



PLANNING & INSPECTIONS DEPARTMENT

Joshua L. Grant, Manager

To: Board of County Commissioners

From: Joshua Grant, Division Manager

Date: November 12, 2024

Re: SUP #519  
Kenny Hendrick, applicant  
Parcel ID# 30840, 32037, and 32880

*The following information is for use by the Lincoln County Board of Commissioners at their meeting/public hearing on December 2nd, 2024.*

Request

The applicant is requesting a special use permit to expand a vehicle sales lot in the Eastern Lincoln Development District (ELDD) overlay. Under the Unified Development Ordinance, a vehicles sales lot is a special use in the ELDD. The expansion of said use also requires approval by the Board of County Commissioners in the form of a public hearing.

Site Area and Description

The request involves a 2.95-acre site located at 1269 N.C. 16 Business Hwy. in Catawba Springs Township. The subject property is located in the B-G (General Business) zoning district and the ELDD (Eastern Lincoln Development District) overlay. The subject property is adjoined by property zoned B-G (General Business) on all sides. Land uses in this area include a number of commercial and other business uses. This property is located within an area that is designated by the Lincoln County Land Use Plan as Suburban Commercial Center, suitable for a variety of commercial uses to serve the daily needs of surrounding residential neighborhoods.



## PLANNING & INSPECTIONS DEPARTMENT

Joshua L. Grant, Manager

### Additional Information

In 2012, the property was entitled by the issuance of a Conditional Use Permit (CUP #309) for the establishment of a vehicle sales lot on the property. The new approval is necessitated by the ordinance requirements, which classify the expansion of the lot a major modification to the previously approved development permit.

The applicant has had to demonstrate compliance with the ordinance requirements by acquiring and agreeing to recombine additional property as well as reducing the footprint of certain portions of the business that were encroaching on the neighboring property to the north used as a bank.

The parcels included in this Special Use Permit will be recombined should approval be granted. A draft survey has been prepared and submitted to staff as well as an executed copy of the purchase agreement for the neighboring properties.



## **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 Kenny Hendrick

Applicant Address 1269 N NC 16 Business Hwy Denver NC 28037

Applicant Phone Number 704 236 4605

Property Owner Name Lou Amico 1269 N NC16 / James Beam 1710 / 1716 Triangle

Property Owner Address 1269 N NC 16 / 1710 / 1716 Triangle Circle Denver

Property Owner Phone Number 704 560 6274 Lou / James Beam 704 281 4349

### **PART II**

Property Location 1269 N NC 16 Bus Hwy / 1710 and 1716 Triangle Cir

Property ID (10 digits) 4603640565.4603641652 Property size 2.95

Parcel # (5 digits) 32037 Deed Book(s) 2745.1959 Page(s) 842.844.754

### **PART III**

Existing Zoning District Lincoln Co

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

Existing Independent Car Dealership . Sales .Service .Storage

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

Expanding the Business to meet the required Impervious use of property under 75

**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

10/14/2011

## **APPLICANT'S PROPOSED FINDINGS OF FACT**

Application No. **SUP #519**

Applicant **Kenny Hendrick**

Property Location **1269 N NC 16 Bus Hwy. Parcel ID# 30840,32037, 32880  
1710 and 1716**

Proposed Special Use **Expanded Use for Sales, Service, Fleet Leasing, Wash Bay**

### **PROPOSED FINDINGS**

1. The use will not materially endanger the public health or safety if located where proposed and developed according to plan.

**The expansion of the current business use will not endanger public health or safety. The plan revisions developed herein act to ensure that public health and safety are not endangered.**

2. The use meets all required conditions and specifications.

**The use has gone through extensive review with staff and our design team to ensure that all conditions and specifications are known and will be met if developed according to the plan. Impervious Coverage limits of 75% are compliant with the proposed plan as submitted.**

3. The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity.

**The expansion of the current business has brought to light areas along adjoining property lines that will be remedied by carrying out the proposed plan. Two areas encroaching onto the neighboring property to the north are being alleviated by the implementation of this plan. The current use will be reduced in these specific areas to be in compliance with ordinance standards.**

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.

**The use of the property as a vehicle dealership (vehicle sales) and associated uses accessory to the business are in harmony with the area in question. Modifications to property lines, the acquisition and recombination of property, and the reduction of the use in some areas are all in an attempt to be in keeping with ordinance requirements and conformity with the land use plan designation of suburban commercial.**

# Project Reviews

## Lincoln County

**Project Number: ZONE24-00163**

**Description: SUP #519 Kenny Hendrick**

**Applied: 7/26/2024**

**Approved:**

**Site Address: 1269 NC 16 BUSINESS HWY**

**Closed:**

**Expired:**

**City, State Zip Code: UNINCORPORATED, NC**

**Status: UNDER REVIEW**

**Applicant: Kenny Hendrick**

**Parent Project:**

**Owner: RYAN AMICO MANAGEMENT LLC**

**Contractor: <NONE>**

**Details:**

**see ZONE24-00209 for payment of \$500 application fee**

### LIST OF REVIEWS

SENT DATE	RETURNED DATE	DUE DATE	TYPE	CONTACT	STATUS	REMARKS
Review Group: TRC PRE-APPLICATION						
7/26/2024	7/29/2024	8/2/2024	FIRE MARSHAL - COUNTY PRE-APPLICATION	Burl Shrum	APPROVED	
Notes: Any vehicle gates shall have Knox entry All driving surfaces shall be able to withstand 75,000 lbs. All gravel surfaces shall withstand 75,000 lbs and be maintained						
7/26/2024	8/30/2024	8/2/2024	NATURAL RESOURCES PRE-APPLICATION	Danielle Rudisill	COMPLETE	See Notes
Notes: Minor land disturbance proposed to complete landscaping buffer. Landscaping under 1 acre with no building permits does not require an EC permit or plan to be submitted. Keep sediment out of the roadway and neighbors property.						
7/26/2024		8/2/2024	NCDOT PRE-APPLICATION	Michael Watson		
Notes:						
7/26/2024	8/1/2024	8/2/2024	PUBLIC WORKS - COUNTY PRE-APPLICATION	Jonathan Drazenovich	COMPLETE	See notes
Notes: 1) Parcel 32037 has water and sewer, parcel 30840 has water only. Any combination of these parcels will require all parcels to fully use sewer or septic. If sewer is desired it will need to be added to the water only account. 2) To add sewer to the water only account a application for sewer application and fees will need to be submitted prior to any building permit approval or combination of parcels. 3) If a new tap is desired the developer will be responsible for hiring a licensed utility contractor to make the tap on the county's gravity sewer system.						

32037



# Lincoln County, NC

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Date: 11/12/2024

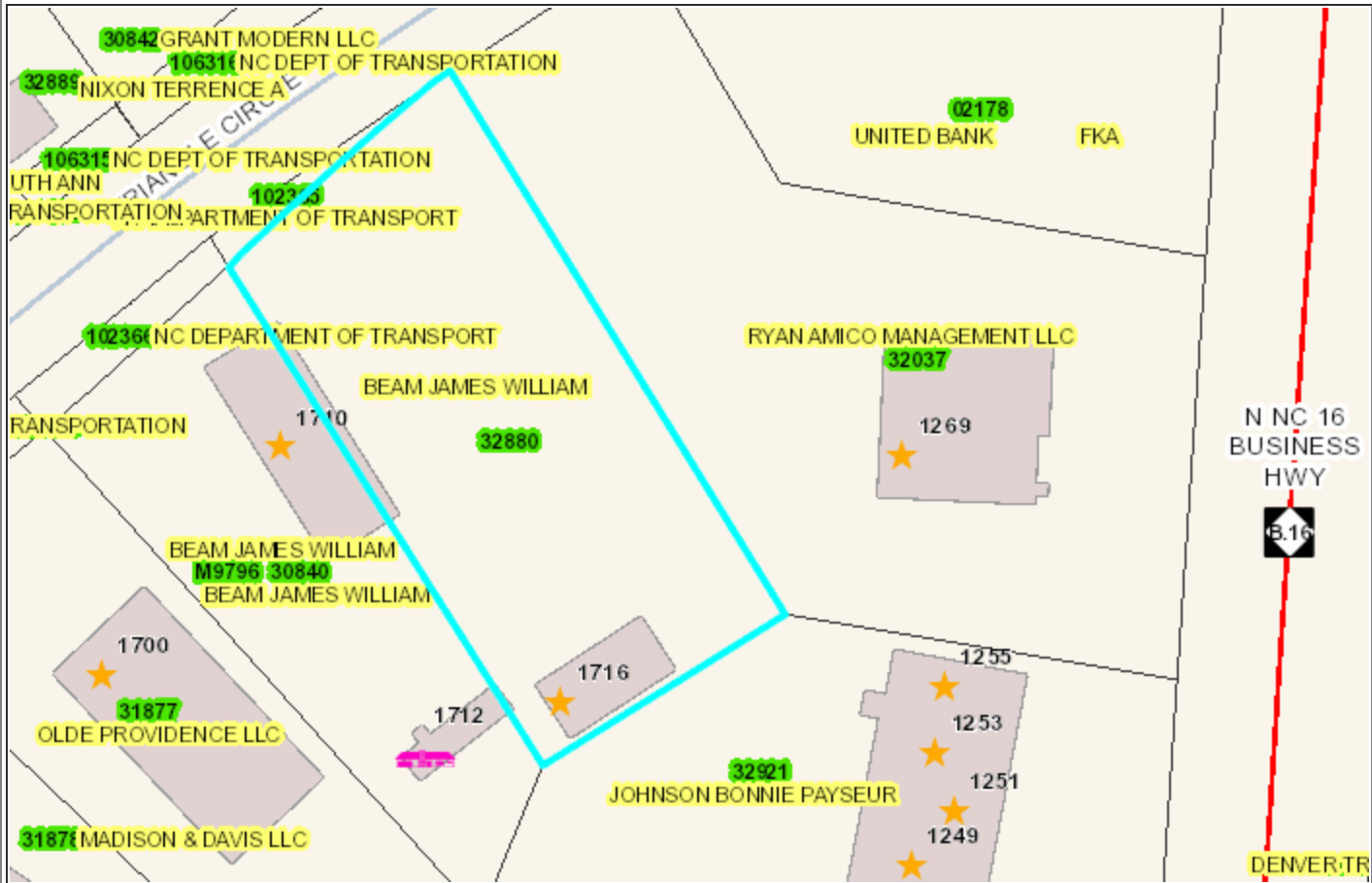


Photo Not Available

Parcel ID	32880	Owner	BEAM JAMES WILLIAM
Map	4603	Mailing	PO BOX 1651
Account	0197441	Address	DENVER, NC 28037-0000
Deed	MECKCO DC	Last Transaction Date	03/06/2020
Plot		Subdivision	
Land Value	\$132,328	Improvement Value	\$34,091
		Total Value	\$166,419

Previous Parcel

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

Description	J. BLACK RD 1387	Deed Acres	0
Address	1716 TRIANGLE CIR	Tax Acres	0.941
Township	CATAWBA SPRINGS	Tax/Fire District	EAST LINCOLN
Main Improvement		Value	
Main Sq Feet		Year Built	
Zoning District	Conditional Use	Calc Acres	Voting Precinct Calc Acres
B-G		0.94	TA37 0.94
Watershed	0.94	Sewer District	SEWER 0.94
Census County		Tract	Block
109		071101	3017 0.94
Flood	Zone Description	Panel	
X	NO FLOOD HAZARD	3710460300	0.94





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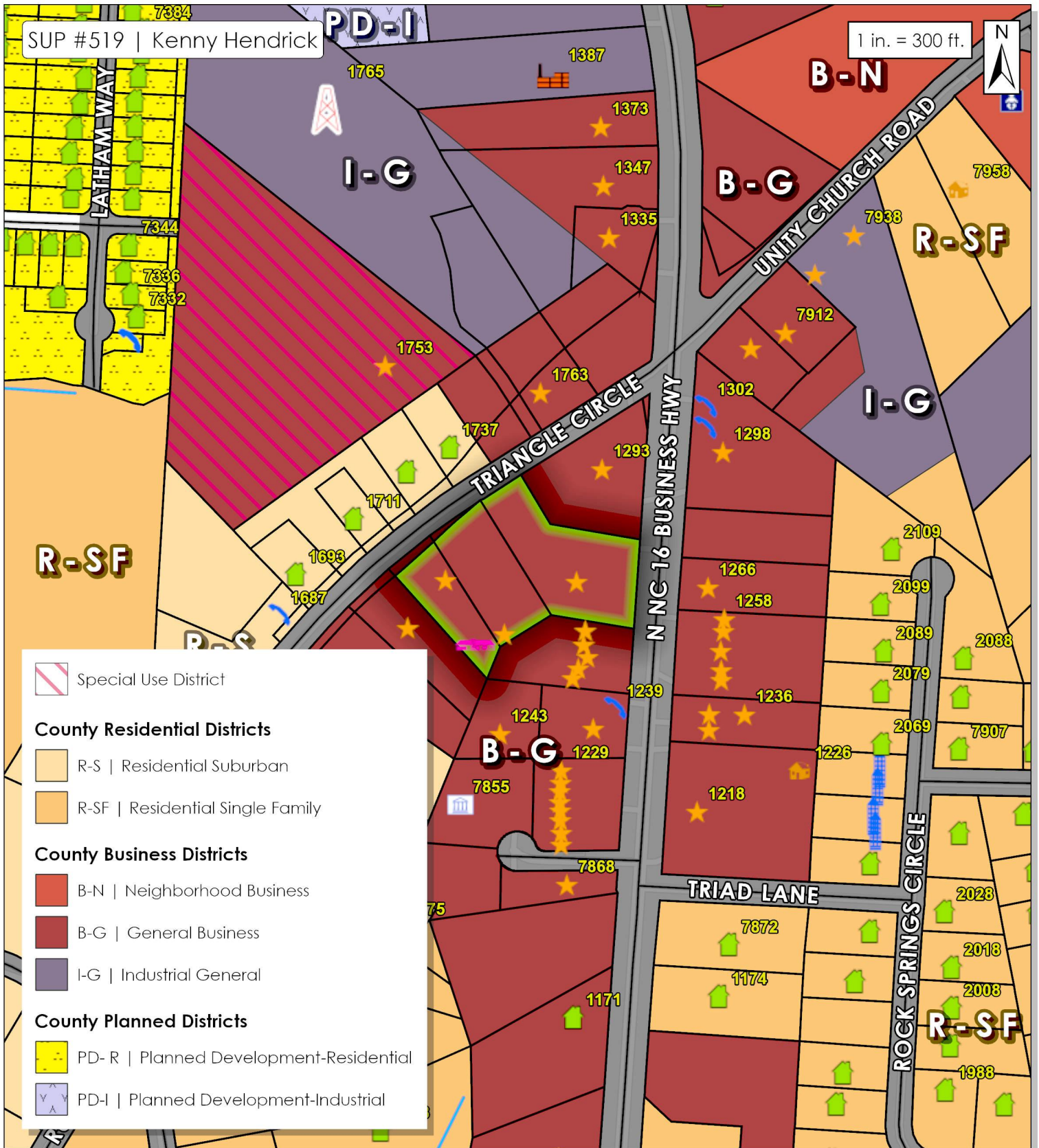
Date: 11/12/2024



30840

<b>Parcel ID</b>	30840	<b>Owner</b>	BEAM JAMES WILLIAM		
<b>Map</b>	4603	<b>Mailing</b>	PO BOX 1651		
<b>Account</b>	0197441	<b>Address</b>	DENVER, NC 28037-0000		
<b>Deed</b>	MECKCO DC	<b>Last Transaction Date</b>	03/06/2020	<b>Sale Price</b>	\$0
<b>Plat</b>	D 94	<b>Subdivision</b>	ROBT NIXON EST PROPERTY MAP 1	<b>Lot</b>	PT 2
<b>Land Value</b>	\$88,734	<b>Improvement Value</b>	\$100,046	<b>Total Value</b>	\$188,780
<b>Previous Parcel</b>					
<b>-----All values for Tax Year 2024 -----</b>					
<b>Description</b>	PT#2 ROBERT NIXON ESTATE				<b>Deed Acres</b> 0
<b>Address</b>	1710 TRIANGLE CIR				<b>Tax Acres</b> 0.631
<b>Township</b>	CATAWBA SPRINGS		<b>Tax/Fire District</b>	EAST LINCOLN	
<b>Main Improvement</b>	SERVICE SHOP		<b>Value</b>	\$99,092	
<b>Main Sq Feet</b>	4160	<b>Stories</b>	1	<b>Year Built</b>	1979
<b>Zoning District</b>	<b>Conditional Use</b>	<b>Calc Acres</b>	<b>Voting Precinct</b>	<b>Calc Acres</b>	
B-G		0.63	TA37	0.63	
<b>Watershed</b>	0.63		<b>Sewer District</b>	SEWER 0.63	
<b>Census County</b>	109		<b>Tract</b>	<b>Block</b>	
			071101	3017	0.63
<b>Flood</b>	<b>Zone Description</b>	<b>Panel</b>			
X	NO FLOOD HAZARD	3710460300		0.63	



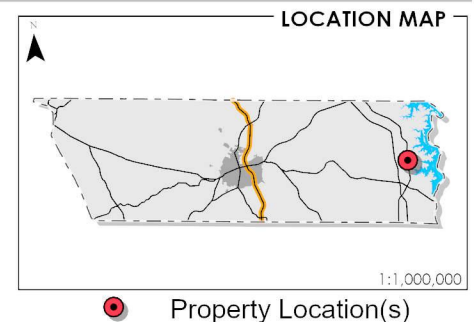


Lincoln County  
Planning & Inspections  
115 W. Main St  
3rd Floor  
Lincolnton, NC 28092

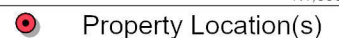
Parcel ID # 30840, 32037, 32880

- Property Location(s)

See Attached Application for Parcel Information

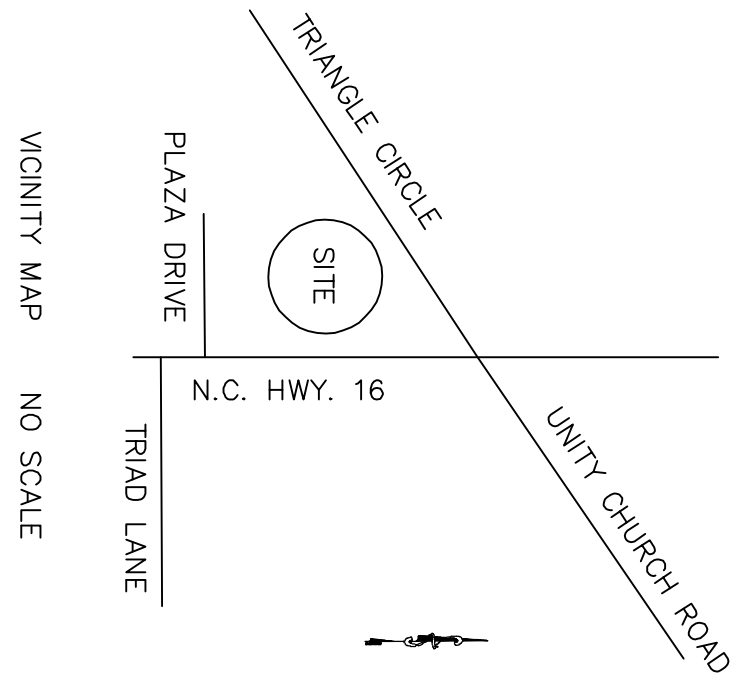








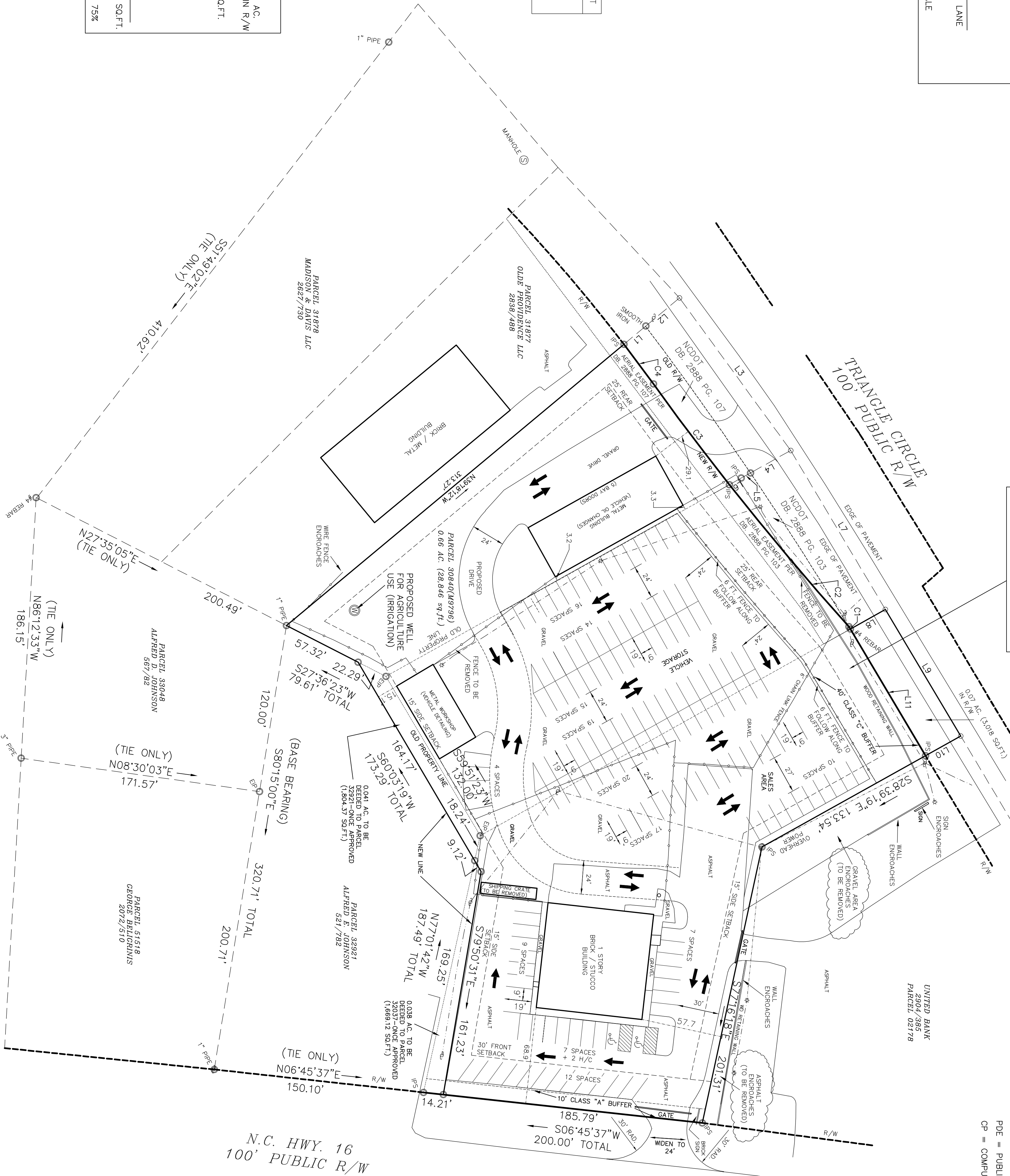
Curve Table			
Curve #	CHORD	DISTANCE	Radius
C1	S59° 24' 05"W	2.05	2510.15
C2	N50° 26' 00"E	132.30	2090.00
C3	N53° 28' 50"E	89.98	2090.00
C4	S53° 52' 38"W	35.30	1200.00



Line #	Direction	Length
L1	N39° 18' 12"W	20.02
L2	N39° 18' 12"W	31.60
L3	N54° 25' 08"E	134.66
L4	S28° 38' 46"E	32.86
L5	S28° 38' 46"E	7.54
L6	S28° 38' 46"E	9.67
L7	N69° 43' 35"E	132.00
L8	S28° 38' 51"E	28.68
L9	N59° 43' 35"E	105.00
L10	S28° 39' 19"E	28.82
L11	S59° 48' 13"W	105.00

PARKING SPACE COUNT
HANDICAP SPACES = 2
PARKING SPACES = 150
TOTAL PROVIDED = 152

IMPERVIOUS DATA PER PARCEL
TOTAL COMBINED ACREAGE = 2.95 AC.
DOES NOT INCLUDE THE 0.07 AC. IN R/W FROM PARCEL 32037.
COMBINED PARCELS = 128,680 SQ.FT.
BLDGS = 11,709 SQ.FT.
GRAVEL = 56,279 SQ.FT.
WALLS = 106 SQ.FT.
ASPHALT = 25,918 SQ.FT.
CONC. PADS = 64 SQ.FT.
SHIP CONTAINER = 320 SQ.FT.
TOTAL IMPERVIOUS AREA = 94,396 SQ.FT.
= 73.4%
MAX IMPERVIOUS AREA ALLOWED = 75%



- LEGEND
- CP = P.P. = POWER POLE
  - = POWER TRANS.
  - E.I.P. = EXISTING IRON FOUND
  - I.P.S. = #4 REBAR SET
  - R/W = RIGHT-OF-WAY
  - ⊙ = WELL
  - ☆ = LP = LIGHT POLE
  - PDE = PUBLIC DRAINAGE EASEMENT
  - CP = COMPUTED POINT

PB. D PB. 94

- NOTES
- THIS PROPERTY MAY BE SUBJECT TO ANY EASEMENTS AND/OR RIGHTS OF WAY OF RECORD.
  - ACREAGE COMPUTED BY THE COORDINATE METHOD.
  - OVERHEAD POWER
  - NO GRID MONUMENT FOUND WITHIN 2000 FEET.
  - DEED REFERENCE: 2745/842 2745/844 1958/754
  - TAX PARCEL: 4603640565 4603641652 4603643634
  - ADDRESS: 1269 N. NC HWY. 16
  - PROPERTY ZONED: B-G
  - ALL GATES MUST HAVE KNOX GATE ENTRY BOXES FOR FIRE ACCESS.
  - NO POST CONSTRUCTION STORMWATER REQUIREMENTS NEEDED AT THIS TIME.
  - NO VEHICLES TO BE PARKED WITHIN 10 FEET OF THE RIGHT-OF-WAY
  - NO EROSION CONTROL/GRADING PERMIT REQUIRED AT THIS TIME.
  - DISTURBING LESS THAN 1.0 AC.

PRELIMINARY

SITE PLAN  
OF PARCELS

32037, 32880 & 30840

CATAMBA SPRINGS TWP., LINCOLN CO., N.C.

SCALE: 1" = 40'

DATE: MAY 17, 2024 (ADDED PROPOSED WELL)  
DATE: JUNE 4, 2024 (ADDED IMPERVIOUS DATA)  
DATE: JUNE 25, 2024 (COUNTY COMMENTS)  
DATE: JULY 12, 2024 (COUNTY COMMENTS)

SURVEYED FOR: WEST LAKE IMPORTS