

**TOWN OF DALLAS  
MINUTES FOR BOARD OF ALDERMEN MEETING  
AUGUST 20, 2019  
6:00 PM**

The following elected officials were present: Mayor Pro-Tem Cearley, Alderwoman Thomas, Alderman Huggins, Alderman Withers, and Alderwoman Morrow. Mayor Coleman was absent.

The following staff members were present: Maria Stroupe, Town Manager; Da'Sha Leach, Town Clerk; Tom Hunn, Town Attorney; Allen Scott, Police Chief; Tiffany Faro, Development Services Director by Skype; Doug Huffman, Electric Director; Jonathan Newton, Finance Director; Garrett Lowery, Recreation Director; Bill Trudnak, Public Works Director; Glenn Bratton, Co-Chair for the Planning Board, and Matthew Knuapp, Assistant Fire Chief. Robert Walls, Police Captain and Earl Withers III, Fire Chief were absent.

Mayor Pro-Tem Cearley called the meeting to order at 6:00 pm. He opened with the Pledge of Allegiance to the Flag followed. He asked if there were any additions or deletions to amend the agenda. Alderwoman Thomas made a motion to approve the agenda, seconded by Alderman Huggins, and carried unanimously.

Alderwoman Thomas made a motion to approve the minutes from July 9<sup>th</sup>, 2019 Regular Meeting and July 23<sup>rd</sup> Work Session, seconded by Alderwoman Morrow, and carried unanimously.

**Recognition of Citizens:**

Robert Kendrick, 408 S. Groves St., He spoke about concerns for the grass cutting on S. Holland St., utility outages in the community, road blocks for the concerts cutting off businesses (recommended to have concerts at Cloninger Park), and the Lee St. project needing attention.

Johnny Ratchford, Ratchford Auto Trucks, He spoke regarding some challenges he is having with items taken and stated he wanted his items back. He gave back a Town of Dallas shirt and gloves.

Alan Routhier, He stated that his business Special Blendz had a successful grand opening. He gave thanks to Police Chief for the road barricade and Alderwoman Thomas for assistance with the ribbon cutting ceremony.

Curtis Wilson, 438 S. Gaston St., He gave a special thanks and he prayed.

**Consent Agenda:**

Submission of Written Off Accounts to NC Debt Setoff

Alderwoman Huggins made a motion to approve the Consent Agenda, seconded by Alderwoman Thomas, and carried unanimously.

### **Public Hearings:**

**Item 6A** was a Public Hearing on the Permitted Uses Chart and Text Amendment Updates. This item was reviewed at the July 23<sup>rd</sup> Work Session. Alderman Withers made a motion to enter into a public hearing, seconded by Alderwoman Morrow, and carried unanimously. The Development Services Director is recommending an update to our zoning ordinance to provide additional clarity for our permitted uses in each zoning district. Currently our permitted uses are listed as text under each zone identified, making the ordinance very lengthy and challenging to navigate. By replacing the text list with a permitted use chart- adopted as Appendix C of our Zoning Code- we will be able to provide a quick reference for residents and businesses on our allowable uses in each zone. Along with this formatting change, an update to the permitted uses is reflected in the proposed chart. Key changes being proposed include, but are not limited to:(1) Streamlined uses within B-3 Central Business to promote more restaurant/retail activity. (2) Expansion of allowable uses in Business zones to attract new businesses as we grow. (3) Elimination of zones not currently in use – uses incorporated into existing zones instead. (4) Industrial and Business zones primarily reserved for those uses- new residential in these zones to require conditional approval. (5) Some Industrial zone uses proposed as conditional only (relating to noise levels, odor, and impact on surroundings. (6) Added uses for additional clarity that were not listed before- adult businesses, solid waste/ septic facilities, bed & breakfasts, smoke shops, fitness centers, etc. Because supplemental regulations are currently within the text of the permitted uses, Staff and Planning Board are also proposing to relocate those elements to their own section- instead of within the requirements of each specific zone. This chart, and accompanying text, are proposed to be reviewed and updated again after analysis of our current land use map, or as needed to accommodate the Town’s anticipated growth. The Town will begin community engagement efforts regarding desired land use map updates in this fiscal year. The Planning Board Co-Chair Mr. Glenn Bratton was present and presenting the consistency statements. It was discovered that the text consistency statement was not included in the Board packets for review so Staff recommended to continue the meeting. Alderwoman Thomas made a motion to continue until September 10<sup>th</sup>, 2019, seconded by Alderwoman Morrow. (Exhibit A)

**Item 6B** was a Public Hearing on a Rezoning Request-S. Ridge St. Alderman Withers made a motion to enter into a public hearing, seconded by Alderwoman Morrow, and carried unanimously. Wilson Family Builders recently purchased a lot on South Ridge Street, further identified as parcel ID# 132895, and submitted a rezoning request to change the lot from R-8 to R-6. The current zoning’s minimum lot width allows the property to be subdivided into 2 lots. This rezoning would allow for up to 3 lots to be created. 5 abutting lots on Pine Street are already zoned R-6, and our 2003 Future Land Use Plan notes that this lot is intended for higher density residential development. The applicant would like to build 3 new single family residences at this location. All changes to the current land use map require the approval of a consistency statement. The Planning Board recommended this rezoning with the attached consistency statement. The Development Services Director gave details on the requested zoning changes and how this may impact the lot sizes. The applicant Mr. Wilson was present to answer any questions. Mayor Pro-Tem Cearley asked if anyone in the audience had any questions or comments. Audience member Mr. Kendrick asked to see a map of the lots and if the houses would be built like the brick homes on Pine St? Mr. Wilson stated that the homes will be similar but not brick. Alderwoman Morrow made a motion to exit the public hearing, seconded by Alderman Withers and carried unanimously. Alderman Withers made a motion to approve the re-zoning request as presented with the consistency statement, seconded by Alderman Huggins and carried unanimously. (Exhibit B)

### **Old Business: NONE**

### **New Business:**

**Item 8A** was for a discussion on the Cemetery Ordinance. The Town was contacted by a person that owns an 8-lot family plot that currently has two interments. The owner wants to sell the remaining 6 lots to another family. Currently, the Town’s cemetery ordinance allows one central standing monument on a family plot (§95.05(A)). The purchasing family would like to install an additional standing monument on the plot, which is not allowed under the Town ordinance. This item was discussed at the July 23<sup>rd</sup> Work Session. It was requested that cemetery ordinances from other Gaston County municipalities be collected and reviewed. Upon review of other ordinances, the Board decided that a change to the current ordinance is needed. Alderman Huggins made a motion for staff to bring back a proposed policy to allow another monument. Alderman Huggins withdrew his motion. This item will be discussed at the Work Session on August 27<sup>th</sup>, 2019. (Exhibit C)

**Item 8B** was on Annexation Request-Ollie Way. NVR, Inc. and Katie Summey, owner of PID#170057 (no address assigned), is petitioning for annexation into the Town of Dallas for the development of a single family residential subdivision. This parcel is considered contiguous. The parcel is currently located outside of Town of Dallas zoning, but is adjacent to R-10 single family residential. The 2003 Future Land Use Plan highlights this specific parcel for Neighborhood and Community Business, but adjacent parcels are marked for new residential development. The Planning Board is recommending the requested zone of R-6 CDO (Cluster Development Overlay). The developer, if successful with this annexation, intends to pursue a phased development plan to extend beyond this parcel- some of which is already located within Town limits. In order to move forward with the request, the Board must schedule a public hearing. The Board discussed this item to establish proximity to water and sewer services and the impact on the Town. The request cleared the certificate of sufficiency. The Board decided to move forward with the process. Alderman Withers made a motion to set a Public Hearing for October 8, 2019 to consider the annexation request, seconded by Alderwoman Morrow, and carried unanimously. (Exhibit D)


**Item 8C** was on the Cotton Ginning Days Parade. Mr. Jeff Hovis, of the Gaston Agriculture, Mechanical, and Textile Restoration Association (GAMTRA) is requesting permission for the Annual Cotton Ginning Days Tractor Parade through Town on Friday, October 11<sup>th</sup>. The parade would follow the same route as last year, beginning at 9:00 am at Dallas Park and ending at approximately 10:00 am back at Dallas Park. They anticipate approximately 30 tractors in the parade. Alderman Huggins made a motion to approve the request, seconded by Alderman Withers, and carried unanimously. (Exhibit E)

**Item 8D** was a Budget Amendment-Small Trash Truck. The approved FY2019-20 budget provided for the purchase of a small trash truck to be financed at a projected cost of \$110,000. Upon further review of the quote by the Public Works Director, the previously quoted truck would not meet the Town's needs. After obtaining a revised quote, the cost of the truck will be \$146,597. In order to proceed with an RFP for financing, a budget amendment must be approved for the increased cost of the truck. Alderman Huggins made a motion to approve the budget amendment as presented, seconded by Alderwoman Morrow, and carried unanimously. (Exhibit F)

**Manager's Report and General Notices:**

The Manager gave updates on items in Town.

Alderman Huggins made a motion to adjourn, seconded by Alderwoman Morrow, and carried unanimously. **(6:52)**



Rick Coleman, Mayor



Da'Sha Leach, Town Clerk



**§ 153.020 TOWN DIVIDED INTO ENUMERATED ZONES.**

In order to regulate and limit the height and size of buildings; to regulate and limit the intensity of the use of lot area; to regulate and determine the areas of open spaces surrounding buildings and to classify, regulate and restrict the location of trades and industries and the location of buildings designed for specified industrial, business, residential and other uses, the-town is hereby divided into the following zones.

- (A) R-15 Single-Family Residential.
- (B) R-12 Single-Family Residential.
- (C) R-10 Single-Family Residential.
- (D) R-8 Multi-Family Residential.
- (E) R-6 Multi-Family Residential.
- (F) O and I-1 Office and Institutional.
- (G) BC-1 Shopping Center.
- (H) B-1 Neighborhood Business.
- (I) B-2 Highway Business.
- (J) B-3 Central Business.
- (K) B-3P Central Business District Perimeter.
- (L) I-2 General Industrial.
- (M) RMF Multi-Family District.
- (N) RMF-H High Density Multi-Family District

**§ 153.022 R-15, R-12 AND R-10 ZONES: SINGLE-FAMILY RESIDENTIAL.**

Within the R-15, R-12 and R-10 zones as shown on the zoning map of the town, incorporated by reference in § 153.021, the following regulations shall apply.

**(A) Permitted uses. Refer to the Permitted Uses Chart (Appendix C)**

(B) *Lot area and width, yards and building height requirements.* The requirements set forth in the Appendix A: Yard and Height Requirements for Residential Districts and Appendix B: Yard and Height Requirements for Business Districts shall govern.

(C) *Off-street parking.* Off-street parking shall be provided by all uses as required by § 153.042.

(D) *Signs.* The requirements set forth in the sign regulations, §§ 153.080 through 153.087, shall apply.

(E) *Site plan.* As an initial step in applying for the issuance of a building permit for the construction, alteration, or expansion of any structure housing a municipal, county, state, federal or other governmental use, a site plan shall be submitted which shall include the following grading, engineering design, construction size, height, shape and location of the building, location and design of parking areas, pedestrian and vehicular circulation on site, and plans for collecting and depositing storm water and natural or artificial watercourses. The site plan must be approved by the Town Clerk and by the Building Inspector before the building permit is issued; however, if the site plan is disapproved the applicant may appeal such decision to the town Planning Board and then to the Board of Aldermen. The structure housing such municipal, county, state or federal use must be constructed, altered or expanded in accordance with the site plan before a certificate of occupancy is issued by the Building Inspector.

**§ 153.026 R-8 AND R-6 ZONES: MULTI-FAMILY RESIDENTIAL.**

Within the R-8 and R-6 zones as shown on the zoning map, incorporated by reference in § 153.021, the following regulations shall apply.

(A) **Permitted uses- Refer to the Permitted Uses Chart (Appendix C).**

(B) Lot areas and width, yards and building height requirements. The requirements set forth in Appendix A: Yard and Height Requirements in Residential Districts and Appendix B: Yard and Height Requirements in Business Districts shall govern.

(C) Off-street parking. Off-street parking shall be provided by all uses as required in § 153.042.

(D) Signs. The requirements set forth in the sign regulations, §§ 153.080 through 153.087, shall apply.

**§ 153.027 M O AND I ZONES: MEDICAL AND OFFICE INSTITUTIONAL. (Remove)****§ 153.028 O AND I-1 ZONES: OFFICE AND INSTITUTIONAL.**

Within the O and I-1 zones as shown on the zoning map, incorporated by reference in § 153.021, the following regulations shall apply.

(A) **Permitted uses- Refer to the Permitted Uses Chart (Appendix C)**

(B) Required lot area, lot width, yards and building height. For all permitted uses the requirements of the R-6 zones shall apply in this zone.

(C) Off-street parking. Off-street parking space shall be provided in accordance with § 153.042.

(D) Off-street loading. Off-street loading space shall be provided in accordance with § 153.044.

(E) Signs. For the purpose of advertising any use permitted in this zone, the regulations of §§ 153.080 through 153.087 shall apply.

**§ 153.029 O AND I-2 ZONES: OFFICE AND INSTITUTIONAL. (Remove)****§ 153.030 A-1 ZONES: ADVERTISING SIGN DISTRICT. (Remove)****§ 153.031 BC-1 ZONE: SHOPPING CENTER.**

Within the BC-1 zones as shown on the zoning map of the town, incorporated by reference in § 153.021, the following regulations shall apply.

(A) **Permitted uses- Refer to the Permitted Uses Chart (Appendix –)**

(B) Required screening areas building coverage and yards.

(1) A screen containing a mixture of deciduous and evergreen trees spaced in a staggered triangular pattern not more than ten feet apart and containing not less than two rows of dense plant materials shall be planted in a fifteen-foot buffer strip along such rear or side lines, either or both. The same shall be planted at an initial height of at least three feet and shall be of such variety that an average height of six feet can be expected by normal growth within four years from the time of initial planting. No plant material which would be a host to insects, would affect the plants on adjoining property, or would spread disease, can be used; and all plant materials must be nursery grown and conform to the guidelines as published by the American Association of Nurserymen in their 1959 edition. All plant materials shall be planted at least three feet from the side or rear lot line of adjoining property and shall be planted in the required buffer strip prior to the issuance of a certificate of occupancy by the Inspections Superintendent..

(2) Not more than 30% of the zoned area shall be covered by buildings.

(3) No building shall be closer than 20 feet to any exterior lot line or closer than 100 feet to any street right-of-way in a BC-1 Shopping Center zone.

(4) The tract of land upon which the proposed shopping center is to be erected must contain at least five acres.

(5) A BC-1 Shopping Center zone shall abut an existing or a proposed major thoroughfare for minimum distance of 400 feet and shall have a minimum average depth of 550 feet.

(C) Height. Not to exceed 40 feet.

(D) Off-street parking. Off-street parking shall be provided for all uses as required by § 153.042.

(E) Off-street loading and unloading. Off-street loading and unloading space shall be provided by all uses as required by § 153.044.

(F) Signs. For the purpose of advertising and use permitted in this zone the regulations of §§ 153.080 through 153.087 shall apply.

(G) Data to be submitted with petition. The applicant for this classification shall present to the town Planning Board the following items for consideration at the time the petition for rezoning is filed.

(1) A valid market analysis indicating the economic feasibility of the proposed development by outlining:

- (a) The trade area of the proposed shopping center;
- (b) An estimate of the trade area population, present and future;
- (c) An estimate of the effective buying power of the trade area, both existing and proposed;
- (d) An estimate of the net potential customer buying power for stores in the proposed development;
- (e) An estimate of the amount of retail sales floor space in square feet currently lacking in the trade area.

(2) A statement indicating readiness to proceed with the proposed development by filing with the Zoning Officer an agreement signed by the owner or owners of the proposed development that actual construction shall begin within one year from the date final plans for the shopping center are approved and shall be prosecuted to completion within a reasonable period of time thereafter. In the event the town Planning Board and the Board of Aldermen find that the intent of this paragraph has been met or construction has not commenced within said one-year period, proceedings may be instituted for rezoning the area to its original classification. It is not the intent of this section, however, to prohibit a reasonable extension of the one-year limit by the Board of Aldermen.

(3) The preliminary site plan and the preliminary construction plan of the proposed development.

(H) Preliminary plan.

(1) The preliminary site plan shall be prepared on a 30" by 42" sheet of reproducible material using the largest scale possible and shall contain:

- (a) Dimensions of the property and adjacent lots and streets;
- (b) Location and proposed use of all buildings with dimensions and approximate ground floor area thereof;
- (c) Topography of existing ground and paved areas and elevation of street alleys, utilities sanitary and storm sewers, buildings and structure;
- (d) Plans for collecting and disposing of storm water and treatment of natural and artificial water courses;

(e) General indication of proposed grading, surface drainage, terraces retaining wall heights, grades on paved areas and ground floor elevations shown by contours or spot elevations;

(f) Parking areas with all spaces shown and dimensions thereof;

(g) Service area, truck loading facilities, service drives and dimensions thereof;

(h) Pedestrian walks or walkways with dimensions thereof;

(i) Drives and access to parking spaces with dimensions thereof;

(j) Curb cuts and points of ingress and egress and all sidewalks with dimensions thereof;

(k) Distances between the buildings and the property lines;

(l) Locations of plantings, walls and screening;

(m) Name and address of the development, name and address of the developer, date and scale of the plan, and the name of the person or firm preparing the plans;

(n) Vicinity map at a scale of 1 inch to 1,000 feet.

(2) The preliminary construction plan, the preliminary site plan and a detailed perspective drawing of the shopping center representing the general appearance of the buildings and grounds from the major thoroughfare must be prepared by a person authorized by law to prepare the same.

(3) Recommendations and suggestions concerning the preliminary plans for the proposed shopping center by the town Planning Board shall be upon the findings that the plans for the development are such that traffic hazards and congestion will not be created within the development and upon the public streets at the point of ingress and egress to the development and that the plans of a shopping center. Dedication of additional right-of-way for public street purposes may be required to resolve potential traffic hazards and congestion. The lack of minimum yard dimensions does not imply the lack of need for such minimum dimensions. The absence of minimum yard dimensions is to provide for flexibility and imagination in design of the development. The purpose of a preliminary site plan, preliminary construction plan and perspective drawing of the shopping center is to enable the town Planning Board to review the same in order that it may recommend and approve said plans prior to presentation of the written recommendation and report to the Board of Aldermen. In each case consideration shall be given to the location of the various facilities and buildings on the premises and minimum yard dimensions.

(4) The Board of Aldermen may refuse to approve a preliminary site plan or a preliminary construction plan on the grounds that either fails to provide unity of development with other business uses in the same zone, or that either fails to adequately protect residential uses in adjacent zones from the adverse effects of a business operation, or that either proposal fails to provide safe conditions for pedestrians and motorists or that either plan fails to conform with the requirements of this chapter.

(5) Preliminary plans for the entire shopping center shall be prepared; however, a section consisting of at least 33% of the total proposed area contained in the shopping center or a section of the shopping center consisting of not less than five separate buildings, each housing a separate use, may be designated for immediate development and final plans prepared for that section only.

(I) Final plans.

(1) A final construction plan shall be prepared and shall include the following:

(a) Detailed perspective drawing of the shopping center showing the appearance of the buildings and grounds from the major access street;

(b) Detailed final construction plans for purposes of building inspection to include elevations of every building from all sides at a scale of not less than 1/8 inch to 1 foot.

(2) The final site plan shall be prepared on a 30" by 42" sheet of reproducible permanent base material using the largest scale possible and shall include the following:

(a) Dimensions of the property and adjacent lots and streets;

- (b) Location, ground floor area and proposed use of the buildings with all dimensions thereof;
- (c) Parking area with all spaces shown and dimensions thereof;
- (d) Service area, truck loading facilities, service drives and dimensions thereof;
- (e) Pedestrian walks or walkways with dimensions thereof;
- (f) Drives and access to parking spaces with dimensions thereof;
- (g) Curb cuts and points of ingress and egress and all sidewalks with dimensions thereof;
- (h) Distances between the buildings and the property lines;
- (i) Location of plantings, walls and screening;
- (j) Name and address of the development, names and addresses of the developers, date, scale of plant and person or firm preparing the plan.

(3) The final site plan shall show all the information required of the preliminary site plan but the information shown shall be specific, precise and accurate to usual and recognized professional standards and not general in nature.

(4) A design of the storm sewerage system shall be submitted to the Town Clerk for his approval.

(5) The final site plan and final construction plan for the proposed development or changes within the development shall be submitted by the developer to the town Planning Board for its approval. After such approval is granted, the Building Inspector shall, if other pertinent town ordinances have been complied with, issue a building permit for the construction alteration or expansion of any building within a BC-1 Shopping Center zone upon application by the developer provided:

(a) Construction of at least five separate buildings housing at least five separate units or construction of at least 33% of the total proposed area contained in the shopping center, whichever is greater, must be commenced initially thereafter, the developer may construct on building at a time.

(b) No building shall be occupied within a BC-1 Shopping Center zone until a certificate of occupancy shall have been issued by the Building Inspector and no certificate of occupancy shall be issued unless the approved final plans have been substantially followed as to each completed building and the use of same complies with this chapter.

(c) The Inspection Superintendent may issue a certificate of occupancy for any completed structure or building even though some other structures shown in the approved final plans at the time are under construction.

(d) A certificate of occupancy shall not be issued for the buildings constructed until all drives, walks, parking spaces, screening and truck loading and unloading facilities shall have been provided and substantially improved as shown on the final plans as approved.

(6) Pursuant to the same procedure and subject to the same limitations and requirements set forth in this section, a site plan may be amended or revised, either partially or completely.

**§ 153.032 B-1 ZONES: NEIGHBORHOOD BUSINESS.**

Within the B-1 zones as shown on the zoning map, incorporated by reference in § 153.021, the following regulations shall apply.



(A) **Permitted uses- Refer to the Permitted Uses Chart (Appendix C)**

(B) Required lot area, lot widths and yards. Buildings used wholly or in part for residential purposes shall comply with the requirements for R-6 zones. Buildings used for other permitted uses shall have a minimum front yard of 30 feet, provided that where the lot abuts on the side or rear of a residential zone, such buildings shall have a minimum side yard of eight feet on the abutting side. and a minimum rear yard of 20 feet on the abutting rear. For the purpose of this provision. where properties are separated by a street, or alleyway such properties are deemed abutting.

(C) Height. All buildings shall comply with the height requirements for residential zones.

(D) Off-street parking. Off-street parking space shall be provided by all uses as required by § 153.042.

(E) Off-street loading. Off-street loading space shall be provided by all uses as required by § 153.044.

(F) Signs. For the purpose of advertising any use permitted in this zone the regulations of §§ 153.080 through 153.087 shall apply.

**§ 153.033 B-2 ZONES: HIGHWAY BUSINESS.**

Within the B-2 zones, as shown upon the zoning map of the town, incorporated by reference in § 153.021, the following regulations shall apply.

(A) **Permitted uses- Refer to the Permitted Uses Chart (Appendix C)**

(B) Required lot area, lot widths and yards. Buildings or structures used wholly or in part for residential purposes shall comply with the requirements for R-6 zones. Buildings used for other permitted uses where the lot abuts on the side or the rear of a residential zone shall have minimum side yard of eight feet on the abutting side, and a minimum rear yard of 20 feet on the abutting rear. For the purpose of this provision, where properties are separated by a street or alleyway, such properties are deemed abutting.

(C) Height. All buildings shall comply with the height requirements for residential zones.

(D) Off-street parking. Off-street parking shall be provided by all uses as required by § 153.042.

(E) Off-street loading and unloading. Off-street loading and unloading space shall be provided by all uses as required by § 153.044.

(F) Signs. For the purpose of advertising any use permitted in this zone the regulations of §§ 153.080 through 153.087 shall apply.

**§ 153.034 B-3 ZONE: CENTRAL BUSINESS.**

Within the B-3 zones as shown on the zoning map of the town, incorporated by reference in § 153.021, the following regulations shall apply.

(A) **Permitted uses- Refer to the Permitted Uses Chart (Appendix C)**

(B) Required lot area, lot widths and yards. Buildings or structures used wholly or in part for residential purposes shall comply with the requirements for R-6 zones. Buildings used for other permitted uses where the lot abuts on the side or the rear of a residential zone shall comply with the provisions of § 153.044(B).

(C) Height. No building or structure shall exceed 80 feet in height.

(D) Off-street loading and unloading. Off-street loading and unloading space shall be provided for all uses as required by § 153.044.

(E) Signs. For the purpose of advertising any use permitted in this zone the regulations of §§ 153.080(B), 153.081, 153.085(E) through (H) and 153.086 shall apply.

**§ 153.035 B-3P ZONE: CENTRAL BUSINESS DISTRICT PERIMETER.**

Within the B-3P zones as shown on the zoning map of the town, incorporated by reference in § 153.021, the following regulations shall apply.

**(A) Permitted uses- Refer to the Permitted Uses Chart (Appendix C)**

(B) Required lot area, lot widths and yards. Buildings or structures used wholly or in part for residential purposes shall comply with the requirements for R-6 zones. Buildings used for other permitted uses where the lot abuts on the side or the rear of a residential zone shall comply with the provisions of § 153.044(B).

(C) Height. No building or structure shall exceed 80 feet in height.

(D) Off-street parking. Off-street parking shall be provided shall by all uses as required by § 153.042.

(E) Off-street loading and unloading. Off-street loading and unloading space shall be provided by all uses as required by § 153.044.

(F) Signs. For the purpose of advertising any use permitted in this zone the regulations of §§ 153.080 through 153.087 shall apply.

**§ 153.036 B-4 ZONES: GENERAL BUSINESS. (Remove)****§ 153.037 I-1 ZONES: LIGHT INDUSTRIAL. (Remove)****§ 153.038 I-2 ZONES: GENERAL INDUSTRIAL.**

Within the I-2 zones as shown on the zoning map of the town, incorporated by reference in § 153.021, the following regulations shall apply.

**(A) Permitted uses- Refer to the Permitted Uses Chart (Appendix C)**

(B) Required lot area, lot widths and yards. Buildings used wholly or in part for residential purposes shall comply with the requirements for R-6 zones. Buildings used for other permitted uses where the lot abuts on the side or the rear of a residential zone shall comply with the provisions of § 153.032(B).

(C) Height. Buildings used wholly or in part for residential purposes may exceed 35 feet in height but for each five feet or fraction thereof of additional height above 35 feet, each yard shall be increased five feet over the minimum requirements.

(D) Off-street parking. Off-street parking spaces shall be provided as required by § 153.042

(E) Off-street loading and unloading. Off-street loading and unloading space shall be provided as required by § 153.044.

(F) Signs. For the purpose of advertising any use permitted in this zone the regulations of §§ 153.080 through 153.087 shall apply.

**§ 153.039 I-2L ZONE: GENERAL INDUSTRIAL LIMITED. (Remove)****§ 153.040 EI-1 ZONES: EXCLUSIVE INDUSTRIAL. (Remove)****§ 153.041 EX-1 ZONES: EXTRACTIVE INDUSTRIAL. (Remove)**

§ 153.045 NON-CONFORMING USES, BUILDINGS AND STRUCTURES.

(A) Non-conforming uses.

(1) A non-conforming use shall not be extended; except, however, a non-conforming use of any building may be extended to any portion or portions of said building which were at the time such use became non-conforming manifestly arranged or designed for such use.

(2) No structural alterations shall be made in a building housing a non-conforming use, except those required by law or ordinance or ordered by an authorized officer to secure the safety of the building.

(3) The non-conforming use of any building or structure which is damaged to an extent exceeding 50% of its then reproduction value, exclusive of foundations, by fire, flood, explosion, earthquake, war, riots or Act of God, shall be discontinued, and such building or structure shall thereafter be used only in conformance with the provisions of the zone in which located.

**Any non-conforming use in existence 5 years prior to August 20, 2019 that is located within the B-3 Central Business District may continue to operate as its current non-conforming use in the event that the building or structure housing the non-conforming use is damaged by fire, flood, explosion, earthquake, war, riots or Act of God, regardless of the extent of damages, as long as business operations are not discontinued for longer than 9 months.**

(4) A non-conforming use shall not be changed to any but a conforming use. When a non-conforming use has been changed to a conforming use it shall not be changed again to any non-conforming use.

(5) No changes shall be made in the landscaping, grading of the lot, or external appearances of a non-conforming use without the grant by the Board of Adjustment of a special exception authorizing such change. The Board shall grant such an exception only upon an affirmative finding that the proposed change will have no adverse effect upon neighboring properties or upon the public and safeguards upon any such special exception which it grants for the further protection of neighboring properties in the public welfare.

(B) Non-conforming buildings or structures. Non-conforming buildings or structures shall be allowed to remain subject to the following provisions:

(1) A non-conforming building or structure shall not be extended unless such extension shall comply with all the requirements of this chapter for the zone in which it is located.

(2) A non-conforming building or structure which is damaged to an extent exceeding 75% of its then reproduction value, exclusive of foundation by fire, flood, explosion, earthquake, war, riot or Act of God, shall not be reconstructed except in conformance with the provisions of this chapter.

(3) Non-conforming signs or billboards shall be eliminated or changed to conform with the provisions of this chapter within 18 months of the date such signs or billboards become non-conforming.

§ 153.051 SUPPLEMENTAL USE REGULATIONS

(A) *Auto Service Stations located within Shopping Centers* must meet the following criteria for approval:

Auto service/ stations are within shopping centers are permitted to sell tires, tubes, gasoline, oil and other lubricants, motor and tire accessories and similar products; permitting the storage of tires, tubes, accessories and similar products and permitting minor repair work limited to the following:

(a) Servicing of spark plugs, batteries and distributors and distributor parts.

(b) Tire servicing and repair, but not recapping or regrooving.

(c) Replacement of mufflers and tail pipes, water hose, fan belts broke fluid, light bulbs, fuses, floor mats seat belts, seat covers, windshield wipers and wiper blades, grease retainers, wheel bearings, mirrors and the like.

- (d) Radiator cleaning and flushing.
- (e) Providing and repairing fuel pumps, oil pumps and lines.
- (f) Minor servicing and repair of carburetors.
- (g) Emergency wiring repairs.
- (h) Adjusting and repairing brakes.
- (i) Minor motor adjustments not involving removal of the head or crankcase or racing the motor.

1. All of the aforesaid minor repair work, but excluding the normal servicing of automobiles, must take place within an enclosed structure on the premises.

2. The auto service station shall be designed as an integral part of the shopping center.

- a. The Board of Aldermen may refuse to permit an auto service station to be erected in a proposed shopping center on the grounds that it fails to provide unity of development with other business uses in the same zone or that it fails to adequately protect residential uses in adjacent zones from the adverse effects of a business operation, or that the proposal fails to provide safe conditions for pedestrians and motorists, or that the plan fails to conform with the requirements of this chapter; but not on the grounds that architectural designs or building materials are esthetically unsatisfactory.

(B) *Electronic gaming operation(s)* must meet the following criteria for approval:

- 1. That such uses provide, at minimum, off-street parking consistent with off-street parking requirements, § 153.042(J), Other Business or Service Uses, and requiring one parking space for each 200 square feet of gross floor area.
- 2. That no electronic gaming operation be located within 500 linear feet of the property line of any church/house of worship or any public or private elementary, middle, or high school, library, public park or playground, day care center, or residential-zoned district.
- 3. That no two electronic gaming operations be located within 1,000 linear feet of each other.
- 4. That no electronic gaming operation have more than 25 total electronic gaming machines or terminals.
- 5. That electronic gaming operations shall apply for and obtain a business registration from the Town to operate, and have fully paid, up-to-date, all required fees as prescribed by the Town of Dallas.
- 6. That electronic gaming operations shall be further regulated by Chapter 113: Game Rooms of the Dallas Code of Ordinances.
- 7. That during hours of operations, electronic gaming operations shall be open for direct, unobstructed access by all safety and enforcement personnel, and that all exit doors shall remain unlocked while patrons are on the premises.
- 8. No one under the age of 18 be allowed within the premises of an electronic gaming operation.

(C) *Mobile/ Manufactured Homes* - Must be Class A, and located in the R-6 zone only within approved mobile home parks or subdivisions.

(D) *Promotional Activities* must meet the following criteria for approval:

- 1. Be sponsored by or for trade or professions associations, or for civic, religious, charitable or eleemosynary groups.
- 2. No gaming, gambling, or similar (related) activities are permitted to be conducted as part of or accessory to the temporary use.
- 3. No temporary permitted use shall be permitted for a period of time exceeding ten consecutive days.
- 4. No temporary use shall begin until 9:00 a.m. and shall not extend beyond 12:00 midnight.
- 5. No permit for a temporary permitted use shall be granted by the Zoning Officer until permission therefore has first been granted by the Board of Aldermen.
- 6. No temporary permitted use shall be located within 400 feet of a residential use.

(E) *Public or private golf courses, non-commercial swimming or tennis clubs, and country clubs* subject to the following requirements: buildings, tennis courts and swimming pools shall be located at least 20 feet from any exterior lot line, on a site containing three acres or more.

(F) Temporary uses including a building or trailers, both residential and commercial, are only permitted in conjunction with authorized construction; and are subject to the following conditions:

## EXHIBIT A

(1) No living quarters are provided in such building or trailer;

(2) The construction shall commence prior to or simultaneously with the temporary use; and

(3) A permit for such use must be secured from the Building Inspector who may not issue a permit for a longer period than six months at any one location without an order from town Planning Board.

(4) Classroom trailers designed to be utilized by a public school provided a permit for such use is secured from the Building Inspector who may not issue such permit for a longer period than 12 months at any one location without an order from the town Planning Board.

	Residential						Office	Business					Industrial	
	R-15	R-12	R-10	R-8	R-6	RMF	RMF-H	O&I-1	BC-1	B-1	B-2	B-3	B-3P	I-2
<b>PERMITTED USES</b> (any use not specified below is eligible to apply for conditional zoning approval)														
<b>RESIDENTIAL</b>														
Single-family dwellings.	X	X	X	X	X									
Manufactured/ Mobile Homes					X									
Trailer Camps/ Mobile Home Parks					X									
Multi-family Residential				X	X	X	X			C	C	C	C	
Fraternities		C	C	C	C					C				
Homes for the aged and infirm	X	X	X											
Mixed Use Residential						X	X			C	C		C	
Nursing homes for chronic or convalescent patients	X	X	X											
<b>TRAVEL AND TOURISM</b>														
Boarding and rooming houses											X			
Motel / Hotel											X		X	
Bed and Breakfast Inn				C	C							X		
Tourist Homes	C	C	C	C	C						X			
<b>MUNICIPAL/PUBLIC</b>														
Assembly Hall									C	C	C		C	
Cemeteries	X	X	X	X	X			X		X	X			X
Municipal, county, state and federal uses not involving the outdoor storage of equipment or materials	X	X	X	X	X			X		X	X	X	X	X
Public libraries, public museums and art galleries.	X	X	X	X	X			X		X	X	X	X	X
Public or private utilities buildings and appurtenances, not to include the outdoor storage of equipment or materials	X	X	X	X	X			X		X	X		X	X
Public utility storage or service yards													X	X
<b>PROFESSIONAL SERVICES</b>														
Offices rendering professional services								X	X	X		X	X	X
Agencies offering specialized Services not involving retail trade or inventory								X	X	X		X	X	X
business offices										X		X	X	X
Data processing and computer centers										C			C	X
<b>BUSINESS AND RETAIL</b>														
<b>Automotive</b>														
Auto parts and supplies (new)									X		X		X	X
Auto parts and supplies (used)														X
Auto sales											X		X	X
Auto Service/Repair stations									X	X	X		X	X
Automobile Garages													X	X
Car Wash											X		X	X
Gas Stations										X	X		C	
Parking lots not for public use (principal use)												C	C	C
Trailer Sales and Service														X
<b>Services</b>														
Banks and financial institutions								X	X	X	X	X	X	X
Barber shops or beauty shops									X	X	X	X	X	X
Dry cleaning establishments (drop-off only)									X	X	X	X	X	X
Exterminator Office									X	X	X		X	X
Funeral Homes										X		C	X	X
Laundry pickup stations, laundrettes and laundromats									X	X	X			X
Radio and television repair shops.									X	X	X			X
Shoe repair shops									X	X	X	X	X	X
Tailor shops									X	X	X		X	X
Upholstery shops									X	X	X		X	X
<b>Food &amp; Drink</b>														
Alcoholic beverage package stores									X	X	X			X
Bake shops and dairy bars									X	X	X	X	X	
confectioneries									X	X	X	X	X	
delicatessens									X	X	X	X	X	
Eating and drinking establishments									X	X	X	X	X	X
Grocery stores									X	X	X		X	X
Microbreweries											X		X	X

X: Permitted by Right\*

C: Conditional\*

\*SUPPLEMENTAL REGULATIONS MAY APPLY- CHECK TOWN ORDINANCES

	Residential						Office	Business					Industrial	
	R-15	R-12	R-10	R-8	R-6	RMF	RMF-H	O&I-1	BC-1	B-1	B-2	B-3	B-3P	I-2
<b>PERMITTED USES</b> (any use not specified below is eligible to apply for conditional zoning approval)														
<b>Retail</b>														
Adult Use/ Sexually Explicit Retail									X	X	X			
Antique shops									X			X		
Apparel Shops									X			X		
Art/Music Supply and Retail									X	X	X	X	X	
Auction house (indoor)									X	X	X	X	X	X
Auction house (outdoor)										C				C
Bookstores									X	X	X	X	X	
camera shops									X					
Convenience Stores									X	X	X		C	
Department stores									X					
Drugstores									X	X	X		X	X
Dry goods stores									X	X	X	X	X	
Florist shop									X	X	X		X	X
Furniture stores									X	X	X	C	X	X
Hardware stores									X	X	X		X	X
Household appliance stores									X	X	X		X	
Jewelry stores									X	X	X	X	X	X
Newsstands									X	X	X	X	X	X
Pet shops									X					
Retail Stores within Mixed Use							X	X		C	C		C	
Retail Stores- other									X	X	X	C	C	X
Second Hand Precious Metal Business									X	X	X	X	X	
Shoe Stores									X	X	X	X	X	
Sporting goods stores									X	X	X	X	X	
Tobacco/ Smoke Shops									X					
Toy stores									X	X	X	X	X	
Variety stores									X	X	X			
Wholesale Departments									X	X				X
<b>ANIMAL/AGRICULTURAL</b> (Must comply with Chapter 90:Animals)														
Abattoirs and slaughterhouses														C
Animal feeds- Manufacturing, servicing, processing, assembling, and fabricating .														X
Beekeeping	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Farming (crops)	C	C	C											X
Greenhouses	C	C	C											X
Hatcheries														C
Plant Nurseries	C	C	C											
Veterinary hospitals and commercial kennels														X
<b>EDUCATIONAL</b>														
Classroom trailers designed to be utilized by a public school	X	X	X	X	X			X		X	X	X	X	X
Schools and colleges kindergartens and day nurseries	X	X	X	X	X			X		X	X	X	X	X
<b>RELIGIOUS AND CHARITABLE ORGANIZATIONS</b>														
Churches and other places of worship.	X	X	X	X	X			X		X	X	X	X	X
Philanthropic and eleemosynary institutions.	X	X	X	X	X			X		X	X	X	X	X
Promo for Trade Associations or Civic, Religious groups									X	X	X		X	X
<b>RECREATIONAL</b>														
Electronic gaming operation(s)									X		X			
Adult Entertainment									X		X			
Fairs, carnivals and similar transient amusement enterprises														C
Fitness Center / Gymnasium									X	X	X		X	
indoor recreation									X	X	X	X	X	X
Movie theaters									X		X		X	
outdoor recreation (not racetracks)											X			
Public or private golf courses, non-commercial swimming or tennis clubs, and country clubs	X	X	X	X	X					X	X			X
<b>MEDICAL</b>														
dental offices and clinics								X	X	X	X		X	
Medical offices and clinics								X	X	X	X		X	
Clinical laboratories									X	X	X		X	
Hospitals for human care											X		X	

X: Permitted by Right\*

C: Conditional\*

\*SUPPLEMENTAL REGULATIONS MAY APPLY- CHECK TOWN ORDINANCES

	Residential					Office		Business				Industrial	
	R-15	R-12	R-10	R-8	RMF	RMF-H	O&I-1	BC-1	B-1	B-2	B-3	B-3P	I-2
<b>PERMITTED USES</b> (any use not specified below is eligible to apply for conditional zoning approval)													
<b>INDUSTRIAL/MANUFACTURING</b>													
Auto wrecking or junk yards													C
Automobile accessories- Manufacturing, servicing, processing, assembling, and fabricating													X
Bedding Fabrication													X
Bedding, pillows and carpets- Manufacturing, servicing, processing, assembling, and fabricating													X
Bottling Plants													X
Building materials- Manufacturing, servicing, processing, assembling, and fabricating													X
Chemicals- Manufacturing, servicing, processing, assembling, and fabricating													X
Clothing and cloths Fabrication													X
Clothing including hosiery- Manufacturing, servicing, processing, assembling, and fabricating													X
Cold Storage Plants													X
Dry cleaning and pressing plants										C		C	X
Electric and electronic products- Manufacturing, servicing, processing, assembling, and fabricating													X
Food and food products, not to include slaughterhouses and abattoirs- Manufacturing, servicing, processing, assembling, and fabricating													X
Freezer lockers													X
Gasoline, oil, or alcohol storage above ground													C
Glass- Manufacturing, servicing, processing, assembling, and fabricating													X
Household appliances- Manufacturing, servicing, processing, assembling, and fabricating													X
Ice- Manufacturing, servicing, processing, assembling, and fabricating.													X
Leather goods Fabrication, not to include processing or storage or raw hides													X
Leather goods- Manufacturing, servicing, processing, assembling, and fabricating													X
Machine tools.- Manufacturing, servicing, processing, assembling, and fabricating													X
Metal products fabrication													X
Metals and metal products- Manufacturing, servicing, processing, assembling, and fabricating													X
Mixing plants for concrete or paving materials													X
Newspaper offices or printing plants													X
Paints- Manufacturing, servicing, processing, assembling, and fabricating													X
Paper products fabrication, not to include the manufacturing of paper													X
Paper products- Manufacturing, servicing, processing, assembling, and fabricating													C
Plastic containers and similar plastic product fabrication													X
Pottery, porcelain, and vitreous china- Manufacturing, servicing, processing, assembling, and fabricating													X
Rubber products- Manufacturing, servicing, processing, assembling, and fabricating													C
Soaps, detergents and washing compounds- Manufacturing, servicing, processing, assembling, and fabricating													X
Solid Waste/ Septage Management Facilities													C
Stone crushing, cutting and polishing													C
Storage of materials and equipment outdoors													C
Storage warehouses and yards, except storage of salvage													X
Textiles- Manufacturing, servicing, processing, assembling, and fabricating													X
Transportation Terminals													X
Welding shops													X
Wholesale and Jobbing Plants													X
Wholesale Distribution Centers													C
Wood and wood products, including furniture- Manufacturing, servicing, processing, assembling, and fabricating													X

X: Permitted by Right\*

C: Conditional\*

\*SUPPLEMENTAL REGULATIONS MAY APPLY- CHECK TOWN ORDINANCES



TEXT AMENDMENT CONSISTENCY STATEMENT

The proposed rezoning of Parcel ID# 132895 on S Ridge St from R-8 to R-6 consistent with the 2003 Future Land Use Plan's designation as traditional neighborhood-higher density, and the allowable uses and lot sizes in this proposed zone would ensure the preservation of neighborhood character of this area while protecting from encroachment of incompatible business and industrial uses. This rezoning request is therefore deemed reasonable and in the public's best interest in order to maximize the site for future single-family development, while protecting the overall character and appearance of the Town.

CUD)

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holders  
gmail.com

*Glenn L. Bratton*

*7/18/2019*

Glenn Bratton, Planning Board Co-Chairman

Date

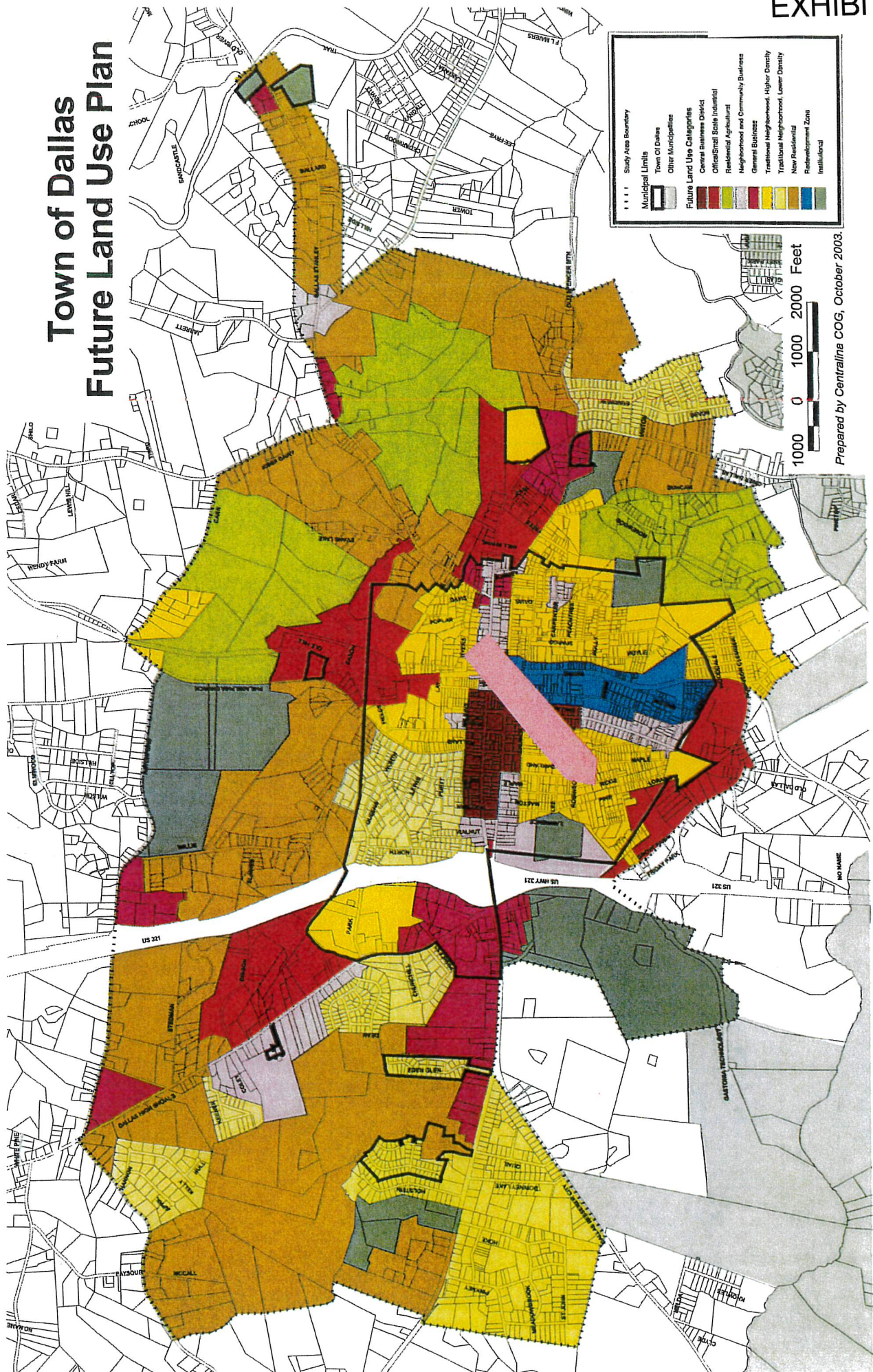
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# Town of Dallas Future Land Use Plan



Prepared by Centralina COG, October, 2003.



## Gaston County Cemetery Ordinances

### Dallas

Monuments are only allowed on “family plots”, which shall comprise of more contiguous, family-related and owned individual lots. The, only one central monument is allowed on the family plot. Monuments shall be a minimum 24 inches in height, not including the base; 24 inches in width; and six inches thick. Monuments shall not exceed 24 sq. ft. in face area, nor exceed a width greater than 72 inches. Markers are allowed on any individual lot but are to be laid flush with the ground and shall not exceed two feet in length and one foot in width. If part of a family plot, markers shall be placed at the end of the lot farthest from the central monument.

### Belmont

One above-ground headstone or grave marker may be installed per plot. No other monumental work, tombstone, marker, vault, fence, memorial, mound or other objects of any kind protruding above the surface of the ground may be erected, nor may any hedge, plants, tree or flowers be planted on the property. One foot marker, which must be installed flush with the ground, may be installed per grave.

### Bessemer City

Only one upright monument will be permitted on a family burial lot, nor shall it be less than three feet height nor more than  $\frac{2}{3}$  width of the lot in height (but not exceeding eight feet in height), and shall be of granite or marble. No monument shall cover more than 7% of the ground space of the lot. All stone and marble work for monuments, headstones, and the like, must be accepted by the Director as being in conformity with these rules before being taken into the cemetery.

### Cherryville

No monument or marker guidelines.

### Gastonia

No more than one family monument on any lot. No person may erect or install any monument within a city cemetery except under the supervision and direction of the administrator, who shall ensure that all monuments are located, constructed, and properly placed on foundations to ensure and preserve the dignity of the cemetery and to minimize maintenance costs.

### Mount Holly

No monument or marker guidelines. No person shall erect any monument, headstone, tombstone, or other fixture, requiring a base to rest on, without first building a solid foundation of crushed rock or bricks and good cement. The depth and size of such foundation shall be determined by the director.

CERTIFICATE OF SUFFICIENCY

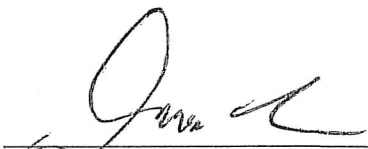
To the Board of Aldermen of the Town of Dallas, North Carolina:

I, Da'Sha Leach, Town Clerk do hereby certify that I have investigated the petition attached hereto and have found as a fact that said petition is signed by all owners of real property lying in the area described therein, in accordance with G.S. 160A-31.

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Dallas, this 13<sup>th</sup> Day of August 2019.

SEAL



  
\_\_\_\_\_  
Town Clerk

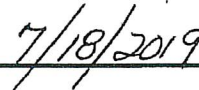
Re: Summey Annexation- PID 170057

## TEXT AMENDMENT CONSISTENCY STATEMENT

The proposed annexation of Parcel ID# 170057 into Town limits as R-6 Cluster District Overlay is technically inconsistent with the 2003 Future Land Use Plan's map designation as neighborhood and community business, however, this petition is deemed reasonable and in the public's best interest as this lot abuts land designated for new residential development, supports an increased demand for housing in light of Dallas' current and anticipated growth, and aligns with the 2003 Land Use Plan's recommendation for new residential to be clustered so as to preserve open space and heighten pedestrian accessibility.



Glenn Bratton, Planning Board Co-Chairman



Date

TOWN OF DALLAS, NORTH CAROLINA

PETITION FOR ANNEXATION

PETITION NUMBER: \_\_\_\_\_  Contiguous  Non-Contiguous

DATE: 6/24/19 FEE: \$100.00 \*

\* Petitioner understands there will be additional costs associated with this petition such as advertising, postage, etc. and agrees to pay these fees upon receipt of invoice(s).

Current Property Use: R-1 Planned Property Use: Single Family

Requested Zoning: Single Family R-6 CDO

To the Board of Aldermen of the Town of Dallas:

We, the undersigned owners of real property, respectfully request that the area described as

Legal Description	Subdivision Name	Block	Lot	Deed Book	Deed Page
		. 13 080 005 00 000			

, DALLAS, NC 28034, further identified as

parcel ID # 170057, be annexed to the Town of Dallas.

Name of petitioner/property owner: Petitioner: Nicole Frambach, NVR, INC.  
Frances Summey Kirby and Samuel Thomas Summey

Mailing Address of property owner: Frances: 212 Whiteoaks Circle, Bluffton, SC 29910  
Samuel: 103 Gordon Drive, Flat Rock, NC 28731

Email Address: Nframbac@nvrinc.com Phone Number: 704-887-3075

Attachments included with Petition:

1. Legal description (as noted in property deed)
2. Letter outlining reasons for annexation request
3. \$100 Fee

Applicant Signature: Frances Summey Samuel Summey Date: 6/24/2019 6/24/2019

DocuSigned by: Frances Summey 3595A7CC7A884E1... DocuSigned by: Samuel Summey 884A688BE351492...

Received By: [Signature] Date: 6/26/2019

TOWN OF DALLAS, NORTH CAROLINA

PETITION FOR ANNEXATION

PETITION NUMBER: \_\_\_\_\_  Contiguous  Non-Contiguous

DATE: 6/24/19 FEE: \$100.00 \*

\* Petitioner understands there will be additional costs associated with this petition such as advertising, postage, etc. and agrees to pay these fees upon receipt of invoice(s).

Current Property Use: R-1 Planned Property Use: Single Family

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**To the Board of Aldermen of the Town of Dallas:**

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Legal Description	Subdivision Name	Block	Lot	Deed Book	Deed Page
. 13 080 005 00 000					

, DALLAS, NC 28034, further identified as

parcel ID # 170057, be annexed to the Town of Dallas.

Petitioner: Nicole Frambach, NVR, INC.  
Name of petitioner/property owner: Frances Summey Kirby and Samuel Thomas Summey

Frances: 212 Whiteoaks Circle, Bluffton, SC 29910  
Mailing Address of property owner: Samuel: 103 Gordon Drive, Flat Rock, NC 28731

Email Address: Nframbac@nvrinc.com Phone Number: 704-887-3075

**Attachments included with Petition:**

- 1. Legal description (as noted in property deed)
- 2. Letter outlining reasons for annexation request
- 3. \$100 Fee

Applicant Signature: [Signature] Date: 6/26/19

Received By: [Signature] Date: 6/26/19



STATE OF NORTH CAROLINA		FILED	File No. 18-E-872
GASTON	County	JUN 11 2018	In The General Court Of Justice Superior Court Division Before The Clerk
IN THE MATTER OF THE ESTATE OF:		APPLICATION FOR PROBATE (WITHOUT QUALIFICATION OF A PERSONAL REPRESENTATIVE) <input type="checkbox"/> AND ADDENDUM (AOC-E-309)	
Name, Street Address, City, State, And Zip Code Of Decedent KATIE CHRONIS SMITH SUMMEY		AT CLERK OF SUPERIOR COURT	
Social Security No. (last four digits) 9492	County Of Domicile At Time Of Death Greenville, SC	G.S. 28A-2A-1, -2, -5	
Date Of Death 02/11/2016	Date Of Will And Codicil(s), If Any 1/29/1995	Place Of Death (If Different From County Of Domicile)	
Name, Street Address, P.O. Box, City, State, And Zip Code Of Applicant Angela M. Kirby <del>1531 Laurel Street</del> 828 Woodrow Street Columbia, SC 29201 29205		Name, Street Address, P.O. Box, City, State, And Zip Code Of Co-Applicant	
Telephone No. 803.256.6401	Telephone No.		
Legal Residence (County, State) Richland, SC	Legal Residence (County, State)		
Name, Street Address, P.O. Box, City, State, And Zip Code Of Attorney R. Anthony Orsbon Orsbon & Fenninger LLP		Attorney Bar No. 3284	
		Telephone No. 704.556.9600	

I, the undersigned, applying for probate of the decedent's last will and testament in the above estate, being first duly sworn, say that:

1. The decedent was domiciled in this county at the time of the decedent's death or left property or assets in this county.
2.  a. I am the executor named in the will.
  - b. I am a devisee named in the will, no executor has applied to have the will proved within sixty (60) days after the death of the testator, and the named executor(s) has/each have at least ten (10) days' notice of my intent to have the will proved.
  - c. The decedent died on or after January 1, 2012, I am a devisee named in the will, less than sixty (60) days have passed since the death of the testator, no executor has yet applied to have the will proved, the named executor(s) has/each have at least ten (10) days' notice of my intent to have the will proved, and good cause exists to now probate the will in that \_\_\_\_\_
  - d. I am a person interested in this estate, my interest is that \_\_\_\_\_, no executor has applied to have the will proved within sixty (60) days after the death of the testator, and the named executor(s) has/each have at least ten (10) days' notice of my intent to have the will proved.
  - e. The decedent died on or after January 1, 2012, I am a person interested in this estate, my interest is that \_\_\_\_\_, less than sixty (60) days have passed since the death of the testator, no executor has yet applied to have the will proved, the named executor(s) has/each have at least ten (10) days' notice of my intent to have the will proved, and good cause exists to now probate the will in that \_\_\_\_\_
3. Following the execution of the will, there were no children born to or adopted by the decedent, and the decedent did not thereafter marry or obtain a divorce. (If the facts are otherwise, state them on an attachment.)
4. After diligent inquiry, I have determined that the persons listed below are all the persons entitled to share in the decedent's estate. (If there is a court-appointed guardian for any such person(s), list the guardian's name and address on an attachment.)

NAME	AGE	RELATIONSHIP	MAILING ADDRESS
Frances S. Kirby	18+	Daughter	212 Whiteoaks Circle, Bluffton, SC 29910
Samuel T. Summey	18+	Son	103 Gordon Drive, Flat Rock, NC 28271



Welcoming families home  
for over 65 years.

June 26, 2019

Tiffany Faro  
Town of Dallas  
210 N Holland St.  
Dallas, NC 28034

RE: Summey Property – Dallas, NC

Dear Tiffany,

Please find attached the Annexation Application signed by the Sellers of parcel 170057, a copy of the \$100 check for the application fee, a preliminary master plan, preliminary phasing and an estimation of renderings based on our current product assumptions for the community.

Based on current yield calculations by Bohler Engineering, we are estimating that Phase 1 will entail roughly 100 lots. We estimate that upon delivery of our model lot, this should take approximately two years to sell through at 50 lots per year. Upon the completion of Phase 1, we would anticipate already having Phase 2 developed and ready for construction to continue seamlessly from one Phase to the next and continue as such as we move into the additional phases per the attached plan with a rough estimation of 2 years between the site development of each phase.

To achieve the yield and absorption that we estimate for this community, we anticipate building our Simply Ryan single family detached product on Phase 1 and bringing in our Lifestyle age targeted single family detached product into Phase 2. As we develop these two product lines, internally our objective is to do so in a way in which these two products generally act as their own separate communities while coming together to share the benefits of any amenity and any fire access requirements. To achieve this, we will continue to work closely with all interested departments from the Town of Dallas and Gaston County where applicable to determine the community needs during the site planning process.

If approved, we see this community as a basis for growth in tandem with the Apple Creek Business Park to allow for safe and affordable housing in close proximity for this growing employment base. With the forthcoming growth over those planned 318 acres, companies will find comfort in knowing that their investment in this Town is not the only one. This community will allow a coming together across age ranges to allow families with differing needs to be in the same area. This community will allow workers to come home to the Town of Dallas and reinvest in the economic growth of the area.

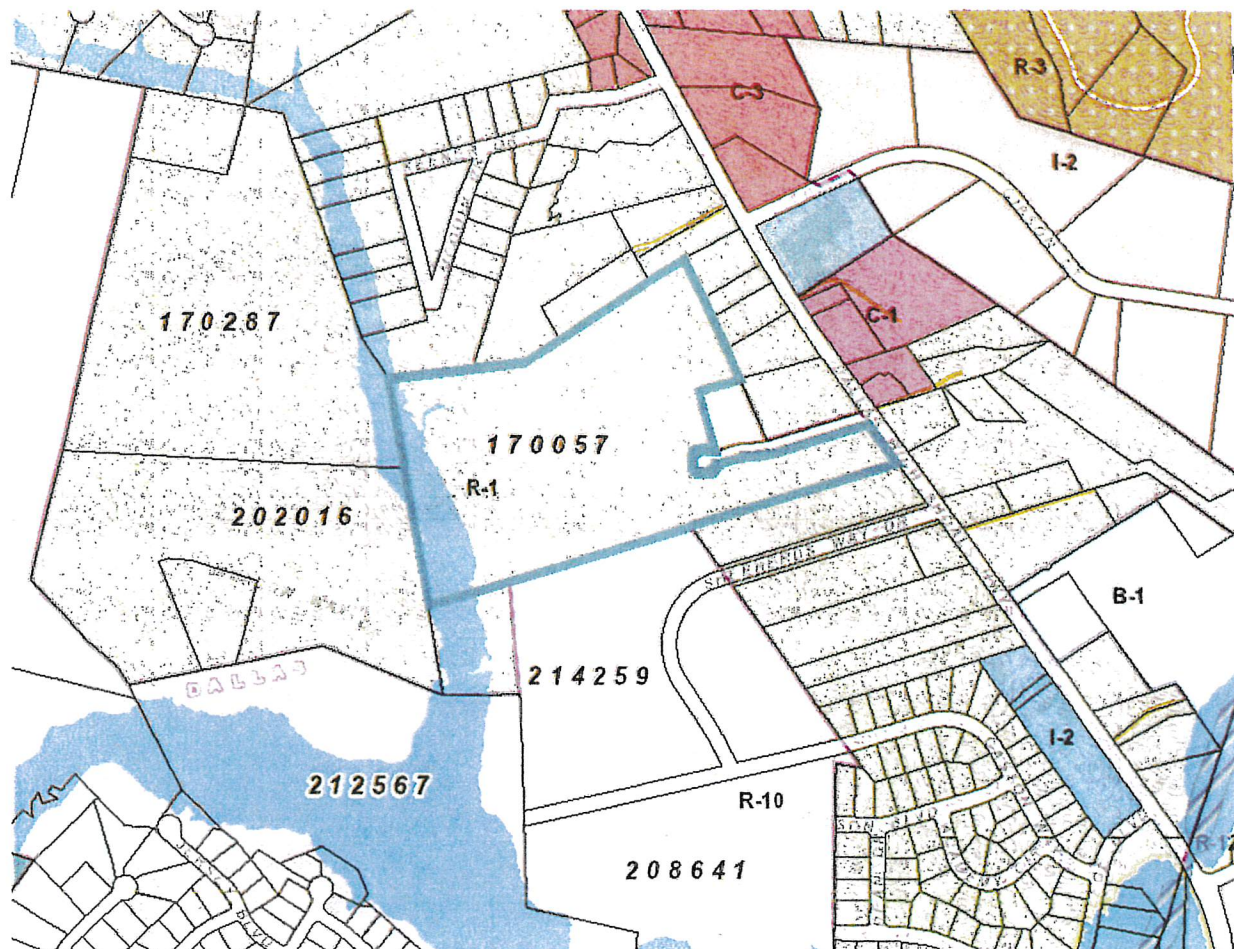
It is our plan to focus on these first 30 acres and 100 units with the intention of obtaining consent and creating a development plan for an additional 180 acres that will eventually be annexed and rezoned to become additional phasing of this community. As I obtain those approvals, I will be able to share more

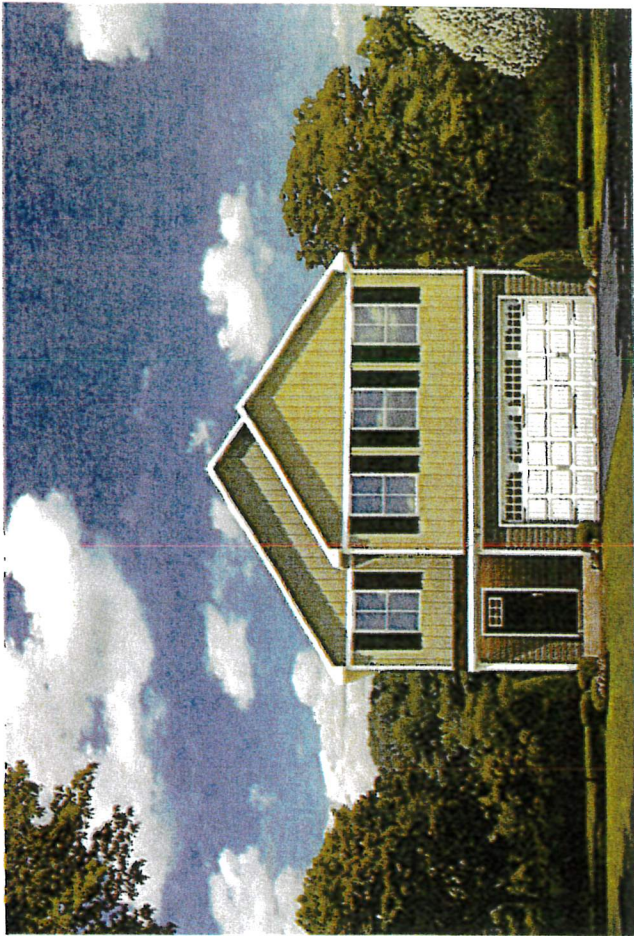
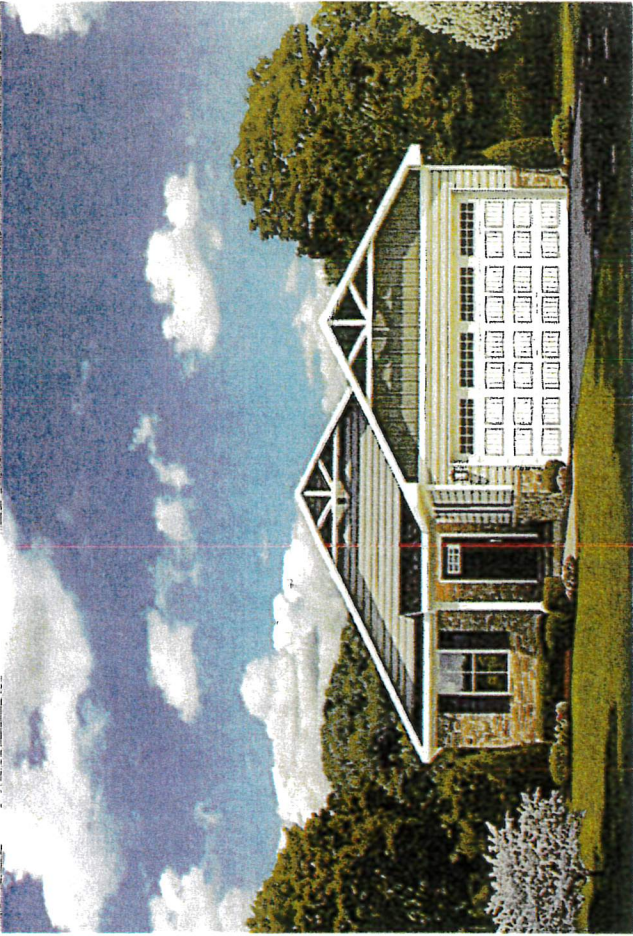
LEGAL DESCRIPTION

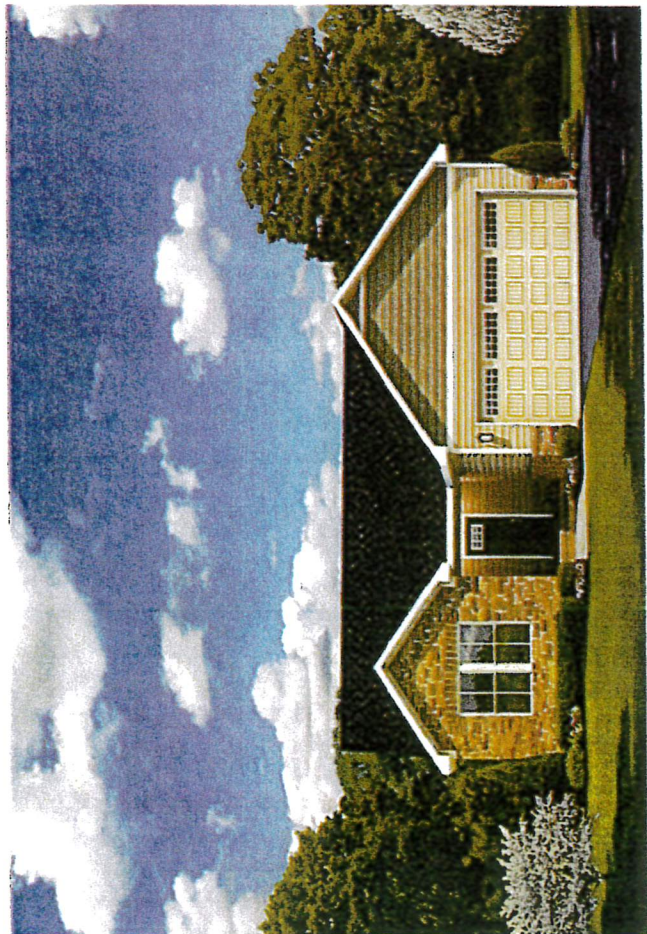
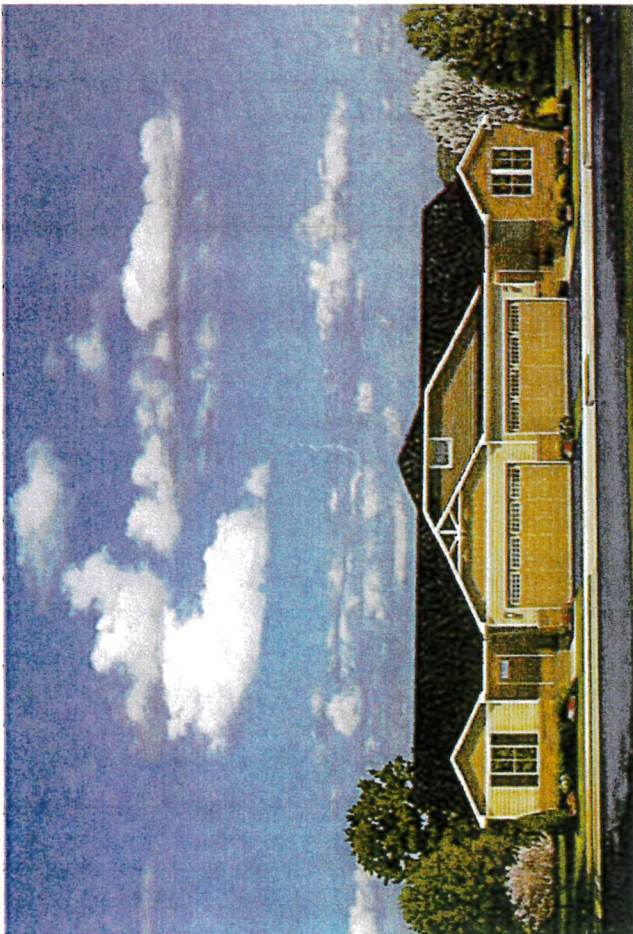
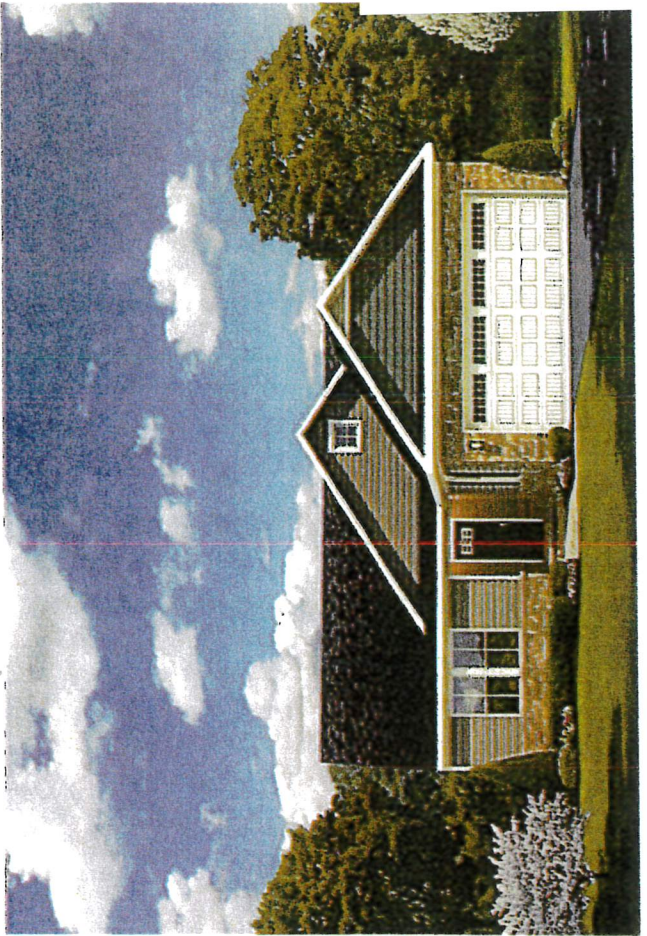
BEING that entire tract of real property owned by Grover F. Summey, which entire tract contains approximately 29.08 acres located on Dallas High Shoals Highway in Dallas Township, Gaston County, North Carolina, bearing Gaston County tax parcel identification number 3548-31-4558, all as more particularly described in the instruments recorded in Estate File No. 96-E-149 in the Office of the Clerk of Court of Gaston County and in Book 358 at Page 215 in the Gaston County Public Registry.

\*Grover Francis Summey died a resident of Greenville County, South Carolina, on March 27, 2009. See Greenville County, South Carolina Estate File # 2009ES2300749 (exemplified copies of probate proceedings on file with Gaston County Clerk of Court).

The property herein above described was acquired by Grantor by instrument recorded in Deed Book 358, Page 215 in the Gaston County Public Registry and in Estate File No. 96-E-149.







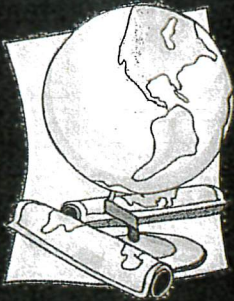
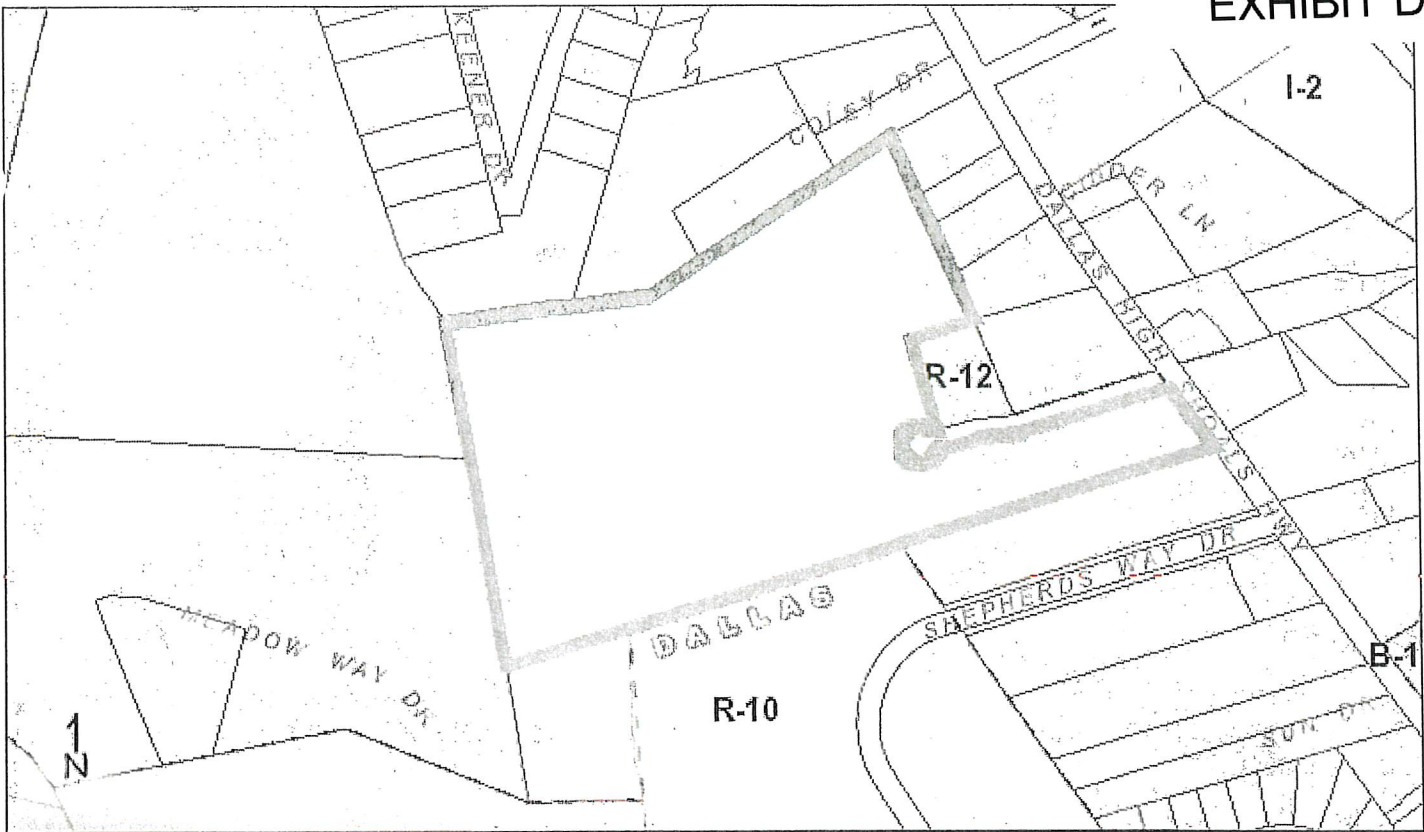


PHOTO NOT AVAILABLE

**Tax Information**

DEED BOOK: 4574 PAGE: 1753  
 DEED RECORDING DATE: 8/29/2011  
 SALES AMOUNT: \$0  
 PLAT BOOK: PAGE:  
 STRUCTURE TYPE:  
 YEAR BUILT: 0  
 SQUARE FOOTAGE: 0  
 BASEMENT: NO  
 BED: 0 BATH: 0 HALF-BATH:  
 MULTI-STRUCTURES: NO  
 ACREAGE: 29.81  
 TAX DISTRICT: AG. CENTER FD  
 VOLUNTARY AG DISTRICT: NO  
 PROPERTY USE: RESIDENTIAL

**Tax Values**

MARKET LAND VALUE: \$125,400  
 MARKET IMPR. VALUE: \$0  
 MARKET VALUE: \$125,400  
 FARM DISCOUNT: NO  
 EXEMPTION: NO  
 TAXABLE VALUE: \$125,400

**Election Information**

PRECINCT NAME: DALLAS I  
 POLLING PLACE: TOWN OF DALLAS FIRE DEPARTMENT  
 POLLING ADDRESS: 209 W. MAIN STREET  
 WARD #:  
 CONGRESS REPRESENTATIVE: MEMBER PATRICK MCHENRY  
 CONGRESSIONAL DISTRICT: 10  
 HOUSE REPRESENTATIVE: REPRESENTATIVE KELLY E. HASTINGS (REP)  
 HOUSE DISTRICT: 110  
 SENATOR: SENATOR KATHY HARRINGTON (REP)  
 SENATE DISTRICT: 43

**Parcel Information**

POLICE DISTRICT: GASTON COUNTY  
 FIRE DISTRICT: AG CENTER  
 FLOOD: AE  
 LOCAL WATERSHED: LONG CREEK  
 CENSUS TRACT: 304.02

**Tax Information**

ADDRESS: NO ASSIGNED ADDRESS  
 PARCEL #: 170057  
 PIN #: 3548314566  
 CURRENT OWNERS: SUMMEY KATIE CHRONIS  
 MAILING ADDRESS: 212 WHITEOAKS CIR , BLUFFTON, SC 29910-5723  
 JANUARY 1ST OWNERS: SUMMEY KATIE CHRONIS  
 NBHD #: 2D012  
 NBHD NAME: SOUTH CENTRAL DALLAS 2D  
 TOWNSHIP: DALLAS TOWNSHIP  
 LEGAL DESC: . 13 080 005 00 000

Disclaimer: The information provided is not to be considered as a legal document or description. The map & parcel data is believed to be accurate, but Gaston County does not guarantee its accuracy. Values shown are as of January 1, 2019. - Document created for printing on 10/8/2018



## Special Events/ Activities Application

Town of Dallas  
210 North Holland Street  
Dallas, NC 28034-1625  
(704) 922-3176  
Fax: (704) 922-4701

The purpose of this application is to provide information about your event or activity in order for the Town of Dallas to best assist you. Depending on the specific event, a permit application and/or fee(s) from other departments may be required. The applicant is responsible for providing complete and accurate information on the application, The applicant is responsible for notifying the Town of Dallas of any changes. **A complete application must be submitted by no later than 5:00 p.m. on the Tuesday preceding the date of the Board meeting at which the event is to be approved, for an event which is to occur no sooner than 14 days following its date of approval.**

### APPLICATION INFORMATION

Name of Event:	Cotton Ginning Days Parade		
Facility Requested:			
Applicant Name:	Jeff Hovis		
Organization:	GAMTRA/Gaston Agriculture Mechanical Textile Restoration Assoc.		
Mailing Address:	308 Oakwood Dr.		
City / State / Zip:	Mt. Holly NC 28120		
Daytime Phone:	704-913-4672	Cell: Same	E-Mail: <input checked="" type="checkbox"/>
Description of the Event:	esufd3000@Carolina-rr.com Parade from Citizens Resource Center around Court House and Back to Park.		
Does the event have a Facebook, Twitter, or other social networking page:	<input type="checkbox"/>		
If yes, please list URL(s):			
Date (s) Requested for Event:	October 11 2019		
Event Start Time:	0900	Event End Time:	10:00
Road Closure Time Begins (if applicable):	<input type="checkbox"/>	Road Closure Time Ends:	<input type="checkbox"/>
Set Up Begins:	<input type="checkbox"/>	Set Up Ends:	<input type="checkbox"/>
Preferred Date & Time of Inspection (if required):	<input type="checkbox"/>		
Estimated Attendance:	<input type="checkbox"/>		
The Event is:	<input type="checkbox"/> Private (by invitation only)	or	<input checked="" type="checkbox"/> Open to General Public
Describe the procedures to be used for selecting vendors and exhibitors for this event:			
<input type="checkbox"/>			
<input type="checkbox"/>			

Applicant's Signature: Jeff Hovis Date: 7-29-19

A pre-event meeting may be required and will be scheduled to include appropriate staff. The event applicant must attend the meeting.

ROUTE AND TRAFFIC PLAN

<input checked="" type="checkbox"/> PARADE (Includes floats, vehicles, and persons)	<input type="checkbox"/> BICYCLES
<input type="checkbox"/> MARCH OR WALK (persons only)	<input type="checkbox"/> FOOT RACE
<input type="checkbox"/> VEHICLES ONLY (Includes motorcycles)	
<input type="checkbox"/> OTHER (Description: _____)	
Number of Persons: <input type="text" value="25-40"/>	% Children: <input type="text" value="0"/>
Number of Vehicles: <input type="text" value="25-40"/>	Vehicle Types: <input type="text" value="Tractors"/>
Number of Animals: <input type="text" value="NONE"/>	Kinds: <input type="text"/>
<b>DESCRIBE BELOW THE EVENT ROUTE. IF THERE IS MORE THAN ONE SEGMENT TO AN EVENT, INCLUDE START AND FINISH TIMES FOR EACH SEGMENT.</b> (Example: The "GENERIC AWARENESS RUN" may include a 5k, a 10k, and a Fun Run).	
<input type="text"/>	
<input type="text" value="Leisure Ln Right on Dallas Cherryville Hwy to Right on N-Gaston St. to Right on W Main Continue Straight to Ingles Parking Lot, Right toward W-Trade then Left on W-Trade / Dallas Cherryville Hwy. Left on Leisure Ln. END"/>	
<input type="text"/>	
<input type="text"/>	

ROAD CLOSURES

If your event involves road closures, a parade, a foot or bike race, any type of procession, or more than one location, attach a Route and Traffic Plan. Include the required information (listed below) and any additional information you believe applies to your event. When planning a moving route, the Dallas Police Dept. is available to assist you.

- NC and US roadways will also require approval from the NCDOT.
- The proposed route to be traveled including the requested starting and termination point. Please also clarify the directions of movement of your event.
- Routing plans for traffic. Illustrate a plan to include roads that you are requesting to be closed to vehicular or other traffic for your event. Include planned arrangements to resolve conflicts with people trying to reach businesses, their own residences, places of worship and public facilities including public transportation.
- Whether the event will occupy all or a portion of the street(s) requested for use.
- Proposed locations for barricades, signs and police/volunteers.
- The provision of twenty foot (20') minimum emergency access lanes throughout the event site.
- White temporary water base paint can be used to mark the route on the street pavement (May be purchased at common hardware stores such as Lowes Home, Home Depot, etc.).

**Please Note:** All road closure requests will be strictly reviewed by the Town of Dallas. Approval, denial, or modification of all road closure requests are at the sole discretion of the Town of Dallas. The Town has final discretion over your Route and Traffic Plan including, but not limited to the route, placement and number of all barricades, signs, and police/volunteer locations.

**DO NOT ASSUME, ADVERTISE, OR PROMOTE YOUR EVENT UNTIL YOU HAVE A SIGNED PERMIT FROM THE TOWN OF DALLAS. CONFLICTS DO ARISE AND CHANGES TO THE REQUEST MAY BE NECESSARY.**

Applicant's Signature: Jeff Giers Date: 7-29-19



**Town of Dallas**  
Budget Amendment

Date: August 20, 2019

Action: Solid Waste Amendment

Purpose: To Appropriate Funds for Revised Quote on Small Trash Truck

Number: SW-001

Fund	Dept	Line Item	Item Description	Original Amount	Amended Amount	Difference
10	3850	0000	Proceeds From Cap. Financing	\$110,000	\$146,597	\$36,597
10	5800	7400	Capital Outlay: Equipment	\$110,000	\$146,597	\$36,597

\_\_\_\_\_  
Approval Signature  
(Town Manager)