



PLANNING & INSPECTIONS DEPARTMENT  
Joshua L. Grant, Manager

To: Board of County Commissioners  
Planning Board

From: Jeremiah Combs, Planner

Date: September 8, 2023

Re: ZMA #716  
Claude Gagne, applicant  
Parcel ID# 53861

*The following information is for use by the Lincoln County Board of Commissioners and Planning Board at their joint meeting/public hearing on October 2, 2023.*

### Request

The applicant is requesting the rezoning of a 5.34-acre parcel from R-SF (Residential Single-Family) to B-G (General Business).

### Site Area and Description

The subject property is located on the south side of E. N.C. 150 and the west side of the N.C. 16 interchange in Catawba Springs Township. The property is also located in the ELDD (Eastern Lincoln Development District) overlay. The property is adjoined by property zoned R-SF and R-T (Transitional Residential). Land uses in this area include business and residential uses.

### Plan Conformance

This property is designated by the Lincoln County Land Use Plan as Walkable Activity Center, suitable for commercial uses where buildings are located on small blocks with streets designed to encourage pedestrian activities.

The NC 16/NC 150 Small Area Plan calls for a mixture of uses in this area adjacent to the interchange to provide a multitude of options for housing, employment, and everyday living.



PLANNING & INSPECTIONS DEPARTMENT  
Joshua L. Grant, Manager

### Additional Information

Permitted uses under current zoning: single-family home

Permitted uses under proposed zoning: office, neighborhood retail, general retail (special use in ELDD), gas station with convenience retail (special use in ELDD), restaurant (special use in ELDD), service (special use in ELDD), veterinarian (special use in ELDD), vehicle service (special use in ELDD), contractor's office (special use in ELDD)

### Staff's Recommendation

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



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

Case No. **ZMA #716**  
Applicant **Claude Gagne**  
Parcel ID# **53861**  
Location **south side of E. N.C. 150 and the west side of the N.C. 16 interchange**  
Proposed amendment **Rezone 5.34 acres from R-SF (Residential Single-Family) to B-G (General Business)**

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

**Both the Land Use Plan and the NC 16/NC 150 Small Area Plan call for interconnected vehicular and pedestrian paths for the commercial development in this area. The site plan for the proposed gas station and restaurant does not include driveway or pedestrian connections to adjoining parcels.**

This proposed amendment **is reasonable** in that:

**The proposed gas station will provide a needed service that is lacking for this area and, to a larger extent, the Highway 150 corridor in the northeastern part of Lincoln County. The lack of public sewer in this area has inhibited development of the parcels encompassed by the NC 16/NC 150 Small Area Plan and the Walkable Activity Center community type in the Land Use Plan.**



## Zoning Map Amendment Application

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

### Part I

Applicant Name CLAUDE GAGNE  
Applicant Address 471 14<sup>th</sup> AVE NE Hickory NC 28601  
Applicant Phone Number 828 781 9875  
Property Owner's Name DARRIS LEE TURBYN JR Ardis Region PATE  
4641 S. OLIVERS / X-14 6715 EAST AVE Hwy 150  
Property Owner's Address MAIDEN NC 28450 MAIDEN NC 28450  
Property Owner's Phone Number 828-310-2569 980-241-2773

### Part II

Property Location E NC 150 Hwy & Hwy 16  
Property ID # (10 digits) 3686212750 Property Size 5.343  
Parcel # (5 digits) 53861 Deed Book(s) LC105-342 Page(s) \_\_\_\_\_

### Part III

Existing Zoning District ELDD-R-SF Proposed Zoning District BG

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

OPEN LAND - NO STRUCTURES

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

PROPOSED GAS STATION / CONVENIENCE CENTER

**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.

Claude A. Gagne  
Applicant

4-21-22  
Date



**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: 5/16/2023      Scale: 1 Inch = 200 Feet

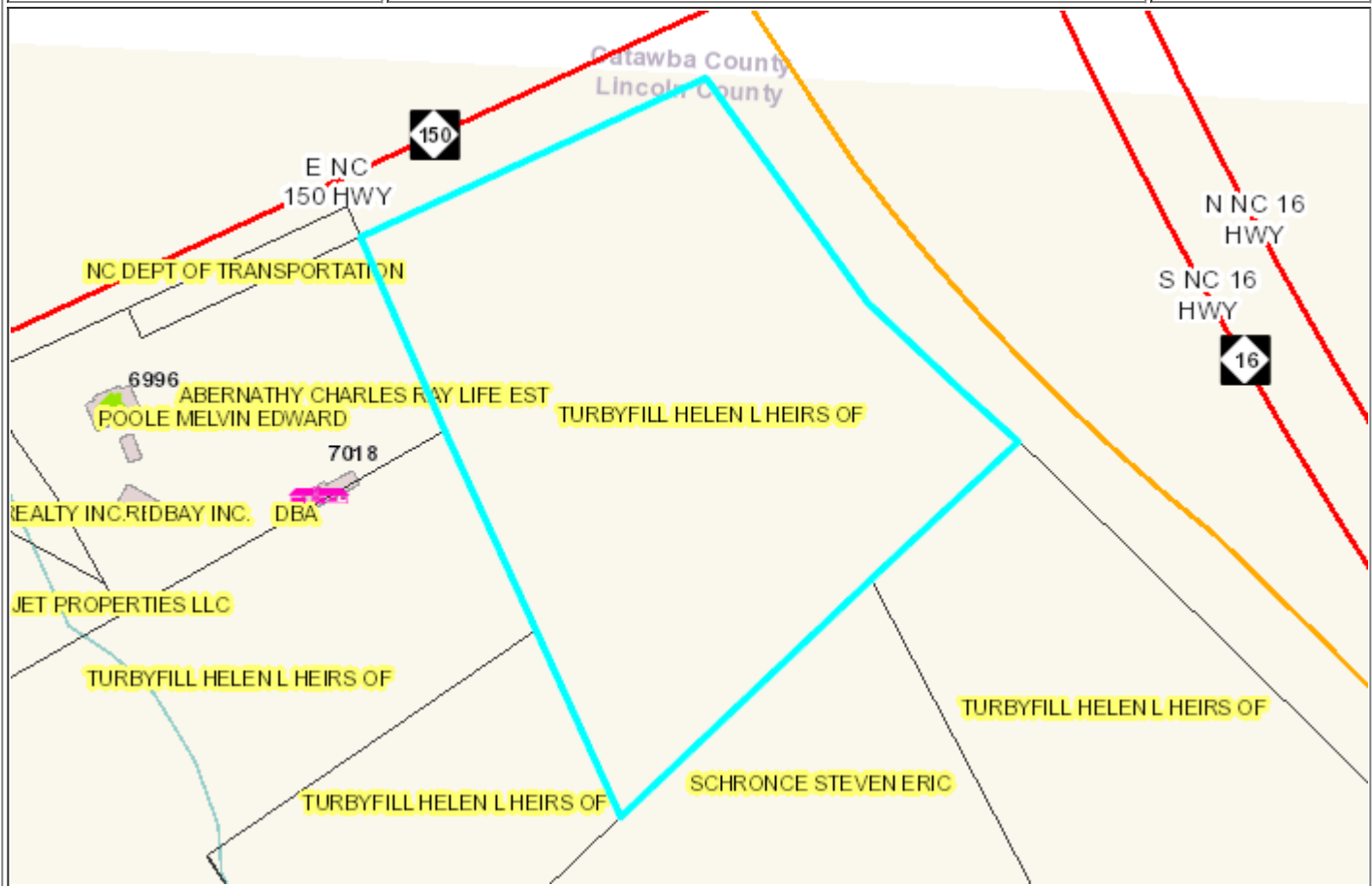


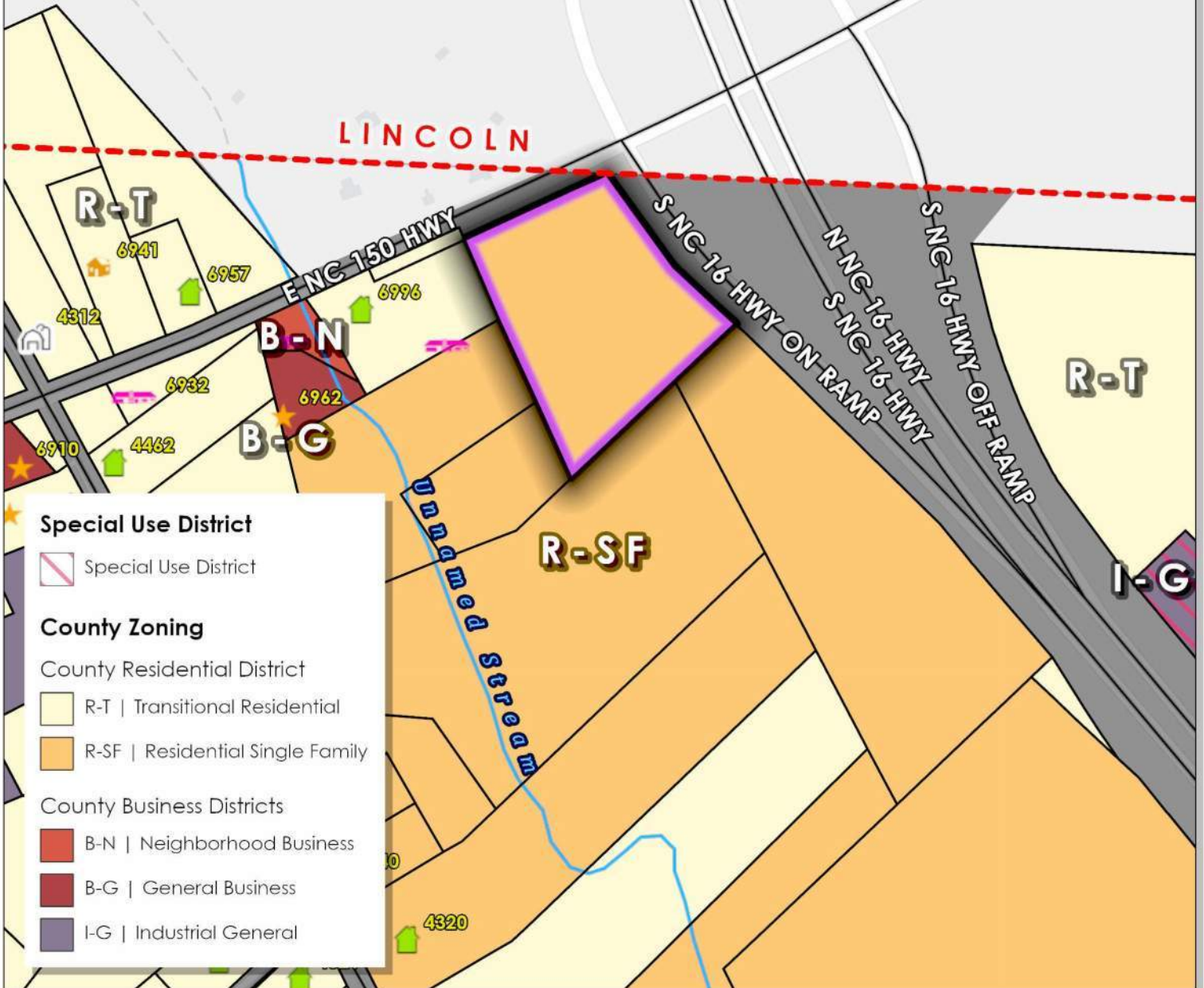
Photo Not  
Available

<b>Parcel ID</b>	53861	<b>Owner</b>	TURBYFILL HELEN L HEIRS OF TURBYFILL DARRIS LEE SR TRUSTB	
<b>Map</b>	3686	<b>Mailing</b>	4641 S OLIVERS X RD	
<b>Account</b>	274997	<b>Address</b>	MAIDEN, NC 28650-9175	
<b>Deed</b>	LC105 342	<b>Last Transaction Date</b>	07/21/2019	<b>Sale Price</b> \$0
<b>Plat</b>		<b>Subdivision</b>		<b>Lot</b>
<b>Land Value</b>	\$99,379	<b>Improvement Value</b>	\$0	<b>Total Value</b> \$99,379
<b>Previous Parcel</b>				
<b>-----All values for Tax Year 2023 -----</b>				
<b>Description</b>	(BLDG & 1.18 IN CATAWBA)		<b>Deed Acres</b>	0
<b>Address</b>	E NC 150 HWY		<b>Tax Acres</b>	5.343
<b>Township</b>	CATAWBA SPRINGS		<b>Tax/Fire District</b>	DENVER
<b>Main Improvement</b>			<b>Value</b>	
<b>Main Sq Feet</b>	<b>Stories</b>		<b>Year Built</b>	
<b>Zoning District</b>	<b>Calc Acres</b>	<b>Voting Precinct</b>		
R-SF	6.52	DW28	6.52	
<b>Watershed</b>	6.52	<b>Sewer District</b>	6.52	
<b>Census County</b>		<b>Tract</b>	<b>Block</b>	
109		071101	2007	6.52
<b>Flood</b>	<b>Zone Description</b>	<b>Panel</b>		
X	NO FLOOD HAZARD	3710368600	6.52	



# CATAWBA COUNTY

LINCOLN



## Special Use District

Special Use District

## County Zoning

### County Residential District

- R-T | Transitional Residential
- R-SF | Residential Single Family

### County Business Districts

- B-N | Neighborhood Business
- B-G | General Business
- I-G | Industrial General

Parcel ID # 53861

- Property Location(s)

See Attached Application for Parcel Information



Lincoln County  
Planning & Inspections  
115 W. Main St  
3rd Floor  
Lincolnton, NC 28092

## LOCATION MAP



Property Location(s)





**CATAWBA  
COUNTY**

**LINCOLN**

**SC**

**LLR**

**IC**

**WC**

**WC**

**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)
- Town Home Community (THC)

Unnamed Stream

E-NC-150-HWY

S-NC-16-HWY

S-NC-16-HWY-ON-RAMP

N-NC-16-HWY

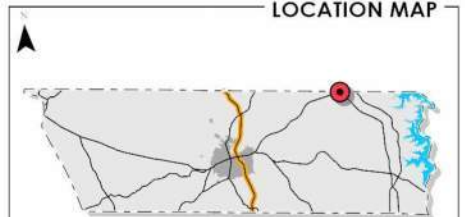
S-NC-16-HWY-OFF-RAMP

**Parcel ID # 53861**

- Property Location(s)

See Attached Application for Parcel Information

**LOCATION MAP**



1:1,000,000

● Property Location(s)



Lincoln County  
Planning & Inspections  
115 W. Main St  
3rd Floor  
Lincolnton, NC 28092