



**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: January 16, 2019

Re: CUP #395  
Graham Schenck, applicant  
Parcel ID# 32003

*The following information is for use by the Lincoln County Board of Commissioners and Planning Board at their joint meeting/public hearing on February 4, 2019.*

**REQUEST**

The applicant is requesting a conditional use permit to allow vehicle service in the B-N (Neighborhood Business) district in the Eastern Lincoln Development District (ELDD). Vehicle service (oil change, brake service, alignment, tire mounting, etc.) is a conditional use in the B-N district and in the ELDD. A site plan has been submitted as part of the application. It shows that an existing building would be used as a service garage, that vehicle parking would be limited, and that landscaping would be added along the edge of the road right-of-way.

**SITE AREA AND DESCRIPTION**

The 1.1-acre parcel is located at 1564 N. NC 16 Business Hwy., on the east side of N.C. 16 Business about 400 feet north of Smith Harbour Drive. It is adjoined by property zoned B-N, B-G (General Business), I-G (General Industrial) and PD-MU (Planned Development Mixed Use). Land uses in this area include business, residential, industrial, and institutional (charter school). This property is adjoined to the rear by a single-family residential section of the Smithstone development. This property is part of an area designated by the Lincoln County Land Use Plan as a Suburban Commercial Center, suitable for general commercial services.



# County Of Lincoln, North Carolina

## Planning Board

Applicant **Graham Schenck**

Application No. **CUP #395**

Location **1564 N. NC 16 Business Hwy.**

Parcel ID# **32003**

Zoning District **B-N, ELDD**

Proposed Conditional Use **vehicle service**

### **FINDINGS OF FACT**

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

FACTUAL REASONS CITED: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. The use meets all required conditions and specifications. YES \_\_\_\_\_ NO \_\_\_\_\_

FACTUAL REASONS CITED: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity. YES \_\_\_\_\_ NO \_\_\_\_\_

FACTUAL REASONS CITED: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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 \_\_\_\_\_ NO \_\_\_\_\_

FACTUAL REASONS CITED: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

After having held a Public Hearing on \_\_\_\_\_ and in light of the Findings of Facts listed herein, the following action was taken by the Lincoln County Planning Board:

\_\_\_\_\_  
\_\_\_\_\_

In recommending such Conditional Use, the following conditions were recommended by the Lincoln County Planning Board:

\_\_\_\_\_  
\_\_\_\_\_



## Conditional Use Permit Application

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

### PART I

Applicant Name GRAHAM SCHENCK  
Applicant Address DENVER 7619 Dellinger Rd 28037  
Applicant Phone Number 704 622 2681  
Property Owner Name REFUS LLC  
Property Owner Address 7352 Albemarle Dr Denver NC  
1564 N. Highway 16 Denver NC  
Property Owner Phone Number 704 634 4244

### PART II

Property Location 1564 N. Highway 16. Denver NC  
Property ID (10 digits) 4603-67-3546 Property size 1.093 Ac  
Parcel # (5 digits) 32003 Deed Book(s) 1150 Page(s) 854

### PART III

Existing Zoning District BN, ELDD

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

Warehouse and office for CICA Inc.

Briefly explain the proposed use and/or structure which would require a Conditional Use Permit.

Vehicle Service

**APPLICATION FEE (less than 2 acres \$250, 2+ acres \$500)  
MUST BE RECEIVED BEFORE PROCESSING.**

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

[Signature]  
Applicant's Signature

Dec 12, 2018  
Date

## **APPLICANT'S PROPOSED FINDINGS OF FACT**

Application No. **CUP #395**

Applicant **Graham Schenck**

Property Location **1564 N. NC 16 Business Hwy.** Parcel ID# **32003**

Existing District **B-N, ELDD**

Proposed Conditional Use **vehicle service**

### **PROPOSED FINDINGS**

1. The use will not materially endanger the public health or safety if located where proposed and developed according to plan.

**This is an existing commercial building. A change of occupancy permit will be required before the building is used for vehicle service, meaning it will have to pass safety inspections. The use will not generate significant traffic.**

2. The use meets all required conditions and specifications.

**This property is zoned B-N and is located in the ELDD overlay district. Vehicle service is a conditional use in the B-N district and ELDD. The building meets the building façade requirements of the ELDD regulations. Landscaping will be added along the edge of the road right-of-way to meet the Unified Development Ordinance's road buffer requirement.**

3. The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity.

**This is an existing business location in an existing business area. The subject property is buffered from the Smithstone residential development to the rear by existing vegetation which will remain on the site and by a 30-foot-wide buffer area that's part of the Smithstone development.**

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.

**The location is in an existing business area. The Land Use Plan designates this property as part of Suburban Commercial Center, suitable for general commercial services. The NC 16 Corridor Vision Plan calls for avoiding eyesores along the corridor. Vehicle parking/storage on this site will be limited under the plan, and landscaping will be added along the road right-of-way.**

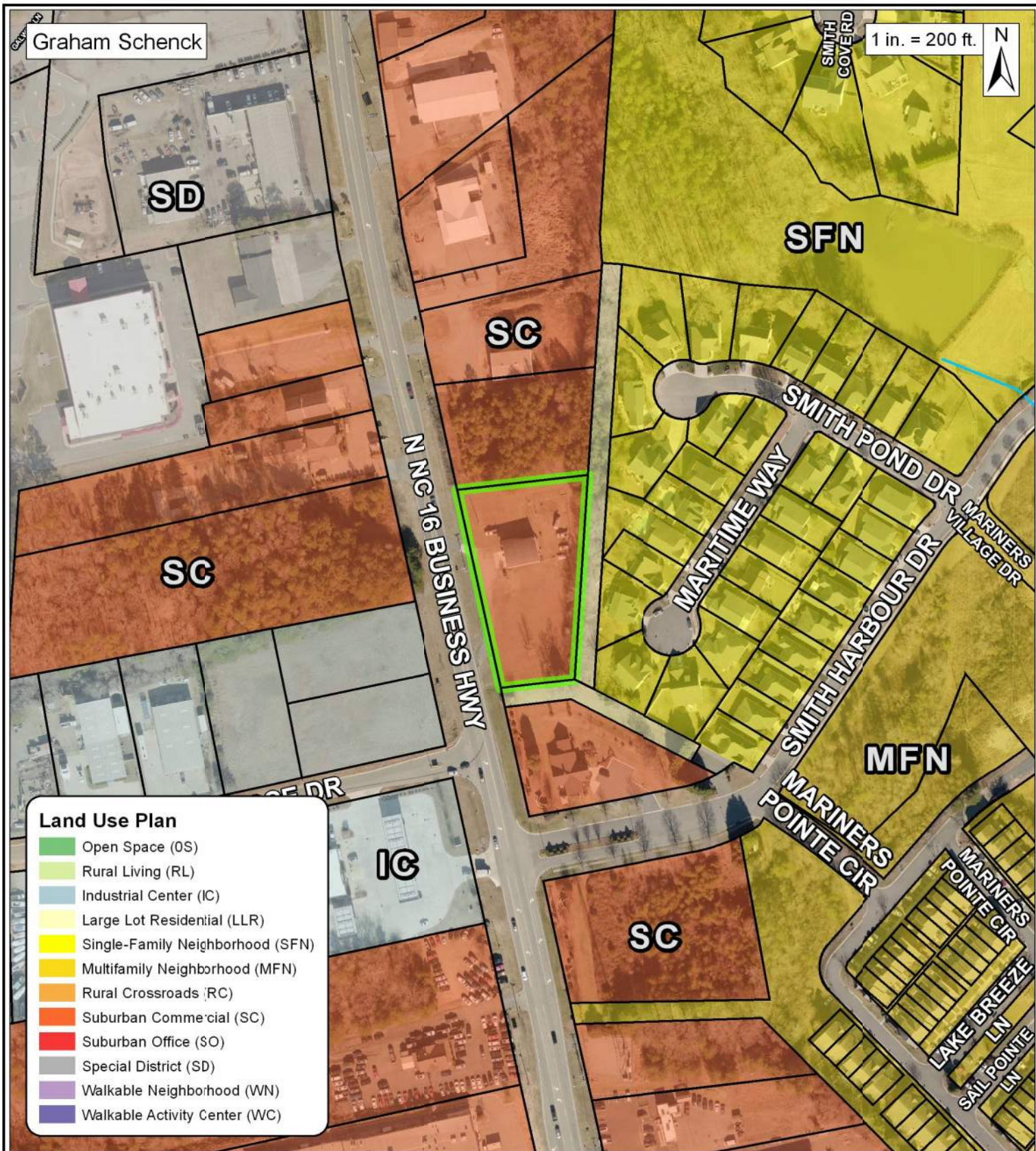
	<b>Lincoln County, NC</b> <b>Office of the Tax Administrator, GIS Mapping Division</b> Lincoln County and its mapping contractors assume no legal responsibility for the information contained on this map. This map is not to be used for land conveyance. The map is based on NC State Plane Coordinate System 1983 NAD. Date: 12/14/2018      Scale: 1 Inch = 100 Feet																																																																																					
																																																																																						
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Esri, Inc., Lincoln County, NC

1 inch = 200 feet



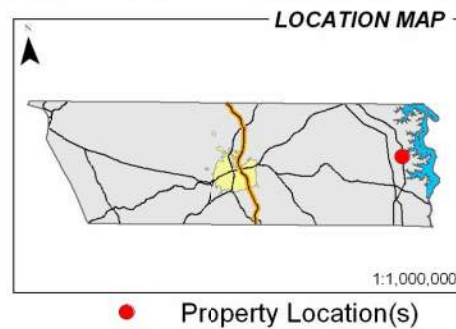


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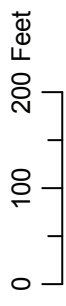
**CUP #395**

- Property Location(s)

See Attached Application for Parcel Information  
Property Location(s) Outlined in Green.





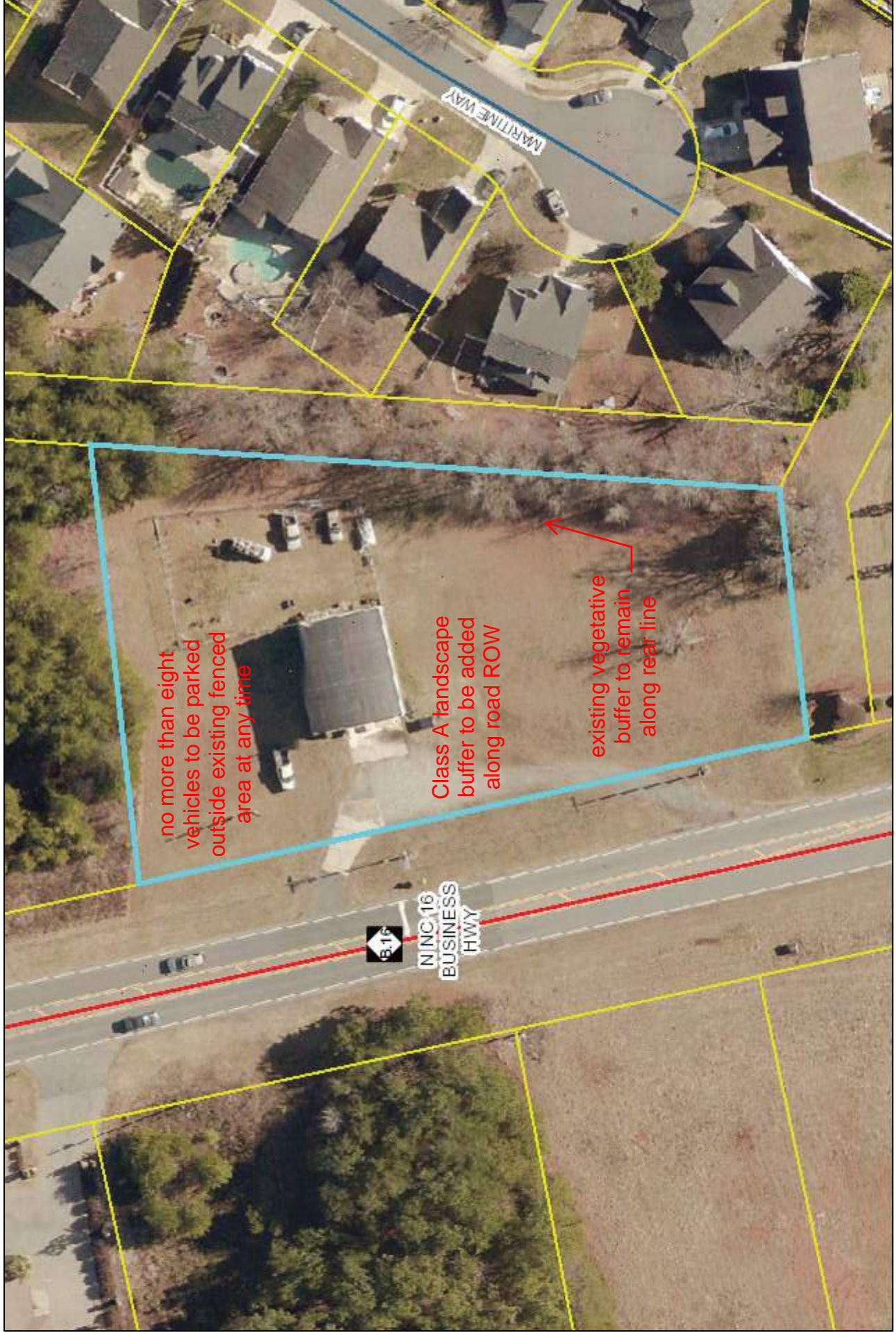


1 inch = 200 feet

December 14, 2018



# CUP #395 site plan



December 13, 2018

0 100 200

1 inch = 60 feet