

Planning Board Item III – GENERAL PUBLIC HEARING INFORMATION (Z18-10)
Board of Commissioners / Planning Board Public Hearing Date October 23, 2018

General Rezoning Application Z18-10

Request: To rezone property parcels 220416 and 165013 from the (R-1) Single Family Limited Zoning District to the (R-3) Single Family General Zoning District

Applicant(s): Shelia H. Ballard

Property Owner(s): Shelia H. Ballard & Others, Myra Elaine Dennis

Mailing Address of Applicant: P.O. Box J, Catawba, N.C. 28609

Site Information and Description of Area

General Location: 350 & 344 Ballard Rd.

Parcel ID(s): 220416, 165013

Total Property Acreage: 220416 (27.44 ac) + 165013 (1.98 ac) = 29.42 ac

Acreage for Map Change: 29.42 ac

Current Zoning District(s): (R-1) Single Family Limited

General Area Zoning District(s): (R-1) Single Family Limited, (R-2) Single Family Moderate, (C-1) Light Commercial

Zoning District Information

Current Zoning District:

(R-1) Single Family Limited – The purpose of this district is to accommodate single family site built and modular construction. The minimum lot size allowed in this district will be dependent on the provision of public or community water and sewer facilities. Although areas may be served with such utilities, most of these areas are located beyond existing or anticipated utility service coverage areas. The minimum lot size for residential uses in this district is therefore larger than in other residential zoning districts.

Proposed Zoning District:

(R-3) Single Family General – The purpose of this district is to accommodate single family site built and modular construction and double-wide and single-wide manufacture home placement. The minimum lot size allowed in this district will be dependent on the provision of public or community water and sewer facilities. Although areas may be served with such utilities, most of these areas are located beyond existing or anticipated utility service coverage areas. The minimum lot size for residential uses in this district is therefore larger than in other residential zoning district.

Comprehensive Land Use Plan (Small Area District)

Area 3: Riverfront Gaston / Northeast Gaston (Stanley, Mt. Holly, and surrounding area)

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

Comprehensive Plan Future Land Use: Rural

It is staff’s opinion that the request is consistent with the Comprehensive Land Use Plan.

Technical Review Committee TRC

The request was reviewed by the TRC for comment and general compliance with applicable regulations and provisions. The TRC 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 Organization (GCLMPO), County Fire Marshall, et cetera, which review all land use proposals and site plans requiring Planning Board approval and/or public hearing process.

Notification

Notice of public hearing was advertised in the Gaston Gazette in accordance with County policy.

Zoning Sign Placement

October 12, 2018

Information Attached

Rezoning application; zoning district uses (current and proposed); zoning/subject area maps, aerial map, vicinity map, and adjacent property map and property owner list.

Transportation Planning Information

Provided by Gaston Cleveland Lincoln Metropolitan Planning Organization (GCLMPO)

Staff Contact

Sarah Carpenter Penley, Development Services Planner, (704)866-3530 or sarah.penley@gastongov.com



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** 18-10

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

A. *APPLICANT INFORMATION

Name of Applicant: Shelia H Ballard
(Print Full Name)

Mailing Address: P.O. Box J, Catawba NC 28609
(Include City, State and Zip Code)

Telephone Numbers: (828)994-7342 (828)241-3451
(Area Code) Business (Area Code) Home

Email: _____

** 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

Email: _____

C. PROPERTY INFORMATION

Physical Address or General Street Location of Property: 350 Ballard Rd & 344 Ballard Rd

Parcel Identification (PID): 220416 (27.44 ac), 165013 (1.98 ac)

Acreage of Parcel: 29.42 +/- Acreage to be Rezoned: 29.42 +/- Current Zoning: R-1

Current Use: Residential and vacant/wooded Proposed Zoning: (R-3)

D. PROPERTY INFORMATION ABOUT MULTIPLE OWNERS

Name of Property Owner: Shelia H Ballard & Others

Name of Property Owner: Myra Elaine Dennis

Mailing Address: 350 Ballard Rd
Dallas, NC 28034
(Include City, State and Zip Code)

Mailing Address: 344 Ballard Rd
Dallas, NC 28034
(Include City, State and Zip Code)

Telephone: (828)241-3451
(Area Code)

Telephone: (704)860-6158
(Area Code)

Parcel: 220416
(If Applicable)

Parcel: 165013
(If Applicable)

Shelia H. Ballard 9/10/2018
(Signature)

Myra Elaine Rogers
(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) 220416, 165013 hereby give SHELIA H. BALLARD (Name of Applicant) consent to execute this proposed action.

Matthew Jason Stephens
(Signature)

9-12-18
(Date)

(Signature)

(Date)

I, Laura J Hamilton, a Notary Public of the County of Gaston State of North Carolina, hereby certify that Matthew Jason Stephens personally appeared before me this day and acknowledged the due execution of the foregoing instrument. Witness my hand and notarial seal, this the 12th day of September, 2018.

Laura J Hamilton
Notary Public Signature

11 Nov 2019
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: 9/10/18 Application Number: 218-10 Fee: \$500.00

Received by Member of Staff: 9/12/18 Date of Payment: 9/10/18 Receipt Number: 00013
(Initials)

- COPY OF PLOT PLAN OR AREA MAP
- NOTARIZED AUTHORIZATION

- COPY OF DEED
- PAYMENT OF FEE

Date of Staff Review: 10/22/18 Date of Public Hearing: 10/23/18

Planning Board Review: 10/23/18 Recommendation: _____ Date: _____

Commissioner's Decision: _____ Date: _____

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) 220416, 165013 hereby give SHELLA H. BALLARD (Name of Applicant) consent to execute this proposed action.

Russell Eason Honeycutt Jr. (Signature) 9-12-18 (Date)

I, Laura Hamilton, a Notary Public of the County of Gaston State of North Carolina, hereby certify that Russell Eason Honeycutt Jr personally appeared before me this day and acknowledged the due execution of the foregoing instrument. Witness my hand and notarial seal, this the 12th day of September, 2018.

[Signature] Notary Public Signature 11 Nov 2019 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.

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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.

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- 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: _____

CURRENT ZONING:

(R-1) SINGLE FAMILY LIMITED
<u>(1) Uses allowed by right:</u> Dwelling, Single-Family; Essential Services Class 1; Recycling Deposit Station, accessory; and Taxidermy.
<u>(2) Uses allowed by right with supplemental regulations:</u> Automobile Hobbyist; Bona Fide Farms, Botanical Garden; Churches/ Place of Worship; Day Care Center, Class A; Day Care Center, Class B; Essential Services Class 2; Essential Services Class 4; Family Care Home; Flex Space; Home Occupation, Customary; Home Occupation, Rural; Landfill, Beneficial Fill; Landfill, Land Clearing and Inert Debris, Minor; Marina, Accessory; Maternity Home; Park; Planned Residential Development (PRD); Private Residential Quarters (PRQ); Produce Stand; Restaurant within other facilities; Schools, Elementary & Middle (public & private); School, Senior High (public & private); Stadium; Telecommunication Antennae and Equipment Buildings; and Traditional Neighborhood Development (TND).
<u>(3) Uses allowed with a conditional use permit:</u> Library; Museum; and Zoo
<u>(4) Uses allowed with a conditional use permit, with supplemental regulations:</u> Bed and Breakfast; Cemetery; Country Club; Day Care Center, Class B; Essential Services Class 4; Fraternal & Service Organization Meeting Facility (non- or not-for profit) 0-9,999 sq. ft. GFA; Golf Course, Golf Driving Range, Golf Miniature; Maternity Home; Park; Parking Lot; Recreation Center and Sports Center; Recycling Deposit Station, principal use; Stadium; Tower and/or Station, Radio; and Wood Waste Grinding Operation.
<u>(5) Existing Use subject to supplemental regulations:</u> Dwelling, Manufactured Home Class C; and Dwelling, Manufactured Home Class D, Manufactured Home Park.
<u>(6) By Conditional Zoning:</u> Marina, Commercial
<u>(7) By Conditional Zoning with supplemental regulations:</u> Planned Residential Development (PRD); and Planned Unit Development (PUD), and Traditional Neighborhood Development (TND).
<u>(8) By Special exception:</u> None
<u>(9) By Special exception with supplemental regulations:</u> Family Care Home

PROPOSED ZONING:

(R-3) SINGLE FAMILY GENERAL
<u>(1) Uses allowed by right:</u> Dwelling, Manufactured Home Class A, Dwelling Manufactured Home Class B, Dwelling, Single-Family, Essential Services, Class 1, Recycling Deposit Station, Accessory, Taxidermy.
<u>(2) Uses allowed by right with supplemental regulations:</u> Automobile Hobbyist, Cemetery (Accessory Use), 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).
<u>(3) Uses allowed with a conditional use permit:</u> Animal Grooming Service for household pet (Indoor Kennels), College/University, Essential Services Class 3, Fish Hatcheries, Library, Marina, Commercial, Museum, Post Office, School for the Arts, Upholstery Shop, Zoo.
<u>(4) Uses allowed with a conditional use permit, with supplemental regulations:</u> Animal Hospital (Outdoor Kennel), Animal Hospital (Indoor Kennel), Animal Kennel, Animal Shelter, Assisted Living Center, Automobile Repair Shop, Automobile Towing and Wrecker Service, Bed and Breakfast Inn, Camping and Recreational Vehicle Park, Cemetery, Continuing Care Facility, Convenience Store, Closed 12 a.m.to5p.m, Country Club, Day Care Center, Class B, Day Care Center, Class C, Essential Services Class 4, Family Care Home, Firing Range, Indoors, principle use, Firing Range, outdoors, principle use, Fraternal and Service Organization Meeting Facility (non-or not for profit), 0- 9,999 Square Feet Gross Floor Area, Fraternal and Service Organization Meeting Facility (non-or not for profit), 10,000 Square Feet Gross Floor Area, Golf Course; Golf Driving Range; Golf Miniature, Machine, Metal, Wood Working, Welding Shop, Maternity Home, Military Reserve, Center, Nursery (Garden), Nursing Home, Rest Home, Park, Parking Lot, Race Track, Small, Recreation Center and Sports Center, Recycling Deposit Station, principal use, Riding Stables, Rodeo/Accessory Rodeo, Planned Unit Development, Planned Residential Development, Stadium, Telecommunication Tower and Facilities, Tower and/or Station, Radio and Television Broadcast, Wood Waste Grinding Operation.
<u>(5) Existing Use subject to supplemental regulations:</u> Dwelling, Manufactured Home Class C, and Dwelling, Manufactured Home Class D, Manufactured Home Park
<u>(6) By Conditional Zoning:</u> None
<u>(7) By Conditional Zoning with supplemental regulations:</u> Planned Residential Development (PRD), and Planned Unit Development (PUD), and Traditional Neighborhood Development (TND)
<u>(8) By Special exception:</u> None
<u>(9) By Special exception with supplemental regulations:</u> Family Care Home



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

Gaston County does not make or imply and warranties or assume any responsibility for the information presented on this map. This map was prepared by the Department of Planning and Development Services.

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

Note: For purposes of clarity, County Zoning is not shown at road right of ways and other selected features. Where different zoning is shown on opposite sides of the road and other features, the zoning areas are understood to meet at the center of the feature. In the event that a road right of way is undedicated and removed, areas with different zoning types will meet in the center of the area. Please see the Zoning Administrator for additional information.



**GASTON COUNTY
ZONING REVIEW MAP**

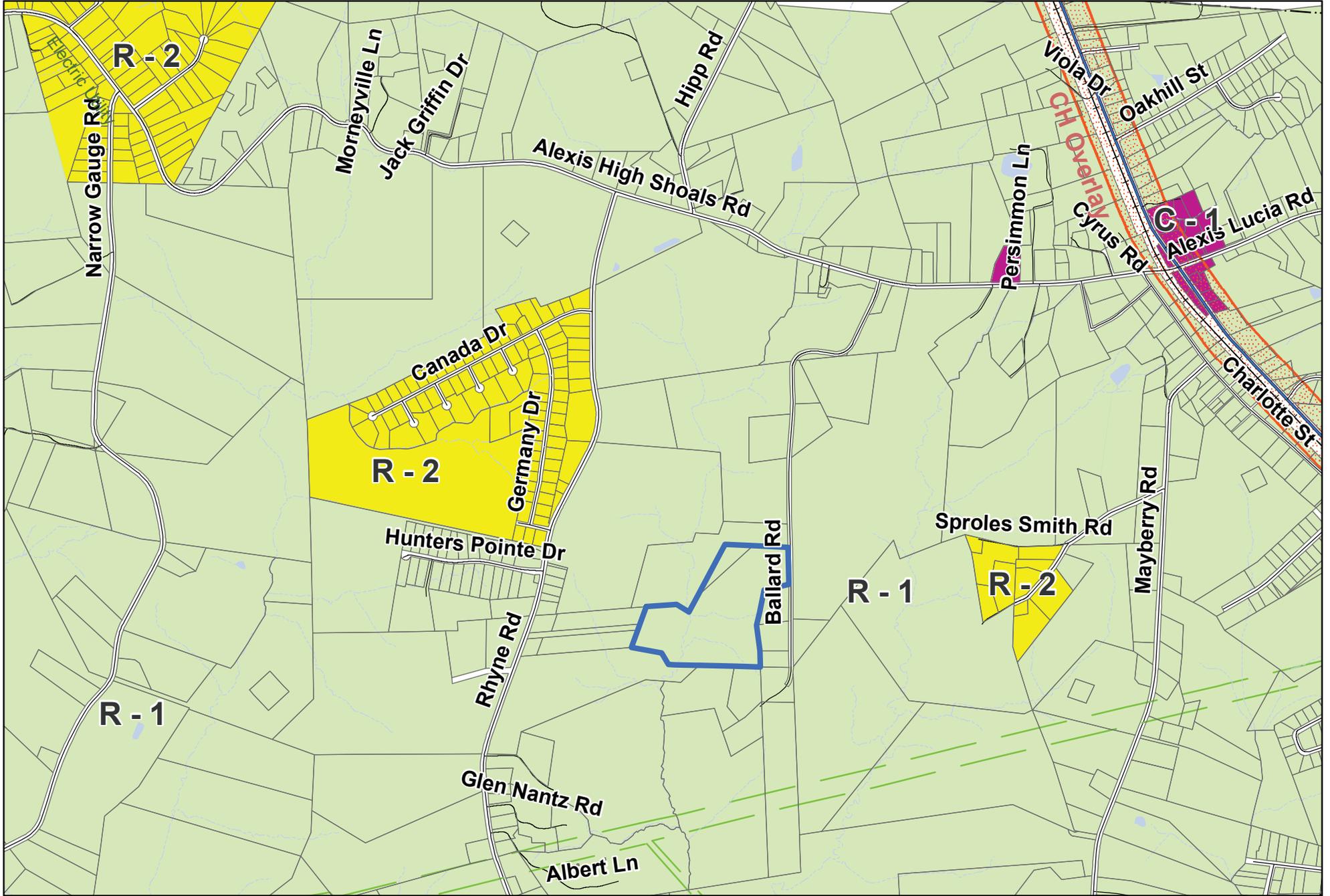
- R-1 Single Family Limited
- R-2 Single Family Moderate
- Area of Consideration



Applicant: Z18-10
Tax Id: 220416, 165013

Request Re-Zoning From:
R-1 Single Family Limited
To: R-3 Single Family General

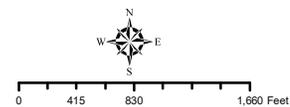
Map Date: 10/07/2018



GASTON COUNTY Zoning Map

"Applicant: Z18-10"

 Subject Area



R-1 Single Family Limited
R-2 Single Family Moderate
C-1 Light Commercial
CH Corridor Highway Overlay



**Gaston County
North Carolina**

Vicinity Map

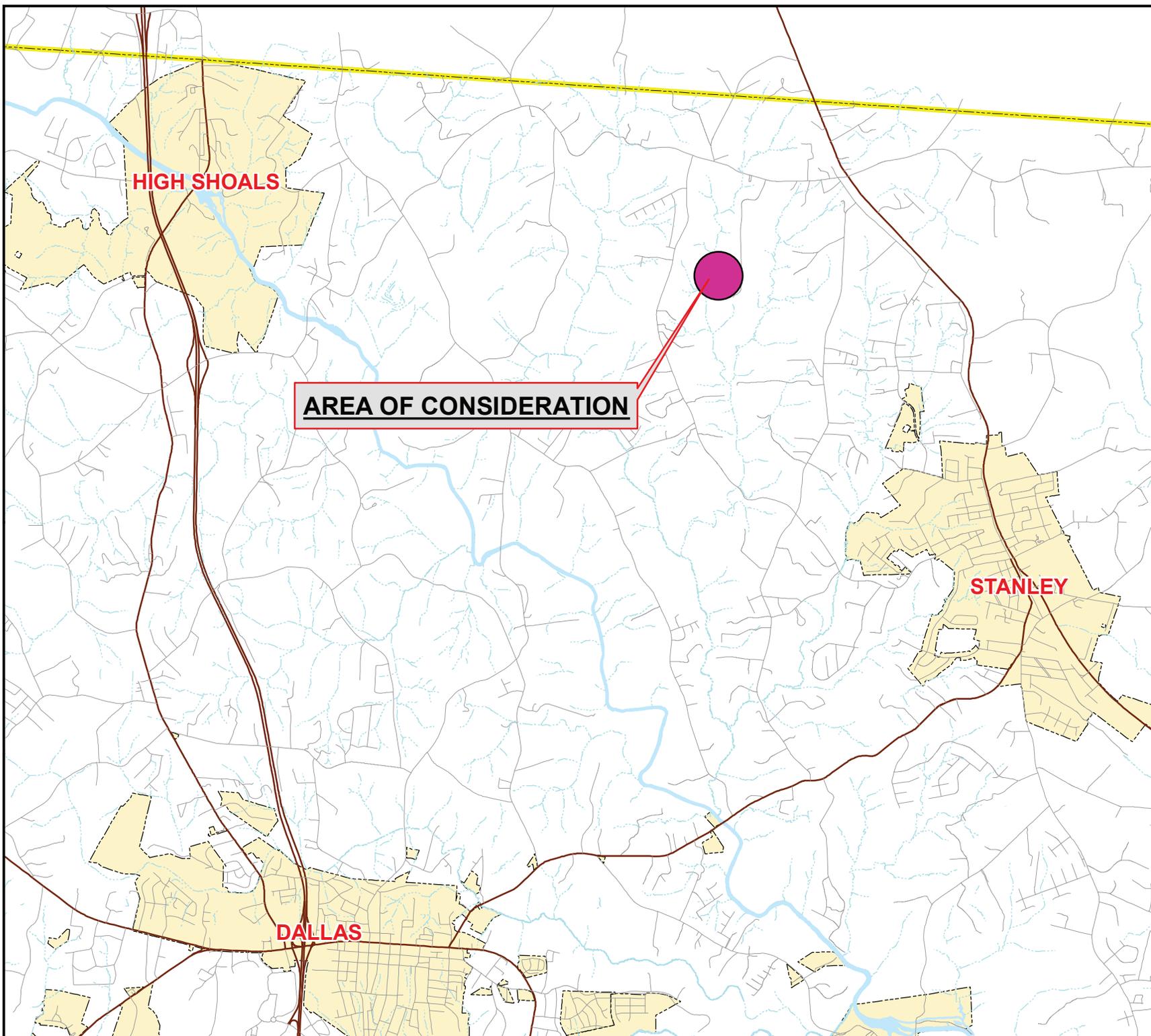
Z18-10

Legend

-  Minor Roadways
-  Major Roadways
-  Area of Consideration
-  Municipalities

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 read or otherwise used for trade or commercial purposes without the expressed written consent of Gaston County, in accordance with North Carolina General Statute 152-10.



HIGH SHOALS

AREA OF CONSIDERATION

STANLEY

DALLAS



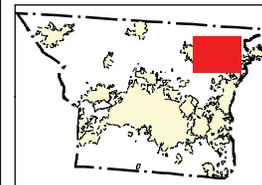
Gaston County Zoning Review Overview Map

2018 Pictometry

Z18-10

Legend

- Subject Area
- Property Parcels



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

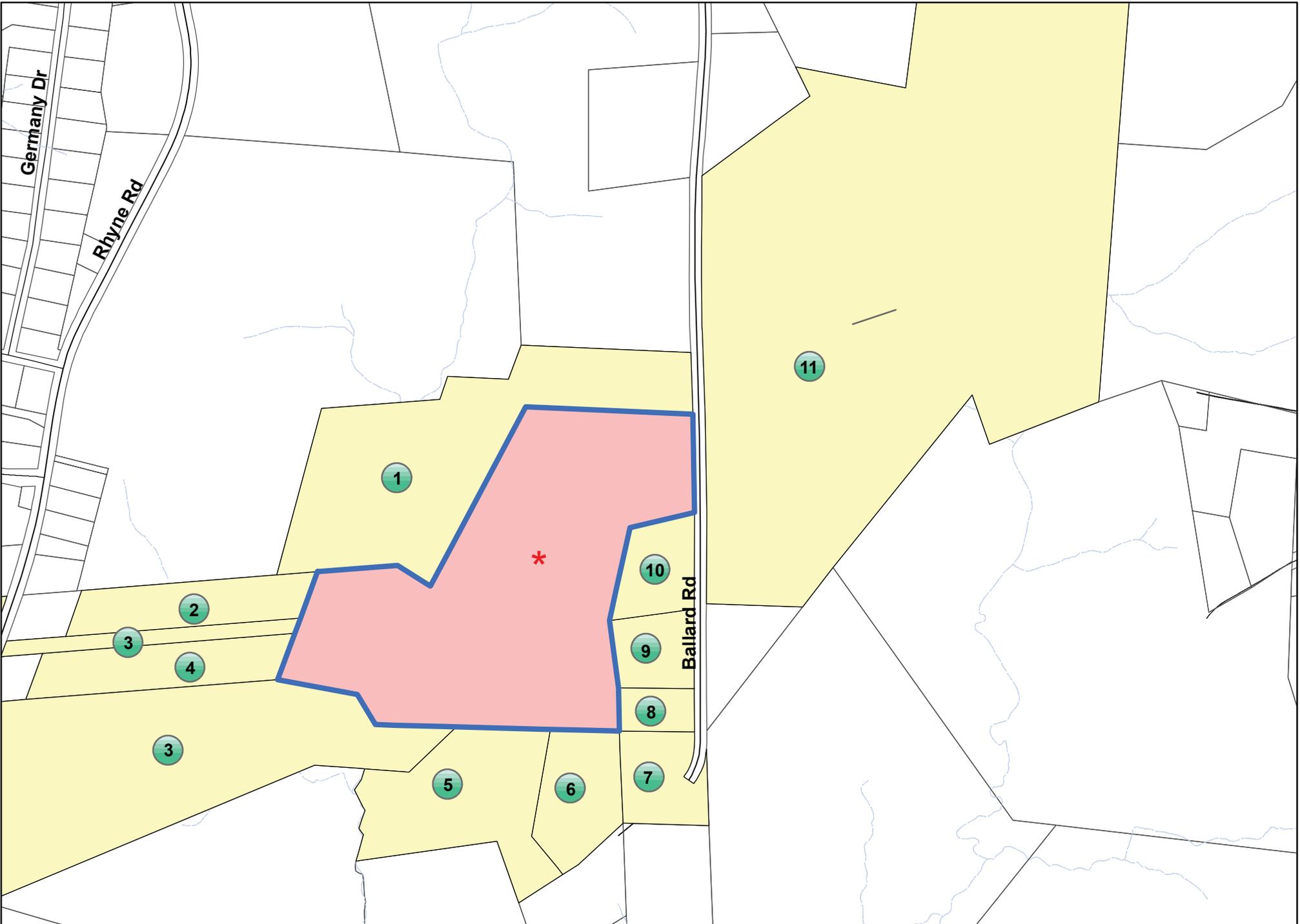
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Z18-10 Subject and Adjacent Properties Map

See reverse side for listing of property owners

 **Subject Property**

Z18-10 SUBJECT AND ADJACENT PROPERTIES

<u>NO:</u>	<u>PARCEL</u>	<u>OWNER NAME 1:</u>	<u>OWNER NAME 2:</u>	<u>ADDRESS</u>	<u>CITY</u>	<u>STATE</u>	<u>ZIP</u>
*	220416	SHELIA H BALLARD & OTHERS		350 BALLARD RD	DALLAS	NC	28034
	165013	DENNIS MYRA ELAINE		344 BALLARD RD	DALLAS	NC	28034
1	165012	DRUM SHANNON HILL		103 AIRPORT RD	STANLEY	NC	28164
2	220896	BEATY AMANDA PAYNE	BEATY CHAD LEE	2254 RHYNE RD	DALLAS	NC	28034
3	165436	PAYNE ROBERT RAY		2245 RHYNE RD	DALLAS	NC	28034
4	165439	HERSEY MICHELLE PAYNE		2248 RHYNE RD	DALLAS	NC	28034
5	221242	BENEDICT MICHAEL	BENEDICT BARBARA	441 BALLARD RD	DALLAS	NC	28034
6	220137	DILLS RAYMOND E	MADDY ROSE MARY HOPE	438 BALLARD RD	DALLAS	NC	28034
7	165370	SKULKETY MICHAEL E	SKULKETY ELIZABETH V	432 BALLARD RD	DALLAS	NC	28034
8	165411	BALLARD JERRY ALLAN	BALLARD SHELIA H	P O BOX J	CATAWBA	NC	28609
9	165412	COHEN AMANDA L		406 BALLARD RD	DALLAS	NC	28034
10	220417	HONEYCUTT RUSSELL EAVON JR	HONEYCUTT JUDY S	356 BALLARD RD	DALLAS	NC	28034
11	165009	BALLARD TOMMY LEE		P O BOX 583	ALEXIS	NC	28006