



RESOLUTION TITLE: ZONING MAP CHANGE: REZ-23-03-21-00146, JASON M. NEGRA (APPLICANT); PROPERTY PARCEL: A PORTION OF 156389, LOCATED ON LEWIS RD., KINGS MOUNTAIN, NC, REZONE 1.807 ACRES OF 126.08 ACRES FROM (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 April 25, 2023 by the County Commission, to take citizen comment into a map change application, as follows:

Tax Parcel Number(s): a portion of 156389 (1.807 acres of 126.08 acres)
Applicant(s): Jason M. Negra
Owner(s): Hagans Danyo Estate
Property Location: Lewis Rd., Kings Mountain
Request: Rezone from (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 map change for parcel ID a portion of 156389 (1.807 acres of 126.08 acres), located on Lewis Rd., Kings Mountain, NC, Rezone from (R-1) Single Family Limited Zoning District to the (R-2) Single Family Moderate Zoning District on April 3, 2023 based on: staff recommendation; and the request is reasonable and is in the public interest and the request is in accordance with the County's Comprehensive Land Use Plan. It is consistent with the goals of the Comprehensive Land Use Plan as it will keep the parcel residential in nature and maintain the rural "feel" of the area, which is consistent with the rural future land use designation of the parcel and the vision of the Comprehensive Land Use Plan.

Motion: Horne Second: Marcantel Vote: Unanimous
Aye: Crane, Harris, Horne, Houchard, Hurst, Magee, Marcantel, Vinson
Nay: None
Absent: Brooks, 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	AFraley	BHovis	KJohnson	TKelgher	RWorley	Vote
2023-119	04/25/2023	BH	KJ	A	A	A	A	A	AB	A	U

DISTRIBUTION:

Laserfiche Users

Zoning Map Change: REZ-23-03-21-00146, Jason M. Negra (Applicant); Property Parcel: A Portion of 156389, Located on Lewis Rd., Kings Mountain, NC, Rezone (1.807 Acres of 126.08 Acres) from (R-1) Single Family Limited Zoning District to the (R-2) Single Family Moderate Zoning District
Page 2

NOW, THEREFORE, BE IT RESOLVED 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 consistent with the County's approved Comprehensive Land Use Plan. It is consistent with the goals of the Comprehensive Land Use Plan as it will keep the parcel residential in nature and maintain the rural "feel" of the area, which is consistent with the rural future land use designation of the parcel and the vision of the Comprehensive Land Use Plan.

The Commission considers this action to be reasonable and in the public interest, based on: Planning Board recommendation and compatibility with existing land uses in the immediate area. Therefore, the map change request for Property parcel: a portion of 156389 (1.807 acres of 126.08 acres), is hereby approved, effective with the passage of this Resolution.

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

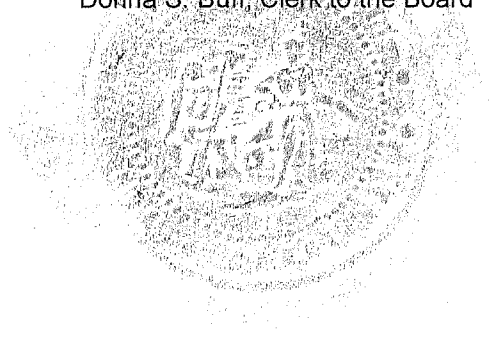


Chad Brown, Chairman
Gaston County Board of Commissioners

ATTEST:



Donna S. Buff, Clerk to the Board



GASTON COUNTY REZONING APPLICATION (REZ-23-03-21-00146)

STAFF REPORT

APPLICATION SUMMARY

Request:

To rezone a portion of parcel ID 156389 from the (R-1) Single Family Limited Zoning District to the (R-2) Single Family Moderate Zoning District.

Applicant(s):

Jason M. Negra

Property Owner(s):

Hagans Danyo Estate

Parcel Identification (PID):

parent parcel is 156389

Property Location:

Lewis Rd. in Kings Mountain

Total Property Acreage:

126.08 acres

Acreage for Map Change:

1.807 acres

Current Zoning:

(R-1) Single Family Residential

Proposed Zoning:

(R-2) Single Family Moderate

Existing Land Use:

Vacant

Proposed Land Use:

Residential

COMPREHENSIVE LAND USE PLAN

Area 5: Scenic Gaston/Southwest 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, preservation of existing conditions while allowing low to moderate growth, repurpose vacant buildings and facilities for new economic opportunities, and increased commercial opportunities along existing major thoroughfares.

Comprehensive Future Land Use: Rural

The rural future land use designation is characterized as having plenty of open space along with farmstead-style housing and agribusiness. Residential homes are located on large lots and are set back from the roads they front upon.

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:

Access to the lot will be provided off of Lewis Road which is a NCDOT maintained road

Technical Review Committee (TRC) comments provided by Gaston Lincoln Cleveland Metropolitan Planning Organization (MPO)

- Comments letter from the GCLMPO has been provided
- The following departments did not have any comments at this time: Building Site Plan Review Team, Police Department, Health Department, and GEMS
- Natural Resources Department shared that the site is under a conservation easement with the Catawba Lands Conservancy however, the request and proposed use do not interfere with the conservation agreement
- The applicant will need to obtain a driveway permit from NCDOT

STAFF SUMMARY

Prepared By: Jamie Mendoza Kanburoglu, Long Range Planner

This property is in a residential area in the southwestern portion of the County. Surrounding parcels are zoned (R-1), (R-2), and (R-3). The applicant recently created the subject parcel through the minor subdivision process. The plat was approved by staff in January of this year. The subject parcel is surrounded by a larger parcel (126.08 acres) that is owned by a relative of the applicant. Adjoining property owners of the parent parcel will be notified with information about the public hearing with the Board of Commissioners.

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 DECISION

The planning board unanimously recommended approval of the request based on the following:

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 and maintain the rural "feel" of the area, which is consistent with the rural future land use designation of the parcel and the vision of the Comprehensive Land Use Plan.



GASTON COUNTY PLANNING BOARD

Statement of Consistency

In considering the general rezoning case REZ-23-03-21-00146, 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 and maintain the rural “feel” of the area, which is consistent with the rural future land use designation of the parcel and the vision of the Comprehensive Land Use Plan.

These findings are supported by a 8 - 0 vote by the Gaston County Planning Board during its April 3, 2023, meeting.



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**

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

2E2-23-07-21-00146 / INV 44883

A. *APPLICANT INFORMATION

Name of Applicant: JASON M NEGRA
(Print Full Name)

Mailing Address: 6403 Lewis Rd, Kings Mountain NC 28086
(Include City, State and Zip Code)

Telephone Numbers: (352) 602-5786
(Area Code) Business (Area Code) Home

Email: j.negra83@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: Danny Odell Hagans
(Print Full Name)

Mailing Address: 6403 Lewis Rd, Kings Mountain NC 28086
(Include City, State and Zip Code)

Telephone Numbers: (704) 600-5257
(Area Code) Business (Area Code) Home

Email: dannyohagans@yahoo.com

C. PROPERTY INFORMATION

Physical Address or General Street Location of Property: Across from 6403 Lewis Rd

Parcel Identification (PID): 150389

Acreage of Parcel: 124.19 +/- Acreage to be Rezoned: 1.807 +/- 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: _____ Telephone: _____
(Area Code) (Area Code)

Parcel: _____ Parcel: _____
(If Applicable) (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) 150389 hereby give Jason M. Negra consent to execute this proposed action.

(Name of Applicant)

[Signature]
(Signature)

3/18/2023
(Date)

(Signature)

(Date)

I, Laura White, a Notary Public of the County of _____ State of North Carolina, hereby certify that Danya Odell Hugans personally appeared before me this day and acknowledged the due execution of the foregoing instrument. Witness my hand and notarial seal, this the 18th day of March, 20 23.

[Signature]
Notary Public Signature

10/4/2025
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

3/18/2023
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.



GASTON COUNTY Department of Planning & Development Services

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Phone: (704) 866-3195
 Fax: (704) 866-3908

Public Hearing Consent Form

To: Gaston County Board of Adjustment / Planning Board / Board of Commissioners

From: Jason M. Negra

Subject:

☐ consent for variance / ☐ conditional use / ☐ appeal / ☐ subdivision variance / ☐ watershed variance / ☒ rezoning

Date: 3/18/2023

I, Darryl Odell Hagans, being the property owner of parcel(s) 1510389, give consent to Jason M. Negra to act on my behalf in applying for the **PUBLIC HEARING REQUEST** under consideration.

[Signature]
 Signature (owner)

3/18/2023
 Date

North Carolina
 Gaston County

I, Karen White, a Notary Public for the said County and State, do hereby certify that Darryl Odell Hagans personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this 18th of March, 20 23.

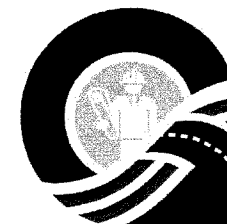
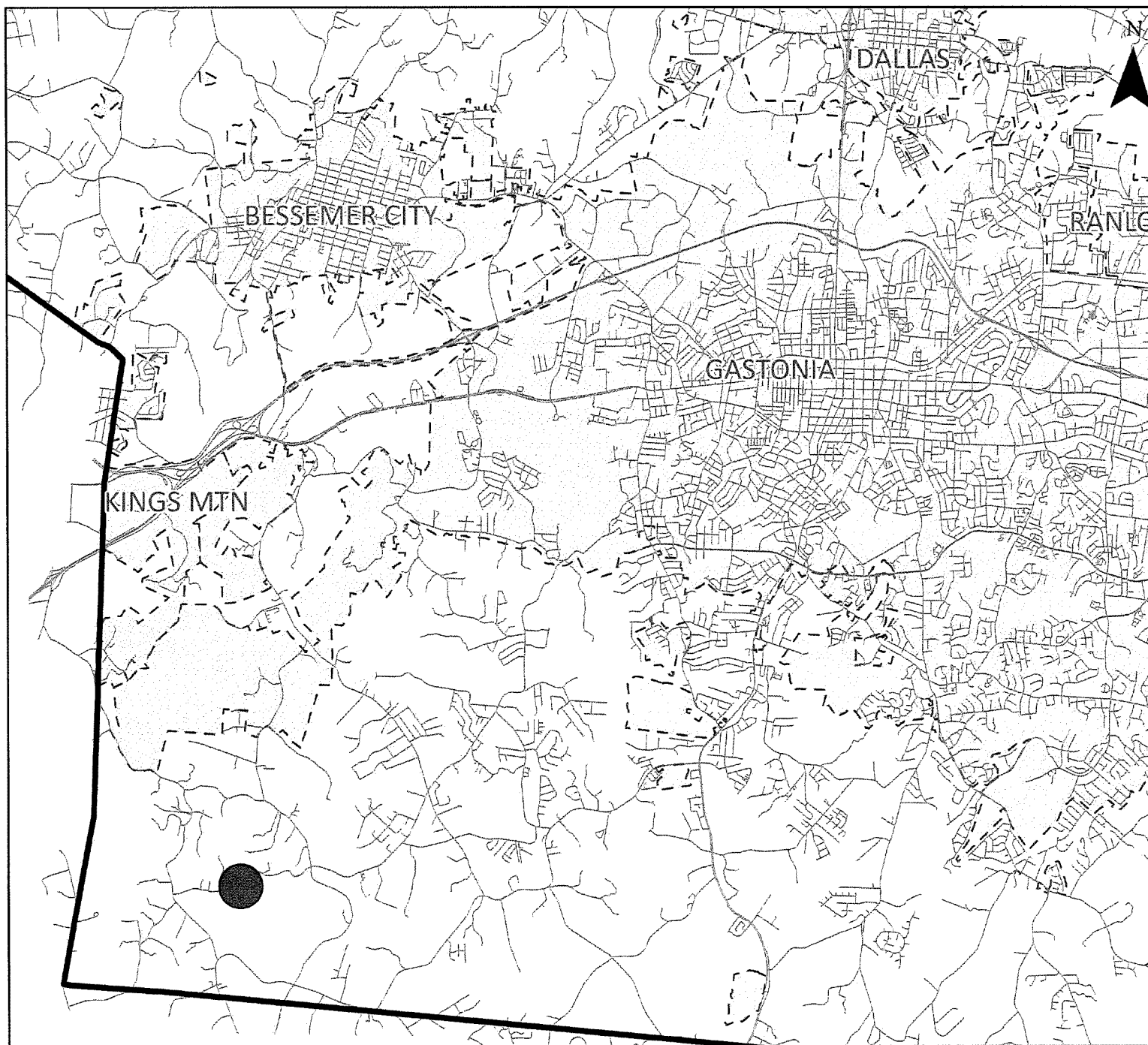
Karen White
 Notary Signature

My commission expires: 10/18/2025

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
BUILDING AND DEVELOPMENT SERVICES

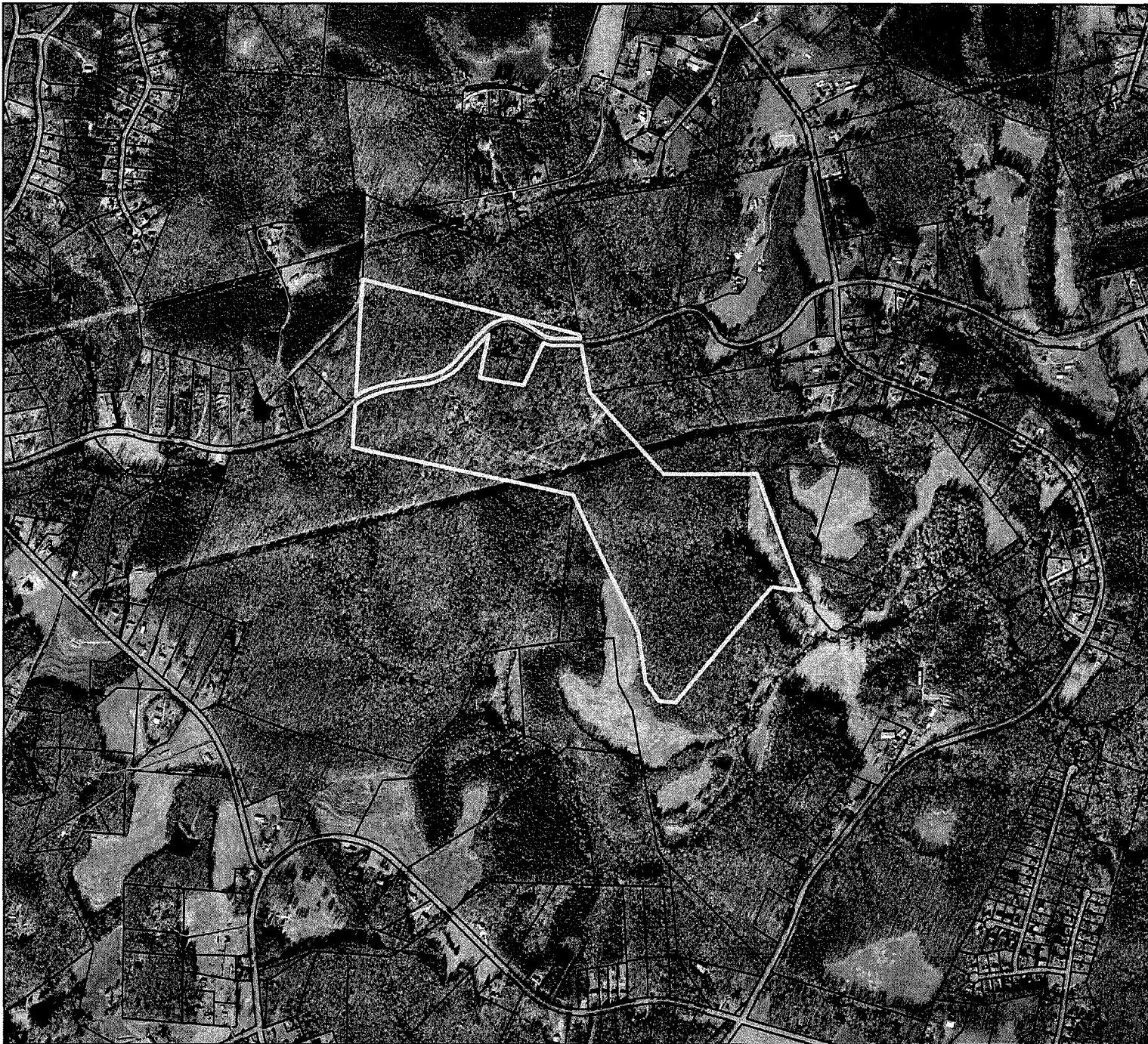
VICINITY MAP
REZ-23-03-21-00146

Legend

- Roads
- - - Municipalities
- Subject Property

Although strict 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 of commercial purposes without the expressed written consent of Gaston County, in accordance with North Carolina General Statute 132-10.



GASTON COUNTY
BUILDING AND DEVELOPMENT SERVICES

ORTHOPHOTO MAP
REZ-23-03-21-00146

LEGEND

-  Subject Parcel
 Property Parcels

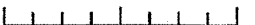
This map is intended for use by the Gaston County Board of Commissioners, in the review of rezoning requests.

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.

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



Miles
0 0.07 0.15 0.3




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GASTON COUNTY
BUILDING AND DEVELOPMENT SERVICES

ZONING REVIEW MAP REZ-23-03-21-00146

Legend

Gaston County UDO

ZONE TYPE

C-1

R-1

R-2

R-3

Parcels

Roads

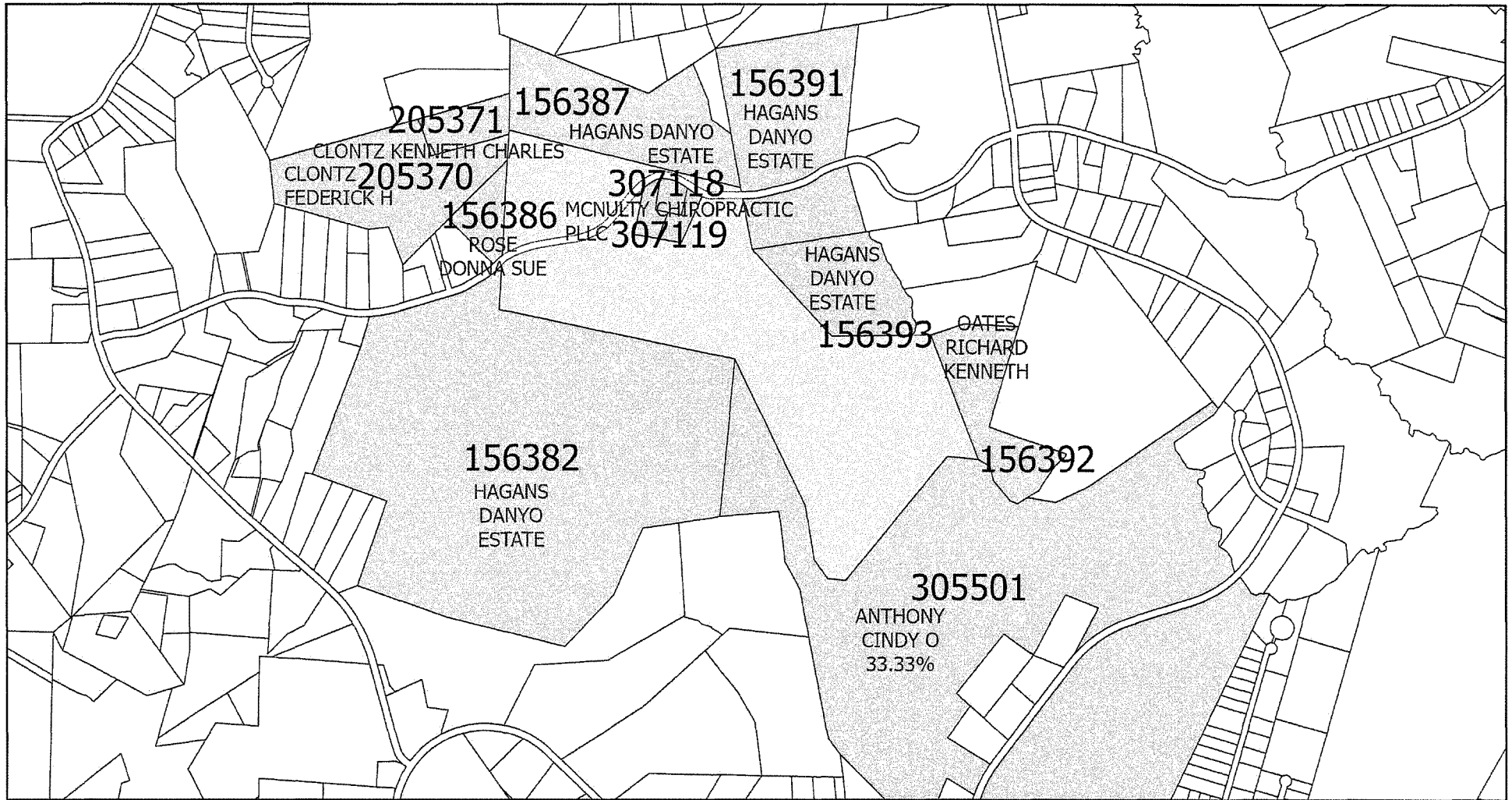
Gaston County Line

Subject Parcel



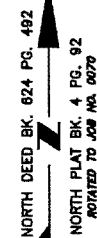
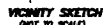
Miles

0 0.1 0.2 0.4



REZ-23-03-21-00146 Adjacent Parcel Data

PARCEL ID	NAME 1	NAME 2	MAILING ADDRESS	ADDRESS	CITY	STATE	ZIPCODE
156382	HAGANS DANYO ESTATE		C/O DANYO HAGANS JR	6463 LEWIS RD	KINGS MOUNTAIN	NC	28086
156386	ROSE DONNA SUE		6510 LEWIS RD		KINGS MOUNTAIN	NC	28086
156387	HAGANS DANYO ESTATE		C/O DANYO HAGANS JR	6463 LEWIS RD	KINGS MOUNTAIN	NC	28086
156391	HAGANS DANYO ESTATE		C/O DANYO HAGANS JR	6463 LEWIS RD	KINGS MOUNTAIN	NC	28086
156392	OATES RICHARD KENNETH		3188 SPARROW SPRINGS RD		GASTONIA	NC	28052
156393	HAGANS DANYO ESTATE		C/O DANYO HAGANS JR	6463 LEWIS RD	KINGS MOUNTAIN	NC	28086
205370	CLONTZ FEDERICK H	CLONTZ CYNTHIA R	1072 CLONTZ ACRES TRL		KINGS MOUNTAIN	NC	28086
205371	CLONTZ KENNETH CHARLES		1060 CLONTZ ACRES TRL		KINGS MTN	NC	28086
305501	ANTHONY CINDY O 33.33%	STYERS GINNY O 33.33%	2423 TILLEY CREEK RD		CULLOWHEE	NC	28723
307117	MCNULTY CHIROPRACTIC PLLC		932 COPPERFIELD BLVD		CONCORD	NC	28025
307118	ICARD MATTHEW BENJAMIN		6431 LEWIS ROAD		KINGS MOUNTAIN	NC	28086
307119	MCNULTY CHIROPRACTIC PLLC		932 COPPERFIELD BLVD		CONCORD	NC	28025



MINOR DIVISION
FOR

DANYO HAGANS ESTATE

**CROWDERS MOUNTAIN TOWNSHIP
GASTON COUNTY, N.C.**

REF. DEED BKC. 1502 PG. 514
REF. DEED BKC. PG.

REF. PLAT BK.	PG.
PARCEL 158318	

OWNER : DANYO HAGANS ESTATE
6483 LEWIS ROAD
MORRIS HIGHLANDS, N.Y. 10946

RETURN TO : **FREEDMAN SURVEYING**
 LICENSE NO. F-0288
W. BRADLEY FREEDMAN, P.L.S. L-3119
 1416 PLEASANT GROVE CHURCH ROAD
 CROUSE, N.C. 28033

PHONE
 (704) 732-0404

SCALE : 1" = 100'	SURVEY BY : WBF
CHECKED BY : WBF	DATE OF PLAT PREPARATION : NOV. 9, 2022
DRAWN BY : WBF, DMF	DATE OF SURVEY : NOV. 3, 2022
FID. RUL. MAGNET	JOB NO. 227



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, Planner, Gaston—Cleveland—Lincoln MPO
Date: March 27, 2023
Subject: Lewis Rd, Kings Mountain—GCLMPO Comments

Thank you for the opportunity to provide transportation comments on a proposed rezoning within the Gaston-Cleveland-Lincoln Metropolitan Planning Organization (GCLMPO) planning area. My comments are based on the review of the proposed 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).

The site is located at 6462 Lewis Rd, Kings Mountain, NC, 28086. Parcel ID# 156389. On behalf of the GCLMPO, I offer the following comments:

1. According to the 2020-2029 STIP and the 2050 MTP, there are no planned transportation improvement projects in the immediate vicinity of this site.
2. The CTP does not show any future highway improvements on any streets adjacent to the subject property.
3. The CTP shows future bicycle facility improvements along Lewis Rd.
4. 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.



Gaston County

Gaston County
Board of Commissioners
www.gastongov.com

Building and Development Services Board Action

File #: 23-146

Commissioner Hovis - Building & Development Services - Zoning Map Change: REZ-23-03-21-00146, Jason M. Negra (Applicant); Property Parcel: A Portion of 156389, Located on Lewis Rd. in Kings Mountain, NC, Rezone 1.807 Acres of 126.08 Acres 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. Jason M. Negra (Applicant); Property Parcel: a Portion of 156389, Located on Lewis Rd. in Kings Mountain, NC. The request is to rezone the 1.807 acres of 126.08 acres 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 April 25, 2023 with Public Hearing comments being on file in the Board of Commission Clerk's Office. Planning Board recommendation was provided on April 3, 2023, 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

Resolution, Staff Report, Application Packet, Maps & 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	AFrale	BHovis	KJohnson	TKeigher	RWorley	Vote
2023-119	04/25/2023	BH	KJ	A	A	A	A	A	AB	A	U

DISTRIBUTION:

Laserfiche Users

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