



RESOLUTION TITLE: PARALLEL CONDITIONAL USE PERMIT (PCUP): PCUP19-01, JUSTIN DUGAN (APPLICANT), PROPERTY PARCEL 166155, LOCATED AT 163 JENNINGS RD., DALLAS, NC, REQUEST FOR A PCUP ZONING DISTRICT FROM THE (R-1) SINGLE FAMILY LIMITED ZONING DISTRICT TO THE (CU/C-3) CONDITIONAL USE/GENERAL COMMERCIAL ZONING DISTRICT (PCUP), IN ORDER TO ALLOW CONTRACTOR'S OFFICE/EQUIPMENT STORAGE YARD

WHEREAS, Chapter 5 of the County Unified Development Ordinance set forth guidelines for consideration of a Parallel Conditional Use Permit zoned as a Conditional Use district, and a quasi-judicial joint public hearing by the County Commission and the Planning Board, was held on February 26, 2019, to take sworn testimony for a zoning map change (parallel conditional use district), as follows:

Tax Parcel Number(s): 166155
Applicant: Justin Dugan
Owner(s): Justin K. & Lori L. Dugan
Property Location: 163 Jennings Rd.
PCUP Request: Request for a PCUP Zoning District from the (R-1) Single Family Limited Zoning District to the (CU/C-3) Conditional Use/ General Commercial Zoning District (PCUP), in order to allow Contractor's Office/Equipment Storage Yard

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)** or **(disapproval)** of the map change for parcel: 166155, located at 163 Jennings Rd., Dallas, NC, from the (R-1) Single Family Limited Zoning District to the (CU/C-3) Conditional Use / General Commercial Zoning District (PCUP), in order to allow Contractor's Office/Equipment Storage Yard, was approved on February 26, 2019, based on: public hearing comment, staff recommendation, and the request is in **(accordance with)** or **(not in accordance with)** the County's Comprehensive Plan.

Motion: _____ Second: _____ Vote: _____
Aye: _____
Nay: _____
Absent: _____
Abstain: _____

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:

Parallel Conditional Use Permit (PCUP): PCUP19-01, Justin Dugan (Applicant), Property Parcel 166155, Located at 163 Jennings RD., Dallas, NC, Request for a PCUP Zoning District from the (R-1) Single Family Limited Zoning District to the (CU/C-3) Conditional Use/General Commercial Zoning District (PCUP), in Order to Allow Contractor’s Office/Equipment Storage Yard
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Parallel Conditional Use Application (PCUP19-01)Conditions

1. The applicant shall complete the development strictly in accordance with the plans submitted to and approved (and/or modified) by the Board of Commissioners.
2. If any of the conditions affixed hereto of any part thereof is held invalid or void, then this permit shall be void and no effect.
3. Unless the Board of Commissioners issues a Conditional Use Permit which either is specifically exempt from any time constraints or has some other specified time period for implementation, the applicant must secure a valid building permit within a twenty-four (24) month period from the date of issuance of the Conditional Use Permit.
4. Development shall meet all local, state and federal requirements.
5. If the owner decides to change the proposed project boundary line into a real property parcel line, then the normal buffer yard type requirement shall be installed abutting any residential zoning districts and shall be on the proposed commercial zoning district property. No existing vegetation off the property will be permitted to contribute to the buffer yard.

Motion:	Second:	Vote:
Aye:		
Nay:		
Absent:		
Abstain:		

NOW, THEREFORE, BE IT RESOLVED by the County Commission that after consideration of the Parallel Conditional Use Permit application, sworn testimony provided at the public hearing and Planning Board recommendation:

- 1) Find the proposed map change for parcel 166155 from the (R-1) Single Family Limited Zoning District to a (CU/C-3) Conditional Use / General Commercial Zoning District (PCUP), in order to allow Contractor’s Office/Equipment Storage Yard, is consistent with the County’s Comprehensive Plan; the map change is **(approved)** or **(disapproved)** as follows:

Motion:	Second:	Vote:
Aye:		
Nay:		
Absent:		
Abstain:		

- 2) Based on evidence provided in sworn testimony at the public hearing, the Board of Commissioners made the following findings of fact:

- a) The proposed development will not materially endanger the public health or safety if located where proposed and developed according to plan, based on:

Motion:	Second:	Vote:
Aye:		
Nay:		
Absent:		
Abstain:		

Parallel Conditional Use Permit (PCUP): PCUP19-01, Justin Dugan (Applicant), Property Parcel 166155, Located at 163 Jennings RD., Dallas, NC, Request for a PCUP Zoning District from the (R-1) Single Family Limited Zoning District to the (CU/C-3) Conditional Use/General Commercial Zoning District (PCUP), in Order to Allow Contractor's Office/Equipment Storage Yard
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Motion:	Second:	Vote:
Aye:		
Nay:		
Absent:		
Abstain:		

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

Tracy L. Philbeck, Chairman
Gaston County Board of Commissioners

Attest:

Donna S. Buff, Clerk to the Board