

**Planning Board Item II – GENERAL PUBLIC HEARING INFORMATION (Z18-05)**  
**Board of Commissioners / Planning Board Public Hearing Date August 28, 2018**

**General Rezoning Application Z18-05**

Request: To rezone property parcel(s); 221303 (p/o) and 163155 from the (R-1) Single Family Limited Zoning District to the (R-2) Single Family Moderate Zoning District.  
 Applicant: Marie Hovis Swift  
 Property Owner(s): Marie Hovis Swift  
 Mailing Address of Applicant: 255 Sunnyside Shady Rest, Bessemer City, NC 28016

**Site Information and Description of Area**

General Location: Bess Road and Eaker Road, Kings Mountain, NC 28086  
 Parcel ID: 221303 and 163155  
 Total Property Acreage: 221303-125.49 and 163155-41.14 totaling 166.63  
 Acreage for Map Change: 221303-(p/o) 81.86 and 163155-41.14 totaling 123.00  
 Current Zoning District(s): R-1(Single Family Limited), R-2 (Single Family Moderate), R-3 (Single Family General), C-1 (Light Commercial)  
 General Area Zoning District(s): R-1(Single Family Limited), R-2 (Single Family Moderate), R-3 (Single Family General), C-1 (Light Commercial)

**Zoning District Information**

**Current Zoning District:**

**(R-1) Single Family Limited** – 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.

## **2035 Comprehensive Land Use Plan**

### **Small Area District:**

Area 1: Rural Gaston/Northwest Gaston (Cherryville and surrounding area)

Key issues for citizens in this area include; road improvements and better connectivity to other areas of the County and throughout the region, preservation of open space, 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 Development

It is staff's opinion 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 Gaston Gazette in accordance with County policy.

### **Zoning Sign Placement**

August 17, 2018

### **Information Attached**

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

### **Transportation Planning Information**

Provided by Gaston Cleveland Lincoln Metropolitan Planning Organization (GCLMPO)

### **Staff Contact:**

Willie King, Jr., Development Services Manager, (704)862-5510 or [willie.king@gastongov.com](mailto:willie.king@gastongov.com)



# GASTON COUNTY

Department of Planning & Development Services

Street Address: 128 W. Main Avenue, Gastonia, North Carolina 28052

Phone: (704) 866-3195

Mailing Address: P.O. Box 1578, Gastonia, N.C. 28053-1578

Fax: (704) 866-3966

## GENERAL REZONING APPLICATION

Application Number: **Z18-05**

Applicant

Planning Board (Administrative)

Board of Commission (Administrative)

ETJ

**REZ-18-07-02-0006**

### A. \*APPLICANT INFORMATION

Name of Applicant: Marie Hovis Swift  
(Print Full Name)

Mailing Address: 255 Sunnyside-Shady Rest Rd. Bessemer City, NC 28016  
(Include City, State and Zip Code)

Telephone Numbers: 704-813-0487  
(Area Code) Business (Area Code) Home

*\* 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: Marie Hovis Swift  
(Print Full Name)

Mailing Address: (same as above)  
(Include City, State and Zip Code)

Telephone Numbers: \_\_\_\_\_  
(Area Code) Business (Area Code) Home

### C. PROPERTY INFORMATION

Physical Address or General Street Location of Property: Bess Rd and Eaker Rd, Kings Mountain, NC 28086

Parcel Identification (PID): 3508322711 and 3508241036 / # 221303 & # 163155  
*(81.86 ac) P/O (41.14 ac)*

Total - # 221303 - 125.49 & # 163155 - 41.14 = 166.63

Acreeage of Parcel: 167 +/- Acreeage to be Rezoned: 123 +/- Current Zoning: R-1

Current Use: Agriculture 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: \_\_\_\_\_  
(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) 3508322711 ↓ 3508241036 hereby give Marie Swift (Name of Applicant) consent to execute this proposed action.

Marie Swift  
(Signature)

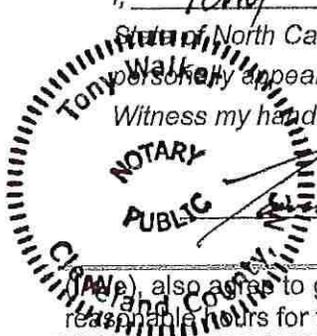
6-29-18  
(Date)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

I, Tony Walker, a Notary Public of the County of Cleveland State of North Carolina, hereby certify that Marie Swift

personally appeared before me this day and acknowledged the due execution of the foregoing instrument. Witness my hand and notarial seal, this the 29 day of June, 2018.



Tony Walker  
Notary Public Signature

April 3, 2021  
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 of Property Owner or Authorized Representative

\_\_\_\_\_  
Date

**Note: Approval of this request does not constitute a zoning permit. All requirements must be met within the UDO.**

**OFFICE USE ONLY**

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Date Received: 7-2-2018 Application Number: 218-05 Fee: \$500.00

Received by Member of Staff: RLS Date of Payment: 7-2-2018 Receipt Number: \_\_\_\_\_  
(Initials)

- COPY OF PLOT PLAN OR AREA MAP
- NOTARIZED AUTHORIZATION

- COPY OF DEED
- PAYMENT OF FEE

Date of Staff Review: 7-20-18

Date of Public Hearing: 8-28-2018

Planning Board Review: 8-28-18 Recommendation: \_\_\_\_\_ Date: \_\_\_\_\_

Commissioner's Decision: \_\_\_\_\_ Date: \_\_\_\_\_

## Current Zoning

### **(R-1) SINGLE FAMILY LIMITED**

#### **(1) Uses allowed by right:**

Dwelling, Single-Family; Essential Services Class 1; Recycling Deposit Station, accessory; and Taxidermy.

#### **(2) Uses allowed by right with supplemental regulations:**

Automobile Hobbyist; Bona Fide Farms, Botanical Garden; Churches/ Place of Worship; Day Care Center, Class A; Day Care Center, Class B; Essential Services Class 2; Essential Services Class 4; Family Care Home; Flex Space; Home Occupation, Customary; Home Occupation, Rural; Landfill, Beneficial Fill; Landfill, Land Clearing and Inert Debris, Minor; Marina, Accessory; Maternity Home; Park; Planned Residential Development (PRD); Private Residential Quarters (PRQ); Produce Stand; Restaurant within other facilities; Schools, Elementary & Middle (public & private); School, Senior High (public & private); Stadium; Telecommunication Antennae and Equipment Buildings; and Traditional Neighborhood Development (TND).

#### **(3) Uses allowed with a conditional use permit:**

Library; Museum; and Zoo

#### **(4) Uses allowed with a conditional use permit, with supplemental regulations:**

Bed and Breakfast; Cemetery; Country Club; Day Care Center, Class B; Essential Services Class 4; Fraternal & Service Organization Meeting Facility (non- or not-for profit) 0-9,999 sq. ft. GFA; Golf Course, Golf Driving Range, Golf Miniature; Maternity Home; Park; Parking Lot; Recreation Center and Sports Center; Recycling Deposit Station, principal use; Stadium; Tower and/or Station, Radio; and Wood Waste Grinding Operation.

#### **(5) Existing Use subject to supplemental regulations:**

Dwelling, Manufactured Home Class C; and Dwelling, Manufactured Home Class D, Manufactured Home Park.

#### **(6) By Conditional Zoning: Marina, Commercial**

#### **(7) By Conditional Zoning with supplemental regulations:**

Planned Residential Development (PRD); and Planned Unit Development (PUD), and Traditional Neighborhood Development (TND).

#### **(8) By Special exception: None**

#### **(9) By Special exception with supplemental regulations: Family Care Home**

## Proposed Zoning

### (R-2) SINGLE FAMILY MODERATE

#### (1) Uses allowed by right:

Dwelling, Manufactured Home Class A, Dwelling Manufactured Home Class B, Dwelling, Single-Family, Essential Services, Class 1, Recycling Deposit Station, Accessory, Taxidermy.

#### (2) Uses allowed by right with supplemental regulations:

Automobile Hobbyist, Cemetery (Accessory Use), Bona Fide Farms, Botanical Gardens, Churches/ Place of Worship, Day Care Center, Class A, Day Care Center, Class B, Dwelling, Two Family, Essential Services Class 2, Essential Services Class 4, Family Care Home, Flex Space, Group Home, Home Occupation, Customary, Home Occupation, Rural, Landfill, Beneficial Fill, Landfill, Land Clearing and Inert Debris, Minor, Marinas, Accessory, Maternity Home, Park, Planned Residential Development (PRD), Planned Unit Development (PUD), Private Residential Quarters (PRQ), Produce Stand, Restaurant, within other facilities, Schools, Elementary and Junior High (Public and Private), School, Senior High (Public and Private), Stadium, Telecommunication Antennae and Equipment Buildings, Traditional Neighborhood Development (TND).

#### (3) Uses allowed with a conditional use permit:

Animal Grooming Service for household pet (Indoor Kennels), College/University, Essential Services Class 3, Library, Marina, Commercial, Museum, School for the Arts, Zoo.

#### (4) Uses allowed with a conditional use permit, with supplemental regulations:

Animal Hospital (Outdoor Kennel), Animal Hospital (Indoor Kennel), Animal Kennel, Bed and Breakfast Inn Camping and Recreational Vehicle Park, Cemetery, Continuing Care Facility, Country Club, Day Care Center, Class B, Day Care Center, Class C, Essential Services Class 4, Family Care Home, Fraternal and Service Organization Meeting Facility (non-or not for profit), 0-9,999 Square Feet Gross Floor Area, Fraternal and Service Organization Meeting Facility (non-or not for profit), 10,000 Square Feet Gross Floor Area, Golf Course; Golf Driving Range; Golf Miniature, Maternity Home, Military Reserve, Center, Nursery (Garden), Nursing Home, Rest Home, Park, Parking Lot, Recreation Center and Sports Center, Recycling Deposit Station, principal use, Riding Stables, Rodeo/Accessory Rodeo, Planned Unit Development, Planned Residential Development, Stadium, Tower and/or Station, Radio and Television Broadcast, Traditional Neighborhood Development (TND), Wood Waste Grinding Operation.

#### (5) Existing Use subject to supplemental regulations:

Dwelling, Manufactured Home Class C, and Dwelling, Manufactured Home Class D, Manufactured Home Park

#### (6) By Conditional Zoning: None

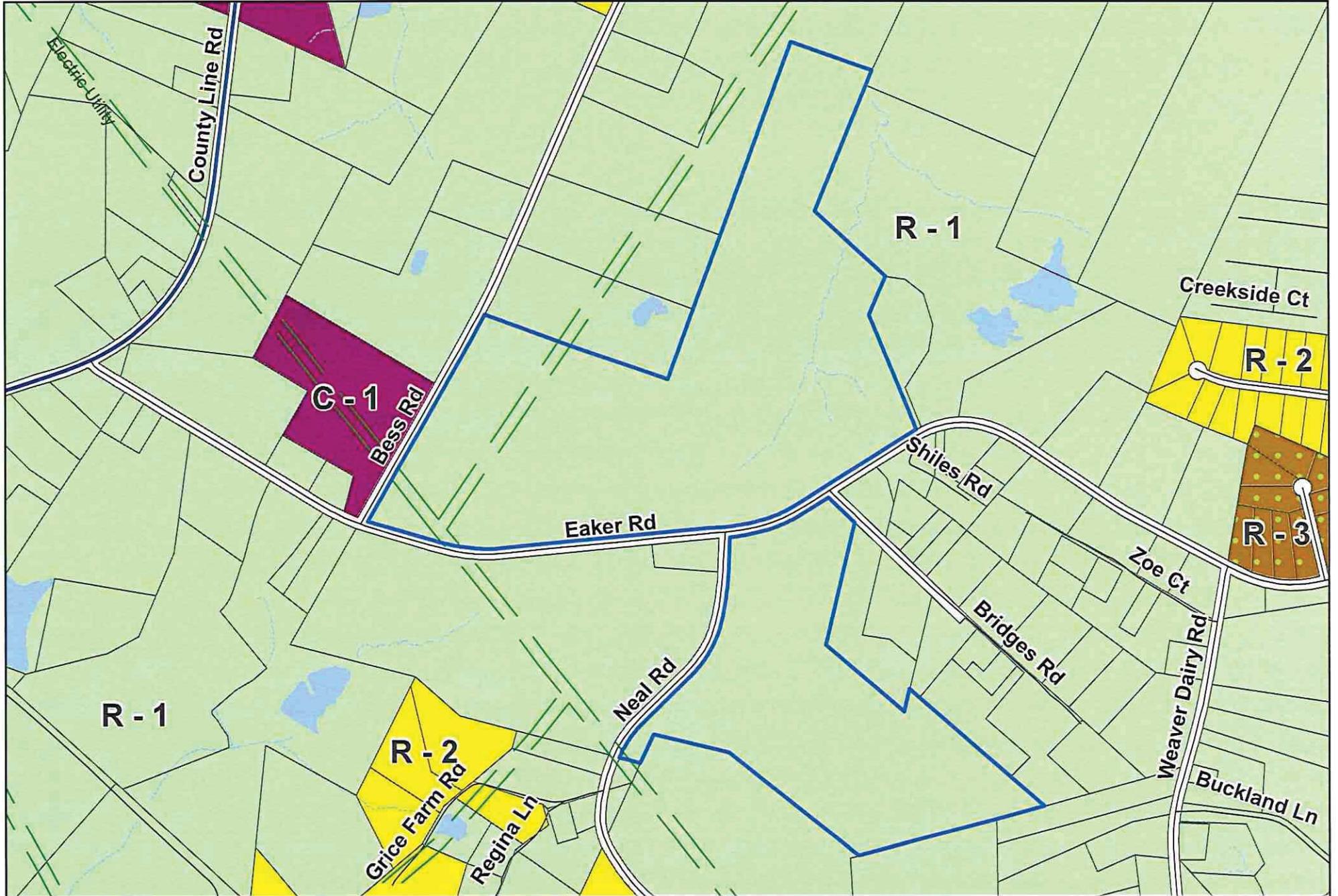
#### (7) By Conditional Zoning with supplemental regulations:

Planned Residential Development (PRD), and Planned Unit Development (PUD), and Traditional Neighborhood Development (TND).

#### (8) By Special exception: None

#### (9) By Special exception with supplemental regulations: Family Care Home

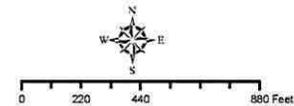
FOR DISPLAY PURPOSES ONLY - NOT TO BE USED FOR CONVEYANCE



**GASTON COUNTY**  
**Zoning Map**

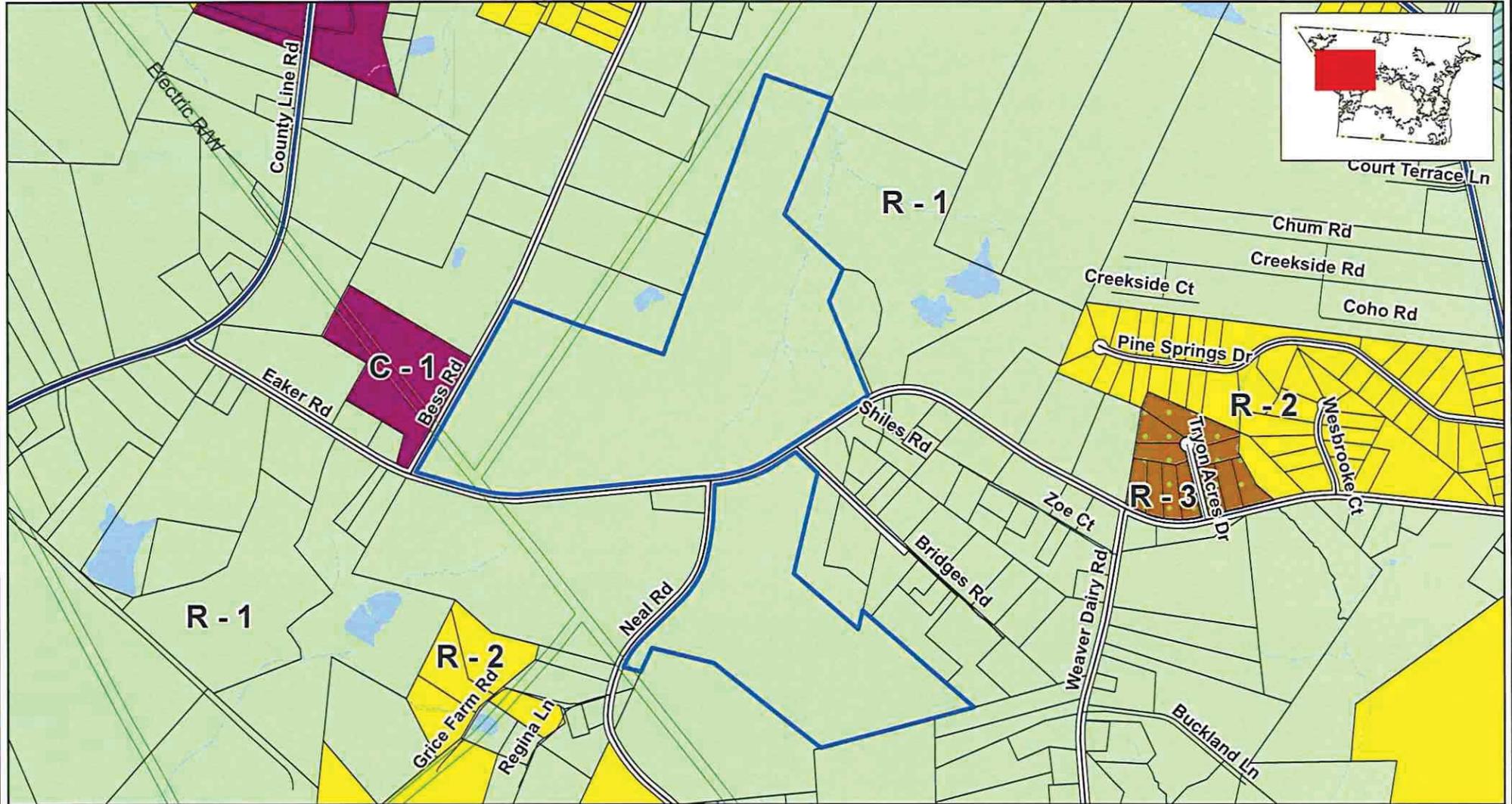
*"Applicant: Z18-05"*

 Subject Area



R-1 Single Family Limited  
R-2 Single Family Moderate  
R-3 Single Family General  
C-1 Light Commercial

**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 zoning change 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 Department of 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 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  
ZONING REVIEW MAP**

- R-1 Single Family Limited
- C-1 Light Commercial
- R-2 Single Family Moderate
- R-3 Single Family Moderate

Area of Consideration



0 240 480 960 1,440 1,920 Feet

Applicant: Z18-05  
Tax Id: 163155 & 221303 (portion of)

Request Re- Zoning from:  
R-1 Single Family Limited  
To: R-2 Single Family Moderate

Map Date: 8/10/2018



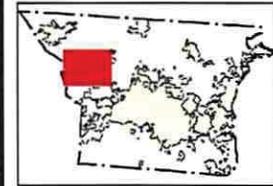
# Gaston County Zoning Review Overview Map

2018 Pictometry

Z18-05

### Legend

- Subject Area
- Property Parcels



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

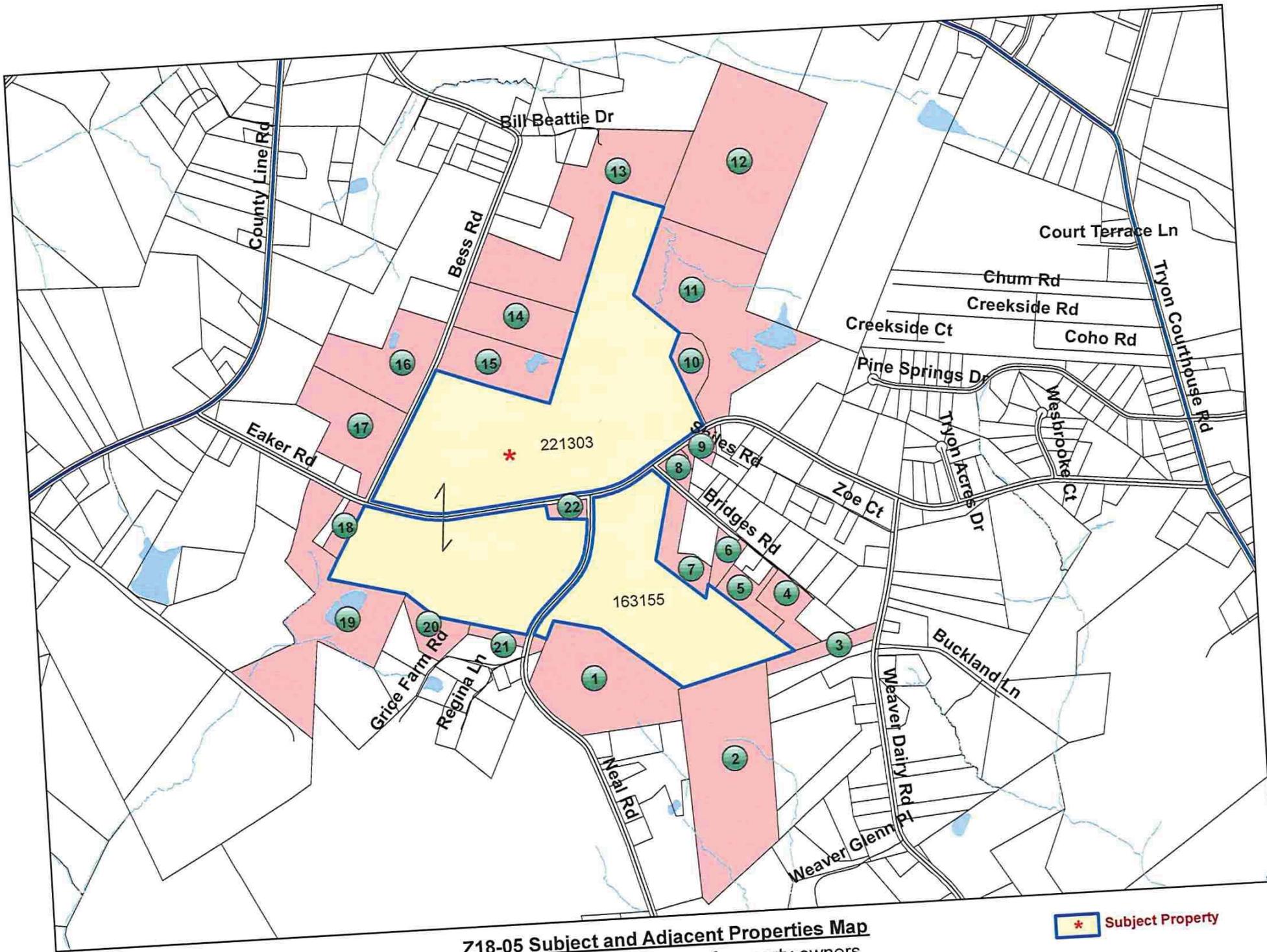
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**Z18-05 Subject and Adjacent Properties Map**  
 See reverse side for listing of property owners

 Subject Property

Z18-05 Subject and Adjacent Property List

<u>NO:</u>	<u>PARCEL</u>	<u>OWNER NAME</u>	<u>OWNER NAME 2</u>	<u>ADDRESS</u>	<u>ADDRESS 2</u>	<u>CITY</u>	<u>STATE</u>	<u>ZIP</u>
•	163155	SWIFT MARIE HOVIS		255 SUNNYSIDE SHADY REST RD		BESSEMER CITY	NC	28016-0000
•	221303	SWIFT MARIE HOVIS		255 SUNNYSIDE SHADY REST RD		BESSEMER CITY	NC	289016-0000
1	163796	BESS MARTIN CHARLES		3402 HWY 274		CHERRYVILLE	NC	28021-0000
2	163770	BESS MARTIN C	BESS JACQUELINE B	3402 HWY 274		CHERRYVILLE	NC	28021-0000
3	163767	KELLEY CHRISTOPHER M		475 WEAVER DAIRY RD		BESSEMER CITY	NC	28016-6608
4	223473	BRIDGES FAYE W		162 BRIDGES RD		BESSEMER CITY	NC	28016-7677
5	223474	BRIDGES WARREN K	BRIDGES LINDA L	186 BRIDGES RD		BESSEMER CITY	NC	28016-7677
6	163176	CRISWELL CYNTHIA ANN BRIDGES		106 CARMEL HILLS DR		GASTONIA	NC	28056-7100
7	215794	CRISWELL DOYLE ALLEN JR		1601 HERITAGE RIDGE CT		DALLAS	NC	28034-8206
8	207229	GREENE MARK SHON	BASS JODI LYNN	375 EAKER RD		BESSEMER CITY	NC	28016-7680
9	207228	SHILES RONALD E SR		111 SHILES RD		BESSEMER CITY	NC	28016-9400
10	163162	SMALL GERALD EUGENE JR		PO BOX 822		CHERRYVILLE	NC	28021
11	163161	SMITH THOMAS O	SMITH DOLLY	1703 FERN FOREST DR		GASTONIA	NC	28054
12	162844	CARPENTER OLIN D JR		1773 BEAR CREEK RD		BAKERSVILLE	NC	28705-0000
13	163018	BEATTIE PRESTON DALE LIFE EST		240 BESS RD		KINGS MOUNTAIN	NC	28086-0000
14	218668	ABSHER STEPHANIE ANN		226 BESS RD		KINGS MOUNTAIN	NC	28086-0000
15	218667	ABSHER PATSY J LIFE ESTATE		218 BESS RD		KINGS MTN	NC	28086-9374
16	163151	WILSON JAMES F		221 BESS RD		KINGS MOUNTAIN	NC	28086-0000
17	226818	RIDDLEYS PROPERTIES LLC		119 BESS RD		KINGS MTN	NC	28086-8106
18	163143	GIBSON JACK C SR	GIBSON KATHLEEN J	615 EAKER RD		KINGS MOUNTAIN	NC	28086-8411
19	222790	GIBSON JACK C SR	GIBSON KATHLEEN J	615 EAKER RD		KINGS MOUNTAIN	NC	28086-8411
20	220957	QUEEN ALICE	QUEEN MAX RANDALL	522 GRICE FARM RD		BESSEMER CITY	NC	28016-6674
21	163157	RUTHERFORD ELECTRIC MEM CORP		ATTN: GAYE HIGGINS	PO BOX 1569	FOREST CITY	NC	28043-1569
22	221302	JORDAN ADRYAN ALLEN	JORDAN DAVID A	441 EAKER RD		BESSEMER CITY	NC	28016-0000

## Memorandum

**To:** Willie King, Land Use Administrator, Gaston County Planning & Development Services  
**From:** Julio Paredes, Planner  
**Date:** July 30, 2018  
**Subject:** Comments for Rezoning Application Z18-05 TRC Swift

Thank you for the opportunity to provide transportation comments on a proposed rezoning 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 our adopted Comprehensive Transportation Plan (CTP) and the adopted 2045 Metropolitan Transportation Plan (MTP).

1. The proposed development is located at Bess Rd and Eaker Rd, Kings Mountain, NC, 28086
  - A. The proposed development will not generate daily trips of significant concern to the adjacent roadway network.
  - B. According to NCDOT's 2018-2027 State Transportation Improvement Program (STIP) and the 2045 MTP, there are no funded transportation improvement projects in the immediate vicinity of this project.
  - C. The CTP does not show any future improvements on any streets adjacent to the subject properties.

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