



RESOLUTION TITLE: ZONING MAP CHANGE: Z22-04 AMANDA C. STONE (APPLICANT); PROPERTY PARCEL: 302415, LOCATED AT 126 HOYLES CREEK RD., DALLAS, NC, REZONE FROM THE (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 February 22, 2022 by the County Commission, to take citizen comment into a map change application, as follows:

Tax Parcel Number(s): 302415
Applicant(s): Amanda C. Stone
Owner(s): Amanda C. & Robert David Stone
Property Location: 126 Hoyles Creek Rd.
Request: Rezone Parcel 302415 from the (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: 302415, located at 126 Hoyles Creek Rd., Dallas, NC, from the (R-1) Single Family Limited Zoning District to the (R-2) Single Family Moderate Zoning District on February 14, 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. The use, going from (R-1) to (R-2) will keep the subject parcel residential in nature, which is consistent with the Rural designation and is in harmony with uses within the immediate vicinity.

Motion: Brooks Second: Hurst Vote: Unanimous
Ayes: Ally, Brooks, Harris, Horne, Houchard, Hurst, Magee, Vinson
Nay: None
Absent: Fallon, 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	AFrale	BHovis	KJohnson	TKeigher	TPhilbeck	RWorley	Vote
2022-040	02/22/2022	TK	TP	A	A	A	A	A	A	A	U

DISTRIBUTION:

Laserfiche Users

Zoning Map Change: Z22-04 Amanda C. Stone (Applicant); Property Parcel: 302415, Located at 126 Hoyles Creek Rd., Dallas, NC, Rezone from the (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 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. The use, going from (R-1) to (R-2) will keep 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 parcel: 302415, 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 (Z22-04)

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):

Amanda Stone

Property Owner(s):

David and Amanda Stone

Parcel Identification (PID):

302415

Property Location:

126 Hoyles Creek Rd. (Dallas)

Total Property Acreage:

2.82 ac

Acreage for Map Change:

2.82 ac

Current Zoning:

(R-1) Single Family Limited

Proposed Zoning:

(R-2) Single Family Moderate

Existing Land Use:

Vacant

Proposed Land Use:

Single Family Residential (Manufactured)

COMPREHENSIVE LAND USE PLAN

Area 2: North 321 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, more transportation alternatives, preservation of agriculture and maintaining the rural “feel” of the community, steer development towards existing infrastructure and areas immediately surrounding towns and cities

Comprehensive Plan future Land Use:

Rural Community – Rural communities are areas in the largely Rural areas where there is a number of residential buildings on smaller lots, built closer to the roadway. These areas have a neighborhood look and feel.

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

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 included.

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

Scheduled Meeting Date: February 14, 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 approve the application, with a voted of (8) to (0), based upon the following statement of consistency:

The proposed rezoning is in the Rural future land use plan. The use, going from (R-1) to (R-2) will keep 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 22-04**

Applicant ☒

Planning Board (Administrative) ☐

Board of Commission (Administrative) ☐

ETJ ☐

A. *APPLICANT INFORMATION

Name of Applicant: Amanda C. Stone
(Print Full Name)

Mailing Address: 101 Sunset Dr, Stanley, NC 28164
(Include City, State and Zip Code)

Telephone Numbers: 704-678-7333
(Area Code) Business (Area Code) Home

Email: hollywood_usher@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: Amanda C. Stone / Robert David Stone
(Print Full Name)

Mailing Address: same as above
(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: 126 Hayles Creek Rd
Dallas, NC 28234

Parcel Identification (PID): 302415

Acreage of Parcel: 2.82 +/- Acreage to be Rezoned: 2.82 +/- Current Zoning: R1

Current Use: ~~res~~ future home site 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) 302415 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.

Amanda C. Stone
Signature of Property Owner or Authorized Representative

1-24-22
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: 1-24-22 Application Number: 722-04 / RE722-01-24-00094 Fee: 500.00

Received by Member of Staff: JH Date of Payment: 1-25-22 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.



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 27, 2022
Subject: GCLMPO Rezoning Review – Z22-04: Hoyles Creek 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 126 Hoyles Creek Rd, Dallas, NC 28034. 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 Hoyles Creek 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:

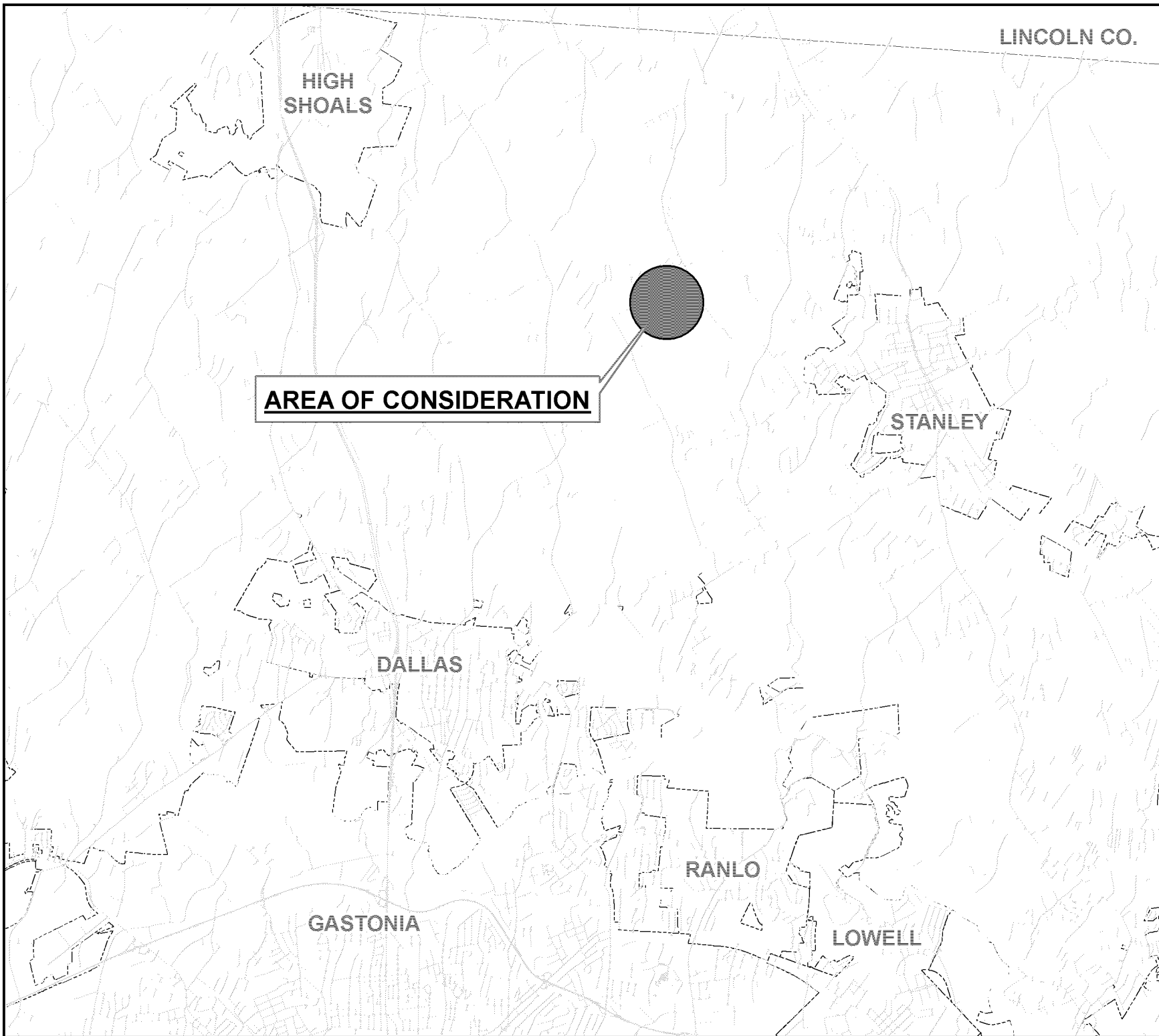
Dwelling, Manufactured Home Class C; Dwelling, Manufactured Home Class D; Manufactured Home Park

(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

Z22-04

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 152-10.





Gaston County Overview Map

2019 Orthophoto

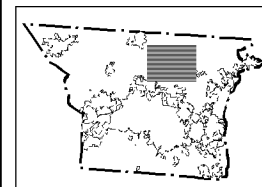
Z22-04

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.

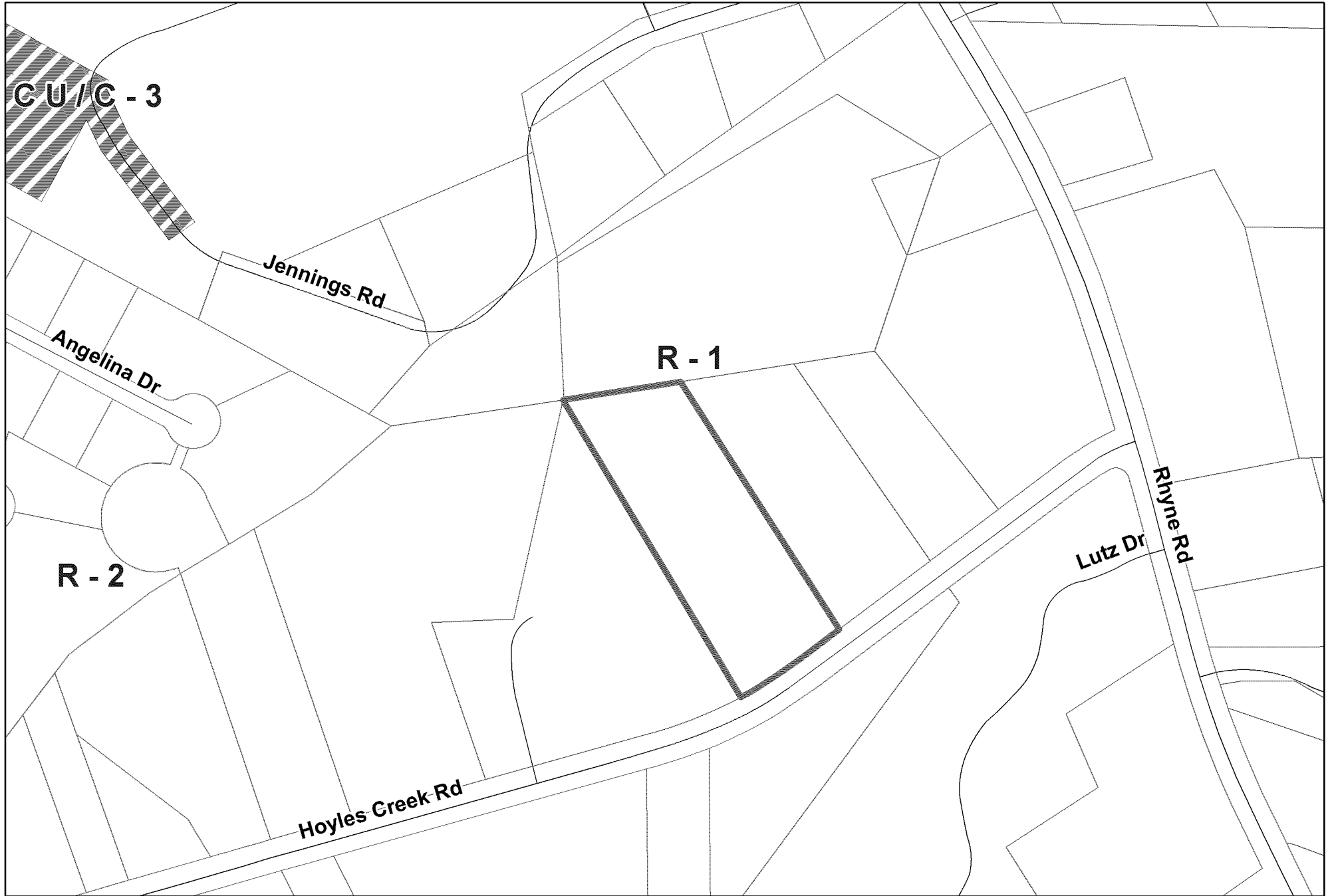
Property parcels, zoning, transportation and other map information were compiled from one or more data layers. The data is periodically updated, however all data layers may not be displayed. Street names are subject to change.

Gaston County does not make or imply and warrants 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 indicated 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

Z22-04

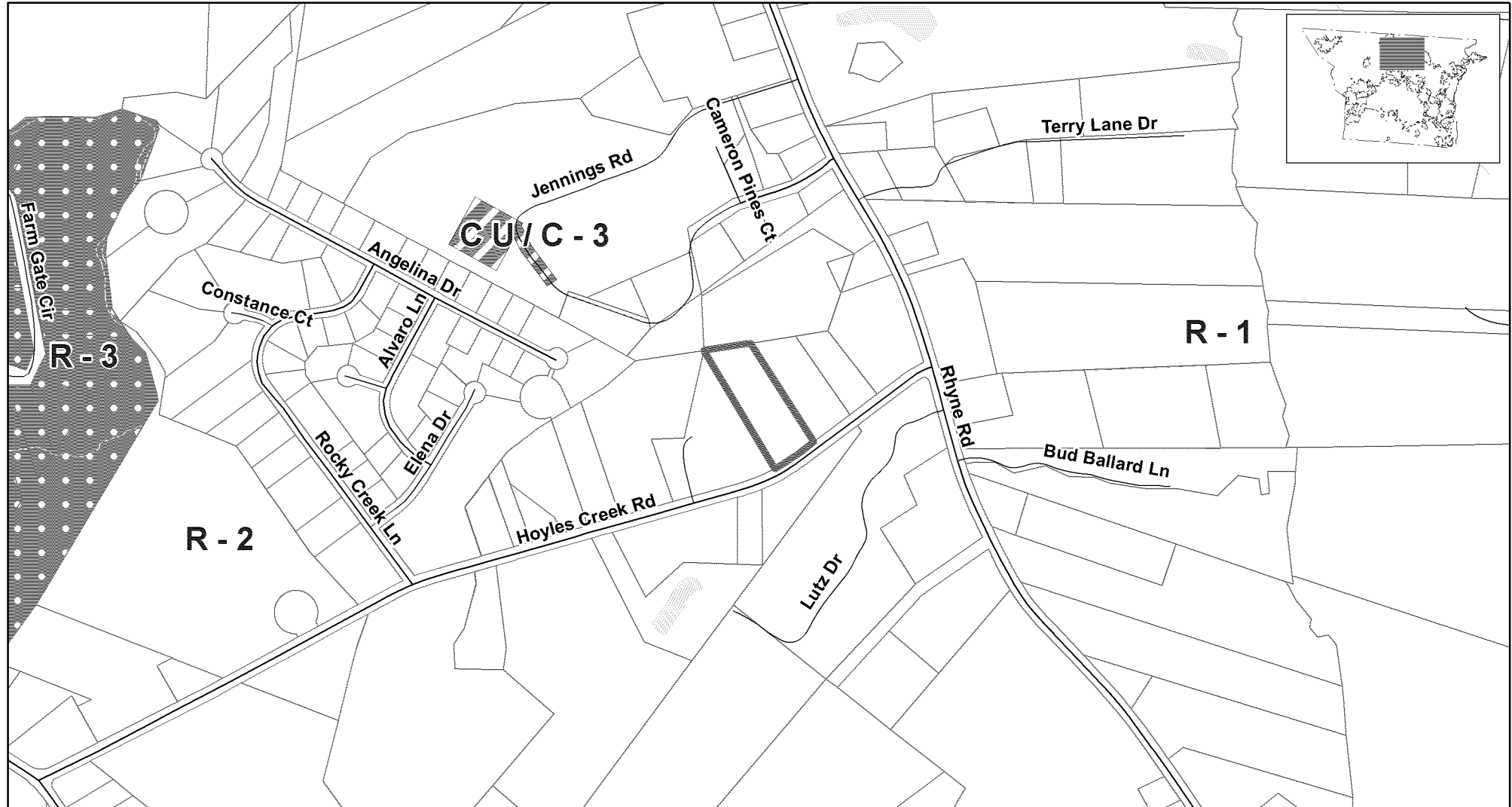
 Subject Area



0 70 140 280 Feet

(R-1) Single Family Limited
(R-2) Single Family Moderate
(CU/C-3) Conditional Use/General 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.





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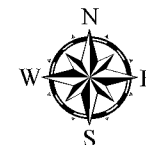
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GASTON COUNTY ZONING REVIEW MAP

-  R-1 Single Family Limited
-  R-2 Single Family Moderate
-  R-3 Single Family General
-  CU/C-3 Conditional Use/General Commercial

 Area of Consideration



0 165 330 660 990 1,320 Feet

Applicant: Z22-04
Tax ID(s): 302415
Request Re-Zoning
From: (R-1) Single Family Limited
To: (R-2) Single Family Moderate

Map Date: 01/26/2022



Z22-04 Subject and Adjacent Properties Map
See reverse side for listing of property owners

 Area of consideration

Z22-04 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>
*	302415	STONE AMANDA COOK	STONE ROBERT DAVID	101 SUNSET DR	BESSEMER CITY	NC	28016
1	302414	HAYES TOM	HAYES HAZEL	3021 DAVIS PARK ROAD	GASTONIA	NC	28052
2	224489	HAYES TOM	HAYES HAZEL	3021 DAVIS PARK ROAD	GASTONIA	NC	28052
3	166159	HENSLEY PONDER DALE	HENSLEY JOAN G	135 JENNINGS RD	DALLAS	NC	28034
4	224385	HACKER GLENDA FAYE F LIFE EST		428 S MAIN ST	STANLEY	NC	28164
5	166186	COOK MICHAEL T	COOK SYNTHA C	112 HOYLES CREEK RD	DALLAS	NC	28034
6	166211	WOOTEN DANNY LEE	WOOTEN CYNTHIA LEONARD	9101 MOORESVILLE RD	CONCORD	NC	28027



Gaston County

Gaston County
Board of Commissioners
www.gastongov.com

Building and Development Services

Board Action

File #: 22-041

Commissioner Philbeck - Building & Development Services - Zoning Map Change: Z22-04 Amanda C. Stone (Applicant); Property Parcel: 302415, Located at 126 Hoyles Creek Rd., Dallas, NC, Rezone from the (R-1) Single Family Limited 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. Amanda C. Stone (Applicant); Rezone Parcel: 302415, 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 February 22, 2022 with Public Hearing comments being on file in the Board of Commission Clerk's Office. Planning Board recommendation was provided on February 14, 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
2022-040	02/22/2022	TK	TP	A	A	A	A	A	A	A	U

DISTRIBUTION:

Laserfiche Users

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