



PLANNING & INSPECTIONS DEPARTMENT
Joshua L. Grant, Manager

To: Board of County Commissioners
Planning Board

From: Jeremiah Combs, Planner

Date: October 13, 2023

Re: ZMA #723
David Fuller, applicant
Parcel ID# 31240

The following information is for use by the Lincoln County Board of Commissioners and Planning Board at their joint meeting/public hearing on November 6, 2023.

Request

The applicant is requesting the rezoning of a 1.05-acre parcel from CZ B-G (Conditional Zoning General Business) to B-G (General Business).

Site Area and Description

The subject property is located on the east side of N. Pilot Knob Road about 300 feet south of the intersection with Hagers Ferry Road in Catawba Springs Township. The property is also located in the ELDD (Eastern Lincoln Development District) overlay. The property is adjoined by property zoned B-G and R-T (Transitional Residential). Land uses in this area include business and residential uses.

Plan Conformance

This property is located in area designated by the Lincoln County Land Use Plan as a Suburban Commercial Center, suitable for a variety of commercial uses.



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Additional Information

This property was conditionally rezoned in November 2019 to permit retail sales and contractors' offices, subject to the site plan approved by the Board of Commissioners. The vesting period for that site plan has expired, so the applicant has applied to rezone the property and will be applying at a later date for a special use permit for the proposed retail sales and contractors' offices.

Permitted uses under current zoning: retail sales and contractors' offices

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 #723**
Applicant **David Fuller**
Parcel ID# **31240**
Location **east side of N. Pilot Knob Road about 300 feet south of the intersection with Hagers Ferry Road**
Proposed amendment **Rezone a 1.05-acre parcel from CZ B-G (Conditional Zoning General Business) to B-G (General Business)**

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 Suburban Commercial, which is suitable for a variety of commercial uses near high volume roads and key intersections to serve some of the daily needs of the surrounding residential neighborhoods.

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

The property is located within an area that has an established mixture of residential and commercial uses. The site plan for the conditional zoning district that was approved in 2019 has expired; rezoning the property will permit it to be developed in compliance with the B-G district and ELDD overlay standards.



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 David Fuller

Applicant Address 2626 Les Ln Denver NC 28037

Applicant Phone Number 704-530-2632

Property Owner's Name Ted Birmingham Floor Sanding & Finishing

Property Owner's Address 2662 Cherry Ln Denver NC 28037

Property Owner's Phone Number 704-363-7652

Part II

Property Location 512 Pilot Knob Rd Denver 28037

Property ID # (10 digits) 4602761290 Property Size 1.05 Acres

Parcel # (5 digits) 31240 Deed Book(s) 2865 Page(s) 958

Part III

Existing Zoning District CZ B-6 Proposed Zoning District B-6

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

No structures its a empty lot

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

Flooring + Cabinet Sales

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.

David Fuller
Applicant

9/19/23
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: 10/17/2023 Scale: 1 Inch = 100 Feet

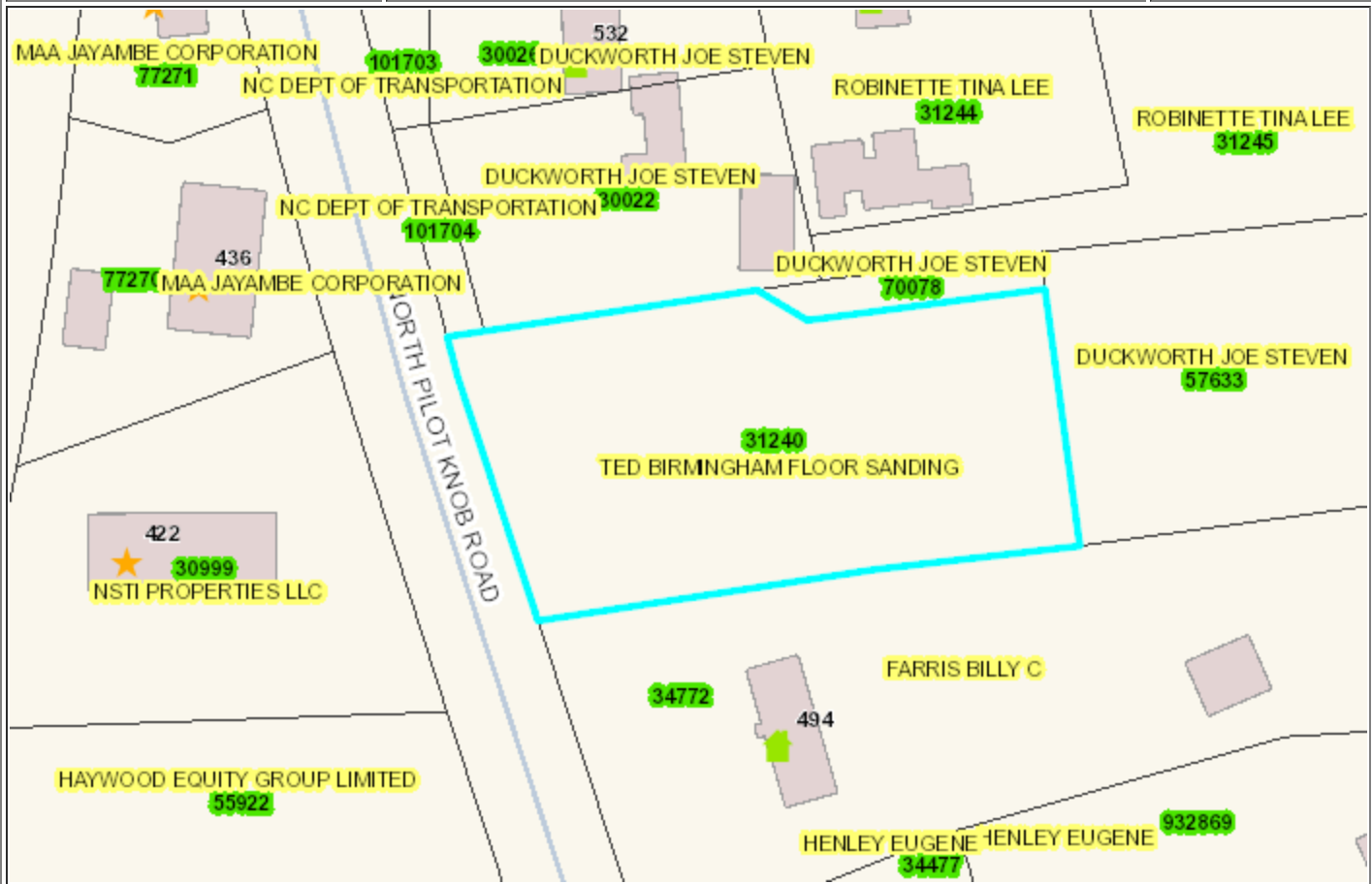


Photo Not
Available

Parcel ID	31240	Owner	TED BIRMINGHAM FLOOR SANDING & FINISHING CO LLC	
Map	4602	Mailing	2662 CHERRY LN	
Account	0208403	Address	DENVER, NC 28037	
Deed	2865 958	Last Transaction Date	12/03/2019	Sale Price \$229,000
Plat		Subdivision		Lot
Land Value	\$177,157	Improvement Value	\$0	Total Value \$177,157
Previous Parcel	-----All values for Tax Year 2023 -----			
Description	HOMESITE 1394-1393		Deed Acres	0
Address	N PILOT KNOB RD		Tax Acres	1.054
Township	CATAWBA SPRINGS		Tax/Fire District	EAST LINCOLN
Main Improvement			Value	
Main Sq Feet		Stories	Year Built	
Zoning District	Calc Acres	Voting Precinct Calc Acres		
B-G	1.05	CF19	1.05	
Watershed	0.23	Sewer District		
	0.82	SEWER	1.05	
Census County	109	Tract	071102	Block 2002 1.05
Flood	X	Zone Description	NO FLOOD HAZARD	
		Panel	3710460200	1.05

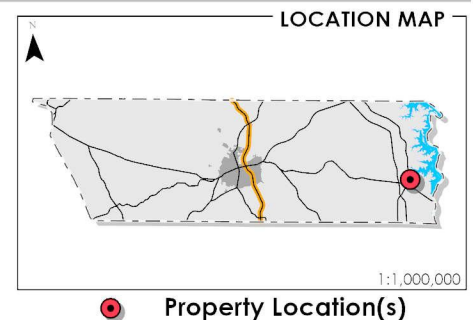


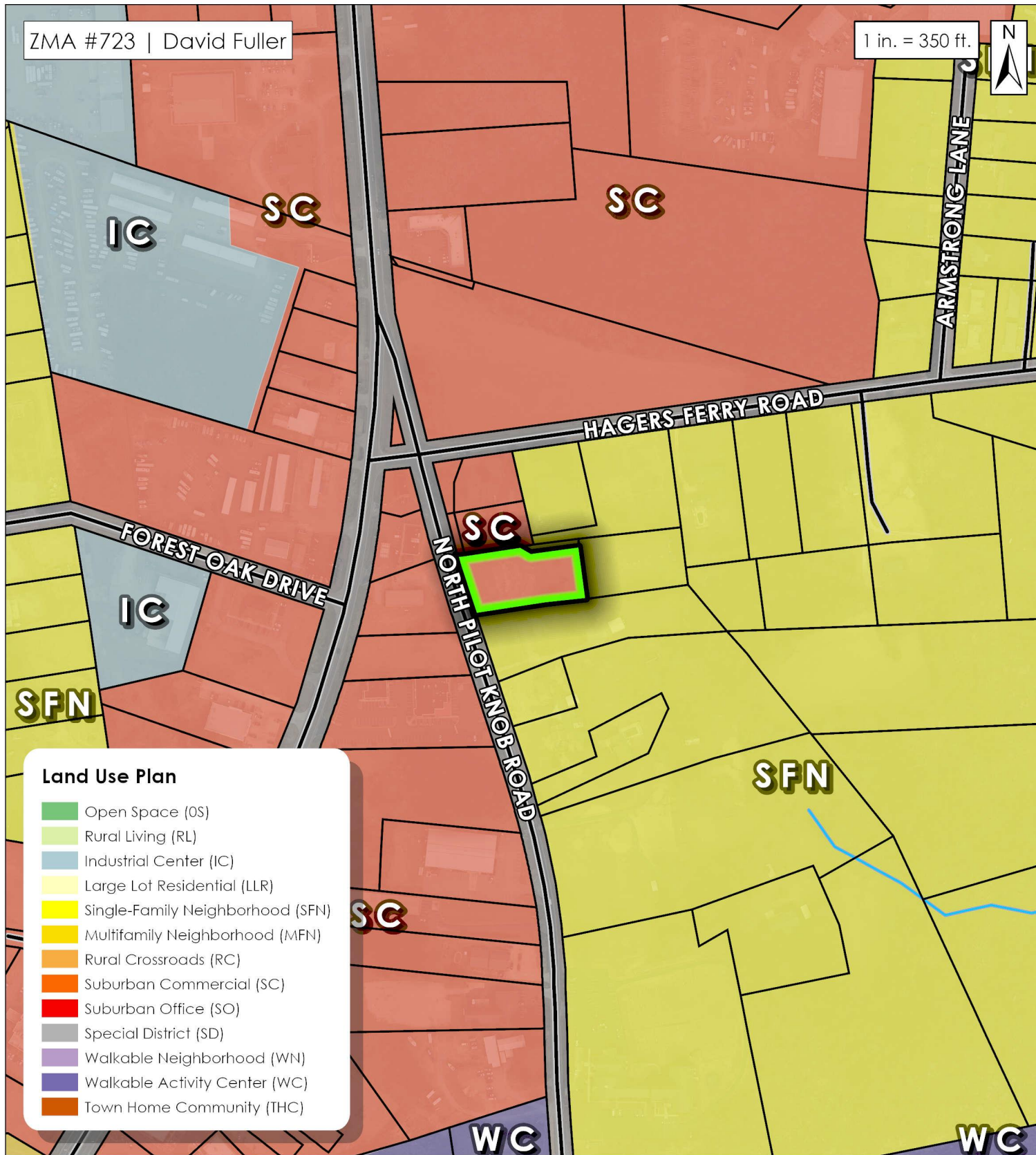
Lincoln County
Planning & Inspections
115 W. Main St
3rd Floor
Lincolnton, NC 28092

Parcel ID # 31240

- Property Location(s)

See Attached Application for Parcel Information





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)

Parcel ID # 31240

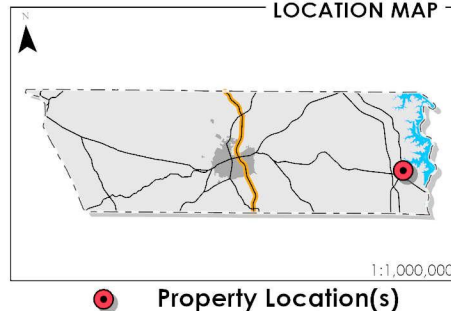
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LOCATION MAP



● Property Location(s)