

GASTON COUNTY REZONING APPLICATION (REZ-22-11-28-00134)

STAFF REPORT

APPLICATION SUMMARY

Request:

General Rezoning

Applicant(s):

Randy Kincaid

Property Owner(s):

Randy Kincaid

Parcel Identification (PID):

163196 (new 308822/308821/308820)

Property Location:

Eaker Rd

Total Property Acreage:

7.34

Acreage for Map Change:

7.34

Current Zoning:

R-1

Proposed Zoning:

R-2

Existing Land Use:

Vacant

Proposed Land Use:

Vacant / residence

COMPREHENSIVE LAND USE PLAN

Area 1: Rural Gaston

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, Steer development towards existing infrastructure.

Comprehensive Plan future Land Use:

Rural— Rural areas are areas characterized by green, rolling hills and plenty of open space, along with farmstead style housing, as well as agribusinesses. Residential homes are located on large lots and are set back from the roads they front upon.

Staff Recommendation:

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)
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See attached.

STAFF SUMMARY

Prepared By: Laura Hamilton, Land Use Coordinator
--

This property is in a residential area in the northwestern region of the county. The location is primarily residential in nature with different housing types and styles included.
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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).
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PLANNING BOARD RECOMMENDATION

The Planning Board met in regular session on January 9, 2023, and unanimously recommended approval of this request based on the following:
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The proposed use is consistent with the vision and goals of the Comprehensive Land Use Plan (CLUP) as it maintains the Rural characteristics of green rolling hills with plenty of open space as envisioned by the CLUP. The proposed use also meets the goal of residential homes being located on large lots and are set back from the roads they front upon.

Attachments: Application, GCLMPO Comment Letter, Allowed Uses in the (R-2) Zoning District, Maps



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

REZ 22-11-28-
00134

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

A. *APPLICANT INFORMATION

Name of Applicant: RANDY STEVEN KINCAID
(Print Full Name)
Mailing Address: 2523 Burton Estates Ln, Lincolnton, NC 28092
(Include City, State and Zip Code)
Telephone Numbers: 704-747-8830 704-718-3944
(Area Code) Business Cell (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: Eaker Rd.
Parcel Identification (PID): 163196
Acreage of Parcel: 7.34 +/- Acreage to be Rezoned: 7.34 +/- Current Zoning: R1
Current Use: VACANT 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: _____ (Area Code)	Telephone: _____ (Area Code)
Parcel: _____ (If Applicable)	Parcel: _____ (If Applicable)
_____ (Signature)	_____ (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) _____ 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.

Randy S. Kincaid
Signature of Property Owner or Authorized Representative

11-22-2022
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: 11-28-22 Application Number: REZ-22-11-28-0034 Fee: 793

Received by Member of Staff: LH 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: _____



Post Office Box 1748
Gastonia, North Carolina 28053
Phone (704) 866-6980

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

Memorandum

To: Jamie Mendoza Kanburoglu, Director of Planning and Zoning/
Building & Development Services
From: Julio Paredes, Planner
Date: December 7, 2022
Subject: GCLMPO Rezoning Review – Eaker Rd. - REZ-22-11-28-00134

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

The site is located at Eaker Rd. in Cherryville. Parcel ID# 163196. On behalf of the GCLMPO, I offer the following comments:

1. According to the 2020-2029 STIP, there are no funded transportation improvement projects in the immediate vicinity of this site.
2. Neither the GCLMPO 2050 Highway MTP nor Highway CTP include any proposed improvements to any streets adjacent to the subject property.
3. 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.

Allowed Uses In (R-2) Zoning District

X = Permitted use by right; CD = Conditional Zoning required; E = Existing use subject to limitations; SP =

Use	R-2
Animal Grooming Service for household pet (indoor kennels)	SP
Animal Hospital (Outdoor kennel)	SPs
Animal Hospital, (Indoor kennel)	SPs
Animal Kennel	SPs
Automobile Hobbyist	Xs
Bed and Breakfast Inn	SPs
Bona Fide Farms	Xs
Botanical Garden	Xs
Camping and Recreational Vehicle Park	SPs
Cemetery	SPs
Church / Place of Worship	Xs
College / University	SP
Conference / Retreat / Event Center	SPs
Continuing Care Facility	SPs
Country Club	SPs
Day Care Center, Class A	Xs
Day Care Center, Class B	Xs/SPs
Day Care Center, Class C	SPs
Dwelling, Manufactured Home Class A	X
Dwelling, Manufactured Home Class C	Es
Dwelling, Manufactured Home Class D	Es
Dwelling, Single Family	X
Dwelling, Two Family	Xs
Essential Services Class 1	X
Essential Services Class 2	Xs
Essential Services Class 3	SP
Essential Services Class 4	Xs/SPs
Family Care Home	Xs/SPs
Flex Space	Xs
Fraternal & Service Organization Meeting Facility (non- or not- for profit), 0 - 9,999sqft GFA	SPs
Fraternal & Service Organization Meeting Facility (non- or not- for profit), 10,000+sqft GFA	SPs
Golf Course; Golf Driving Range; Golf Miniature	SPs
Group Home	Xs
Home Occupation, Customary	Xs
Home Occupation, Rural	Xs
Library	SP

Manufactured Home Park	Es
Marina, Accessory	Xs
Marina, Commercial	SP
Maternity Home	Xs/SPs
Military Reserve Center	SPs
Museum	SP
Nursery (Garden)	SPs
Nursing Home, Rest Home	SPs
Paint Ball / Laser Tag Facility	SPs
Park	Xs/SPs
Parking Lot	SPs
Planned Residential Development (PRD)	Xs/CDs
Planned Unit Development (PUD)	Xs/CDs
Private Residential Quarters (PRQ)	Xs
Produce Stand	Xs
Recreation Center and Sports Center	SPs
Recycling Deposit Station, accessory	X
Recycling Deposit Station, principal use	SPs
Restaurant, within other facilities	Xs
Riding Stables	SPs
Rodeo / Accessory Rodeo	SPs
School for the Arts	SP
School, Elementary & Middle (public & private)	Xs
School, Senior High (public & private)	Xs
Small House Community	SP
Special Events Facility	SPs
Special Events Facility, Accessory	SPs
Stadium	Xs/SPs
Taxidermy	X
Telecommunication Antennae & Equipment Buildings	Xs
Telecommunication Tower & Facilities	SPs
Tourist Home	X
Tower and/or Station, Radio & Television Broadcast	SPs
Traditional Neighborhood Development (TND)	Xs/CDs
Wood Waste Grinding Operation	SPs
Zoo	SP



GASTON COUNTY VICINITY MAP

REZ-22-11-28-00134

Legend

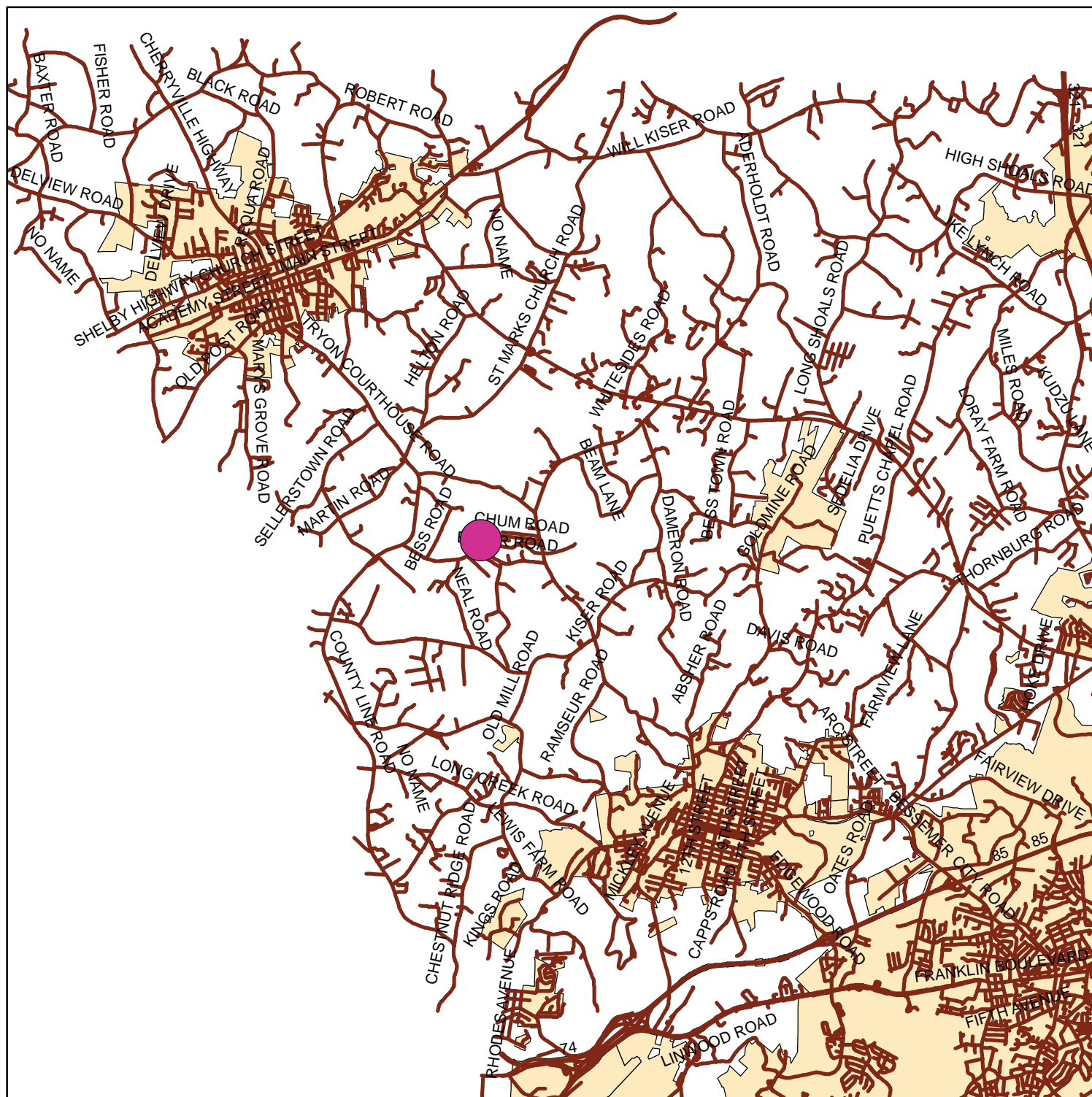
- Minor Roadways
- Major Roadways
- Area of Consideration
- Municipalities

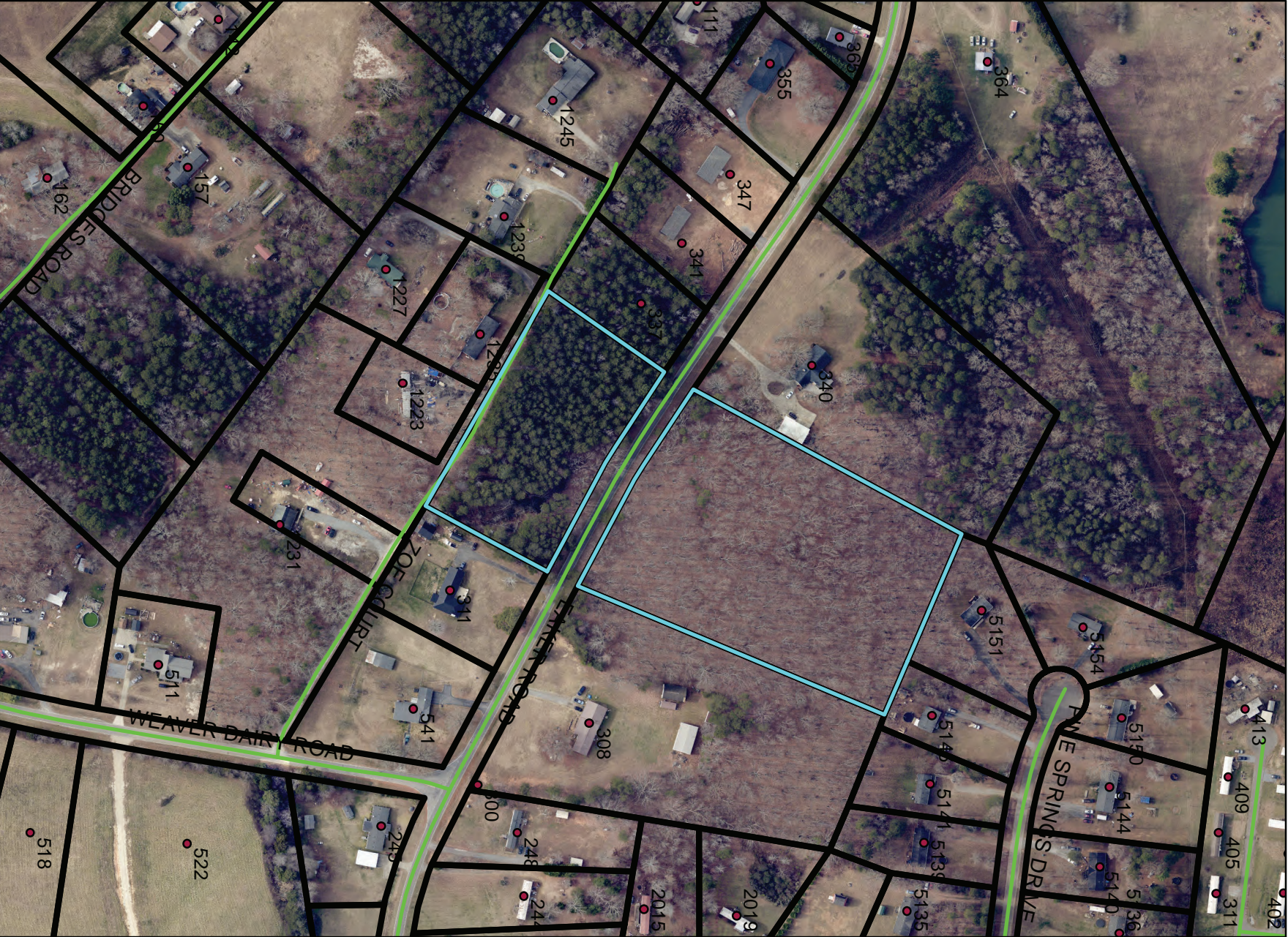
Although strict accuracy standards have been employed in the compilation of this map, Gaston County does not make or imply any warranties or assume any responsibility for the information presented on this map or its use.

This map may not be resold 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.



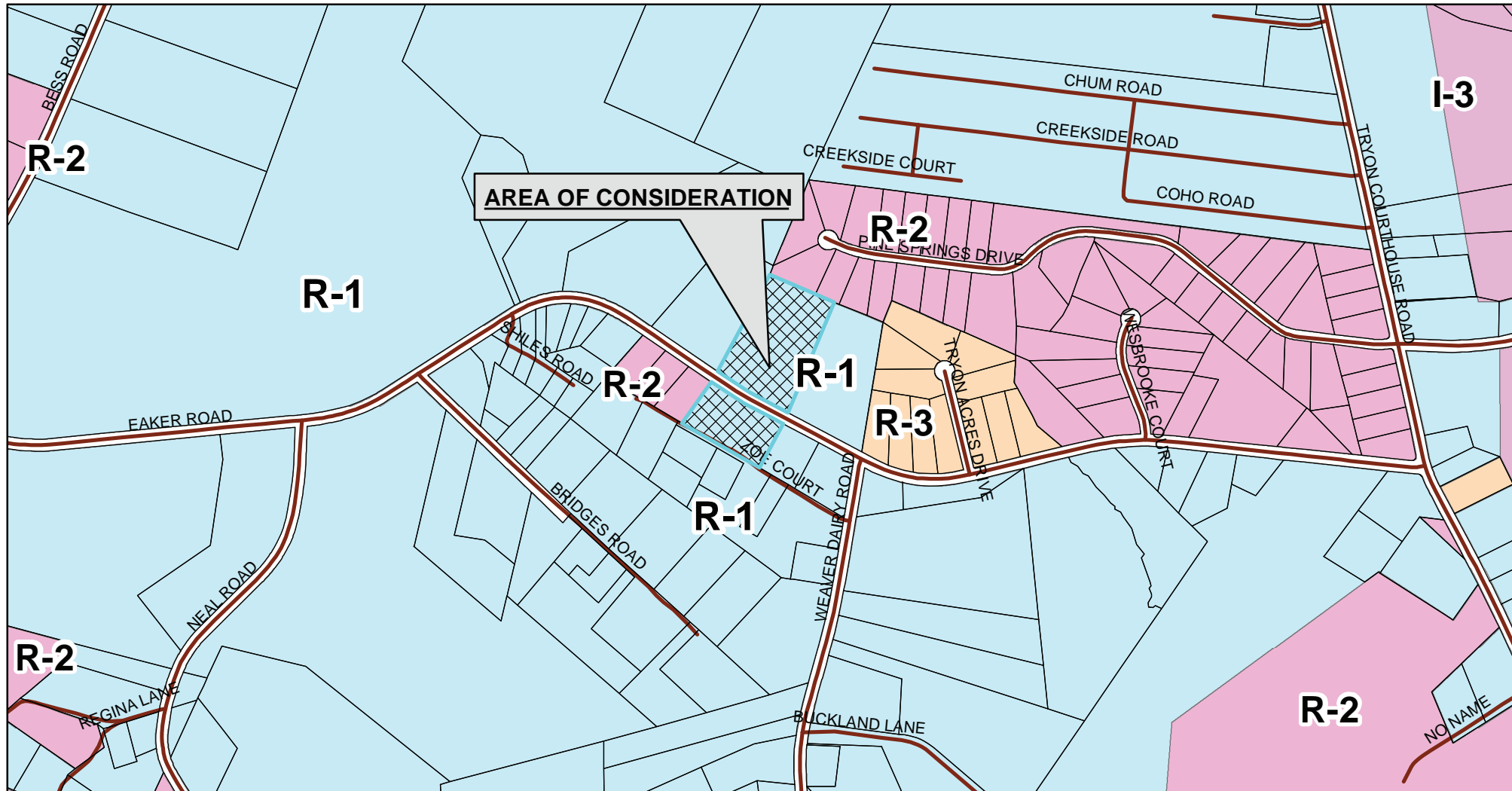
0 2,750 5,500 11,000 Feet





REZ-22-11-28-00134

FOR DISPLAY PURPOSES ONLY - NOT TO BE USED FOR CONVEYANCE



This map is intended for use by the Gaston County Board of Commissioners, in the review of rezoning 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 Building & Development Services Department.

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 REZONING REVIEW MAP

R-1 Single Family Limited
R-2 Single Moderate

I-3 General Industrial
R-3 Single Family General



0 500 1,000 2,000 Feet

REZ - 22-11-28-00134

Applicant:

Randy Kincaid

Owner:

Randy Kincaid

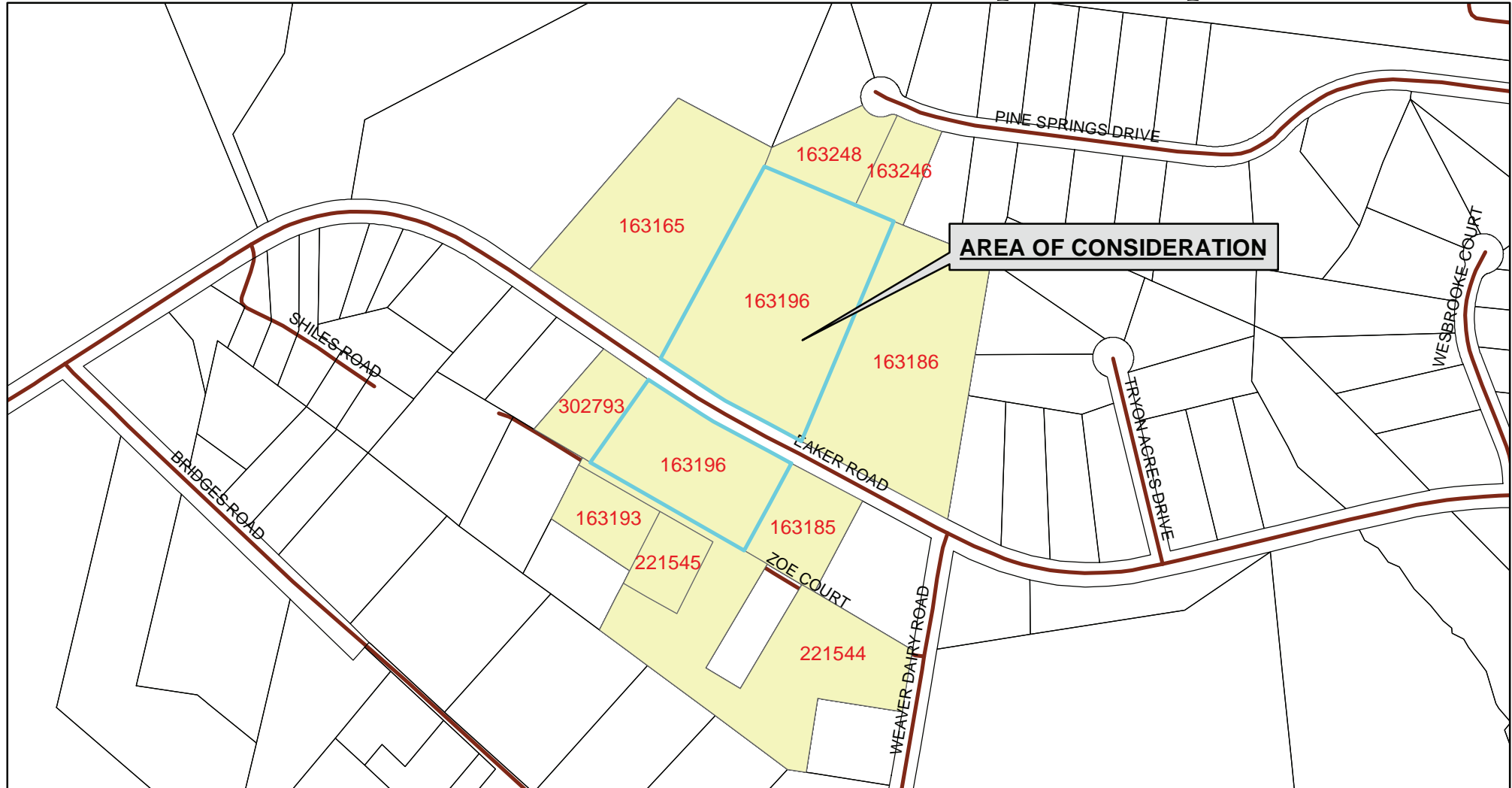
PID: 163196 (new
308822/308821/308820)

Existing Zoning: R-1

Proposed Zoning: R-2

Map Date: 11/30/22

REZ-22-11-28-00134 Subject and Adjacent Properties Map



AKPAR	CURR_NAME1	CURR_NAME2	CURR_ADDR1	CURR_CITY	CURR_STATE	CURR_ZIP	CURR_ZIPCC	PHYSSTRADD
163185	TINDALL ANDREW JOSEPH	TINDALL JENNIFER KISER	311 EAKER RD	BESSEMER CITY	NC	28016		311 EAKER RD
163246	MCCURRY MONTE K	MESHELL SUZETTE R	5145 PINE SPRINGS DRIVE	BESSEMER CITY	NC	28016		5145 PINE SPRINGS DR
163165	WALLACE WILLIAM P	WALLACE DONNA GARRETT	340 EAKER RD	BESSEMER CITY	NC	28016		340 EAKER RD
163248	M & W INDUSTRIES INC		PO BOX 8	LITTLE RIVER	SC	29566	0008	5151 PINE SPRINGS DR
302793	JOHNSON DAVID L JR		337 EAKER ROAD	BESSEMER CITY	NC	28016		337 EAKER RD
163186	STUBBLEFIELD WILLIAM BRUCE	STUBBLEFIELD LYNN W	308 EAKER RD	BESSEMER CITY	NC	28016	0000	308 EAKER RD
163193	SANCHEZ CANDY R NAVARRO		1235 ZOE CT	BESSEMER CITY	NC	28016	9424	1235 ZOE CT
163196	KINCAID RANDY STEVEN	KINCAID BRENDA A	1915 TRYON COURTHOUSE RD	BESSEMER CITY	NC	28016		EAKER RD
221544	MIDGETT JAMES CUTHBERT	MIDGETT SHANNON GAIL	1231 ZOE CT	BESSEMER CITY	NC	28016		ZOE CT
221545	RAY BOBBY G	RAY MARY C	511 WEAVER DAIRY RD	BESSEMER CITY	NC	28016	6609	1223 ZOE CT