



## COUNTY OF LINCOLN, NORTH CAROLINA

302 NORTH ACADEMY STREET, SUITE A, LINCOLNTON, NORTH CAROLINA 28092

PLANNING AND INSPECTIONS DEPARTMENT  
704-736-8440 OFFICE  
704-732-9010 FAX

To: Alex Patton, Board of Commissioners Chairman  
George Wood, County Manager  
Jeff Frushtick, Planning Board Chairman

From: Randy Hawkins, Zoning Administrator

Date: July 19, 2011

Re: CUP #303  
Bob Stilp, applicant  
Parcel ID# 34680

*The following information is for use by the Lincoln County Board of Commissioners and Planning Board at their joint meeting/public hearing on August 1, 2011.*

### REQUEST

The applicant is requesting a conditional use permit to sell vehicles in the B-G (General Business) district. The proposed site is an existing multi-tenant commercial development. A site plan has been submitted as part of the application. Under the plan, the number of vehicles displayed for sale would be limited to eight. The sale of vehicles is a conditional use in the B-G district.

### SITE AREA AND DESCRIPTION

The 0.86-acre parcel is located at 4317 N. Hwy. 16, on the west side of Hwy. 16 about 200 feet south of Mundy Road. This property is located in the Eastern Lincoln Development District. It is adjoined by property zoned B-G and R-SF (Residential Single Family). Land uses in this area include business and residential. The NC 16 Corridor Vision Plan recommends that commercial activities be concentrated in nodes.

## ORDINANCE STANDARDS

For property in the Eastern Lincoln Development District, Section 2.5.1.K of the Unified Development Ordinance requires that an outdoor sales area for vehicles be buffered from the road by trees and shrubs and a fence meeting certain standards. Vegetation must be provided at a rate of at least two canopy trees, two understory trees and 12 shrubs per 100 feet. The fence must be 3 to 6 feet in height and constructed of ornamental iron or other metal works, masonry columns of wood, decorative block or similar materials. Chain link, vinyl or wood fencing is not permitted.

Under the Unified Development Ordinance, the minimum parking requirement for this 5,520-square-foot development is 19 spaces (one space per 300 square feet of floor area). The development has 30 regular spaces. The development would still meet the parking requirement if eight spaces are used for vehicle display.



## Conditional Use Permit Application

Lincoln County Planning and Inspections Department  
Zoning Administrator  
302 N. Academy St., Suite A, Lincolnton, NC 28092  
Phone: (704)736-8440 FAX: (704)732-9010

### PART I

Applicant Name Bob H. STILP

Applicant Address 2474 GREEN POINT LANE

Applicant Phone Number 704 968 3244

Property Owner Name Bob H. STILP

Property Owner Address 2474 GREEN POINT LANE

Property Owner Phone Number 704 968 3244

### PART II

Property Location 4317 UNIT E HWY 16 NORTH

Property ID (10 digits) 369547-6515 Property size .87 acres

Parcel # (5 digits) 34680 Deed Book(s) 1123 Page(s) 449

### PART III

Existing Zoning District B-G

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

OFFICE, SERVICE, COMPLEX

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

VEHICLE SALES

**\$750 APPLICATION FEE 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 Bob H. STILP

6/13/11

Date

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

Applicant's Name **Bob Stilp**

Applicant's Address **2474 Green Point Lane, Denver, N.C.**

Property Location **4317 Hwy. 16 North**

Existing Zoning **B-G**

Proposed Conditional Use **vehicle sales**

### **PROPOSED FINDINGS**

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

**This plan involves an existing building that was constructed to code and a driveway that was permitted by NCDOT. This use will not add significant traffic.**

2. The use meets all required conditions and specifications.

**The outdoor sales area will be screened by a Class A buffer and by a fence meeting the standards of the Unified Development Ordinance. With the number of vehicles displayed for sale limited to eight, the parking requirement for the commercial complex will still be met.**

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

**This is an existing commercial complex. The outdoor sales area will be limited to eight vehicles and will be located on the side of the property adjoining property that's also zoned B-G.**

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.

**This property is part of an existing commercial area located at the intersection of Hwy. 16 and Mundy Road. The NC 16 Corridor Vision Plan recommends that commercial activity be concentrated in nodes.**

**LINCOLN COUNTY PLANNING BOARD'S**  
**RECOMMENDATIONS ON FINDINGS OF**  
**FACT FOR A CONDITIONAL USE PERMIT**

Application # CUP #303 Date August 1, 2011

Applicant Name Bob Stilp

Applicant 2474 Green Point Lane, Denver, NC 28037

Property Location 4317 N. Hwy. 16 Existing Zoning B-G

Proposed Conditional Use vehicle sales

**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 REASON CITED: \_\_\_\_\_  
\_\_\_\_\_

2. The use meets all required conditions and specifications. YES \_\_\_\_\_ NO \_\_\_\_\_

FACTUAL REASON CITED: \_\_\_\_\_  
\_\_\_\_\_

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

FACTUAL REASON CITED: \_\_\_\_\_  
\_\_\_\_\_

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 REASON CITED: \_\_\_\_\_  
\_\_\_\_\_

After having held a Public Hearing on \_\_\_\_\_ and in light of the Findings of Facts listed herein, the following action was taken by the Lincoln County Planning Board:

In recommending such Conditional Use Permit, the following conditions were recommended by the Lincoln County Planning Board:

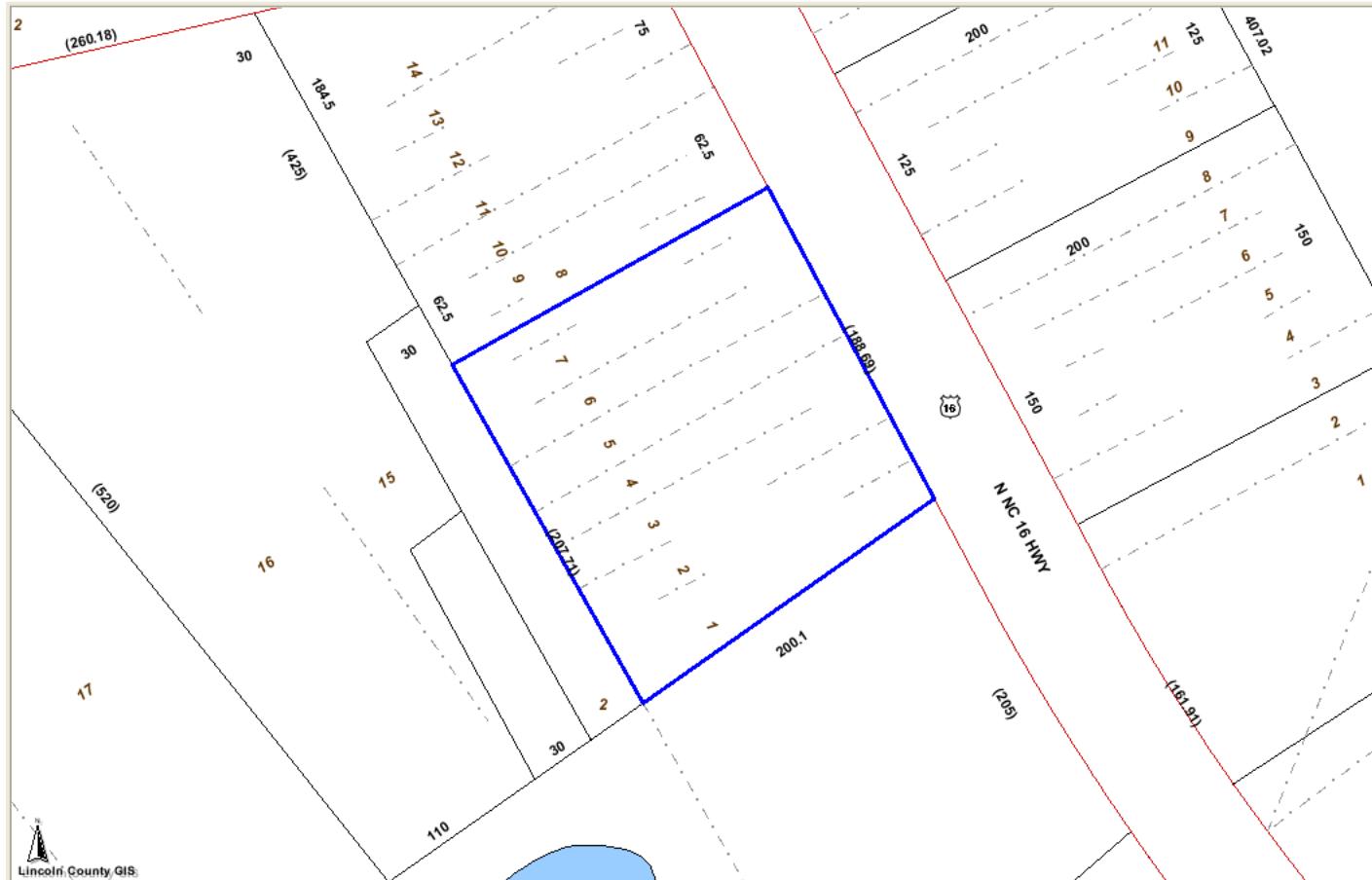
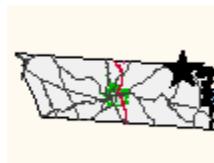


## Lincoln County, NC

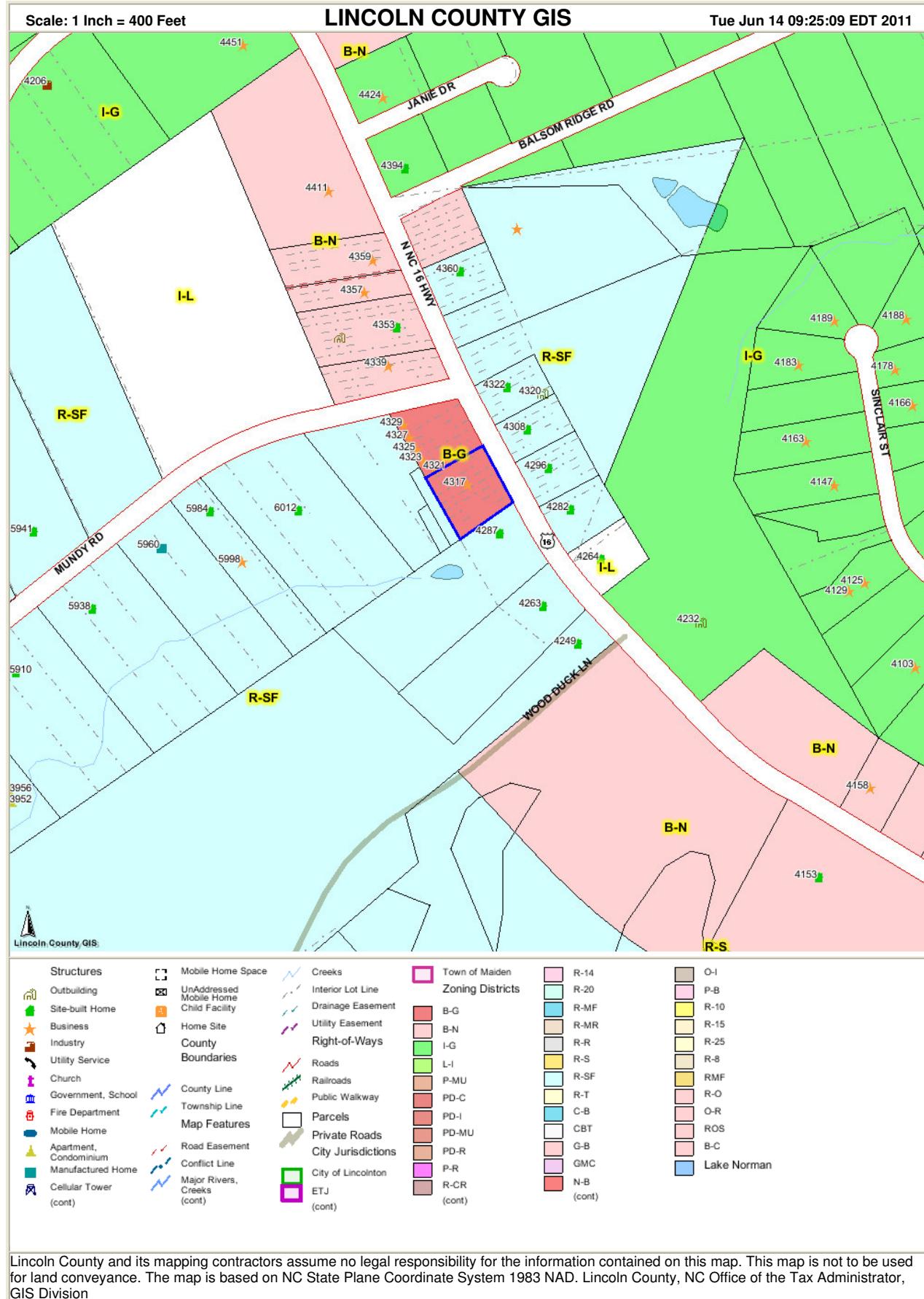
Office of the Tax Administrator, GIS Mapping Division

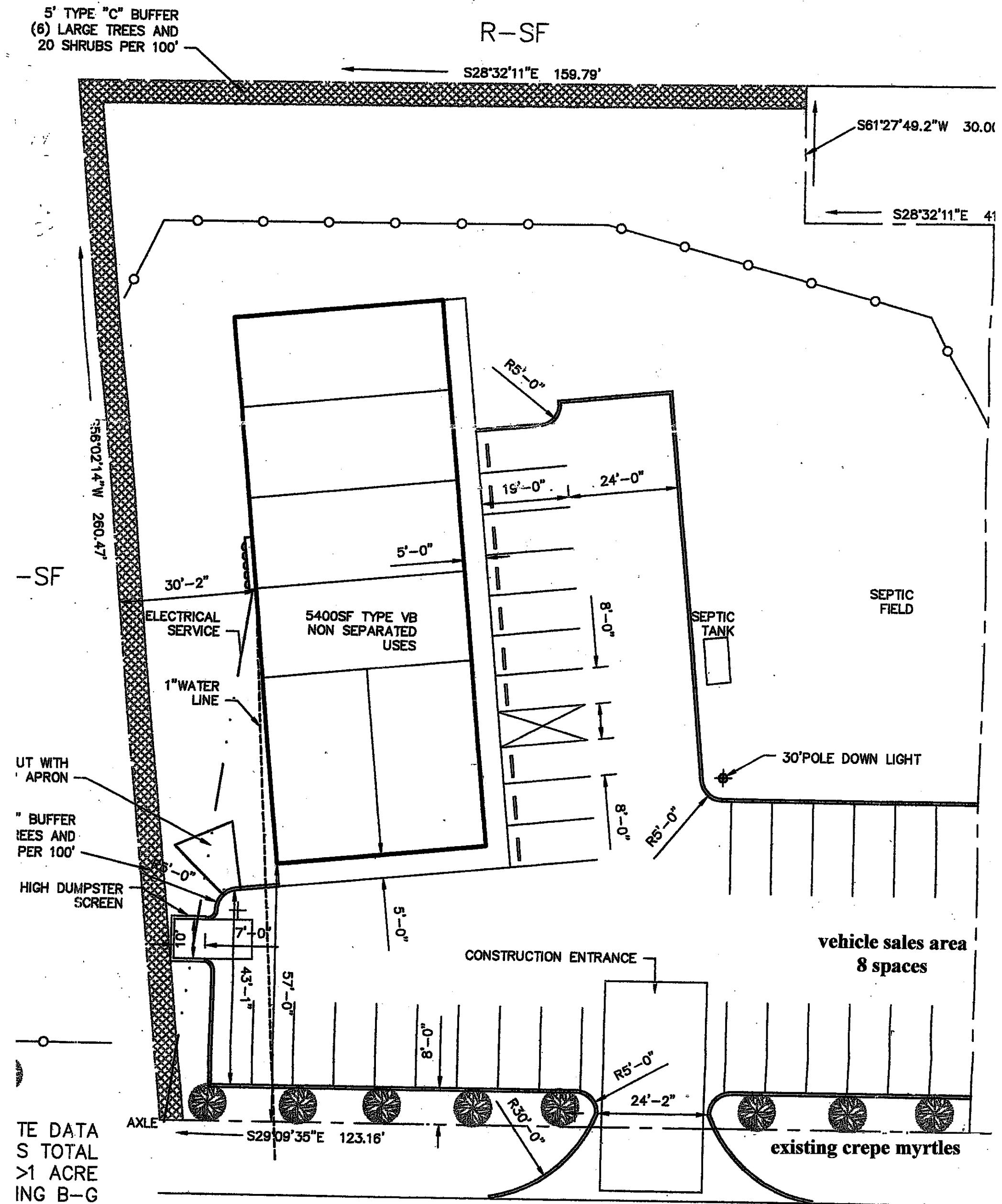
Lincoln County and its mapping contractors assume no legal responsibility for the information contained on this map. This map is not to be used for land conveyance. The map is based on NC State Plane Coordinate System 1983 NAD.

Date: 6/14/2011 Scale: 1 Inch = 100 Feet









Additional plantings to be provided:  
1 canopy tree plus 5 shrubs  
Ornamental metal fence to be provided

CUP #303 site plan