

GASTON COUNTY REZONING APPLICATION (REZ-25-01-28-00211)

STAFF REPORT

APPLICATION SUMMARY

Request:

To rezone the property from the (R-1) Single-Family Limited Zoning District with (US) Urban Standards Overlay to the (CD/RS-12) Single-Family 12,000 Square Feet Conditional District with (US) Urban Standards Overlay

Applicant(s):

Michael Boyd

Property Owner(s):

Duck A Duck Trust

Parcel Identification (PID):

168515

Property Location:

Bingo Lane, Dallas

Total Property Acreage:

2.3 acres

Acreage for Map Change:

2.3 acres

Current Zoning:

(R-1) Single-Family Limited with (US) Urban Standards Overlay

Proposed Zoning:

(CD/RS-12) Single-Family 12,000 Square Feet Conditional District with (US) Urban Standards overlay

Existing Land Use:

Residential

Proposed Land Use:

Residential

COMPREHENSIVE LAND USE PLAN

Area 2: North 321 Gaston/North Central Gaston

Key issues for citizens in this area include the 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 steer development towards existing infrastructure and areas immediately surrounding towns and cities.

Comprehensive Plan Future Land Use: Rural Center

Rural Centers are those in rural community areas that serve a specific purpose for the immediate area. These can be civic-oriented, anchored by a church, a community center, historic structures, etc. or these areas can also serve a commercial purpose, anchored by a rural market, small store, gas station, community daycare centers, related small businesses, etc. These areas exist where transportation and communities exist to support these services. Houses and businesses are closer together and are built closer to the roadway.

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

Potential future connector to the Dallas-High Shoals Water Interconnect Project

Road Maintenance:

Dallas High Shoals Hwy - North Carolina Department of Transportation

Bingo Lane – Private Drive

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

The Gaston County TRC reviewed this project on May 2 and provided the following comments. There were no other comments at this time.

- *Office of Capital Improvements:* The owner has requested to connect each house to municipal water as part of the Dallas-High Shoals Water Interconnect project. These houses are included in the bid documents and will be connected, provided that the owner establishes separate utility accounts with the Town of Dallas. This project has not yet been contracted for bid, nor is there a timeline for the project.
- *Environmental Health:* A licensed septic contractor should be hired to locate and flag all existing septic system components. The contractor should determine whether any part of the septic system crosses the property line. If an encroachment is identified, a property survey will be required. In that case, a septic easement agreement must be recorded with the deeds. This has been added as a condition of approval.

A letter from the Gaston Cleveland Lincoln MPO is included in the staff packet.

STAFF SUMMARY

Prepared By: Peyton Wiggins, Planner II

The subject property is located off of Dallas High Shoals Highway along Bingo Lane. The surrounding area consists mostly of single-family homes. The property currently consists of 5 existing single-family homes. At one point, there was also a single wide manufactured home on the property, however, based on aerial photography, the home was demolished between 2010 and 2011. According to Gaston County tax records, the homes were built in the 1930s and 1940s. Staff considers this a legal non-conforming site as all 5 homes are on one parcel and have existed like this since the original tax map.

The current property owner wants to subdivide the lot into 6 individual lots, parceling out each home. However, with the current zoning district of (R-1), the new lots would be unable to meet the minimum lot standards for both the district requirements and the subdivision ordinance requirements for lots off of an easement. Therefore, the applicant is pursuing a conditional rezoning district to accommodate the existing features on-site while balancing the requirements of the new base zoning district. The proposed site plan also balances the watershed requirements given its location within the South Fork Protected IV Watershed.

Relief Requests

UDO Section	Required	Proposed
Section 6.2.1.E	This district is primarily for developing single-family residential homes with a standard minimum lot size of 12,000 square feet.	To allow the manufactured home building form at 118 Bingo Lane, or Lot 3 on the site plan. The applicants are requesting the option to replace the previously existing manufactured home on the property at Lot 3, if approved.
Section 7.5 – Table 7.1-2(D) Minimum Side Yard Setback	8 feet	5 feet
Section 13.15.3.C.1	Each such resultant lot is a minimum of three acres in size, outside all easements and/or rights-of-way.	14,555 square feet

Public Information Meetings (PIMs)

The applicant advertised and held two public information meetings as required by Section 5.16.5.B of the UDO. The meetings were held on May 6th and May 8th from 1 p.m. to 3 p.m. The meetings took place in Conference Room 3A of the Gaston County Administration Building. There was one attendee at the May 6th meeting, who was a Planning Board member with general inquiries about the rest. There was one resident who attended the May 8th meeting. He also had general inquiries about the project and raised no major concerns about the project.

PLANNING BOARD RECOMMENDATION

The Planning Board met in regular session on June 2, 2025, and recommended approval of the request by a unanimous 9 to 0 vote based on the following:

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

Proposed Conditions of Approval:

1. Septic easement agreements must be recorded and shown on the final plat prior to final approval.
2. Any uses allowed in the (RS-12) Single-Family 12,000 Square Feet would be permitted in accordance with the standards and regulations as adopted in the Gaston County Unified Development Ordinance (UDO).
3. Accessory structures are permitted in accordance with Section 9.9 of the UDO.
4. Minor modifications are permitted in accordance with Section 5.15 of the UDO.
5. A road maintenance agreement must be recorded with the final plat.