



LINCOLN COUNTY PLANNING & INSPECTIONS DEPARTMENT

115 W. MAIN ST., LINCOLNTON, NORTH CAROLINA 28092
704-736-8440 OFFICE 704-736-8434 INSPECTION REQUEST LINE

To: Board of Commissioners
Planning Board

From: Randy Hawkins, Zoning Administrator

Date: August 12, 2020

Re: CZ #2020-5
Sawyer's Towing and Transport, LLC
Parcel ID# 25208 and 91011

The following information is for use by the Lincoln County Board of Commissioners and the Planning Board at their joint meeting/public hearing on September 14, 2020.

Request

The applicant is requesting the rezoning of 5.3 acres from B-G (General Business) to CZ I-G (Conditional Zoning General Industrial) to permit vehicle storage, vehicle service and offices. Vehicle service (oil change, brake service, alignment, etc.) and offices are permitted uses in the B-G and I-G districts. Vehicle storage is a permitted use in the I-G district, but not in the B-G district.

A site plan has been submitted as part of the rezoning application. Also included are minutes from an Aug. 6 community involvement meeting. Because this is a proposed rezoning to a conditional zoning district, if the request is approved, the property could only be used for the specified uses in accordance with the approved site plan.

Site Area & Description

The subject property is located at 3592 Gastonia Hwy., on the south side of Gastonia Highway about 200 feet west of its intersection with Salem Church Road, in Ironton Township. It is adjoined by property zoned B-G and R-S (Residential Suburban). 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, suitable for general commercial services.

Additional Information

Permitted uses

Under current B-G zoning, vehicle service, retail sales, offices, personal services, etc..

Under proposed CZ I-G zoning: vehicle storage, vehicle services and offices.

Adjoining zoning and uses

East: zoned B-G and R-S, vacant commercial building, vacant lot and abandoned house.

South: zoned R-S, undeveloped property.

West: zoned B-G, residence.

North (opposite side of Gastonia Highway): zoned B-G, undeveloped property.

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. **CZ #2020-5**
Applicant **Sawyer's Towing and Transport, LLC**
Parcel ID# **25208 and 91011**
Location **3592 Gastonia Hwy.**
Proposed amendment **Rezone from B-G to CZ I-G to permit vehicle storage,
vehicle service and offices**

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 Lincoln County Land Use Plan as Suburban Commercial, suitable for general commercial services.

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

This property is located in an existing business area. It is adjoined by properties zoned business. Because this is a conditional rezoning, the use of the property will be limited to vehicle storage, vehicle service and offices. The vehicle storage areas will be screened and buffered from the road and from adjoining properties.



Conditional Zoning District Application

Lincoln County Planning and Inspections Department
Zoning Administrator
115 W. Main St., Lincolnton, NC 28092
Phone: (704) 736-8440

PART I

Applicant Name Sawyer's Towing & Transport, LLC
Applicant Address 2710 South York Road Gastonia, NC 28052
Applicant Phone Number 704 867 1605
Property Owner Name Sandra M. Martin
Property Owner Address 103 Devine St. Stanley, NC 28164
Property Owner Phone Number _____

PART II

Property Location 3592 Gastonia Hwy Lincolnton, NC 28092
Property ID (10 digits) 3641-33-0450 Property size 1.14 acres
91011 2802 462
Parcel # (5 digits) 25208 Deed Book(s) 2406 Page(s) 803

PART III

Existing Zoning District B-G Proposed Zoning District CZ I-G

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

Vacant land with old stick built barn on the land.

List the proposed use or uses of the property.

The property will be used as a tow company / service center will have a 3 bay garage / office built with outside storage for vehicles

APPLICATION FEE (less than 2 acres \$400, 2-5 acres \$800, 5+ acre \$1,200)

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.

Applicant's Signature

Date

7-16-2020

Community Involvement Meeting Minutes

Date: Thursday, August 6, 2020

Location of meeting: lobby of Jim W. Warren Citizens Center, 115 W. Main St.

Location of subject property: 3592 Gastonia Hwy.

Applicant: Sawyer's Towing and Transport, LLC

David Ledford, Teresa Sawyer, and Wes Campbell introduced themselves.

David Ledford, representing the applicant, explained that the meeting was due to a conditional rezoning application to the county on two tracts totaling about 5.88 acres from General Business to General Industrial Conditional Zoning. The proposed use of the property is vehicle storage and transport operation. And by doing so there will storage of vehicles for short periods of time between pickup and pickup from the insurance companies. Because of the way the Unified Development Ordinance is set up, all of those vehicles will have to be screened and in an industrially zoned area. If it were not for that fact right there, the business could operate, just if they did not store any vehicles, in the existing zoning that is currently there.

The one thing about conditional rezoning is when you have a conditional rezoning site plan that is required, this is approved through the county commissioners and must be followed per the plan. So if anyone has any questions like it could turn into a truck stop or turn into anything industrial, it cannot be on this tract because it's the use that is being presented tonight and will be presented to the county commissioners. I wanted to make that clear to everyone because I have had that question to come up quite a few times.

I know some of you have had a chance to look at the plans. The plans are up here to give you an idea of what this will look like. Basically screening has to be provided around all the sides of the property and that screening varies. Screening can be anything from existing plant material that meets the county requirements, or it can be the additional requirements and shrubs and plants. Also, I put on the plans and blew it up here to try to give you an idea of the building itself. The front facade will have to be upgraded from a metal building to a list of materials that the county allows: wood, cement board type siding, brick, multiple type items, but it cannot be a total metal building like shown here. I put on the bottom of the plan that the front would have to be upgraded. Basically, it's going to have a front porch kind of look like a farm building almost instead of a commercial building. Then the last item, because of the storage of the vehicles, is those vehicles must be screened. Now there can be vehicles, wreckers, employee cars, that will be able to be on site without being screened. But any car that has been hit, trashed, junked, or whatever during a wreck will have to be screened 24 hours a day after it comes in until it leaves. And as you all possibly know anything that is a zoning violation Randy back here in the middle has a zoning officer that works hard sometimes on those zoning violations. Hopefully, the Sawyers should not have that type problem. I have seen their operation in Gastonia. The biggest reason they want to come to Lincoln County if y'all don't mind me saying this is the City of Gastonia has

multiple wrecker services inside the city limits. And I hate to say it but the planning department made a comment that even though they could find a tract of land they could probably develop, the city is not going to allow a wrecker service to be inside the city limits of Gastonia. If we are not welcome somewhere else we will go to Lincoln County. There are a lot of people doing that from surrounding counties and we are benefiting from that. The county is growing, there are more jobs here. I guess basically y'all have seen the plan and if you have any questions I would love to try and answer them. And if I can't answer them I will get Teresa to try and answer them. I will open up the floor. I don't know if I have said enough but the building is going to be up at the front of the property. A small storage area that will be used the most is right behind that building and the large storage area if they have overflow is within the existing wooded area and would only be carved out and screened back in that wooded area instead being close to any property lines or anything else. I will leave it at that. Y'all got questions, feel free to ask.

- **Gretchen Robinson** - My concern is we have the property at the V in the road at 321 and Salem Church Road. We were hoping the area would show some upgrade moving upward in the zoning area and something that would suit residential in the area instead of something more industrial. We were hoping the commissioners would not just view that as another place to put an automotive business down in there. Don't create another junkyard. We would like to see an upgrade. Now I saw her building and that is the nice looking building. That is an upgrade. It's a total upgrade than what I have seen in the High Shoals area and I have lived here all my life. It won't stay that way forever. But that is my concern because we want to attract businesses in that area. Better business in that area.

David Ledford - I guess that is why I pointed out about the zoning and the officer. A lot of times I have seen downgrades in areas and people just don't want to call the zoning department and say my neighbor is junking up the place really bad. I guess it's a legal right to call and do that. My biggest thing is they told me what they wanted. I didn't tell them what they needed to do. I get told a lot of times what to put on those plans and they told me what they wanted so I put it on there and I feel a lot more comfortable coming to this meeting than a trash dump scenario I did several years ago. Because the fact they have a little bit more intentions on even moving to one of the houses there close by and remodeling and improving the area in that triangular High Shoals area.

- **Jim Dean** - Sometimes the zoning has additional functions that you can do like vehicle service, so is this going to be a straight wrecker service, bring in damaged goods, put it in the yard in the back, insurance picks it up, clears it. Or do you envision doing oil changes, tire rotations, because you do have a three-bay garage there. I don't know if that was going to be used for your truck storage or how are you going to use that.

David Ledford - I can't answer the particular question but before I let her answer that I'm going to say basically with a conditional rezoning if need be they can make a list of all operations that occur there and be approved by the county and they will have to stick to those items. So if it's not approved basically we can go the same route again with the zoning officer.

Jim Dean - That is why I was asking because I know vehicle service is applicable for this zoning. I'm just kind of listening to what is being said today and wondering if you anticipate starting to do a car service.

Wes Campbell - Right now we only work on our personal vehicles, stuff inside the shop. It's nothing for the public or anything like that. Unless you and I were buddies and you wanted to get your oil changed and you came up to the shop.

Jim Dean - It's not like seeing banners signs stating oil change, tire rotations?

Wes Campbell - It's not like Jiffy Lube is popping up in the back yard.

Jim Dean - Goes back to addressing what would be performed in that area. Like employee cars, some of the tow trucks. I totally understand what you are saying. If I had a three-bay garage, I would work on my own cars.

Teresa Sawyer - Sawyer's has been in business since 2005 and basically all we do is rotations. We service the police – city, state, and county and the sheriff's department. People call us to come and tow their cars. We also have another division.

Jim Dean - Service their cars?

Teresa Sawyer - Service the customers as in they call us and we come pick up their car that is broke down and take it to the shop.

Jim Dean - You service the police by helping by being on rotation.

- **Teresa Sawyer** - We have another division also. It's a transporting division. We go and pick up cars from the dealerships or from the auctions and we take them to car lots. If they are at our property they basically will be there for one night and they would be closed before we could get to them. As for the community coming in and we servicing their vehicles, we have never done that and being the owner I don't foresee me doing that.
- **Jim Dean** - And again not being familiar with this area it looks relatively naturely screened.

Wes Campbell - There is a lot of wooded area around the whole property. The whole borderline of the property is actually really tall trees and a lot of thickets and brush grown up in those trees. If you go to the very back of the property you can only see a glimpse of a mobile home that is back there and standing on this side where there used to be an old bar or whatever, you would literally have to go through a wood line and everything to be able to get to the residential house over there to the right.

Jim Dean - What I was going to say looking at that plan, there seem to be four or five different names of properties adjacent to yours. Are those homes or undeveloped or developed?

Wes Campbell - Most of those are grown up, most of those that are adjacent touching the property. We have rode most of those back roads and looking around the area and most of it is grown up.

Teresa Sawyer – Yeah, most of it is grown up besides where we plan to put the building. The property right beside of it, I'm not sure if it used to be a sandwich shop or restaurant but it looks like it's been abandoned. The windows are busted out and everything and the grass is grown up. Then beside the sandwich shop I guess is a grown-up piece of property and beside it is a two-story house that you can barely see going down the road.
- **Jim Dean** - Very much night lighting for security?

Wes Campbell - Yes and cameras. We have all that now.

Jim Dean - Will it be ambient lighting or bright halogen lights constantly on? I don't know if it will effect anybody else.

David Ledford - I would just point out that basically anything like that they would have at the screened storage area.

Teresa Sawyer – Yes, the screened storage area would have to be lit up.

David Ledford - It would have to meet county lighting requirements.

Wes Campbell - Right now we are required to have lighting, everything fenced in, and everything barbed wired, camera system for our purposes. They require us to have that.

- **David Ledford** - Anybody else have another question? Comment?

Randy Hawkins— I will mention that the next step will be a public hearing on September 14.

David Ledford – Is that with the planning board and the commissioners? Okay.

Gretchen Robinson – Where will that be?

Randy Hawkins – I’m not 100% sure. It will either be here in the auditorium or at the Lincoln County Administration Building.

- **Jim Dean** - You say you are on the rotation for city, county, and sheriff in Gaston County. If you move to Lincoln County will you still be able to be on those rotations?

Teresa Sawyer - No, we would be moving over to Lincoln County because with the Gastonia city police you have to be within one mile of the city limits for them. And then county I think you have to be in their township. We are on Highway Patrol and we would just move zones. They would move us from the zone we are at now to the zone up here.

- **Jim Dean** - You are open 24 hours a day?

Teresa Sawyer - Our towing service is, our office is not.

Jim Dean – So you will be bringing them in all hours of the night?

Teresa Sawyer - Right now we are on all the police rotations. We may in the middle of the night get one or two a month where we are right now. Up here I’m not sure. It would just depend on the way the rotation rotates the wrecker services and what time of day you get called up for your rotation. I can’t speak for that because I don’t know how quick they roll around.

- **Jim Dean** - You don’t do diesel big trucks?

Teresa Sawyer - Our tow trucks are diesels

Jim Dean - But you don’t tow big diesel trucks in?

Teresa Sawyer – No, we don’t tow or haul large trucks.

- **Jim Dean** - I didn’t see any water breaks for runoff. Damaged cars leak oil and antifreeze. Do you have a containment area for that? I can understand getting hit in the rear and not be able to drive but when the front is crushed how do you manage that?

Teresa Sawyer - There is this stuff called a piggy blanket or something. You put it underneath the car and it absorbs all the fluid that comes out of the car. And then you just dispose it to the people who come pick up our oil when we service our trucks. .

- **David Ledford** - I guess unless anybody has any more questions or if you want to email any questions to Randy or myself my email is up here on the plans or I can give it to you. Be more than happy to answer questions before the public hearing if something comes up that you didn't think about tonight. We appreciate you coming and the questions.
- **Jim Dean** - How quickly would you be building at this site if it were approved? Just curious.

Teresa Sawyer - Probably a month or so before we would start.

Jim Dean - Would you start working on the building and fencing? You would have to strip off the trees. Just curious.

David Ledford - I am going to leave that judgment up to them. Just knowing construction and everything else, if something got approved tomorrow you're probably looking at four to six months out before this would be approved for a C.O. for a building and storage. It could be the storage to begin with. But the building would have to be associated with that. If you get started and get inspections, it's good until you are done.

- **Jim Dean** - You mentioned the trees in the area. Do any of those have to come down?

Teresa Sawyer - I have no intentions of taking any of the wooded area down. Most of it is already open. The larger trees I have no intentions of taking them down.

- **Wes Campbell** - The goal is to try, if everything goes well, to purchase the sandwich shop and the two-story house property and try to revamp that whole area. Make it all nice for that purpose – as you were saying, to try to make the area come back to life more or less instead of going downhill. Eventually maybe if everything goes good, get those two pieces and make it nice for the community.
- **Wes Campbell** - I know a lot of people have mixed feelings for a tow company. Because they think it is going to be a junkyard. We do not pull parts off cars or anything like that. When a car comes in wrecked, it sits there until the insurance company comes and gets it. Or the customer has it towed somewhere else. They come pick it up, it's gone.
- **David Ledford** - I would also say that I deal with a lot of electrical co-ops and I have done a couple wreckers services before and the wrecker services are in the group of electrical co-ops and several other items a lot of adjacent owners say I really don't want that beside my house. But it's like the electrical substations that go in places they technically are needed and you are really glad when you go to the restroom in the middle of the night and can flip that switch and your lights come on. Until you have a wreck or you're stranded on side of the road you kind of say you really do not need a tow truck. And then when that happens you are glad someone is close by that can help you instead of you standing on the side of the road at 2 a.m. in the morning dialing your husband saying hey I'm down here 2 miles from home and he is away in Virginia on a business call. The tow truck can be there in a few minutes to kind of save you.

- **Wes Campbell** - Outside of towing we do other things like the AAA thing. We do fuel delivery, change tires, and stuff like that. If you're locked out of your car, we do lockouts. We help people in other ways than towing their vehicle. We do offer that.

Teresa Sawyer - We have a lot of customers that are repeat customers that call us if they lock their keys in their car. We get a lot of repeat service actually and it's not through a motor club.

- **David Ledford** – Again like I said if anyone have any other questions, we will be happy to answer if we can try and clear up anything. It's always good to go to a public hearing and for the items to be covered that get brought up to clear up any questions to help ease the minds of the planning board and commissioners. We try our best to do whatever for the citizens for the community meetings.

CZ #2020-5 Sawyer's Towing, applicant
08/06/2020 community involvement meeting

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Lincoln County, NC

Office of the Tax Administrator, GIS Mapping Division

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: 7/29/2020 Scale: 1 Inch = 200 Feet

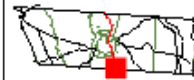


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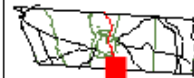
Parcel ID	25208	Owner	MARTIN SANDRA M	
Map	3641	Mailing	103 DEVINE ST	
Account	0240194	Address	STANLEY, NC 28164	
Deed	2406 803	Last Transaction Date	07/10/2013	Sale Price \$0
Plat		Subdivision	MRS CLAUDE KEENER EST (UNRECORDED)	Lot
Land Value	\$84,770	Improvement Value	\$0	Total Value \$84,770
Previous Parcel	-----All values for Tax Year 2020 -----			
Description	MRS CLAUDE KEENER EST UNR	Deed Acres	4.66	
Address	GASTONIA HWY	Tax Acres	4.288	
Township	IRONTON	Tax/Fire District	SOUTH FORK	
Main Improvement		Value		
Main Sq Feet		Stories		
Zoning District	Calc Acres	Voting Precinct	Calc Acres	
B-G	4.29	SL24	4.29	
Watershed	4.29	Sewer District	4.29	
Census County		Tract	Block	
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Flood	Zone Description	Panel		
X	NO FLOOD HAZARD	3710364100	4.29	



Lincoln County, NC

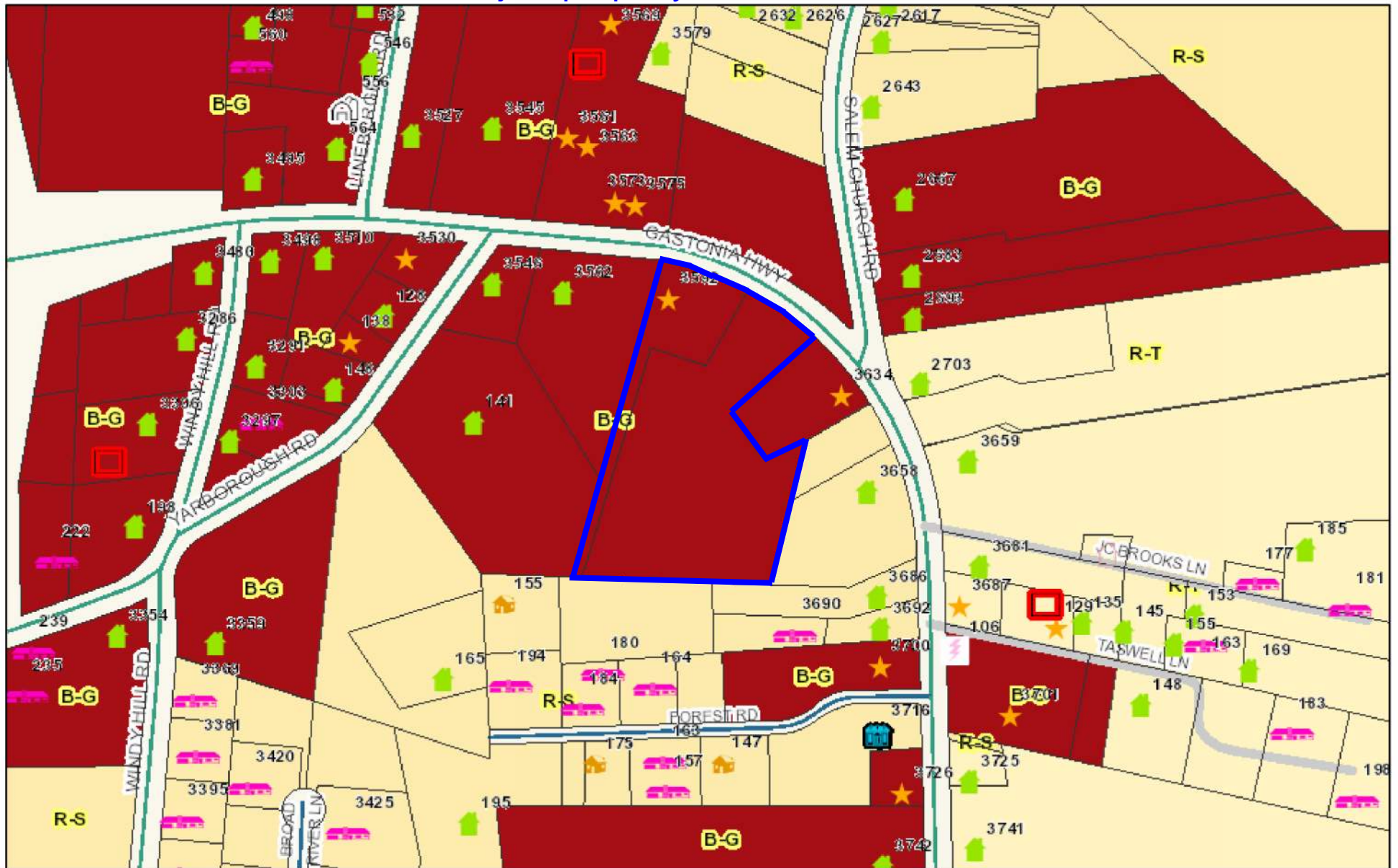
Office of the Tax Administrator, GIS Mapping Division

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Date: 7/29/2020 Scale: 1 Inch = 200 Feet

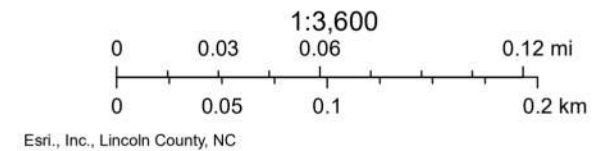


Parcel ID	91011	Owner	MARTIN SANDRA M		
Map	3641	Mailing	103 DEVINE ST		
Account	0240194	Address	STANLEY, NC 28164		
Deed	2802	Last Transaction Date	03/12/2019	Sale Price	\$0
	462				
Plat		Subdivision	MRS CLAUDE KEENER EST (UNRECORDED)	Lot	
Land Value	\$49,092	Improvement Value	\$96,480	Total Value	\$145,572
Previous Parcel					
-----All values for Tax Year 2020 -----					
Description	MRS CLAUDE KEENER EST UNR			Deed Acres	1.14
Address	3592 GASTONIA HWY			Tax Acres	1.039
Township	IRONTON			South Fork	
Main Improvement	COMMUNITY BUILDING			Value	\$94,080
Main Sq Feet	2040	Stories	1	Year Built	1994
Zoning District	Calc Acres	Voting Precinct	Calc Acres		
B-G	1.04	SL24	1.04		
Watershed	1.04	Sewer District	1.04		
Census County	109	Tract	070400	Block	4044 1.04
Flood	Zone Description	Panel			
X	NO FLOOD HAZARD	3710364100		1.04	

CZ #2020-5
subject property is outlined in blue

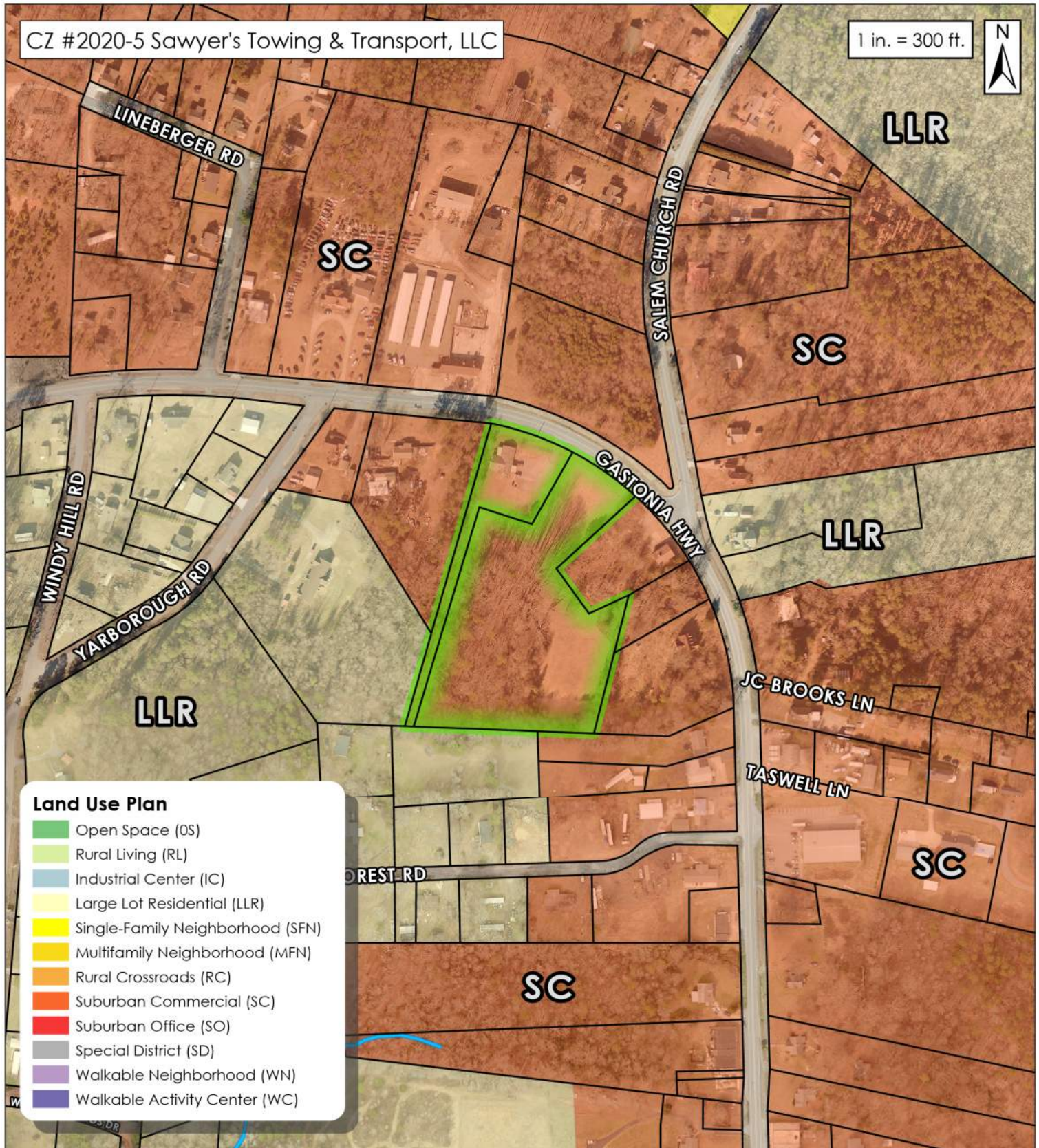


July 29, 2020



CZ #2020-5 Sawyer's Towing & Transport, LLC

1 in. = 300 ft.



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
115 W. Main St
3rd Floor
Lincolnton, NC 28092

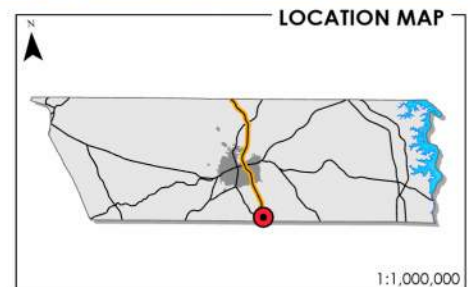
Parcel ID# 25208 & 91011

 - Property Location(s)

See Attached Application for Parcel Information

Property Location(s) Outlined in Green.

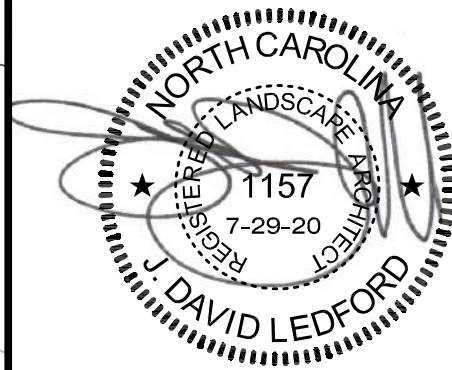
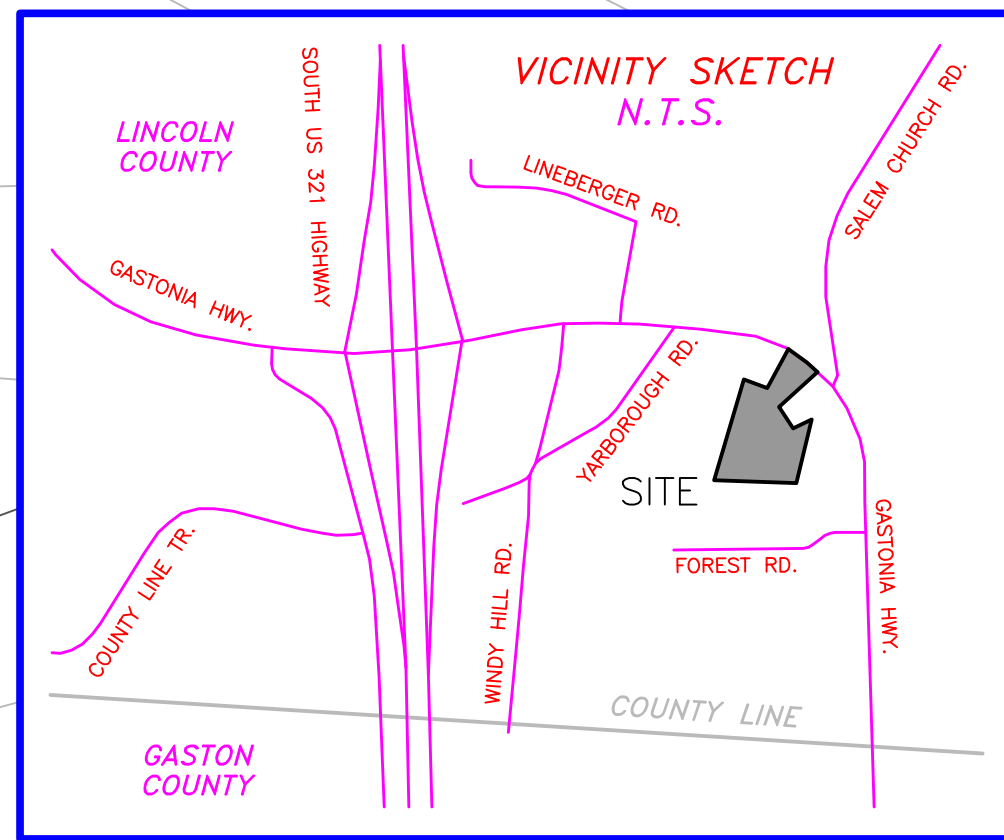
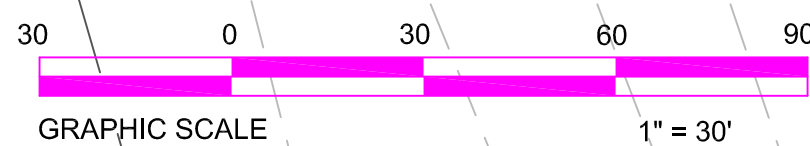
LOCATION MAP



 Property Location(s)

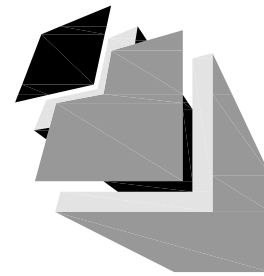


PROPOSED BUILDING ELEVATION
w/ FRONT FACADE UPGRADE



J.DAVIDLEDFORD, RLA

jdaavidledford@yahoo.com
CELL (704) 530-7880



PLAN DATE: 07/22/20

DRAWN BY: JDL

CHECKED BY: JDL

REVISIONS:

PROJECT DESCRIPTION:

PROPOSED SITE PLAN

SAWYER'S TOWING & TRANSPORT
LINCOLN COUNTY

DRAWING
NUMBER:

S1

APPLICANT INFORMATION:

SAWYER'S TOWING & TRANSPORT, LLC
2710 SOUTH YORK ROAD
GASTONIA, NC 28052

CONTACTS: TERESA C. SAWYER
(704) 867-6005
(704) 648-6523
sawyertransport@yahoo.com

PARCEL INFORMATION:

PARCEL ID #S: 25208, 91011
PARCEL PIN #S: 3641331125
3641330450

OWNER: SANDRA M. MARTIN
103 DEVINE STREET
STANLEY, NC 28164

ADDRESS: GASTONIA HIGHWAY
DENVER, NC
LINCOLN COUNTY

TOTAL ACREAGE: 4.288 AC. & 1.039 AC
DEED BOOK: 2406 DEED PAGE: 803
2502 462

EXISTING ZONING: B-G
PROPOSED ZONING: CZ I-G
PROPOSED BUILDING TYPE: METAL BUILDING W/
UPGRADED ROAD FACADE MADE OF LINCOLN
COUNTY UDO ACCEPTABLE MATERIALS
WATERSHED: WS-IV
FLOODPLAIN: NO FLOODPLAIN ON-SITE
WETLANDS: NO WETLANDS PER NATIONAL
WETLAND INVENTORY

IMPERVIOUS AREA:
EXISTING IMPERVIOUS: 9,080 S.F.
PROPOSED IMPERVIOUS: 50,341 S.F.
TOTAL IMPERVIOUS ON TRACTS: 59,421 S.F.
% IMPERVIOUS TOTAL TRACTS: 25.6%

PLAN DESIGN INFORMATION:

SITE DEVELOPMENT:
J. DAVID LEDFORD, RLA
2730 MAIDEN HIGHWAY
LINCOLN, NC 28092
CONTACT: DAVID LEDFORD, RLA
(704) 530-7880

HEIRS JOHNNY CECIL BROOKS
P.O. BOX 455
MAIDEN, NC 28650
PARCEL #: 54078
ZONING: R-S
USE: RESIDENTIAL

RALPH EDWARD PRUITT
7801 EAST BEACH DRIVE
OAK ISLAND, NC 28465
PARCEL #: 54078
ZONING: R-S
USE: RESIDENTIAL

MILTON E. KEENER
235 HOFFMAN ROAD
LINCOLN, NC 28092
PARCEL #: 58469
ZONING: B-G
USE: COMMERCIAL

FREDA HEAFNER HOERNLEN
P.O. BOX 1865
LINCOLN, NC 28093
PARCEL #: 24522
ZONING: R-S
USE: RESIDENTIAL

REDIA CHARLOTTE HEAFNER
155 YARBOROUGH ROAD
LINCOLN, NC 28092
PARCEL #: 74072
ZONING: R-S
USE: VACANT

SANDRA M. MARTIN
103 DEVINE STREET
STANLEY, NC 28164
PARCEL #: 25208
ZONING: B-G
USE: VACANT

MARK A. & AMANDA B. RUSSEL
3562 GASTONIA HIGHWAY
LINCOLN, NC 28092
PARCEL #: 25544
ZONING: B-G
USE: RESIDENTIAL

DAVID R. & HARRIET R. DOBBINS
141 YARBOROUGH ROAD
LINCOLN, NC 28092
PARCEL #: 24036
ZONING: B-G
USE: RESIDENTIAL