



PLANNING & INSPECTIONS DEPARTMENT

Joshua L. Grant, Manager

To: Board of County Commissioners
Planning Board

From: Jeremiah Combs, Planner

Date: July 15, 2024

Re: ZMA #735
Butternut Investments, LLC, applicant
Parcel ID# 33243 and 74369

The following information is for use by the Lincoln County Board of Commissioners and Planning Board at their joint meeting/public hearing on August 5, 2024.

Request

The applicant is requesting the rezoning of 5.8 acres from CZ B-G (Conditional Zoning General Business) to I-L (Industrial Light).

This 5.8 acres was part of a conditional rezoning (CZ #2019-5) of 6.2 acres from R-SF (Residential Single-Family) to CZ B-G (Conditional Zoning General Business), which was approved on June 17, 2019. A concurrent hearing (ZMA #736) is scheduled for a proposed rezoning of the remaining 0.4 acres from CZ #2019-5 from CZ B-G (Conditional Zoning General Business) to R-SF (Residential Single-Family).

Site Area and Description

The subject property is located on the east side of N.C. 16 Business about 1600 feet north of Webbs 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-N (Neighborhood Business) and R-SF (Residential Single-Family). Land uses in this area include industrial, business, and residential uses.



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Plan Conformance

The majority of this property is located within an area designated by the Land Use Plan as Single-Family Neighborhood, suitable for single-family homes at densities up to 2.0 units per acre.

The remainder of this property, which fronts on N.C. 16 Business, 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.

Additional Information

Permitted uses under current zoning: contractor's offices, retail sales (including sales of boat lifts with outdoor display and storage), and other uses permitted in the B-G district, subject to the approved site plan for CZ #2019-5

Permitted uses under proposed zoning: contractor's office (Special Use in the ELDD), contractor's yard (Special Use in the ELDD), building material sales (Special Use in the ELDD), cabinet shop (Special Use), catering (Special Use in the ELDD), professional office, medical office, gas station (Special Use), convenience store without fuel sales (Special Use in the ELDD), restaurant (Special Use), fast food restaurant (Special Use), veterinarian clinic (Special Use), self-storage facility (Special Use), vehicle sales (Special Use), vehicle service (Special Use in the ELDD), various manufacturing and wholesale trade uses (many of which are Special Use in the ELDD)

This property is located within the WS-IV Critical Area of the Catawba/Lake Norman Watershed, which limits the density of developments with single-family and two-family homes to 2.0 units per acre. All other residential and nonresidential developments are limited to a maximum impervious coverage of 24% of the project area. However, under the High Density Option, the maximum impervious coverage of such developments (those that do not include single-family or two-family homes) may be increased to 50% of the project area. Approval is on a project-by-project basis, subject to the issuance of a special use permit by the Board of Commissioners.

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 #735**
Applicant **Butternut Investments, LLC**
Parcel ID# **33243 and 74369**
Location **east side of N.C. 16 Business about 1600 feet north of Webbs Road**
Proposed amendment **Rezone 5.8 acres from CZ B-G (Conditional Zoning General Business) to I-L (Industrial Light)**

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

The Primary Land Uses in the Single-Family Neighborhood community type are not permitted in the I-L district. Most of the Primary Land Uses in the in the Suburban Commercial Center community type are not permitted in the I-L district. Many of the permitted uses in the proposed I-L district are not identified as Primary or Secondary Land Uses in the Single-Family Neighborhood and Suburban Commercial Center community types.

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

The proposed district will be located within an area that has an established mixture of residential, business, and industrial uses and zoning districts. A large sawmill operation with outdoor storage is located on one of the adjoining parcels. The applicant is proposing to keep the rear 5 acres of this property, which adjoins existing residential developments, zoned R-SF to provide a buffer between those developments and the potential business and industrial uses in the proposed I-L district.



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 Butternut Investments LLC

Applicant Address PO Box 1439, Denver NC 28037

Applicant Phone Number 7044832144

Property Owner's Name Dean Fisher

Property Owner's Address 873 Coolwood Rd Lincolnton NC 28092

Property Owner's Phone Number 7046344253

Part II

Property Location 2996 N NC-16 Bus, Denver NC 28037

Property ID # (10 digits) 4605206623 and
part of 4605314263

Property Size 5.8 acres

Parcel # (5 digits) 33243

Deed Book(s) 3013

Page(s) 34

Part III

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

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

Storage yard for equipment and materials. Barn structure located at the back of the property
for storage of materials and small equipment.

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

Contractors office and yard and any other uses as permitted in the I-L district.

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.*

A handwritten signature in black ink, appearing to be "DZ", written over a horizontal line.

Applicant

2/19/2024

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: 7/15/2024 Scale: 1 Inch = 400 Feet



Photo Not
Available

Parcel ID	33243	Owner	BUTTERNUT INVESTMENTS LLC
Map	4605	Mailing	PO BOX 1439
Account	0278013	Address	DENVER, NC 28037
Deed	3013 34	Last Transaction Date	03/02/2021
Plat		Subdivision	
Land Value	\$241,250	Improvement Value	\$0
Previous Parcel		Total Value	\$241,250

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

Description	SHERRILL LD HWY 16	Deed Acres	1.11
Address	N NC 16 BUSINESS HWY	Tax Acres	0.965
Township	CATAWBA SPRINGS	Tax/Fire District	DENVER
Main Improvement		Value	
Main Sq Feet		Year Built	

Zoning District	Calc Acres	Voting Precinct	Calc Acres
B-G	0.97	DN29	0.97

Watershed		Sewer District	
0.65		SEWER	0.97
0.32			

Census County		Tract	Block
109		071203	1059
			0.97

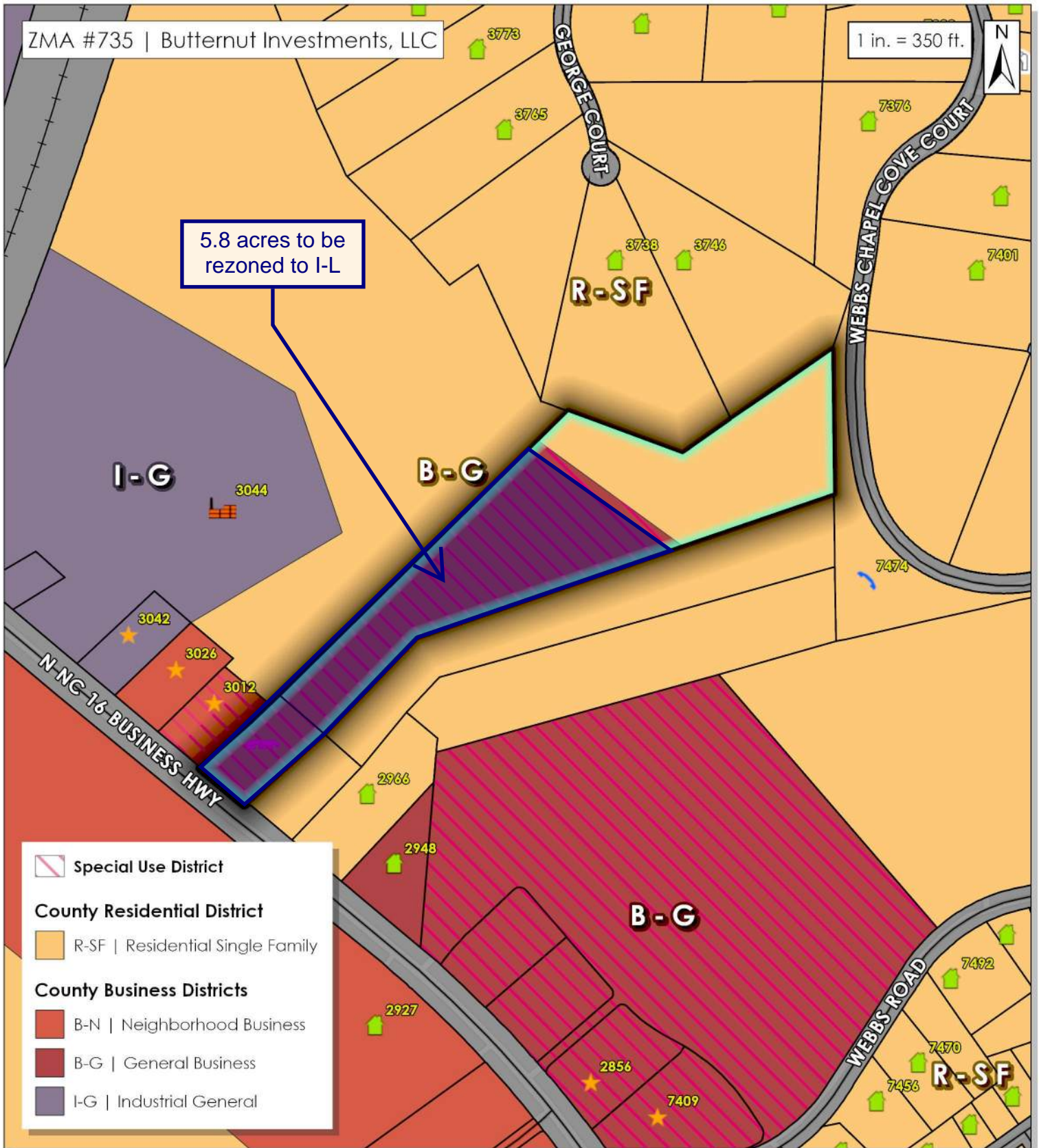
Flood	Zone Description	Panel	
X	NO FLOOD HAZARD	3710460500	0.97



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Parcel ID	74369	Owner	BUTTERNUT INVESTMENTS LLC		
Map	4605	Mailing	PO BOX 1439		
Account	0278013	Address	DENVER, NC 28037		
Deed	3013 34	Last Transaction Date	03/02/2021	Sale Price	\$0
Plat	H 437	Subdivision	RALPH & JESSIE SHERRILL ESTATE	Lot	5
Land Value	\$218,360	Improvement Value	\$13,549	Total Value	\$231,909
Previous Parcel					
-----All values for Tax Year 2024 -----					
Description	#5 LT RALPH & JESSIE			Deed Acres	9.815
Address	N NC 16 BUSINESS HWY			Tax Acres	9.838
Township	CATAWBA SPRINGS	Tax/Fire District	DENVER		
Main Improvement				Value	
Main Sq Feet		Stories		Year Built	
Zoning District	Calc Acres			Voting Precinct	Calc Acres
B-G	5.5			DN29	9.84
R-SF	4.33				
Watershed		Sewer District			
	9.84		8.36		
		SEWER	1.48		
Census County		Tract		Block	
109		071203		1059	9.84



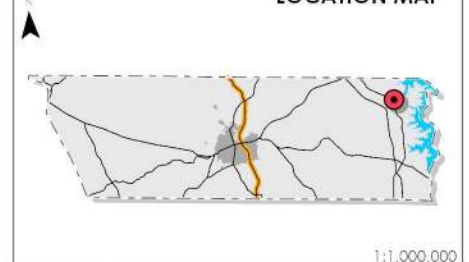
Lincoln County
Planning & Inspections
115 W. Main St
3rd Floor
Lincolnton, NC 28092


Parcel ID # 33243 & 74369

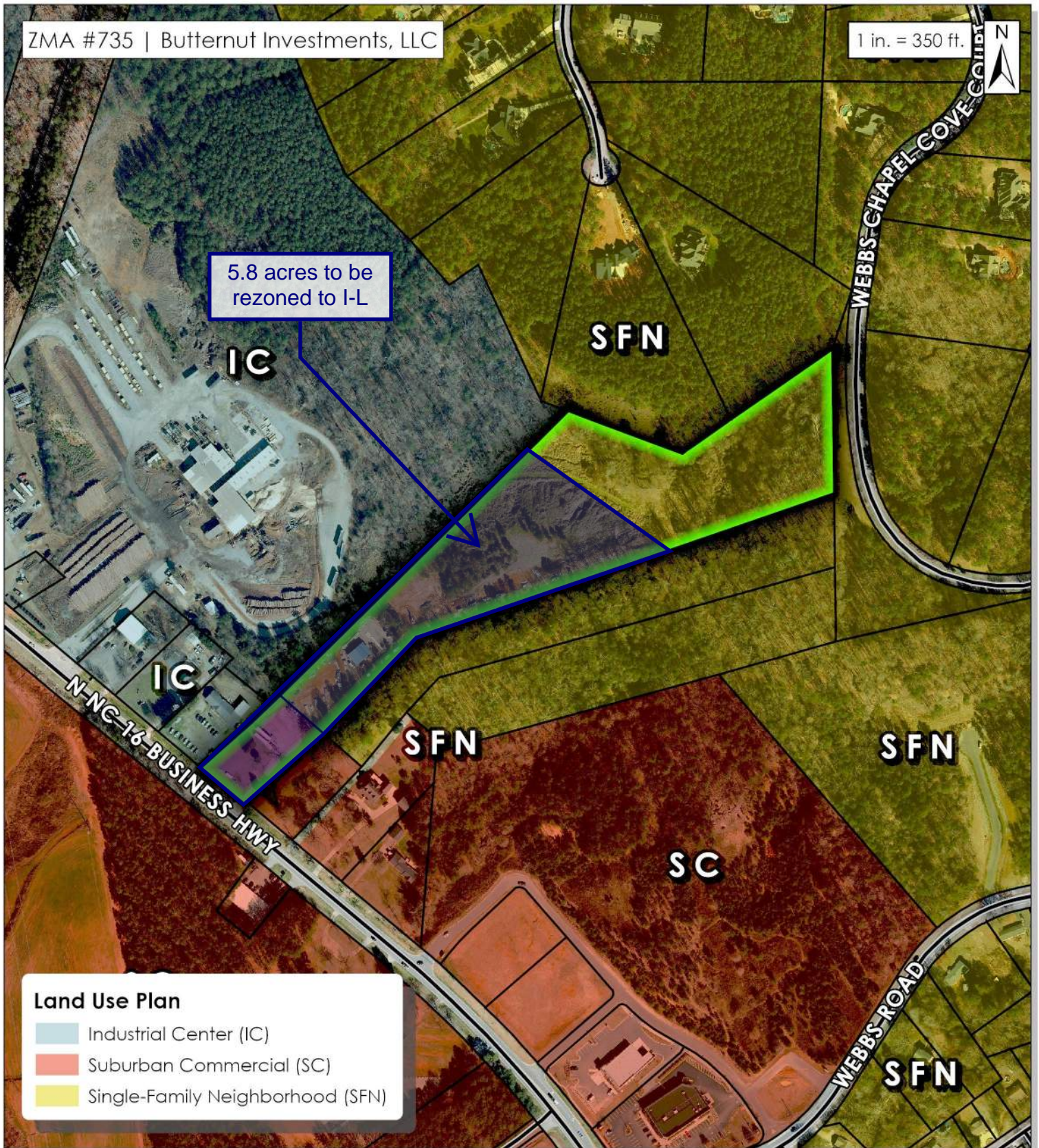
 - Property Location(s)

See Attached Application for Parcel Information



LOCATION MAP



 Property Location(s)



Land Use Plan

-  Industrial Center (IC)
-  Suburban Commercial (SC)
-  Single-Family Neighborhood (SFN)



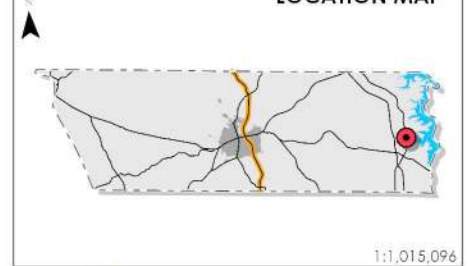
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LOCATION MAP



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