

Parallel Conditional Use Permit (PCUP): PCUP 18-04 Steve Thomas (Applicant), Property Parcel 222952, Located at 2028 Rhyne Rd., Dallas, NC, Request for a PCUP Zoning District from the (R-1) Single Family Limited Zoning District to the (CU/R-2) Conditional Use / Single Family Moderate Zoning District (PCUP), in order to allow Camping and Recreational Vehicle Park (RV Park)
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WHEREAS, based on evidence provided in sworn testimony at the public hearing, the Planning Board 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: This plan will not bring any dangerous material on property at any time or cause any environmental problems to the area. This plan will encourage good hard-working people to reside on the property which will deter crime in the area. By rule, no large or aggressive animals will be allowed on the property.

Motion: Hollar Second: Sain Vote: Unanimous
Aye: Attaway, Barber, Harris, Hollar, Houchard, Sain, Vinson
Nay: None
Absent: Ally, Horne
Abstain: Hurst

- b. The use meets all required conditions and specifications, based on: This property has adequate size and woods to meet the conditions for the ordinance and would not be considered an out of the ordinary use for this zone.

Motion: Sain Second: Barber Vote: Unanimous
Aye: Attaway, Barber, Harris, Hollar, Houchard, Sain, Vinson
Nay: None
Absent: Ally, Horne
Abstain: Hurst

- c. The proposed development will not substantially injure the value of adjoining or abutting property unless it is a public necessity, based on: The proposed site plan will make improvements to a property that has been in a state of despair for several years.

Motion: Hollar Second: Sain Vote: Unanimous
Aye: Attaway, Barber, Harris, Hollar, Houchard, Sain, Vinson
Nay: None
Absent: Ally, Horne
Abstain: Hurst

- d. The location and character of use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the adopted Land Use Plan and other plans for the physical development of the County as adopted by the Board of Commissioners, based on: The property is located in small area Rural and Rural Community of planning Area 3 – Riverfront Gaston – of the Comprehensive Land Use plan. The nature of this park will cause it to be a quiet development that will be kept clean. All RV's on the property will be required to be in good condition and self-contained. The vast majority of all vehicles (RV's and Autos) will be of higher than normal value for this area.

Motion: Sain Second: Harris Vote: Unanimous
Aye: Attaway, Barber, Harris, Hollar, Houchard, Sain, Vinson
Nay: None
Absent: Ally, Horne
Abstain: Hurst

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WHEREAS, making all findings of fact in the affirmative, the Planning Board recommends approval of the Parallel Conditional Use Permit (PCUP) with the following proposed recommended conditions:

Parallel Conditional Use Application (PCUP 18-04) 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.

Motion: Hollar Second: Vinson Vote: Unanimous
Aye: Attaway, Barber, Harris, Hollar, Houchard, Sain, Vinson
Nay: None
Absent: Ally, Horne
Abstain: Hurst

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 222952 from the (R-1) Single Family Limited Zoning District to a (CU/R-2) Conditional Use / Single Family Moderate Zoning District (PCUP), in order to allow Camping and Recreational Vehicle Park (RV Park), is consistent with the County's Comprehensive Plan. The property is split between future land use designations of Rural and Rural Community, meaning the area is rural in nature, but also has neighborhood-like traits. The rezoning from R-1 to CU/R-2 will maintain the residential-like use of the area. The conditional use is for a camping and RV park. The rural nature of the property in addition to the fact that a recreational use will be on the parcel makes it consistent with the Gaston County Future Land Use Plan. The map change is approved as follows:

Motion: Worley Second: Keigher Vote: Unanimous
Aye: J.Brown, Hovis, Keigher, Philbeck, Worley
Nay: None
Absent: C.Brown, Fraley
Abstain: None

- 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: This plan will encourage good hard-working people to reside on the property which will deter crime in the area. By rule, no large or aggressive animals will be allowed on the property.

Motion: Hovis Second: J.Brown Vote: Unanimous
Aye: J.Brown, Hovis, Keigher, Philbeck, Worley
Nay: None
Absent: C.Brown, Fraley
Abstain: None

- b) The use meets all required conditions and specifications, based on: This property has adequate size and woods to meet the conditions for the ordinance and would not be considered an out of the ordinary use for this zone.

Motion: Hovis Second: Keigher Vote: Unanimous
Aye: J.Brown, Hovis, Keigher, Philbeck, Worley
Nay: None
Absent: C.Brown, Fraley
Abstain: None

- c) The proposed development will not substantially injure the value of adjoining or abutting property unless it is a public necessity, based on: The proposed site plan will make improvements to a property that has been in a state of despair for several years.

Motion: Hovis Second: J.Brown Vote: Unanimous
Aye: J.Brown, Hovis, Keigher, Philbeck, Worley
Nay: None
Absent: C.Brown, Fraley
Abstain: None

- d) The location and character of use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the adopted Land Use Plan and other plans for the physical development of the County as adopted by the Board of Commissioners, based on: The property is located in small area Rural and Rural Community of planning Area 3 – Riverfront Gaston – of the Comprehensive Land Use plan. The nature of this park will cause it to be a quiet development that will be kept clean. All RV's on the property will be required to be in good condition and self-contained. The vast majority of all vehicles (RV's and Autos) will be of higher than normal value for this area.

Motion: Worley Second: Hovis Vote: Unanimous
Aye: J.Brown, Hovis, Keigher, Philbeck, Worley
Nay: None
Absent: C.Brown, Fraley
Abstain: None

Parallel Conditional Use Permit (PCUP): PCUP 18-04 Steve Thomas (Applicant), Property Parcel 222952, Located at 2028 Rhyne Rd., Dallas, NC, Request for a PCUP Zoning District from the (R-1) Single Family Limited Zoning District to the (CU/R-2) Conditional Use / Single Family Moderate Zoning District (PCUP), in order to allow Camping and Recreational Vehicle Park (RV Park)
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- 3) Making all findings of fact in the affirmative, the Board of Commissioners approves the Parallel Conditional Use Permit (PCUP) with the following recommended conditions:

Parallel Conditional Use Application (PCUP 18-04) 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.

Motion: Hovis Second: Keigher Vote: Unanimous
Aye: J.Brown, Hovis, Keigher, Philbeck, Worley
Nay: None
Absent: C.Brown, Fraley
Abstain: None

- 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



Gaston County

Gaston County
Board of Commissioners
www.gastongov.com

Planning Board Action

File #: 18-461

Commissioner Philbeck - Planning/Development Services - Parallel Conditional use Permit (PCUP): PCUP 18-04 Steve Thomas (Applicant); Property Parcel 222952, Located at 2028 Rhyne Rd., Dallas, NC, Request for a PCUP Zoning District from the (R-1) Single Family Limited Zoning District to the (CU/R-2) Conditional Use/Single Family Moderate Zoning District (PCUP), in order to allow Camping and Recreational Vehicle Park (RV Park)

STAFF CONTACT

David L. Williams - Planning/Development Services Director - 704-866-3473

BACKGROUND

Chapter 5 of the County Unified Development Ordinance provides for issuance of a Conditional Use Permit for parcels which have been zoned as a Conditional Use district. A quasi-judicial public hearing is required which allows for sworn testimony before the Board of County Commission and Planning Board prior to consideration of the Conditional Use Permit. Planning Board recommendation and Board of Commission approval or disapproval on Parallel Conditional Use district map amendments, with recommendation on same by the Planning Board and final approval or disapproval shall be based on four findings (outlined in the ordinance) made on factual evidence provided through the public hearing process. Steve Thomas (applicant), applied for a zoning map change from the (R-1) Single Family Limited Zoning District to the (CU/R-2) Conditional Use / Single Family Moderate Zoning District (PCUP), in order to allow Camping and Recreational Vehicle Park (RV Park). Said property consists of approximately 17.51 acres, located at 2028 Rhyne Rd., Dallas, NC in the Dallas Township. A joint public hearing was advertised for and held on December 11, 2018 to take sworn testimony relating to issuance of a Conditional Use Permit, with the public hearing comments being on file in the Commission Clerk's Office.

ATTACHMENTS

Resolution - PCUP 18-04; Maps - PCUP 18-04

DO NOT TYPE BELOW THIS LINE

I, Donna S. Buff, Clerk to the County Commission, do hereby certify that the above is a true and correct copy of action taken by the Board of Commissioners as follows:

NO.	DATE	M1	M2	CBrown	JBrown	AFraley	BHovis	TKelgher	TPhilbeck	RWadeley	Vote
2018-312	12/11/2018	RW	TK	AB	A	AB	A	A	A	A	U

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