

REZ-24-08-23-00190

Conditional Rezoning

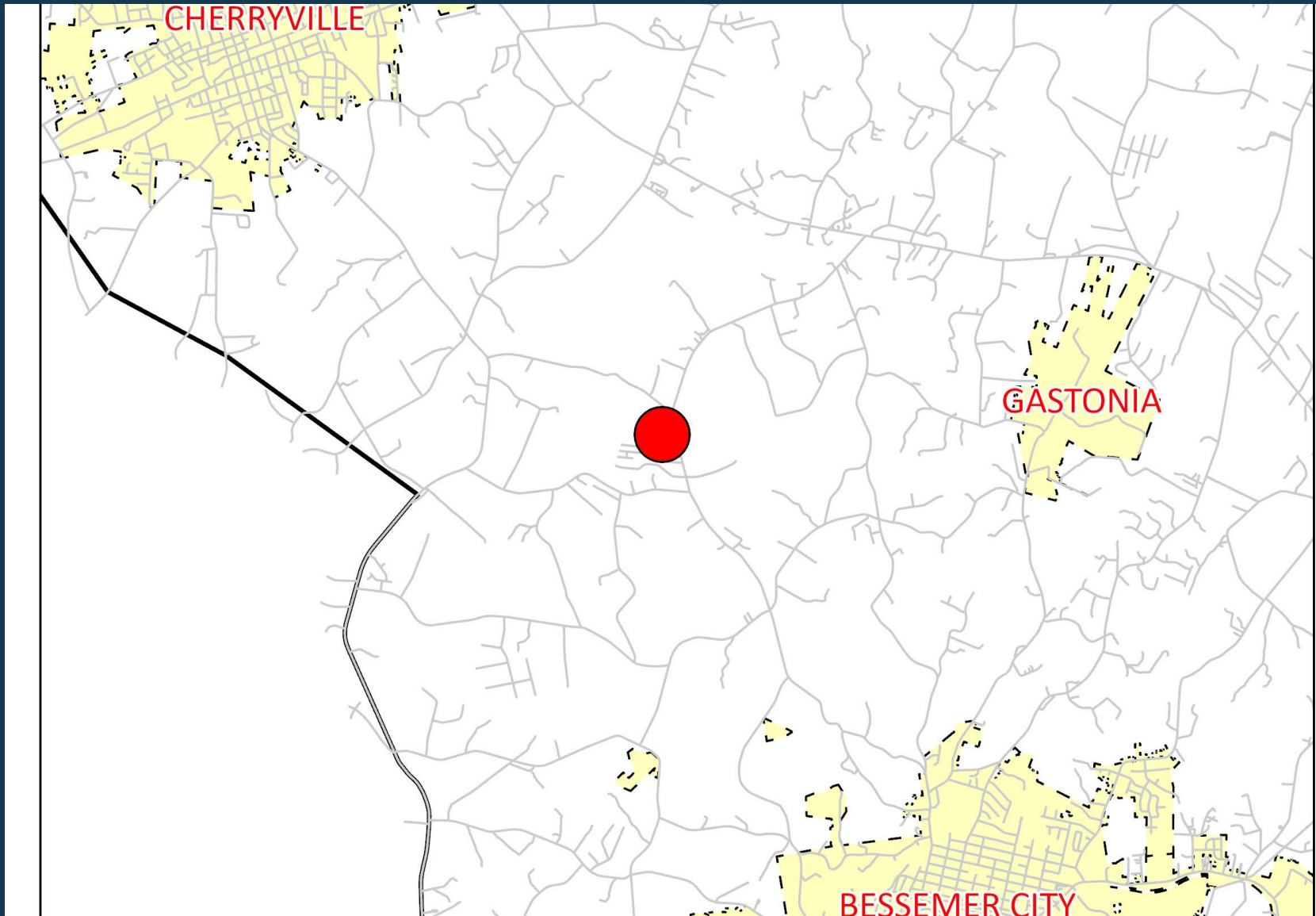
Applicant: Blake Johnson

PID: 203165

Request: Conditionally rezone from (R-1) to (CD/C-3)



VICINITY MAP



LEGEND

- Roads
- ▭ Municipalities
- Subject Property

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ORTHOPHOTO MAP

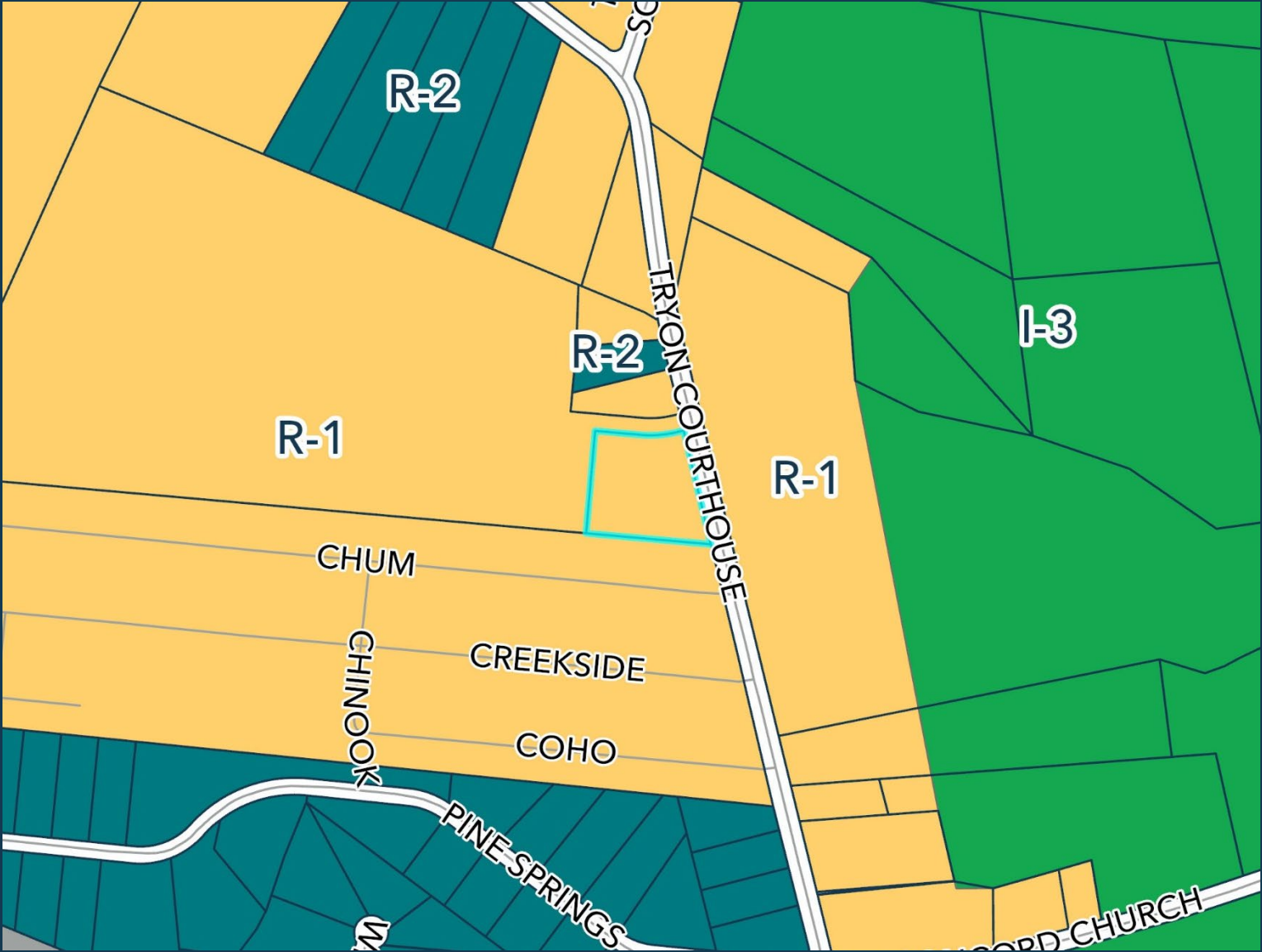


LEGEND

-  Subject Parcel
-  Property Parcels

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REZONING MAP



LEGEND

— Roads

▭ Parcels

ZONE TYPE

■ I-3

■ R-1

■ R-2

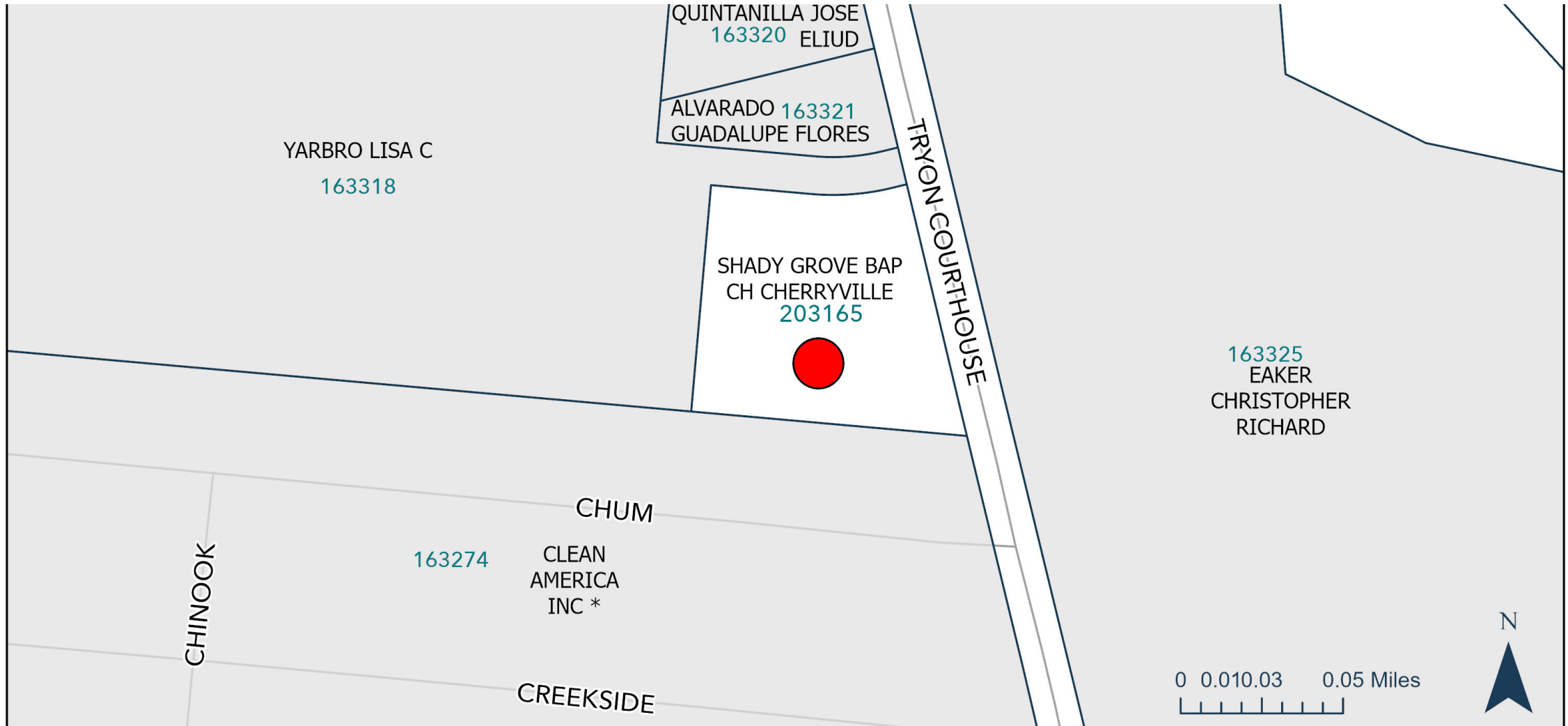
■ R-3

▭ Subject Parcel

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SUBJECT & ADJACENT PARCELS

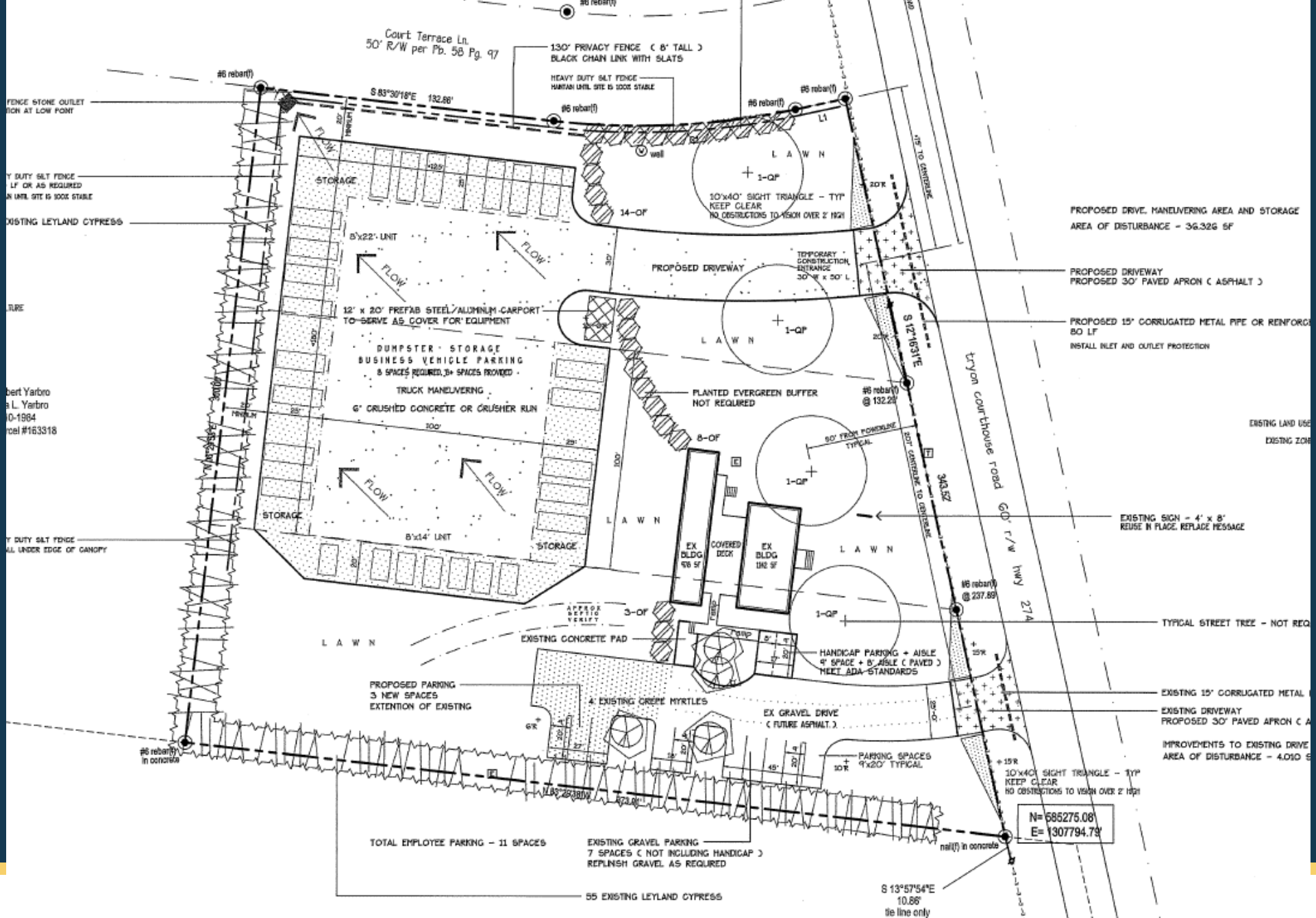


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PROPERTY OWNERS INFORMATION

AKPAR	CURR_NAME1	CURR_NAME2	CURR_ADDR1	CURR_CITY	CURR_STATE	CURR_ZIPCODE
163318	YARBRO ROBERT LESLIE	YARBRO LISA C	110 PLAINSVIEW CHURCH RD	LAWNDALE	NC	28090
163274	CLEAN AMERICA INC		204 CHINOOK RD	BESSEMER CITY	NC	28016
163321	ALVARADO GUADALUPE FLORES	QUINTANILLA GUADALUPE	2545 TRYON COURTHOUSE RD	BESSEMER CITY	NC	28016
163325	EAKER CHRISTOPHER RICHARD		108 SUSSEX AVE	CHERRYVILLE	NC	28021
203165	SHADY GROVE BAP CH CHERRYVILLE		3240 TRYON COURTHOUSE RD	CHERRYVILLE	NC	28021
163320	QUINTANILLA JOSE ELIUD	QUINTANILLA MICHELLE	2551 TRYON COURTHOUSE ROAD	BESSEMER CITY	NC	28016



Bert Yarbro
 6 L. Yarbro
 10-1964
 Cell #163318

N= 585275.08
 E= 1307794.79

Clean America Inc.
 2379-990
 Parcel #163274



Applicable Ordinance Sections

- **Section 2.7 Definitions and Section 7.5 Table of Uses**

- **Contractor's Office and Equipment Storage Yard-** An Operation center where the contracted work type requires large commercial vehicles to do the work. Type vehicles used in this operation would be dump trucks, bucket trucks, large commercial vehicles, flatbed trucks, tractor trailers, and grading/paving equipment. Vehicles, equipment and materials, to do the contracted work, can be externally stored on site.

Applicable Ordinance Sections

- **Section 2.7 Definitions and Section 7.5 Table of Uses**
 - **Solid Waste and Septic Tank Contractor's Office and Operation Center** - A facility where trucks are dispatched from and parked; containers are stored; truck/container maintenance is performed.

Applicable Ordinance Sections

- **Section 10.5 - Off-street parking space requirements**
 - Parking Calculation 1.51 - One space per employee plus one per vehicle used in operation.
 - 8 employees
 - 8 business vehicles

Relief Requested

- **Section 8.3.16 – Solid waste and septic tank contractor's office and operation center**
 - When abutting a non-industrial district, a minimum of 50-foot setback from all property lines must be maintained for all vehicles and equipment associated with the operation.

Relief Requested

- **Section 9.14 - Special grading treatment abutting residential districts**

- Special grading treatment is required where a non-residential use abuts a residential use or zone and differences in elevations of 2 feet or greater are proposed within 20 feet of common property lines for the purpose of development. The elevation must be graded to a minimum.

Relief Requested

- **Section 10.4 - Off-street parking surface requirements**
 - Unless otherwise stated, all off-street parking areas shall be paved. Pavement surfaces shall consist of asphalt, concrete, bituminous surface treatment, brick, or other paving material that will provide equivalent protection against potholes, erosion, and dust. Pervious paving surfaces that aid in reducing runoff are encouraged.

Relief Requested

- **Section 11.3.2 - Buffer yard requirements**
 - Screening and buffering shall be required under the following situations:
 - When a lot is in a commercial district and abuts a lot in a residential district, screening must be provided on the commercial lot in the form of a Type D screen/buffer.

Utilities & Streets



- **Private well/septic**



- **NCDOT road - Tryon Courthouse Road**

Traffic Impact

- **The GCLMPO reviewed this project on November 8th, and provided the following comments.**



Conditional Rezoning Requirements

- Site Plan Review/Approval by Staff ✓
- TRC ✓
- Public Information Meetings ✓
- Planning Board ✓
- Board of Commissioners

Proposed Conditions of Approval

- A driveway permit must be obtained from NCDOT.
- An 8-foot-tall privacy fence is to be installed on the north side of the storage area. An evergreen planted buffer will be installed as shown to minimize views into the storage area from north and east.
- No storage of solid waste on site.

Proposed Conditions of Approval

- Should the existing buffer be removed or compromised in any way, the property owner is to promptly replant the affected trees or install a Type D buffer.
- Additions to the existing structures or new commercial structures shall be allowed to be added to the site provided that all required zoning and building permits are obtained and all setbacks and zoning/use regulations for the underlying zoning district are being met.

Overview

- **Area 1:** Rural Gaston/Northwest Gaston
- **Future Land Use:** Rural
- **Staff Recommendation:** The application, as presented, is consistent with the goals and future land use designation discussed in the Comp Plan, with the proposed conditions outlined in the staff packet.