



RESOLUTION TITLE: ZONING MAP CHANGE: REZ-22-10-26-00129, MICAH HORTON (APPLICANT); PROPERTY PARCEL: 199145, LOCATED OFF OF OLD HICKORY GROVE ROAD, MOUNT HOLLY, NC, REZONE FROM (R-1) SINGLE FAMILY LIMITED ZONING DISTRICT WITH (US) OVERLAY TO THE (R-2) SINGLE FAMILY MODERATE ZONING DISTRICT WITH (US) OVERLAY

WHEREAS, a County Zoning Ordinance was adopted on April 24, 2008 and a public hearing held was on January 24, 2023 by the County Commission, to take citizen comment into a map change application, as follows:

Tax Parcel Number(s): 199145
Applicant(s): Micah Horton
Owner(s): Micah Horton
Property Location: off of Old Hickory Grove Road, Mount Holly
Request: Rezone from (R-1) Single Family Limited Zoning District with (US) Overlay to the (R-2) Single Family Moderate Zoning District with (US) Overlay

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 199145, located off of Old Hickory Grove Road, Mount Holly, NC, from (R-1) Single Family Limited Zoning District with (US) Overlay to the (R-2) Single Family Moderate Zoning District with (US) Overlay on January 9, 2023 based on: staff recommendation; and the request is reasonable and in the public interest and the request is in accordance with the County's Comprehensive Land Use Plan. The proposed residential use is consistent with the vision and goals of the Comprehensive Land Use Plan (CLUP) as it will maintain the rural "feel" of the area as envisioned for Area 3 of the Riverfront Gaston area.

Motion: Horne Second: Crane Vote: Unanimous
Aye: Crane, Harris, Horne, Houchard, Sadler, and Vinson
Nay: None
Absent: Brooks, Hurst, and Magee
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:

Donna S. Buff

NO.	DATE	M1	M2	CBrown	CCloninger	AFraley	BHovis	KJohnson	TKelgher	RWorley	Vote
2023-003	01/24/2023	BH	RW	A	A	A	A	A	A	A	U

DISTRIBUTION:

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Zoning Map Change: REZ-22-10-26-00129, Micah Horton (Applicant); Property Parcel: 199145, Located off of Old Hickory Grove Road, Mount Holly, NC, Rezone from (R-1) Single Family Limited Zoning District with (US) Overlay to the (R-2) Single Family Moderate Zoning District with (US) Overlay

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. The proposed residential use is consistent with the vision and goals of the Comprehensive Land Use Plan (CLUP) as it will maintain the rural "feel" of the area as envisioned for Area 3 of the Riverfront Gaston area.

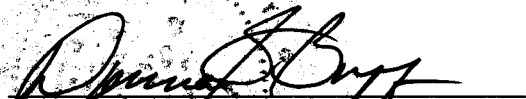
The Commission considers this action to be reasonable and in the public interest, based on: Planning Board recommendation and compatibility with existing land uses in the immediate area. Therefore, the map change request for Property parcel: 199145, is hereby approved, effective with the passage of this 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. Huff, Clerk to the Board

GASTON COUNTY REZONING APPLICATION (REZ-22-10-26-00129)

STAFF REPORT

APPLICATION SUMMARY

Request:

To rezone the property from the (R-1) Single Family Limited Zoning District to the (R-2) Single Family Moderate Zoning District.

Applicant(s):

Micah Horton

Property Owner(s):

Micah Justin Horton

Parcel Identification (PID):

199145

Property Location:

No assigned address

Total Property Acreage:

3.98 acres

Acreage for Map Change:

3.98 acres

Current Zoning:

(R-1) Single Family Limited with (US) overlay

Proposed Zoning:

(R-2) Single Family Moderate with (US) overlay

Existing Land Use:

vacant

Proposed Land Use:

residential

COMPREHENSIVE LAND USE PLAN

Area 3: Riverfront Gaston/Northeast 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, maintaining the rural “feel” of the area, and increased commercial opportunities

Comprehensive Plan Future Land Use: Suburban Development

This area consists of single-family residential areas that exist around commercial pockets representing a standard suburban center.

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)

There are no funded transportation improvement projects on the STIP, the MTP, or the CTP. A copy of the MPO's comments has been included in the staff packet.

STAFF SUMMARY

Prepared By: Jamie Mendoza Kanburoglu, Long Range Planner

This property is in a residential area in the northern region of the county. The location is primarily residential in nature, with different housing types and styles in the immediate vicinity. The applicant will need to show legal access to the lot when applying for their zoning permit. If a new driveway is needed, the applicant will need to coordinate with NCDOT.

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 RECOMMENDATION

The Planning Board met in a regular session on January 9, 2023, and unanimously recommended approval of this request based on the following:

The proposed residential use is consistent with the vision and goals of the Comprehensive Land Use Plan (CLUP) as it will maintain the rural “feel” of the area as envisioned for Area 3/Riverfront Gaston area.

Attachments: Application, GCLMPO Review Letter, List of Uses Allowed in the (R-2) 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**

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

A. *APPLICANT INFORMATION

Name of Applicant: Micah Horton
(Print Full Name)

Mailing Address: 2175 Old Hickory Grove Rd Mt. Holly NC 28120
(Include City, State and Zip Code)

Telephone Numbers: 7046786914
(Area Code) **Business** (Area Code) **Home**

Email: MJHorton1820@yahoo.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: Micah Horton
(Print Full Name)

Mailing Address: 2175 Old Hickory Grove Rd Mt, Holly NC 28120
(Include City, State and Zip Code)

Telephone Numbers: 7046786914
(Area Code) **Business** (Area Code) **Home**

Email: MJHorton1820@yahoo.com

C. PROPERTY INFORMATION

Physical Address or General Street Location of Property: _____

Parcel Identification (PID): 199145

Acreage of Parcel: 4 +/- Acreage to be Rezoned: 4 +/- Current Zoning: R1 w/ US

Current Use: woods Proposed Zoning: R2 w/ US double wide

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) 199145 hereby give Micah HORTON consent to execute this proposed action.

(Name of Applicant)
Micah Horton (Signature) 11-18-22 (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.

Micah Horton (Signature of Property Owner or Authorized Representative) 10/26/22 (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: _____ (Initials)	Date of Payment: _____	Receipt Number: _____
<input type="checkbox"/> COPY OF PLOT PLAN OR AREA MAP	<input type="checkbox"/> COPY OF DEED	
<input type="checkbox"/> NOTARIZED AUTHORIZATION	<input type="checkbox"/> 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: Dec 7, 2022
Subject: GCLMPO Rezoning Review – Old Hickory Grove Rd - REZ-22-10-26-00129

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 Old Hickory Grove Rd in Mount Holly. Parcel ID# 199145. 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. The CTP shows a recommended multi-use path along the vicinity of the site area (Fites Creek).
4. 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.

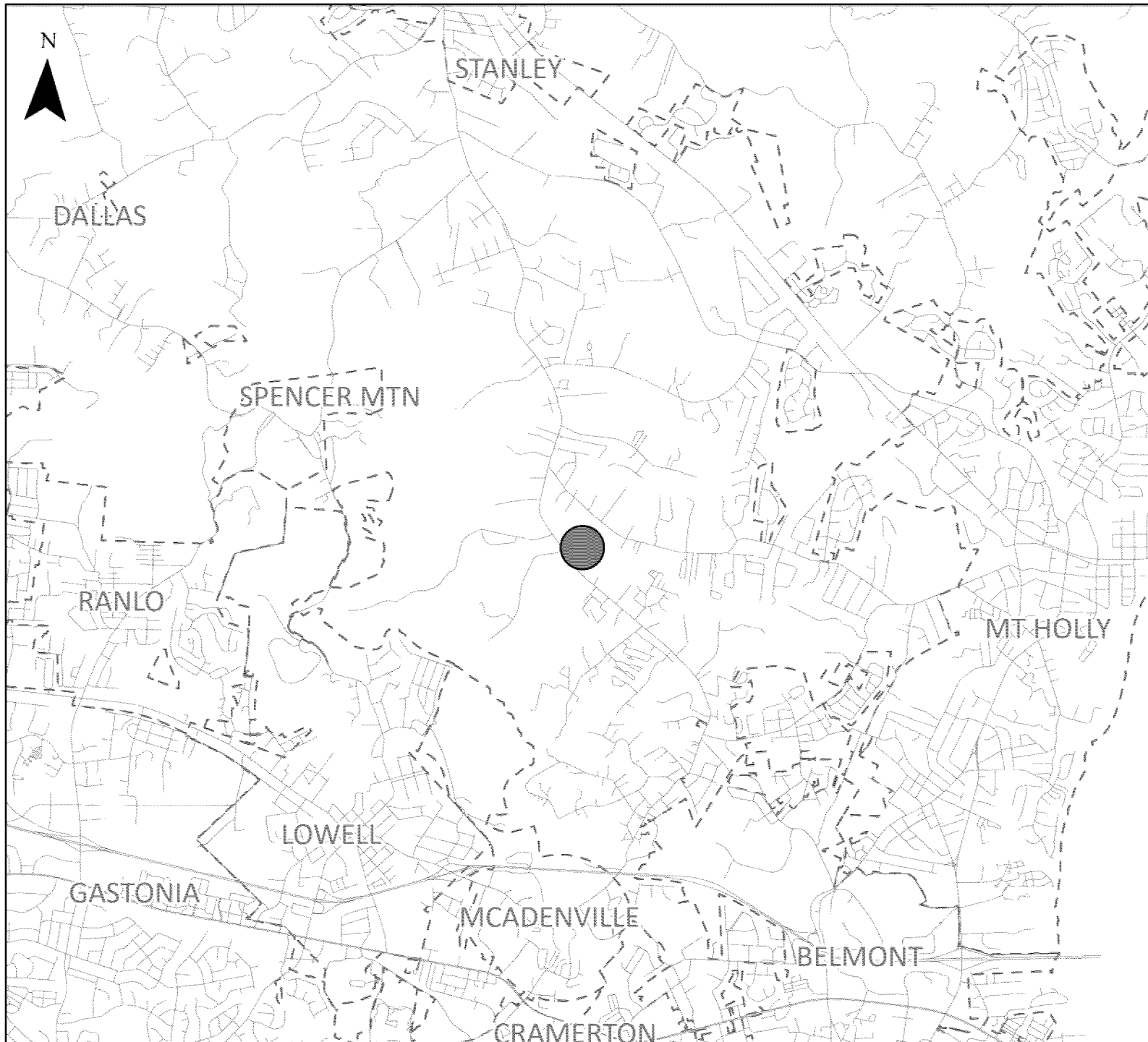
If you have any questions regarding my comments, please do not hesitate to contact me at 704-866-6980 or juliop@cityofgastonia.com.

Uses Allowed in the (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



VICINITY MAP
 REZ-22-10-26-00129
 2200 block Old Hickory
 Grove Rd.

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-22-10-26-00129

LEGEND

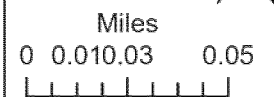
-  Subject Parcels
-  Property Parcels

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.





ZONING REVIEW MAP
REZ-22-10-26-00129

Legend

Gaston County Overlays

TYPE

- CH OVERLAY
- US OVERLAY

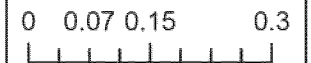
Gaston County UDO

ZONE TYPE

- C-1
- C-3
- CU/R-1
- R-1
- R-2
- R-3
- RS-20
- Parcels
- Roads
- Gaston County Line
- Subject Property



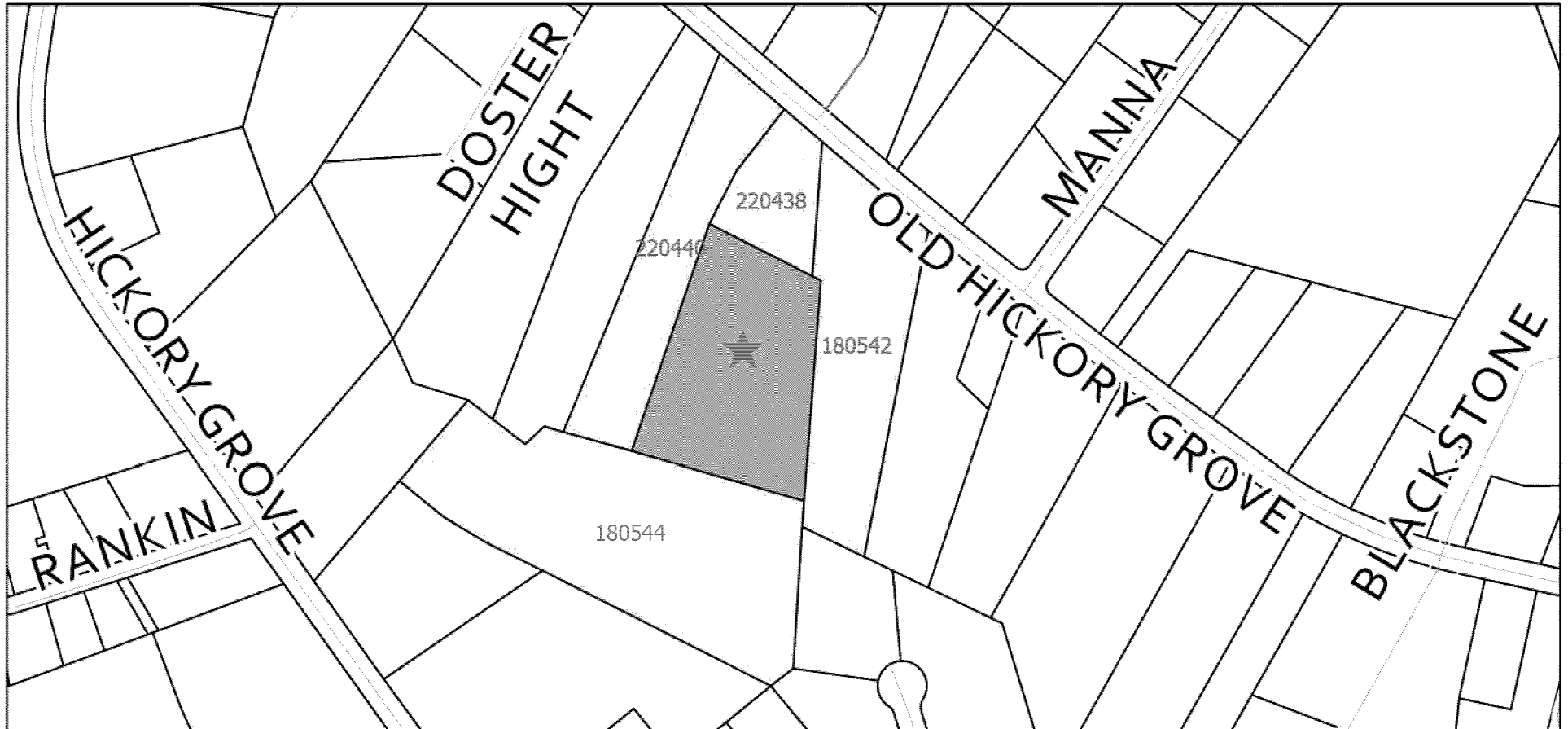
Miles



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Parcel ID 199145 Adjacent Parcels and Property Owners

PARCEL ID	NAME 1	NAME 2	MAILING ADDRESS	CITY	STATE	ZIPCODE
180544	BAUCOM ROGER DEAN ENHANCED LIFE ESTATE	BAUCOM ANN B ENHANCED LIFE ESTATE	3312 HICKORY GROVE RD	GASTONIA	NC	28056
180542	HORTON WYLIE G	HORTON GLENDA	2175 OLD HICKORY GROVE RD	MT HOLLY	NC	28120
220438	WILCOX JANICE A	WILCOX DAVID R	2181 OLD HICKORY GROVE RD	MT HOLLY	NC	28120
220440	WILCOX JANICE A	WILCOX DAVID R	2181 OLD HICKORY GROVE RD	MT HOLLY	NC	28120



Gaston County

Gaston County
Board of Commissioners
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Building and Development Services Board Action

File #: 22-550

Commissioner Brown - Building & Development Services - Zoning Map Change: REZ-22-10-26-00129, Micah Justin Horton (Applicant); Property Parcel: 199145 Located off of Old Hickory Grove Rd. in Mount Holly, NC, Rezone from the (R-1) Single Family Limited Zoning District with (US) Overlay to the (R-2) Single Family Moderate Zoning District with (US) Overlay

STAFF CONTACT

Jamie Kanburoglu - Director of Planning & 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. Micah Justin Horton (Applicant); Property Parcel: 199145 Located off of Old Hickory Grove Rd. in Mount Holly, NC, Rezone from the (R-1) Single Family Limited zoning district with (US) overlay to the (R-2) Single Family Moderate zoning district with (US) overlay. A public hearing was advertised and held on January 24, 2023 with Public Hearing comments being on file in the Board of Commission Clerk's Office. Planning Board recommendation was provided on January 9, 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

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
2023-003	01/24/2023	BH	RW	A	A	A	A	A	A	A	U

DISTRIBUTION:

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