



TITLE: ZONING MAP CHANGE: REZ-24-06-05-00182, JONATHAN WILEY (APPLICANT); PROPERTY PARCEL: 166759, LOCATED AT 2235 PHILADELPHIA CHURCH RD., DALLAS, 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 July 23, 2024, by the County Commission, to take citizen comments into a map change application, as follows:

Tax Parcel Number(s): 166759
Applicant(s): Jonathan Wiley
Owner(s): Victory Hill Baptist Church
Property Location: 2235 Philadelphia Church Rd., Dallas
Request: Rezone 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 request for parcel 166759, located at 2235 Philadelphia Church Rd., Dallas, NC, to be rezoned from the (R-1) Single Family Limited Zoning District to the (R-2) Single Family Moderate Zoning District on July 1, 2024, based on: staff recommendation; and the request is reasonable and in the public interest and is consistent with the goals of the Comprehensive Land Use Plan as it will keep the parcel residential in nature as envisioned by the rural future land use designation. Rural areas are characterized by plenty of open space along with farmstead-style housing and agribusiness.

Motion: Magee Second: Marcantel Vote: Unanimous
Aye: Brooks, Crane, Harris, Horne, Magee, Marcantel, Vinson
Nay: None
Absent: Houchard, Hurst, Sadler
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	CCloninger	AFrale	BHovis	KJohnson	TKelgher	RWofley	Vote
2024-277	08/27/2024	TK	RW	N	N	N	N	N	N	N	0 - 7

(DISAPPROVED)

DISTRIBUTION:
Laserfiche Users

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

Zoning Map Change: REZ-24-06-05-00182, Jonathan Wiley (Applicant); Property Parcel: 166759, Located at 2235 Philadelphia Church Rd., Dallas, NC, Rezone from the (R-1) Single Family Limited Zoning District to the (R-2) Single Family Moderate Zoning District

Page 2

WHEREAS, the Unified Development Ordinance allows the Planning Board and the Board of Commissioners to do one of the following:

- a. Grant the rezoning as requested.
- b. Grant the rezoning with a reduction of the area requested.
- c. Grant the rezoning to a more restrictive general zoning district or districts.
- d. Grant the rezoning with a combination of Subsections (b) and (c) above.
- e. Deny the rezoning.

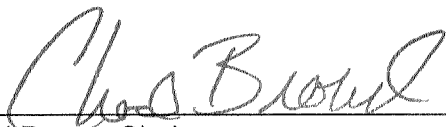
NOW, THEREFORE, BE IT ORDAINED by the Gaston County Board of Commissioners, upon consideration of the map change application, public hearing comment and recommendation from the Planning Board and Planning staff, finds:

- 1) The map change request **is not consistent** with the County's approved Comprehensive Land Use Plan. It is inconsistent with the goals of the Comprehensive Land Use Plan as it will allow for additional commercial uses that are not allowed in the existing zoning district. The future land use of this parcel is Rural which is characterized by plenty of open space along with farmstead-style housing and agribusiness.

The Commission considers this action to be **not reasonable** and in the public interest, based on: incompatibility with existing land uses in the immediate area. Therefore, the map change request for Property parcel: 166759, is hereby **disapproved**.

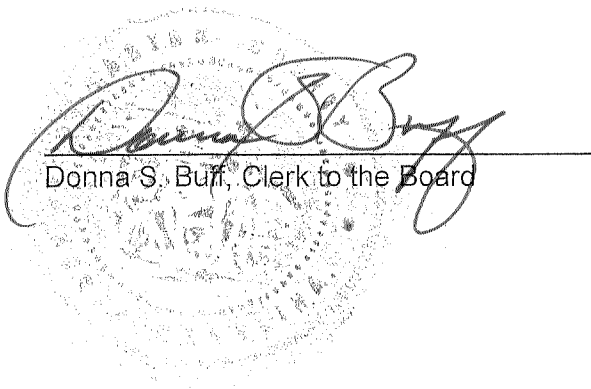
The motion to approve failed to carry by a unanimous vote.

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



Chad Brown, Chairman
Gaston County Board of Commissioners

ATTEST:



Donna S. Buff, Clerk to the Board

GASTON COUNTY REZONING APPLICATION REZ-24-06-05-00182

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):

Jonathan Wiley

Property Owner(s):

Victory Hill Baptist Church

Parcel Identification (PID):

166759

Property Location:

2235 Philadelphia Church Rd.

Total Property Acreage:

2.68

Acreage for Map Change:

2.68

Current Zoning:

(R-1) Single Family Limited

Proposed Zoning:

(R-2) Single Family Moderate

Existing Land Use:

Church

Proposed Land Use:

Church and Residential

COMPREHENSIVE LAND USE PLAN

Area 2: North 321 Gaston

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, more transportation alternatives, preservation of agriculture and maintaining the rural “feel” of the community, steer development towards existing infrastructure and areas immediately surrounding towns and cities

Comprehensive Plan Future Land Use: Rural

Rural areas are characterized by plenty of open space along with farmstead-style housing and agribusiness. Residential homes are located on larger lots. This is the default use designation for Gaston 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)

No comments from the following departments:

- Gaston Emergency Medical Services (GEMS)
- Building Inspections
- Site Plan Review

Environmental Health stated that the property owner has made an application for an Improvement Permit (septic permit) on 6/19/24. Working on soil evaluations.

Natural Resources stated they would need to complete a single lot form prior to beginning any work.

The GCLMPO has provided their comment letter. There are no funded transportation improvement projects near this site on STIP, the MTP, or the CTP. The letter is included with this report.

STAFF SUMMARY

Prepared By: Jamie Mendoza Kanburoglu, Long Range Planner

This property is in the northern region of the county. Philadelphia Church Rd. has a mix of single-family homes, two-family homes (duplexes), and commercial uses. This property is owned by Victory Hill Baptist Church, along with three properties on the opposite side of Philadelphia Church Rd.

The applicant is Jonathan Wiley, the pastor of Victory Hill Baptist Church, and he is authorized to carry out business on behalf of the church, as shown in the Authorization Letter Attachment. The church is looking to grow its church campus by providing a parsonage for the pastor. Churches, as a use, are allowed in every zoning district with supplemental regulations. The purpose of this rezoning is to change the allowed types of residential homes on the property. The property owner purchased the lot in 1978.

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).

PLANNING BOARD MEETING DATE

The Planning Board met on July 1, 2024, and unanimously recommended approval of the request.

Attachments: Application, Authorization Letter, Maps, GCLMPO Letter, List of allowed used in the (R-2) zoning district



GASTON COUNTY PLANNING BOARD

Statement of Consistency

In considering the general rezoning case REZ-24-06-05-00182, the planning board finds:

1. This is a reasonable request and in the public interest; and
2. It is consistent with the goals of the comprehensive land use plan as it will keep the parcel residential in nature as envisioned by the rural future land use designation. Rural areas are characterized by plenty of open space along with farmstead-style housing and agribusiness.

These findings are supported by a 7-0 vote by the Gaston County Planning Board during its July 1, 2024 meeting.



GASTON COUNTY

2E2-00182

Department of Building & 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: REZ-

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

A. *APPLICANT INFORMATION

Name of Applicant: Victory Hill Baptist Church (Jonathan Brat Wiley)
(Print Full Name)

Mailing Address: PO Box 638 Dallas, NC 28034
(Include City, State and Zip Code)

Telephone Numbers: 704-922-7161 304-993-0809
(Area Code) Business (Area Code) Home

Email: vhbc.offices@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: Victory Hill Baptist Church Jonathan Wiley
(Print Full Name)

Mailing Address: PO Box 638 Dallas, NC 28034
(Include City, State and Zip Code)

Telephone Numbers: 704-922-7161 304-993-0809
(Area Code) Business (Area Code) Home

Email: vhbc.offices@gmail.com

C. PROPERTY INFORMATION

Physical Address or General Street Location of Property: 2235 Philadelphia Church Rd.
Dallas, NC 28034

Parcel Identification (PID): 166759

Acreage of Parcel: 2.68 +/- Acreage to be Rezoned: 2.68 +/- Current Zoning: R1

Current Use: Church Proposed Zoning: R2

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) 166759 hereby give Jonathan Wiley (Name of Applicant) consent to execute this proposed action.

[Signature]
(Signature)

6/5/24
(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]
(Signature of Property Owner or Authorized Representative)

6/5/24
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
☐ NOTARIZED AUTHORIZATION

- ☐ COPY OF DEED
☐ PAYMENT OF FEE

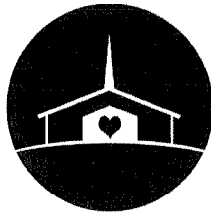
Date of Staff Review: _____ Date of Public Hearing: _____

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.



VICTORY HILL BAPTIST CHURCH

2300 Philadelphia
Church Road Dallas,
NC 28034

vhbcoffices@gmail.com
(704)922-7161
jbretwiley@gmail.com
(304)993-0809

Sunday School
9:30a.m.

Sunday Morning Service
10:30a.m.

Sunday Evening
5:00p.m.

Wednesday Service
7:00p.m.

Pastor J. Bret Wiley

*"Unto him be glory
in the church by
Christ Jesus
throughout all ages,
world without end.
Amen."*

Ephesians 3:21

June 5, 2024

To whom it may concern:

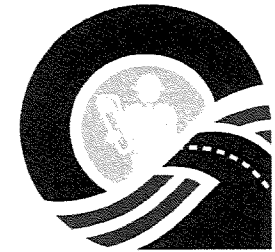
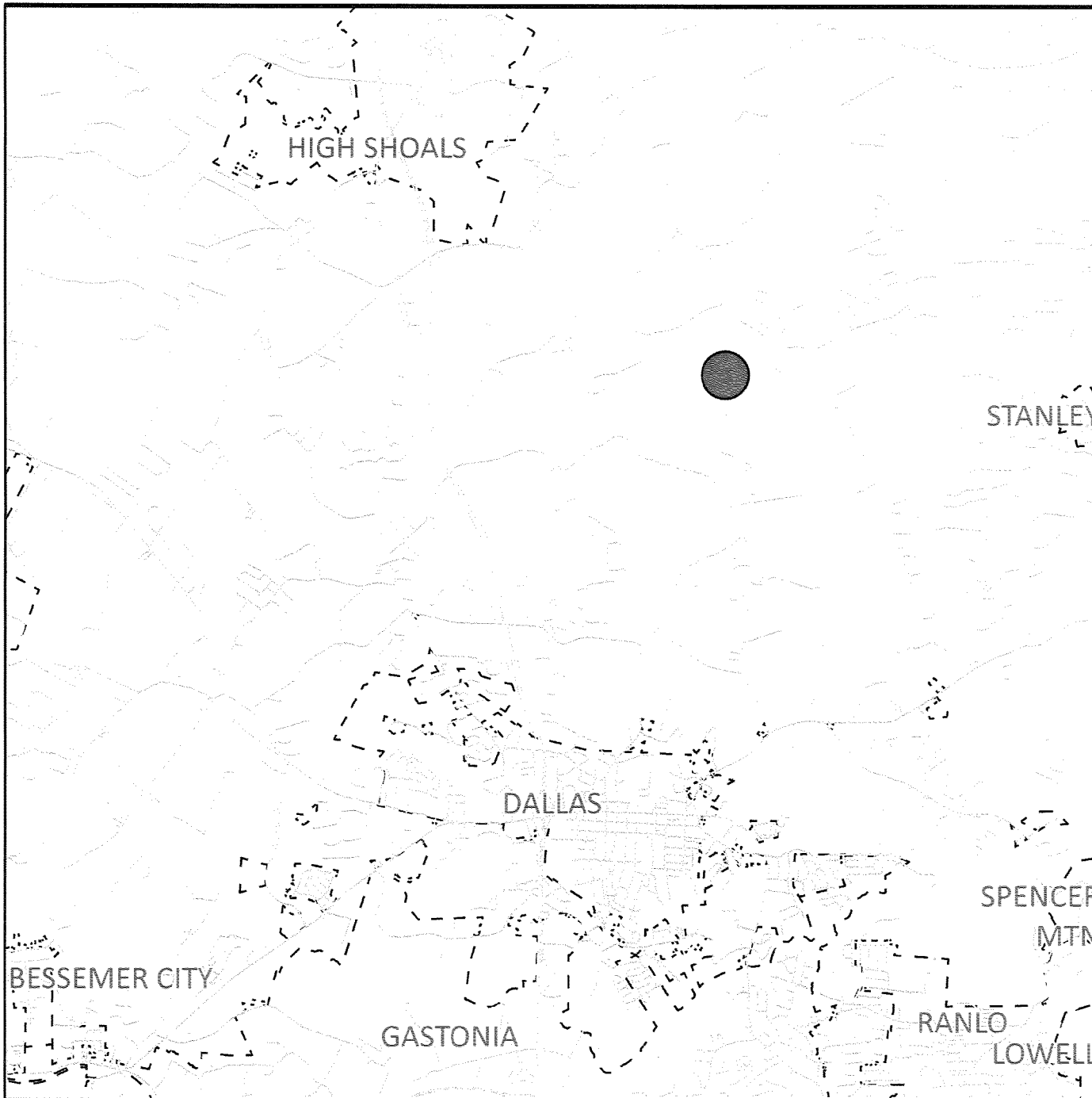
As of March 2023, Jonathan Bret Wiley became pastor of
Victory Hill Baptist Church and is authorized by the church and trustees
to carry out business, make financial decisions, and sign
on the church's behalf.

Regards,
Sandy Brest
Church Secretary
704.718.4782

Uses Allowed in the (R-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




Animal Grooming Service for household pet (indoor kennels)	SP	Dwelling, Manufactured Home Class A		X	Manufactured Home Park	Es	Es	Restaurant, within other facilities	Xs	Xs
Animal Hospital (Outdoor kennel)	SPs	Dwelling, Manufactured Home Class C	Es	Es	Marina, Accessory	Xs	Xs	Riding Stables		SPs
Animal Hospital, (Indoor kennel)	SPs	Dwelling, Manufactured Home Class D	Es	Es	Marina, Commercial	CD	SP	Rodeo / Accessory Rodeo		SPs
Animal Kennel	SPs	Dwelling, Single Family	X	X	Maternity Home	Xs/ SPs	Xs/SPs	School for the Arts		SP
Automobile Hobbyist	Xs	Dwelling, Two Family	Xs	Xs	Military Reserve Center		SPs	School, Elementary & Middle (public & private)	Xs	Xs
Bed and Breakfast Inn	SPs	Essential Services Class 1	X	X	Museum	SP	SP	School, Senior High (public & private)	Xs	Xs
Bona Fide Farms	Xs	Essential Services Class 2	Xs	Xs	Nursery (Garden)		SPs	Small House Community	SP	SP
Botanical Garden	Xs	Essential Services Class 3		SP	Nursing Home, Rest Home		SPs	Special Events Facility	SPs	SPs
Camping and Recreational Vehicle Park	SPs	Essential Services Class 4	Xs/SPs	Xs/SPs	Paint Ball / Laser Tag Facility	SPs	SPs	Special Events Facility, Accessory	SPs	SPs
Cemetery	SPs	Family Care Home	Xs/SPs	Xs/SPs	Park	Xs/SPs	Xs/SPs	Stadium	Xs/SPs	Xs/SPs
Church / Place of Worship	Xs	Flex Space	Xs	Xs	Parking Lot	SPs	SPs	Taxidermy	X	X
College / University	SP	Fraternal & Service Organization Meeting Facility (non- or not-for profit), 0 - 9,999sqft GFA	SPs	SPs	Planned Residential Development (PRD)	Xs/CDs	Xs/CDs	Telecommunication Antennae & Equipment Buildings	Xs	Xs
Conference / Retreat / Event Center	SPs	Fraternal & Service Organization Meeting Facility (non- or not-for profit), 10,000+sqft GFA		SPs	Planned Unit Development (PUD)		Xs/CDs	Telecommunication Tower & Facilities	SPs	SPs
Continuing Care Facility	SPs	Golf Course; Golf Driving Range; Golf Miniature	SPs	SPs	Private Residential Quarters (PRQ)	Xs	Xs	Tourist Home	X	X
Country Club	SPs	Group Home		Xs	Produce Stand	Xs	Xs	Tower and/or Station, Radio & Television Broadcast	SPs	SPs
Day Care Center, Class A	Xs	Home Occupation, Customary	Xs	Xs	Recreation Center and Sports Center	SPs	SPs	Traditional Neighborhood Development (TND)	Xs/CDs	Xs/CDs
Day Care Center, Class B	Xs/SPs	Home Occupation, Rural	Xs	Xs	Recycling Deposit Station, accessory	X	X	Wood Waste Grinding Operation	SPs	SPs
Day Care Center, Class C	SPs	Library	SP	SP	Recycling Deposit Station, principal use	SPs	SPs	Zoo	SP	SP



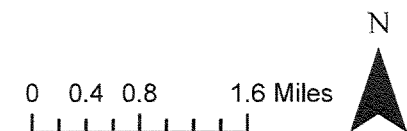
GASTON COUNTY
BUILDING AND DEVELOPMENT SERVICES

VICINITY MAP
REZ-24-06-05-00182

LEGEND

-  Roads
-  Municipalities
-  Subject Parcel(s)

The information provided on this map is not intended to be considered as a legal document or description. This map is believed to be accurate but Gaston County does not guarantee its accuracy. 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 NCGS 132-10.





ZONING MAP

REZ-24-06-05-00182

LEGEND

Subject Parcel

Roads

Parcels

ZONE TYPE

C-1

R-1

R-2

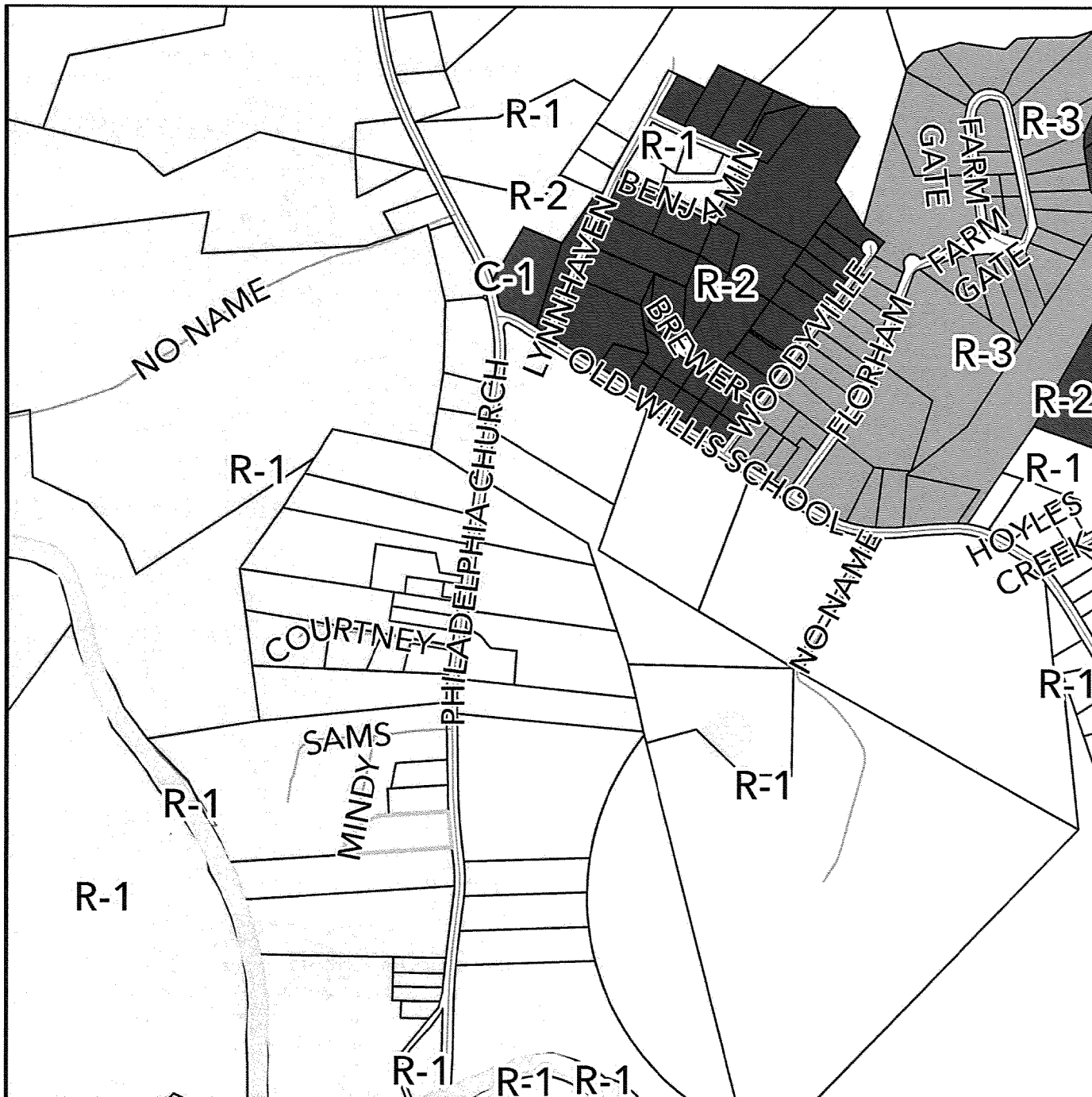
R-3

Rivers

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0 0.05 0.1 0.2 Miles





GASTON COUNTY
BUILDING AND DEVELOPMENT SERVICES
ORTHOPHOTO MAP
REZ-24-06-05-00182

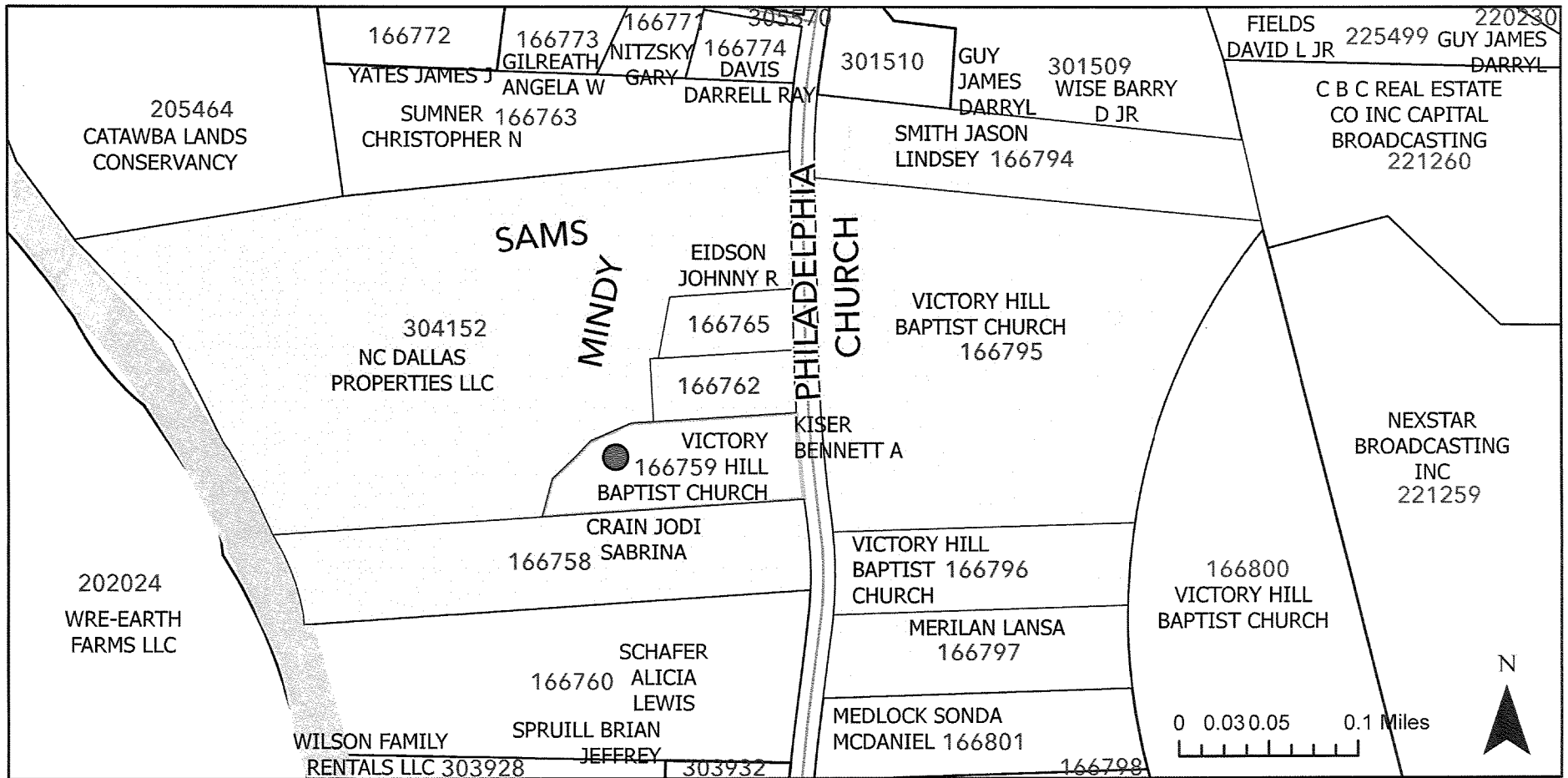
LEGEND

-  Subject Parcel
-  Roads
-  Parcels
-  Rivers

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SUBJECT & ADJACENT PROPERTIES MAP | REZ-24-06-05-00182

LEGEND

● Subject Parcel(s)

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Post Office Box 1748
Gastonia, North Carolina 28053
Phone (704) 866-6837

150 South York Street
Gastonia, North Carolina 28052
Fax (704) 869-1960

Memorandum

To: Jamie Mendoza Kanburoglu, Director of Planning and Zoning, Building and Development Services
From: Julio Paredes, AICP, Planner, Gaston—Cleveland—Lincoln MPO
Date: June 21st, 2024
Subject: TRC Review – Philadelphia Church Rd—GCLMPO Comments

Thank you for the opportunity to provide transportation comments on a propose rezoning located within the Gaston-Cleveland-Lincoln Metropolitan Planning Organization (GCLMPO) geographic area. My comments are based on the review of the site in accordance with the adopted Comprehensive Transportation Plan (CTP), the adopted 2050 Metropolitan Transportation Plan (MTP), and the current State Transportation Improvement Program (STIP).

1. The proposed development is located at PID: 166759
 - A. According to the 2020-2029 STIP, there are no funded transportation improvement projects in the immediate vicinity of this site.
 - B. Neither the GCLMPO 2050 Highway MTP nor Highway CTP include any proposed improvements to any streets adjacent to the subject property.
 - C. 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

Gaston County
Board of Commissioners
www.gastongov.com

Building and Development Services

Board Action

File #: 24-315

Commissioner Cloninger - Building & Development Services - Zoning Map Change: REZ-24-06-05-00182, Jonathan Wiley (Applicant); Property Parcel: 166759, Located at 2235 Philadelphia Church Rd., Dallas, NC, Rezone from the (R-1) Single Family Limited Zoning District to the (R-2) Single Family Moderate Zoning District

STAFF CONTACT

Jamie Kanburoglu - Director of Planning and Zoning - 704-862-5510

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. Jonathan Wiley (Applicant); Property Parcel: 166759, Located at 2235 Philadelphia Church Rd., Dallas, NC, Rezone 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 July 23, 2024, with public hearing comments being on file in the Board of Commission Clerk's Office. Planning Board recommendation was provided on July 1, 2024, 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

Ordinance, Staff Report, Application Packet, Maps, and GCLMPO Comments

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	CCloninger	AFraley	BHovis	KJohnson	TKeigher	RWorley	Vote
2024-277	08/27/2024	TK	RW	N	N	N	N	N	N	N	0 - 7

DISTRIBUTION:

Laserfiche Users

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