

TITLE:

ZONING MAP CHANGE: CONDITIONAL DISTRICT REZ-25-01-28-00211, MICHAEL BOYD (APPLICANT); PROPERTY PARCEL: 168515, LOCATED ON BINGO LN., DALLAS NC, REZONE 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

WHEREAS,

a County Zoning Ordinance was adopted on April 24, 2008, and a public hearing was held on June 24, 2025, by the County Commission, to take citizen comments into a map change application, as follows:

Tax Parcel Number(s): 168515

Applicant(s):

Michael Boyd

Owner(s):

Duck A Duck Trust

Property Location:

Bingo Ln., Dallas

Request:

Rezone 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

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 request, as conditioned, for parcel 168515, located on Bingo Ln., Dallas, NC, to be rezoned 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 on June 2, 2025, based on: staff recommendation; and the request is reasonable and in the public interest and it is consistent with the goals of the County's Comprehensive Land Use Plan as it will keep the parcel residential in nature as envisioned by the rural center future land use designation.

Motion: Crane

Second: Marcantel

Vote: Unanimous

Aye: Crane, Harris, Harvey, Horne, Hurst, Magee, Marcantel, Sadler, Williams

Nay: None Absent: Brooks Abstain: None

DO NOT TYPE BELOW THIS LINE

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NO.	DATE	M1	M2	JBailey	CBrown	CCloni	inger AFraley	BHdyis TKeigher SShehan Vote
2025-192	06/24/2025	TK	AF	Α	Α	Α	А	A U
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Zoning Map Change: Conditional District REZ-25-01-28-00211, Michael Boyd (Applicant); Property Parcel: 168515, Located on Bingo Ln., Dallas NC, Rezone 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 Page 2

WHEREAS,

the Unified Development Ordinance allows the Planning Board and the Board of Commissioners to do one of the following:

- a. Grant the rezoning as requested.
- b. Grant the rezoning with a reduction of the area requested.
- c. Deny the rezoning.

NOW, THEREFORE, BE IT ORDAINED by the Gaston County Board of Commissioners, upon consideration of the map change application, public hearing comment, and recommendation from the Planning Board and Planning staff, finds:

1) The map change request is consistent with the County's approved Comprehensive Land Use Plan as it will keep the parcel residential in nature as envisioned by the rural center future land use designation.

The Commission considers this action to be reasonable and in the public interest, based on: Planning Board recommendation and compatibility with existing land uses in the immediate area. Therefore, the map change request for property parcel: 168515, is hereby approved as conditioned {Exhibit A}, effective with the passage of this Ordinance to be rezoned to the (CD/RS-12) Single Family 12,000 Square Feet Conditional District with (US) Urban Standards Overlay.

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

Chad Brown, Chairman

Gaston County Board of Commissioners

ATTEST:

Donna S. Buff, Clerk to the Board

Exhibit A Conditions of Approval REZ-25-01-28-00211

- 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.

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

APPLICATION SUMMARY	
Request:	
	d Zoning District with (US) Urban Standards Overlay to the
(CD/RS-12) Single-Family 12,000 Square Feet Conditional E	District with (US) Urban Standards Overlay
Applicant(s):	Property Owner(s):
Michael Boyd	Duck A Duck Trust
Parcel Identification (PID):	Property Location:
168515	Bingo Lane, Dallas
Total Property Acreage:	Acreage for Map Change:
2.3 acres	2.3 acres
Current Zoning:	Proposed Zoning:
(R-1) Single-Family Limited with (US) Urban Standards	(CD/RS-12) Single-Family 12,000 Square Feet Conditional
Overlay	District with (US) Urban Standards overlay
Existing Land Use:	Proposed Land Use:
Residential	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.



GASTON COUNTY PLANNING BOARD

Statement of Consistency

In considering the conditional rezoning case REZ-25-01-28-00211, the planning board finds:

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

These findings are supported by a 9 - 0 vote by the Gaston County Planning Board during its June 2, 2025, meeting.



GASTON COUNTY Department of Building & Development Services

128 W. Main Avenue, Gastonia, North Carolina 28052 Street Address: Mailing Address: P.O. Box 1578, Gastonia, N.C. 28053-1578

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

CONDITIONAL ZONING (CD) APPLICATION

Complete by either typing or printing legibly

	Application Nun	nder. NEZ
A.	APPLICANT INFORMATION	
Name of Applicant: Michael Boyd - Trustee		
Mailing Address: 2924 The Plaza, Charlotte, NC 28205	(Print Full Name)	
Telephone Numbers: (713) 206-1608	(Include City, State and Zip Code)	
	(Area Code) Business	(Area Code) Home
B.	OWNER INFORMATION	
Name of Owner: Duck A Duck Trust		
Mailing Address: 1620 Dale Earnhardt Blvd Kannapolis, NC	(Print Full Name) 28083	
Telephone Numbers: (713) 206 - 1608	(Include City, State and Zip Code)	
4	(Area Code) Business	(Area Code) Home
C.	PROPERTY INFORMATION	
Physical Address or General Street Locatio	n of Property: 104 Bingo Ln Dallas, NC 28034	
Property Identification Number (PID): 168515	/ 3548173581	
Acreage of Parcel: 2.30 (100146 SQFT)	+/- Acreage to be Rezoned:	2.30 (100146 SQFT) +/-
Current Zoning: R-1	Proposed Zoning: CD/RS-12	
Current Use: SFH	Proposed Use(s): SFH and Manufactu	ured Housing
D. ADDIT	IONAL INFORMATION REQUIR	RED
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Copy of Site Plan	PIM 1st. Meeting Date	C.
Copy of Deed	PIM 1st. Meeting Date PIM 2nd. Meeting Date	Water Land Company of the Company of
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Copy of Deed Notarized Authorization Payment of Fee E. CONDI Property has 5 Buildings and 6 septics on the property (Reports attached) Septic tank, and the ability to install a Manufactured Home for the empty of Dallas High Shoals Hwy Project that will be supplying public water to this F. (I/We), the undersigned being the property owner/authorized by: Michael Boyd 1398933B847743A. 1398933B847743A. 1398933B847743A. 1398933B847743A. 1398933B847743A. 1398933B847743A.	PIM 2nd. Meeting Data PIM Comments to Plate PIM Comments as well, however I have already per area. We seek to impove these lots for the future resell and provide PPLICATION CERTIFICATION corrized representative, hereby certify that the information of the provided representative processes as a second provided representative.	ANT In removed. Proposing to go to 6 lots pertaining to each rform a Deed of Utility Easement for Gaston County for the e homeownership to individuals. Deformation submitted on the application and any 1/28/2025 Date FOR OFFICIAL USE ONLY





VICINITY MAP REZ-25-01-28-00211

LEGEND

Roads

[]] Municipalities



Subject Parcel

The information provided on this map is not intended to be considered as a legal document or description. The GIS data provided by Gaston County is made without warranty. Primary sources from which this data was compiled must be consulted for verification of the information contained within. This map may not be resold or otherwise used for trade or commercial purposes without the expressed written consent of Gaston County, in accordance with NCGS

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1.7 Miles







ORTHOPHOTO MAP REZ-25-01-28-00211

LEGEND

---- Roads

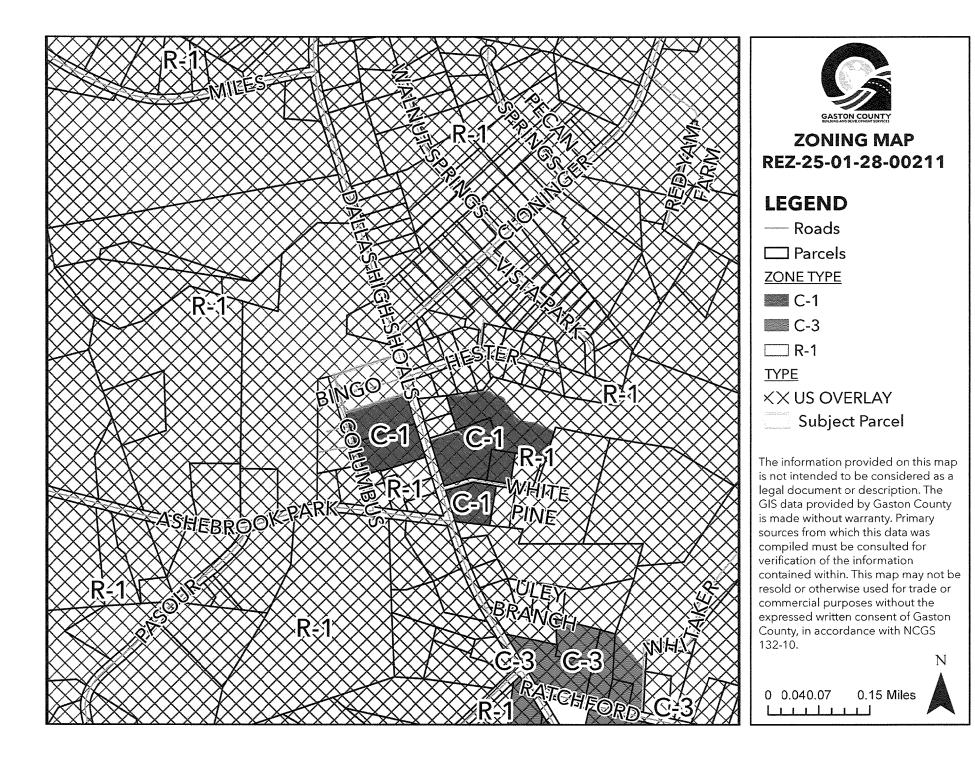
☐ Parcels

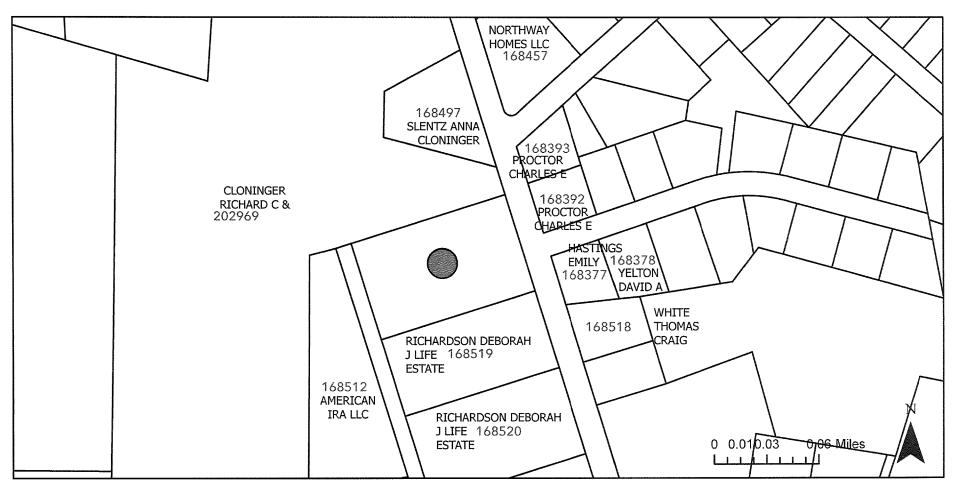
Subject Property

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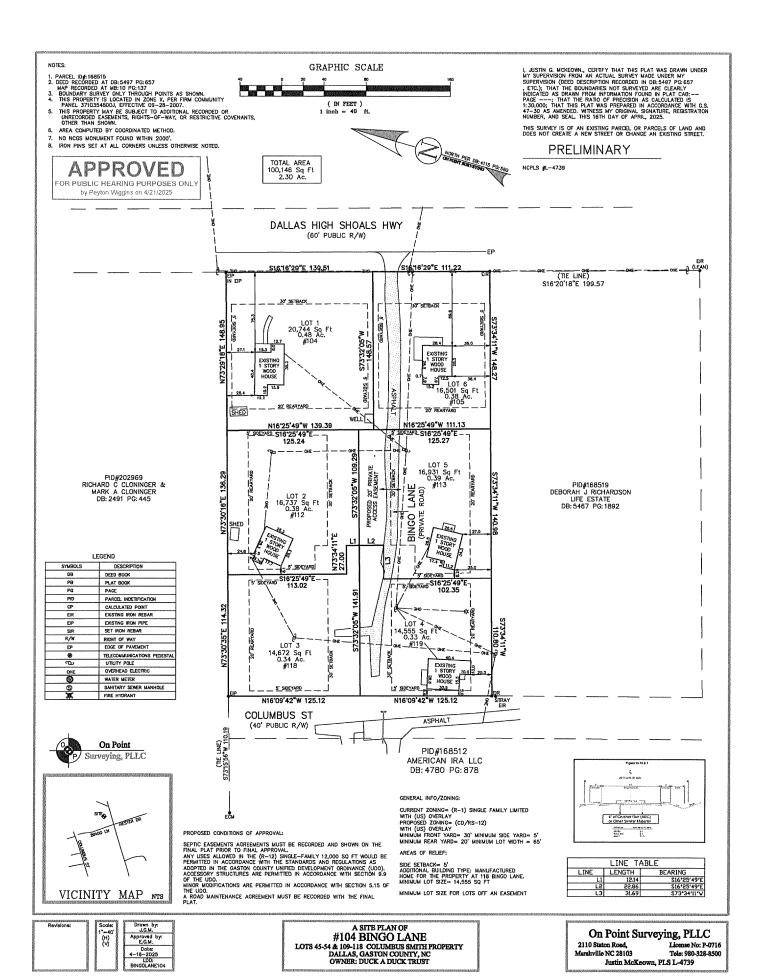
SUBJECT & ADJACENT PROPERTIES MAP | REZ-25-01-28-00211

LEGEND



Subject Parcel

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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: Peyton Wiggins CZO, Planner II, Building and Development Services **From:** Julio Paredes, AICP, Planner, Gaston—Cleveland—Lincoln MPO

Date: May 7th, 2025

Subject: TRC Review - Bingo Lane CD – GCLMPO Site Plan Review

Thank you for the opportunity to provide transportation comments on proposed conditional rezoning request located within the Gaston-Cleveland-Lincoln Metropolitan Planning Organization (GCLMPO) planning area. My comments are based on the review of the site in accordance with the adopted Comprehensive Transportation Plan (CTP), the adopted 2050 Metropolitan Transportation Plan (MTP), and the current State Transportation Improvement Program (STIP).

The site is located at 104 Bingo Ln Dallas, NC 28034. On behalf of the GCLMPO, I offer the following comments:

- 1. According to the 2024-2033 STIP, there are no funded transportation improvement projects in the immediate vicinity of this site.
- 2. Neither the GCLMPO 2050 Highway MTP nor Highway CTP include any proposed improvements to any streets adjacent to the subject property.
- 3. CTP projects shown as "Needs Improvement" or "Recommended" could become a funded project in the future, part of a development project, or may never become a funded project.
- 4. Please note that for any site plan that requires a driveway permit on an NCDOT roadway, or is adjacent to NCDOT roadways, the property owner/developer should work with NCDOT on any required driveway permits or any TIA requirements.

If you have any questions regarding my comments, please do not hesitate to contact me at 704-866-6980 or julio.paredes@gastonianc.gov



Gaston County

Gaston County Board of Commissioners www.gastongov.com

Building and Development Services Board Action

File #: 25-298

Commissioner Cloninger - Building & Development Services - Zoning Map Change: Conditional District REZ-25-01-28-00211, Michael Boyd (Applicant); Property Parcel: 168515, Located on Bingo Ln., Dallas, NC, Rezone 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

STAFF CONTACT

Peyton Wiggins - Planner II - 704-866-3530

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. Michael Boyd (Applicant); Property Parcel: 168515, Located on Bingo Ln., Dallas, NC, Rezone 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. A public hearing was advertised and held on June 24, 2025, with public hearing comments being on file in the Board of Commission Clerk's Office. Planning Board recommendation was provided on June 2, 2025, 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

Laserfiche Users

Ordinance, Staff Report, Application Packet, Maps, Site Plan, and GCLMPO Comments

DO NOT TYPE BELOW THIS LINE I, Donna S. Buff, Clerk to the County Commission, do hereby certify that the above is a true and correct copy of action taken by the Board of Commissioners as follows: NO. DATE M1 M2 **JBailey CBrown** CCloninger AFraley **B**Hovis TKeigher SShehan Vote Α Α Α U 06/24/2025 TK AF 2025-192 **DISTRIBUTION:**