



PLANNING & INSPECTIONS DEPARTMENT

Joshua L. Grant, Manager

To: Board of County Commissioners

From: Jeremiah Combs, Planner

Date: March 8, 2024

Re: SUP #504
G & G Smiley Investments, LLC, applicant
Parcel ID# 29699

The following information is for use by the Lincoln County Board of Commissioners at their meeting/public hearing on April 1, 2024.

Request

The applicant is requesting a special use permit for the expansion of an existing contractor's office in the Eastern Lincoln Development District (ELDD) overlay. The existing use was permitted as the continuation of a legal nonconforming use, but the proposed addition of a new 6000-square-foot building for the contractor's office use requires compliance with the current zoning standards.

Site Area and Description

The request involves a 3.6-acre parcel located at 1578 S. N.C. 16 Business Hwy. in Catawba Springs Township. The subject property is located in the B-N (Neighborhood Business) and R-SF (Residential Single Family) zoning districts, but a concurrent request (ZMA #731) proposes to rezone the property to B-G (General Business). The property is also located in the ELDD (Eastern Lincoln Development District) overlay. The subject property is adjoined by property zoned B-N (Neighborhood Business), B-G (General Business), R-T (Transitional Residential), and R-SF (Residential Single-Family). Land uses in this area include industrial, business, and residential uses. This property is located in an area designated by the Lincoln County Land Use Plan as Large Lot Residential, suitable for single-family homes at densities of 0.2 to 1.35 units per acre.



Special Use Permit Application

Lincoln County Planning and Inspections Department
Zoning Administrator
115 W. Main St., Lincolnton, NC 28092
Phone: (704) 736-8440 Fax: (704) 732-9010

PART I

Applicant Name JEFF SMILEY

Applicant Address PO BOX 350 DENVER, NC 28037

Applicant Phone Number (704) 201-8907

Property Owner Name G & G SMILEY INVESTMENTS, LLC

Property Owner Address SAME AS APPLICANT

Property Owner Phone Number SAME AS APPLICANT

PART II

Property Location PARCEL 29699
1578 S NC 16 BUSINESS HWY, DENVER, NC 28037

Property ID (10 digits) 4600093865 Property size 3.6

Parcel # (5 digits) 29699 Deed Book(s) 2533 Page(s) 50

PART III

Existing Zoning District ELDD B-N & R-SF

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

THE PROPERTY CURRENTLY HAS THREE BUILDINGS THAT ARE BEING
USED TO RUN THE DENVER AIR COMPANY.

Briefly explain the proposed use and/or structure which would require a Special Use Permit.

A BUILDING IS PROPOSED THAT WILL ADD STORAGE AND OFFICE SPACE FOR THE
EXPANSION OF CLIMATECH HEATING AND COOLING AS A CONTRACTOR OFFICE.
THE UDO REQUIRES A SPECIAL USE PERMIT FOR A CONTRACTOR OFFICE IN THE
ELDD B-G ZONE.

APPLICATION FEE (less than 2 acres \$250, 2+ acres \$500)
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

Jeff Smiley Investments LLC 1/17/24

Application # _____ Date _____

Applicant's Name JEFF SMILEY

Applicant's Address PO BOX 350 DENVER, NC 28037

Property Location PARCEL 29699 Existing Zoning ELDD B-N & R-SF

Proposed Special Use CONTRACTORS OFFICE

PROPOSED FINDINGS OF FACT

1. The use will not materially endanger the public health or safety if located where proposed and developed according to plan. YES ☒ NO ☐

FACTUAL REASONS CITED: THE PROPOSED CONTRACTOR OFFICE DOES NOT PROPOSED ANYTHING THAT WOULD ENDANGER PUBLIC HEATH AND SAFETY. THEY ARE SIMILAR TO MANY OTHER USES IN THE AREA.

2. The use meets all required conditions and specifications. YES ☒ NO ☐

FACTUAL REASONS CITED: THE PROPOSED PLANS FOR THE BUILDING AND SITE WILL BE PREPARED IN ACCORDANCE WITH THE LINCOLN COUNTY UDO, ZONING, AND THE ELDD OVERLAY.

3. The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity. YES ☒ NO ☐

FACTUAL REASONS CITED: THE PROPOSED CONTRACTOR OFFICE IS SIMILAR TO MANY OTHER USES WITHIN THE AREA AND HAVE BEEN IN DEMAND.

4. The location and character of use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the Land Use Plan for the area in question. YES ☒ NO ☐

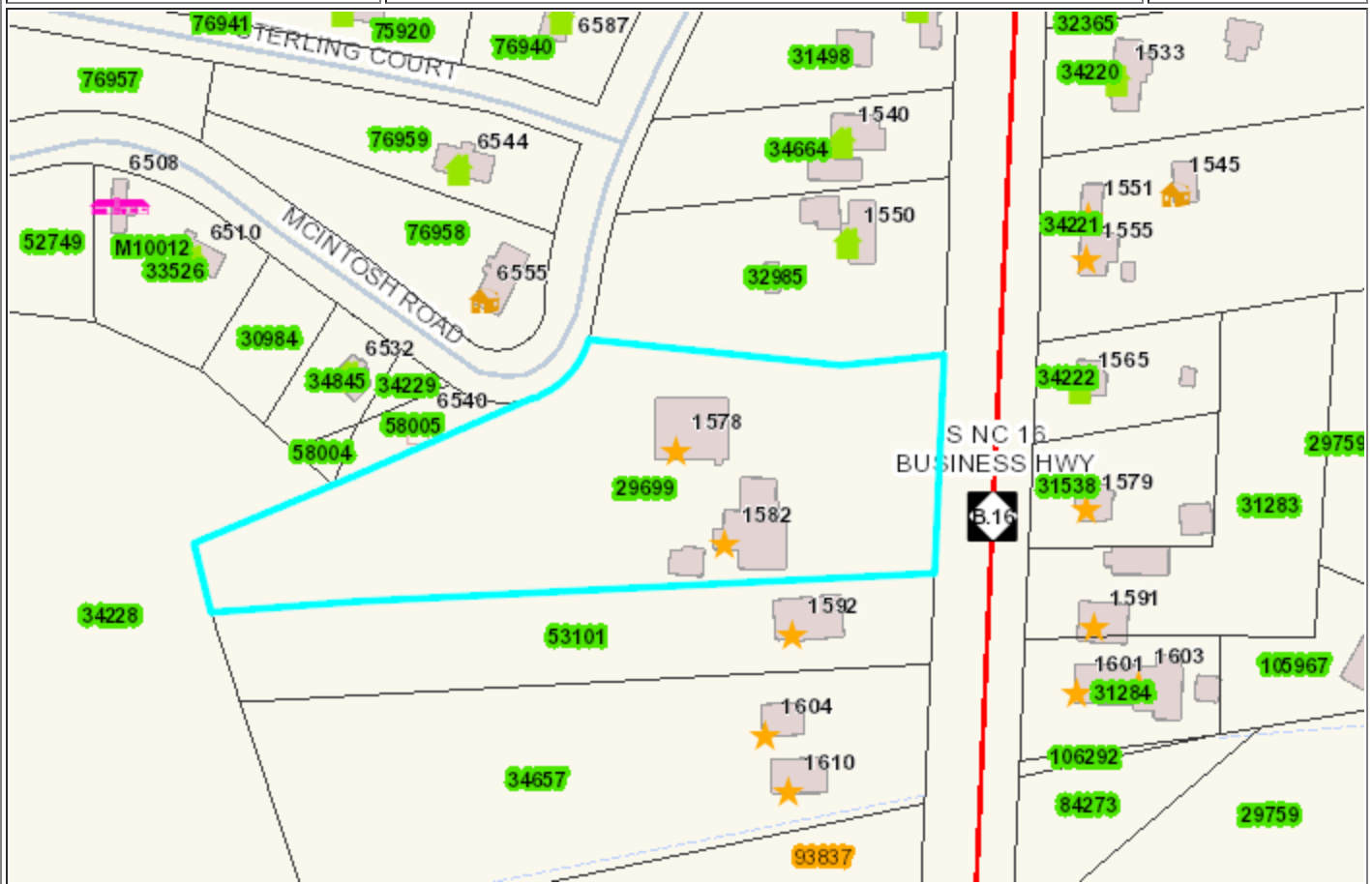
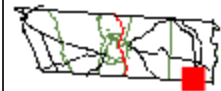
FACTUAL REASONS CITED: THE PROPOSED CONTRACTOR OFFICE IS SIMILAR TO MANY OTHER USES WITHIN THE AREA.



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: 3/7/2024 Scale: 1 Inch = 200 Feet



29699

Parcel ID	29699	Owner	G & G SMILEY INVESTMENTS LLC
Map	4600	Mailing	P O BOX 350
Account	0200550	Address	DENVER, NC 28037
Deed	2533 50	Last Transaction Date	07/23/2015
Plat		Subdivision	
Land Value	\$282,875	Improvement Value	\$538,206
Previous Parcel		Total Value	\$821,081

-----All values for Tax Year 2024 -----

Description	JOE MORRISON VAC H16	Deed Acres	3.78
Address	1578 S NC 16 BUSINESS HWY	Tax Acres	3.6
Township	CATAWBA SPRINGS	Tax/Fire District	EAST LINCOLN
Main Improvement	RETAIL	Value	\$226,944
Main Sq Feet	6656	Stories	2
		Year Built	1982

Zoning District Calc Acres

B-N	3.4
R-SF	0.2

Voting Precinct Calc Acres

LW31	3.6
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Watershed

1.98
1.61

Sewer District

3.6

Census County

109

Tract

071102

Block

1080

3.6

Flood

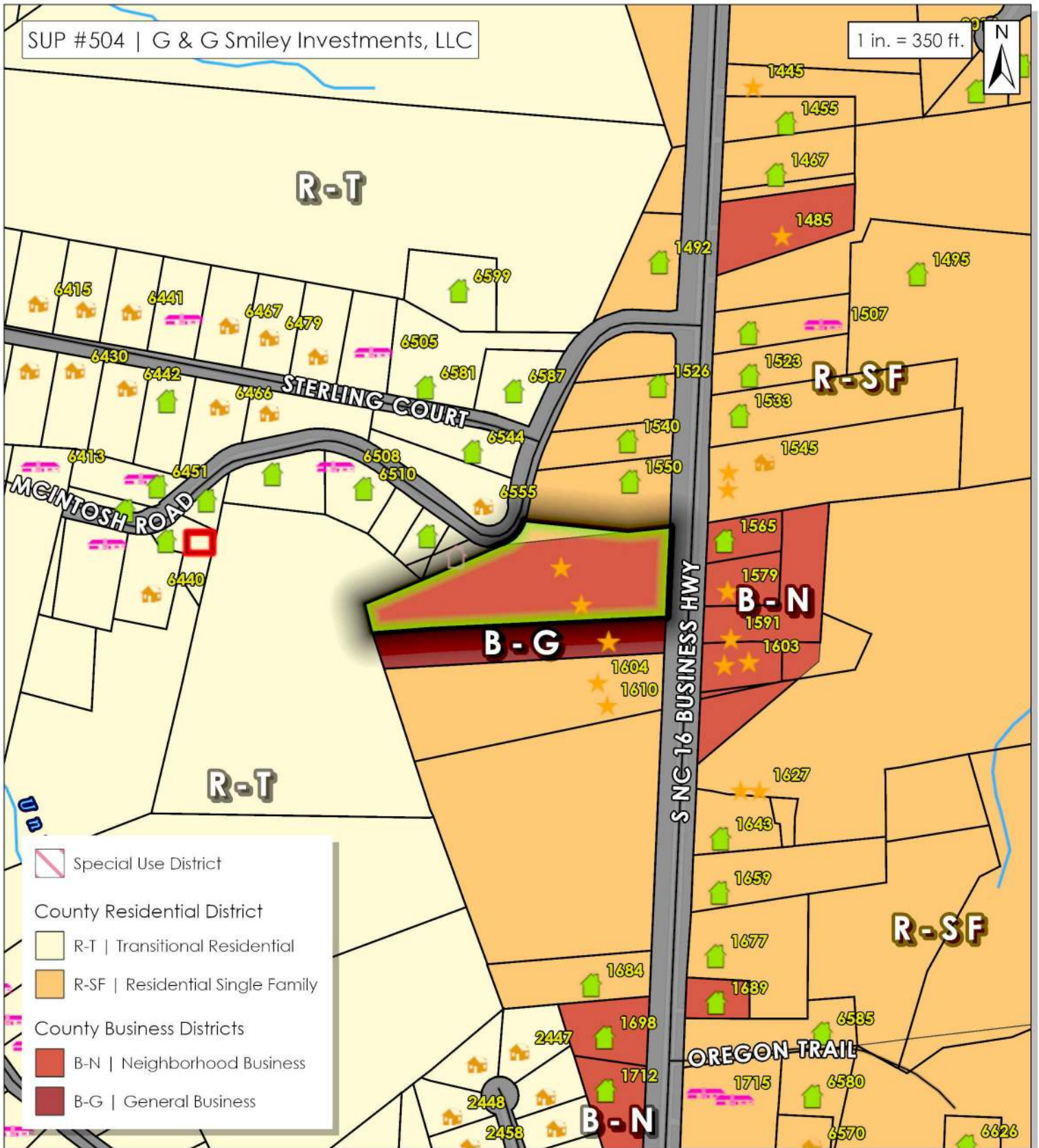
X	NO FLOOD HAZARD
X	NO FLOOD HAZARD

Panel

3710460100	0.03
3710460000	3.38

SUP #504 | G & G Smiley Investments, LLC

1 in. = 350 ft.



- Special Use District
- County Residential District
 - R-T | Transitional Residential
 - R-SF | Residential Single Family
- County Business Districts
 - B-N | Neighborhood Business
 - B-G | General Business

Parcel ID # 29699

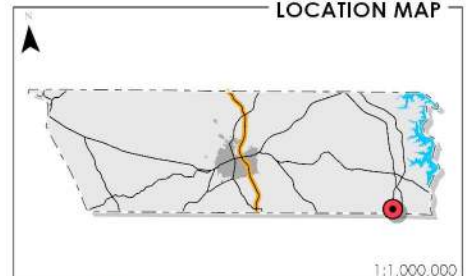
- Property Location(s)

See Attached Application for Parcel Information



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

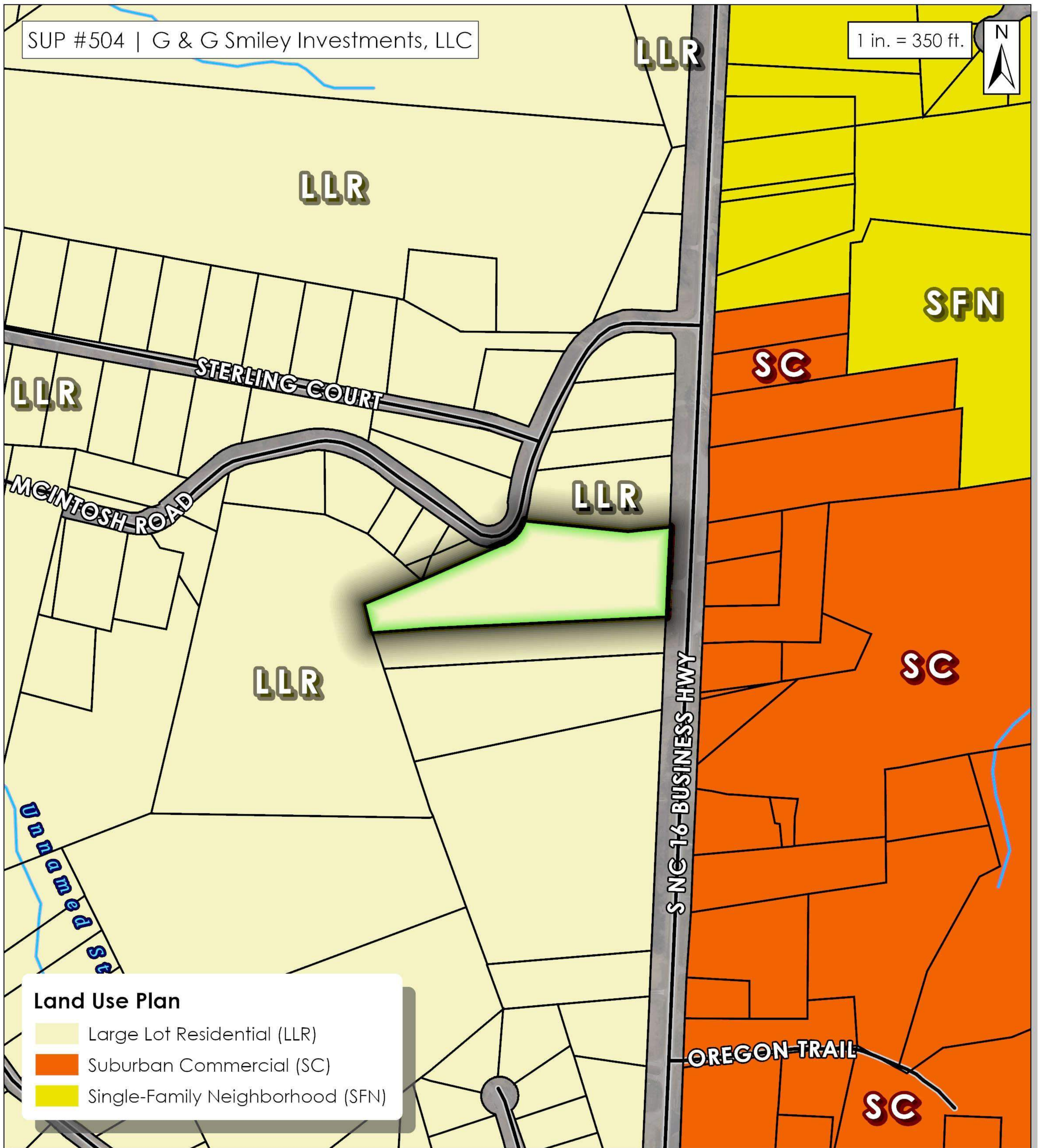
LOCATION MAP



Property Location(s)

SUP #504 | G & G Smiley Investments, LLC

1 in. = 350 ft.



Land Use Plan

-  Large Lot Residential (LLR)
-  Suburban Commercial (SC)
-  Single-Family Neighborhood (SFN)

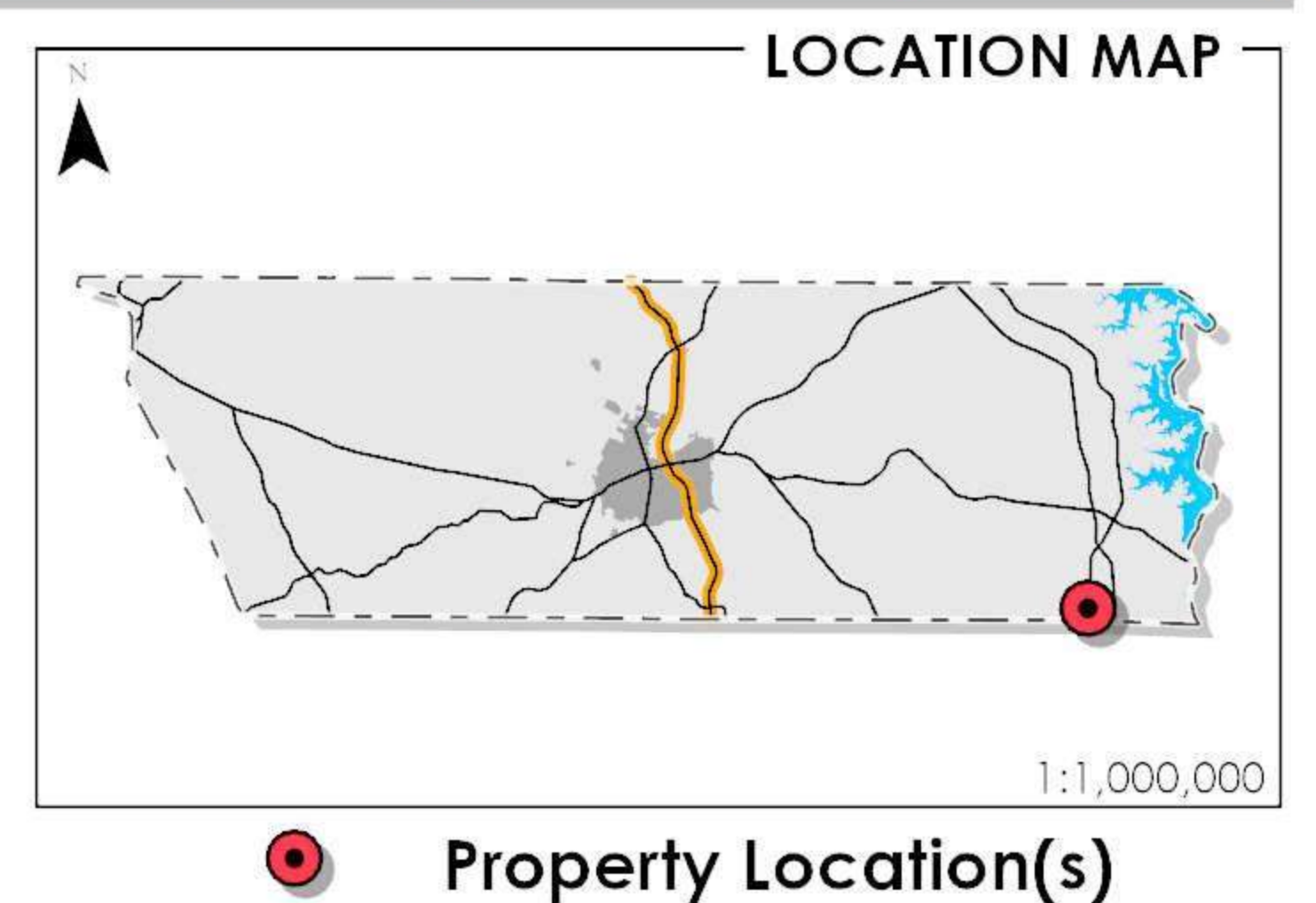
Parcel ID # 29699

 - Property Location(s)

See Attached Application for Parcel Information



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





Lincoln County Project Reviews

Project Number: **ZONE24-00027**

Description: **SUP #504 G & G Smiley Investments**

Project Type: **ZONING CASE**

Parcel ID: **29699**

Sub Type: **SPECIAL USE PERMIT**

Applicant: **Jeff Smiley**

Applied: **1/30/2024**

Approved:

Owner: **G & G SMILEY INVESTMENTS LLC**

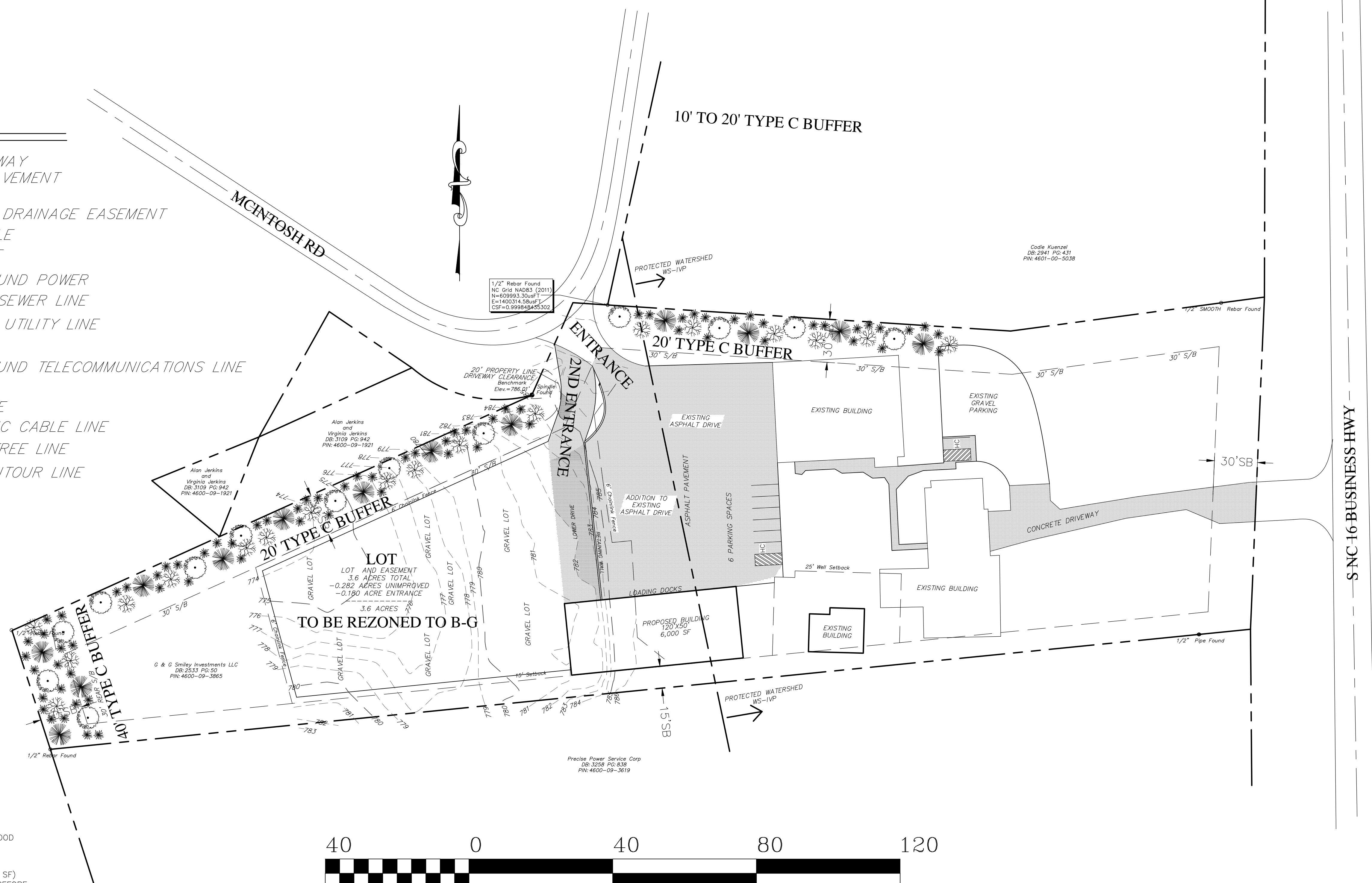
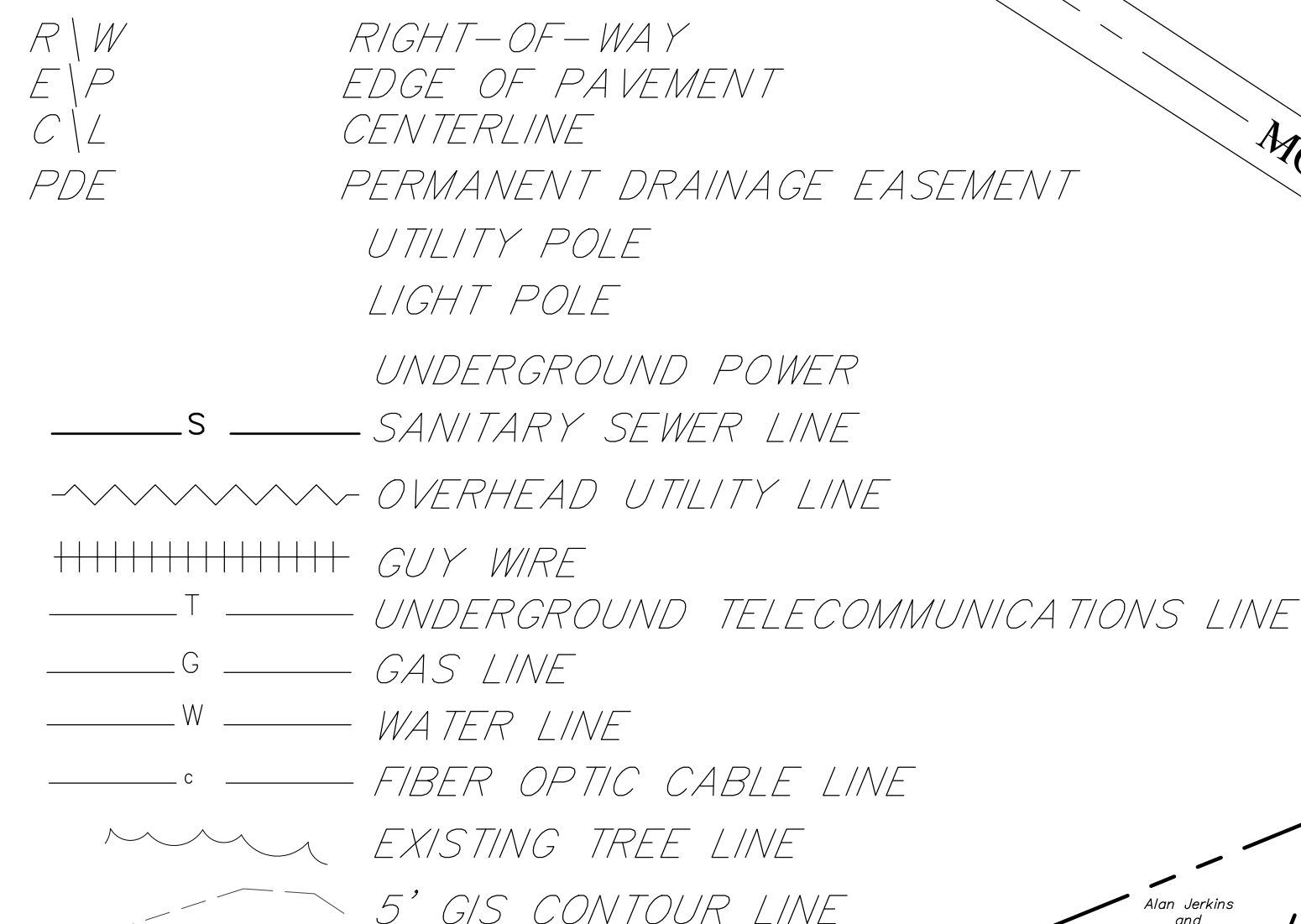
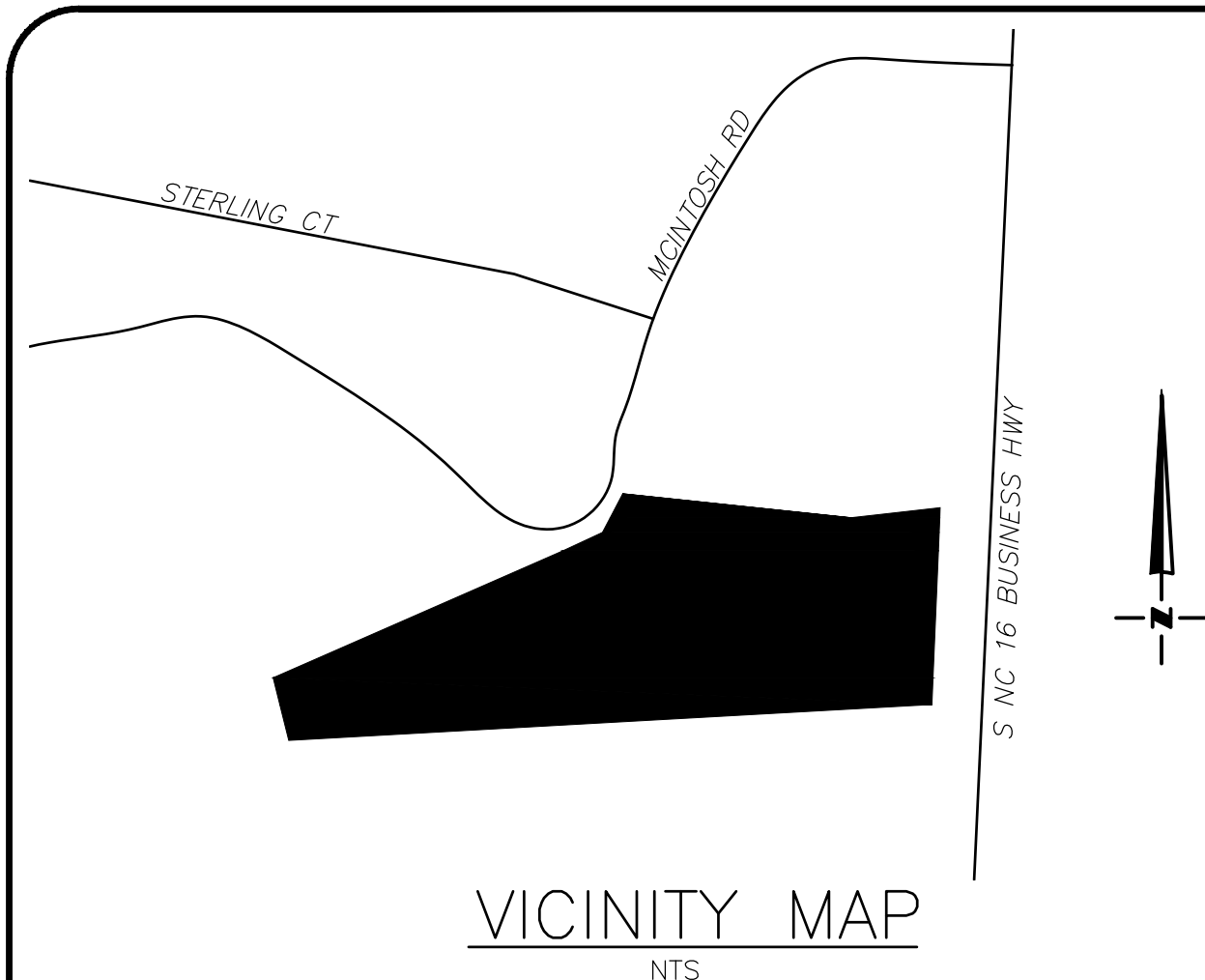
Status: **RECEIVED**

Balance: **\$ 500.00**

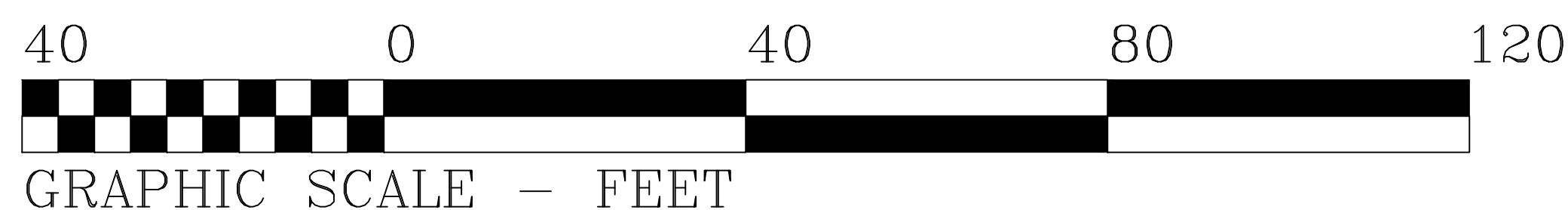
Surveyor: **<NONE>**

Details:
Pending rezoning

LIST OF REVIEWS						
SENT DATE	RETURNED DATE	DUE DATE	TYPE	CONTACT	STATUS	REMARKS
Review Group: ALL						
1/30/2024	3/7/2024	2/2/2024	ENVIRONMENTAL HEALTH ON-SITE PRE-APPLICATION	Jonathan Harris	COMPLETE	
Notes:						
1/30/2024	1/31/2024	2/2/2024	FIRE MARSHAL - COUNTY PRE-APPLICATION	Burl Shrum	COMPLETE	
Notes: There shall be fire access around the building in accordance with Sec. 503.1.1 stating access roads shall extend to within 150 ft. of all portions of the exterior wall of the building or facility. If there are any gates, they shall have Knox access. Building shall have Knox access. Parking and driving surfaces shall be of approved surface to support a 75,000 lb. vehicle in year round weather and surface shall be maintained to this.						
1/30/2024	2/1/2024	2/2/2024	NATURAL RESOURCES PRE-APPLICATION	Danielle Rudisill	COMPLETE	See Notes
Notes: Land disturbance of 20k square feet or greater requires an EC plan to be submitted for review and approval. Any land disturbance less than 20k a single lot permit will be sufficient. Submit copy of NCDOT driveway permit approval with plan. All slopes are required to be benched per State Design Manual.						
1/30/2024	2/1/2024	2/2/2024	NCDOT PRE-APPLICATION	Michael Watson	COMPLETE	
Notes: Minimum 20' edge clearance required for driveway off McIntosh Road						
1/30/2024	2/1/2024	2/2/2024	PUBLIC WORKS - COUNTY PRE-APPLICATION	Jonathan Drazenovich	COMPLETE	See notes
Notes: Site not currently served by County water or sewer. County water is available to the site with a inactive 3/4 inch meter. No service requested at this time.						



- LAND USE INFORMATION:
1. PROPOSED BUILDING USE: CONTRACTOR'S OFFICE
2. PROPOSED REZONING DISTRICT: B-G
3. PROPOSED HEIGHT OF BUILDING = $\pm 23'-0"$
4. REQUIRED BUILDING SETBACKS: FRONT=30'; SIDES=30'; REAR=15'
5. OWNER: G & G SMILEY INVESTMENTS, LLC
PO BOX 350
DENVER, NC 28037
6. APPLICANT: JEFF SMILEY
7. 1 LOT CONSISTING OF 3.60 ACRES.
8. LOT DOES NOT LIE WITHIN A FLOOD PLAIN. LOT IS ABOVE FEMA 100 YEAR FLOOD ELEVATION.
9. COUNTY WATER SUPPLY.
10. ON-LOT SEPTIC SYSTEM.
11. TOTAL LOT AREA INSIDE PROTECTED WATERSHED = ± 2.20 ACRES ($\pm 95,615.32$ SF)
12. IMPERVIOUS COVER CALCULATION: (IMPERVIOUS AREA LOCATED IN WATERSHED BEFORE 1994 DOES NOT COUNT TOWARDS IMPERVIOUS COVER)
TOTAL IMPERVIOUS AREA INSIDE WATERSHED = ± 0.889 ACRES ($\pm 38,741$ SF)
TOTAL IMPERVIOUS AREA INSIDE WATERSHED PREVIOUS TO 1994 = ± 0.328 ACRES ($\pm 14,307.89$ SF)
PROPOSED IMPERVIOUS - IMPERVIOUS PRE 1994 = $0.889 \text{ AC} - 0.328 \text{ AC} = 0.561 \text{ AC}$ ($\pm 24,433.55$ SF)
TOTAL IMPERVIOUS COVER INSIDE WATERSHED = $0.561\text{AC}/2.20\text{AC} = 25.5\%$
12. PARKING: 1/1000SF (6 MIN) 6 SPACES PROVIDED
13. BOUNDARY AND FEATURES SURVEY PROVIDED BY ROGER D. MORGAN SURVEYING.
14. DUMPSTER SCREENING TO MATCH BUILDING FINISHES.
15. THE PROPOSED IMPROVEMENTS ARE PARITALLY LOCATED IN PROTECTED WATER SUPPLY WATERSHED, WS-WP
16. PIN: 4600-03-3865



SITE PLAN

SCALE: 1"=40'

PRELIMINARY — DO NOT USE FOR CONSTRUCTION



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ONE-CALL CENTER INC.**
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2 BUSINESS DAYS BEFORE DIGGING
www.ncocc.org

C1

SHEET NO.: 1 OF 1

PROJECT NO.: 2023-101

DATE: 02/16/2024					
					REVISIONS

PROJECT MANAGER:		JEFFREY SWARTZ	
DESIGN BY:	SGS	CHECKED BY:	JUS
DRAWN BY:	SGS	CHECKED BY:	JUS

P	C	C	C
OWNER	& G SMILEY INVESTMENTS, LLC	PO BOX 350	
	DENVER, NC 28037	CONTACT: JEFF SMILEY	
	704-201-8907		
SHEET TITLE			MARY SITE PLAN

	G
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G & G SMILEY
INVESTMENTS, LLC
REZONING PROPOSAL
LINCOLN COUNTY, NORTH CAROLINA

SWARTZ
595 BAY LANE
ROSELAND, NC 28681
PHONE: (813) 852-0999
FAX: (813) 804-5011
NCBELS No. P-2500
jjspe@bellsouth.net

DESIGN

& ENGINEERING, PLLC
"Designs without boundaries."

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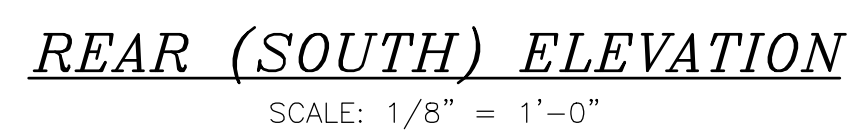
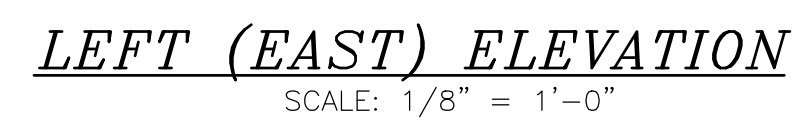
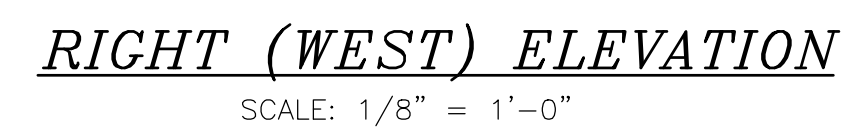
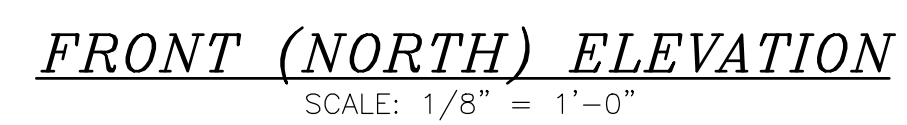
PROJECT MANAGER:		JEFFREY SWARTZ	
DESIGN BY:	SGS	CHECKED BY:	JUS
DRAWN BY:	SGS	CHECKED BY:	JUS

<p><u>CLIENT/APPLICANT</u></p> <p>G & G SMILEY INVESTMENTS, LLC PO BOX 350 DENVER, NC 28037 CONTACT: JEFF SMILEY 704-201-8907</p>	<p><u>SHEET TITLE</u></p> <p>CONCEPT BUILDING ELEVATIONS</p>
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PROPOSED BUILDING
FOR
PARCEL #29699
LINCOLN COUNTY, NORTH CAROLINA

S'WARTZ
& DESIGN
ENGINEERING, PLLC
"Designs without boundaries."

585 B&T LANE
TAYLORSVILLE, NC 28681
PHONE: (828) 632-0499
FAX: (831) 604-5011
NCBELLS No. P-2500
jspe@bellsouth.net



PRELIMINARY – DO NOT USE FOR CONSTRUCTION

NOTE:
ALL DOORS SHALL EXIT AT GRADE LEVEL FOR CODE ACCESSIBILITY.