

MINUTES
LINCOLN COUNTY BOARD OF COMMISSIONERS
MONDAY, JULY 7, 2003

The Lincoln County Board of County Commissioners and the Planning Board met in a joint session with the Planning Board on July 7, 2003 at the Citizens Center, Commissioner's Room, 115 West Main Street, Lincolnton, North Carolina at 6:30 PM.

Commissioners Present:

Jerry W. Cochrane, Chairman
Larry S. Craig, Vice Chair
Thomas R. Anderson, PE
Carrol Mitchem
Buddy Funderburk

Planning Board Members Present:

Dean Lutz, Chairman
John Pagel, Vice-Chairman
Mike Baker
Ken Hovis
Darrell Harkey
Harold Howard Jr.
Terry Whitener
Clyde Brown

Others Present:

Stan B. Kiser, County Manager
Jeffrey A. Taylor, County Attorney
Amy S. Long, Clerk to the Board
Kelly Atkins, Director of BALD
Randy Hawkins, Zoning Administrator
Leon Harmon, Finance Director

Call to Order: Chairman Cochrane called the July 7, 2003 meeting of the Lincoln County Board of Commissioners to order.

Adoption of Agenda: Chairman Cochrane presented the agenda for the Board's approval.

UPON MOTION by Commissioner Craig, the Board voted unanimously to adopt the agenda with the addition of a Proclamation Honoring Hugh Peeler under Item 10 - Other Business.

AGENDA

LINCOLN COUNTY BOARD OF COMMISSIONERS

PUBLIC HEARINGS

JULY 7, 2003

- | | | |
|----|---------|---|
| | 6:40 PM | Call to Order |
| 1. | 6:42 PM | Adoption of Agenda |
| 2. | 6:45 PM | Approval of Minutes |
| | | - June 3, 2003 |
| | | - June 5, 2003 |
| | | - June 16, 2003 |
| 3. | 6:50 PM | Public Comments |
| 4. | 7:05 PM | New Business/Advertised Public Hearings |

CUP #219 Larry B. Keever, applicant (Parcel ID# 925565) A request for a conditional use permit to allow a Class D mobile home to be placed in the Transitional Residential (R-T) district. The 0.3-acre lot is located at 609 Hill Rd., Lincolnton.

PCUR #94 Steven Reel, applicant (Parcel ID# 25566, portion of Parcel ID# 25497 and portion of Parcel ID# 35498) A request for a parallel conditional use rezoning to rezone approximately two acres from Transitional Residential (R-T) to Rural Residential (R-T) to permit the operation of an auto repair shop. The property is located at 346 Amity Church Road in Ironton Township.

WSCUP #8 Dianne Ingle, applicant (Parcel ID# 73134) A request for a conditional use permit to exceed the 12-percent limit on built-upon area in the Indian Creek WS-II Watershed District as a special non-residential intensity allocation. The 1.8-acre parcel is located on Hwy. 27 West and Lackey Road in North Brook Township. The applicant is proposing a self-service car wash with a built-upon area of 18.2 percent.

ZMA #457 Lincoln County, applicant (Parcel ID# 27561, 26539 and 26554) A proposal to rezone 6.6 acres from Residential Suburban (R-S) to General Business (B-G). The property is located at 3726, 3742 and 3756 Gastonia Hwy. in the High Shoals community.

ZMA #458 Lincoln County, applicant (Parcel ID# 26540) A proposal to rezone a 0.134-acre lot from Residential Suburban (R-S) to General Business (B-G). The property is located at 3770 Gastonia Hwy. in the High Shoals community.

ZMA #459 Lincoln County, applicant (Parcel ID# 51201, 28252 and 28254) A proposal to rezone 0.84 acres from Residential Suburban (R-S) to General Business (B-G). The property is located at 3775 and 3791 Gastonia Hwy. in the High Shoals community.

ZMA #460 Jack Huss, applicant (Parcel ID# 14285 and 72639) A request to rezone 30.5 acres from Transitional Residential (R-T) to Residential Single-Family (R-SF). The property is located at the intersection of Hwy. 182 and Howards Creek School Road in Howards Creek Township.

5. 7:55 PM Consent Agenda
 - Tax Requests for Releases
 - Less than \$100 – May 16 – June 15, 2003
 - More than \$100 – May 16 – June 15, 2003
 - Tax Requests for Refunds
 - Less than \$100 – May 19 – June 18, 2003
 - More than \$100 – May 19 – June 18, 2003
 - Budget Adjustments 1 – 2
 - Sponsored Group Status
 - Lincoln County Family YMCA
 - Chamber of Commerce
 - Approval of Letter of Credit
 - West Pointe Retail
6. 8:00 PM Continuance of Public Hearing – Proposed Real Estate Purchase of Approximately 11 Acres in the Lincoln County Industrial Park
7. 8:10 PM Resolution Providing for the Issuance of \$1,800,000 General Obligation Refunding Bonds, Series 2003
8. 8:20 PM Abandonment of Portion of SR 1438 – Hoyle Farm Road
9. 8:30 PM Abandonment of Portion of SR 1578 – Caswell Road
10. 8:40 PM Other Business
11. 8:50 PM Recommendations from Planning Board

- CUP #219 Larry B. Keever, applicant
- PCUR #94 Steven Reel, applicant
- WSCUP #8 Dianne Ingle, applicant
- ZMA #457 Lincoln County, applicant
- ZMA #458 Lincoln County, applicant
- ZMA #459 Lincoln County, applicant
- ZMA #460 Jack Huss, applicant

Adjourn

Approval of Minutes – June 3, 2003, June 5, 2003 and June 16, 2003: Chairman Cochrane presented the minutes of the June 3, 2003, June 5, 2003 and June 16, 2003 minutes for the Board's approval.

Chairman Cochrane made some minor modifications to the minutes.

UPON MOTION by Commissioner Funderburk, the Board voted unanimously to approve the minutes as amended.

Public Comments: Chairman Cochrane opened the public comments section.

Being no one wishing to speak, Chairman Cochrane declared the public comments section closed.

New Business: Advertised Public Hearings: Chairman Cochrane announced that this was the date, Monday, July 7, 2003 and the time, which was advertised in the *Lincoln Times-News* on Friday, June 27 and July 4, 2003.

The Lincoln County Board of Commissioners and Planning Board will hold a joint meeting and public hearings on Monday, July 7, 2003, at 6:30 p.m. to consider the following zoning matters:

CUP #219 Larry B. Keever, applicant (Parcel ID# 925565) A request for a conditional use permit to allow a Class D mobile home to be placed in the Transitional Residential (R-T) district. The 0.3-acre lot is located at 609 Hill Rd., Lincolnnton.

PCUR #94 Steven Reel, applicant (Parcel ID# 25566, portion of Parcel ID# 25497 and portion of Parcel ID# 35498) A request for a parallel conditional use rezoning to rezone approximately two acres from Transitional Residential (R-T) to Rural Residential (R-T) to permit the operation of an auto repair shop. The property is located at 346 Amity Church Road in Ironton Township.

WSCUP #8 Dianne Ingle, applicant (Parcel ID# 73134) A request for a conditional use permit to exceed the 12-percent limit on built-upon area in the Indian Creek WS-II Watershed District as a special non-residential intensity allocation. The 1.8-acre parcel is located on Hwy. 27 West and Lackey Road in North Brook Township. The applicant is proposing a self-service car wash with a built-upon area of 18.2 percent.

ZMA #457 Lincoln County, applicant (Parcel ID# 27561, 26539 and 26554) A proposal to rezone 6.6 acres from Residential Suburban (R-S) to General Business (B-G). The property is located at 3726, 3742 and 3756 Gastonia Hwy. in the High Shoals community.

ZMA #458 Lincoln County, applicant (Parcel ID# 26540) A proposal to rezone a 0.134-acre lot from Residential Suburban (R-S) to General Business (B-G). The property is located at 3770 Gastonia Hwy. in the High Shoals community.

ZMA #459 Lincoln County, applicant (Parcel ID# 51201, 28252 and 28254) A proposal to rezone 0.84 acres from Residential Suburban (R-S) to General Business (B-G). The property is located at 3775 and 3791 Gastonia Hwy. in the High Shoals community.

ZMA #460 Jack Huss, applicant (Parcel ID# 14285 and 72639) A request to rezone 30.5 acres from Transitional Residential (R-T) to Residential Single-Family (R-SF). The property is located at the intersection of Hwy. 182 and Howards Creek School Road in Howards Creek Township.

The public is invited to attend this meeting, which will be held in the Commissioners Room on the third floor of the Citizens Center, 115 W. Main Street, Lincolnton, N.C. For more information, contact the Department of Building and Land Development at (704) 736-8440.

June 27, July 4, 2003

Conditional Use Permit No. 219 – Larry Keever, applicant: Having been sworn by the Clerk, the following individuals presented information.

Randy Hawkins, Zoning Administrator, presented the following information concerning Conditional Use Permit No. 219 – Larry Keever, applicant.

The applicant is requesting a Conditional Use Permit to allow a Class D mobile home to be placed in the Transitional Residential (R-T) district. A Class D mobile home is a mobile home that was constructed prior to July 1, 1976, and that was located in Lincoln County as of Dec. 7, 1993.

The 0.3-acre parcel is located at 609 Hill Rd., Lincolnton. It is surrounded by property zoned Transitional Residential. A house was located on this lot, but burned down last year. Mr. Hawkins presented Exhibit 1 – a picture of the 1975 model mobile home, which is currently located in Lincoln County.

Mr. Hawkins read a letter from Rev. Helms, an adjacent property owner, which says that he agrees with the Conditional Use Permit and has no objections.

Chairman Cochrane opened the public hearing concerning Conditional Use Permit No. 219 – Larry Keever, applicant.

Larry Keever stated that he was here to answer any questions.

Linda McGinnis stated that she resides at 655 Hill Road, on the other side of Rev. Helms. She stated that she has no problem with this Conditional Use Permit. She stated that everything Larry Keever has is always neat and well taken care of.

Being no additional speakers, Chairman Cochrane declared the public hearing closed.

Parallel Conditional Use Rezoning No. 94 – Steven Reel, applicant: Having been sworn by the Clerk, the following individuals presented information concerning Parallel Conditional Use Rezoning No. 94 – Steven Reel, applicant.

Randy Hawkins, Zoning Administrator, presented the following information concerning Parallel Conditional Use Rezoning No. 94 – Steven Reel, applicant.

The applicant is requesting a parallel conditional use rezoning to rezone approximately two acres from Transitional Residential (R-T) to Rural Residential (R-R) to permit the operation of an auto repair shop. Approximately 1.2 acres would be added to the 0.8-acre lot that contains the applicant's home to create a new lot for the home and shop if this request is approved. Under the Zoning Ordinance, auto repair shops, auto body shops, machine shops and woodworking shops may be allowed as a conditional use permit in the Rural Residential district subject to the following conditions:

1. No portion of any pre-existing residential structure (other than the residential structure which is occupied by the owner of said use) shall be located within 200 feet of the principal structure containing said use.
2. The use may only be in operation between the hours of 7 a.m. and 9 p.m.
3. The total gross floor area of all principal and accessory structures shall be no greater than 2,000 square feet.
4. No outside storage of motor vehicles, parts or equipment shall be allowed.

The Board of Commissioners may impose other fair and reasonable conditions.

The property is located at 346 Amity Church Road in Ironton Township, about a half-mile north of Hwy. 73. It is surrounded by property zoned Transitional Residential. The applicant's lot is part of a family-owned, 4-acre tract that is largely farmland and woodland. The Stone Brook subdivision is located across the road. The subdivision has a mix of site-built and manufactured homes on relatively large lots (1.5 acres and up).

According to the Lincoln County Zoning Ordinance, the Rural Residential district may be applied to areas with fairly low density levels that lack public utilities, with a goal of maintaining a rural or semi-rural atmosphere. Some nonresidential uses are allowed in the R-R district, typical of uses found in rural areas. Because this would be a conditional use rezoning, spot zoning is not an issue.

The Lincoln County Land Use Plan recommends that the county discourage the encroachment of incompatible non-residential land uses in existing residential areas. In

this case, the conditions that are imposed by the ordinance, and the fact that the auto repair shop would be on the same lot as the applicant's home, the proposed use would not be incompatible, in staff's opinion.

Mr. Hawkins presented Exhibits 1 – 3, which were pictures of the property and surrounding property.

Mr. Hawkins stated that he received a phone call from Polly McClain. Ms. McClain and her husband James live across from this property and are opposed to this request. They think the proposed shop would detract from the neighborhood and could be an eyesore.

Chairman Cochrane asked if a letter or phone call is admissible evidence.

Jeff Taylor stated that a letter is not the best evidence, but it's admissible. A phone call could be considered hearsay and a decision should not be based solely upon it.

Chairman Cochrane opened the public hearing concerning Parallel Conditional Use Rezoning No. 94 – Steven Reel, applicant.

Wilbert Starkey stated that he owns the property directly across from this site. He stated that there is a creek between the two properties. There is a well not too far from where the applicant wants to put this. Mr. Starkey stated that with 40 acres, this man could put that building back away from homes. He asked how the applicant will dispose with waste and deal with run off.

Michael Little stated that he is going to merge his business with Steven Reel. He stated that he got a Conditional Use Permit a few years ago for his business and has always upheld the requirements. There is no storage of parked cars and he has a company that picks up his waste, such as oil and antifreeze. He stated that any runoff would go back to Mr. Horace Reel's property.

Being no additional speakers, Chairman Cochrane declared the public hearing closed.

Watershed Conditional Use Permit No. 8 – Dianne Ingle, applicant: Having been sworn by the Clerk, the following individuals presented information concerning Watershed Conditional Use Permit No. 8 – Dianne Ingle, applicant.

Randy Hawkins, Zoning Administrator, presented the following information concerning Watershed Conditional Use Permit No. 8 – Steven Reel, applicant.

The applicant is requesting a Conditional Use Permit to exceed the 12-percent limit on built-upon area in the Indian Creek WS-II Watershed District as a special non-residential intensity allocation under the 10/70 option. The applicant is proposing to develop a 1.8-acre lot with a self-service car wash having a built-upon area of 18.2 percent.

The property is located on Hwy. 27 West and Lackey Road in North Brook Township. It is zoned General Business (B-G) and is adjoined on both sides by property zoned General

Business. The properties across road to the north and south are zoned Residential Suburban. County water is available at the site. The Lincoln County Land Use Plan calls for encouraging commercial development at locations with adequate water and wastewater disposal services and with sufficient access to a major highway.

Under 10/70 option, 10 percent of the acreage in a watershed district may be developed with new projects having a built-upon area of up to 70 percent. Approval is on a project-by-project basis, subject to the issuance of a Conditional Use Permit by the Board of Commissioners. One of the findings of fact that must be made in approving a permit is that the project will substantively increase the county's tax base or otherwise significantly promote or expand economic development and/or job opportunities.

A total of 8.55 acres have previously been allocated under this option in the Indian Creek Watershed. If this request is approved, 2,362 acres, or 3.7 square miles, will remain available for allocation.

Mr. Hawkins read a letter from Eddie Faulkner, an adjacent property owner who was concerned about water run off and making sure it does not get to his pond or livestock.

Chairman Cochrane opened the public hearing concerning WSCUP # 8 – Dianne Ingle, applicant.

Dianne Ingle stated that she is planning to spend \$250,000 for the only car wash in western Lincoln County. There will be 2 driveways for easy access and they are installing a water reclaim system to take care of runoff. She stated that they cannot acquire anymore land at this location. The car wash will be on county water.

Being no additional speakers, Chairman Cochrane declared the Public Hearing closed.

Zoning Map Amendment No. 457 – Lincoln County, applicant: Randy Hawkins, Zoning Administrator, presented the following information concerning Zoning Map Amendment No. 457 – Lincoln County, applicant.

Lincoln County is proposing to rezone 6.6 acres from Residential Suburban (R-S) to General Business (B-G) at the request of the owner of the three parcels, GES Enterprise Inc. Two of the parcels are grandfathered as business property and the rezoning would bring them into conformity. The third parcel is planned for business use.

The property is located at 3726, 3742 and 3756 Gastonia Hwy. In the High Shoals community. It adjoins property that's zoned Residential Suburban and one parcel that's zoned General Business. Other parcels zoned General Business are located nearby.

Chairman Cochrane opened the public hearing concerning Zoning Map Amendment No. 457 – Lincoln County, applicant.

Robert Lockridge, 3782 Gastonia Highway, spoke against the rezoning. He stated that he is speaking for area property owners opposed to the request. He asked for the Board to consider only rezoning 2 of these properties to a Neighborhood Business district. He stated that they would like to keep an auto repair shop from going on this property. Mr. Lockridge spoke of the devaluation of their property due to the buildings.

Bobbie Sullivan stated that she is opposed to any type of business use with lenient restrictions. She stated that she does not like the undesirables in the neighborhood.

Sarah Vinson stated that she resides in Goldsboro. Her brother died in 1996 and they have been tied up in court for 3 ½ years. She stated that she grew up in the area and it was a thriving community. She stated that the land was zoned wrong when it was originally zoned.

Gretchen Robinson stated that these buildings have been in her family since the 1930's and there have always been businesses there.

Being no additional speakers, Chairman Cochrane declared the public hearing closed.

Zoning Map Amendment No. 458 – Lincoln County, applicant: Randy Hawkins, Zoning Administrator, presented the following information concerning Zoning Map Amendment No. 458 – Lincoln County, applicant.

Lincoln County is proposing to rezone a 0.134-acre parcel from Residential Suburban (R-S) to General Business (B-G) at the request of the property owner, GES Enterprise, Inc. The parcel is grandfathered for business use, and the rezoning would bring it into conformity.

The property is located at 3770 Gastonia Hwy. in the High Shoals community. It is adjoined on the north by property zoned General Business and on the other sides by property zoned Residential Suburban. A nonconforming business is located across the road.

Chairman Cochrane opened the public hearing concerning Zoning Map Amendment No. 458 – Lincoln County, applicant.

Being no one wishing to speak, Chairman Cochrane declared the public hearing closed.

Zoning Map Amendment No. 459 – Lincoln County, applicant: Randy Hawkins, Zoning Administrator, presented the following information concerning Zoning Map Amendment No. 459 – Lincoln County, applicant.

Lincoln County is proposing to rezone three adjoining parcels totaling 0.842 acres from Residential Suburban (R-S) to General Business (B-G) at the request of the property owners, Kate Kiser and Ella Mae McNeill. The properties are grandfathered for business use, and the rezoning would bring them into conformity.

The properties are located at 3775 and 3790 Gastonia Hwy. in the High Shoals community. They are adjoined by property zoned Residential Suburban. A grandfathered business property (see ZMA# 458) is located across the road from the Kiser property.

Chairman Cochrane opened the public hearing concerning Zoning Map Amendment No. 459 – Lincoln County, applicant.

Penny Stamey stated that she owns a house and has a legal right of way, which comes between the garage and hardware store. She stated that this has caused a lot of problems.

Sarah Vinson stated that this property is owned by Ms. Kiser and Ms. McNeill. He stated that the tenants are taking advantage of the elderly, stockpiling junk there.

Being no additional speakers, Chairman Cochrane declared the public hearing closed.

Zoning Map Amendment No. 460 – Jack Huss, applicant: Randy Hawkins, Zoning Administrator, presented the following information concerning Zoning Map Amendment No. 460 – Jack Huss, applicant.

Jack Huss is requesting to rezone two tracts of land totaling 30.5 acres from Transitional Residential (R-T) to Residential Single-Family (R-SF).

The land is located at the intersection of Hwy. 182 and Howards Creek School Road in Howards Creek Township. It is adjoined by property zoned Residential Single-Family and Transitional Residential (R-T). The larger tract is the only property on the northeast side of the intersection that is not zoned Residential Single-Family. The smaller tract lies on the opposite side of Howards Creek School Road.

Mr. Hawkins stated that by rezoning to R-SF, there would be the potential for 60 homes.

Chairman Cochrane opened the public hearing concerning Zoning Map Amendment No. 460 – Jack Huss, applicant.

Jack Huss stated that he lives at 3152 Mineral Springs Road, Valdese. He stated that he has no desire to see the land changed, but may need the money later to take care of his mother. The schools have also contacted him concerning purchasing the property for a future school site. He stated that there is mobile home on a rented lot on the property, which will remain there. Mr. Huss stated that he may eventually sell some large lots. Mr. Huss presented a petition from neighbors who were in favor of the rezoning.

Being no additional speakers, Chairman Cochrane declared the public hearing closed.

The Planning Board reconvened to the 2nd floor balcony.

Consent Agenda: Chairman Cochrane presented the Consent Agenda for the Board's approval.

UPON MOTION by Commissioner Craig, the Board voted unanimously to approve the Consent Agenda as presented.

NAME	YEAR	A/C NO	AMOUNT
Clark, George Warlick	2002	0149650	\$ 144.99
Creative Employee Benefits	2002	0144088	\$ 184.41
Ellis, Dustin Cheyenne	2002/03	0074548	\$ 207.06
First Union National Bank	2003	0132242	\$ 270.89
Grigg, Billy Lonzo	2002	0166716	\$ 168.86
Houser, Juanita Kay	2002	0078650	\$ 151.03
Lackey, Carlton Lee	2002	0063701	\$ 119.36
Newton, Howard Gene	2002	0113369	\$ 237.18
Nunez, Maximo	2002	0164610	\$ 116.39

Pethel, David Wesley	2002	0166731	\$ 128.98
Poole, Ritta Mason	2002	0166742	\$ 220.78
Rollins Leasing Corp.	2003	0106393	\$ 127.96
		TOTAL	\$ 2,077.89

NAME	YEAR	A/C NO	AMOUNT
Clark, George Warlick	2002	0149650	\$ 144.99
Creative Employee Benefits	2002	0144088	\$ 184.41
Ellis, Dustin Cheyenne	2002/03	0074548	\$ 207.06
First Union National Bank	2003	0132242	\$ 270.89
Grigg, Billy Lonzo	2002	0166716	\$ 168.86
Houser, Juanita Kay	2002	0078650	\$ 151.03
Lackey, Carlton Lee	2002	0063701	\$ 119.36
Newton, Howard Gene	2002	0113369	\$ 237.18
Nunez, Maximo	2002	0164610	\$ 116.39
Pethel, David Wesley	2002	0166731	\$ 128.98
Poole, Ritta Mason	2002	0166742	\$ 220.78
Rollins Leasing Corp.	2003	0106393	\$ 127.96
		TOTAL	\$ 2,077.89
Shook, Jerry L.	2002	0156500	\$ 156.18
Sides, Haskel D.	2003	09366	\$ 269.63
Spinner, Charles A.	2001/02	0130195	\$ 408.36
		TOTAL	\$ 4,989.95

NAME	YEAR	A/C NO	AMOUNT
Abernathy, Charles Ray	2002	0086127	\$ 21.18
Anton, Michael Edwin	2002	0070547	\$ 86.66
Armstrong, Lisa Kirby	2002	0093728	\$ 25.53
Atkinson, Gaither Jennings	2002	0093181	\$ 21.43
Augsburer, Maria	2002	0154457	\$ 71.55
Baltzegar, Christopher D.	2002	0166704	\$ 12.75
Berge, Terry A.	2002	0108934	\$ 5.08
Bernatzky, James E.	2002	0121185	\$ 17.92
Berry, Bryan R.	2002	0134698	\$ 1.67
Black, Michael Shannon	2002	0116473	\$ 16.02
Blankenship, Debra Lee	2002	0165756	\$ 18.56
Brewington, Matthew C.	2002	0128244	\$ 5.58
Brito, Ileana Maria	2002	0163307	\$ 29.06
Brown, Troy K.	2002	0105296	\$ 91.36
Bryant, Glenn Wood	2002	0156205	\$ 60.21
Caddell, Jackie Tom	2002	0068265	\$ 26.52
Carpenter & Son Inc.	2002	0161661	\$ 9.21
Carpenter, Garry D.	2002	40066	\$ 2.24

Carroll, Nancy Sponseller	2002	0134965	\$ 16.49
Carver, Debra Wylie	2002	0138365	\$ 43.54
Clark, Marilyn Rose	2002	0158902	\$ 63.72
Coblentz, David Edward	2002	0165235	\$ 65.93
Cody, Minnie Hedgepeth	2002	0086364	\$ 59.64
Cook, Jeremy Christopher	2002	0130903	\$ 26.24
Cook, Wanda Black	2000	0122273	\$ 12.67
Crabree, Martha Slavinski	2002	0074220	\$ 20.43
Craig, Hilda Owens	2002	0080382	\$ 29.92
Craig, Martha A.	2002	0124358	\$ 33.41
Crump, Bobby Leon	2002	0131772	\$ 9.75
Deans Plumbing & Repair	2002	0087378	\$ 27.56
Dellinger, John Erik	2002	0165104	\$ 37.17
Duncan, Clyde Gregory	2002	0109680	\$ 70.68
Edwards, Michael William	2002	0135609	\$ 27.18
Faith Worship Center	2002	0166693	\$ 99.35
Ferree, Jack Duane	2003	0125253	\$ 4.04
Firefighters Burned Childrens	2002	0085437	\$ 1.34
Flowers, Nicole Brownell	2001	0093711	\$ 18.96
Ford, Charles Donald	2002	0149890	\$ 32.21
Fox, Thurman Roscoe	2002	0131578	\$ 87.37
Fuller, Margo Elaine	2001	0158752	\$ 7.93
Gaither, Jerry Wayne	2003	0147083	\$ 99.48
Garcia, Fernando Colin	2002	0163991	\$ 25.14
Geraghty, Michael C.	2002	0148030	\$ 44.52
Gilmore, Lynn McCarn	2002	0077827	\$ 34.34
Glover, Tammy Bryson	2002	0166442	\$ 25.99
Gomez, Axcel Yurandir	2002	0160938	\$ 33.44
Goodman, Philip Leonard	2002	0120185	\$ 25.19
Grayson, Michael E.	2002	0128826	\$ 23.05
Griffin, Kenneth Neal	2002	0065987	\$ 31.36
Griffith, Robert L.	2001/02	0132541	\$ 25.48
Gross, Wesley Allen	2002	0101309	\$ 6.45
Hansley, Norman Verl	2001	0152845	\$ 8.44
Harrison, Matthew Brian	2002	0165579	\$ 56.16
Heffner, Kimberly Patterson	2002	0165078	\$ 59.88
Holcombe, Cecil Earl	2002	0093236	\$ 49.65
Hoover, Clyde Austin	2002	0089891	\$ 43.58
Hopper, Sheldon Eugene	2002	0089088	\$ 7.82
Houser, Jennifer Renee	2000	0145688	\$ 42.10
Hunsucker, Gary Wade	2002	0097279	\$ 86.66
Hunter, Michael Timothy	2002	0157396	\$ 24.50
Irwin, James D.	2000	0146015	\$ 10.40

Isaacks, John Edward	2002	0076016	\$ 3.35
James E. Helms & Son Bldrs	2003	0121119	\$ 35.08
Johnson, Melissa Ann	2002	0129345	\$ 32.36
Kiser, Dennis Carroll	2002	0165682	\$ 31.27
Kiser, Judy Sharon	2002	0126964	\$ 13.46
Kistler, Joyce Bell	2002	0090234	\$ 14.23
Kuang, Weijian	2002	0160937	\$ 15.19
Lamb, Bernard Lee	2000	0149609	\$ 34.47
Lieu, Tu Tran Duong	2002	0075190	\$ 29.94
London, Harold David	2002	0075840	\$ 2.55
Long, Grady Clifton	2002	0111947	\$ 21.39
Lucas, Glenna Greigh	2002	0165668	\$ 70.78
Martin, Betty Helms	2002	0080177	\$ 7.42
Martin, Kenny R.	2002	0126732	\$ 62.67
McCall, Anita Branch	2002	0136438	\$ 25.07
McIntosh, Lydia Rebecca L.	2002	0136915	\$ 62.16
Millsaps, Larisa Beal	2002	0092321	\$ 92.58
Morgan, Teresa Diane	2000	41012	\$ 9.88
Morris, Larry E. Jr.	2002	0130235	\$ 15.77
Oliver, Vara Norris	2002	0165173	\$ 26.50
Pauley, Steven Todd	2002	0164400	\$ 35.41
Pope, Raymond Arnold	2002	0087898	\$ 7.81
Pumphrey, Charles E.	2003	0126699	\$ 61.10
R & R Logging Inc.	2002	0166874	\$ 59.47
Ramseur, Tara Renae	1998	0134944	\$ 71.81
Randall, Sandra Sikes	2002	0089144	\$ 25.25
Redwine, Robert Joseph	2002	0097576	\$ 9.07
Rhoney, Rex Evan	2002	0120807	\$ 13.42
Rustemov, Nijaz	2002	0165646	\$ 67.26
Setzer, Jonathan Lamonte	2002	0101624	\$ 26.02
Shealy, Earl Loran	2002	0134487	\$ 54.59
Shields, Mark H.	2002	0114438	\$ 98.89
Simmons, Mercer & Peggy	2002	03285	\$ 40.38
Smith, Christine Willis	2002	0107039	\$ 34.47
Taylor, Raymond William	2002	0158161	\$ 49.24
Thomasson, Tara Noelle	2002	0158160	\$ 23.05
Thornton, Michael Monteith	2003	0070635	\$ 4.93
Tidd, Terry L.	2002	0144918	\$ 53.81
Tindall, Alvin John	2002	0166719	\$ 30.54
Tindall, Anita Holder	2002	0164008	\$ 85.42
Trejo, Horacio Fuentes	2002	0127085	\$ 79.84
Trust Moe	2002	0125948	\$ 80.05
Tucker, Ronald Dale	2002	0142599	\$ 87.32

Turner, Michael Wayne	2002	0166532	\$ 4.49
Valverde, Juan Carlos Leon	2002	0164384	\$ 16.54
Varnadore, Sonya Lee	2002	0164398	\$ 9.88
Villanueva, Ignacio Yopez	2002	0155096	\$ 5.02
Watner, Tyler David	2002	0087086	\$ 10.66
Wayne, Betty Jean	2002	0086067	\$ 11.66
Wellmon, Michael Wayne	2002	0166447	\$ 98.06
Willis, Ervil R.	2002	01760	\$ 35.57
Willis, James Robert Sr.	2002	10484	\$ 85.13
Willis, Tommy Steve	2002	0081489	\$ 71.44
Wilson, Latonia Lavon	2002	0154276	\$ 40.85
Winchell, Kira Ann	1999	0135193	\$ 17.04
Wirth, David William	2002	0166539	\$ 49.08
Wolf, Ned Allen	2002	0087140	\$ 33.04
Zimbaum, Randolph N.	2002	15945	\$ 37.61

TOTAL \$4,313.03

NAME	YEAR	A/C NO	AMOUNT
Adkins, Frances	2002	0156507	\$ 90.65
Allen, David A.	2000/01	49344	\$ 34.07
Bardebes, David Paul	2002	43875	\$ 34.26
Bryant, Darrell Eugene	2002	19730	\$ 29.88
Carpenter, Paul Gene	2002	04634	\$ 64.34
Church, Gene Allen (Heirs of)	2000-02	0087015	\$ 42.50
Crutchfield, Margaret P.	2000-02	35613	\$ 23.79
Dewitt, Robert G.	2002	0163134	\$ 72.60
Hoyle, Randy Keith	2003	0157022	\$ 12.07
Kiser, Harry Woodrow	2002	0143610	\$ 54.76
McDowell, Janice	2002	42171	\$ 31.52
Miles, Tonya Faye	2002	0106061	\$ 41.47
Pitts, William B.	2002	36811	\$ 12.46
Reel, Jimmy L. (Logging)	2002	0122548	\$ 79.32
Rinck, Ivey Welch	2003	0101145	\$ 60.10
Rodriguez, Sandra	2000-02	0130198	\$ 73.27
Shelton, Nancy	2000-02	0061322	\$ 62.52
Sipe, William Allen	2002	0089866	\$ 36.39
Stamey, Scott Lee	2002	0064757	\$ 32.66
Turner, Cindy R.	2002	0098859	\$ 92.50
		TOTAL	\$ 981.13

G.S.#105-381(B) ALL REFUNDS LESS THAN \$100.00
(and) #105-325 including (A) (6)

NAME	YEAR	DIST	A/C#	AMOUNT
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Allen, David A.	1998-1999	60	49344	50.76
TOTAL				\$50.76

G.S.#105-381(B) ALL REFUNDS ANNUAL MORE THAN \$100.00
(and) #105-325 including (A) (6)

NAME	YEAR	DIST	A/C#	AMOUNT
Mitchem, Hubert	2002	66	00505	333.89
Omara, Kevin Wayne	2001-2002	22	0145374	264.85
TOTAL				\$598.74

G.S.#105-381(B) ALL REFUNDS LESS THAN \$100.00
(and) #105-325 including (A) (6)

NAME	YEAR	DIST	A/C#	AMOUNT
A & A Sales Company	2002	77	40789	35.16
Banc of America Auto Finance	2002	71	0142765	99.06
Boyles, Stuart M.	2001	66	0085779	2.04
Brewer, Jerome	2002	55	0118873	18.06
Brittain, Randy Lee	2002	50	0158296	3.86
Btrac	2002	44	0123619	55.43
Carswell, Allen Dale	2002	71	0121557	23.43
Clark, Robert F.	2002	60	0138486	25.73
Conley, Denise Sprouse	2002	90	0151473	13.51
Cooper, Mary C.	2002	44	0134490	1.48
Cranford, Charles Nelson	2002	22	0093751	9.47
Flowers, Gay V.	2002	30	0165240	13.54
Green, Jason S.	2002	88	0157675	21.87
Heafner, David Smith	2002	40	02054	18.50
Horton, Heidi Dula	2002	61	0146496	29.41
Hovis, Kenneth H.	2002	71	0122661	18.76
James, Willis Eugene Jr.	2002	77	0072098	29.21
Keener, Brenda P.	2002	77	0060895	32.30
Malear, Ralph	2002	61	0141630	41.65
Matson, Kenneth Richard	2002	77	0113680	20.37
McFadden, Roma N.	2002	70	0161810	30.21
Nguyen, Philip	2002	22	0145237	21.68
Rogers, Phillip Wilson	2002	70	0162179	6.96
Rudisill Thomas Pressley	2002	77	0121697	54.26
Stoner, Greg R.	2002	77	0073370	32.43
Thompson, Laura Ann	2002	55	0108386	9.09
Towery, James Harold	2002	22	0093059	3.82
Upton, Elizabeth R.	2002	40	0146723	3.07
Valley National Fin. Serv.	2002	44	0129262	6.76
TOTAL				\$681.12

G.S.#105-381(B) ALL REFUNDS MORE THAN \$100.00
(and) #105-325 including (A) (6)

NAME	YEAR	DIST	A/C#	AMOUNT
Bank of America Auto Finance	2002	22	0145360	101.16
Barger, John David	2002	61	0095542	112.23
Rudisill, Thomas P.	2003	22	0121697	113.87

TOTAL \$327.26

Budget Adjustment No. 1 to budget funds (\$60,000) for schools JROTC program.
Budget Adjustment No. 2 by Social Services to increase expenditure and revenue line items for funds received for Special Children's Adoption Fund (no county funds involved)

Sponsored Group Status

- Lincoln County Family YMCA
- Chamber of Commerce

Letter of Credit

- West Pointe Retail

UPON MOTION by Commissioner Craig, the Board voted unanimously to accept the Consent Agenda as presented.

Continuance of Public Hearing for Real Estate Sale: Chairman Cochrane opened the public hearing for the sale of real estate.

Being no one wishing to speak, Chairman Cochrane declared the public hearing closed.

Jeff Taylor stated that there is one small issue with the contract and would like for the Board to approve the contract and authorize the Chairman to sign at a later date.

UPON MOTION by Commissioner Mitchem, the Board voted unanimously to approve the Contract for Sale of Property and authorize the Chairman to sign at a later date.

Resolution Providing for the Issuance of \$1,800,000 General Obligation Refunding Bonds, Series 2003:

Chairman Cochrane introduced the following resolution, a copy of which had been provided to each Commissioner, which was read by title and summarized by the Finance Director:

RESOLUTION CALLING A PUBLIC HEARING
CONCERNING THE FINANCING OF A PUBLIC SCHOOL PROJECT AND
REFINANCING
OF COUNTY'S PAYMENT OBLIGATIONS UNDER VARIOUS
PRIOR FINANCING AGREEMENTS
PURSUANT TO AN INSTALLMENT FINANCING AGREEMENT

WHEREAS, the Board of Commissioners for the County of Lincoln, North Carolina (the "County") proposes to finance the completion of the construction of the

new North Lincoln High School (the “Project”), pursuant to an Installment Financing Agreement, to be dated as of September 15, 2003, between a North Carolina nonprofit corporation (the “Corporation”) to be created and the County (the “Installment Financing Agreement”); and

WHEREAS, in order to achieve debt service savings, the Board of Commissioners for the County is also considering the refinancing, pursuant to the Installment Financing Agreement, of the County’s payment obligations under the (i) Installment Financing Contract, dated as of December 28, 1995, among First Union National Bank of North Carolina (succeeded by Wachovia Bank, National Association), the County and First Union National Bank of North Carolina (succeeded by Wachovia Bank, National Association), Corporate Trust Department, as supplemented by Supplement No. 1 to Schedule A of Real Property and Facilities, dated as of December 30, 1997, among the same parties, (ii) Financing Agreement and Deed of Trust, dated as of May 31, 2000, granted by the County to F. Louis Loyd, III, trustee for the benefit of Branch Banking and Trust Company, (iii) Installment Financing Agreement (2001 Shopping Center Project), dated as of June 15, 2001, between the County and Bank of America, N.A., and (iv) Installment Financing Agreement, made and entered into as of January 31, 2003, between the County and First Charter Bank (collectively, the “Prior Financing Agreements”); and

WHEREAS, pursuant to the Installment Financing Agreement, the Corporation will finance the Project and refinance the County’s payment obligations under the Prior Financing Agreements, and the County will make Installment Payments (as defined in the Installment Financing Agreement) in amounts sufficient to pay the principal and interest

with respect to Certificates of Participation (Lincoln County Public Facilities Projects), Series 2003 (the “2003 Certificates”), to be executed and delivered by the Corporation for the purpose of financing the Project and refinancing the County’s payment obligations under the Prior Financing Agreements, it being the express intention of the Board of Commissioners that only the principal amount of 2003 Certificates necessary to accomplish the purposes stated in the Installment Financing Agreement will be executed and delivered (estimated not to exceed \$15,000,000 principal amount); and the County’s obligations under the Installment Financing Agreement will be secured by, among other things, a deed of trust on certain real property owned by the County, including the sites of the jail and the Department of Social Services Building; and

WHEREAS, the Installment Financing Agreement, if entered into, will comply in all respects with Section 160A-20 and Chapter 159, Article 8 of the General Statutes of North Carolina and the guidelines of the Local Government Commission of North Carolina for all financings and refinancings undertaken pursuant to said Section and Article; and

WHEREAS, said Section 160A-20 requires that, before entering into an installment financing agreement involving real property, the County shall hold a public hearing on such agreement; now, therefore,

BE IT RESOLVED by the Board of Commissioners for the County of Lincoln:

Section 1. A public hearing with respect to the Installment Financing Agreement is hereby directed to be held on Monday, August 18, 2003, at 6:30 P.M., in the Lincoln County Citizens Center located at 115 West Main Street, Lincolnton, North Carolina.

Section 2. The Clerk to the Board of Commissioners is hereby directed to publish notice of said public hearing, in substantially the following form, once at least ten (10) days prior to the date of the public hearing as required by Section 160A-20(g) of the General Statutes of North Carolina:

NOTICE OF PUBLIC HEARING BY
THE BOARD OF COMMISSIONERS FOR THE COUNTY OF LINCOLN,
NORTH CAROLINA, CONCERNING THE FINANCING OF A
PUBLIC SCHOOL PROJECT AND REFINANCING OF
COUNTY'S PAYMENT OBLIGATIONS UNDER VARIOUS
PRIOR FINANCING AGREEMENTS
PURSUANT TO AN INSTALLMENT FINANCING AGREEMENT

NOTICE IS HEREBY GIVEN to all interested persons that the Board of Commissioners for the County of Lincoln, North Carolina (the "County") is proposing to finance the completion of the construction of the new North Lincoln High School (the "Project") and refinance the County's payment obligations under the (i) Installment Financing Contract, dated as of December 28, 1995, among First Union National Bank of North Carolina (succeeded by Wachovia Bank, National Association), the County and First Union National Bank of North Carolina (succeeded by Wachovia Bank, National Association), Corporate Trust Department, as supplemented by Supplement No. 1 to Schedule A of Real Property and Facilities, dated as of December 30, 1997, among the same parties, (ii) Financing Agreement and Deed of Trust, dated as of May 31, 2000, granted by the County to F. Louis Loyd, III, trustee for the benefit of Branch Banking and Trust Company, (iii) Installment Financing Agreement (2001 Shopping Center Project), dated as of June 15, 2001, between the County and Bank of America, N.A., and (iv) Installment Financing Agreement, made and entered into as of January 31, 2003, between the County and First Charter Bank (collectively, the "Prior Financing

Agreements”), pursuant to an Installment Financing Agreement, to be dated as of September 15, 2003, between a North Carolina nonprofit corporation (the “Corporation”) to be created and the County (the “Installment Financing Agreement”). It is expected that the Corporation will execute and deliver Certificates of Participation, evidencing proportionate and undivided interests in the Installment Payments to be made by the County under the Installment Financing Agreement, in an aggregate principal amount not exceeding \$15,000,000 for the purpose of financing the Project and refinancing the payment obligations described above.

NOTICE IS HEREBY FURTHER GIVEN that the Board of Commissioners will hold a public hearing in the Lincoln County Citizens Center located at 115 West Main Street, Lincolnton, North Carolina, on August 18, 2003, at 6:30 P.M., or an adjournment thereof, at which time any person may be heard regarding the proposed Installment Financing Agreement.

COUNTY OF LINCOLN, NORTH CAROLINA

By Amy S. Long
Clerk to the Board of Commissioners

Section 3. This resolution shall take effect immediately upon its passage.

Upon motion of Commissioner Anderson, seconded by Commissioner Craig, the foregoing resolution entitled: “RESOLUTION CALLING A PUBLIC HEARING CONCERNING THE FINANCING OF A PUBLIC SCHOOL PROJECT AND REFINANCING OF COUNTY’S PAYMENT OBLIGATIONS UNDER VARIOUS PRIOR FINANCING AGREEMENTS PURSUANT TO AN INSTALLMENT FINANCING AGREEMENT” was passed by the following vote:

Unanimously approved.

Abandonment of Portion of SR 1438 – Hoyle Farm Road: **UPON MOTION** by Commissioner Anderson, the Board voted unanimously to approve the abandonment of a portion of SR 1438 – Hoyle Farm Road.

Abandonment of Portion of SR 1578, Caswell Road: **UPON MOTION** by Commissioner Mitchem, the Board voted unanimously to approve the abandonment of a portion of SR 1578, Caswell Road.

Other Business: Commissioner Funderburk presented the following proclamation for the Board's approval.

UPON MOTION by Commissioner Funderburk, the Board voted unanimously to approve the Proclamation and present it to Mr. Peeler at the August 4, 2003 meeting.

***PROCLAMATION
HUGH “BUZZ” PEELER APPRECIATION DAY
AUGUST 1, 2003***

WHEREAS, the County of Lincoln is pleased to have the Lincoln Campus of Gaston College as an educational institution for its residents; and

WHEREAS, this educational institution provides essential education for the citizens of Lincoln County; and

WHEREAS, this educational institution in Lincoln County provides the necessary training and skills, improving the overall quality of life for individuals, businesses, and communities; and

WHEREAS, we recognize and honor the man responsible for opening the Lincoln Center of Gaston College in Lincoln on August 1, 1969;

NOW, THEREFORE, we the Board of Commissioners of Lincoln County, do hereby recognize Hugh “Buzz” Peeler as being the college's first director in 1969 serving for three years and by virtue of this proclamation give notice to our citizens that August 1, 2003, is Hugh “Buzz” Peeler Day in the County of Lincoln.

Adopted this the 7th day of July, 2003.

Jerry W. Cochrane

Larry S. Craig

Chairman

Vice-Chairman

Thomas R. Anderson, PE
Commissioner

Buddy Funderburk
Commissioner

Carrol D. Mitchem
Commissioner

Leon Harmon, Finance Director, stated that it is time for the auction of surplus county property. He will bring a resolution to the next meeting setting the date and time of the auction. Marathon Realty and Auction will be doing the auction this year.

Stan Kiser, County Manager, stated that he spoke with Mike Baker, Chairman of the ABC Board. The property has been closed on and the plans have been drawn. They will be advertising for bids and opening them the first week of August. The building will be 4,200 square feet.

UPON MOTION by Commissioner Craig, the Board voted unanimously to approve the Highway Safety Program Resolution.

**North Carolina Governor's Highway Safety Program
Local Government Resolution**

WHEREAS, the Lincoln County Sheriff's Office (herein called the "Agency") has completed an application contract entitled 321 Connection Traffic Safety Team; and that the Lincoln County Board of Commissioners (herein called the "Governing Body") has thoroughly considered the problem identified and has reviewed the project as described in the contract;

THEREFORE, NOW BE IT RESOLVED BY THE LINCOLN COUNTY BOARD OF COMMISSIONERS IN OPEN MEETING ASSEMBLED IN THE CITY OF LINCOLNTON, NORTH CAROLINA THIS 7TH DAY OF JULY, 2003, AS FOLLOWS:

1. That the project referenced above is in the best interest of the Governing Body and the general public; and
2. That Barbara Pickens, Sheriff be authorized to file, on behalf of the Governing Body, an application contract in the form prescribed by the Governor's Highway

Safety Program for federal funding in the amount of \$61,796.50 to be made to the Governing Body to assist in defraying the cost of the project described in the contract application; and

3. That the Governing Body has formally appropriated the cash contribution of \$21,765.50 as required by the project contract; and
4. That the Project Director designated in the application contract shall furnish or make arrangement for other appropriate persons to furnish such information, data, documents and reports as required by the contract, if approved, or as may be required by the Governor's Highway Safety Program; and
5. That certified copies of this resolution be included as part of the contract referenced above; and
6. That this resolution shall take effect immediately upon its adoption.

DONE AND ORDERED in open meeting by _____.

ATTESTED BY _____.

DATE _____

Chairman Cochrane announced the date of September 10, 2003 at 3:30 PM for a work session to discuss the 20 year capital improvement plan for the East Lincoln Water and Sewer District.

Recommendations from the Planning Board:

Watershed Conditional Use Permit No. 8 – Dianne Ingle, applicant: The Planning Board voted 7 – 0 to recommend approval.

Application # WCUP #8 Date 07/07/03

Applicant's Name Dianne Ingle
 P. O. Box 494
 Lincolnton, NC 28093

Property location: Hwy. 27 West and Lackey Road

Watershed District: WS – IIP

Proposed Conditional Use Car Wash

1. The use will not materially endanger the public health or safety if located where proposed and developed according to plan. YES X NO
Factual Reasons Cited: Water is to be recycled.
2. The use meets all required conditions and specifications. YES X NO
Factual Reasons Cited: According to testimony at hearing.
3. The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity. YES X NO
Factual Reasons Cited: Quarter of a million dollar investment.
4. 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 Land Use Plan for the area in question.
YES X NO
Factual Reasons Cited: Area is zoned General Business.
5. The proposed development will substantively increase the ad valorem tax base of Lincoln County or otherwise significantly promote or expand economic development and/or job opportunities available to Lincoln County residents.
YES X NO
Factual Reasons Cited: Will improve facilities in area.

UPON MOTION by Commissioner Mitchem, the Board voted unanimously to accept the recommendations of the Planning Board and Findings of Fact for WSCUP #8 – Dianne Ingle.

Conditional Use Permit No. 219 – Larry Keever, applicant: The Planning Board voted 7 – 0 to recommend approval.

Application # CUP #219 Date 07/07/03

Applicant's Name Larry Keever
 591 Hill Road
 Lincolnton, NC 28093

Property location: 609 Hill Road

Existing Zoning: R-T

Proposed Conditional Use Class D mobile home

1. The use will not materially endanger the public health or safety if located where proposed and developed according to plan. YES X NO

Factual Reasons Cited: Won't endanger public health or safety, based on testimony at hearing.

2. The use meets all required conditions and specifications. YES X NO
Factual Reasons Cited: Trailer currently being used, will be upgraded, will be inspected.
3. The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity. YES X NO
Factual Reasons Cited: Based on neighbor's letter, and testimony of neighbor.
4. 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 Land Use Plan for the area in question.
YES X NO
Factual Reasons Cited: Based on evidence sited at hearing.

UPON MOTION by Commissioner Craig, the Board voted unanimously to approve Conditional Use Permit No. 219 – Larry Keever, applicant, with the Findings of Fact as presented by the Planning Board.

Parallel Conditional Use Rezoning No. 94 – Steven Reel, applicant: The Planning Board voted 7 – 0 to recommend approval.

Application # PCURP #94 Date 07/07/03

Applicant's Name Steven Reel
346 Amity Church Road
Lincolnton, NC 28092

Property location: 346 Amity Church Road

Existing Zoning: R-T

Proposed Conditional Use Auto repair shop

1. The use will not materially endanger the public health or safety if located where proposed and developed according to plan. YES X NO
Factual Reasons Cited: Will be off road and meet setbacks
2. The use meets all required conditions and specifications. YES X NO
Factual Reasons Cited: Will meet all required conditions, waste pickup.
3. The use will not substantially injure the value of adjoining or abutting property

unless the use is a public necessity. YES X NO
Factual Reasons Cited: In character with neighborhood.

6. 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 Land Use Plan for the area in question.
YES X NO
Factual Reasons Cited: Based on photos of land around site

UPON MOTION by Commissioner Craig, the Board voted unanimously to approve the rezoning and approve Parallel Conditional Use Rezoning No. 94 – Steven Reel, applicant, with the Finding of Fact as presented by the Planning Board.

Zoning Map Amendment No. 457 – Lincoln County, applicant: Randy Hawkins, Zoning Administrator, stated that the Planning Board voted 7 - 0 to recommend approval.

UPON MOTION by Commissioner Craig, the Board voted unanimously to concur with the Planning Board and approve Zoning Map Amendment No. 457 – Lincoln County, applicant.

Zoning Map Amendment No. 458 – Lincoln County, applicant: Randy Hawkins, Zoning Administrator, stated that the Planning Board voted 7 - 0 to recommend approval.

UPON MOTION by Commissioner Craig, the Board voted unanimously to approve Zoning Map Amendment # 458 – Lincoln County, applicant, based on the recommendation of the Planning Board.

Zoning Map Amendment No. 459 – Lincoln County, applicant: Randy Hawkins, Zoning Administrator, stated that the Planning Board voted 7 - 0 to recommend approval.

UPON MOTION by Commissioner Craig, the Board voted unanimously to approve Zoning Map Amendment # 459 – Lincoln County, applicant, based on the recommendation of the Planning Board.

Zoning Map Amendment No. 460 – Jack Huss, applicant: Randy Hawkins, Zoning Administrator, stated that the Planning Board voted 6 – 1 to recommend approval.

UPON MOTION by Commissioner Craig, the Board voted 4 – 1 (Mitchem against) to approve Zoning Map Amendment No. 460 – Jack Huss, applicant.

Adjourn: **UPON MOTION** by Commissioner Anderson, the Board voted unanimously to adjourn.