

ATTACHMENT 3

**RESOLUTION C
(UPHOLDING THE TOWN STAFF'S DECISION)**

RESOLUTION UPHOLDING TOWN STAFF'S DECISION TO ISSUE A NOTICE OF VIOLATION RELATED TO RENTAL OFF-STREET PARKING AT 612 HILLSBOROUGH RD (PIN 9789-41-7342, PROJECT #BOA-22-3).

WHEREAS, having reviewed the appellants' argument, the Town Staff presentation, various documents and other evidence submitted at the hearing on this matter, and having heard public comment on the application, the Board of Adjustment finds as facts those facts summarized by the Chair at the conclusion of the Board's hearing of this matter and hereby incorporates them by reference as Board Findings of Fact; and finds that such facts are not supported by competent, material and substantial evidence presented to the Board; and

WHEREAS, in particular the Board finds that the appellants' argument to overrule the June 14, 2022 decision by the Town of Chapel Hill Staff, to issue a Notice of Violation for the renting of off-street parking to non-residents at the subject property, does not have merit.

THE BOARD CONCLUDES that the evidence before the Board of Adjustment does not establish conclusively that there was an error in the determination of the Town Staff, and the Board adopts the decision and reasons of the Town Staff as the determination and reasons of the Board.

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF ADJUSTMENT HEREBY UPHOLDS the Town Staff's June 14, 2022 decision to issue a Notice of Violation for the renting of off-street parking to non-residents at 612 Hillsborough Street, and further identified as Orange County Parcel Identifier Number 9789-41-7342.

BE IT FURTHER RESOLVED that the applicant's appeal is hereby denied.

Signed - Board of Adjustment Chair, Geoffrey Green

This the 6th day of October 2022.