



**COUNTY OF LINCOLN, NORTH CAROLINA**  
PLANNING AND INSPECTIONS DEPARTMENT

To: Zoning Board of Adjustment

From: Randy Hawkins  
Zoning Administrator

Date: November 8, 2012

Re: VAR #327  
TKC LIV, LLC  
Parcel ID# 19003

*The following information is for use by the Lincoln County Zoning Board of Adjustment at its meeting/public hearing on November 26, 2012.*

Request

TKC LIV, LLC is requesting a variance from Section 2.4.8.B.1 of the Lincoln County Unified Development Ordinance to allow a tract of land to be subdivided and an existing building to be expanded without the existing building or the addition being set back any distance from the new property line. The property line would run with the wall between the existing building and the addition. Section 2.4.8.B.1 states that the minimum side yard setback in the I-G (General Industrial) district is 20 feet.

Site Area and Description

The 85-acre tract is located at 838 Lincoln County Parkway, on the north side of Lincoln County Parkway about 1,200 feet west of Finger Mill Road, in the Lincoln County Industrial Park. It is the site of a 780,000-square-foot manufacturing and distribution facility. This property is zoned I-G and is adjoined by property zoned I-G and R-R (Rural Residential). Land uses in this area include industrial and residential.

Applicant TKC LIV, LLC

Application # VAR #327

**ZONING BOARD OF ADJUSTMENT'S FINDINGS OF FACT**

1. THERE ARE PRACTICAL DIFFICULTIES OR UNNECESSARY  
HARDSHIPS IN THE WAY OF CARRYING OUT THE STRICT LETTER OF  
THE ORDINANCE. YES \_\_\_\_\_ NO \_\_\_\_\_

- A. If the property owner complies with the provisions of the ordinance, he can secure no reasonable return from or make no reasonable use of his property. Yes \_\_\_\_\_ No \_\_\_\_\_  
*Factual reasons cited by the Board:*

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- B. The hardship results from the application of the ordinance.  
Yes \_\_\_\_\_ No \_\_\_\_\_  
*Factual reasons cited by the Board:*

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- C. The hardship is suffered by the applicant's property.  
Yes \_\_\_\_\_ No \_\_\_\_\_  
*Factual reasons cited by the Board:*

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- D. The hardship is not the result of the applicant's own action.  
Yes \_\_\_\_\_ No \_\_\_\_\_  
*Factual reasons cited by the Board:*

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- E. The hardship is peculiar to the applicant's property.  
Yes \_\_\_\_\_ No \_\_\_\_\_  
*Factual reasons cited by the Board:*

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2. THE VARIANCE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THIS ORDINANCE. Yes \_\_\_\_\_ No \_\_\_\_\_  
*Factual reasons cited by the Board:*

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3. IN THE GRANTING OF THE VARIANCE, THE PUBLIC SAFETY AND WELFARE HAVE BEEN ASSURED AND SUBSTANTIAL JUSTICE HAS BEEN DONE. Yes \_\_\_\_\_ No \_\_\_\_\_  
*Factual reasons cited by the Board:*

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4. THE REASONS SET FORTH IN THE APPLICATION JUSTIFY THE GRANTING OF A VARIANCE, AND THAT THE VARIANCE IS A MINIMUM ONE THAT WILL MAKE POSSIBLE THE REASONABLE USE OF LAND OR STRUCTURES. Yes \_\_\_\_\_ No \_\_\_\_\_  
*Factual reasons cited by the Board:*

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*Based on the Findings of Fact, the following action was taken on \_\_\_\_\_  
\_\_\_\_\_ by the Lincoln County Zoning Board of Adjustment after a  
public hearing was held and duly advertised:*

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*In approving said variance, the following conditions have been imposed by the  
Zoning Board of Adjustment:*

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## Variance Application

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



### Part I

Applicant Name TKC LIV, LLC a North Carolina limited liability company

Applicant Address c/o The Keith Corporation, 5935 Carnegie Boulevard, Suite 200,  
Charlotte, NC 28209

Applicant Phone Number 704-319-8140

Property Owner's Name TKC LIV, LLC a North Carolina limited liability company

Property Owner's Address c/o The Keith Corporation, 5935 Carnegie Boulevard, Suite  
200, Charlotte, NC 28209

Property Owner's Phone Number 704-319-8140

### Part II

Property Location 838 Lincoln County Parkway, Lincoln County Industrial Park,  
Lincolnton, NC

Property ID # (10 digits) 3636710625 Property Size 84.685 acres

Parcel # (5 digits) 19003 Deed Book(s) 2016 Page(s) 231

### Part III

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

The property is zoned I-G and is used by RSI Home Products on a long term lease as a manufacturing and distribution facility for cabinets and vanities. The current building is +/- 775,000 sf and was built in 3 phases.

Briefly explain your reason for seeking a variance.

RSI Home Products needs to have the building expanded by 225,000 sf in order to accommodate growth plans. RSI Home Products is requiring an integrated facility as part of the expansion and without a variance to the setback lines the expansion cannot be accommodated. New taxable investment of +/- \$7,500,000 in real property along with additional investment in machinery & equipment and the creation of additional jobs will result from this expansion. Due to unforeseen circumstances in the financial markets, and through no fault or action of Owner, the existing lender has no allocation of funds for the owner to expand the building for RSI and the existing loan cannot be pre-paid without incurring in excess of \$2,000,000 in pre-payment penalties. In order for another lender to finance the expansion, which the Owner has the capability to procure, the property has to be subdivided on a zero lot line basis so that each lender has a first lien position on its respective improvements.

Without this variance, RSI and the Owner cannot utilize the property and would have to look at doing this project at a different facility in Texas or California. If RSI can do the project in Lincoln County, they will commit to a 15 year lease on the 1,000,000 sf expanded facility and keep hundreds of people employed long term. Otherwise, they would look at other options in other counties and States.

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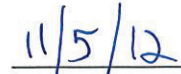
Describe the type of variance you need.

A zero lot line for an internal setback line is needed such that the expansion project can be an extension of the current building, the property line would be on the demising wall between the existing building and the expansion, and the drive coming off of Lincoln County Parkway to the expansion parcel would also touch the property dividing line. Granting the variance is in harmony with the intent of the ordinance and will not jeopardize public safety as all external setback lines will be maintained. The project will be constructed such that it appears to be one integrated project which conforms with the ordinance.

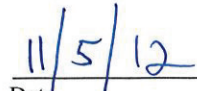
**\$500 APPLICATION FEE MUST BE RECEIVED**  
**BEFORE PROCESSING A VARIANCE REQUEST**

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

Applicant  Authorized Member, TKC LTV, LLC

  
Date

Owner  Authorized Member, TKC LTV, LLC

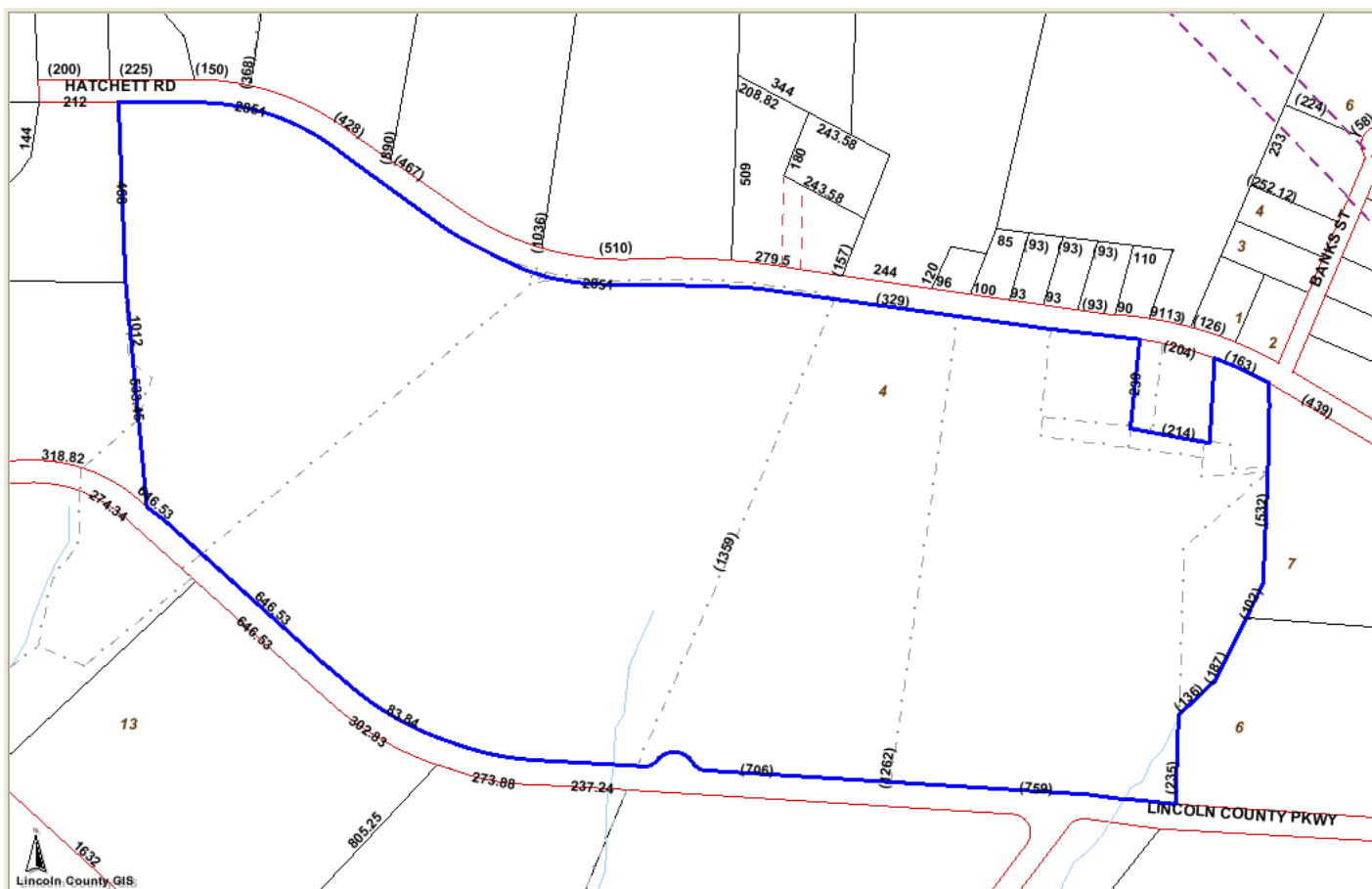
  
Date





# 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: 11/2/2012 Scale: 1 Inch = 500 Feet**



## PHOTOS



19003



19003

## PARCEL INFORMATION FOR 3636-71-0625

<b>Parcel ID</b>	19003	<b>Owner</b>	TKC LIV LLC C/O THE KEITH CORP	
<b>Map</b>	3636-00	<b>Mailing Address</b>	5935 CARNEGIE BLVD SUITE 200 CHARLOTTE NC 28209	
<b>Account</b>	0171025	<b>Recorded</b>	3/13/2008	<b>Sale Price</b> \$5,000
<b>Deed</b>	2016-231	<b>Total Value</b>	\$28,165,866	<b>Previous Parcel</b>
<b>Land Value</b>	\$1,800,090	----- All values are for tax year 2012. -----		
<b>Subdivision</b>	Lot 4 TKC LIV LLC		<b>Plat</b>	14-400
<b>Description</b>	#4 TKC LIV LLC RECOMBINE		<b>Deed Acres</b>	0
<b>Address</b>	838 LINCOLN COUNTY PKWY		<b>Tax Acres</b>	85
<b>Township</b>	LINCOLNTON		<b>Tax/Fire District</b>	NORTH 321
<b>Main Improvement</b>	MANUFACTURING/OFFICE		<b>Value</b>	\$26,257,776
<b>Main Sq Feet</b>	780000	<b>Stories</b>	1	<b>Year Built</b> 2003
<b>Zoning District</b>		<b>Calculated Acres</b>		<b>Voting Precinct</b>
I-G		85.01		HICKORY GROVE (HG17)
<b>Watershed Class</b>				<b>Calculated Acres</b>
Not in a watershed		85.01		
<b>2000 Census County</b>				<b>Sewer District</b>
37109				Not in the sewer district
<b>Flood</b>	<b>Zone Description</b>		<b>Tract</b>	
X	NO FLOOD HAZARD		070800	<b>Block</b>
				2003
			<b>Panel</b>	
			3710363600	85.01

