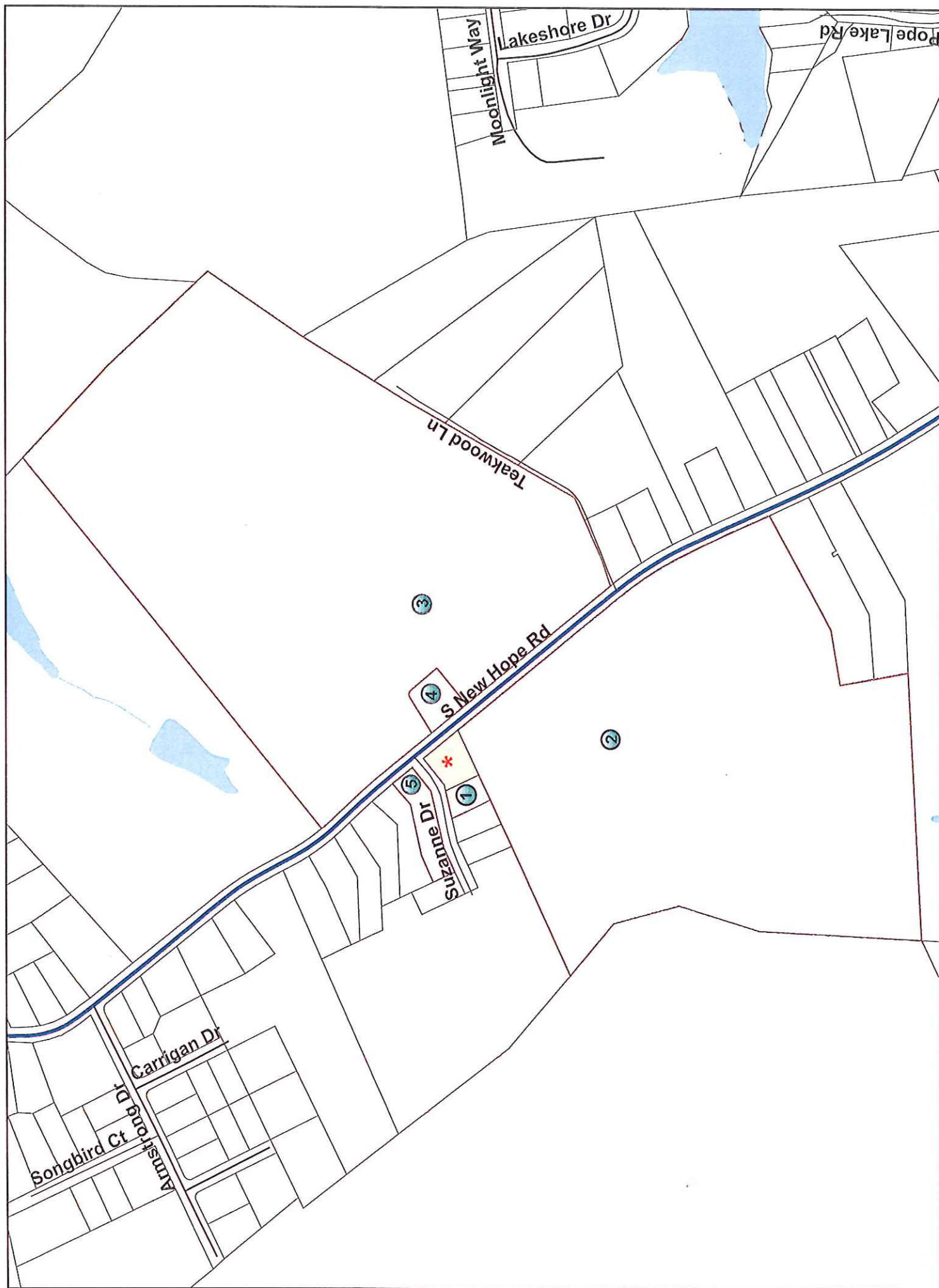
**Gaston County North Carolina**  
**Vicinity Map**

Legend  
Minor Roadways  
Major Roadways  
Area of Consideration  
Municipalities

Although this vicinity map is intended to provide a general overview of the subject property and its surroundings, it does not constitute a survey or any other legal document. The user assumes all responsibility for the accuracy of the information shown on this map.

This map may not be used for any other purpose without the express written permission of Gaston County. It is provided as a courtesy and is not to be used for any other purpose.

Scale: 1 inch = 1 mile  
North Arrow



Z16-08 - SEE REVERSE SIDE FOR ADJACENT OWNER LISTING

# ADJACENT OWNERS - CASE Z16-08

NO:	PARCEL	OWNER NAME	OWNER NAME 2	ADDRESS	CITY	STATE	ZIP
*	192373	WELCH JEFFERY S		10037 SOUTHMOOR LN	FORT MILL	SC	29707-9117
1	192375	KING ROBERT B	KING VONDA J	4409 LENOX HILL PL	CHARLOTTE	NC	28269-8181
3	218721	CAMPBELL JACQUELIN M		382 PAMELA ST	GASTONIA	NC	28054
2	192377	PINNACLE FARMS LLC		5910 S NEW HOPE RD	BELMONT	NC	28012-8776
4	192380	EURY MARK E	EURY RENITA	5709 S NEW HOPE RD	BELMONT	NC	28012-8773
5	213332	A G KOUTSOUPIAS INC		202 MARKET STREET STE G	CRAMERTON	NC	28032-0000