



PLANNING & INSPECTIONS DEPARTMENT

Joshua L. Grant, Manager

To: Board of Adjustment

From: Julie Mosteller, Planner

Date: October 15, 2025

Re: VAR #490  
Eazel, Inc., applicant  
Parcel ID# 18450

*The following information is for use by the Lincoln County Board of Adjustment at their meeting/public hearing on October 27, 2025.*

Request

The applicant is requesting a variance from Section 7.5.2 of the Lincoln County Unified Development Ordinance to permit development to encroach into the streamside buffer zone 2. Section 7.5.2 states,

**§7.5.2. Streamside Buffer Zones**

**A.**

*A streamside buffer, consisting of an undisturbed vegetative cover, the width of the 100-year floodplain, as identified on the current Flood Insurance Rate Map (FIRM) published by FEMA, shall be established and maintained along all indicated or identified perennial and intermittent waters. Where the floodplain width is less than 50 feet measured from the top of the stream bank or no flood plain exists, a minimum 50-foot streamside buffer is required along all indicated or identified perennial and intermittent waters. Streamside buffers shall be shown by metes and bounds on all appropriate plans and plats. For the 50-foot streamside buffer, the following shall be required and in no case shall disturbance exceed the following:*

**B.**

*No development, including land-disturbing activities, shall occur within streamside buffers except as listed in §7.5.3 below.*

**1. Buffer Zone 1**

*Buffer Zone 1 shall be a minimum of 30 feet from the top of bank and shall remain undisturbed. No new development is permitted within the Buffer Zone 1 except for artificial stream bank or shoreline*



## PLANNING & INSPECTIONS DEPARTMENT

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*stabilization, water dependent structures and public or private projects such as road or utility crossings or installations of greenways where no practical alternatives exist. Activities within buffer areas shall minimize impervious coverage, direct runoff away from surface waters and maximize the utilization of stormwater best management practices.*

### **2. Buffer Zone 2**

*Buffer Zone 2 shall be a minimum of 20 feet extending landward from Buffer Zone 1. This buffer is an area of managed vegetation and shall be vegetated by grass, other ground cover or natural vegetation. Disturbance of existing vegetation shall be minimized to the greatest extent possible except for the installation of artificial stream bank or shoreline stabilization, water dependent structures and public or private projects such as utility service lines, road crossings or greenways where no practical alternatives exists.*

This request is to encroach into the buffer 2 by 14' 8". This is utilizing the existing foundation at that location.

### Site Area and Description

The request involves a 1.055-acre parcel located at 2124 River Road in Lincolnton Township. The subject property is located in the R-T (Residential Transitional) zoning district. The subject property is adjoined by property zoned R-T (Transitional Residential). Land uses in this area are residential.



## Variance Application

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

### Part I

Applicant Name Eazel Inc  
Applicant Address 1583 Bishop Drive Lincolnton NC 28092  
Applicant Phone Number 980 429-0327  
Property Owner's Name Eazel Inc (Rick Landers - contact)  
Property Owner's Address 1583 ~~Deer~~ Bishop Drive Lincolnton NC 28092  
Property Owner's Phone Number 980 429-0327

### Part II

Property Location 2124 River Road  
Property ID # (10 digits) 3624373429 Property Size 1.055  
Parcel # (5 digits) 18450 Deed Book(s) 3336 Page(s) 888

### Part III

Briefly describe how the parcel is zoned, used, and list any existing structures.

Zoned R-T - There was a doublewide on the  
property that was completed March 1990. We demod that old home.

Briefly explain your reason for seeking a variance.

We want to build a 2BR 2 story House with a smaller  
footprint where the old house was.

Describe the type of variance you need.

We need a variance due to proximity to the creek.  
A house has been there for 35 years and we  
would like to build one in same spot using the  
existing well & existing septic system.

Application #: \_\_\_\_\_

Date of Application: 9/19/25

**Applicant's Proposed Findings of Fact**

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.

Due to the location of the creek and the  
existing well and existing septic and emergency reserved  
septic repair area this property could only have  
a house in that one spot.

2. The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.

The location of the creek on this specific  
property is the hardship. The creek was  
less than 30ft from the old house. Per Surveyor the new  
house would be 35ft 4 inches from creek bank

3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.

This hardship was not caused by the owner or  
known before purchase (July 2024). We only  
learned of hardship through the permitting process.

4. The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

because a house has safely been there  
for 35 years.

**\$400 APPLICATION FEE MUST BE RECEIVED**  
**BEFORE PROCESSING A VARIANCE REQUEST**

*I hereby certify that all of the information provided for this application and attachments is true and correct to the best of my knowledge.*

Rich Losh  
Applicant

9/19/25  
Date

Rich Losh  
Owner

9/19/25  
Date



# LINCOLN COUNTY HEALTH DEPARTMENT

Certificate of Completion  
Operational Permit



PERMIT # III-0290

Date 3-12-90

Owner Holly, William Robert Address P.O.Box 1732, Linc. (Piedmont) Phone \_\_\_\_\_

Occupant \_\_\_\_\_ Address \_\_\_\_\_ Phone \_\_\_\_\_

Exact Location Startown Rd., left on River Road, 1 mile on right

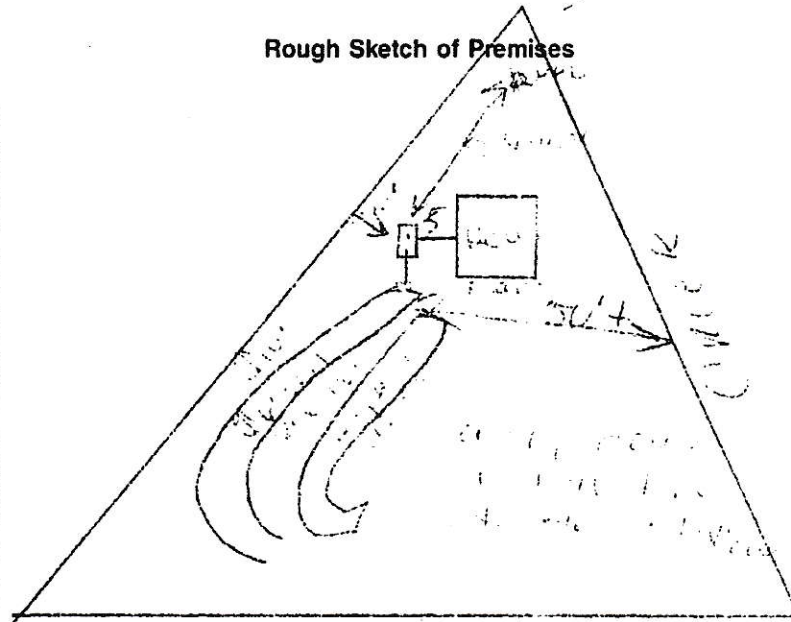
New System ☒

Existing System ☐

Repair ☐

Septic tank manufactured by: Callington Capacity 1000 gallons

**Rough Sketch of Premises**



Not to Scale

Systems Less Than 480 Gallons/Day (A)	Systems Between 481 - 3000 Gallons/Day (B)	Systems Over 3000 Gallons/Day (C)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

No. of lines 2

Width and length of lines 3' X 100'

Total number of square feet 600'

Distance from water supply 50' to 100' to well

Contractor: CT

Address: \_\_\_\_\_

Comments: \_\_\_\_\_

Final approval of this sewage disposal system by the Health Department shall indicate that the system has been constructed according to the standards set forth in the sewage disposal regulations but in no way shall be taken as a guarantee that the system will function satisfactorily for any given period of time.

With proper maintenance, approved sewage disposal systems should be expected to function satisfactorily, provided no overloading or physical damage occurs to the system.

Continued validity of this Operations Permit is contingent on proper operation and maintenance of the system as well as complying with any specified special conditions of operation and/or maintenance.

This sewage disposal system (is) (is not) approved by Lincoln County Health Department, Lincolnton, N.C.

Date: 3-12-90

Signed: [Signature]

Environmental / Health Director

PERMIT #

NAME



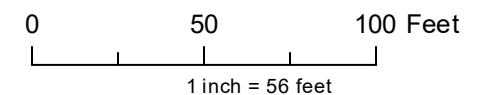


**Lincoln County, NC**  
**Office of the Tax Administrator, GIS Mapping Division**



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October 15, 2025





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Date: 10/15/2025

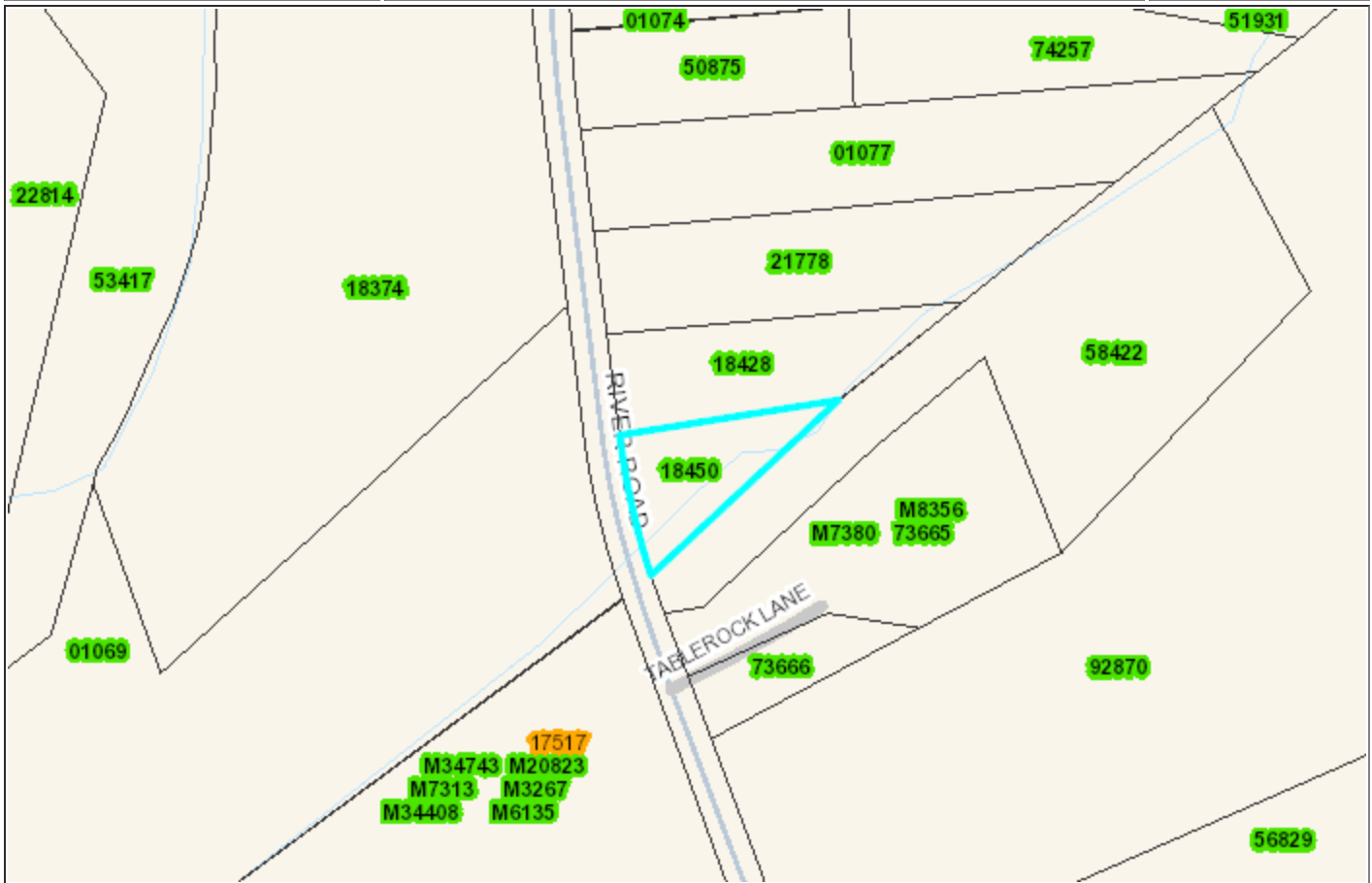
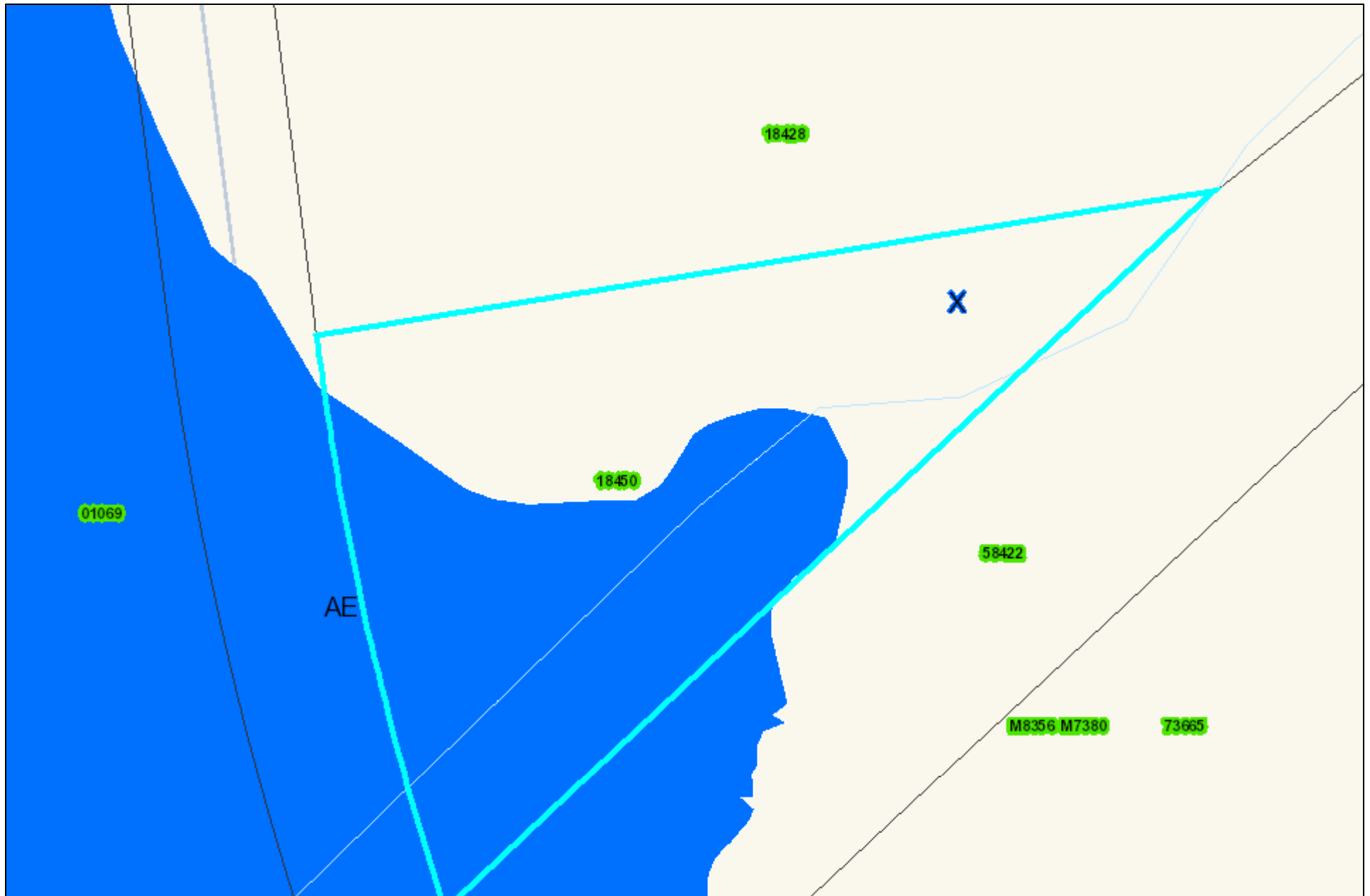






Photo Not  
Available

<b>Parcel ID</b>	18450	<b>Owner</b>	EAZEL INC	
<b>Map</b>	3624	<b>Mailing</b>	1583 BISHOP DRIVE	
<b>Account</b>	173377	<b>Address</b>	LINCOLNTON, NC 28092	
<b>Deed</b>	3336 888	<b>Last Transaction Date</b>	07/11/2024	<b>Sale Price</b> \$26,000
<b>Plat</b>		<b>Subdivision</b>	RIVER RUN ESTATES	<b>Lot</b> 16
<b>Land Value</b>	\$27,998	<b>Improvement Value</b>	\$1,111	<b>Total Value</b> \$29,109
<b>Previous Parcel</b>				
-----All values for Tax Year 2025 -----				
<b>Description</b>	16B RIVER RUN EST II			<b>Deed Acres</b> 0
<b>Address</b>	2124 RIVER RD			<b>Tax Acres</b> 1.055
<b>Township</b>	3	<b>Tax/Fire District</b>	55	
<b>Main Improvement</b>		<b>Value</b>		
<b>Main Sq Feet</b>		<b>Stories</b>	<b>Year Built</b>	
<b>Zoning District</b>	<b>Conditional Use</b>	<b>Calc Acres</b>	<b>Voting Precinct</b>	<b>Calc Acres</b>
R-T		1.05	ST36	1.05
<b>Watershed</b>	1.05		<b>Sewer District</b>	1.05
<b>Census County</b>	109	<b>Tract</b>	070800	<b>Block</b> 4012 1.05
<b>Flood Zone Description</b>				<b>Panel</b>
AE	SPECIAL FLOOD HAZARD AREA BASE ELEVATION DETERMINED - 100 YEAR			3710362400 0.52
X	NO FLOOD HAZARD			3710362400 0.54

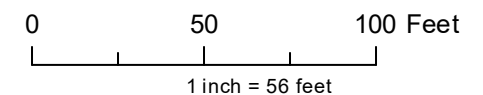


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October 15, 2025



Certificate of Survey and Accuracy

I, T. Riley Casey, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book 3336, Page 888); that the boundaries not surveyed are clearly indicated as drawn from information found in as shown Book \_\_\_\_\_, Page \_\_\_\_; that the ratio of precision as calculated is 1:10,000 +; that this plat was prepared in accordance with G.S. 47-30 as amended.

Witness my original signature, registration number and seal this 19th day of September A.D., 2025.

*T. Riley Casey*  
T. Riley Casey P.L.S., L-4896

This is to certify that part of the property does not lie within a 100 year flood plain.

*T. Riley Casey*  
T. Riley Casey P.L.S., L-4896 09-19-2025

The certificate shall be substantially in the following form:

"I, T. Riley Casey, certify that this map was drawn under my supervision from an actual GPS survey made under my supervision and the following information was used to perform the survey:

- (1) Class of survey: CLASS A
- (2) Positional accuracy: 0.05
- (3) Type of GPS field procedure: RTK
- (4) Dates of survey: 11/26/2024
- (5) Datum/Epoch: NAD83 (2011)
- (6) Published/Fixed-control use: VRS
- (7) Geoid Model: NGS2018
- (8) Combined grid factor(s): 0.9998495
- (9) Units: US SURVEY FEET

Witness my original signature, registration number and seal this 19th day of September A.D., 2025.

*T. Riley Casey*  
T. Riley Casey P.L.S., L-4896

NOTES:

PROPERTY MAY BE SUBJECT TO RECORDED OR UNRECORDED RIGHTS OF WAYS OR EASEMENTS NOT OBSERVED

OWNER TO VERIFY ALL SETBACKS AND ZONING REGULATIONS PRIOR TO ANY PLANNING OR CONSTRUCTION

NO USGS MONUMENT LOCATED WITHIN 2000' OF SUBJECT PROPERTY.

BASED ON FEMA FLOOD INSURANCE RATE MAPPING, THIS PROPERTY IS LOCATED IN ZONE X ( MINIMAL FLOOD RISK), MAP 3710362400J (08/16/2007), (<https://msc.fema.gov/portal/home>).

LEGEND:

- NIP New Iron Pin
- EIP Existing Iron Pin
- CB Communications Box
- CIP Control Iron Pin
- CMP Corrugated Metal Pipe
- UG Underground
- CL CRK Center Line Creek
- PT Point
- RW Right-of-way
- PP Power Pole
- OHU Overhead Utility
- LP Light Pole
- PED Utility Pedistal
- FH Fire Hydrant
- PKS PK Nail Set
- PKF PK Nail Found
- WM Water Meter
- RRF RR Spike Found
- NCGS NC Geodetic Survey Monument
- YI Yard Inlet

- OVERHEAD UTILITY
- ADJOINING LAND OWNER
- EDGE OF R/W
- TIE LINE
- EASEMENT
- FENCE

Course	Bearing	Distance
L1	N 81°06'39" E	50.24
L2	S 47°17'41" W	23.00
L3	N 16°43'14" W	30.51
L4	N 15°56'38" W	33.70
L5	N 15°01'58" W	39.05
L6	N 13°57'02" W	37.46
L7	N 12°49'37" W	36.15
L8	N 11°34'30" W	38.68
L9	N 10°43'16" W	35.21
L10	N 09°35'52" W	8.19



HOPP  
PARCEL: 18428  
DB: 17E PG: 22

YEARWOOD  
PARCEL: 58422  
DB: 3284 PG: 657

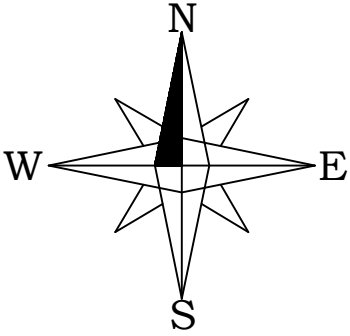
PRELIMINARY  
FOR REVIEW ONLY  
NOT FOR DEED DESCRIPTION

DATA:  
TOTAL ACREAGE: 1.2192 ACRES +/-  
ZONING: R-T  
WATERSHED: WS-IVP  
LOT: N/A  
SUBDIVISION: N/A

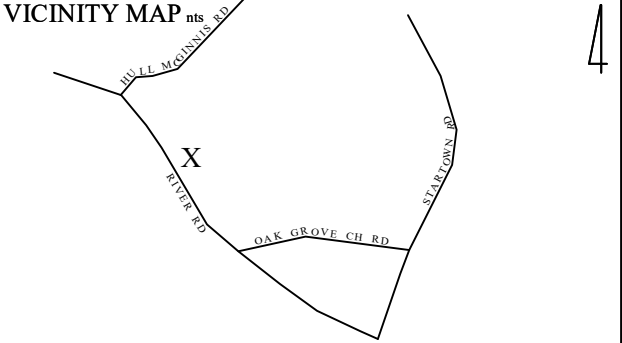
SETBACKS PER R-T ZONING:  
ROAD YARD - 30'  
SIDE YARD - 10'  
SIDE YARD ROAD - 10'  
REAR YARD - 40'

MINIMUM LOT AREA: 32,670 SQ FT  
MINIMUM LOT WIDTH: 100 FT

OWNER TO VERIFY ALL SETBACKS AND ZONING REGULATIONS PRIOR TO ANY PLANNING OR CONSTRUCTION.



NORTH REFERENCE  
NAD 83 (2011)



PRELIMINARY  
SITE PLAN  
FOR  
EAZEL INC  
PROPERTY

PID #: 18450

PIN #: 3624373429

PARCEL ADDRESS:  
2124 RIVER RD LINCOLNTON, NC 28092

LINCOLNTONTOWNSHIP	LINCOLN COUNTY, NC
REFERENCE: DEED BOOK 3336; PAGE 888	DATE OF SURVEY: 11-26-2024 DATE OF DRAWING: 09-19-2025
CONTACT: EAZEL INC 1583 BISHOP DR LINCOLNTON, NC 28092	SCALE: 1" = 60' T. RILEY CASEY, P.L.S. L-4896
	CASEY LAND SURVEYING, PLLC PO BOX 195 LINCOLNTON, NC 28093 (704) 308-0701  JOB FILE: RIVER11262024