



LINCOLN COUNTY PLANNING & INSPECTIONS DEPARTMENT
302 NORTH ACADEMY STREET, SUITE A, LINCOLNTON, NORTH CAROLINA 28092
704-736-8440 OFFICE 704-736-8434 INSPECTION REQUEST LINE 704-732-9010 FAX

To: Board of Commissioners
Planning Board

From: Randy Hawkins, Zoning Administrator

Date: April 11, 2014

Re: PCUR #162
Jeff Wilkinson, applicant
Parcel ID# 23024

The following information is for use by the Lincoln County Board of Commissioners and Planning Board at their joint meeting/public hearing on May 5, 2014.

REQUEST

The applicant is requesting a parallel conditional use rezoning of a 0.45-acre parcel from R-S (Residential Suburban) to CU B-G (Conditional Use General Business) to permit servicing and sales of vehicle. The applicant is proposing to use an existing commercial building to service vehicles for sale as part of a car dealership he operates on an adjoining site. Vehicle servicing is a permitted use and vehicle sales is a conditional use in the B-G district. This property has been the location of a legal nonconforming (grandfathered) use, a heating and air conditioning contractor.

SITE AREA AND DESCRIPTION

The property is located at 103 Finger St., on the west side of Finger Street about 250 feet north of N.C., 27, in Ironton Township. It is adjoined by property zoned R-S, B-N (Neighborhood Business) and CU B-G (Conditional Use General Business). Land uses in this area include business, residential and institutional. This property is located in an area designated by the Lincoln County Land Use Plan as Mixed Residential/Commercial.

ADDITIONAL INFORMATION

Permitted uses

Under current zoning: Heating and air conditioning contractor, single-family dwelling, duplex, church.

Under requested zoning: servicing and sales of vehicles.

Adjoining zoning and uses

East (opposite side of Finger Street): zoned R-S and B-N, church.

South: zoned B-N, fitness center.

West: zoned CU B-G (*not shown correctly on zoning map in packet*), portion of lot recently cleared and graded to provide additional parking for car dealership.

North: zoned R-S, residence.

STAFF RECOMMENDATION

Staff recommends approval of the rezoning request. See proposed statement on following page for rationale.



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Zoning Amendment Staff's Proposed Statement of Consistency and Reasonableness

Case No. **PCUR #162**
Applicant **Jeff Wilkinson**
Parcel ID# **23024**
Location **103 Finger St.**
Proposed amendment **Rezone from R-S to C-U B-G to permit servicing and sales of vehicles**

This proposed amendment **is consistent** with the Lincoln County Comprehensive Land Use Plan and other adopted plans in that: **This property is part of an area designated by the Lincoln County Land Use Plan as Mixed Residential/Commercial.**

This proposed amendment **is reasonable and in the public interest** in that: **This property is adjoined by property zoned business. It has been used as a business site for many years. The rezoning will allow the reuse of an existing commercial building.**



County Of Lincoln, North Carolina

Planning Board

Applicant **Jeff Wilkinson**

Application No. **PCUR #162**

Property Location **103 Finger St. (PID #23024)**

Proposed zoning District **CU B-G**

Proposed Conditional Use **servicing and sales of vehicles**

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 REASONS CITED: _____

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

FACTUAL REASONS 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 REASONS 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 REASONS 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, the following conditions were recommended by the Lincoln County Planning Board:



Parallel Conditional Use Rezoning Application

Lincoln County Planning and Inspections Department

Zoning Administrator

302 N. Academy St., Lincolnton, NC 28092

Phone: (704)736-8440 FAX: (704)732-9010

PART I

Applicant Name

Jeff W. Kinon

Applicant Address

3081 EAST Hwy 27 Lincolnton N.C. 28092

Applicant Phone Number

704-735-1212 - cell- 704-688-0372

Property Owner Name

ROGER BARRY CLARK

Property Owner Address

430 McDaniels SPRING ROAD Lincolnton

Property Owner Phone Number

704-913-0182

PART II

Property Location

3087 E NC 27 Hwy

Property ID (10 digits)

3643-77-5483

Property size

0.45

Parcel # (5 digits)

23024

Deed Book(s)

798

Page(s)

746

PART III

Existing Zoning District

R-5

Proposed Zoning District

CU B-G

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

2,400 square foot service shop, used by heating & air contractor

Briefly explain the proposed use and/or structure which would require a rezoning.

Vehicle service/vehicle sales

\$750 APPLICATION FEE* MUST BE RECEIVED BEFORE PROCESSING.

***SEE PLANNING DEPT. FOR PLANNED DEVELOPMENT FEES.**

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

3/11/14
Date

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

Application No. **PCUR 162**

Applicant **Jeff Wilkinson**

Property Location: **107 Finger St.**

Parcel ID# **23024**

Proposed Conditional Use **servicing and sales of vehicles**

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 property that will be used to service vehicles for sale.

2. The use meets all required conditions and specifications.

Vehicle service is a permitted use and vehicle sales is a conditional use in the B-G district.

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

This property has been used for a business for many years. It is adjoined by property zoned business.

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 located in an existing business area and in an area designated by the Land Use Plan as Mixed Residential/Commercial.



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: 3/13/2014 Scale: 1 Inch = 150 Feet



PHOTOS



23024

PARCEL INFORMATION FOR 3643-77-5483

Parcel ID	23024	Owner	CLARK ROGER BARRY
Map	3643-02	Mailing	430 MCDANIELS SPRING RD
Account	04857	Address	LINCOLNTON NC 28092-0000
Deed	798-746	Recorded	6/19/1992
Land Value	\$39,812	Total Value	\$140,579
----- All values are for tax year 2014. -----			
Subdivision	Lot 110-113 SHRUM SUBDIVISION		
Description	CLARK H. & A/C OFF 27		
Address	3097 E NC 27 HWY		
Township	IRONTON		
Main Improvement	SERVICE SHOP MASONARY	Tax/Fire District	BOGER CITY
Main Sq Feet	2400	Stories	1
		Year Built	1985
Zoning District	Calculated Acres	Voting Precinct	Calculated Acres
R-S	0.46	ASBURY (AS25)	0.46
Watershed Class	0.46	Sewer District	0.46
Not in a watershed		Not in the sewer district	
2000 Census County		Tract	Block
37109		070200	5021
Flood	Zone Description	Panel	
X	NO FLOOD HAZARD	3710364300	0.46



