



RESOLUTION TITLE: ZONING MAP CHANGE: Z21-01 WILLIAM J. FRYE (APPLICANT); PROPERTY PARCEL: 167400 (PART OF), LOCATED AT 629 COLT THORNBURG 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 January 26, 2021 by the County Commission, to take citizen comment into a map change application, as follows:

Tax Parcel Number(s): 167400 (part of)
Applicant: William J. Frye
Owner(s): Mary S. Costner
Property Location: 629 Colt Thornburg Rd.
Request: Rezone Parcel 167400 (part of) 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: 167400 (part of), located at 629 Colt Thornburg Rd., Dallas, NC, from the (R-1) Single Family Limited Zoning District to the (R-2) Single Family Moderate Zoning District on January 11, 2021 based on: staff recommendation; and the request is reasonable and in the public interest and in accordance with the County's Comprehensive Land Use Plan. The proposed rezoning is in the Rural future land use plan. Rural areas allow for residential homes located on large lots with opportunities for agribusiness ventures. The use, going from (R-1) to (R-2) will allow the subject parcel to continue as a residential use in nature, which is consistent with the Rural designation and is in harmony with other residential uses within the immediate vicinity.

Motion: Vinson Second: Brooks Vote: 8-1
Ayes: Ally, Brooks, Fallon, Hollar, Houchard, Hurst, Sain, Vinson
Nay: Horne
Absent: Harris
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
2021-001	01/26/2021	CB	KJ	A	A	A	A	A	AB	A	U

DISTRIBUTION:

Laserfiche Users

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

Zoning Map Change: Z21-01 William J. Frye (Applicant); Property Parcel: 167400 (part of), Located at 629 Colt Thornburg 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 that after consideration of the map change application, public hearing comment and Planning Board recommendation:

- 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. Rural areas allow for residential homes located on large lots with opportunities for agribusiness ventures. The use, going from (R-1) to (R-2) will allow the subject parcel to continue as a residential use in nature, which is consistent with the Rural designation and is in harmony with other residential uses within the immediate vicinity.

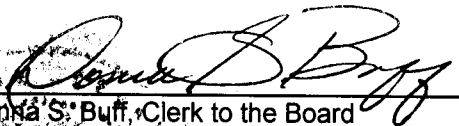
The Commission considers this action to be reasonable and in the public interest, based on: Planning Board recommendation and compatibility with existing land uses in the immediate area. Property parcel: 167400 (part of), is hereby approved, effective with the passage of this resolution.

- 2) The County Manager is authorized to make necessary notifications in this matter to appropriate parties.



Tom Keigher, Chairman
Gaston County Board of Commissioners

Attest:



Donna S. Buff, Clerk to the Board



General Rezoning Application (Z21-01)

STAFF REPORT

APPLICATION SUMMARY

Request:

To rezone property from the (R-1) Single Family Limited Zoning District to the (R-2) Single Family Moderate Zoning District

Applicant:

William J. Frye

Property Owner(s):

Mary S. Costner

Parcel Identification (PID):

167400 (part of)

Property Location:

629 Colt Thornburg Rd. (Dallas)

Total Property Acreage:

5.34 ac

Acreage for Map Change:

2 ac

Current Zoning:

(R-1) Single Family Limited

Proposed Zoning:

(R-2) Single Family Moderate

Existing Land Use:

Undeveloped / Residential / Former Home site

Proposed Land Use:

Single Family Residential (Manufactured)

COMPREHENSIVE LAND USE PLAN

Area 2: North 321 Gaston / North Central 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 – Rural areas are areas characterized by green rolling hills and plenty of open space. 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

AREA SALES DATA

Sales Summary (Valid Sales from January 2018):

Source: Gaston County Tax Department

Total Number of Sales: **17**

Total Value of Sales: **\$531,500**

Low Sale

High Sale

Average Sale

\$0

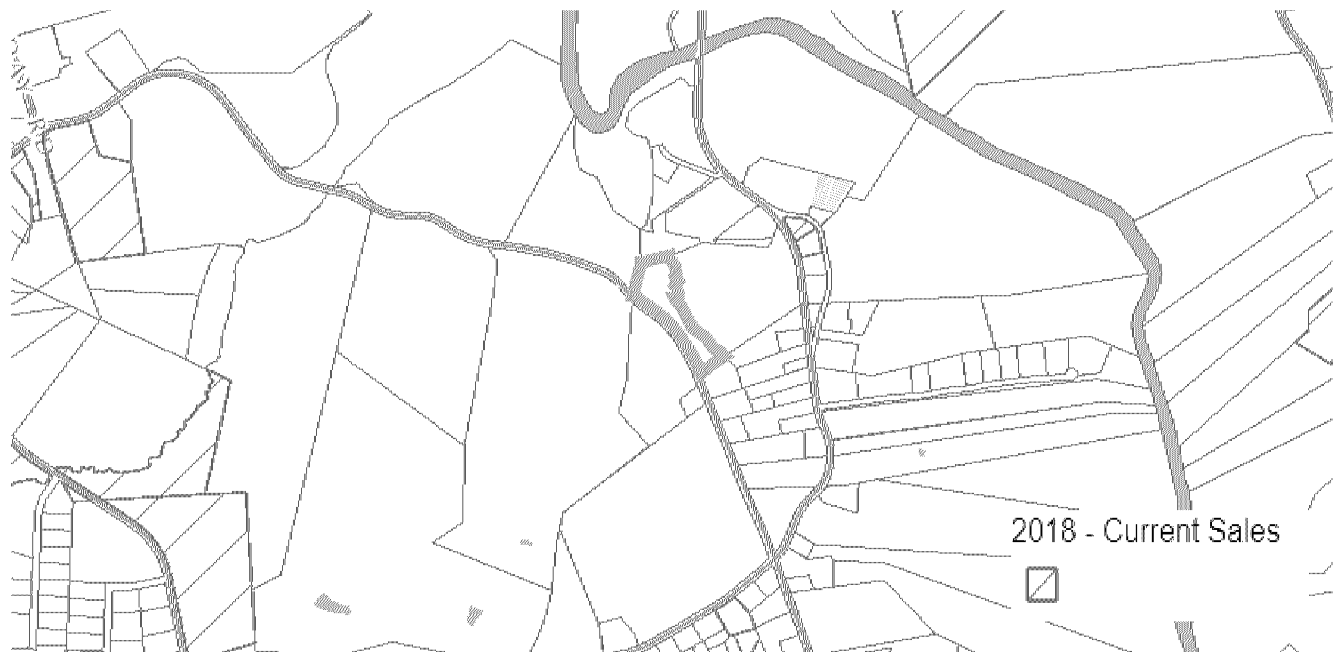
\$210,000

N/A

* of the 17 sales, only 3 had values

AREA SALES MAP

Source: Gaston County Tax Department (GIS Website)



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

Highlights from the comments did not include any significant projects in the immediate area. (See attached)

STAFF SUMMARY

Prepared By: Sarah Carpenter Penley, Senior Planner

This property is located in a residential area of the north central region of the county. The location is primarily residential in nature with a wood waste grinding operation located to the northwest of the property, and a small commercial pocket located southeast of the site. Housing types in the area are single family site built, with modular and/or manufactured housing located further out on surrounding secondary roads, which is not uncommon in a rural area and setting.

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: January 11, 2021

Meeting Summary / Points of Discussion: Staff provided Board members with a history of the property, which included that a home site for a double-wide manufactured home had previously occupied the area of consideration; the applicant wished to replace the previous manufactured home with a new double-wide manufactured home, however, the (180) day timeframe to do so (as allowed within UDO regulations) had expired; and, that a well/septic system were currently on site.

The Board voted to approve the application, with a vote of (8) to (1), based upon the following statement of consistency:

The proposed rezoning is in the Rural future land use plan. Rural areas allow for residential homes located on large lots with opportunities for agribusiness ventures. The use, going from (R-1) to (R-2) will allow the subject parcel to continue as a residential use in nature, which is consistent with the Rural designation and is in harmony with other residential uses within the immediate vicinity.

Attachments: Maps, MPO Comments



GASTON COUNTY

Department of Planning & 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 21-01**

Applicant ☒

Plan: ☐ ☐

Board of Commission (Administrative) ☐

ETJ ☐

A. *APPLICANT INFORMATION

Name of Applicant: William J. Frye

(Print Full Name)

Mailing Address: 611 Colt Thornburg Rd., Dallas, NC 28034

(Include City, State and Zip Code)

Telephone Numbers:

(704)964-5109

(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: Mary S. Costner

(Print Full Name)

Mailing Address: 611 Colt Thornburg Rd., Dallas, NC 28034

(Include City, State and Zip Code)

Telephone Numbers:

(704)964-5109

(Area Code) Business

(Area Code) Home

Email: _____

C. PROPERTY INFORMATION

Physical Address or General Street Location of Property: 629 Colt Thornburg Rd. (Dallas)

Parcel Identification (PID): 167400 (part of)

Acreage of Parcel: 5.34 +/- Acreage to be Rezoned: 2 +/- Current Zoning: (R-1)

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)

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) 167400

hereby give William J. Frye (Name of Applicant) consent to execute this proposed action.

Mary S. Costner
(Signature)

10-30-20
(Date)

(Signature)

(Date)

I, Mia Howell, a Notary Public of the County of Gaston
State of North Carolina, hereby certify that Mary S. Costner
personally appeared before me this day and acknowledged the due execution of the foregoing instrument.
Witness my hand and notarial seal, this the 30 day of October

Mia Howell
Notary Public Signature

September 15, 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.

William J. Frye
Signature of Property Owner or Authorized Representative

10-30-20
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: 10/30/20

OFFICE USE ONLY

Application Number: Z21-01

OFFICE USE ONLY

Fee: \$500.00

Received by Member of Staff: SCP
(Initials)

Date of Payment: 10/30/20

Receipt Number: INV-00020237

☒ COPY OF PLOT PLAN OR AREA MAP
☒ NOTARIZED AUTHORIZATION

☒ COPY OF DEED
☒ PAYMENT OF FEE

Date of Staff Review: _____

Date of Public Hearing: 01/26/2021

Planning Board Review: _____

Recommendation: _____

Date: 01/11/2021

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

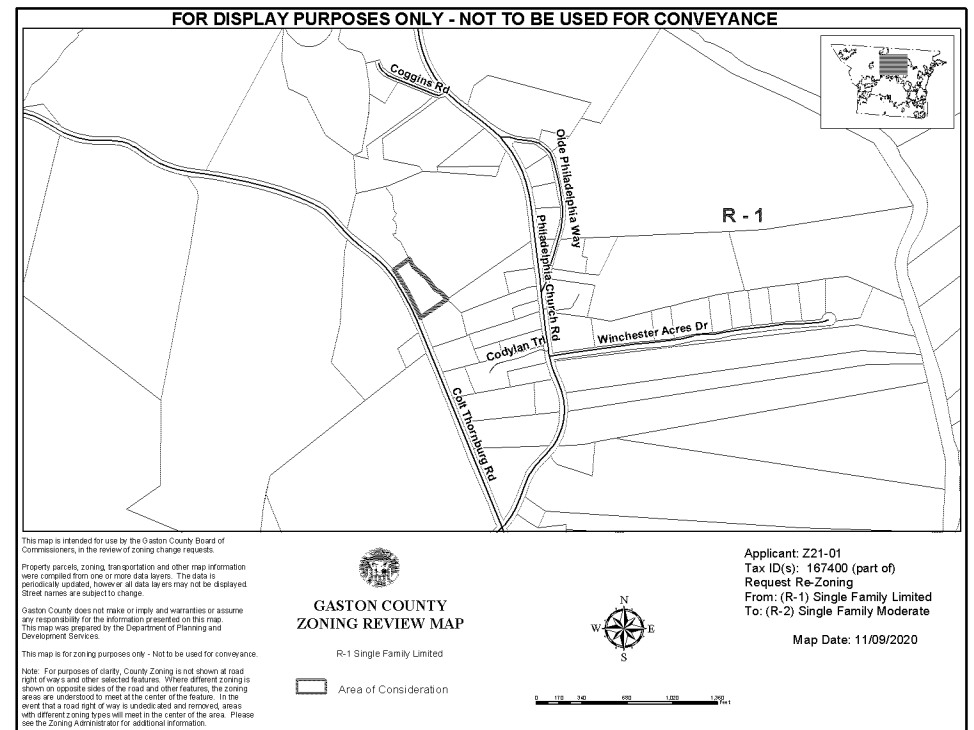
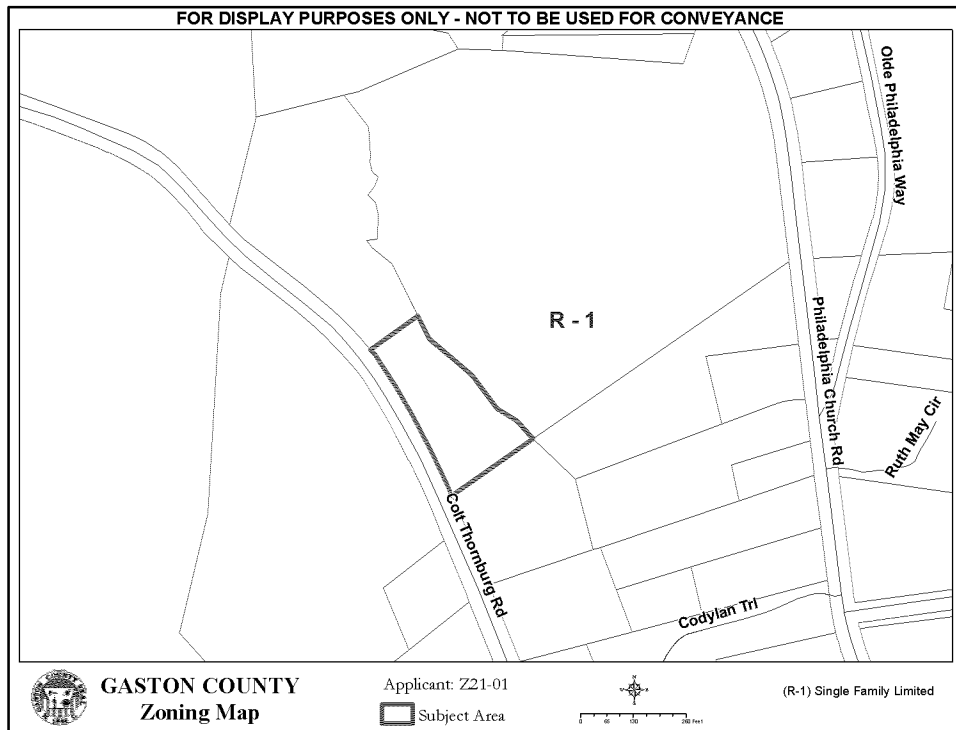
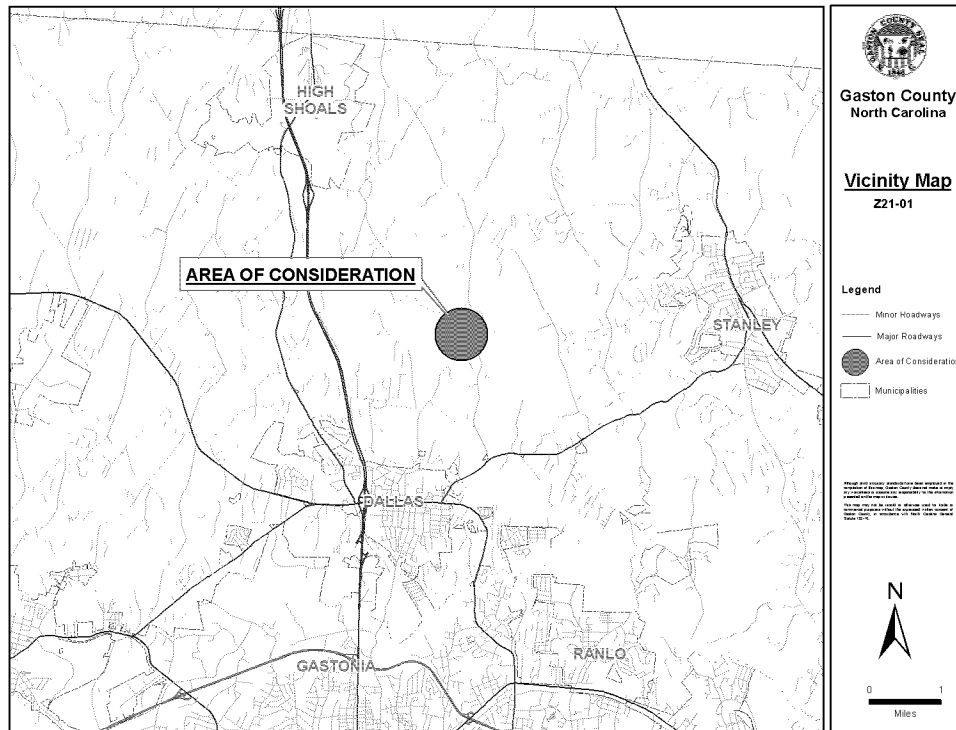
To: Sarah Carpenter Penley, Senior Planner, Subdivision Administrator, Gaston County Planning & Development Services
From: Julio Paredes, Planner
Date: November 17, 2020
Subject: 629 Colt Thornburg Rd – Z21-01 - GCLMPO Site Plan Review

Thank you for the opportunity to provide comments on a proposed rezoning located within the Gaston-Cleveland-Lincoln Metropolitan Planning Organization (GCLMPO) planning area. My comments are based on review of the proposed site plan 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 proposed development is located at 629 Colt Thornburg Rd, Dallas. 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 development.
2. The GCLMPO 2045 MTP nor Highway CTP include any future improvements on any streets adjacent to the subject property.
3. Please note that for 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.





Z21-01 Subject and Adjacent Properties Map
See reverse side for listing of property owners

 Area of consideration

Z21-01 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>
*	167400	COSTNER MARY S		611 COLT THORNBURG RD	DALLAS	NC	28034
1	167411	HOYLE JOHN ARTHUR		1002 TWIN CREEK RD	KERNERSVILLE	NC	27284
2	167418	ADAMS STEVEN B	ADAMS ALLISON M	111 COGGINS RD	DALLAS	NC	28034
3	167406	HATFIELD JON	HATFIELD LISA	1819 PHILADELPHIA CHURCH RD	DALLAS	NC	28034
4	167401	SUMMEY MILES I	SUMMEY JANICE	1813 PHILADELPHIA CHURCH RD	DALLAS	NC	28034
5	167404	MCCLURE KENNY A		709 COLT THORNBURG RD	DALLAS	NC	28034
6	204349	MCGINNIS KIMBERLY DAWN		708 COLT THORNBURG RD	DALLAS	NC	28034
7	204348	HAAS BRIAN LAMAR		700 COLT THORNBURG RD	DALLAS	NC	28034
8	220155	HOYLE JOHN ARTHUR		1002 TWIN CREEK RD	KERNERSVILLE	NC	27284



Gaston County

Gaston County
Board of Commissioners
www.gastongov.com

Building and Development Services Board Action

File #: 20-586

Commissioner Philbeck - Building & Development Services - Zoning Map Change: Z21-01 William J. Frye (Applicant); Property Parcel: 167400 (part of), Located at 629 Colt Thornburg 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. William J. Frye (Applicant); Rezone Parcel: 167400 (part of) 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 January 26, 2021 with Public Hearing comments being on file in the Board of Commission Clerk's Office. Planning Board recommendation was provided on January 11, 2021, 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
2021-001	01/26/2021	CB	KJ	A	A	A	A	A	AB	A	U

DISTRIBUTION:

Laserfiche Users

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