



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: April 20, 2012

Re: CUP #312
Ray Massey, applicant
Parcel ID# 80383

The following information is for use by the Lincoln County Board of Commissioners and Planning Board at their joint meeting/public hearing on May 7, 2012.

REQUEST

The applicant is requesting a conditional use permit to operate an Internet sweepstakes center in the B-G (General Business) district in the Eastern Lincoln Development District (ELDD). The center would be located in an existing multi-tenant development. For zoning purposes, an Internet sweepstakes center is classified as an amusement center. An amusement center is a conditional use in the B-G district and in the Eastern Lincoln Development District.

SITE AREA AND DESCRIPTION

The proposed 1.0-acre site is located at 7005 NC 73 Hwy., on the north side of N.C. 73 Business about 1,200 feet east of N.C. 16 Business. The property is adjoined on both sides and on the opposite side of the highway by property zoned B-G and on the rear by property zoned R-T (Transitional Residential). Land uses in this area are primarily commercial along the highway, with some undeveloped property and residential uses elsewhere. This property is located in an area identified by the Lincoln County Land Use Plan as Regional Business.

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

Application # **CUP #312** Date **May 7, 2012**

Applicant Name **Ray Massey**

Applicant **125 Bethlehem Church Rd., Moore, SC 29369**

Property Location **7505 NC 73 Hwy. (PID# 80383)** Zoning District **B-G, ELDD**

Proposed Conditional Use **Internet sweepstakes center (amusement center)**

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:



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 Ray Massey

Applicant Address 125 Bethlehem Church Rd moore Sc 29369

Applicant Phone Number 864 - 216 - 2988

Property Owner Name (Bill Capp) B+B Investors LLC

Property Owner Address 8212 malibu Pointe Ln Denver NC 28037

Property Owner Phone Number 704-737 3920

PART II

Property Location 7505 N.C 73 Hwy

Property ID (10 digits) 4602-62-2786 Property size 0.97

Parcel # (5 digits) 80383 Deed Book(s) 1353 Page(s) 115

PART III

Existing Zoning District B-G

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

multi tenant development

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

Business Center Internet Sweepstake

\$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.

Ray Massey

Applicant's Signature

3-22-12

Date

First I would like to thank the Planning Board and the Board of Commissioners of Lincoln County for accepting my conditional use permit application into consideration. And Mr. Randy Hawkins for being very helpful during this procedure. The building is question is on 7505 Hwy. 73, in Denver, N.C., and would be named M&M Internet Café #2. The building is 1,260 square feet. It will consist of 23 terminals in which we will sell Internet time, copy and fax. The business hours will be from 8 a.m. till 2 a.m. Monday-Saturday and 1 p.m. till 12 a.m. Sunday. And once again I would like to thank you for your consideration.

**Mr. Ray Massey
(owner)**

APPLICANT'S PROPOSED FINDINGS OF FACT
FOR A CONDITIONAL USE PERMIT

Application No. **CUP #312**

Applicant **Ray Massey**

Applicant's Address **125 Bethlehem Church Rd., Moore, SC 29369**

Property Location **7505 NC 73 Hwy. (Parcel ID# 80383)** Zoning District **B-G, ELDD**

Proposed Conditional Use **Internet sweepstakes center (amusement center)**

PROPOSED FINDINGS

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

This is an existing multi-tenant development. No new facilities are proposed.

2. The use meets all required conditions and specifications.

An amusement center is a conditional use in the B-G district and in the Eastern Lincoln Development District.

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 development in an existing commercial area.

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 is an existing commercial area. This property is part of an area designated by the Land Use Plan as Regional Business.



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: 4/10/2012 Scale: 1 Inch = 80 Feet



PHOTOS		PARCEL INFORMATION FOR 4602-62-2786						
		Parcel ID 80383 Owner L & B INVESTORS LLC Map 4602-04 Mailing C/O LINDA VALERIANO Account 0159970 Address 8212 MALIBU POINTE LN Deed 1353-115 Recorded 6/19/2002 Sale Price \$268,700 Land Value \$425,580 Total Value \$1,188,541 Previous Parcel 74803 <p>----- All values are for tax year 2012. -----</p> Subdivision Lot 2 PINNACLE PROPERTY ASSOCIATES COMMERCIAL Plat 11-393 Description #2 LOT PINNACLE PRO ASSOC Deed Acres 0.98 Address 7505 NC 73 HWY Tax Acres 0.97 Township CATAWBA SPRINGS Tax/Fire District EAST LINCOLN / EL SEWER Main Improvement COMMUNITY SHOPS Value \$730,486 Main Sq Feet 10140 Stories 1 Year Built 2005						
80383		Zoning District Calculated Acres Voting Precinct COWANS FORD (LW31) Calculated Acres 0.98 B-G 0.98 Watershed Class Not in a watershed Sewer District In the sewer District Block 0.98 2000 Census County 37109 Tract 071100 Panel 3710460200 Flood X Zone Description NO FLOOD HAZARD Block 0.98						

LINCOLN COUNTY GIS

Tue Mar 27 16:21:38 EDT 2012

19. *Leucosia* *leucostoma* (Fabricius)

This map displays a detailed layout of a residential area in Lincoln County, NC. The map includes several major roads: N NC 16 HWY, S NC 16 HWY, NC 73 HWY, ECROSS DR, WATERSIDE CROSSING BLVD, PILOT COVE CT, and S PILOT KNOB RD. Land use is categorized into three main types: B-G (red), R-T (yellow), and B-N CZ (green). Numerous property lots are numbered, such as 7385, 108, 7405, 7410, 119, 121, 129, 133, 135, 137, 139, 141, 143, 145, 149, 161, 167, 169, 171, 173, 179, 7482, 7547, 7649, 7653, 7663, 7667, 7671, 7684, 7685, 7693, 7497, 7507, 7511, 7519, 7521, 7517, 7523, 7525, 7529, 7533, 7531, 7552, 7568, 7504, 7510, 7511, 7508, 7566, 7541, 7544, 7535, 7551, 7549, 7543, 7539, 7555, 7553, 247, 205, 191, 151, 134, 120, 107, 148, 164, 178, 187, 133, 153, 307, 236, 225, 202, and 274. A blue line highlights a specific property boundary along NC 73 HWY.

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