

# General Rezoning Application (Z22-18)

## STAFF REPORT

APPLICATION SUMMARY	
<b>Request:</b>	
To rezone property from the (R-1) Single Family Limited Zoning District to the (R-2) Single Family Moderate Zoning District	
<b>Applicant(s):</b>	<b>Property Owner(s):</b>
Jose Eliud Quintanilla	Jose Quintanilla Campos
<b>Parcel Identification (PID):</b>	<b>Property Location:</b>
163320	2551 Tryon Courthouse Rd. (Bessemer City)
<b>Total Property Acreage:</b>	<b>Acreage for Map Change:</b>
0.68 ac	0.68 ac
<b>Current Zoning:</b>	<b>Proposed Zoning:</b>
(R-1) Single Family Limited	(R-2) Single Family Moderate
<b>Existing Land Use:</b>	<b>Proposed Land Use:</b>
Vacant	Residential

COMPREHENSIVE LAND USE PLAN
<b>Area 1: Rural Gaston</b>
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.
<b>Comprehensive Plan future Land Use: Rural</b>
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.
<b>Staff Recommendation:</b>
Application, as presented, <i>is consistent</i> with the Comprehensive Land Use Plan.

UTILITIES AND ROAD NETWORK INFRASTRUCTURE
<b>Water/Sewer Provider:</b>
Private well / private septic
<b>Road Maintenance:</b>
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 the north east region of the county. The location has a diversity of residential uses and diverse housing types within close proximity to the application site. The application presented is currently vacant and surround by large tracts of vacant acreage, in addition to scattered residential structures and an existing manufactured home park in close proximity.

If approved, any uses allowed in the current zoning (R-2) 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: July 11, 2022**

Meeting Summary / Points of Discussion: Staff provided Board members with an overview of the application and property. The Applicant was not present and Board Members did not have any questions or discussion.

The Board voted to approved the application, with a vote of (7) to (0), based upon the following statement of consistency: *The proposed rezoning is in the Rural future land use plan. The area consists of significant mixed housing types that are residential in nature. The use, going from (R-1) to (R-2) will maintain the subject parcel as residential in nature, which is consistent with the Rural designation.*



# 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** 22-18

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

### A. \*APPLICANT INFORMATION

Name of Applicant: Jose Eliud Quintanilla  
(Print Full Name)

Mailing Address: 8505 Stoneman Pl Charlotte, NC 28017  
(Include City, State and Zip Code)

Telephone Numbers: \_\_\_\_\_  
(Area Code) Business (Area Code) Home 980-925-0171

Email: JEliud97@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: Jose Quintanilla Campos  
(Print Full Name)

Mailing Address: 1618 N Saint Louis Ave. Chicago, IL 60647  
(Include City, State and Zip Code)

Telephone Numbers: \_\_\_\_\_  
(Area Code) Business (Area Code) Home 704-214-0798

Email: tex956@live.com

### C. PROPERTY INFORMATION

Physical Address or General Street Location of Property: 2551 Tryon Courthouse Rd  
Bessemer City, NC 28016

Parcel Identification (PID): 163320

Acreage of Parcel: 0.68 +/- Acreage to be Rezoned: 0.68 +/- Current Zoning: R-1

Current Use: Vacant lot 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: \_\_\_\_\_ 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) 163320 hereby give Jose Eliud Quintanilla consent to execute this proposed action.

(Name of Applicant)

(Signature)

05-06-2022

(Date)

(Signature)

(Date)

I, PREET PATEL, a Notary Public of the County of McLean State of ~~North Carolina~~ <sup>ILLINOIS</sup>, hereby certify that JOSE QUINTANILLA CAMPOS personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal, this the 6<sup>th</sup> day of May

Notary Public Signature

20 **OFFICIAL SEAL**  
**PREET PATEL**  
 NOTARY PUBLIC, STATE OF ILLINOIS  
 My Commission Expires 11/19/2024

11/19/2024  
 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

05-08-2022

Date

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

#### OFFICE USE ONLY

Date Received: 05/10/2022

#### OFFICE USE ONLY

Application Number: Z22-18

#### OFFICE USE ONLY

Fee: \$500.00

Received by Member of Staff: SCP  
 (Initials)

Date of Payment: \_\_\_\_\_

Receipt Number: INV-00035877

COPY OF PLOT PLAN OR AREA MAP  
 NOTARIZED AUTHORIZATION

COPY OF DEED  
 PAYMENT OF FEE

Date of Staff Review: \_\_\_\_\_

Date of Public Hearing: 07/26/2022

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.

**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






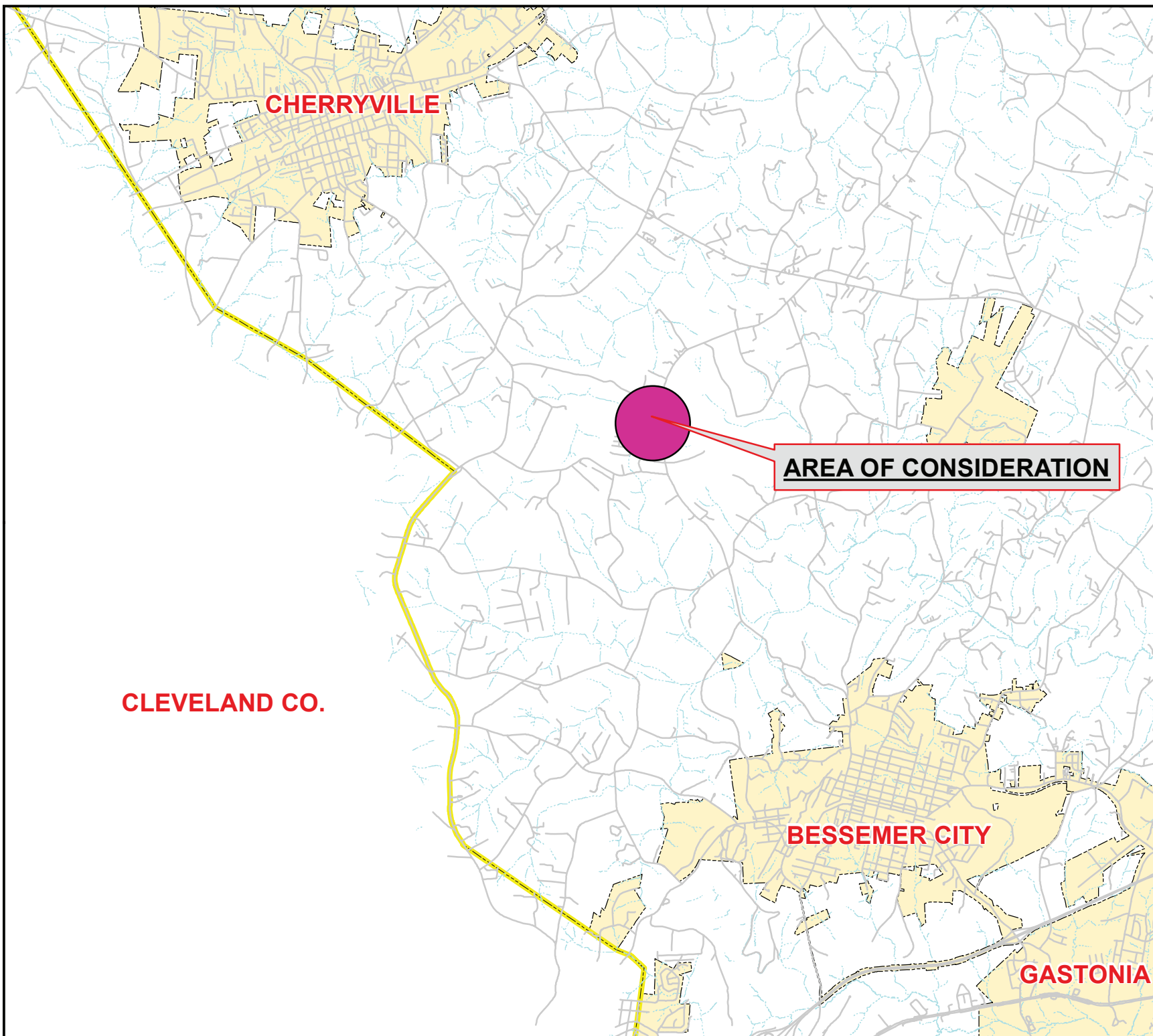
## Vicinity Map

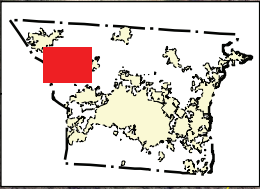
**Z22-18**

 Area of Consideration

### Legend

-  Minor Roadways
-  Major Roadways
-  Municipalities





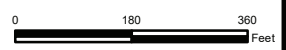


## Overview Map

2019 Orthophoto  
Z22-18

### Legend

-  Subject Area
-  Property Parcels



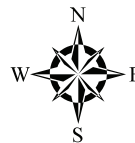
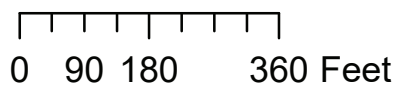
FOR DISPLAY PURPOSES ONLY - NOT TO BE USED FOR CONVEYANCE



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

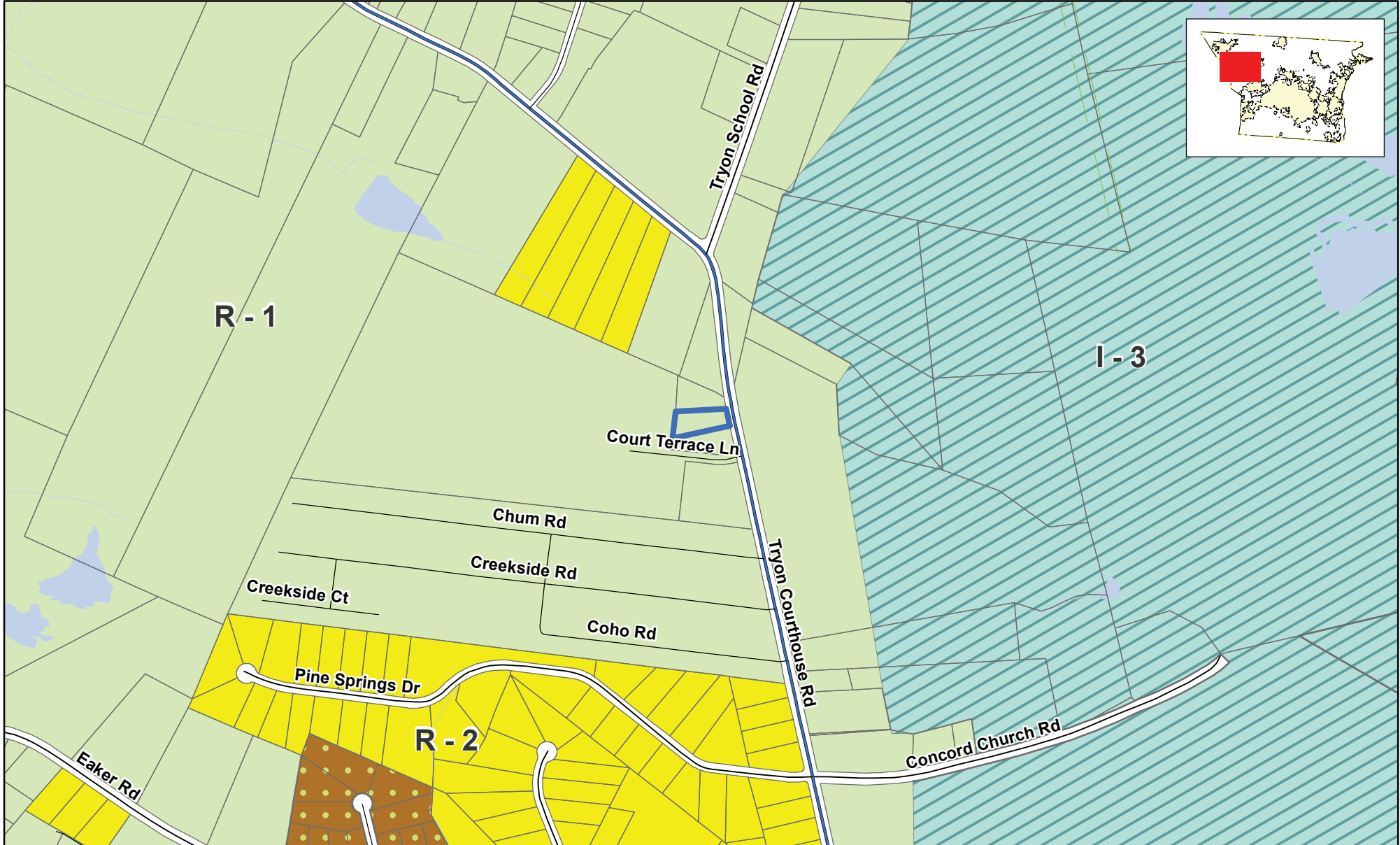
Z22-18

 Subject Area



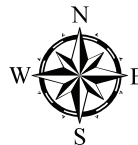
(R-1) Single Family Limited  
(R-2) Single Family Moderate  
(I-3) Exclusive Industrial





### GASTON COUNTY ZONING REVIEW MAP

0 150 300 600 900 1,200  
Feet



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

Application: Z22-18  
Parcel(s): 163320  
Request: (R-1) to (R-2)



**Z22-18 Subject and Adjacent Properties Map**

**\* Area of consideration**

**Z22-18 OWNER & ADJACENT PROPERTY OWNER 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>
*	163320	CAMPOS JOSE QUINTANILLA QUINTANILLA JOSE ELIUD		2545 TRYON COURTHOUSE RD 8505 STONEMAN PL	BESSEMER CITY CHARLOTTE	NC NC	28016 28017
1	163318	YARBRO ROBERT LESLIE	YARBRO LISA C	110 PLAINVIEW CHURCH RD	LAWNDALE	NC	28090
2	163321	ALVARDO GUADALUPE FLORES	QUINTANILLA GUADALUPE	2545 TRYON COURTHOUSE RD	BESSEMER CITY	NC	28016
3	163319	CASAS ISRAEL MONDRAGON		5323 SKYCREST DR	CHARLOTTE	NC	28269
4	163325	EAKER WALTER RICHARD		108 SUSSEX ST	CHERRYVILLE	NC	28012