

Planning Board Item III – GENERAL PUBLIC HEARING INFORMATION (Z20-15)

General Rezoning Application Z20-15

Request: To rezone property parcel 212797 from the (R-1) Single Family Limited Zoning District to the (R-2) Single Family Moderate Zoning District
Applicant(s): Harold S. & Dana L. Phipps
Property Owner(s): Harold S. & Dana L. Phipps
Mailing Address of Applicant: 119 Old Fallston Rd., Cherryville, NC 28021

Site Information and Description of Area

General Location: 119 Old Fallston Rd. (Cherryville)
Parcel ID(s): 212797
Total Property Acreage: 0.85 ac
Acreage for Map Change: 0.85 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, (R-3) Single Family General

Zoning District Information

Current Zoning District:

(R-1) Single Family General – 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-2) Single Family Moderate – The purpose of this district is to accommodate single family site built and modular construction and double wide manufactured 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 districts.

Comprehensive Land Use Plan (Small Area District)

Area 1: Rural Gaston

This portion of the County has extensive open spaces with rolling hills and high knolls that lead up to the mountains west of Gaston County. Aside from development in and around Cherryville Town Limits, Dellview Town Limits, and the corresponding extraterritorial jurisdictions, the majority of the region is established to remain rural in feel. This would look like larger lot sizes, houses a distance back from road right-of-ways, and open spaces. However, it is important to note that while this area is highlighted mainly as Rural, agricultural based businesses would be allowed to operate without issue.

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; preservation of agriculture and maintaining the rural “feel” of the community; repurpose vacant buildings and facilities for new economic opportunities; and, steer development towards existing infrastructure.

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

September 8, 2020

Information Attached

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

Transportation Planning Information

Provided by Gaston Cleveland Lincoln Metropolitan Planning Organization (GCLMPO)

Staff Contact

Sarah Carpenter Penley, Senior 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 20-15**

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

A. *APPLICANT INFORMATION

Name of Applicant: Harold S. Phipps & Dana L. Phipps

(Print Full Name)

Mailing Address: 119 Old Fallston Rd., Cherryville, NC 28021

(Include City, State and Zip Code)

Telephone Numbers: (704)689-7563

(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: Same

(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: 119 Old Fallston Rd. (Cherryville)

Parcel Identification (PID): 212797

Acreage of Parcel: 0.85 +/- Acreage to be Rezoned: 0.85 +/- Current Zoning: (R-1)

Current Use: Residential Proposed Zoning: (R-2)

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) _____ hereby give _____ consent to execute this proposed action.
(Name of Applicant)

(Signature)

(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.

Harold S. Phipps
Signature of Property Owner or Authorized Representative

8-21-20
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: Z20-15 Fee: \$500.00

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: 09/22/2020

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.



Gaston County North Carolina

Vicinity Map

Z20-15

Legend

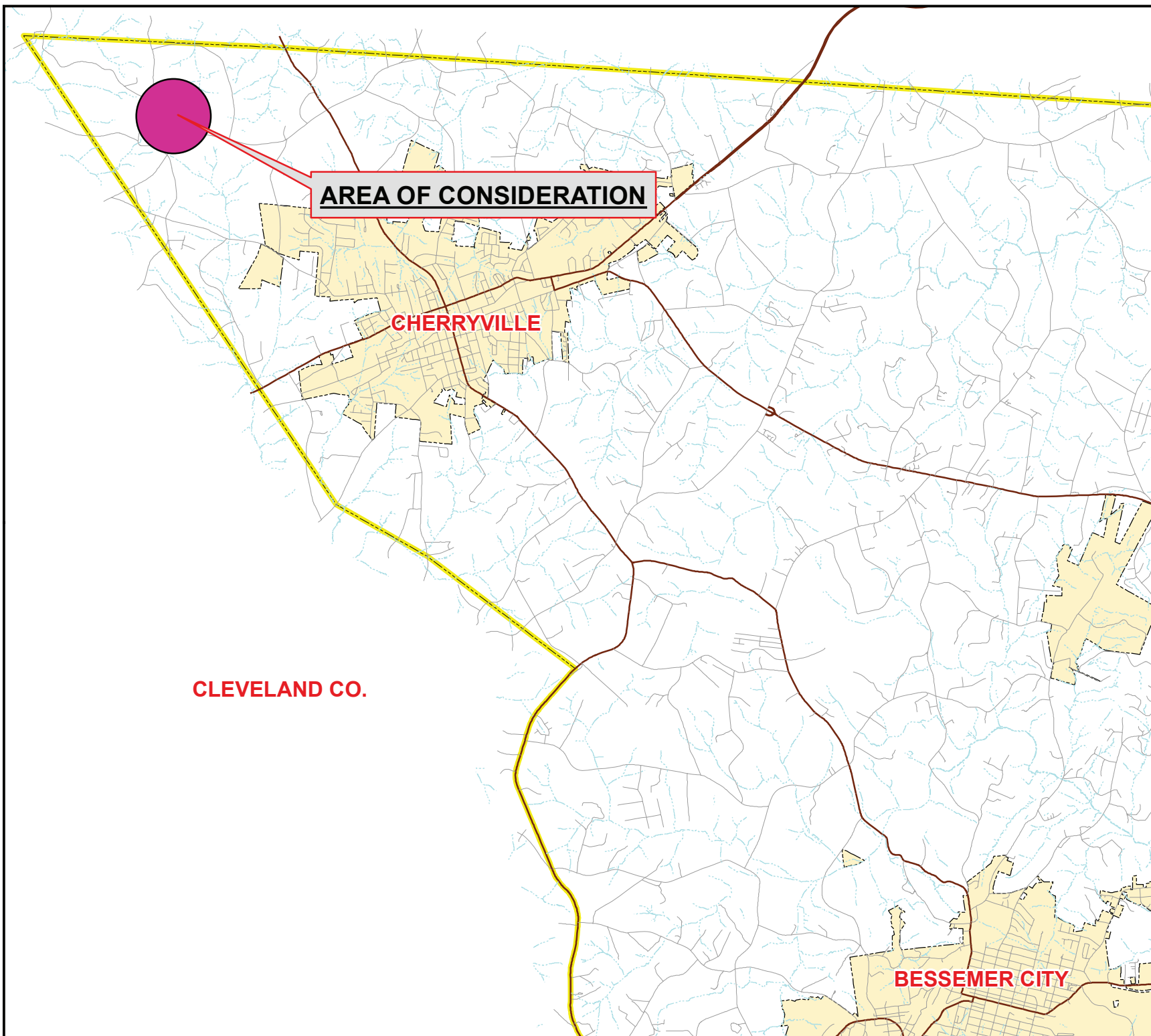
- Minor Roadways
- Major Roadways
- Area of Consideration
- Municipalities

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 used 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 1
Miles





Gaston County Overview Map

2019 Orthophoto

Z20-15

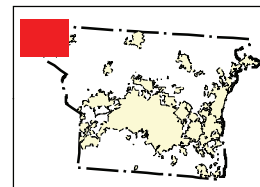
Legend



Subject Area



Property Parcels



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

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.

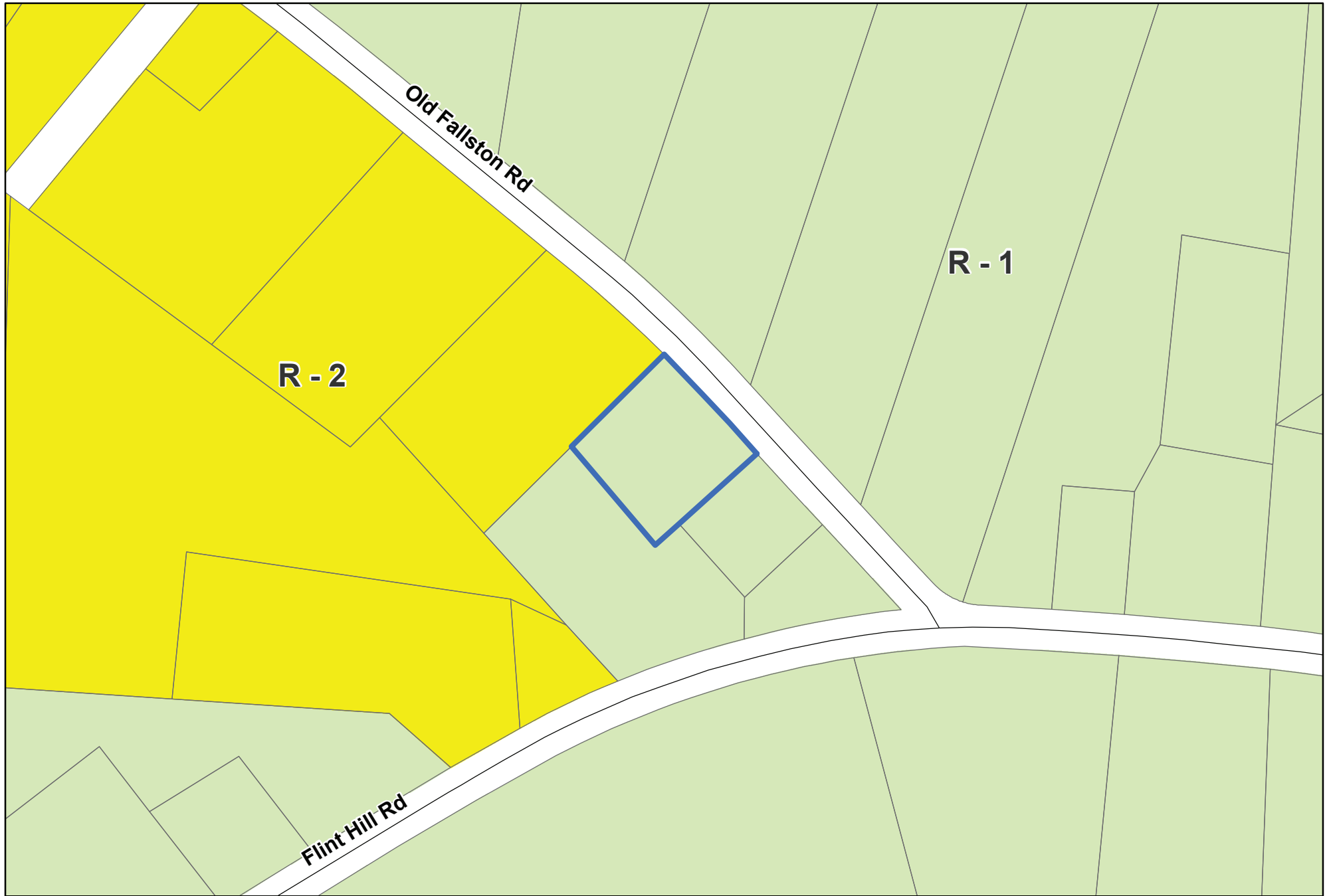
Gaston County does not make or imply any warranties or assume any responsibility for the information presented on this map. This map was prepared by the Department Planning and Development Services.

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 undelineated and removed, areas with different zoning types will meet in the center of the area. Please see the Zoning Administrator for additional information.

0 75 150
Feet

FOR DISPLAY PURPOSES ONLY - NOT TO BE USED FOR CONVEYANCE



GASTON COUNTY Zoning Map

Applicant: Z20-15

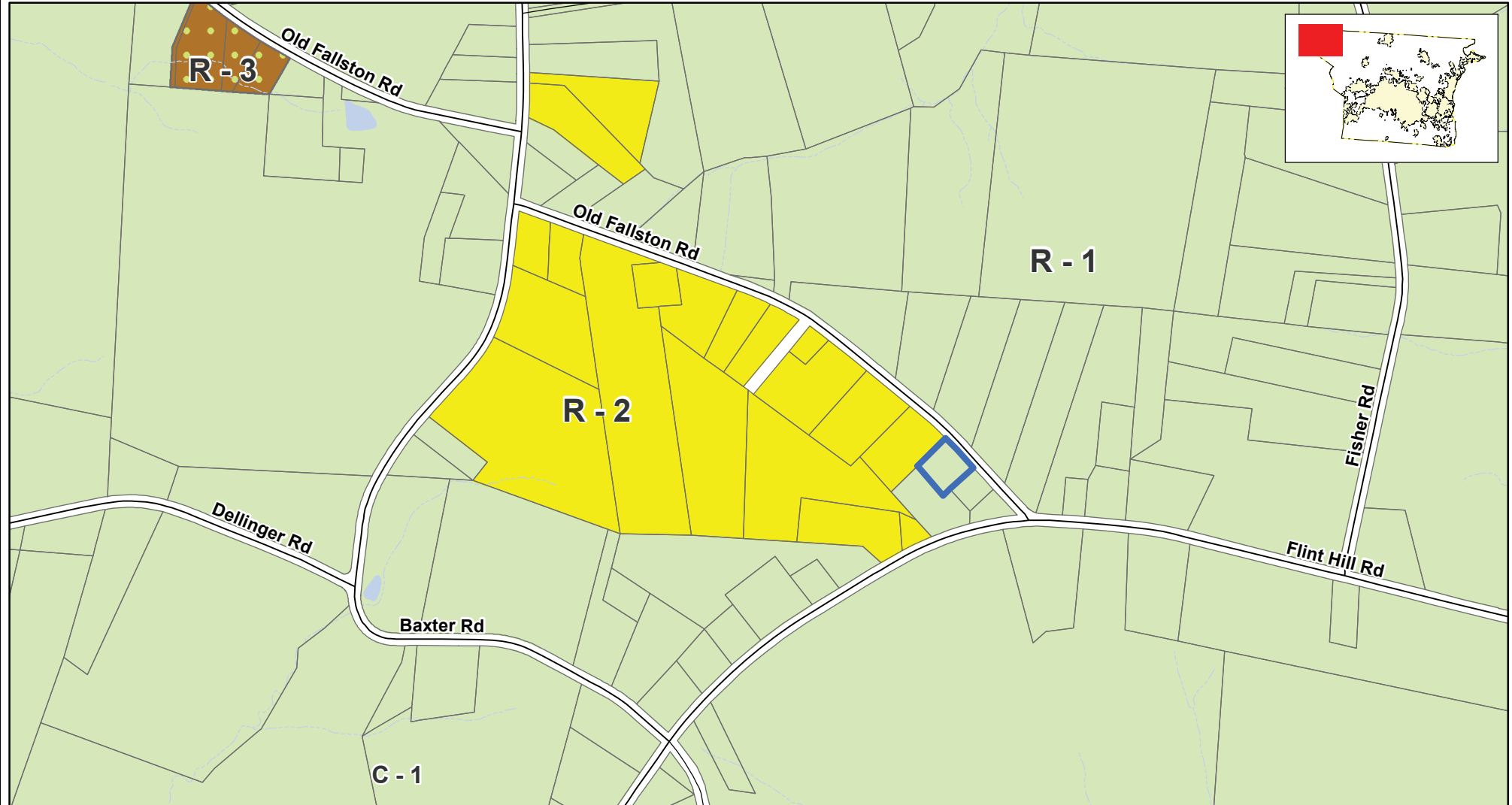
 Subject Area



0 55 110 220 Feet

(R-1) Single Family Limited
(R-2) Single Family Moderate

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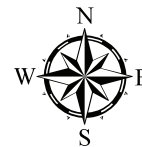
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GASTON COUNTY ZONING REVIEW MAP

- R-1 Single Family Limited
- R-2 Single Family Moderate
- R-3 Single Family General

Area of Consideration



0 170 340 680 1,020 1,360 Feet

Applicant: Z20-15
Tax ID(s): 212797
Request Re-Zoning From:
(R-1) Single Family Limited
To: (R-2) Single Family
Moderate

Map Date: 09/03/2020



Z20-15 Subject and Adjacent Properties Map
See reverse side for listing of property owners

 **Area of consideration**

Z20-15 Owner and Adjacent Property Listing

<u>NO:</u>	<u>PARCEL</u>	<u>OWNER NAME</u>	<u>OWNER NAME 2</u>	<u>ADDRESS</u>	<u>CITY</u>	<u>STATE</u>	<u>ZIP</u>
*	212797	PHIPPS HAROLD S	PHIPPS DANA L	119 OLD FALLSTON RD	CHERRYVILLE	NC	28021
1	158507	DELLINGER ALICE R		550 FLINT HILL RD	CHERRYVILLE	NC	28021
2	158506	DELLINGER ALICE R		550 FLINT HILL RD	CHERRYVILLE	NC	28021
3	158490	HOLT CURTIS HARTMAN	HOLT WENDY RAMSEY	115 OLD FALLSTON RD	CHERRYVILLE	NC	28021
4	216105	MCSWAIN GERALD DENNIS	MCSWAIN KELLEY BROOKS	618 FLINT HILL RD	CHERRYVILLE	NC	28021
5	158492	DELLINGER JACK COOPER		129 OLD FALLSTON RD	CHERRYVILLE	NC	28021

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: Sarah Carpenter Penley, Senior Planner, Subdivision Administrator, Gaston County Planning & Development Services
From: Julio Paredes, Planner, Gaston—Cleveland—Lincoln MPO
Date: June 11, 2020
Subject: Z20-15—GCLMPO Comments

Thank you for the opportunity to provide transportation comments on a proposed site located within the Gaston-Cleveland-Lincoln Metropolitan Planning Organization (GCLMPO) geographic area. My comments are based on review of the proposed site in accordance with the adopted Comprehensive Transportation Plan (CTP), the adopted 2045 Metropolitan Transportation Plan (MTP), and the current State Transportation Improvement Program (STIP).

1. The proposed development is located at 119 Old Fallston Rd. (Cherryville). On behalf of the GCLMPO, I offer the following comments:
 - A. According to the 2020-2029 STIP and the 2045 MTP, there are no planned transportation improvement projects in the immediate vicinity of this development.
 - B. The GCLMPO Highway CTP does not show any future improvements on any streets adjacent to the subject properties.
 - C. Please note that any site plan that requires a driveway permit on an NCDOT roadway, or is adjacent to NCDOT roadways, the 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.