



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

Joshua L. Grant, Manager

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 ~~Drive~~ 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) 885

### Part III

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

Zoned R-T - There was a double wide on the property that was completed March 1990. We demoed 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.*

Ruth Lark  
Applicant

9/19/25  
Date

Ruth Lark  
Owner

9/19/25  
Date

# LINCOLN COUNTY HEALTH DEPARTMENT

Certificate of Completion   
Operational Permit

PERMIT # III-0290

Date 3-12-90

PERMIT #

Owner Holly, William Robert Address P.O.Box 1732, Lincolnton, NC Phone

Occupant  Address  Phone

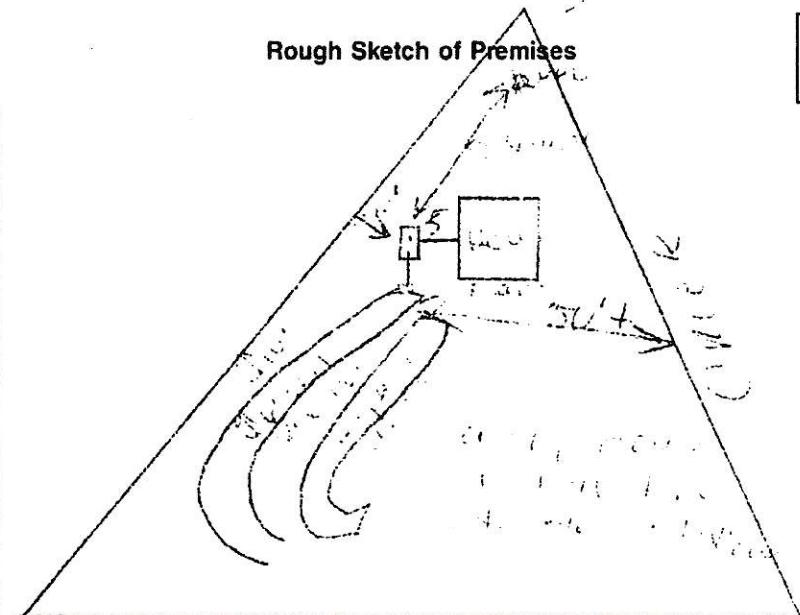
Exact Location Startown Rd., left on River Road, 1 mile on right

New System

Existing System

Repair

Septic tank manufactured by: Lehigh Capacity 1000 gallons



Systems Less Than 480 Gallons/Day (A)	Systems Between 481 - 3000 Gallons/Day (B)	Systems Over 3000 Gallons/Day (C)
---------------------------------------	--	-----------------------------------

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' from well

Contractor: LCI

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.

NAME

Date: 3-12-90

Signed: Lincoln County Health Department  
Environmentalist / Health Director



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



Neither Lincoln County nor its employees, elected officials, agents, or contractors assume any legal responsibility for the information contained herein, which is provided "as is" with no warranties of any kind. Lincoln County disclaims all liability of any kind arising out of the use of, or misuse of, this information and disclaims all express or implied warranties, including warranties of merchantability, fitness for a particular purpose, and non-infringement of proprietary rights.

October 15, 2025

0 50 100 Feet  
1 inch = 56 feet





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

Neither Lincoln County nor its employees, elected officials, agents, or contractors assume any legal responsibility for the information contained herein, which is provided "as is" with no warranties of any kind. Lincoln County disclaims all liability of any kind arising out of the use of, or misuse of, this information and disclaims all express or implied warranties, including warranties of merchantability, fitness for a particular purpose, and non-infringement of proprietary rights.

Date: 10/15/2025

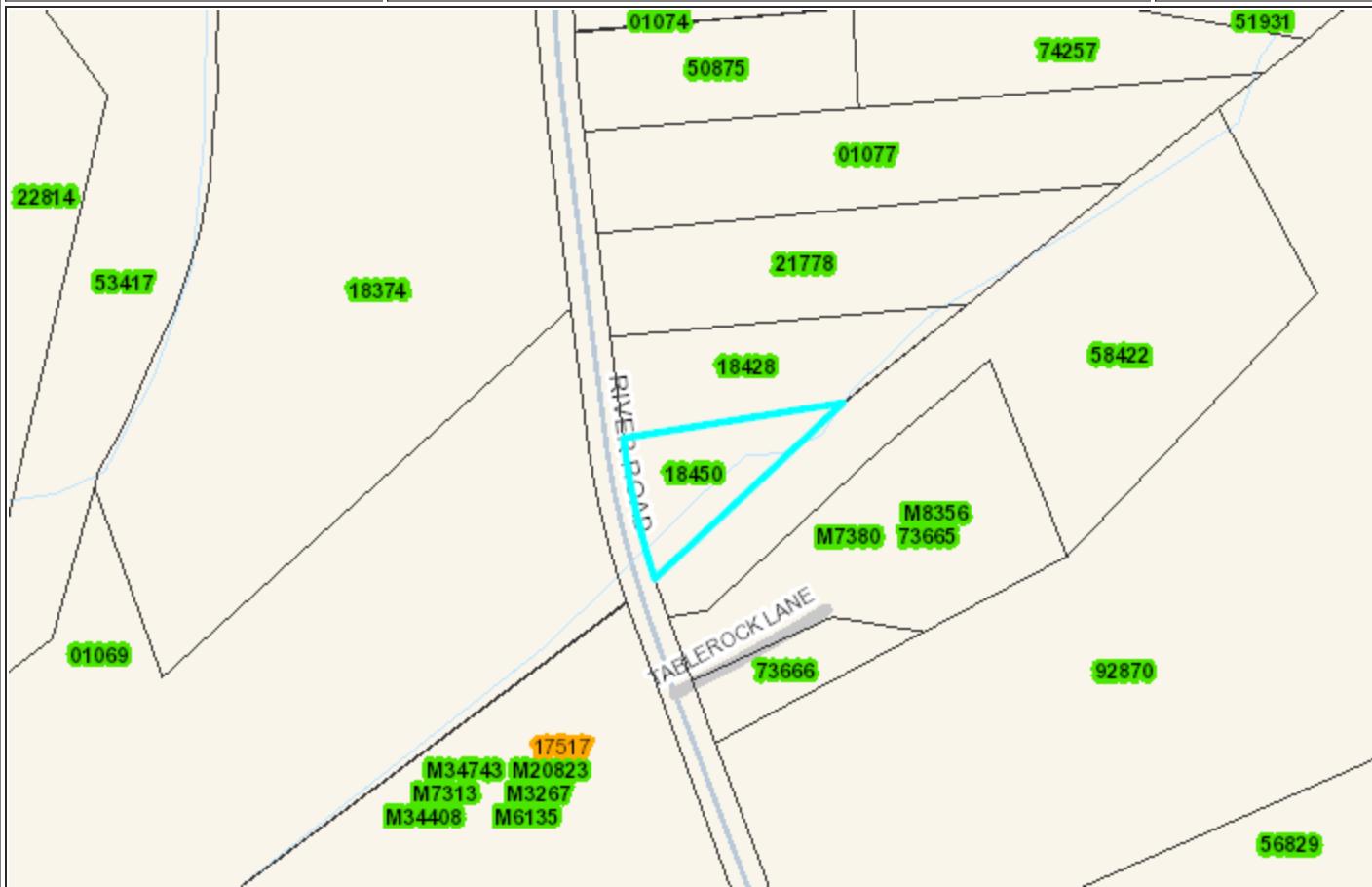
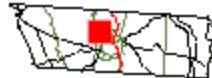
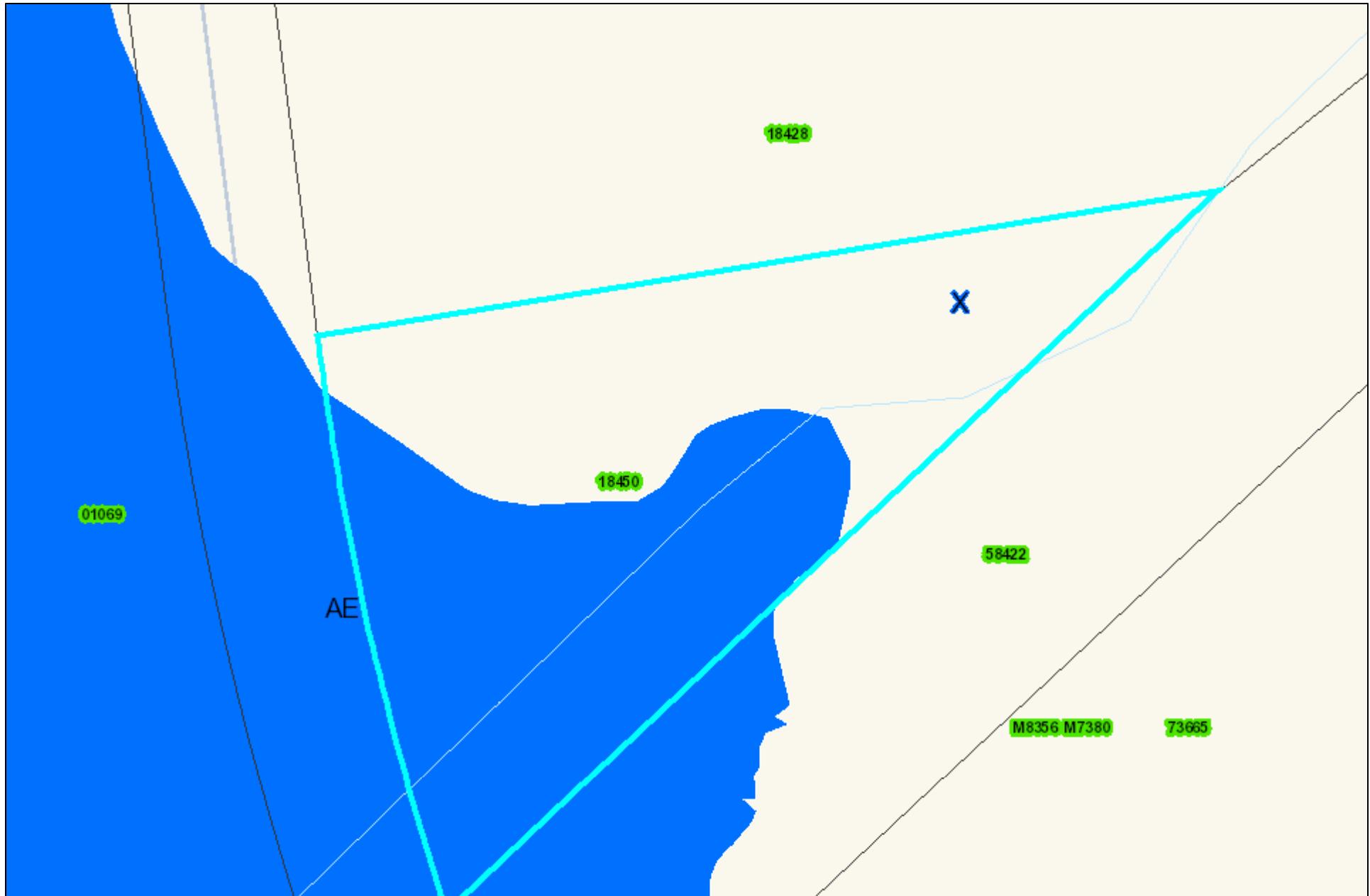




Photo Not Available

<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>Plat</b>		<b>Subdivision</b>	RIVER RUN ESTATES
<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>Main Sq Feet</b>		<b>Stories</b>	
<b>Zoning District</b>	<b>Conditional Use</b>	<b>Calc Acres</b>	<b>Voting Precinct</b>
R-T		1.05	ST36
			1.05
<b>Watershed</b>			
	1.05	<b>Sewer District</b>	1.05
<b>Census County</b>		<b>Tract</b>	<b>Block</b>
109		070800	4012
			1.05
<b>Flood Zone Description</b>			
AE	SPECIAL FLOOD HAZARD AREA BASE ELEVATION DETERMINED - 100 YEAR		3710362400 0.52
X	NO FLOOD HAZARD		3710362400 0.54



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



Neither Lincoln County nor its employees, elected officials, agents, or contractors assume any legal responsibility for the information contained herein, which is provided "as is" with no warranties of any kind. Lincoln County disclaims all liability of any kind arising out of the use of, or misuse of, this information and disclaims all express or implied warranties, including warranties of merchantability, fitness for a particular purpose, and non-infringement of proprietary rights.

October 15, 2025

0 50 100 Feet  
1 inch = 56 feet



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) Geodetic 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 Pedestal
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

