



**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: Zoning Map Amendment #657  
H & A Investors, LLC., applicant  
Parcel ID# 71506 (0.32-acre portion).

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

Request

The applicant is requesting the rezoning of 0.32 acre from R-SF (Residential-Single Family) to B-N (Neighborhood Business). This property is part of a 10.9-acre parcel, 7.7 acres of which is already zoned B-N, and part of a proposed subdivision for businesses.

Site Area & Description

The subject property is located about 650 feet west of N.C. 16 Business and 400 feet south of the end of Austin Smiles Court. It is adjoined by property zoned B-N, R-SF and I-G (General Industrial). Land uses in this area include business and residential. The subject property is part of an area designated by the Lincoln County Land Use Plan as a Suburban Commercial Center.

Additional Information

**Permitted uses**

Under current R-SF zoning: site-built house, modular home, church.

Under proposed B-N zoning: retail sales, offices, personal services (hair salon, for example), etc.

**Adjoining zoning and uses**

East: zoned B-N, undeveloped land.

South: zoned I-G, undeveloped land.

West: zoned R-SF, undeveloped land.

North: zoned R-SF, undeveloped land.

### Staff's Recommendation

Staff recommends approval of the rezoning request. See proposed statement on following page.



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### **Zoning Amendment Staff's Proposed Statement of Consistency and Reasonableness**

Case No. **ZMA #657**

Applicant **H & A Investors, LLC.**

Parcel ID# **71506 (0.32-acre portion)**

Location **650' west of N.C. 16 Business, 400' south of Austin Smiles Court**

Proposed amendment **rezone from R-SF to B-N**

This proposed amendment **is 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 a Suburban Commercial Center, suitable for businesses.**

This proposed amendment **is reasonable and in the public interest** in that:

**This property is part of a 10.9-acre parcel that is largely zoned B-N already. It is located in an existing business area. The rezoning will allow additional area to be included for commercial use as part of a proposed subdivision for businesses.**



### **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 H & A Investors, LLC

Applicant Address 7206 Austin Smiles Ct., Suite 1, N. NC-16 Bus., Denver, NC 28037

Applicant Phone Number 704-473-1619

Property Owner's Name H&A Investors, LLC

Property Owner's Address 7206 Austin Smiles Ct., Suite 1, N. NC-16 Bus., Denver, NC 28037

Property Owner's Phone Number 704-473-1619

#### **Part II**

Property Location Webbs Rd. Extension and N. NC-16 Bus.

Property ID # (10 digits) 4604382947 Property Size 0.321 ac. to be rezoned, 11.159 Ac. tot

Parcel # (5 digits) 71506 Deed Book(s) 2468 Page(s) 260

#### **Part III**

Existing Zoning District R-SF Proposed Zoning District B-N

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

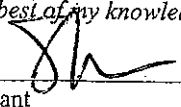
Currently, there is a house on this property that will be demolished.

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

The zoning where the house is located is already B-N. This zoning amendment is to shift the existing zoning line from the current location to a location approx. 25'-45' further back from Hwy. 16 to allow for sufficient depth for lots 4 and 5 to facilitate commercial development in the B-N zoned portion of the property.

**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.*

Applicant 

Date 12/19/18

811

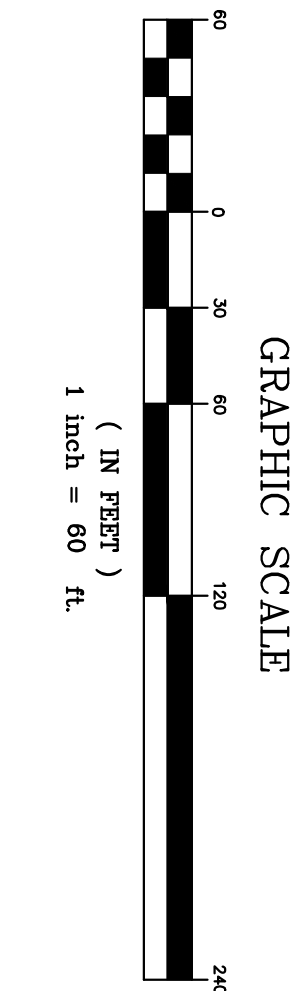
Know what's below.  
Call before you dig.

1) CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING UTILITIES AND LOCATING THEM PRIOR TO BEGINNING CONSTRUCTION.

2) CONTRACTOR IS RESPONSIBLE FOR PLACING BARBICADES TO PROTECT UTILITIES, ETC., AS NECESSARY TO INSURE SAFETY OF THE PUBLIC.

3) ALL EXISTING CURB, CONCRETE OR ASPHALT ARE TO BE REPLACED ACCORDING TO STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION.

4) SHOWN UTILITIES ARE ACCORDING TO DATA REMAINING ON RECORD. UTILITIES NOT SHOWN ARE TO BE MAINTAINED.



- SITE NOTES:
1. PIN: 4604382947 PID: 71506  
P.O. BOX 494, DENVER, N.C. 28037  
SITE AREA: ±11,159 AC. IN TOTAL PARCEL  
NET AREA: ±10,339 (ACREAGE IN LOT) ==±450,277 S.F.

2. SITE ADDRESS: 2829 N. NC 16 BUSINESS HWY., DENVER, NC 28037

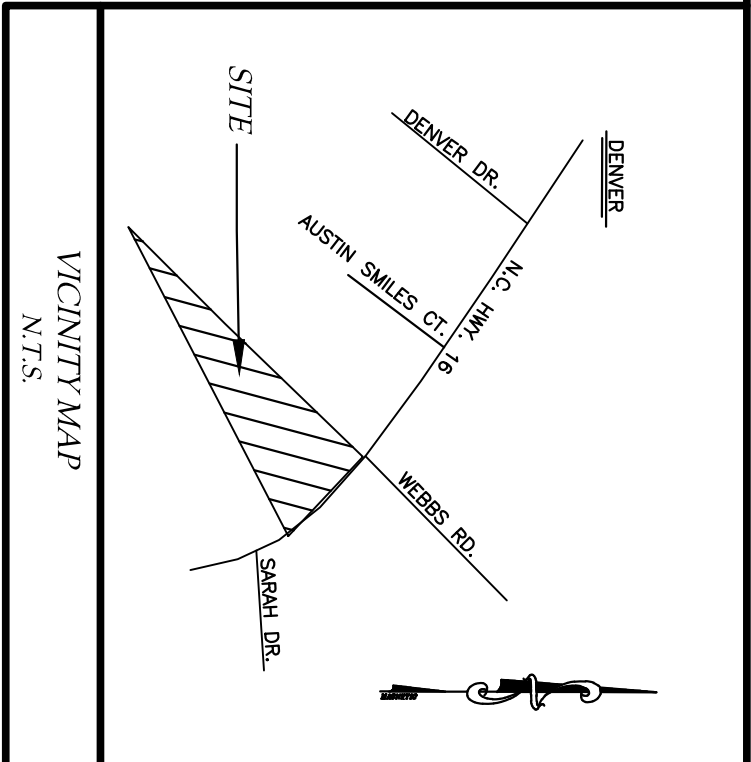
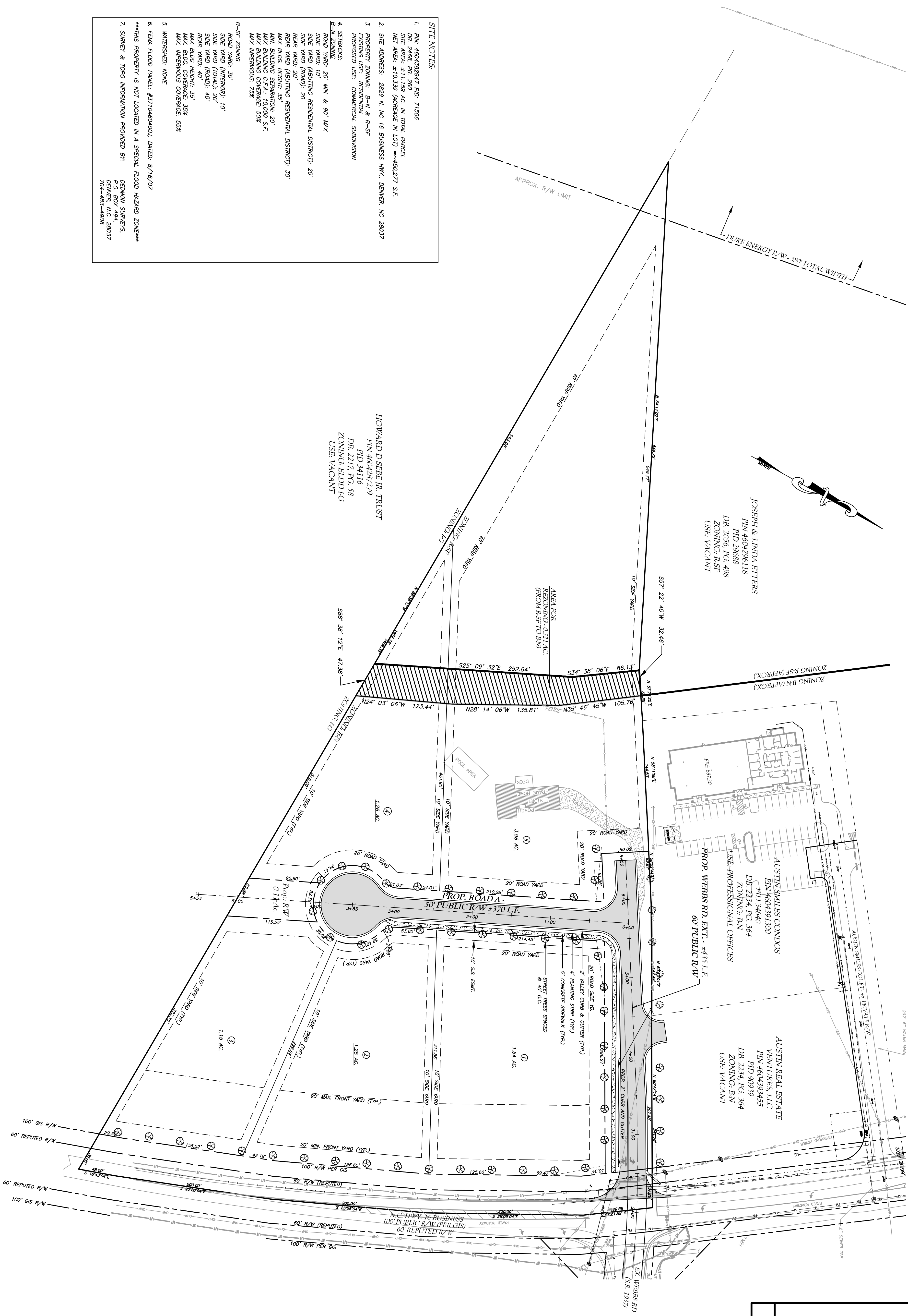
3. PROPERTY ZONING: B-N & R-SF  
EXISTING USE: RESIDENTIAL  
PROPOSED USE: COMMERCIAL SUBDIVISION

4. SETBACKS:  
B-N ZONING:  
ROAD YARD: 20' MIN. & 90' MAX  
SIDE YARD: 10'  
SIDE YARD (ABUTTING RESIDENTIAL DISTRICT): 20'  
SIDE YARD (ROAD): 20'  
REAR YARD (ABUTTING RESIDENTIAL DISTRICT): 30'  
MAX. BLDG. HEIGHT: 35'  
MIN. BUILDING SEPARATION: 20'  
MAX. BUILDING G.F.A.: 10,000 S.F.  
MAX. BUILDING COVERAGE: 50%  
MAX. IMPERVIOUS: 75%  
R-SF ZONING:  
ROAD YARD: 30'  
SIDE YARD (INTERIOR): 10'  
SIDE YARD (TOTAL): 20'  
SIDE YARD (ROAD): 40'  
REAR YARD: 40'  
MAX. BLDG. HEIGHT: 35'  
MAX. BLDG. COVERAGE: 55%  
MAX. IMPERVIOUS COVERAGE: 55%  
5. WATERSHED: NONE

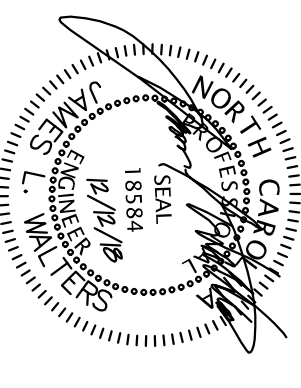
6. FEMA FLOOD PANEL: #3710460400L, DATED: 8/16/07

7. SURVEY & TOPO INFORMATION PROVIDED BY: DEMON SURVEYS,  
P.O. BOX 494,  
DENVER, N.C. 28037  
704-463-4569

HOWARD D SEBE JR. TRUST  
PID 34116  
DB 2217, PG. 58  
ZONING: ELDD LG  
USE: VACANT



**LWE**  
LATHAM-WALTERS  
ENGINEERING, INC.  
N.C. CORP. LIC. C-1815  
16507-A NORTHCROSS DRIVE  
HUNTERSVILLE, N.C. 28078  
PHONE: (704) 893-5484  
FAX: (704) 237-4502



DEC. 12, 2018  
DATE

H & A INVESTORS, LLC  
7206 AUSTIN SMILES CT.  
SUITE 1  
N. N.C. 16 BUSINESS  
DENVER, N.C. 28037  
PHONE: (704) 473-1619  
DNRS353@GMAIL.COM

H&A COMMERCIAL DEVELOPMENT  
N. N.C. HWY. 16 BUS., DENVER, N.C. 28037

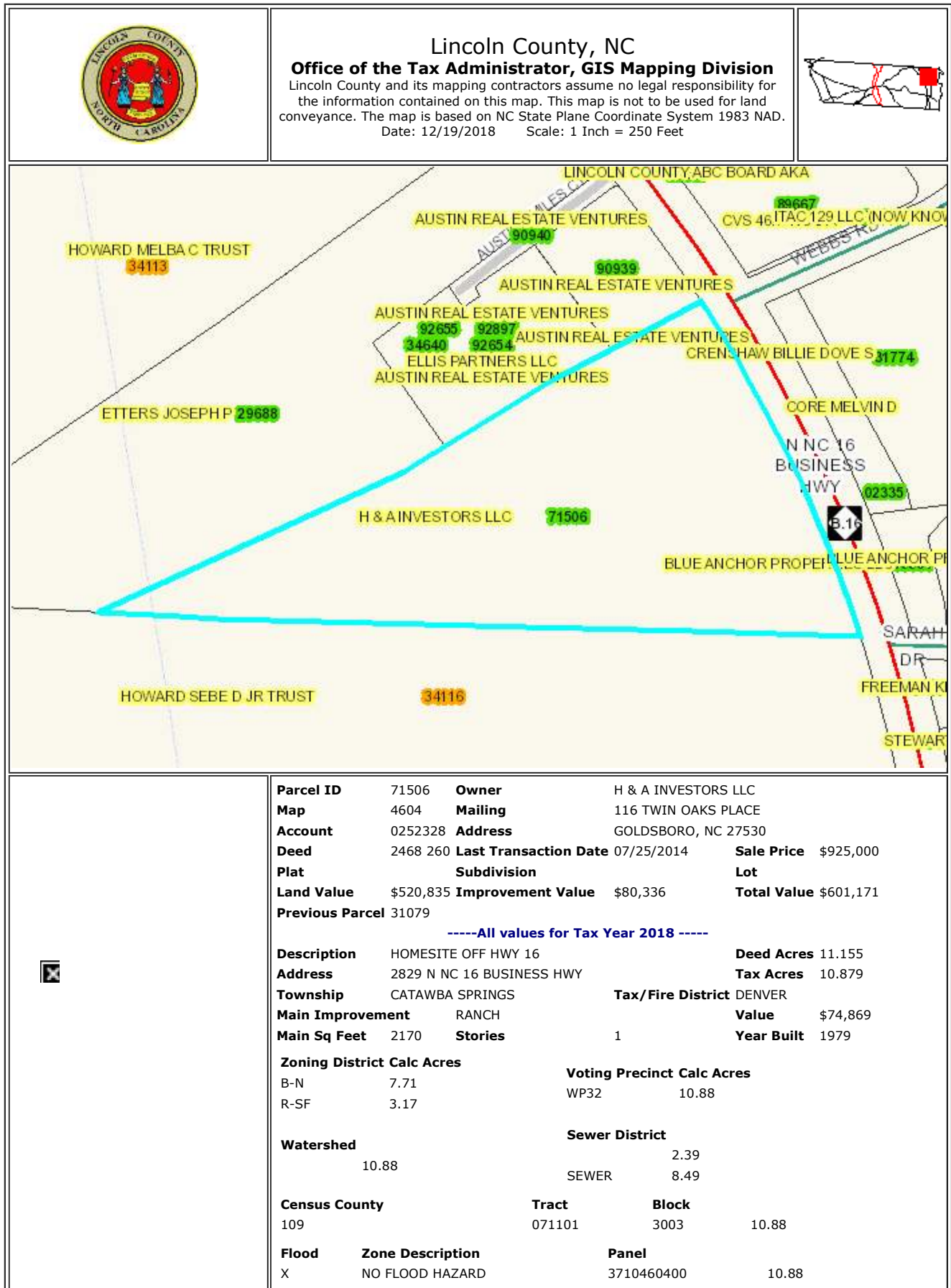
ZONING AMENDMENT  
SITE PLAN

REVISIONS

PROJECT NO.: 2018.38  
SCALE: 1" = 60'  
DRAWN BY: MWH  
CHECKED BY: ALW

SHEET NO.

C1.0





The map displays a residential area with the following details:

- Streets:** WEBB RD, SARAH DR, N NC 15 BUSINESS HWY, ALSTON RD, WATERHAYES RD.
- Zoning Designations:** B-N, R-SF, I-G.
- Lot Numbers (in green boxes):** 74049, 89671, 89668, 89667, 51512, 02335, 31774, 27800, 27801, 27802, 27803, 27804, 27805, 27806, 27807, 27808, 27809, 27810, 27811, 27812, 27813, 27814, 27815, 27816, 27817, 27818, 27819, 27820, 27821, 27822, 27823, 27824, 27825, 27826, 27827, 27828, 27829, 27830, 27831, 27832, 27833, 27834, 27835, 27836, 27837, 27838, 27839, 27840, 27841, 27842, 27843, 27844, 27845, 27846, 27847, 27848, 27849, 27850, 27851, 27852, 27853, 27854, 27855, 27856, 27857, 27858, 27859, 27860, 27861, 27862, 27863, 27864, 27865, 27866, 27867, 27868, 27869, 27870, 27871, 27872, 27873, 27874, 27875, 27876, 27877, 27878, 27879, 27880, 27881, 27882, 27883, 27884, 27885, 27886, 27887, 27888, 27889, 27890, 27891, 27892, 27893, 27894, 27895, 27896, 27897, 27898, 27899, 27900, 27901, 27902, 27903, 27904, 27905, 27906, 27907, 27908, 27909, 27910, 27911, 27912, 27913, 27914, 27915, 27916, 27917, 27918, 27919, 27920, 27921, 27922, 27923, 27924, 27925, 27926, 27927, 27928, 27929, 27930, 27931, 27932, 27933, 27934, 27935, 27936, 27937, 27938, 27939, 27940, 27941, 27942, 27943, 27944, 27945, 27946, 27947, 27948, 27949, 27950, 27951, 27952, 27953, 27954, 27955, 27956, 27957, 27958, 27959, 27960, 27961, 27962, 27963, 27964, 27965, 27966, 27967, 27968, 27969, 27970, 27971, 27972, 27973, 27974, 27975, 27976, 27977, 27978, 27979, 27980, 27981, 27982, 27983, 27984, 27985, 27986, 27987, 27988, 27989, 27990, 27991, 27992, 27993, 27994, 27995, 27996, 27997, 27998, 27999, 28000, 28001, 28002, 28003, 28004, 28005, 28006, 28007, 28008, 28009, 28010, 28011, 28012, 28013, 28014, 28015, 28016, 28017, 28018, 28019, 28020, 28021, 28022, 28023, 28024, 28025, 28026, 28027, 28028, 28029, 28030, 28031, 28032, 28033, 28034, 28035, 28036, 28037, 28038, 28039, 28040, 28041, 28042, 28043, 28044, 28045, 28046, 28047, 28048, 28049, 28050, 28051, 28052, 28053, 28054, 28055, 28056, 28057, 28058, 28059, 28060, 28061, 28062, 28063, 28064, 28065, 28066, 28067, 28068, 28069, 28070, 28071, 28072, 28073, 28074, 28075, 28076, 28077, 28078, 28079, 28080, 28081, 28082, 28083, 28084, 28085, 28086, 28087, 28088, 28089, 28090, 28091, 28092, 28093, 28094, 28095, 28096, 28097, 28098, 28099, 28100, 28101, 28102, 28103, 28104, 28105, 28106, 28107, 28108, 28109, 28110, 28111, 28112, 28113, 28114, 28115, 28116, 28117, 28118, 28119, 28120, 28121, 28122, 28123, 28124, 28125, 28126, 28127, 28128, 28129, 28130, 28131, 28132, 28133, 28134, 28135, 28136, 28137, 28138, 28139, 28140, 28141, 28142, 28143, 28144, 28145, 28146, 28147, 28148, 28149, 28150, 28151, 28152, 28153, 28154, 28155, 28156, 28157, 28158, 28159, 28160, 28161, 28162, 28163, 28164, 28165, 28166, 28167, 28168, 28169, 28170, 28171, 28172, 28173, 28174, 28175, 28176, 28177, 28178, 28179, 28180, 28181, 28182, 28183, 28184, 28185, 28186, 28187, 28188, 28189, 28190, 28191, 28192, 28193, 28194, 28195, 28196, 28197, 28198, 28199, 28200, 28201, 28202, 28203, 28204, 28205, 28206, 28207, 28208, 28209, 28210, 28211, 28212, 28213, 28214, 28215, 28216, 28217, 28218, 28219, 28220, 28221, 28222, 28223, 28224, 28225, 28226, 28227, 28228, 28229, 28230, 28231, 28232, 28233, 28234, 28235, 28236, 28237, 28238, 28239, 28240, 28241, 28242, 28243, 28244, 28245, 28246, 28247, 28248, 28249, 28250, 28251, 28252, 28253, 28254, 28255, 28256, 28257, 28258, 28259, 28260, 28261, 28262, 28263, 28264, 28265, 28266, 28267, 28268, 28269, 28270, 28271, 28272, 28273, 28274, 28275, 28276, 28277, 28278, 28279, 28280, 28281, 28282, 28283, 28284, 28285, 28286, 28287, 28288, 28289, 28290, 28291, 28292, 28293, 28294, 28295, 28296, 28297, 28298, 28299, 28300, 28301, 28302, 28303, 28304, 28305, 28306, 28307, 28308, 28309, 28310, 28311, 28312, 28313, 28314, 28315, 28316, 28317, 28318, 28319, 28320, 28321, 28322, 28323, 28324, 28325, 28326, 28327, 28328, 28329, 28330, 28331, 28332, 28333, 28334, 28335, 28336, 28337, 28338, 28339, 28340, 28341, 28342, 28343, 2834

0 100 200 Feet

December 19, 2018  
Esri, Inc., Lincoln County, NC



H & A Investors, LLC

1 in. = 200 ft.



**SFN**

**AUSTIN SMILES CT**

**SC**

**N NC 16 BUSINESS HWY**

**SC**

**WEBBS RD**

**SFN**

### Land Use Plan

-  Open Space (OS)
-  Rural Living (RL)
-  Industrial Center (IC)
-  Large Lot Residential (LLR)
-  Single-Family Neighborhood (SFN)
-  Multifamily Neighborhood (MFN)
-  Rural Crossroads (RC)
-  Suburban Commercial (SC)
-  Suburban Office (SO)
-  Special District (SD)
-  Walkable Neighborhood (WN)
-  Walkable Activity Center (WC)



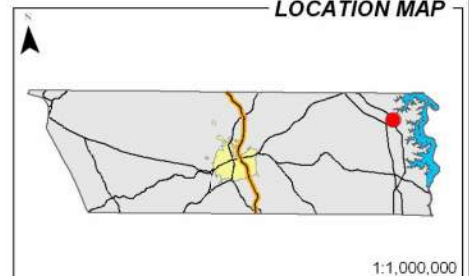
Lincoln County  
Planning & Inspections  
302 N. Academy St.  
Suite A  
Lincolnton, NC 28092


## ZMA #657

 - Property Location(s)

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

### LOCATION MAP



 Property Location(s)