



LINCOLN COUNTY PLANNING & INSPECTIONS DEPARTMENT
302 NORTH ACADEMY STREET, SUITE A, LINCOLNTON, NORTH CAROLINA 28092
704-736-8440 OFFICE 704-736-8434 INSPECTION REQUEST LINE 704-732-9010 FAX

To: Board of Commissioners
Planning Board

From: Randy Hawkins, Zoning Administrator

Date: April 13, 2017

Re: Zoning Map Amendment #635
Rick Earnhardt, applicant
Parcel ID# 32322 and 31062

The following information is for use by the Lincoln County Board of Commissioners and the Planning Board at their joint meeting/public hearing on May 1, 2017.

Request

The applicant is requesting the rezoning of 0.9 acres from R-SF (Residential Single-Family) to R-S. The request involves two parcels, one of them a legally nonconforming (grandfathered) 0.27-acre lot. The minimum lot size in the R-SF and R-S districts is 22,500 square feet (0.52 acre) with public water and sewer.

Site Area & Description

The property is located at 3348 Saint James Church Road, on the east side of Saint James Church Road at its intersection with James Plantation Drive. Two singlewide manufactured homes are currently located on this property. The property is adjoined by property zoned R-SF and I-G (General Industrial). Land uses in this area are primarily residential. Water and sewer lines are located along Saint James Church Road. This property is part of an area designated by the Lincoln County Land Use Plan as Suburban Residential, primarily single-family in character, with projected densities of upwards of 1-2 dwelling units per acre depending on the provision of utilities.

Additional Information

Permitted uses

Under current R-SF zoning: modular home, site-built house, replacement of existing singlewide homes.

Under proposed R-S zoning: duplex, modular home, site-built house, replacement of existing singlewide homes.

Adjoining zoning and uses

East: zoned I-G, site of wireless telecommunications tower.

South: zoned R-SF, residential use.

West (opposite side of Saint James Church Road): zoned R-SF, common open space area of James Plantation subdivision, site of Denver Masonic Lodge, and residence.

North: zoned R-SF, residences.

Staff's Recommendation

Staff recommends disapproval of the rezoning request. See proposed statement on following page for rationale.



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Zoning Amendment Staff's Proposed Statement of Consistency and Reasonableness

Case No. **ZMA #635**

Applicant **Rick Earnhardt**

Parcel ID# **32322 and 31062**

Location **3348 Saint James Church Road**

Proposed amendment **rezone from R-SF to R-S**

This proposed amendment **is not consistent** with the Lincoln County Comprehensive Land Use Plan and other adopted plans in that:

This property is part of an area designated by the Land Use Plan as Suburban Residential, primarily single-family in character, with projected densities of upwards of 1-2 dwelling units per acre depending on the provision of utilities. The proposed amendment would allow duplexes and a density of upwards of four dwelling units per acre.

This proposed amendment **is not reasonable and not in the public interest** in that:

This property is adjoined on both sides and across the road by property zoned R-SF. This area along Saint James Church Road is largely zoned R-SF and largely contains single-family homes, whereas R-S zoning permits duplexes. The only property in this area that is zoned R-S contains duplexes that were constructed or under construction before zoning went into effect in this area.



Zoning Map Amendment Application

Lincoln County Planning and Inspections Department
Zoning Administrator
302 N. Academy St., Lincolnton, NC 28092
Phone: (704) 736-8440 Fax: (704) 732-9010

Part I

Applicant Name Rickey Earnhardt

Applicant Address 3294 Saint James Church Rd. Denver, NC 28037

Applicant Phone Number 704-913-3776

Property Owner's Name Rickey Earnhardt Properties

Property Owner's Address Same as above

Property Owner's Phone Number Same as above

Part II

Property Location 3348 + 3350 St. James Ch. Rd. Denver
3695-62-4290
Property ID # (10 digits) 3695-62-6381 Property Size .64 & .27 (Acre)

Parcel # (5 digits) 32322 Deed Book(s) 2618 Page(s) 256

Part III

Existing Zoning District R-SF Proposed Zoning District R-5

Briefly describe how the property is currently being used and any existing structures.

Vacant 1968 house trailer

Vacant 1974 house trailer + several sheds

Briefly explain the proposed use and/or structure which would require a rezoning.

2 Brick Duplex Apartments

APPLICATION FEE (less than 2 acres \$200, 2-5 acres \$400, 5+ acre \$800)
MUST BE RECEIVED BEFORE PROCESSING.

I hereby certify that all of the information provided for this application and attachments is true and correct to the best of my knowledge.

Rickey J. Earnhardt Jr.
Applicant

3-14-17
Date

Rickey J. Earnhardt Jr.

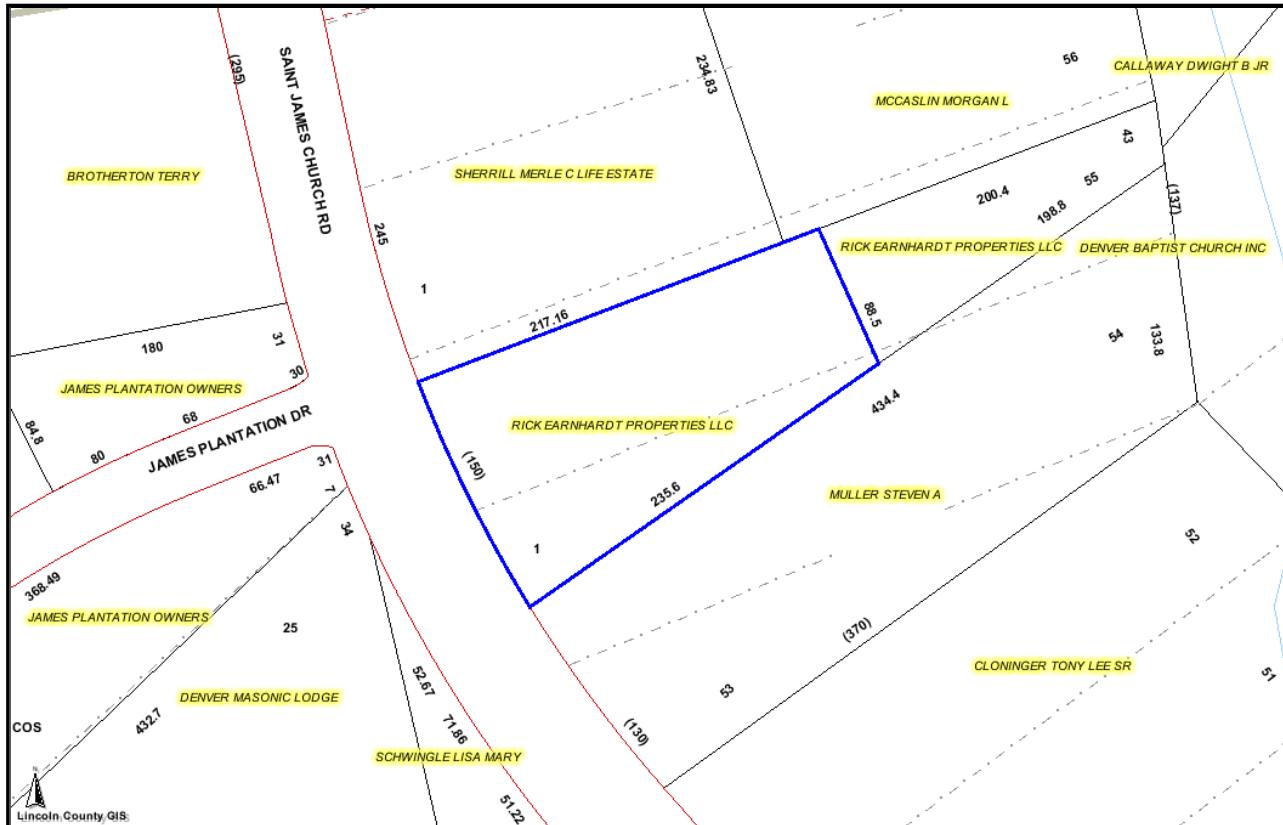


Lincoln County, NC

Office of the Tax Administrator, GIS Mapping Division

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Date: 3/20/2017 Scale: 1 Inch = 100 Feet



PHOTOS



32322 MH



M2940

PARCEL INFORMATION FOR 3695-62-4290

Parcel ID	32322	Owner	RICK EARNHARDT PROPERTIES LLC		
Map	3695-04	Mailing	3294 ST JAMES CHURCH RD		
Account	0260468	Address	DENVER NC 28037		
Deed	2618-0256	Recorded	9/29/2016		
Land Value	\$29,000	Total Value	\$29,000	Sale Price	\$26,000
----- All values are for tax year 2017. -----					
Description	CALLWAY LD RD 1380		Deed Acres	0.64	
Address	3350 SAINT JAMES CHURCH RD		Tax Acres	0.64	
Township	CATAWBA SPRINGS		Tax/Fire District		DENVER / EL SEWER
Main Improvement		MOBILE HOME SPACES	Value	Not Determined	
Main Sq Feet	1	Stories	0	Year Built	0
Parcel ID	M2940	Owner	RICK EARNHARDT PROPERTIES LLC		
Map	3695-04	Mailing	3294 ST JAMES CHURCH RD		
Account	0260468	Address	DENVER NC 28037		
Deed	2618-0256	Recorded	9/29/2016		
Land Value	\$0	Total Value	\$2,873	Sale Price	0
----- All values are for tax year 2017. -----					
Description	1968 12 X 52		Deed Acres	0	
Address	3348 SAINT JAMES CHURCH RD		Tax Acres	0	
Township	CATAWBA SPRINGS		Tax/Fire District		DENVER / EL SEWER
Main Improvement		MANUFACTURED HOME	Value	\$2,873	
Main Sq Feet	624	Stories	1	Year Built	1968
Zoning		Calculated Acres	Total Value	\$2,873	
District					
R-SF		0.64			
Watershed Class			Voting Precinct	Calculated Acres	
Not in a watershed			DENVER WEST (DW28)	0.64	
2000 Census County					
37109					
37109					
Flood		Zone Description	Tract	Block	
X	NO FLOOD HAZARD		071100	1030	0.5
			071100	1032	0.14
			3710369500		0.64



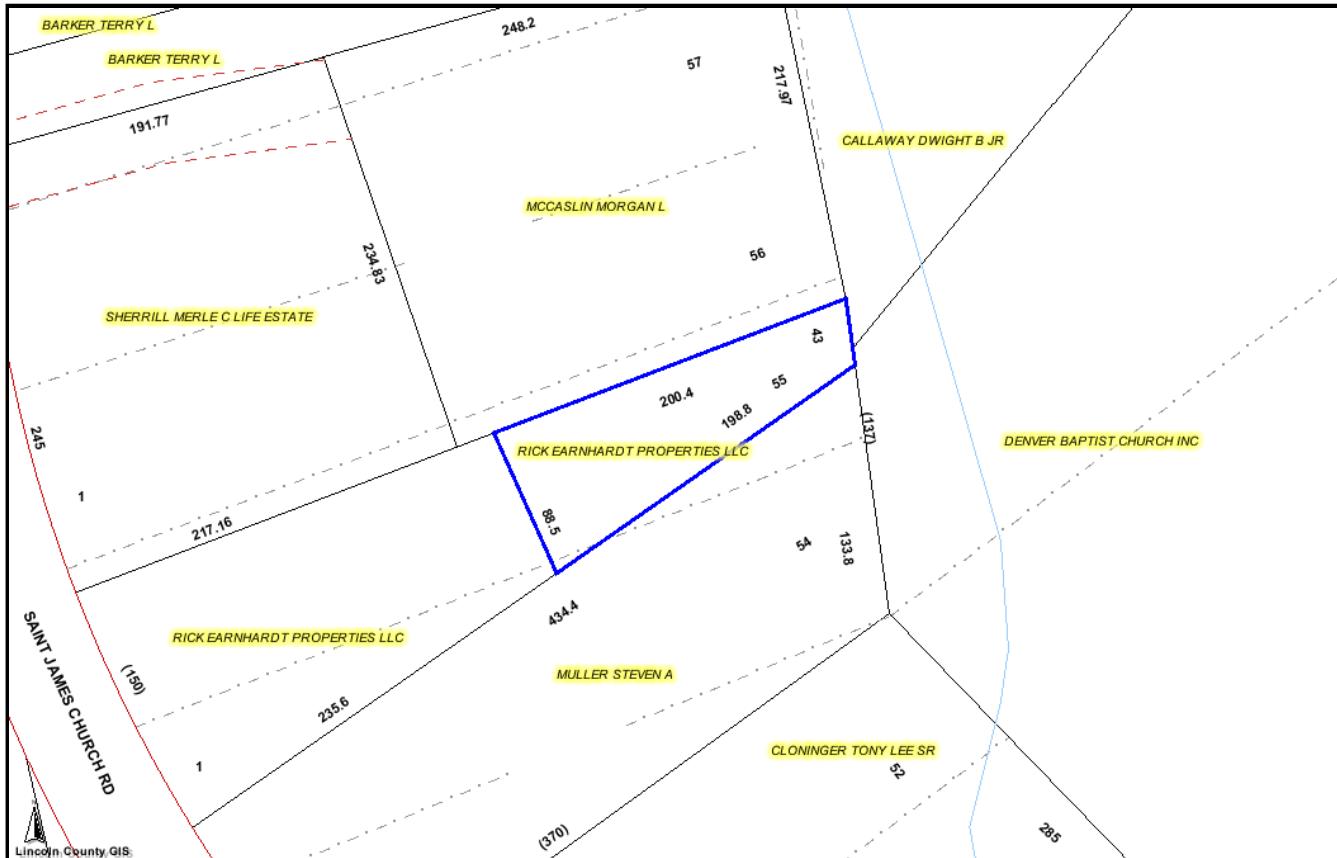
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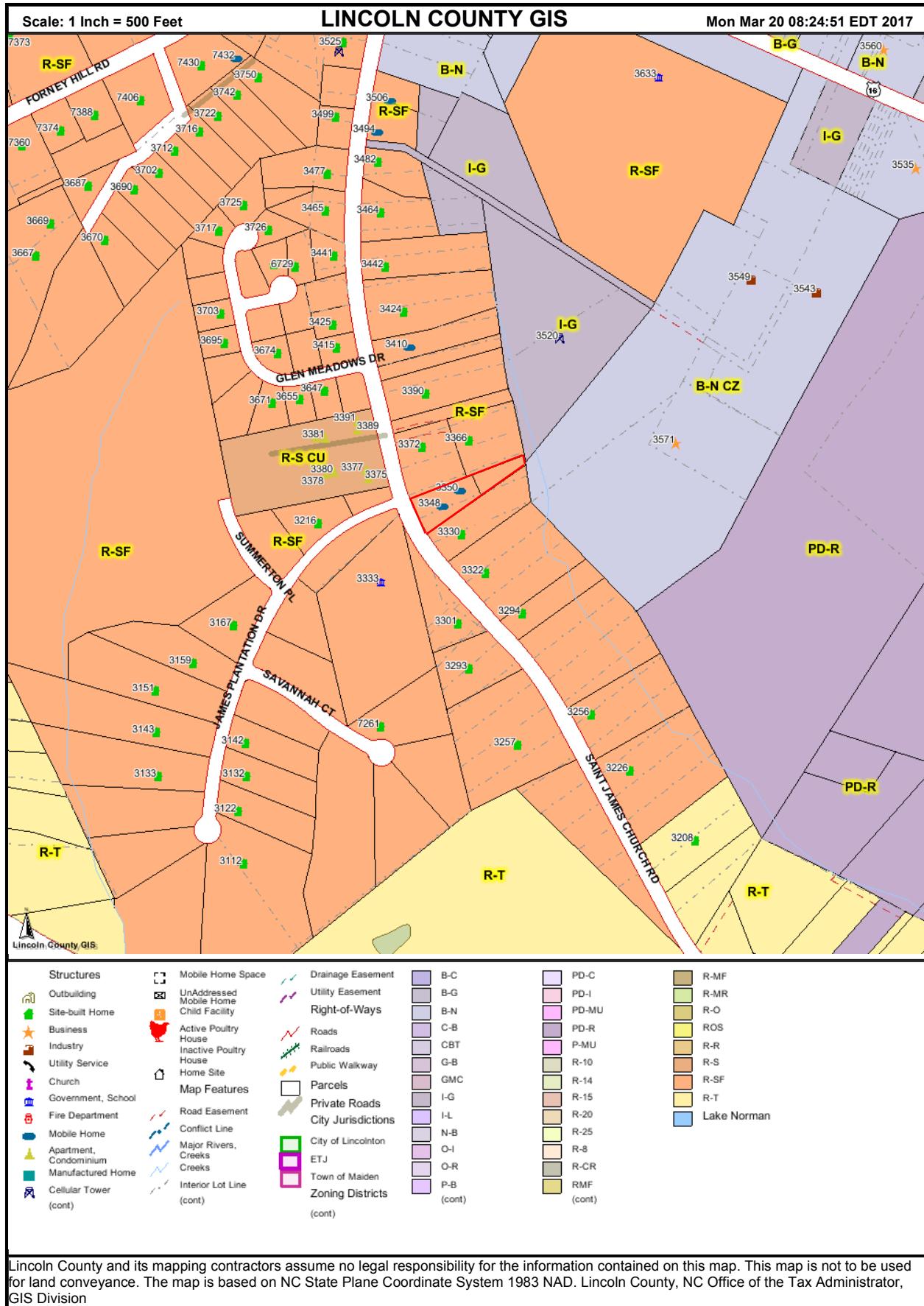


Date: 3/20/2017 Scale: 1 Inch = 100 Feet



PHOTOS		PARCEL INFORMATION FOR 3695-62-6381						
 31062 MH		Parcel ID	31062	Owner	RICK EARNHARDT PROPERTIES LLC			
		Map	3695-04	Mailing	3294 ST JAMES CHURCH RD			
		Account	0260468	Address	DENVER NC 28037			
		Deed	2618-0256	Recorded	9/29/2016			
		Land Value	\$18,988	Total Value	\$23,350			
----- All values are for tax year 2017. -----								
		Description	SETZER LD RD 1380		Sale Price \$26,000			
		Address	SAINT JAMES CHURCH RD		Previous Parcel			
		Township	CATAWBA SPRINGS					
		Main Improvement		MANUFACTURED HOME				
		Main Sq Feet	804	Stories	Value \$3,630			
		1 Year Built	1974					
		Zoning District		Calculated Acres				
		R-SF		0.27	0.27			
		Watershed Class	Not in a watershed	0.27				
		2000 Census County						
		37109						
		Flood	X	Zone Description				
				NO FLOOD HAZARD				
		Tract	071100	Block				
		Panel	3710369500					

Zoning Map Amendment #635



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