



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.



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[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.



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**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 Chauqe 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 Turbyfill Jr Ardis Recyia PAGE

4641 S. Olivens X-12 6715 EAST NC Hwy 150

Property Owner's Address MAIDEN NC 28650 MAIDEN NC 28650

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 ELD-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.

The handwritten signature of Chauqe Gagne, which includes a stylized 'D' and 'G'.

Applicant

4-21-22

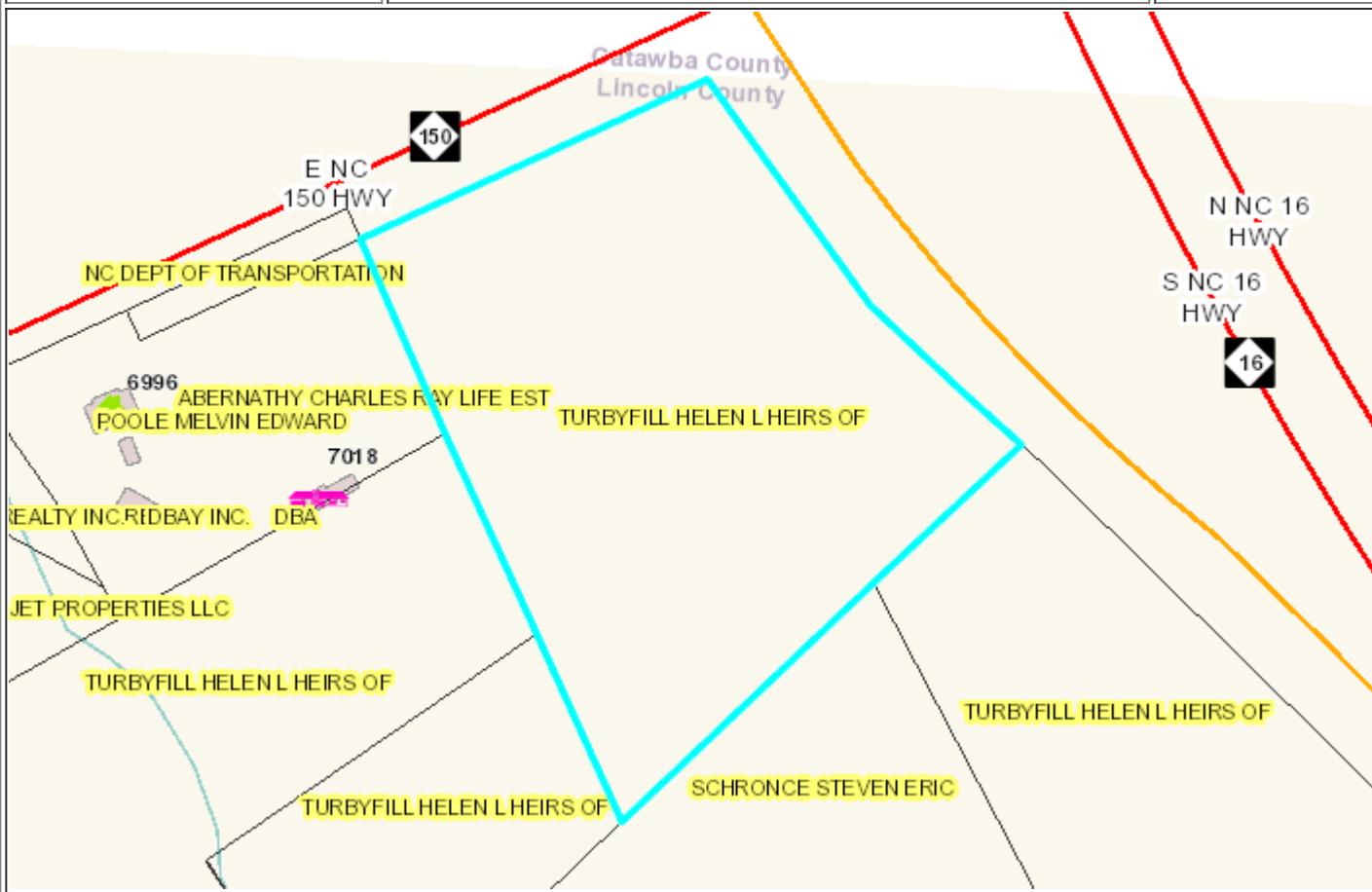
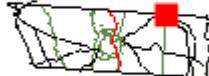
Date



## Lincoln County, NC

### Office of the Tax Administrator, GIS Mapping Division

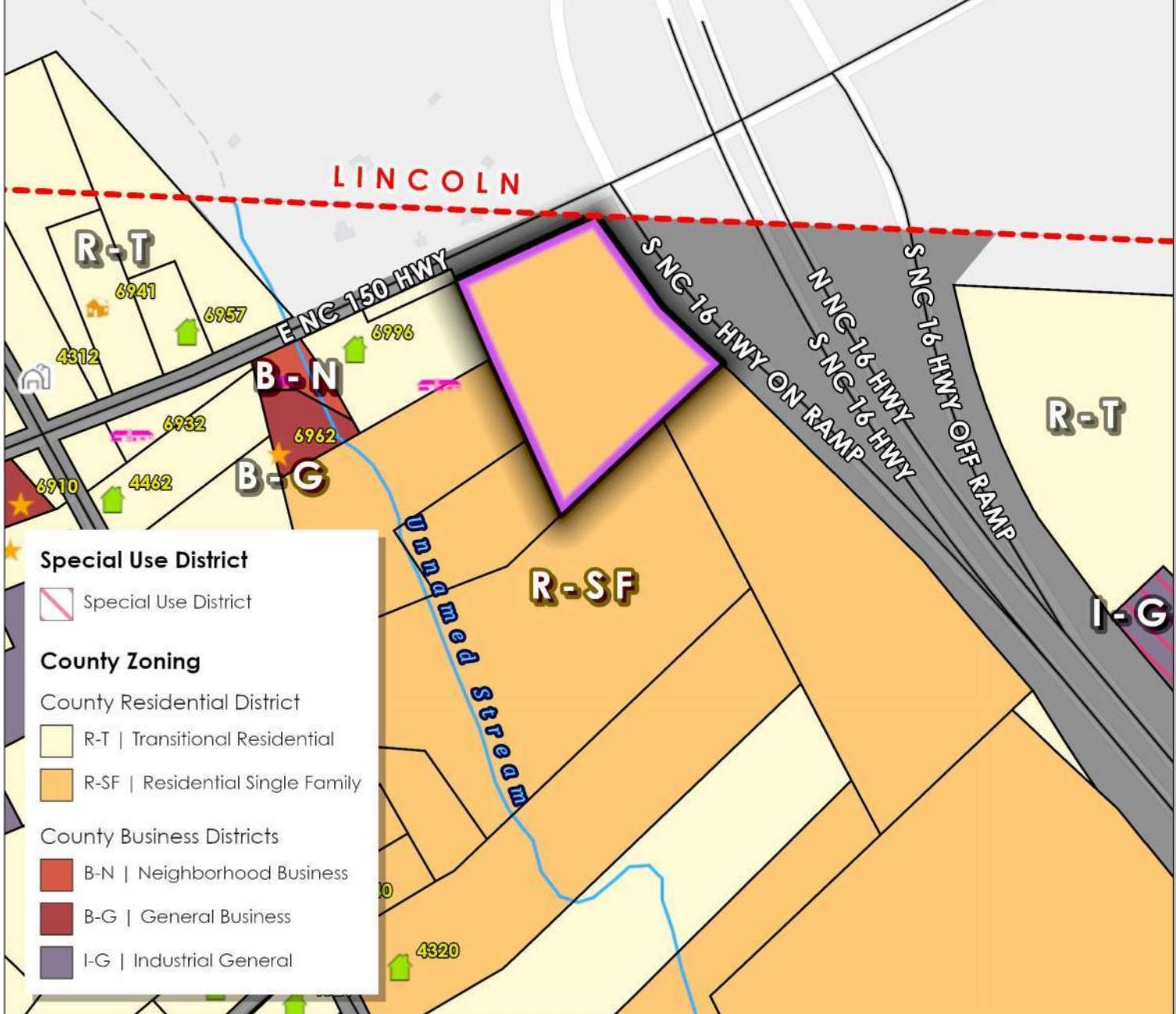
Lincoln County and its mapping contractors assume no legal responsibility for the information contained on this map. This map is not to be used for land conveyance. The map is based on NC State Plane Coordinate System 1983 NAD. Date: 5/16/2023 Scale: 1 Inch = 200 Feet



 <b>Photo Not Available</b>	<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>Plat</b>		<b>Subdivision</b>			
	<b>Land Value</b>	\$99,379	<b>Improvement Value</b>	\$0		
	<b>Previous Parcel</b>			<b>Total Value</b> \$99,379		
	<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>Year Built</b>		
<b>Zoning District</b>				<b>Census County</b>		
<b>Calc Acres</b>				<b>Tract</b>		
R-SF				109		
<b>Watershed</b>				<b>Block</b>		
6.52				071101		
<b>Census County</b>				<b>Panel</b>		
109				3710368600		
<b>Flood</b>				<b>Calc Acres</b>		
X				6.52		
<b>Zone Description</b>				<b>Panel</b>		
NO FLOOD HAZARD				6.52		

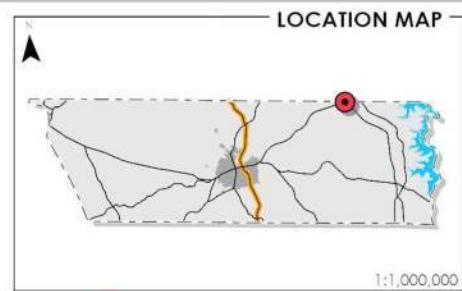


# CATAWBA COUNTY



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

See Attached Application for Parcel Information





# CATAWBA COUNTY

# LINCOLN

LLR

IC

WC

E-NC-150 HWY

An aerial photograph of a highway interchange. A red dashed line runs diagonally across the image. The highway below is labeled "S-NC-16-HWY" in white text. To the right, another highway is labeled "N-NC-16-HWY" in white text. A ramp leading onto the highway is labeled "S-NC-16-HWY ON RAMP" in white text. The surrounding terrain is a mix of brown and green, with some purple areas on the right.

## Land Use Plan

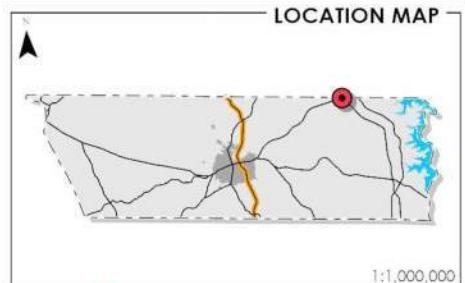
- Open Space (OS)
  - Rural Living (RL)
  - Industrial Center (IC)
  - Large Lot Residential (LLR)
  - Single-Family Neighborhood (SFN)
  - Multifamily Neighborhood (MFN)
  - Rural Crossroads (RC)
  - Suburban Commercial (SC)
  - Suburban Office (SO)
  - Special District (SD)
  - Walkable Neighborhood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



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Parcel ID # 53861



### Property Location(s)