



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
Christine Poinsette, Planning Board Chairman

From: Randy Hawkins, Zoning Administrator

Date: August 23, 2012

Re: CUP #318
Troy Motz, applicant
Parcel ID# 56791

The following information is for use by the Lincoln County Board of Commissioners and Planning Board at their joint meeting/public hearing on September 10, 2012.

REQUEST

The applicant is requesting a conditional use permit to operate an amusement center with electronic gaming in the B-N (Neighborhood Business) district. The center would be located in an existing commercial building, the smaller of two buildings that are located on this parcel (see aerial photo). Under the zoning regulations in effect at the time of the application, an amusement center is a conditional use in the B-N district, with no special standards that must be met.

SITE AREA AND DESCRIPTION

The 2.5-acre parcel is located at 3017 W. Old NC 150 Hwy., on the south side of Old N.C. 150 about 1,200 feet east of N.C. 150, in Howards Creek Township. This property is adjoined by property zoned B-N and R-S (Residential Suburban). Land uses in this area include commercial, residential and agricultural. This property is part of an area classified by the Lincoln County Land Use Plan as community business.

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

Application # **CUP #318** Date **September 10, 2012**

Applicant Name **Troy Motz**

Applicant Address **P.O. Box 1747, Lincolnton, NC 28093**

Property Location **3017 W. Old NC 150 Hwy.** Zoning District **B-N**

Proposed Conditional Use **amusement center with electronic gaming**

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 Thay Matz

Applicant Address P.O Box 1747 Lincolnton NC 28093

Applicant Phone Number 704-472-4807

Property Owner Name Thay Matz

Property Owner Address Same

Property Owner Phone Number 704-472-4807

PART II

Property Location 3017 OLD NC Hwy 150 CHouse

Property ID (10 digits) 3611-05-8220 Property size 3 ACRES

Parcel # (5 digits) 56791 Deed Book(s) 1159 Page(s) 459

PART III

Existing Zoning District B-N

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

2 Buildings Being used mainly As Storage

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

Internet Sweepstakes

\$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

7-27-12

Date

TROY MOTZ

Po box 1747
Lincolnton NC 28090
Phone 704-472-4807
Fax 704-538-0923
Troymotz@aol.com

8/15/2012

Proposed

Business hours of operation will be Monday thru Saturday, 8 a.m. to 12 p.m. midnight, closed on Sunday. The number of employees will be 3 to 4 fulltime. A brief overview of the property: on the back is a railroad track and cow pasture, to the left (facing from road) there is a 1 acre vacant lot that I own, the property on the right side is a residential house but I have Cypress trees planted as a buffer. The old Hwy. 150 has several businesses in close proximity, such as a hair salon which is on the other side of the residential house and an oil company and a service station. I have owned this property for 12 years and I have always got along with my neighbors and wouldn't do anything that I thought would be a problem for me or my neighbors and I will continue to do so. I believe this property is well suited for this type of business because it is a stand-alone property with plenty of parking with enough land as a buffer to make it private and you also don't have other businesses intertwined.

Troy Motz

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

Application No. **CUP #318**

Applicant **Troy Motz**

Applicant's Address **P.O. Box 1747, Lincolnton, NC 28093**

Property Location **3017 W. Old NC 150 Hwy.**

Zoning District **B-N**

Proposed Conditional Use **amusement center with electronic gaming**

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 commercial building. No new facilities are proposed.

2. The use meets all required conditions and specifications.

An amusement center is a conditional use in the B-N 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 building in an existing commercial area.

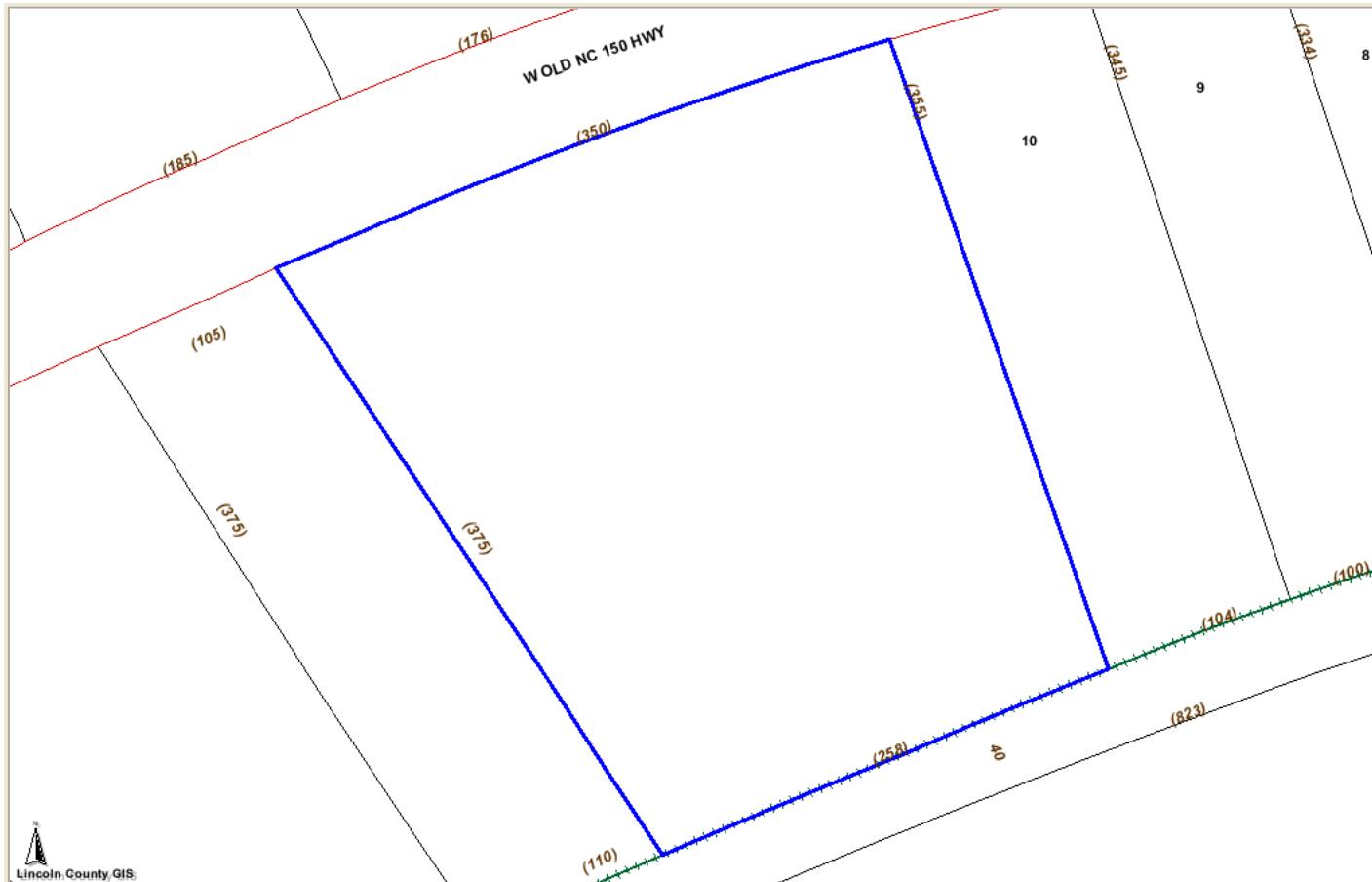
4. The location and character of use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the Land Use Plan for the area in question.

This is an existing commercial area. This property is part of an area identified by the Lincoln County Land Use as community business.



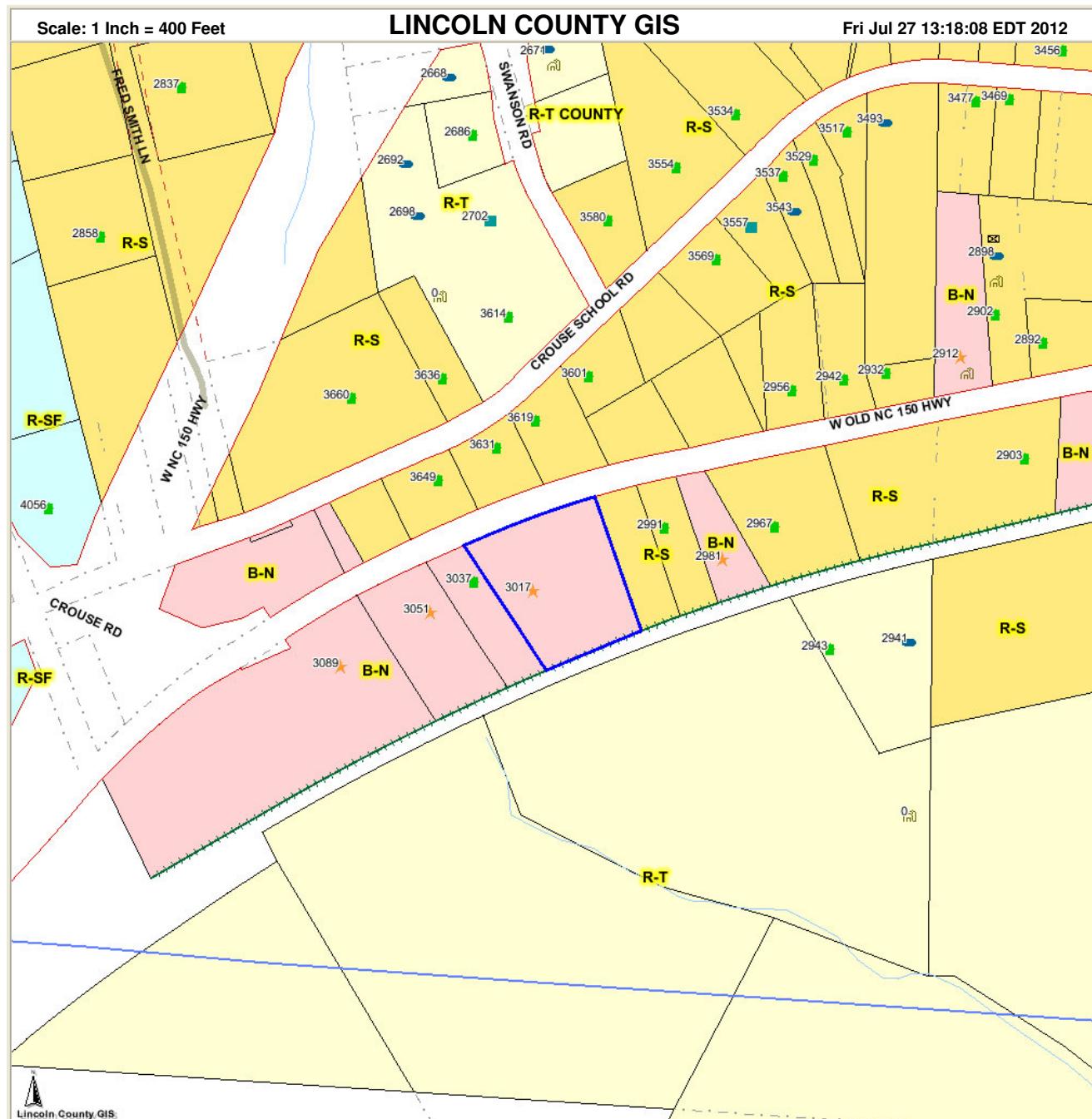
Lincoln County, NC

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: 7/27/2012 Scale: 1 Inch = 100 Feet



PHOTOS		PARCEL INFORMATION FOR 3611-05-8220					
 56791		Parcel ID 56791 Owner MOTZ TROY A DBA/CAROLINA MECHANICAL HEATING & AIR Map 3611-01 Mailing Address 732 CARPENTERS GROVE CH RD Account 0142055 Recorded 2/17/2000 Sale Price \$75,000 Deed 1159-459 Total Value \$309,840 Previous Parcel Land Value \$95,430					
----- All values are for tax year 2012. -----							
Description 3 AC GREEN HILL FARM LAND Address 3017 W OLD NC 150 HWY Township HOWARDS CREEK		Tax/Fire District		Deed Acres 3 Tax Acres 2.54 CROUSE			
Main Improvement Main Sq Feet 6000		Service Shop Stories 1 Year Built 2000		Value \$151,011			
Zoning District B-N		Calculated Acres 2.54		Voting Precinct CROUSE (CR06)		Calculated Acres 2.54	
Watershed Class WS-IVP		2.54		Sewer District Not in the sewer district		2.54	
2000 Census County							
37109		070400		2018		0.05	
37109		070400		3028		2.5	
Flood X		Zone Description NO FLOOD HAZARD		Panel 3710361100		2.54	





This legend provides a key for symbols and colors used in the Lincoln County map. It is organized into several categories: Structures, Outbuilding, Site-built Home, Business, Industry, Utility Service, Church, Government, School, Fire Department, Mobile Home, Apartment, Condominium, Manufactured Home, Cellular Tower, and (cont). The legend also includes sections for Mobile Home Space, UnAddressed Mobile Home, Child Facility, Home Site, County Boundaries, Map Features, Creeks, Interior Lot Line, Drainage Easement, Utility Easement, Right-of-Ways, Roads, Railroads, Public Walkway, Parcels, Private Roads, City Jurisdictions, and a section for Major Rivers, Creeks, and ETJ. A separate section for Town of Maiden Zoning Districts lists 25 districts with their corresponding colors and codes. A final section identifies the Lake Norman area.

Category	Symbol	Description
Structures	House	Outbuilding
	House with chimney	Site-built Home
	Star	Business
	Building with chimney	Industry
	Building with utility lines	Utility Service
	Church	Church
	Building with flag	Government, School
	Fire Station	Fire Department
	Mobile Home	Mobile Home
	Apartment	Apartment, Condominium
Manufactured Home	Manufactured Home	
Cellular Tower	Cellular Tower	
(cont)	(cont)	
Mobile Home Space	House	Mobile Home Space
	House with chimney	UnAddressed Mobile Home
	Building with chimney	Child Facility
	House with utility lines	Home Site
	Building with utility lines	County Boundaries
	County Line	County Line
	Township Line	Township Line
	Road Easement	Road Easement
	Conflict Line	Conflict Line
	Major Rivers, Creeks	Major Rivers, Creeks
(cont)	(cont)	
Map Features	Blue line	Creeks
	Blue line with dots	Interior Lot Line
	Blue line with arrows	Drainage Easement
	Blue line with dots and arrows	Utility Easement
	Blue line with arrows	Right-of-Ways
	Red line	Roads
	Green line	Railroads
	Yellow line	Public Walkway
	White box	Parcels
	Gray box	Private Roads
City Jurisdictions	City of Lincolnton	City Jurisdictions
	ETJ	ETJ
	Creek	Creeks
	Interior Lot Line	Interior Lot Line
	Drainage Easement	Drainage Easement
	Utility Easement	Utility Easement
	Right-of-Ways	Right-of-Ways
	Roads	Roads
	Railroads	Railroads
	Public Walkway	Public Walkway
Town of Maiden Zoning Districts	R-CR	R-CR
	R-14	R-14
	R-20	R-20
	R-MF	R-MF
	B-G	B-G
	B-N	B-N
	R-MR	R-MR
	I-G	I-G
	I-L	I-L
	R-S	R-S
	P-MU	P-MU
	PD-C	PD-C
	PD-I	PD-I
	PD-MU	PD-MU
	PD-R	PD-R
	C-B	C-B
	CBT	CBT
	R-T	R-T
	G-B	G-B
	GMC	GMC
	N-B	N-B
	O-I	O-I
	P-B	P-B
	R-10	R-10
	R-15	R-15
R-25	R-25	
R-8	R-8	
RMF	RMF	
R-O	R-O	
O-R	O-R	
ROS	ROS	
B-C	B-C	
Lake Norman	Lake Norman	
(cont)	(cont)	

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. Lincoln County, NC Office of the Tax Administrator, GIS Division