



**TITLE: ZONING MAP CHANGE: REZ-23-12-11-00166, JENNIE REBECCA BLACK (APPLICANT); PROPERTY PARCEL: 157227, LOCATED AT 5030 JASON BLACK DR., CHERRYVILLE, 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 27, 2024, by the County Commission, to take citizen comments into a map change application, as follows:

Tax Parcel Number(s): 157227  
Applicant(s): Jennie Rebecca Black  
Owner(s): Jennie Rebecca Black  
Property Location: 5030 Jason Black Dr., Cherryville  
Request: Rezone 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 ID 157227, located at 5030 Jason Black Dr., Cherryville, NC, from the (R-1) Single Family Limited Zoning District to the (R-2) Single Family Moderate Zoning District on February 5, 2024, 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. It is consistent with the goals of the Comprehensive Land Use Plan as it will keep the parcel residential in nature as envisioned by the rural future land use designation. Rural areas are 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 in the Rural Gaston / Northwest Gaston area of the Comprehensive Land Use Plan.

Motion: Houchard                      Second: Sadler                      Vote: 9-0  
Aye: Brooks, Crane, Harris, Horne, Houchard, Hurst, Magee, Marcantel, Sadler  
Nay: None  
Absent: Vinson  
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	CCloninger	AFrale	BHovis	KJohnson	TKeigher	RWorley	Vote
2024-040	02/27/2024	AF	KJ	A	A	A	A	A	A	A	U

**DISTRIBUTION:**

Laserfiche Users

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

Zoning Map Change: REZ-23-12-11-00166, Jennie Rebecca Black (Applicant); Property Parcel: 157227, Located at 5030 Jason Black Dr., Cherryville, 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 ORDAINED 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. It is consistent with the goals of the Comprehensive Land Use Plan as it will keep the parcel residential in nature as envisioned by the rural future land use designation. Rural areas are 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 in the Rural Gaston / Northwest Gaston area of the Comprehensive Land Use Plan.

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: 157227, 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

# GASTON COUNTY REZONING APPLICATION (REZ-23-12-11-00166)

## 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.

<b>Applicant(s):</b>	<b>Property Owner(s):</b>
Jennie Rebecca Black	Jennie Rebecca Black
<b>Parcel Identification (PID):</b>	<b>Property Location:</b>
157227	5030 Jason Black Dr
<b>Total Property Acreage:</b>	<b>Acreage for Map Change:</b>
6.046 acres	6.046 acres
<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/Storage buildings	Residential

### COMPREHENSIVE LAND USE PLAN

**Area 1: Rural Gaston / Northwest 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, and steering development towards existing infrastructure and areas immediately surrounding towns and cities.

**Comprehensive Plan Future Land Use: Rural Community**

Rural– 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. It is understood that this is the default use designation for Gaston County.

**Goal: #4** Creating different types of neighborhoods to suit different residents.

**Strategy:** Enhance the overall plans that are established to address the quality of life enjoyed by many.

**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: Jason Black Dr**

Private Driveway named for E911 purposes

**Technical Review Committee (TRC) comments provided by Gaston Lincoln Cleveland Metropolitan Planning Organization (MPO)**

No funded transportation improvement projects in the immediate vicinity of this site on the STIP, MTP, or the CTP.

**STAFF SUMMARY**

**Prepared By: Laura Hamilton, Planner III**

This property is in a residential area in the northwestern region of the county, just north of Cherryville. The location is primarily residential in nature, with different housing types and styles in the immediate vicinity. The surrounding parcels are zoned (R-1) Single Family Limited and (R-2) Single Family Moderate.

The two structures on the parcel will be required to be permitted along with the home permitting if the rezoning is approved, to bring them into compliance. They will be able to meet the UDO once permitted.

If the rezoning is not approved, then staff will work with the owner on possible options to bring the structures into compliance.

This parcel also has some area of flooding on the southern end.

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 MEETING DATE**

The Planning Board met in regular session on February 5, 2024, and recommended approval of the request by a unanimous 9-0 vote based on the following:

- This is a reasonable request and in the public interest; and
- It is consistent with the goals of the comprehensive land use plan as it will keep the parcel residential in nature as envisioned by the rural future land use designation. Rural areas are 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 in the Rural Gaston / Northwest Gaston area of the comprehensive land use plan.

**Attachments: Application, Maps, GCLMPO Letter**



## GASTON COUNTY PLANNING BOARD

### Statement of Consistency

In considering the general rezoning case REZ-23-12-11-00166, the planning board finds:

1. This is a reasonable request and in the public interest; and
2. It is consistent with the goals of the comprehensive land use plan as it will keep the parcel residential in nature as envisioned by the rural future land use designation. Rural areas are 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 in the Rural Gaston / Northwest Gaston area of the comprehensive land use plan.

These findings are supported by a 9 -0 vote by the Gaston County Planning Board during its February 5, 2024, meeting.



# 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: REZ-23-12-11-00166

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

### A. \*APPLICANT INFORMATION

Name of Applicant: Jennie Rebecca Black  
(Print Full Name)  
Mailing Address: 643 Roy Kaker Rd. Cherryville, NC 28021  
(Include City, State and Zip Code)  
Telephone Numbers: 704-435-2106  
(Area Code) Business (Area Code) Home  
Email: allanmbblack@bellSouth.net

\* 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: \_\_\_\_\_  
(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: 5030 Jason Black Dr. Cherryville, NC 28021  
Parcel Identification (PID): 157227  
Acreage of Parcel: 6.046 +/- Acreage to be Rezoned: 6.046 +/- Current Zoning: R-1  
Current Use: Storage 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) \_\_\_\_\_ 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.

Jennie Rebecca Slack  
Signature of Property Owner or Authorized Representative

Dec. 04, 2023  
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: 12-7-23 Application Number: REZ-23-12-11-00166 Fee: 789.00

Received by Member of Staff: JK Date of Payment: \_\_\_\_\_ 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

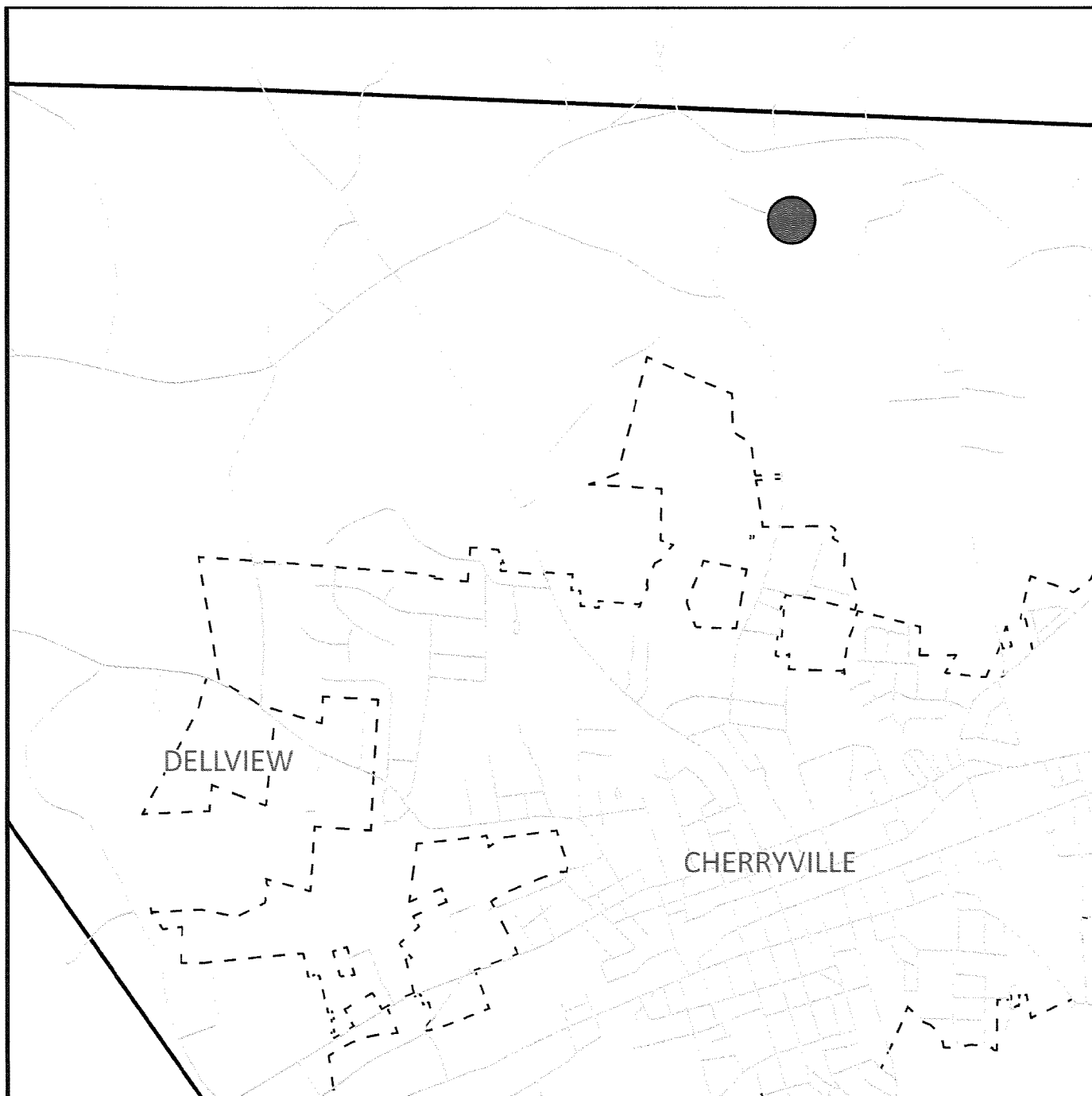
Gaston County seeks to be among the finest counties in North Carolina. It will provide effective, efficient and affordable services leading to a safe, secure and healthy community, an environment for economic growth, and promote a favorable quality of life.

### Uses Allowed in the (R-2) Zoning District

X = Permitted use by right; DD = Conditional Zoning required; E = Existing use subject to limitations; SP = Special Use Permit required; s = Supplemental regulations listed in addition to X, CD, E, SP

Animal Grooming Service for household pet (indoor kennels)	SP	Dwelling, Manufactured Home Class A		X	Manufactured Home Park	Es	Es	Restaurant, within other facilities	Xs	Xs
Animal Hospital (Outdoor kennel)	SPs	Dwelling, Manufactured Home Class C	Es	Es	Marina, Accessory	Xs	Xs	Riding Stables		SPs
Animal Hospital, (Indoor kennel)	SPs	Dwelling, Manufactured Home Class D	Es	Es	Marina, Commercial	CD	SP	Rodeo / Accessory Rodeo		SPs
Animal Kennel	SPs	Dwelling, Single Family	X	X	Maternity Home	Xs/ SPs	Xs/SPs	School for the Arts		SP
Automobile Hobbyist	Xs	Dwelling, Two Family	Xs	Xs	Military Reserve Center		SPs	School, Elementary & Middle (public & private)	Xs	Xs
Bed and Breakfast Inn	SPs	Essential Services Class 1	X	X	Museum	SP	SP	School, Senior High (public & private)	Xs	Xs
Bona Fide Farms	Xs	Essential Services Class 2	Xs	Xs	Nursery (Garden)		SPs	Small House Community	SP	SP
Botanical Garden	Xs	Essential Services Class 3		SP	Nursing Home, Rest Home		SPs	Special Events Facility	SPs	SPs
Camping and Recreational Vehicle Park	SPs	Essential Services Class 4	Xs/SPs	Xs/SPs	Paint Ball / Laser Tag Facility	SPs	SPs	Special Events Facility, Accessory	SPs	SPs
Cemetery	SPs	Family Care Home	Xs/SPs	Xs/SPs	Park	Xs/SPs	Xs/SPs	Stadium	Xs/SPs	Xs/SPs
Church / Place of Worship	Xs	Flex Space	Xs	Xs	Parking Lot	SPs	SPs	Taxidermy	X	X
College / University	SP	Fraternal & Service Organization Meeting Facility (non- or not-for profit), 0 - 9,999sqft GFA	SPs	SPs	Planned Residential Development (PRD)	Xs/CDs	Xs/CDs	Telecommunication Antennae & Equipment Buildings	Xs	Xs
Conference / Retreat / Event Center	SPs	Fraternal & Service Organization Meeting Facility (non- or not-for profit), 10,000+sqft GFA		SPs	Planned Unit Development (PUD)		Xs/CDs	Telecommunication Tower & Facilities	SPs	SPs
Continuing Care Facility	SPs	Golf Course; Golf Driving Range; Golf Miniature	SPs	SPs	Private Residential Quarters (PRQ)	Xs	Xs	Tourist Home	X	X
Country Club	SPs	Group Home		Xs	Produce Stand	Xs	Xs	Tower and/or Station, Radio & Television Broadcast	SPs	SPs
Day Care Center, Class A	Xs	Home Occupation, Customary	Xs	Xs	Recreation Center and Sports Center	SPs	SPs	Traditional Neighborhood Development (TND)	Xs/CDs	Xs/CDs
Day Care Center, Class B	Xs/SPs	Home Occupation, Rural	Xs	Xs	Recycling Deposit Station, accessory	X	X	Wood Waste Grinding Operation	SPs	SPs
Day Care Center, Class C	SPs	Library	SP	SP	Recycling Deposit Station, principal use	SPs	SPs	Zoo	SP	SP





**GASTON COUNTY**  
BUILDING AND DEVELOPMENT SERVICES

**VICINITY MAP**  
**REZ-23-12-11-00166**

**LEGEND**

- Roads
- [ ] Municipalities
- Subject Parcel

The information provided on this map is not intended to be considered as a legal document or description. This map is believed to be accurate but Gaston County does not guarantee its accuracy. This map may not be resold or otherwise used for trade or commercial purposes without the expressed written consent of Gaston County, in accordance with NCGS 132-10.

0 0.17 0.35 0.7 Miles





**GASTON COUNTY**  
BUILDING AND DEVELOPMENT SERVICES

**ORTHOPHOTO MAP**  
**REZ-23-12-11-00166**

**LEGEND**

- Roads
- Parcels
- Subject Parcel

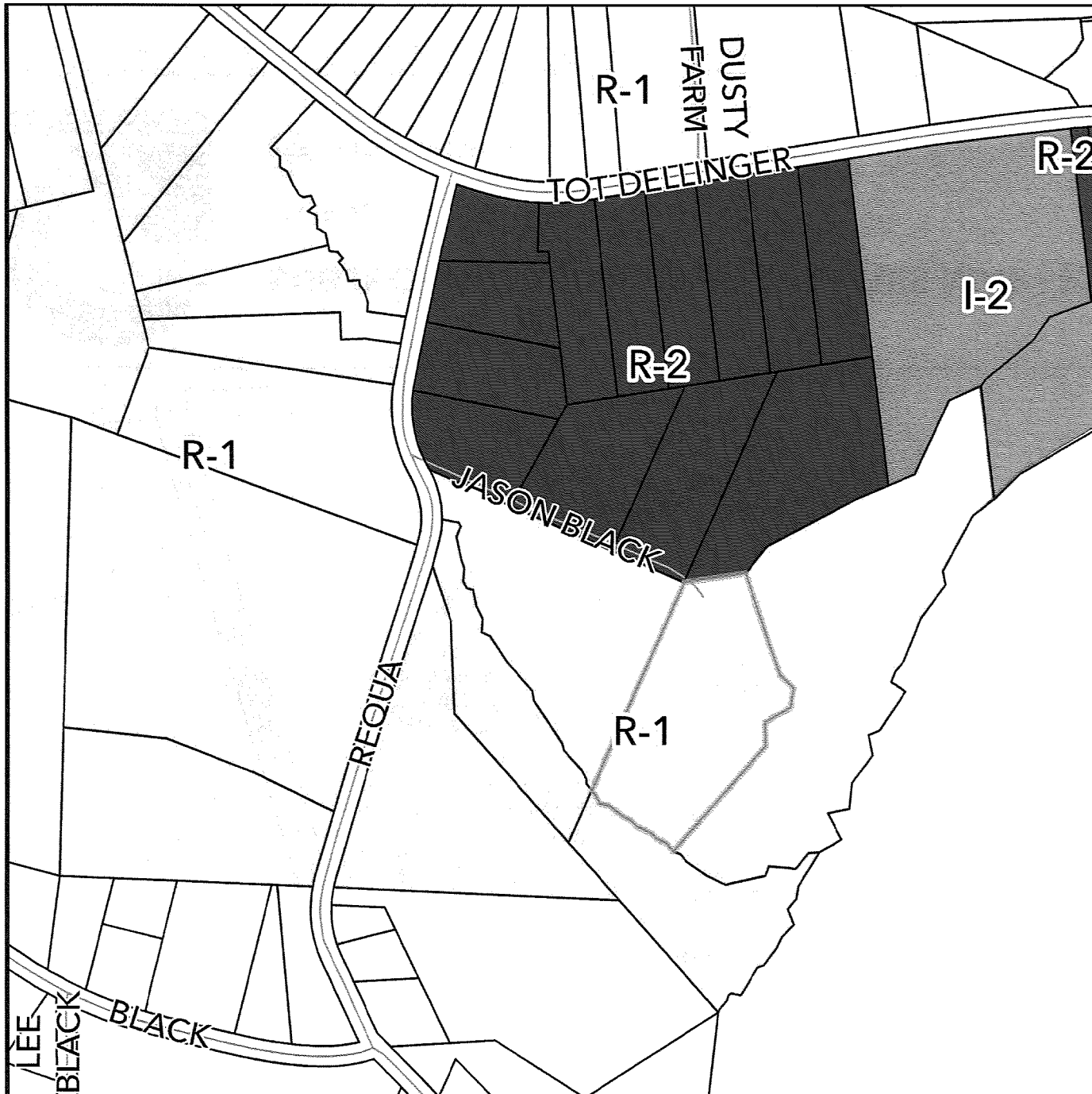
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0 0.020.04 0.07 Miles



N





# **ZONING MAP** **REZ-23-12-11-00166**

## **LEGEND**

— Roads

□ Parcels

### ZONE TYPE

■ I-2

□ R-1

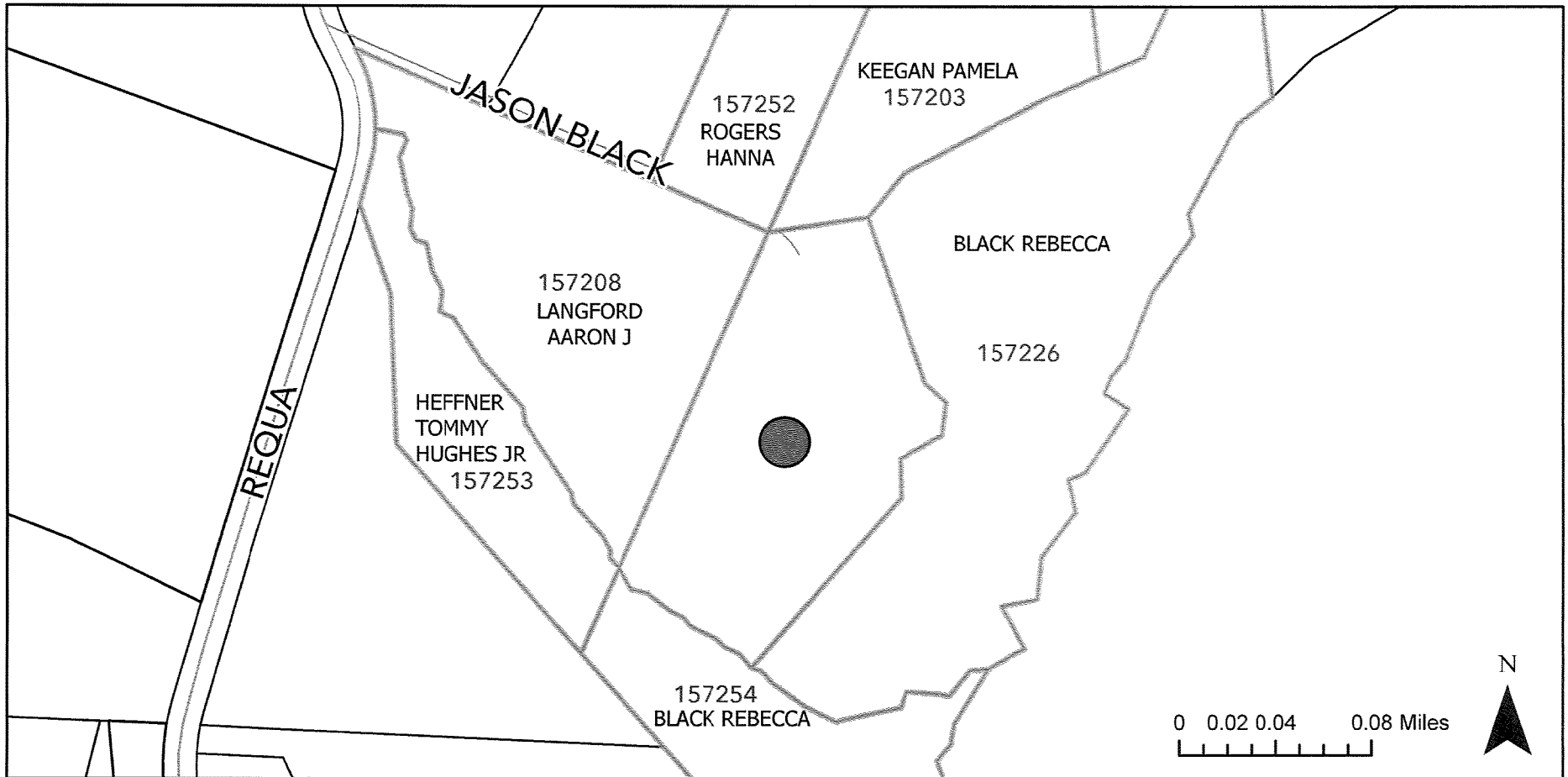
■ R-2

□ Subject Parcel

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0 0.030.06 0.11 Miles





## SUBJECT & ADJACENT PROPERTIES MAP | REZ-23-12-11-00166

### LEGEND

● Subject Parcel

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5030 Jason Black Dr

Jason Black bought the property in 1995. It would have been in 1995 or 1996 when the first building was built w/o permits. In 2010 aerials a second smaller building has been built. By 2014 this small building had been enlarged. There are no permits for the small building. There is no pre-existing nor agricultural paperwork on this property.

1993 aerial



1997 aerial



2010 aerial



2014 aerial



The proposed home is 2,052sf.

The parcel size is 6.05ac

Large building is 1,500sf

Small building is 1,200sf with 2,025sf of lean-to (for a total size of 4,725sf).

Total allowed amount of accessory structure is 15,812sf.

These structures will be able to have a zoning permit issued and remain on the parcel once a home is permitted.





Post Office Box 1748  
Gastonia, North Carolina 28053  
Phone (704) 866-6837

150 South York Street  
Gastonia, North Carolina 28052  
Fax (704) 869-1960

## Memorandum

**To:** Laura Hamilton, Planner III, Building & Development Services  
**From:** Julio Paredes, AICP, Planner, Gaston—Cleveland—Lincoln MPO  
**Date:** December 18, 2023  
**Subject:** REZ-23-12-11-00166 - Jason Black Dr - GCLMPO Comments

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 the review of the site in accordance with the adopted Comprehensive Transportation Plan (CTP), the adopted 2050 Metropolitan Transportation Plan (MTP), and the current State Transportation Improvement Program (STIP).

1. The proposed development is located at PID: 157227
  - A. According to the 2020-2029 STIP, there are no funded transportation improvement projects in the immediate vicinity of this site.
  - B. Neither the GCLMPO 2050 Highway MTP nor Highway CTP include any proposed improvements to any streets adjacent to the subject property.
  - C. 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](mailto:juliop@cityofgastonia.com).



# Gaston County

Gaston County  
Board of Commissioners  
www.gastongov.com

## Building and Development Services Board Action

File #: 23-607

Commissioner Fraley - Building & Development Services - Zoning Map Change: REZ-23-12-11-00166, Jennie Rebecca Black (Applicant); Property Parcel: 157227, Located at 5030 Jason Black Dr., Cherryville, NC, Rezone from the (R-1) Single Family Limited Zoning District to the (R-2) Single Family Moderate Zoning District

### STAFF CONTACT

Laura Hamilton - Planner III - 704-866-3090

### 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. Jennie Rebecca Black (Applicant); Property Parcel: 157227, Located at 5030 Jason Black Dr., Cherryville, NC, Rezone 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 27, 2024 with public hearing comments being on file in the Board of Commission Clerk's Office. Planning Board recommendation to approve was made on February 5, 2024, 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, Maps, and GCLMPO Comments

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	TKeigher	RWorley	Vote
2024-040	02/27/2024	AF	KJ	A	A	A	A	A	A	A	U

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