



RESOLUTION TITLE: ZONING MAP CHANGE: Z22-01 JESSICA BLACK & JOSEPH DAYNE SNEED (APPLICANTS); PROPERTY PARCELS: 157267 AND 157266, LOCATED AT 919 TOT DELLINGER RD., CHERRYVILLE, NC, REZONE FROM THE (I-2) GENERAL INDUSTRIAL 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 January 25, 2022 by the County Commission, to take citizen comment into a map change application, as follows:

Tax Parcel Number(s): 157267, 157266
Applicant(s): Jessica Black & Joseph Dayne Sneed
Owner(s): Jessica Black & Joseph Dayne Sneed
Property Location: 919 Tot Dellinger Rd.
Request: Rezone Parcels 157267 and 157266 from the (I-2) General Industrial 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 parcels: 157267 and 157266, located at 919 Tot Dellinger Rd., Cherryville, NC, from the (I-2) General Industrial Zoning District to the (R-2) Single Family Moderate Zoning District on January 10, 2022 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 rezoning is in the Rural future land use plan. Residential homes are located on large lots and are set back from the roads they front upon. It is understood that this is the default use designation for Gaston County. The use, going from (I-2) to (R-2) will make the subject parcel residential in nature, which is consistent with the Rural designation and is in harmony with uses within the immediate vicinity.

Motion: Vinson Second: Houchard Vote: Unanimous
Ayes: Ally, Harris, Houchard, Sadler, Vinson
Nay: None
Absent: Brooks, Fallon, Horne, Hurst
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	AFrale	BHovis	KJohnson	TKeigher	TPhillbeck	RWorley	Vote
2022-004	01/25/2022	AF	BH	A	A	A	AB	AB	AB	A	U

DISTRIBUTION:

Laserfiche Users

Zoning Map Change: Z22-01 Jessica Black & Joseph Dayne Sneed (Applicants); Property Parcels: 157267 and 157266, Located at 919 Tot Dellinger Rd., Cherryville, NC, Rezone from the (I-2) General Industrial Zoning District to the (R-2) Single Family Moderate Zoning District
Page 2

NOW, THEREFORE, BE IT RESOLVED by the County Commission, upon consideration of the map change application, public hearing comment and recommendations 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 rezoning is in the Rural future land use plan. Residential homes are located on large lots and are set back from the roads they front upon. It is understood that this is the default use designation for Gaston County. The use, going from (I-2) to (R-2) will make the subject parcel residential in nature, which is consistent with the Rural designation and is in harmony with uses within the immediate vicinity.

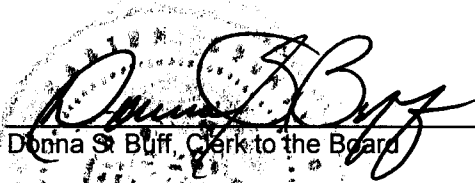
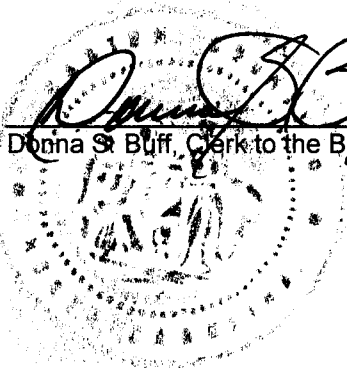
The Commission considers this action to be reasonable and in the public interest, based on: Planning Board recommendation and compatibility with existing land uses in the immediate area. Therefore the map change request for property parcels: 157267 and 157266, is hereby approved, effective with the passage 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


General Rezoning Application (Z22-01)

STAFF REPORT

APPLICATION SUMMARY

Request:

To rezone property from the (I-2) General Industrial Zoning District to the (R-2) Single Family Moderate Zoning District.

Applicant(s):

Jessica Black & Joseph Dayne Sneed

Property Owner(s):

Jessica Black, Joseph Dayne Sneed

Parcel Identification (PID):

157267, 157266

Property Location:

919 Tot Dellinger Rd. (Cherryville)

Total Property Acreage:

3.30 ac

Acreage for Map Change:

3.30 ac

Current Zoning:

(I-2) General Industrial

Proposed Zoning:

(R-2) Single Family Moderate

Existing Land Use:

Residential

Proposed Land Use:

Single Family Residential (Manufactured)

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; and, 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. This designation exemplifies Gaston County and the existing natural resources that exist throughout the jurisdiction. Residential homes are located on large lots and are set back from the roads they front upon. There are many opportunities for agribusiness ventures in this designation as well, including farming, landscaping and associated nurseries, etc. It is understood that this is the default use designation for Gaston County.

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)

Pending

STAFF SUMMARY

Prepared By: Sarah Carpenter Penley, Senior Planner

This property is located in a residential area of the north west region of the county. The location is primarily residential in nature with some industrial business. Housing types in the area include single family site built, modular and/or manufactured housing, including double wide style homes.

If approved, any uses allowed in the (R-2) Single Family General Zoning District would be permitted in accordance with standards and regulations as adopted in the Gaston County Unified Development Ordinance (UDO).

PLANNING BOARD RECOMMENDATION

Scheduled Meeting Date: January 10, 2022

Meeting Summary / Points of Discussion: Staff provided Board members with an overview of the application and property. No discussion followed the presentation.

The Board voted to approved the application, with a voted of (5) to (0), based upon the following statement of consistency:

The proposed rezoning is in the Rural future land use plan. Residential homes are located on large lots and are set back from the roads they front upon. It is understood that this is the default use designation for Gaston County. The use, going from (I-2) to (R-2) will make the subject parcel residential in nature, which is consistent with the Rural designation and is in harmony with uses within the immediate vicinity.

Attachments: Maps



GASTON COUNTY Department of Building & 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: **Z 22-01**

Applicant ☒

Planning Board (Administrative) ☐

Board of Commission (Administrative) ☐

ETJ ☐

A. *APPLICANT INFORMATION

Name of Applicant: Jessica Black (Joseph Dayne Sneed

(Print Full Name)

Mailing Address: 919 Tot Dellinger Rd., Cherryville, NC 28021

(Include City, State and Zip Code)

Telephone Numbers: (704)740-0599

(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: 919 Tot Dellinger Rd. (Cherryville)

Parcel Identification (PID): 157267, 157266

Acreage of Parcel: 3.30 +/- Acreage to be Rezoned: 3.30 +/- Current Zoning: (I-2)

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: _____
(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.



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

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

☐ COPY OF DEED

☐ NOTARIZED AUTHORIZATION

☐ 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.

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: Sarah Carpenter Penley, Gaston County Senior Planner/Subdivision Administrator
From: Julio Paredes, Planner
Date: January 18, 2022
Subject: GCLMPO Rezoning Review – Z22-01: Tot Dellinger Rd.

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 in accordance with the adopted Comprehensive Transportation Plan (CTP), the adopted 2045 Metropolitan Transportation Plan (MTP), and the current State Transportation Improvement Program (STIP).

The site is located at 919 Tot Dellinger Rd. 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 2045 Highway MTP nor Highway CTP include any proposed improvements to any streets adjacent to the subject property.
3. The CTP shows bike facilities improvements along Tot Dellinger Rd.
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.

R2 SINGLE FAMILY MODERATE**(1) Uses allowed by right:**

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

(2) Uses allowed by right with supplemental regulations:

Automobile Hobbyist; 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; Upholstery Shop; 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; Fraternal and Service Organization Meeting Facility (non-or not for profit), 0- 9,999sf GFA; Fraternal and Service Organization Meeting Facility (non-or not for profit), 10,000sf GFA; 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; Stadium; Tower and/or Station, Radio and Television Broadcast; Wood Waste Grinding Operation.

(5) Existing Use subject to supplemental regulations:

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

(6) By Conditional Zoning: None**(7) By Conditional Zoning with supplemental regulations:**

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

(8) By Special exception: None**(9) By Special exception with supplemental regulations:**

Family Care Home







Gaston County North Carolina

Vicinity Map

Z22-01

Legend

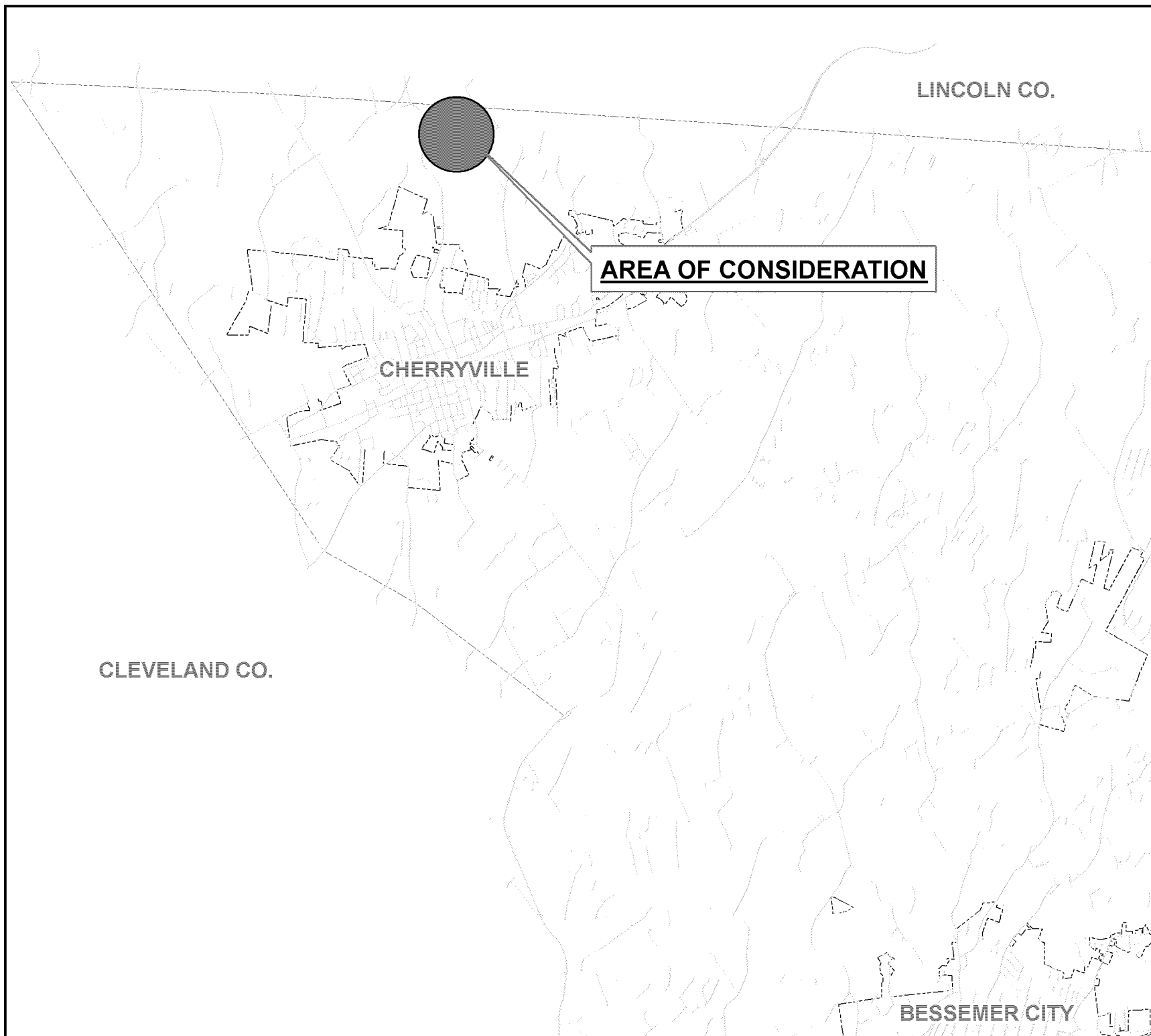
-  Minor Roadways
-  Major Roadways
-  Area of Consideration
-  Municipalities

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

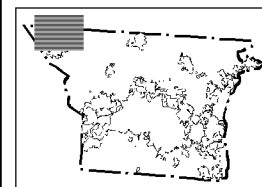
Z22-01

Legend



Subject Area

Property Parcels



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

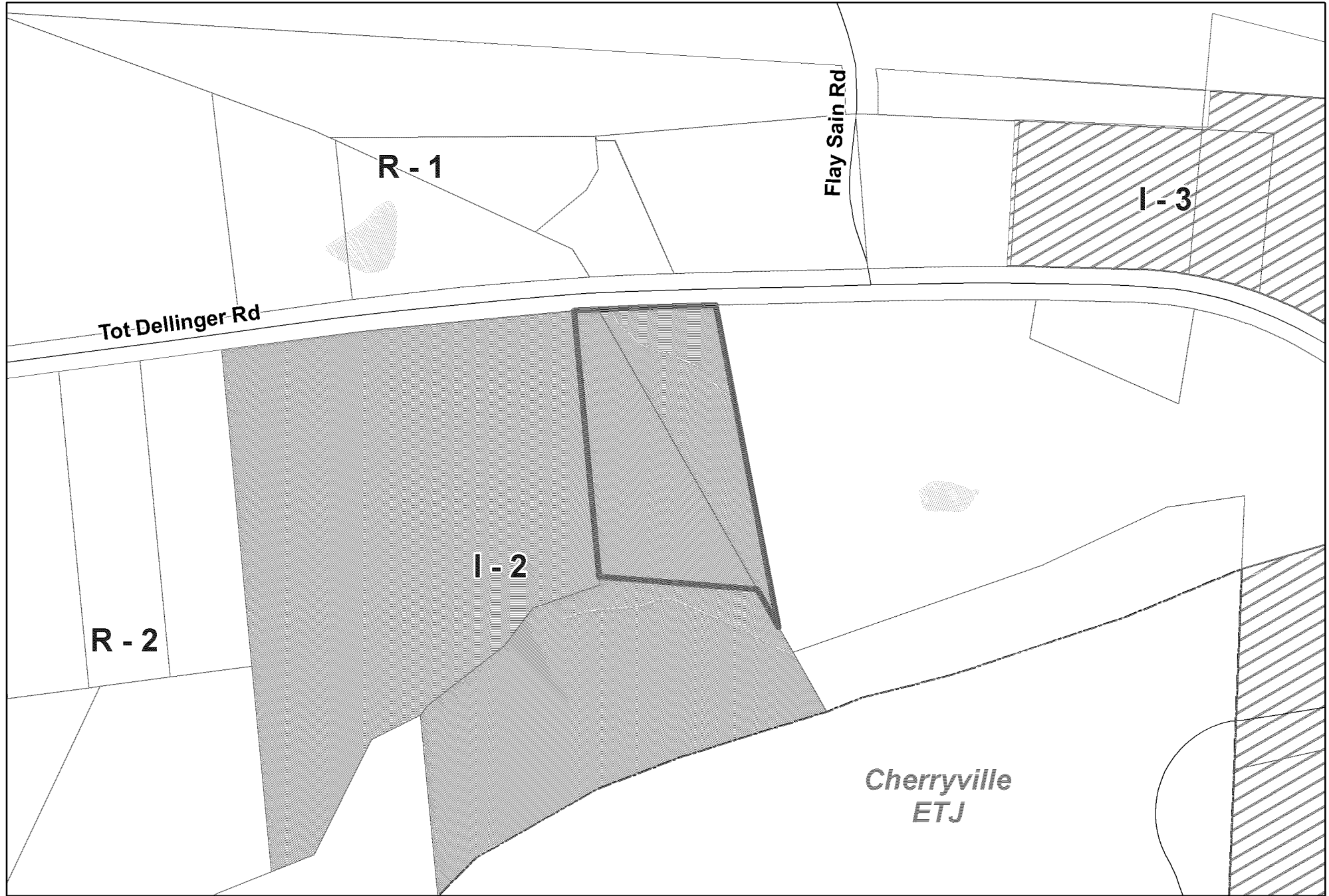
Property parcels, zoning, transportation and other map information were compiled from one or more data layers. The data is periodically updated, however, all data layers may not be displayed. Street names are subject to change.

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.

0 120 240
Feet



GASTON COUNTY Zoning Map

Z22-01

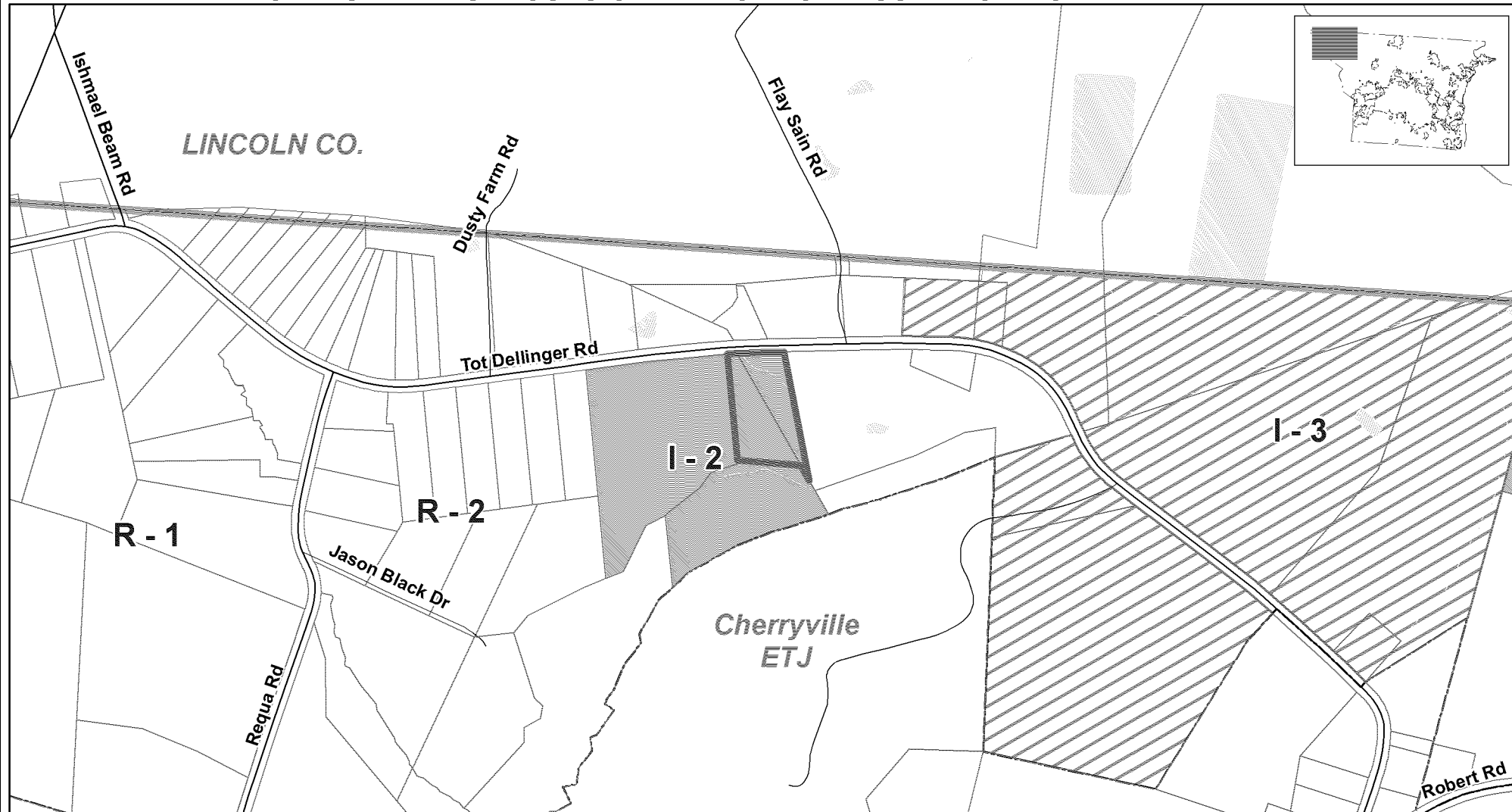
 Subject Area



0 70 140 280 Feet

(R-1) Single Family Limited
(R-2) Single Family Moderate
(I-2) General Industrial
(I-3) Exclusive Industrial

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.

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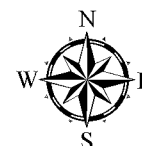
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GASTON COUNTY ZONING REVIEW MAP

- R-1 Single Family Limited
- R-2 Single Family Moderate
- I-2 General Industrial
- I-3 Exclusive Industrial

 Area of Consideration



0 165 330 660 990 1,320 Feet

Applicant: Z22-01
Tax ID(s): 157267, 157266
Request Re-Zoning
From: (I-2) Light Industrial
To: (R-2) Single Family Moderate

Map Date: 01/06/2022



Z22-01 Subject and Adjacent Properties Map
See reverse side for listing of property owners

 Area of consideration

Z22-01 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>
*	157267	SNEED JOSEPH DAYNE	SNEED JESSICA BLACK	919 TOT DELLINGER RD	CHERRYVILLE	NC	28021
*	157266	BLACK WILLIAM DOUGLAS LIFE EST	BLACK RITA S LIFE ESTATE	913 TOT DELLINGER RD	CHERRYVILLE	NC	28021
1	157204	MOSS KATHY M		952 TOT DELLINGER RD	CHERRYVILLE	NC	28021
2	157265	MOSS KATHY M		952 TOT DELLINGER RD	CHERRYVILLE	NC	28021
3	208379	MOSS S JAY	MOSS BETH	900 TOT DELLINGER RD	CHERRYVILLE	NC	28021
4	157290	WILLIAMSON THOMAS CHAD		839 TOT DELLINGER RD	CHERRYVILLE	NC	28021
5	157315	BLACK WILLIAM DOUGLAS LIFE EST	BLACK RITA S LIFE ESTATE	913 TOT DELLINGER RD	CHERRYVILLE	NC	28021
6	202105	B-Y ACQUISITION LLC		4040 10TH AVE DR SW	HICKORY	NC	28602



Gaston County

Gaston County
Board of Commissioners
www.gastongov.com

Building and Development Services Board Action

File #: 22-024

Commissioner Fraley - Building & Development Services - Zoning Map Change: Z22-01 Jessica Black & Joseph Dayne Sneed (Applicants); Property Parcels: 157267 and 157266, Located at 919 Tot Dellinger Rd., Cherryville, NC, Rezone from the (I-2) General Industrial Zoning District to the (R-2) Single Family Moderate Zoning District

STAFF CONTACT

Joseph B. Sciba - Director - 704-866-3970

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. Jessica Black & Joseph Dayne Sneed (Applicants); Rezone Parcels: 157267 and 157266, from the (I-2) General Industrial Zoning District to the (R-2) Single Family Moderate Zoning District. A public hearing was advertised and held on January 25, 2022 with Public Hearing comments being on file in the Board of Commission Clerk's Office. Planning Board recommendation was provided on January 10, 2022, 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	AFraley	BHovis	KJohnson	TKelgher	TPhilbeck	RWorley	Vote
2022-004	01/25/2022	AF	BH	A	A	A	AB	AB	AB	A	U

DISTRIBUTION:

Laserfiche Users

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