

Planning Board Item IV – GENERAL PUBLIC HEARING INFORMATION (Z19-08)
Board of Commissioners / Planning Board Public Hearing Date June 25, 2019

General Rezoning Application Z19-08

Request: To rezone property parcel 207067 from the (R-1) Single Family Limited Zoning District with (US) Urban Standards Overlay to the (R-2) Single Family Moderate Zoning District with (US) Urban Standards Overlay

Applicant(s): Clayton Homes

Property Owner(s): Gary Clippard & Others, Lynn Slawter

Mailing Address of Applicant: 1810 Tom Sadler Rd., Charlotte, NC 28214

Site Information and Description of Area

General Location: 812 Dallas Spencer Mtn. Rd.

Parcel ID(s): 207067

Total Property Acreage: .97 ac

Acreage for Map Change: .97 ac

Current Zoning District(s): (R-1) Single Family Limited, (US) Urban Standards Overlay

General Area Zoning District(s): (R-1) Single Family Limited, (C-1) Light Commercial, (C-3) General Commercial, (US) Urban Standards Overlay

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.

(US) Urban Standards Overlay – Areas of the County which are located outside their corporate limits and/or municipal Extra Territorial Jurisdiction (ETJ) but where the provision of public water and sewer services can reasonably be expected to occur over the next 10-15 years, have been designated as the “Urban Standards Overlay District”.

Accordingly, standards for development, more akin to those that traditionally are found in urban areas, as opposed to rural areas, are called for. Standards addressed, but not limited to: building design, off-street parking, road, lot and subdivision standards.

Note: If any portion of the subject property is within the USO, then the entire property shall be developed in accordance with USO standards.

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.

Comprehensive Land Use Plan (Small Area District)

Area 3: Riverfront Gaston (Stanley, Mt. Holly & NE Gaston County)

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; maintaining the rural “feel” of the area; and increased commercial opportunities.

Comprehensive Plan Future Land Use: Rural

It is staff’s opinion that 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 the Gaston Gazette in accordance with County policy.

Zoning Sign Placement

June 14, 2019

Information Attached

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

Transportation Planning Information

Provided by Gaston Cleveland Lincoln Metropolitan Planning Organization (GCLMPO)

Staff Contact

Sarah Carpenter Penley, Development Services Planner, (704)866-3530 or sarah.penley@gastongov.com



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 19-08**

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

A. *APPLICANT INFORMATION

Name of Applicant: CLAYTON HOMES #0081 REP - Bobbi LASAGE
(Print Full Name)
Mailing Address: 1230 CONDOR BLVD W, CONDOR NC 28613
(Include City, State and Zip Code)
Telephone Numbers: 828-717-3168 828-465-3450
(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: LYNN KALE SLAWTER
(Print Full Name)
Mailing Address: 7908 Robin Crest Rd - CLT NC 28226
(Include City, State and Zip Code)
Telephone Numbers: 704-661-4911
(Area Code) Business (Area Code) Home

C. PROPERTY INFORMATION

Physical Address or General Street Location of Property: 812 DALLAS SPENCER MOUNTAIN RD.
Parcel Identification (PID): 207067

Acreage of Parcel: .97 +/- Acreage to be Rezoned: .97 +/- Current Zoning: (R-1) (US) OVERLAY
Current Use: VACANT Proposed Zoning: (R-2) (US) OVERLAY

D. PROPERTY INFORMATION ABOUT MULTIPLE OWNERS

Name of Property Owner: <u>GARY CLIPPARD</u>	Name of Property Owner: <u>LYNN SLAWTER</u>
Mailing Address: <u>1810 TOM SADLER RD</u>	Mailing Address: <u>7908 ROBIN CREST RD</u>
<u>CHARLOTTE NC 28214</u>	<u>CHARLOTTE NC 28226</u>
(Include City, State and Zip Code)	(Include City, State and Zip Code)
Telephone: <u>704-807-0040</u>	Telephone: <u>704-661-4911</u>
(Area Code)	(Area Code)

Parcel: _____ (If Applicable) Parcel: _____ (If Applicable)

(Signature)

(Signature)

See Reverse Side For Completion of Additional Sections

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) X PNH hereby give Clayton Homes #0081 - Bobbi Lasage consent to execute this proposed action
(Name of Applicant)

X Lynn Kale Slawter 4-8-2019
(Signature) (Date)

X _____
(Signature) (Date)

I, Hemali Khansheb, a Notary Public of the County of McClenny State of North Carolina, hereby certify that Lynn Kale Slawter personally appeared before me this day and acknowledged the due execution of the foregoing instrument. Witness my hand and notarial seal, this the 8th day of April, 2019.

Hemali Khansheb
Notary Public Signature

Aug 19, 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.

Clayton Homes #0081 Bobbi Lasage 2/14/19
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

Date Received 05/22/19

OFFICE USE ONLY

Application Number: 219-08

OFFICE USE ONLY

Fee \$500.00

Received by Member of Staff BCP
(Initials)

Date of Payment _____

Receipt Number _____

☒ COPY OF PLOT PLAN OR ARI A MAP
☒ NOTARIZED AUTHORIZATION

☒ COPY OF DEED
☒ PAYMENT OF FEE

Date of Staff Review _____

Date of Public Hearing 06/25/2019

Planning Board Review _____

Recommendation _____

Date _____

Commissioner's Decision _____

Date _____



GASTON COUNTY

Department of Planning & Development Services

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

Phone: (704) 866-3195
Fax: (704) 866-3966

GENERAL REZONING APPLICATION

Application Number: **Z19-08**

A. *APPLICANT INFORMATION

Name of Applicant: **CLAYTON HOMES #0081** **REP-BOBBY LASAGE**
(Print Full Name)

Mailing Address: **1230 CONDOR BLVD W, CONDOR NC 28613**
(Include City, State and Zip Code)

Telephone Numbers: **828-217-3168** **828-465-3450**
(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 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

C. PROPERTY INFORMATION

Physical Address or General Street Location of Property: _____

812 DALLAS SPENCER MOUNTAIN RD.

Parcel Identification (PID): **207067**

Acreage of Parcel: **.97 +/-** Acreage to be Rezoned: **.97 +/-** Current Zoning: **(R-1)(US) OVERLAY**

Current Use: **VACANT** Proposed Zoning: **(R-2)(US) OVERLAY**

D. PROPERTY INFORMATION ABOUT MULTIPLE OWNERS

Name of Property Owner: **GARY CLIPPAID** Name of Property Owner: **LYNN SLAWFER**

Mailing Address: **1810 TOM SADDLER RD** Mailing Address: _____
CHARLOTTE NC 28214

Telephone: **704-807-0040** Telephone: **704-661-4911**

Page: _____ Page: _____

E. AUTHORIZATION AND CONSENT SECTION

(I/We) being the property owner(s) or ne (s) of the subject property referenced on the **Gaston County Rezoning Application** and having authorization/interest of property parcel(s) X PNH

hereby give Clayton Thomas #0081 - Bobbi LaSage consent to execute this proposed action
(Name of Applicant)

[Signature]
(Signature)

(Date)

(Date)

I, Sylvia S. Smith, a Notary Public of the County of Meck
State of North Carolina, hereby certify that Gary Clippard
personally appeared before me this day and acknowledged the due execution of the foregoing instrument.
Witness my hand and notarial seal this the 10 day of April, 2019.

[Signature]
Notary Public, State of North Carolina

12-17-19
Commission Expires

(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 submission 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.

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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.

Clayton Thomas #0081 Bobbi LaSage
Signature of Property Owner or Authorized Representative

2/14/19
Date

OFFICE USE ONLY

Date Received 05/22/19

OFFICE USE ONLY

Application Number 219-08

OFFICE USE ONLY

Fee \$500.00

Received by Member of Staff

SCP
(Initials)

Date of Payment

Receipt Number

☒ COPY OF DEED OR PLAT OR EASE AGREEMENT
☒ NOTARIAL AUTHORIZATION

☒ COPIES OF ZONING ORDINANCES
☒ EASEMENTS OR ETC.

Date of Staff Review

Date of Public Hearing

06/25/2019

Planning Board Review

Recommendation

Date

Commissioner's Decision

Date



Gaston County North Carolina

Vicinity Map

Z19-08

Legend

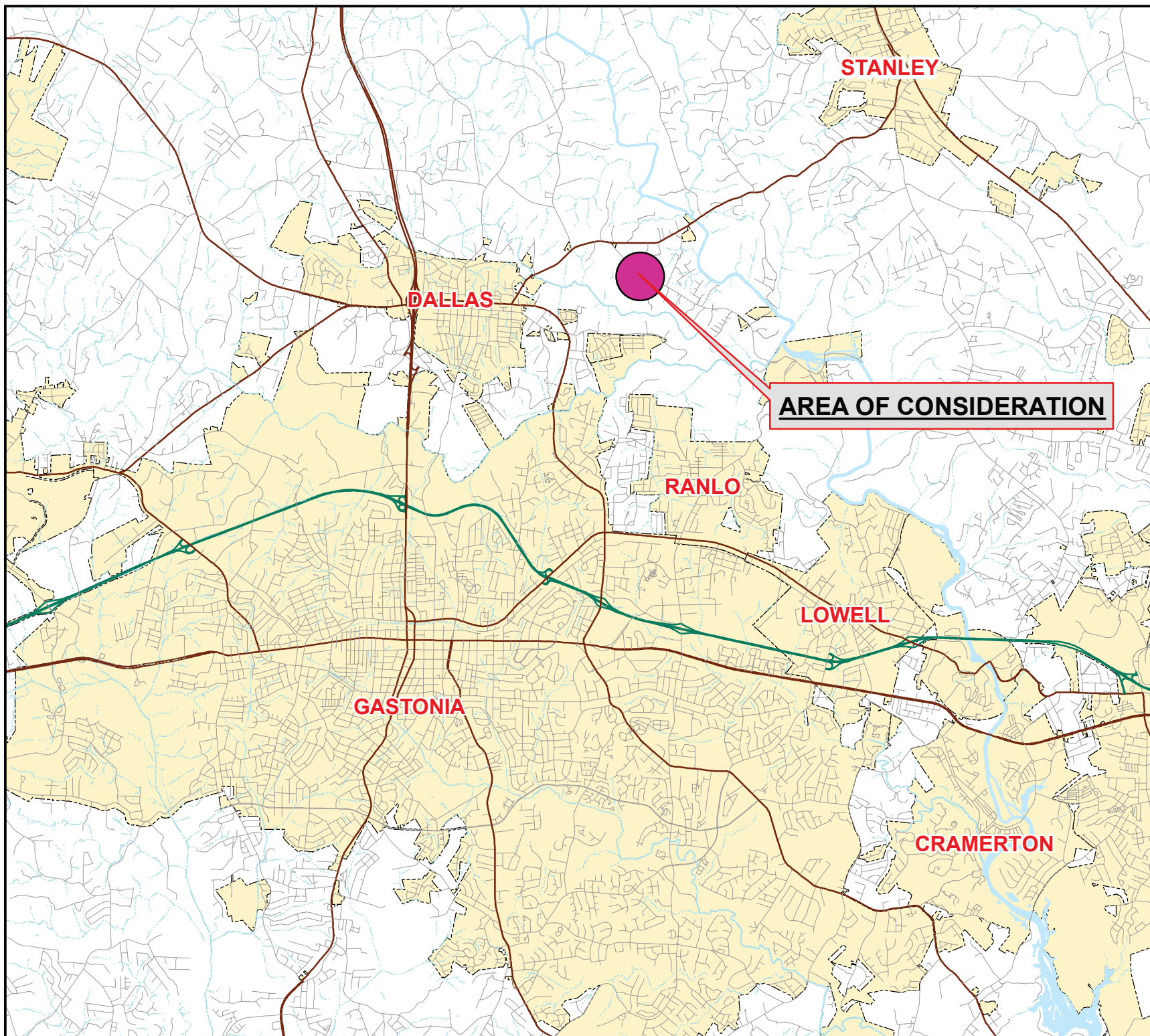
- Minor Roadways
- Major Roadways
- Area of Consideration
- Municipalities

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.



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Miles






Gaston County Zoning Review Overview Map

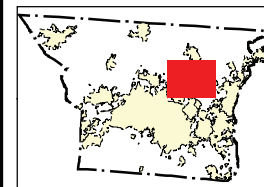
2018 Pictometry

Z19-08

Legend

 Subject Area

 Property Parcels



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

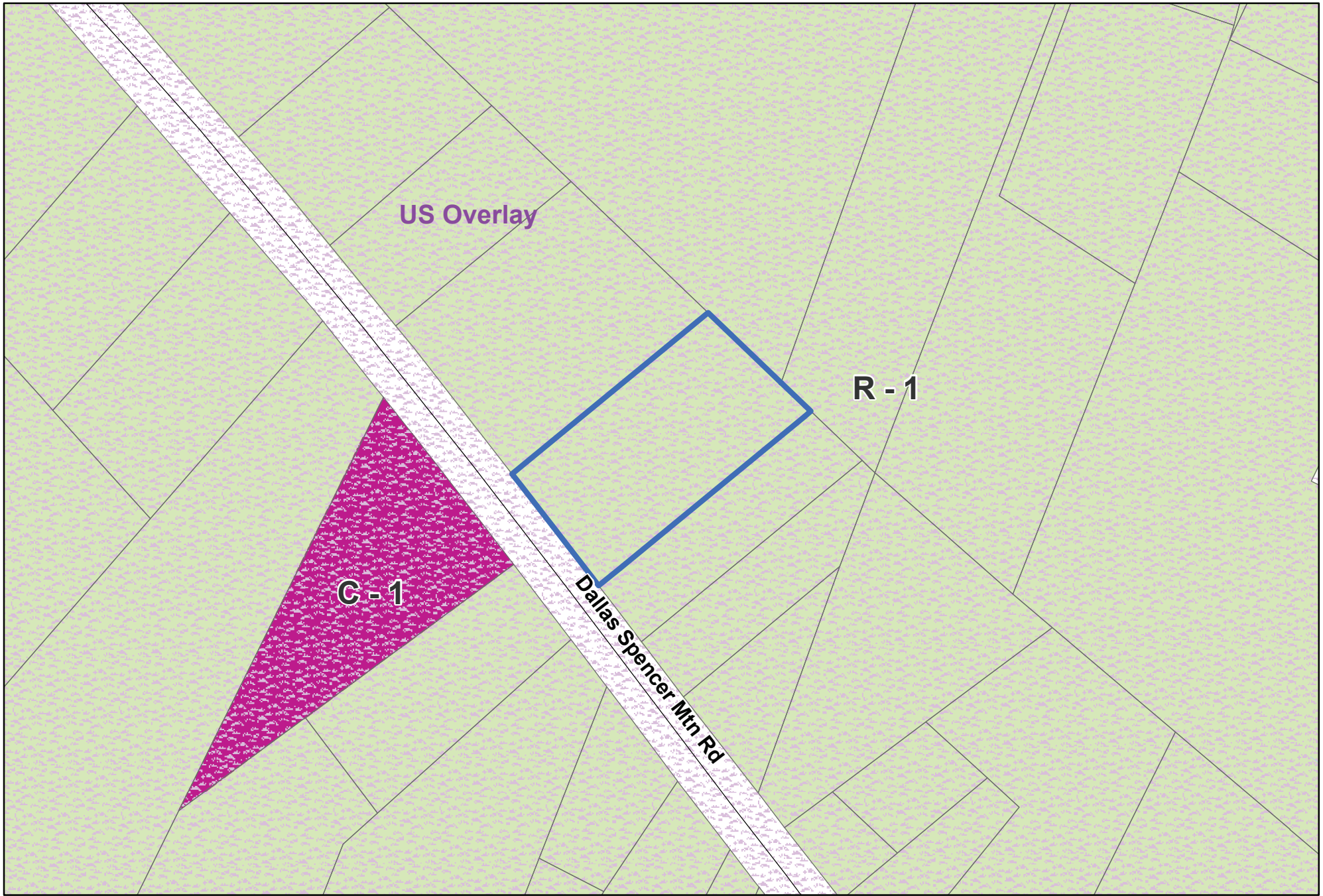
Gaston County does not make or imply any warranties or assume any responsibility for the information presented on this map. This map was prepared by the Department Planning and Development Services.

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.



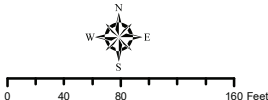
0 70 140 Feet



GASTON COUNTY
Zoning Map

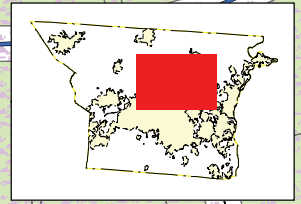
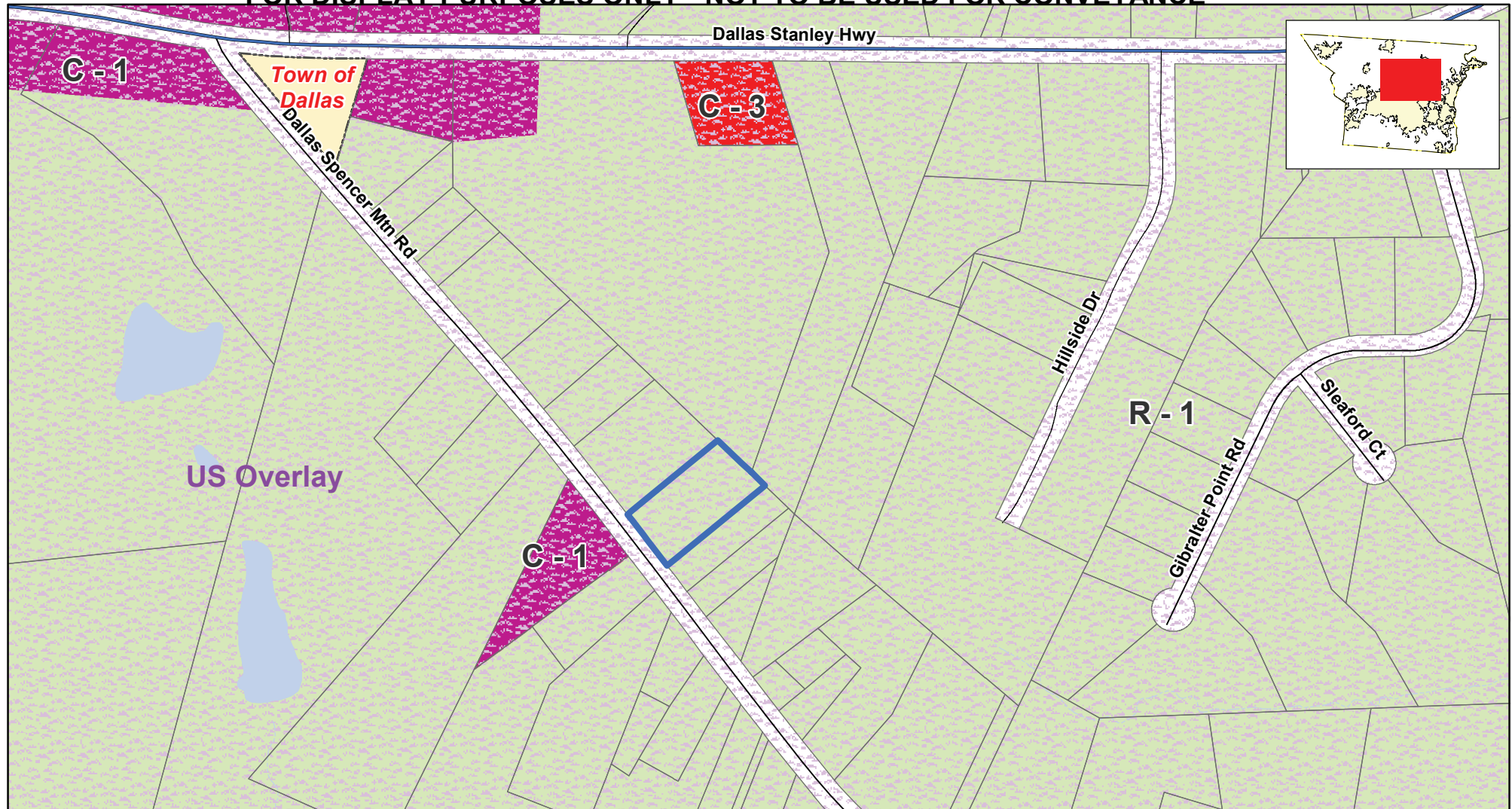
Applicant: Z19-08

 Subject Area



R-1 Single Family Limited
C-1 Light Commercial
US Urban Standards Overlay

FOR DISPLAY PURPOSES ONLY - NOT TO BE USED FOR CONVEYANCE



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



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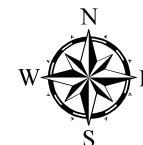
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GASTON COUNTY ZONING REVIEW MAP

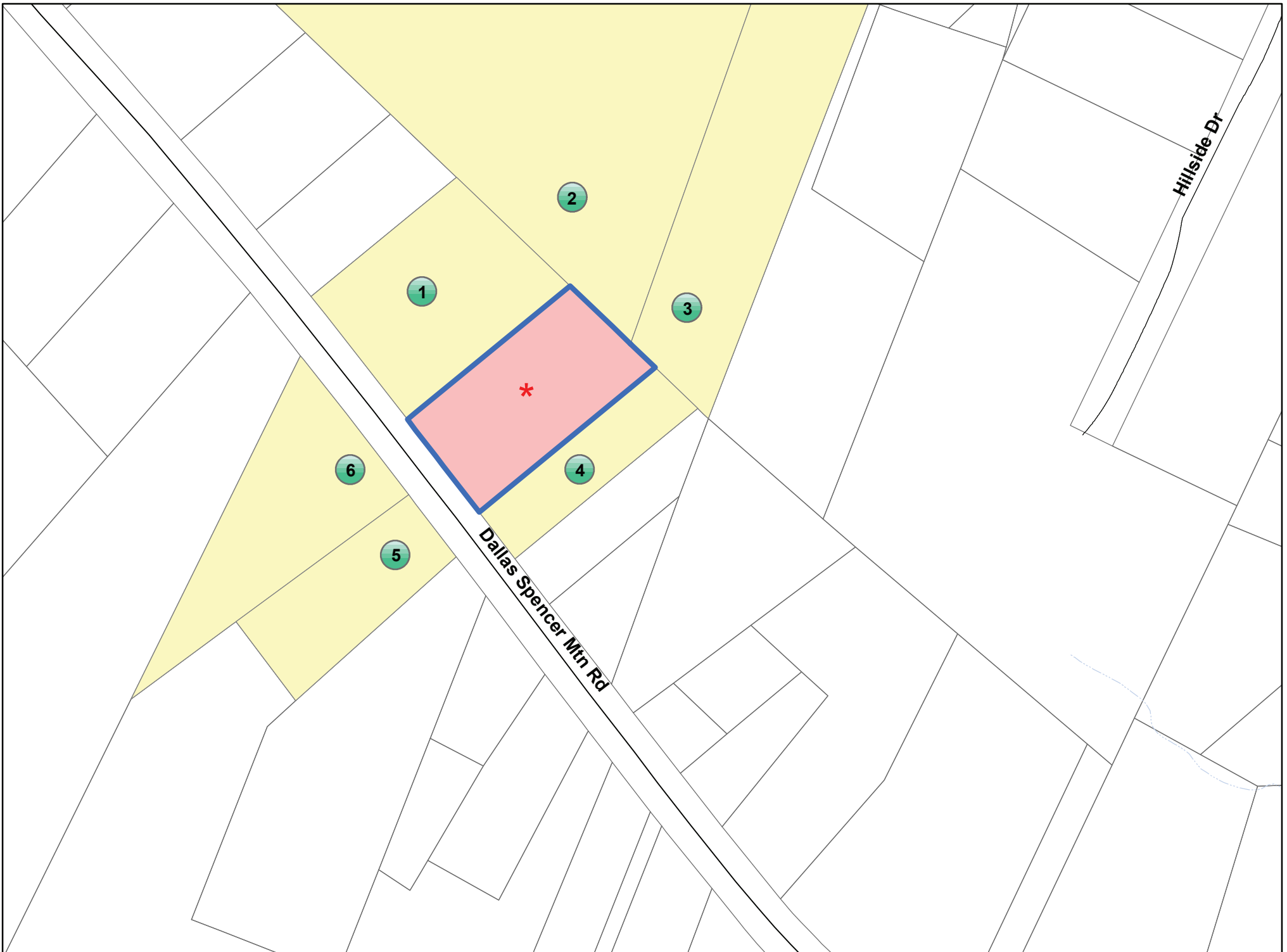
-  R-1 Single Family Limited
-  C-1 Light Commercial
-  C-3 General Commercial
-  Area of Consideration



0 80 160 320 480 640 Feet

Applicant: Z19-08
Tax ID: 207067
Request Re-Zoning
From: (R-1) Single Family Limited
w/ (US) Urban Standards Overlay
To: (R-2) Single Family Moderate
w/ (US) Urban Standards Overlay

Map Date: 06/09/2019



Z19-08 Subject and Adjacent Properties Map
See reverse side for listing of property owners

 **Subject Property**

Z19-08 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>
*	207067	GARY CLIPPARD & OTHERS	LYNN SLAWTER	1810 TOM SADLER RD	CHARLOTTE	NC	28214
1	169759	MICHAEL G DUNCAN		824 DALLAS SPENCER MTN RD	DALLAS	NC	28034
2	169745	INTERNATIONAL CH OF FOURSQUARE		PO BOX 905	DALLAS	NC	28034
3	169744	NANCY G SZUMSKI	C/O NANCY G GARDNER	1054 DALLAS STANLEY HWY	DALLAS	NC	28034
4	207068	MISTY L DORSEY		810 DALLAS SPENCER MTN RD	DALLAS	NC	28034
5	204201	NOVASTAR HOME EQUITY LOAN SERIES 2005-1 C/O ALTISOURCE ATTN: ASSET RESOLUTION		PO BOX 105130	ATLANTA	GA	30348
6	169762	ANDREW M JENKINS & OTHERS	DARYL SCOTT CARPENTER	122 DALLAS BESSEMER CITY RD	DALLAS	NC	28034



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: Sarah Carpenter Penley, Senior Planner, Gaston County Dept. of Planning & Devpt. Services
From: Julio Paredes, Planner, Gaston—Cleveland—Lincoln MPO
Date: June 19, 2019
Subject: Z19-08 Clayton Homes—GCLMPO Comments

Thank you for the opportunity to provide transportation comments on a proposed site located within the Gaston-Cleveland-Lincoln Metropolitan Planning Organization (GCLMPO) geographic area. My comments are based on the review of the proposed 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).

1. The proposed site is located at 812 Dallas Spencer Mountain Rd
 - A. The proposed development will not generate daily trips of significant concern to the adjacent roadway network.
 - B. According to the 2020-2029 STIP and the 2045 MTP, there are no planned transportation improvement projects in the immediate vicinity of this development.
 - C. The CTP does not show any future improvements on any streets adjacent to the subject properties.
 - D. Please note that any site plan that requires a driveway permit on an NCDOT roadway, or is adjacent to NCDOT roadways, the 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.