

MINUTES
LINCOLN COUNTY BOARD OF COMMISSIONERS
MONDAY, AUGUST 1, 2022

The Lincoln County Board of County Commissioners met on August 1, 2022, in the Auditorium, James Warren Citizens Center, 115 W. Main Street, Lincoln, at 6:30 PM for a joint meeting with the Lincoln County Planning Board.

Commissioners Present:

Milton Sigmon, Vice-Chairman
Bud Cesena
Cathy Davis

Commissioners Absent:

Carrol Mitchem, Chairman
Anita McCall

Others Present:

Davin Madden, Interim County Manager
Megan Gilbert, County Attorney
Deanna Rios, Finance Director
Amy S. Atkins, Clerk to the Board

Planning Board Members:

Robert Shugarman, Chair
Doug Tallent, Vice-Chair
Jenni Boyles
Keith Gaskill
Jim Konieczny
Kyle Land
Keith Poston
James Dean
George Mull

Planning Staff:

Andrew Bryant, Director of Development Services
Joshua Grant, Planning & Inspections Division Manager
Jeremiah Combs, Planner

Vice Chairman Sigmon called for a Moment of Silence and led in the Pledge of Allegiance. He asked for everyone's prayers for Chairman Mitchem and Commissioner McCall, who are both home recovering from surgeries.

Adoption of Agenda: Vice Chairman Sigmon presented the agenda for the Board's approval.

UPON MOTION by Commissioner Davis, the Board voted unanimously to adopt the agenda as presented.

AGENDA
Lincoln County Board of Commissioners Meeting
Monday, August 1, 2022
6:30 PM

James Warren Citizens Center

**115 W. Main Street
Lincolnton, NC 28092**

Call to Order – Vice Chairman Sigmon

Moment of Silence

Pledge of Allegiance

1. Adoption of the Agenda
2. Consent Agenda
 - a. Approval of Minutes – July 18, 2022
 - b. BOA #16
 - c. Travel Allowance Adjustment for Commissioners
3. Public Hearing – Proposed Economic Incentive Grant for Huber Technology – John Dancoff
4. Public Hearing – Proposed Economic Incentive Grant for Existing Industry – John Dancoff
5. Public Hearing – Proposed Economic Incentive Grant for Existing Industry – John Dancoff
6. Public Hearing for the Re-Adoption of Ordinances Designating Certain Lincoln County Properties as Historic Landmarks – Joshua Grant
 - a. General Robert F. Hoke Cottage
 - b. Hopkins House
 - c. Carrie L. Hopkins House
 - d. John and Mary Thompson House
 - e. Graham Farm Round Barn
7. Resolution to Adopt the Revised Water and Sewer Account Adjustment Policy – Deanna Rios
8. Zoning Public Hearings – Jeremiah Combs/Andrew Bryant

The Lincoln County Board of Commissioners will hold a public hearing to consider the following quasi-judicial matter:

- A. SUP #466 Nil Sine Numine Investments, LLC, applicant (Parcel ID# 23698) A request for a special use permit for an event venue in the R-S (Residential Suburban) district. The 10.9-acre parcel is located at 3727 E. N.C. 150 Hwy. in Ironton Township.

Joint Public Hearings with Planning Board - Legislative Cases:

- B. UDO 2022-2 Lincoln County Planning and Inspections, applicant A request to amend Section 2.4.5 & Section 2.4.6 to increase the minimum lot area and width requirements, to amend Section 2.4.9.B. & Section 2.4.9.E. to create minimum lot area and width standards for single family detached housing in Planned Development Districts, to amend Section 2.4.9.B.3 to revise the minimum PD-R buffer to 50 feet, and to amend Section 2.4.9. to require exterior sidewalks in the PD-MU district, similar to the requirements of the PD-R and PD-C districts.
- C. PD #2022-1 Garden Street Communities Southeast, LLC, applicant (Parcel ID# 14798, 14509, and 91403) A request to rezone a 72.9-acre tract from R-SF (Residential Single-Family) to PD-R (Planned Development-Residential) to permit a subdivision with up to 66 single-family detached homes. The property is located on the south side of N.C. 182 at Gainsville Church Road in Howards Creek Township. *****This is a continuation of the public hearing that began on June 6th***
- D. PD #2019-2 Riverbend Preserve, LLC, applicant (Parcel ID# 70208) A request the rezone 262 acres in Lincoln County from R-SF (Residential-Single Family) to PD-MU (Planned Development-Mixed Use) to permit industrial uses. The subject property is located on the east side of N.C. 16 bypass and the west side of the CSX railroad at the Gaston County line. As part of a proposed mixed-use development, Riverbend Preserve is also requesting the rezoning of additional acreage in Gaston County to permit industrial and residential uses. In all, up to 2.5 million square feet of industrial uses are proposed in the two counties. Access to the proposed industrial uses will be from N.C. 16 bypass.
- E. PD #2022-4 Pace Development Group, applicant (Parcel ID# 51877, 02664, and 02482) A request to rezone 113.27 acres from R-T (Transitional Residential) to PD-R (Planned Development-Residential) to permit a subdivision with up to 199 single-family detached homes. The property is located on the west side of N. Little Egypt Road at the intersection with Optimist Club Road in Catawba Springs Township. *****Planning staff has not provided a recommendation on this request, due to the pending decision on the requested subdivision waivers for this same project. A public hearing before the Planning Board is scheduled for the proposed subdivision waivers this same evening.***
- F. CZ #2022-6 Reliable Insulation, LLC, applicant (Parcel ID# 88806) A request to rezone a 1.209-acre parcel from B-N CU (Neighborhood Business Conditional Use) to CZ B-N (Conditional Zoning Neighborhood Business) to permit a 3500-square-foot accessory building behind an existing contractor's office. The property is located at 3217 Cinnabar Ln. in Ironton Township.
- G. CZ #2022-8 Matthew Gilbert, applicant (Parcel ID# 14263) A request to rezone a 4.429-acre parcel from R-SF (Residential Single-Family) to CZ R-R (Conditional Zoning Rural Residential) to permit a campground. The property is located on the west side of Gilbert Road at the intersection with Imperial Lane in the Howards Creek Township.
- H. ZMA #692 Nicholas Speed, applicant (Parcel ID# 53512) A request to rezone a 0.576-acre parcel from R-T (Transitional Residential) to B-N (Neighborhood Business). The property is also located in the Eastern Lincoln Development District (ELDD) overlay. The property is located at 7778 N.C. 73 Hwy. in Catawba Springs Township.

- I. ZMA #693 Mark Allen, applicant (Parcel ID# 81550) A request to rezone a 1.9-acre parcel from R-S (Residential Suburban) to I-G (General Industrial). The property is located on the north side of N.C. 27 and the west wide of Cat Square Road in Howards Creek Township.
- J. ZMA #694 Donald Scott Roach, Jr., applicant (Parcel ID# 101215) A request to rezone a 0.558-acre portion of a parcel from B-G (General Business) to R-T (Transitional Residential). The property is located on the west side of Gaston Hillside Drive and the south side of County Line Trail in Ironton Township.
- K. ZMA #695 Phyllis Labauch, applicant (Parcel ID# 54959) A request to rezone a 1.467-acre parcel from R-SF (Residential Single-Family) to R-S (Residential Suburban). The property is located on the east side of Hoffman Road about 900 feet south of the intersection with Wesleyan Church Road in Lincolnton Township.
- L. ZMA #696 Thomas Lackey, applicant (Parcel ID# 51868) A request to rezone 3.686 acres from B-N (Neighborhood Business) to B-G (General Business). The property is located at 2105 Cat Square Rd. in Howards Creek Township.
- M. ZMA #698 NC West District of Wesleyan Church, applicant (Parcel ID# 02889) A request to rezone a 7.003-acre parcel from B-N to B-G. The property is also in the Eastern Lincoln Development District (ELDD) overlay. The property is located at 2381 N NC 16 Business Hwy in the Catawba Springs Township.
- N. ZMA #699 Timothy Jones, applicant (Parcel ID# 18472) A request to rezone a 3.284-acre parcel from CZ B-G (Conditional Zoning General Business) and B-N (Neighborhood Business) to I-G (General Industrial). The property is located at 2037 W. N.C. 150 Hwy. in Lincolnton Township.
- O. ZMA #700 Carolina Elite Builders, applicant (Parcel ID# 100155) A request to rezone a 5.299-acre parcel from I-G (General Industrial) to R-S (Residential Suburban). The property is located on the north side of Petes Road at the intersection with Midtown Drive in Lincolnton Township.
- P. ZMA #701 Danny Weaver, applicant (Parcel ID# 11296) A request to rezone a 10.565-acre parcel from R-SF (Residential Single-Family) to R-R (Rural Residential). The property is located at 7240 Dan Rhyne Rd. in North Brook Township.

9. Public Comments

10. Other Business

Adjourn

Consent Agenda: UPON MOTION by Commissioner Cesena, the Board voted unanimously to approve the Consent Agenda as presented.

Consent Agenda

a. Approval of Minutes – July 18, 2022

- b. BOA #16
- c. Travel Allowance Adjustment for Commissioners

Public Hearing – Proposed Industrial Incentive Grant Application for Existing Industry and Adoption of Resolution to Adopt Economic Incentive Grant Agreement – John Dancoff: John Dancoff presented the following:

Vice Chairman Sigmon opened the Public Hearing concerning the proposed Industrial Incentive Grant Application for Huber Technology.

Being no speakers, Vice Chairman Sigmon closed the public hearing.

UPON MOTION by Commissioner Cesena, the Board voted unanimously to adopt the Resolution to Adopt Economic Incentive Grant Agreement with Huber.

**RESOLUTION TO ADOPT ECONOMIC INCENTIVE
GRANT AGREEMENT WITH HUBER
TECHNOLOGY.**

WHEREAS, the Lincoln County Board of Commissioners verily believes that it is in the best interests of the citizens of Lincoln County to encourage and support economic development within Lincoln County through the recruitment of new industries to the County and the expansion of existing industries in the County; and

WHEREAS, Huber Technology, have developed plans for expansion of their manufacturing equipment in Lincoln County; and

WHEREAS, the Board of Commissioners wishes to encourage such development by means of offering incentives to aid in such efforts;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED AS FOLLOWS:

1. The Lincoln County Board of Commissioners hereby approves the Lincoln County Incentive Grant Agreement (attached hereto as Exhibit A and incorporated herein by reference) among Lincoln County, (Huber Technology).
2. The Chairman of the Board of Commissioners and the Clerk to the Board are hereby authorized to sign all necessary documents on behalf of Lincoln County in order to effectuate this transaction.
3. This resolution shall become effective upon adoption.

This 1st day of August 2022.

Milton Sigmon, Vice Chairman
Lincoln County Board of Commissioners

ATTEST:

Amy Atkins, Clerk to the Board

LINCOLN COUNTY INCENTIVE GRANT AGREEMENT

NORTH CAROLINA

LINCOLN COUNTY

THIS AGREEMENT is made and entered into as of the 1st of August 2022 by and between LINCOLN COUNTY, a body corporate and politic (hereinafter referred to as “the County”), and Huber Technology, (hereinafter referred to as “Huber Technology”).

WITNESSETH:

WHEREAS, Huber Technology has developed plans for the installation of manufacturing equipment in Lincoln County, North Carolina;

WHEREAS, the Board of Commissioners of Lincoln County verily believes that the location of new industries and the expansion of existing industries is vital to the economic health of Lincoln County and to the welfare of its citizens; and

WHEREAS, the Board of Commissioners wishes to encourage such development by means of offering incentives to recruit new industries and to aid in expansion of existing industries; and

WHEREAS, such incentives are predicated on the notion of expanding Lincoln County’s tax base and providing additional jobs for Lincoln County’s citizens that pay wages higher than the current prevailing average hourly wage in the particular industry; and

WHEREAS, the Board of Commissioners has determined that it is appropriate and in the best interests of Lincoln County and its citizens to offer incentives in the form of both cash grants and assistance with making public services available; and

WHEREAS, the Board of Commissioners believes that it is appropriate and reasonable to expect Project Red Blade to bind itself to the County to produce certain results in conjunction with the project described herein as conditions of the incentives being offered by the County;

NOW, THEREFORE, for and in consideration of the mutual promises and covenants herein set forth, the parties hereby agree as follows:

1. On or before August 1st. 2022, Huber Technology shall begin installation of an equipment and machinery expansion in Lincoln County, North Carolina.
2. Within two years of the effective date of this agreement (said effective date being referred in item 1.), Huber Technology shall make an investment upon such site in

building/land and/or machinery and equipment of \$39,500,000 (the expected capital investment) of which \$35,750,000 will qualify for incentives under the Lincoln County Industrial Incentive Grant Policy.

3. Within two years of the effective date of this agreement, Huber Technology shall provide at such site at least 46 new jobs paying average annual wages of \$61,913 including benefits.

4. In consideration of the performance of the aforesaid obligations by Huber Technology, the County will provide cash grants to Huber Technology of \$210,227.88 per year for a eight-year period. Lincoln County will pay such grants beginning in the tax year after the project's completion. Grants will be paid to Huber Technology within 30 days after Huber Technology has made its tax payment for the then-current year and has notified Lincoln Economic Development Association of the payment. This amount represents a Level IV grant under the Lincoln County Industrial Development Incentive Grant Policy for New and Existing Industries.

5. Huber Technology shall on a no less than annual basis provide evidence satisfactory to the County of how many jobs (as provided in Paragraph 3 herein) it has maintained.

6. a. In the event that the value of the investment actually made by Huber Technology pursuant to this agreement is greater or less than the Expected Capital Investment then the grant will be equitably adjusted upward or downward on a pro-rata basis.

b. In the event that the number of people in qualifying jobs actually employed by Huber Technology pursuant to this Agreement in any year during the term of the Agreement is fewer than the Expected Number of Jobs, then the County may, in its discretion, reduce the amount of the Grant to be paid for the year (or seek reimbursement for the Grant already paid for said year) in the amount of \$1,000.00 per job shortfall.

7. Huber Technology specifically agrees that in the event that all or any portion of this agreement or any incentive grant or payment to be made hereunder is declared to be unconstitutional, illegal, or otherwise enjoined by a court of competent jurisdiction, Project Blade shall indemnify and hold harmless Lincoln County and its Board of Commissioners, individually and collectively, from any loss or liability and shall reimburse Lincoln County by the amount of any such grant or payment.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals as of the day and year first above written.

Public Hearing – Proposed Industrial Incentive Grant Application for Kirk & Matz and Adoption of Resolution to Adopt Economic Incentive Grant Agreement – John Dancoff: John Dancoff presented the following:

Vice Chairman Sigmon opened the Public Hearing concerning the proposed Industrial Incentive Grant Application for Kirk & Matz.

Being no speakers, Vice Chairman Sigmon closed the public hearing.

**RESOLUTION TO ADOPT ECONOMIC INCENTIVE
GRANT AGREEMENT WITH KIRK & MATZ.**

WHEREAS, the Lincoln County Board of Commissioners verily believes that it is in the best interests of the citizens of Lincoln County to encourage and support economic development within Lincoln County through the recruitment of new industries to the County and the expansion of existing industries in the County; and

WHEREAS, (Kirk & Matz), have developed plans for expansion of their manufacturing equipment in Lincoln County; and

WHEREAS, the Board of Commissioners wishes to encourage such development by means of offering incentives to aid in such efforts;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED AS FOLLOWS:

1. The Lincoln County Board of Commissioners hereby approves the Lincoln County Incentive Grant Agreement (attached hereto as Exhibit A and incorporated herein by reference) among Lincoln County, (Kirk & Matz).

2. The Chairman of the Board of Commissioners and the Clerk to the Board are hereby authorized to sign all necessary documents on behalf of Lincoln County in order to effectuate this transaction.

3. This resolution shall become effective upon adoption.

This 1st. day of August 2022.

Milton Sigmon, Vice Chairman
Lincoln County Board of Commissioners

ATTEST:

Amy Atkins, Clerk to the Board

LINCOLN COUNTY INCENTIVE GRANT AGREEMENT

NORTH CAROLINA

LINCOLN COUNTY

THIS AGREEMENT is made and entered into as of the 1st. day of August, 2022 by and between LINCOLN COUNTY, a body corporate and politic (hereinafter referred to as “the County”), and Kirk & Matz, a North Carolina corporation (hereinafter referred to as “Kirk & Matz”).

WITNESSETH:

WHEREAS, Kirk & Matz has developed plans for the installation of manufacturing equipment in Lincoln County, North Carolina;

WHEREAS, the Board of Commissioners of Lincoln County verily believes that the location of new industries and the expansion of existing industries is vital to the economic health of Lincoln County and to the welfare of its citizens; and

WHEREAS, the Board of Commissioners wishes to encourage such development by means of offering incentives to recruit new industries and to aid in expansion of existing industries; and

WHEREAS, such incentives are predicated on the notion of expanding Lincoln County’s tax base and providing additional jobs for Lincoln County’s citizens that pay wages higher than the current prevailing average hourly wage in the particular industry; and

WHEREAS, the Board of Commissioners has determined that it is appropriate and in the best interests of Lincoln County and its citizens to offer incentives in the form of both cash grants and assistance with making public services available; and

WHEREAS, the Board of Commissioners believes that it is appropriate and reasonable to expect Kirk & Matz to bind itself to the County to produce certain results in conjunction with the project described herein as conditions of the incentives being offered by the County;

NOW, THEREFORE, for and in consideration of the mutual promises and covenants herein set forth, the parties hereby agree as follows:

1. On or before August 1st, 2022, Kirk & Matz shall begin installation of an equipment and machinery expansion in Lincoln County, North Carolina.
2. Within two years of the effective date of this agreement (said effective date being referred in item 1.), Kirk & Matz shall make an investment upon such site in building/land and/or machinery and equipment of \$775,000 (the expected capital investment) of which \$752,500 will qualify for incentives under the Lincoln County Industrial Incentive Grant Policy.
3. Within two years of the effective date of this agreement, Kirk & Matz shall provide at such site at least 3 new jobs paying average weekly wages of \$600 including benefits.
4. In consideration of the performance of the aforesaid obligations by Kirk & Matz, the County will provide cash grants to Kirk & Matz of \$3,027.68 per year for a three-year period. Lincoln County will pay such grants beginning in the tax year after the project’s completion. Grants will be paid to Kirk & Matz within 30 days after Kirk & Matz has made its tax payment for the then-current year and has notified Lincoln Economic Development Association of the

payment. This amount represents a Level I grant under the Lincoln County Industrial Development Incentive Grant Policy for New and Existing Industries.

5. Kirk & Matz shall on a no less than annual basis provide evidence satisfactory to the County of how many jobs (as provided in Paragraph 3 herein) it has maintained.

6. a. In the event that the value of the investment actually made by Kirk & Matz pursuant to this agreement is greater or less than the Expected Capital Investment then the grant will be equitably adjusted upward or downward on a pro-rata basis.

b. In the event that the number of people in qualifying jobs actually employed by Kirk & Matz pursuant to this Agreement in any year during the term of the Agreement is fewer than the Expected Number of Jobs, then the County may, in its discretion, reduce the amount of the Grant to be paid for the year (or seek reimbursement for the Grant already paid for said year) in the amount of \$1,000.00 per job shortfall.

7. Kirk & Matz specifically agrees that in the event that all or any portion of this agreement or any incentive grant or payment to be made hereunder is declared to be unconstitutional, illegal, or otherwise enjoined by a court of competent jurisdiction, Kirk & Matz shall indemnify and hold harmless Lincoln County and its Board of Commissioners, individually and collectively, from any loss or liability and shall reimburse Lincoln County by the amount of any such grant or payment.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals as of the day and year first above written.

UPON MOTION by Commissioner Davis, the Board voted unanimously to adopt the Resolution to Adopt Economic Incentive Grant Agreement with Kirk & Matz.

Public Hearing – Proposed Industrial Incentive Grant Application for Race City Steel and Adoption of Resolution to Adopt Economic Incentive Grant Agreement – John Dancoff: John Dancoff presented the following:

Vice Chairman Sigmon opened the Public Hearing concerning the proposed Industrial Incentive Grant Application for Race City Steel.

Jeff Christopher, 3134 Honeybee Lane, asked why grants are given to these companies since grants do not have to be paid back. He asked why taxpayers have to help the businesses out there.

Vice Chairman Sigmon explained the Incentive Grant process

Being no additional speakers, Vice Chairman Sigmon closed the public hearing.

UPON MOTION by Commissioner Cesena, the Board voted unanimously to adopt the Resolution to Adopt Economic Incentive Grant Agreement with Race City Steel.

**RESOLUTION TO ADOPT ECONOMIC INCENTIVE
GRANT AGREEMENT WITH (Race City Steel).**

WHEREAS, the Lincoln County Board of Commissioners verily believes that it is in the best interests of the citizens of Lincoln County to encourage and support economic development within Lincoln County through the recruitment of new industries to the County and the expansion of existing industries in the County; and

WHEREAS, Race City Steel, have developed plans for expansion of their manufacturing equipment in Lincoln County; and

WHEREAS, the Board of Commissioners wishes to encourage such development by means of offering incentives to aid in such efforts;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED AS FOLLOWS:

1. The Lincoln County Board of Commissioners hereby approves the Lincoln County Incentive Grant Agreement (attached hereto as Exhibit A and incorporated herein by reference) among Lincoln County, (Race City Steel).

2. The Chairman of the Board of Commissioners and the Clerk to the Board are hereby authorized to sign all necessary documents on behalf of Lincoln County in order to effectuate this transaction.

3. This resolution shall become effective upon adoption.

This 1st. day of August 2022

Milton Sigmon, Vice Chairman
Lincoln County Board of Commissioners

ATTEST:

Amy Atkins, Clerk to the Board

Public Hearing for the Re-Adoption of Ordinances Designating Certain Lincoln County Properties as Historic Landmarks – Joshua Grant presented the following:

The re-adoption of ordinances certifying the following properties as Local Landmarks: General Robert F. Hoke Cottage, Hopkins House, Carrie L. Hopkins House, John and Mary Thompson House, Graham Farm Round Barn. Ordinances were previously adopted but not recorded with the Register of Deeds.

General Robert F. Hoke Cottage:

Vice Chairman Sigmon opened the Public Hearing concerning the Re-Adoption of the Designation of General Robert F. Hoke Cottage as a Historical Landmark in Lincoln County, NC

Being no speakers, Vice Chairman Sigmon closed the public hearing.

UPON MOTION by Commissioner Davis, the Board voted unanimously to adopt an Ordinance Certifying and Re-Establishing the Designation of General Robert F. Hoke Cottage as a Historic Landmark in Lincoln County, NC.

AN ORDINANCE CERTIFYING AND RE-ESTABLISHING THE DESIGNATION OF GENERAL ROBERT F. HOKE COTTAGE AS A HISTORIC LANDMARK IN LINCOLN COUNTY, NC

WHEREAS, all of the prerequisites to the adoption of this ordinance as prescribed in Chapter 160D, Article 9, as amended, of the North Carolina General Statutes have been met; and

WHEREAS, the North Carolina State Historic Preservation Office has previously reviewed the historical, architectural, educational and cultural significance of GENERAL ROBERT F. HOKE COTTAGE ; and

WHEREAS, the historical and architectural significance of GENERAL ROBERT F. HOKE COTTAGE has been well documented; and

WHEREAS, GENERAL ROBERT F. HOKE COTTAGE has a property address of 1200 General Hoke Drive, Lincolnton, North Carolina; and

WHEREAS, GENERAL ROBERT F. HOKE COTTAGE was constructed during the late nineteenth or early twentieth century and is significant because of its history and architecture; and

WHEREAS, a natural spring exists on the property wherby General Hoke sought after lithia water as prescribed by his doctor to curb is deteriorating health; and contracted an agreement with others between 1887 and 1907 to secure charter for the Lincoln Lithia Club and Lincoln Lithia Water Company to bottle and sell the water of the Lincoln Lithia Springs.

WHEREAS, GENERAL ROBERT F. HOKE COTTAGE meets National Register Criterion C for architecture as a rare local example of a summer vacation cottage built during that time, and;

WHEREAS, General Hoke built the cottage with a deep and commodious porch that wraps around three sides of the house at the crest of a hill two miles east of downtown Lincolnton near a natural lithia spring. Two bedrooms at the house's facade have two pairs of tall glass doors with divided lights and tall transoms that provide a plethora of natural light, and they open at each elevation to the gracious porch; and

WHEREAS, the Lincoln County Historic Preservation Commission, previously referred to as the Lincoln County Historic Properties Commission, had caused to be made and reviewed all reports on the historic, architectural, educational and cultural significance of GENERAL ROBERT F. HOKE COTTAGE and have previously recommended to the Lincoln County Board of Commissioners designation of GENERAL ROBERT F. HOKE COTTAGE based on the property's special significance in terms of their historical, pre-historical, architectural, or cultural importance and it was found that GENERAL ROBERT F. HOKE COTTAGE possessed integrity of design, setting, workmanship, materials, feeling, and/or association; and

WHEREAS, the Lincoln County Board of Commissioners have previously taken into full consideration all statements and information presented at a public hearing for GENERAL ROBERT F. HOKE COTTAGE , and have previously designated GENERAL ROBERT F. HOKE COTTAGE as a historic landmark on the 16th of November, 2015 (the "Date of Designation") by ordinance, which said decision is memorialized in the Minutes of the Lincoln County Board of Commissioners; and

WHEREAS, the Lincoln County Board of Commissioners wish to re-certify and re-establish that GENERAL ROBERT F. HOKE COTTAGE has previously been designated as, and shall remain designated as, a historic landmark in Lincoln County; and

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of Lincoln County, North Carolina:

1. The property known as GENERAL ROBERT F. HOKE COTTAGE : including the: exterior of the cottage/house, the parcel of land upon which it is located, listed under Parcel Identification Number 3632797454 (Parcel ID 15867) was previously designated as a historic landmark pursuant to Chapter 160D, Article 9, as amended, of the General Statutes of North Carolina on the Date of Designation, and said designation is hereby re-certified and re-established. For purpose of description only, the location of said building and property is noted as being situate on that tract of property more specifically described in that Deed recorded in Book 3052 at Page 955 of the Lincoln County Public Registry.

2. That GENERAL ROBERT F. HOKE COTTAGE may be materially altered, removed, or demolished only following the issuance of a Certificate of Appropriateness by the Lincoln County Historic Preservation Commission. An application for a Certificate of Appropriateness authorizing the relocation, demolition, or destruction of GENERAL ROBERT F. HOKE COTTAGE may not be denied, except as provided in N.C.G.S. §160D-949(c). The effective date of such a certificate may be delayed for a period of up to 365 days from the date of approval subject to N.C.G.S. §160D-949(a).

3. That nothing in this Ordinance shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature of GENERAL ROBERT F. HOKE COTTAGE that does not involve a change in design, material, or appearance thereof, nor to prevent the construction, reconstruction, alteration, restoration, moving, or demolition of any such feature which the building inspector or similar official shall certify is required for public safety because of an unsafe or dangerous condition. Furthermore, nothing in this Ordinance shall be construed to prevent the owner of GENERAL ROBERT F. HOKE COTTAGE from making any use of his or her property that is not prohibited by other laws, or to prevent the maintenance or, in the event of an emergency, the immediate restoration of any existing above-ground utility structure without approval by the Lincoln County Historic Preservation Commission.

4. That a suitable sign may be posted indicating that GENERAL ROBERT F. HOKE COTTAGE has been designated as a historic landmark by Lincoln County and said sign may contain additional pertinent information. If the Owner consents, then the sign may be placed on said historical landmark. If the Owner objects, the sign shall be placed on a nearby public right of way.

5. The owners and the occupants of GENERAL ROBERT F. HOKE COTTAGE shall be given notice of this Ordinance as required by applicable law and that a copy of the Ordinance shall be recorded and indexed in the Office of the Register of Deeds of Lincoln County. Copies shall be filed with the City of Lincolnton (if located therein), and the Lincoln County Building Inspector's Office. Furthermore, the designation shall be clearly indicated on all tax maps maintained by Lincoln County for such period as the designation remains in effect.

6. That GENERAL ROBERT F. HOKE COTTAGE as a historic landmark shall remain subject to Chapter 160D, Article 9, as amended, of the General Statutes of North Carolina.

Adopted this the ____ day of _____, 20____.

Carrol D. Mitchem, Chairman
Lincoln County Board of Commissioners

(SEAL)

ATTEST:

Amy Atkins
Clerk to the Board of Commissioners

Hopkins House:

Vice Chairman Sigmon opened the Public Hearing concerning the Re-Adoption of the Designation of the Hopkins House as a Historical Landmark in Lincoln County, NC

Being no speakers, Vice Chairman Sigmon closed the public hearing.

UPON MOTION by Commissioner Cesena, the Board voted unanimously to adopt an Ordinance Certifying and Re-Establishing the Designation of Hopkins House as a Historic Landmark in Lincoln County, NC.

**AN ORDINANCE CERTIFYING AND RE-ESTABLISHING THE DESIGNATION OF
HOPKINS HOUSE AS A HISTORIC LANDMARK IN LINCOLN COUNTY, NC**

WHEREAS, all of the prerequisites to the adoption of this ordinance as prescribed in Chapter 160D, Article 9, as amended, of the North Carolina General Statutes have been met; and

WHEREAS, the North Carolina State Historic Preservation Office has previously reviewed the historical, architectural, educational and cultural significance of HOPKINS HOUSE; and

WHEREAS, the historical and architectural significance of HOPKINS HOUSE has been well documented; and

WHEREAS, HOPKINS HOUSE has a property address of 623 East Pine Street in Lincolnton, North Carolina; and

WHEREAS, HOPKINS HOUSE was constructed circa 1893 and has been associated historically with prominent families from North Carolina, South Carolina, and Tennessee; and

WHEREAS, HOPKINS HOUSE is a two-story frame building with elements of both Queen Anne and Colonial Revival style architecture; and

WHEREAS, HOPKINS HOUSE, is one of at least five houses near downtown Lincolnton built with a mixture of the Colonial Revival and Queen Anne styles. The house is three bays wide at its facade, has an asphalt-shingled roof, retains its original paired front doors that have beveled, single large panes above recessed panels, and a rectangular transom; and

WHEREAS, the Lincoln County Historic Preservation Commission, previously referred to as the Lincoln County Historic Properties Commission, had caused to be made and reviewed all reports on the historic, architectural, educational and cultural significance of HOPKINS HOUSE and have previously recommended to the Lincoln County Board of Commissioners designation of HOPKINS HOUSE based on the property's special significance in terms of their historical, pre-historical, architectural, or cultural importance and it was found that HOPKINS HOUSE possessed integrity of design, setting, workmanship, materials, feeling, and/or association; and

WHEREAS, the Lincoln County Board of Commissioners have previously taken into full consideration all statements and information presented at a public hearing for HOPKINS HOUSE,

and have previously designated HOPKINS HOUSE as a historic landmark on the 17th of September, 2012 (the “Date of Designation”) by ordinance, which said decision is memorialized in the Minutes of the Lincoln County Board of Commissioners; and

WHEREAS, the Lincoln County Board of Commissioners wish to re-certify and re-establish that HOPKINS HOUSE has previously been designated as, and shall remain designated as, a historic landmark in Lincoln County; and

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of Lincoln County, North Carolina:

7. The property known as HOPKINS HOUSE: including the exterior of the house, the parcel of land upon which it is located, listed under Parcel Identification Number 3633053645 (Parcel ID 16991) was previously designated as a historic landmark pursuant to Chapter 160D, Article 9, as amended, of the General Statutes of North Carolina on the Date of Designation, and said designation is hereby re-certified and re-established. For purpose of description only, the location of said building and property is noted as being situate on that tract of property more specifically described in that Deed recorded in Book 2405 at Page 501 of the Lincoln County Public Registry.

8. That HOPKINS HOUSE may be materially altered, removed, or demolished only following the issuance of a Certificate of Appropriateness by the Lincoln County Historic Preservation Commission. An application for a Certificate of Appropriateness authorizing the relocation, demolition, or destruction of HOPKINS HOUSE may not be denied, except as provided in N.C.G.S. §160D-949(c). The effective date of such a certificate may be delayed for a period of up to 365 days from the date of approval subject to N.C.G.S. §160D-949(a).

9. That nothing in this Ordinance shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature of HOPKINS HOUSE that does not involve a change in design, material, or appearance thereof, nor to prevent the construction, reconstruction, alteration, restoration, moving, or demolition of any such feature which the building inspector or similar official shall certify is required for public safety because of an unsafe or dangerous condition. Furthermore, nothing in this Ordinance shall be construed to prevent the owner of HOPKINS HOUSE from making any use of his or her property that is not prohibited by other laws, or to prevent the maintenance or, in the event of an emergency, the immediate restoration of any existing above-ground utility structure without approval by the Lincoln County Historic Preservation Commission.

10. That a suitable sign may be posted indicating that HOPKINS HOUSE has been designated as a historic landmark by Lincoln County and said sign may contain additional pertinent information. If the Owner consents, then the sign may be placed on said historical landmark. If the Owner objects, the sign shall be placed on a nearby public right of way.

11. The owners and the occupants of HOPKINS HOUSE shall be given notice of this Ordinance as required by applicable law and that a copy of the Ordinance shall be recorded and indexed in the Office of the Register of Deeds of Lincoln County. Copies shall be filed with the City of Lincoln (if located therein), and the Lincoln County Building Inspector’s Office. Furthermore, the designation shall be clearly indicated on all tax maps maintained by Lincoln County for such period as the designation remains in effect.

12. That HOPKINS HOUSE as a historic landmark shall remain subject to Chapter 160D, Article 9, as amended, of the General Statutes of North Carolina.

Adopted this the ____ day of _____, 20____.

Carrol D. Mitchem, Chairman
Lincoln County Board of Commissioners

(SEAL)

ATTEST:

Amy Atkins
Clerk to the Board of Commissioners

Carrie L. Hopkins House:

Vice Chairman Sigmon opened the Public Hearing concerning the Re-Adoption of the Designation of the Carrie L. Hopkins House as a Historical Landmark in Lincoln County, NC

Being no speakers, Vice Chairman Sigmon closed the public hearing.

UPON MOTION by Commissioner Cesena, the Board voted unanimously to adopt an Ordinance Certifying and Re-Establishing the Designation of Carrie L. Hopkins House as a Historic Landmark in Lincoln County, NC.

**AN ORDINANCE CERTIFYING AND RE-ESTABLISHING THE DESIGNATION OF
CARRIE L. HOPKINS HOUSE AS A HISTORIC LANDMARK IN LINCOLN COUNTY,
NC**

WHEREAS, all of the prerequisites to the adoption of this ordinance as prescribed in Chapter 160D, Article 9, as amended, of the North Carolina General Statutes have been met; and

WHEREAS, the North Carolina State Historic Preservation Office has previously reviewed the historical, architectural, educational and cultural significance of CARRIE L. HOPKINS HOUSE ; and

WHEREAS, the historical and architectural significance of CARRIE L. HOPKINS HOUSE has been well documented; and

WHEREAS, CARRIE L. HOPKINS HOUSE has a property address of 208 N Oak Street, Lincolnton, North Carolina; and

WHEREAS, CARRIE L. HOPKINS HOUSE was constructed circa 1923 and is significant because of its architecture and association with the prominent land owner in and around Lincolnton, Carrie L. Hopkins;

WHEREAS, CARRIE L. HOPKINS HOUSE ranks well in terms of its designs, finishes, and integrity against other Craftsman bungalow style houses in Lincoln County; and

WHEREAS, CARRIE L. HOPKINS HOUSE, is a great example of an Arts and Crafts bungalow with a low pitched roof, a deep, full facade front porch supported by tapered wooden posts on brick piers. The house has two front facing gables, and two gables that project to the south. The exterior is sheathed with wood shingles and large triangular knee brackets support deep eave

overhangs. The house is a frame dwelling that rests on a brick foundation; it retains its original four-over-one and five-over-one double hung wooden sash windows; and

WHEREAS, the Lincoln County Historic Preservation Commission, previously referred to as the Lincoln County Historic Properties Commission, had caused to be made and reviewed all reports on the historic, architectural, educational and cultural significance of CARRIE L. HOPKINS HOUSE and have previously recommended to the Lincoln County Board of Commissioners designation of CARRIE L. HOPKINS HOUSE based on the property's special significance in terms of their historical, pre-historical, architectural, or cultural importance and it was found that CARRIE L. HOPKINS HOUSE possessed integrity of design, setting, workmanship, materials, feeling, and/or association; and

WHEREAS, the Lincoln County Board of Commissioners have previously taken into full consideration all statements and information presented at a public hearing for CARRIE L. HOPKINS HOUSE, and have previously designated CARRIE L. HOPKINS HOUSE as a historic landmark on the 16th of November, 2016 (the "Date of Designation") by ordinance, which said decision is memorialized in the Minutes of the Lincoln County Board of Commissioners; and

WHEREAS, the Lincoln County Board of Commissioners wish to re-certify and re-establish that CARRIE L. HOPKINS HOUSE has previously been designated as, and shall remain designated as, a historic landmark in Lincoln County; and

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of Lincoln County, North Carolina:

13. The property known as CARRIE L. HOPKINS HOUSE : including the: exterior of the house, the parcel of land upon which it is located, listed under Parcel Identification Number 3633052354 (Parcel ID 17257) was previously designated as a historic landmark pursuant to Chapter 160D, Article 9, as amended, of the General Statutes of North Carolina on the Date of Designation, and said designation is hereby re-certified and re-established. For purpose of description only, the location of said building and property is noted as being situate on that tract of property more specifically described in that Deed recorded in Book 2437 at Page 904 of the Lincoln County Public Registry.

14. That CARRIE L. HOPKINS HOUSE may be materially altered, removed, or demolished only following the issuance of a Certificate of Appropriateness by the Lincoln County Historic Preservation Commission. An application for a Certificate of Appropriateness authorizing the relocation, demolition, or destruction of CARRIE L. HOPKINS HOUSE may not be denied, except as provided in N.C.G.S. §160D-949(c). The effective date of such a certificate may be delayed for a period of up to 365 days from the date of approval subject to N.C.G.S. §160D-949(a).

15. That nothing in this Ordinance shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature of CARRIE L. HOPKINS HOUSE that does not involve a change in design, material, or appearance thereof, nor to prevent the construction, reconstruction, alteration, restoration, moving, or demolition of any such feature which the building inspector or similar official shall certify is required for public safety because of an unsafe or dangerous condition. Furthermore, nothing in this Ordinance shall be construed to prevent the owner of CARRIE L. HOPKINS HOUSE from making any use of his or her property that is not prohibited by other laws, or to prevent the maintenance or, in the event of an emergency, the immediate restoration of any existing above-ground utility structure without approval by the Lincoln County Historic Preservation Commission.

16. That a suitable sign may be posted indicating that CARRIE L. HOPKINS HOUSE has been designated as a historic landmark by Lincoln County and said sign may contain additional

pertinent information. If the Owner consents, then the sign may be placed on said historical landmark. If the Owner objects, the sign shall be placed on a nearby public right of way.

17. The owners and the occupants of CARRIE L. HOPKINS HOUSE shall be given notice of this Ordinance as required by applicable law and that a copy of the Ordinance shall be recorded and indexed in the Office of the Register of Deeds of Lincoln County. Copies shall be filed with the City of Lincolnton (if located therein), and the Lincoln County Building Inspector's Office. Furthermore, the designation shall be clearly indicated on all tax maps maintained by Lincoln County for such period as the designation remains in effect.

18. That CARRIE L. HOPKINS HOUSE as a historic landmark shall remain subject to Chapter 160D, Article 9, as amended, of the General Statutes of North Carolina.

Adopted this the ____ day of _____, 20____.

Carrol D. Mitchem, Chairman
Lincoln County Board of Commissioners

(SEAL)

ATTEST:

Amy Atkins
Clerk to the Board of Commissioners

John and Mary Thompson House

Vice Chairman Sigmon opened the Public Hearing concerning the Re-Adoption of the Designation of the John and Mary Thompson House as a Historical Landmark in Lincoln County, NC

Being no speakers, Vice Chairman Sigmon closed the public hearing.

UPON MOTION by Commissioner Davis, the Board voted unanimously to adopt an Ordinance Certifying and Re-Establishing the Designation of John and Mary Thompson House as a Historic Landmark in Lincoln County, NC.

AN ORDINANCE CERTIFYING AND RE-ESTABLISHING THE DESIGNATION OF
JOHN L. AND MARY G. THOMPSON HOUSE AS A HISTORIC LANDMARK IN
LINCOLN COUNTY, NC

WHEREAS, all of the prerequisites to the adoption of this ordinance as prescribed in Chapter 160D, Article 9, as amended, of the North Carolina General Statutes have been met; and

WHEREAS, the North Carolina State Historic Preservation Office has previously reviewed the historical, architectural, educational and cultural significance of JOHN L. AND MARY G. THOMPSON HOUSE; and

WHEREAS, the historical and architectural significance of JOHN L. AND MARY G. THOMPSON HOUSE has been well documented; and

WHEREAS, JOHN L. AND MARY G. THOMPSON HOUSE has a property address of 130 Woodvale Circle, Lincoln, North Carolina; and

WHEREAS, JOHN L. AND MARY G. THOMPSON HOUSE was constructed
1955/1956

and is significant because of its architecture and distinctive characteristics of a Ranch style house
and;

WHEREAS, JOHN L. AND MARY G. THOMPSON HOUSE ranks well in terms of its designs, finishes, and integrity against other Ranch style houses in Lincoln County; and

WHEREAS, the character of the JOHN L. AND MARY G. THOMPSON HOUSE, includes defining features such as a one-story horizontal massing; low-pitched roof with deep eave overhangs; recessed front entrance; planters and patios; a sunroom with large sliding glass doors; bands of windows and large expanses of windows; and attached and covered breezeway and carport that projects into the driveway; and

WHEREAS, the Lincoln County Historic Preservation Commission, previously referred to as the Lincoln County Historic Properties Commission, had caused to be made and reviewed all reports on the historic, architectural, educational and cultural significance of JOHN L. AND MARY G. THOMPSON HOUSE and have previously recommended to the Lincoln County Board of Commissioners designation of JOHN L. AND MARY G. THOMPSON HOUSE based on the property's special significance in terms of their historical, pre-historical, architectural, or cultural importance and it was found that JOHN L. AND MARY G. THOMPSON HOUSE possessed integrity of design, setting, workmanship, materials, feeling, and/or association; and

WHEREAS, the Lincoln County Board of Commissioners have previously taken into full consideration all statements and information presented at a public hearing for JOHN L. AND MARY G. THOMPSON HOUSE, and have previously designated JOHN L. AND MARY G. THOMPSON HOUSE as a historic landmark on the 3rd of February, 2014 (the "Date of Designation") by ordinance, which said decision is memorialized in the Minutes of the Lincoln County Board of Commissioners; and

WHEREAS, the Lincoln County Board of Commissioners wish to re-certify and re-establish that JOHN L. AND MARY G. THOMPSON HOUSE has previously been designated as, and shall remain designated as, a historic landmark in Lincoln County; and

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of Lincoln County, North Carolina:

1. The property known as JOHN L. AND MARY G. THOMPSON HOUSE: including the: exterior of the house, the parcel of land upon which it is located, listed under Parcel Identification Number 3633516340 (Parcel ID 16858) was previously designated as a historic

landmark pursuant to Chapter 160D, Article 9, as amended, of the General Statutes of North Carolina on the Date of Designation, and said designation is hereby re-certified and re-established. For purpose of description only, the location of said building and property is noted as being situate on that tract of property more specifically described in that Deed recorded in Book 2839 at Page 1 of the Lincoln County Public Registry.

2. That JOHN L. AND MARY G. THOMPSON HOUSE may be materially altered, removed, or demolished only following the issuance of a Certificate of Appropriateness by the Lincoln County Historic Preservation Commission. An application for a Certificate of Appropriateness authorizing the relocation, demolition, or destruction of JOHN L. AND MARY G. THOMPSON HOUSE may not be denied, except as provided in N.C.G.S. §160D-949(c). The effective date of such a certificate may be delayed for a period of up to 365 days from the date of approval subject to N.C.G.S. §160D-949(a).

3. That nothing in this Ordinance shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature of JOHN L. AND MARY G. THOMPSON HOUSE that does not involve a change in design, material, or appearance thereof, nor to prevent the construction, reconstruction, alteration, restoration, moving, or demolition of any such feature which the building inspector or similar official shall certify is required for public safety because of an unsafe or dangerous condition. Furthermore, nothing in this Ordinance shall be construed to prevent the owner of JOHN L. AND MARY G. THOMPSON HOUSE from making any use of his or her property that is not prohibited by other laws, or to prevent the maintenance or, in the event of an emergency, the immediate restoration of any existing above-ground utility structure without approval by the Lincoln County Historic Preservation Commission.

4. That a suitable sign may be posted indicating that JOHN L. AND MARY G. THOMPSON HOUSE has been designated as a historic landmark by Lincoln County and said sign may contain additional pertinent information. If the Owner consents, then the sign may be placed on said historical landmark. If the Owner objects, the sign shall be placed on a nearby public right of way.

5. The owners and the occupants of JOHN L. AND MARY G. THOMPSON HOUSE shall be given notice of this Ordinance as required by applicable law and that a copy of the Ordinance shall be recorded and indexed in the Office of the Register of Deeds of Lincoln County. Copies shall be filed with the City of Lincoln (if located therein), and the Lincoln County Building Inspector's Office. Furthermore, the designation shall be clearly indicated on all tax maps maintained by Lincoln County for such period as the designation remains in effect.

6. That JOHN L. AND MARY G. THOMPSON HOUSE as a historic landmark shall remain subject to Chapter 160D, Article 9, as amended, of the General Statutes of North Carolina.

Adopted this the ____ day of _____, 20 ____.

Carrol D. Mitchem, Chairman
Lincoln County Board of Commissioners

(SEAL)

ATTEST:

Amy Atkins
Clerk to the Board of Commissioners

Graham Farm Round Barn

Vice Chairman Sigmon opened the Public Hearing concerning the Re-Adoption of the Designation of the Graham Farm Round Barn as a Historical Landmark in Lincoln County, NC

Being no speakers, Vice Chairman Sigmon closed the public hearing.

UPON MOTION by Commissioner Davis, the Board voted unanimously to adopt an Ordinance Certifying and Re-Establishing the Designation of the Graham Farm Round Barn as a Historic Landmark in Lincoln County, NC.

**AN ORDINANCE CERTIFYING AND RE-ESTABLISHING THE DESIGNATION OF
WILLIAM A. GRAHAM, JR., ROUND BARN AS A HISTORIC LANDMARK IN
LINCOLN COUNTY, NC**

WHEREAS, all of the prerequisites to the adoption of this ordinance as prescribed in Chapter 160D, Article 9, as amended, of the North Carolina General Statutes have been met; and

WHEREAS, the North Carolina State Historic Preservation Office has previously reviewed the historical, architectural, educational and cultural significance of WILLIAM A. GRAHAM, JR., ROUND BARN; and

WHEREAS, the historical and architectural significance of WILLIAM A. GRAHAM, JR., ROUND BARN has been well documented; and

WHEREAS, the farm where the WILLIAM A. GRAHAM, JR., ROUND BARN is located is recognized through its listing in the National Register of Historic Places; and

WHEREAS, WILLIAM A. GRAHAM, JR., ROUND BARN has a property address of 830 Beth Haven Church Road, Iron Station, North Carolina; and

WHEREAS, WILLIAM A. GRAHAM, JR., ROUND BARN was constructed circa 1892 and is locally significant because of its association with William A. Graham, Jr., former member of the North Carolina Board of Agriculture and Commissioner of Agriculture from 1908 until 1923; and

WHEREAS, WILLIAM A. GRAHAM, JR., ROUND BARN, is the largest and most significant outbuilding located on the William A. Graham, Jr. farm with its imposing frame, two story, sixteen-sided barn being an unusual and great example of innovative agricultural design; and

WHEREAS, the Lincoln County Historic Preservation Commission, previously referred to as the Lincoln County Historic Properties Commission, had caused to be made and reviewed all reports on the historic, architectural, educational and cultural significance of WILLIAM A. GRAHAM, JR., ROUND BARN and have previously recommended to the Lincoln County Board of Commissioners designation of WILLIAM A. GRAHAM, JR., ROUND BARN based on the property's special significance in terms of their historical, pre-historical, architectural, or cultural importance and it was found that WILLIAM A. GRAHAM, JR., ROUND BARN possessed integrity of design, setting, workmanship, materials, feeling, and/or association; and

WHEREAS, the Lincoln County Board of Commissioners have previously taken into full consideration all statements and information presented at a public hearing for WILLIAM A. GRAHAM, JR., ROUND BARN, and have previously designated WILLIAM A. GRAHAM, JR., ROUND BARN as a historic landmark on the 17th of September, 2012 (the "Date of Designation") by ordinance, which said decision is memorialized in the Minutes of the Lincoln County Board of Commissioners; and

WHEREAS, the Lincoln County Board of Commissioners wish to re-certify and re-establish that WILLIAM A. GRAHAM, JR., ROUND BARN has previously been designated as, and shall remain designated as, a historic landmark in Lincoln County; and

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of Lincoln County, North Carolina:

1. The property known as WILLIAM A. GRAHAM, JR., ROUND BARN: including the exterior of the structure, listed under Parcel Identification Number 3683537686 (Parcel ID 33172) was previously designated as a historic landmark pursuant to Chapter 160D, Article 9, as amended, of the General Statutes of North Carolina on the Date of Designation, and said designation is hereby re-certified and re-established. For purpose of description only, the location of said building and property is noted as being situate on that tract of property more specifically described in that Deed recorded in Book 2785 at Page 399 of the Lincoln County Public Registry.
2. That WILLIAM A. GRAHAM, JR., ROUND BARN may be materially altered, removed, or demolished only following the issuance of a Certificate of Appropriateness by the Lincoln County Historic Preservation Commission. An application for a Certificate of Appropriateness authorizing the relocation, demolition, or destruction of WILLIAM A.

GRAHAM, JR., ROUND BARN may not be denied, except as provided in N.C.G.S. §160D-949(c). The effective date of such a certificate may be delayed for a period of up to 365 days from the date of approval subject to N.C.G.S. §160D-949(a).

3. That nothing in this Ordinance shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature of WILLIAM A. GRAHAM, JR., ROUND BARN that does not involve a change in design, material, or appearance thereof, nor to prevent the construction, reconstruction, alteration, restoration, moving, or demolition of any such feature which the building inspector or similar official shall certify is required for public safety because of an unsafe or dangerous condition. Furthermore, nothing in this Ordinance shall be construed to prevent the owner of WILLIAM A. GRAHAM, JR., ROUND BARN from making any use of his or her property that is not prohibited by other laws, or to prevent the maintenance or, in the event of an emergency, the immediate restoration of any existing above-ground utility structure without approval by the Lincoln County Historic Preservation Commission.

4. That a suitable sign may be posted indicating that WILLIAM A. GRAHAM, JR., ROUND BARN has been designated as a historic landmark by Lincoln County and said sign may contain additional pertinent information. If the Owner consents, then the sign may be placed on said historical landmark. If the Owner objects, the sign shall be placed on a nearby public right of way.

5. The owners and the occupants of WILLIAM A. GRAHAM, JR., ROUND BARN shall be given notice of this Ordinance as required by applicable law and that a copy of the Ordinance shall be recorded and indexed in the Office of the Register of Deeds of Lincoln County. Copies shall be filed with the City of Lincolnton (if located therein), and the Lincoln County Building Inspector's Office. Furthermore, the designation shall be clearly indicated on all tax maps maintained by Lincoln County for such period as the designation remains in effect.

6. That WILLIAM A. GRAHAM, JR., ROUND BARN as a historic landmark shall remain subject to Chapter 160D, Article 9, as amended, of the General Statutes of North Carolina.

Adopted this the ____ day of _____, 20____.

Carrol D. Mitchem, Chairman
Lincoln County Board of Commissioners

(SEAL)

ATTEST:

Amy Atkins

Clerk to the Board of Commissioners

Resolution to Adopt the Revised Water and Sewer Account Adjustment Policy: Deanna Rios asked for the Board’s approval of the revised Water and Sewer Account Adjustment Policy, which will allow adjustments due to unexplained increases in utility bills that are caused by an error of the County, or as the result of damage caused by the County, or a subcontractor of the County, shall be exempt from this policy, in order to expedite any corrections or adjustments required based on said error.

All other unexplained increases in consumption that are not attributable to a leak or other reasonable explanation may be reviewed and considered for adjustment by the County Manager with the concurrence of the Chair of the Board of Commissioners, if the adjustment does not exceed \$1,000.00. Adjustments for unexplained increases in consumption exceeding \$1,000.00 must be taken before the Board of Commissioners for review.

UPON MOTION by Commissioner Cesena, the Board voted unanimously to adopt the Resolution to Adopt the Revised Water and Sewer Account Adjustment Policy.



**LINCOLN COUNTY
WATER AND SEWER ACCOUNT ADJUSTMENT POLICY**

Effective Date: **December 21, 2020**

Amended: _____

PURPOSE

The purpose of this policy is to establish uniform standards for credit adjustments for Lincoln County (the “County”) utility bills where the customer has been billed for excessive metered water usage due to a condition beyond the normal and reasonable control of the customer that occurred on the customer’s side of the meter. In order to be eligible for the relief provided by this policy, the customer’s water usage, in a single billing cycle, must exceed at least twice the monthly average for the meter in question.

CUSTOMER RESPONSIBILITY

It shall be the customer’s sole responsibility to promptly discover and stop the loss of water. In addition, the customer shall be responsible for making arrangements to repair or have repaired the fixture or device causing the water loss.

POLICY

- I. The County is under no obligation to adjust an account when the water has been metered properly. However, it is the County's desire to encourage its customers to make prompt and permanent repairs and further, to show consideration for the unusual circumstance which caused the excessive utility bills, by sharing the cost of the excessive billing charges with its customers, in certain circumstances.
- II. If a leak or other issue resulting in an excessive utility bill was caused by a third party and is either reimbursable or covered by insurance, then the customer shall not be eligible for an adjustment under this policy. If the customer wishes to apply for an adjustment under this policy then the customer shall provide evidence that the customer attempted to be reimbursed by either the third party, insurer, or through the third party's insurer, and was denied.
- III. Any adjustment provided herein shall be in the form of an account credit to the customer's current account, unless otherwise determined by the County Manager.
- IV. All adjustments will be based on the previous twelve (12) months average billings for the customer's service location. When a service location has less than twelve months' consumption experience, the system wide average usage per month will be used to calculate the adjustment.
- V. No leak adjustment shall be provided for a period of time in excess of two (2) consecutive billing periods, unless otherwise provided for herein.
- VI. Customers shall be entitled to no more than one (1) adjustment during a twelve (12) month time period.
- VII. Irrigation Meters. Any adjustment to an irrigation meter provided for herein will be based on the corresponding month(s) from the year immediately preceding, where no abnormal water loss or malfunction was recorded.
- VIII. Adjustment for a Non-Leak Issue. A customer is entitled to an adjustment, for an issue not related to a leak, resulting in excessive utility bills, for a period of up to one-hundred eighty (180) days prior to the receipt of the utility bill in question. This shall specifically apply when an issue is not easily identifiable by the average person, but once identified it is determined that the issue has been recurring for an extended period of time. Any adjustment under this section must exceed at least twice the monthly average for the meter in question.
- IX. SWIMMING POOLS. A customer is permitted fill a personal residential swimming pool using Lincoln County water utilities. Only a swimming pool requiring 10,000 gallons of water or more shall be considered for adjustment for charged sewer fees. All water charges used for the purpose of filling the swimming pool shall be at current water rates, with no adjustment given but the customer will not be charged for sewer usage over the calculated monthly average water consumption, as stipulated above, for a leak. Customers are entitled to one adjustment per year for the filling of a personal residential swimming pool.

ADJUSTMENT PROCEDURE

- I. All requests for adjustments of utility bills, including the Application for Leak Adjustment and additional documentation that the leak has been repaired, must be submitted in writing to the Lincoln County Finance Department within ninety (90) days of the receipt of the utility bill in question. Evidence that the leak has been repaired includes receipts from a plumber or from the purchase of materials for a customer doing its own repairs.

In order to be eligible for an adjustment during the current month's billing cycle, the customer must submit the request for adjustment to the Lincoln County Finance Department by the 15th of the month.
- II. Upon receipt of the request, the Lincoln County Finance Department will evaluate the circumstances surrounding the water loss and the request for adjustment, including all supporting documentation, on a case-by-case basis.
- III. A determination shall be made whether or not the customer is entitled to an adjustment under this policy. The customer will receive a new bill if the request has been approved, and the customer will receive a notification in writing if the request has been denied with any details that were used to make the determination.
- IV. If a request is denied, the customer may appeal that decision to the Lincoln County Board of Commissioners.

POLICY EXCEPTIONS

Unexplained increases in utility bills that are directly caused by an error of the County, or as the result of damage caused by the County, or a subcontractor of the County, shall be exempt from this policy, in order to expedite any corrections or adjustments required based on said error.

All other unexplained increases in consumption that are not attributable to a leak or other reasonable explanation may be reviewed and considered for adjustment by the County Manager with the concurrence of the Chair of the Board of Commissioners, if the adjustment does not exceed \$1,000.00. Adjustments for unexplained increases in consumption exceeding \$1,000.00 must be taken before the Board of Commissioners for review.

Adopted by the Lincoln County Board of Commissioners on the ____ day of July, 2022.

Carrol D. Mitchem, Chairman
Lincoln County Board of Commissioners

ATTEST:

Amy S. Atkins

Clerk to the Board of Commissioners

Zoning Public Hearings: Megan Gilbert, County Attorney, presented information concerning legislative hearings and quasi-judicial matters. No conflicts disclosed.

Jeremiah Combs presented the following case:

SUP #466 Nil Sine Numine Investments, LLC, applicant:

The applicant is requesting a special use permit to establish a special event venue in the R-S (Residential Suburban) district.

Site Area and Description

The 10.9-acre parcel is located at 3727 E NC 150 Hwy. The subject property is located in the R-S (Residential Suburban) zoning district. The subject property is adjoined by property zoned R-S and PD-R (Planned Development Residential). Land uses in this area are residential. This property is located in an area designated by the Lincoln County Land Use Plan as Large Lot Residential. Primary uses within this designation are single family homes, with secondary uses such as churches and community centers.

Vice Chairman Sigmon opened the Public Hearing concerning SUP #446 – Nil Sine Numine Investments, LLC, applicant.

Dennis Williams, Architect for the applicant, said he prepared and would like to incorporate the Findings of Fact into his testimony. He presented the site plan for the former Alda Crowe Property for use as a venue. He said they have met with various county departments and also NCDOT.

Being no additional speakers, Vice Chairman Sigmon closed the public hearing.

UPON MOTION by Commissioner Davis, the Board voted unanimously to approve the Findings of Fact as submitted by the applicant.

UPON MOTION by Commissioner Davis, the Board voted unanimously to approve SUP #466 Nil Sine Numine Investments, LLC, applicant, based on the Findings of Fact.

Andrew Bryant presented the following:

UDO 2022-2 Lincoln County Planning and Inspections, applicant

The proposed text amendments increases the minimum lot area and width requirements established in §2.4.5 & §2.4.6. The amendment also adds additional language to §2.4.9.B. & §2.4.9.E. to create minimum lot area and width standards for residential uses in Planned Development Districts. The amendments revises the minimum PD-R buffer defined in §2.4.9.B.3. to 50 feet.

Vice Chairman Sigmon opened the Public Hearing concerning UDO #2022-2 Lincoln County Planning and Inspections, applicant.

Kristin Radebaugh, 501 S. Academy St, said her parents moved their family from Florida to Lincoln County in 1975. She said her dad bought a large tract of land on Hwy. 73 as an investment. This zoning change will dramatically decrease the value of the property. She prayed for the Board as they make this decision.

John Forlidas, 8020 Sandestin Lane, thanked the Board for allowing citizens to voice their concerns. He said everyone is familiar with the traffic issues. He spoke in favor of larger lot sizes and asked the Board to identify potential solutions.

Martin Oakes, 8057 Lucky Creek Lane, said he likes the idea of having one-acre lot size. He said three are still loopholes that need to be addressed.

Cindy Forlidas, 8020 Sandestin Lane, asked the Commissioners to also consider what all the developments are doing to our schools. She asked the Board to consider infrastructure before approving neighborhoods.

Eric Davidson, 8044 Sandestin Lane, Stanley, asked for Board's consideration to manage growth.

Mark Konieczny, 7715 Katherine Drive , asked for the Board's help in managing the out of control growth, especially on the east side of the county.

Suzanne Strength, speaking for Lincoln County Board of Realtors, urged the Board to allow at least a 90-day delay in voting on this revision so that all the issues and concerns could be discussed. She voiced concerns about how this change would hurt low-income families and first time homebuyers.

Sonya Gales, said her family owns tracts of land including some undeveloped property at Hwy 73/27. She said this change will basically make their property useless except for retail.

Rob Brown, Jonas Law Firm, said he was speaking on behalf of people within the community, who stood to show support. He said the proposed revision is not consistent with the Land Use Plan and would make housing less affordable since the average citizen could not afford a house on a one-acre lot. He requested that the Board deny this request.

Rachel Herman, 2512 Pondview Lane, Lincolnton, expressed her concern with plan. She said the change will negatively affect the general welfare of the residents and business owners of Lincoln County. She spoke concerning the need for affordable housing.

Jeff Fowler, 686 Cedar Grove Church Road, asked the Board to try to encourage more participation from the younger generation. He asked the Board to hit the brakes on this proposal.

Greg Smith, 7456 Tallwood Drive, spoke on behalf of ELBA, about better managed growth. He said what is being considered tonight is a pause while everyone works together to try to solve the problems.

Brian Kenyon, 208 Labans Lane, said he is a resident and business owner. He said this UDO Amendment will make it more difficult on small businesses and will make affordable housing harder to obtain.

Trent Mason, 207 Mockingbird Lane, said he is on the Board of Adjustment for Lincoln County, Chair of the Lincolnton City Planning Board and a plant manager in Lincoln County. He spoke against the amendment due to the crippling effects this will have on the County's growth.

Doug Tallent asked about family subdivisions and Mr. Bryant advised that with a family subdivision the lots must meet the minimum 1-acre lot size so the original lot would need to be 2 acres.

Being no additional speakers, Vice Chairman Sigmon closed the public hearing.

Vice Chairman Sigmon called for a five minute recess and called the meeting back to order.

PD #2022-1 Garden Street Communities Southeast, LLC, applicant:

Garden Street Communities Southeast, LLC is requesting the rezoning of a 72.9-acre tract from R-SF (Residential Single-Family) to PD-R (Planned Development-Residential) to permit a subdivision with up to 66 lots for single-family detached homes. Under the Lincoln County Unified Development Ordinance, any proposed subdivision with 50 or more lots is subject to approval through the planned development process.

A concept plan and a PD-R report for the proposed development, Walker's Knoll, have been submitted as part of the rezoning application and would serve as the master plan for the development if the rezoning request is approved. The applicant has proposed additional terms

and conditions in a separate binding document included within this packet, which upon approval, will become incorporated as part of the conditions of this rezoning. In addition, the applicant has provided minutes from a community involvement meeting that was held on April 28.

Site Area and Description

The property is located on the south side of NC HWY 182 at Gainsville Church Road in the Howard's Creek Township. The site is approximately 1200 ft. west of Lincoln Charter School at Eagles Nest Road. The site is adjoined by property zoned R-SF (Residential – Single Family). Adjoining properties include Gainsville Baptist Church, single family homes, a wooded property, and open pasture land with agricultural structures. Two vehicular access points will be used to enter and exit the subdivision along NC HWY 182. A creek exists on the southern portion of the property that feeds a farm pond approximately 2600 ft. +/- to the east.

The development is located in the WS-IV Protected Area of the South Fork Catawba River Watershed which limits homes to a density over no more than two homes per acre. The applicant is proposing to serve the development with county water and on-site septic systems. The applicant has been advised that public sewer is not available at this location and that all utility approvals would be required to be obtained by the appropriate entities prior to construction. Plan Conformance The subject property is part of an area designated by the Lincoln County Land Use Plan as Large Lot Residential, suitable for densities between 0.2 and 1.35 dwelling units per acre. The proposed density for Walker's Knoll is .91 units per acre. The UDO requires that a planned development include a minimum of 12.5% open space. Approximately 16% of the acreage in this proposed development would be reserved as open space. The proposed plan complies with the UDO's subdivision standards for external access, internal connectivity, block length and cul-de-sac length.

Staff's Recommendation

Staff recommends approval of the rezoning request

The Board discussed the water connection and the road turn arounds in the subdivision.

Vice Chairman Sigmon opened the Public Hearing concerning PD #2022-1 Garden Street Communities Southeast, LLC, applicant.

Greg Williams, Garden Street Communities, said at the last meeting, the single most important criteria was the concern about the water. He said they have met with Chris Henderson and have worked a model on extending the 12" line from Hwy 27 through Eagle's Nest, up Hwy. 182 to the existing 12" line and extending it with a bore underneath 182 entering into their neighborhood through an emergency access, then up 182 to the last entranceway, looping inside the neighborhood. They modeled it to see if the water pressure was sufficient to the criteria necessary. They also discovered that the pressure will increase for Westover going from a 6" waterline to a 12" waterline. He said they are looking at individual septic tanks on the lots. He

said the soil analysis said every lot will accept a conventional system. In the event that they will not, they can use chamber systems.

Mr. Williams said they meet the criteria for a PD-R, their master plan fits the residential use in the area. He said most of the homes in the area are on smaller lots than they are proposing. In Westover, the smallest lots are less than ½ acre. They meet the design guidelines and standards under the UDO and their stormwater will be designed by the Civil Engineer and will be approved by the state and local government. They have a 50' parameter around the neighborhood. He said Planning staff recommends approval and they respectfully request a favorable recommendation from the Planning Board and Commissioners. He said the price range for homes will be low \$300,000's up to \$480,000.

Ronald Thomas, 511 S. Academy Street, appealed to the Board to deny the request.

Bill Makuch, 1517 Hwy 182 expressed concerns about water and would like assurance that the approval would be contingent upon the waterline being installed. He said the soil types do not perk and he would like Environmental Health to be involved as a contingency of approval.

Josh Chapman, 1885 Hwy 182, spoke concerning traffic and the lack of turn lanes, the water issue, and the impact of this development on the area.

Patrick O'Hearn, 1824 Hwy 182, said he hopes the Board will see the preliminary water information and the water that will go across 182. He said this is way larger than the surrounding neighborhoods. He spoke concerning the traffic and lack of infrastructure in the area. He said Adams Homes has a really bad consumer rating.

Being no additional speakers, Vice Chairman Sigmon closed the public hearing.

PD #2019-2 Riverbend Preserve, LLC, applicant:

Riverbend Preserve, LLC. is requesting the rezoning of 262 acres from R-SF (ResidentialSingle Family) to PD-MU (Planned Development-Mixed Use) to permit industrial uses. As part of a proposed mixed-use development, Riverbend Preserve is also requesting the rezoning of 404 acres in Gaston County to permit industrial and residential uses. In all, up to 2.5 million square feet of industrial uses are proposed in the two counties. The bulk of the proposed industrial area is located in Lincoln County. The total square footage of industrial uses in each county would be determined during the final plan and permitting process. A site plan, a traffic impact analysis and minutes from a community involvement meeting have been submitted as part of this application.

Site Area and Description

The subject property is located on the east side of N.C. 16 bypass and west side of the CSX railroad at the Gaston County line. Access to the site would be via a new intersection on N.C. 16 bypass. (Riverbend Preserve owns an additional 143 acres on the west side of N.C. 16, but it is not part of this rezoning request.) The subject property is adjoined by property zoned R-SF and

R-T (Transitional Residential). It is designated by the Lincoln County Land Use Plan as an industrial center, suitable for manufacturing, assembly, warehousing and distribution of products.

Environmental

The subject property is located in a WS-IV Protected Area of the Mountain Island Lake watershed district. The applicant is planning to develop it under the 10/70 option, which allows the Board of Commissioners to approve up to 10% of the land area in a watershed district for industrial/commercial developments with up to 70% impervious coverage. (Otherwise, impervious coverage is limited to 36%.) In the Mountain Island Lake watershed, up to 508 acres may be approved as a special nonresidential intensity allocation.

Traffic Impact Analysis & Improvements

A Traffic Impact Analysis was conducted in 2019 for the project by Design Resource Group. The recommendations of the study include installation of the following improvements in Lincoln County.

- a. A signalized “superstreet” concept that includes 250 feet minimum storage for turnaround exiting the property advancing north on NC 16 HWY. This design includes a right turn lane out of the property advancing north.
- b. South bound left turn lane into the site with 150 feet of storage.
- c. North bound right turn lane into the site with 100 feet of storage.

Plan Conformance

The proposed plan conforms to the Lincoln County Land Use Plan which is designated as an industrial center, suitable for manufacturing, assembly, warehousing and distribution of products. The plan also includes parcels of land that conforms to the Woodcock Farms Small Area Plan adopted by the Board of County Commissioners in 2012, which designates the parcels identified here for industrial use.

Staff’s Recommendation

Staff recommends approval of the rezoning request.

Vice Chairman Sigmon opened the Public Hearing concerning PD #2019-2 Riverbend Preserve, LLC, applicant.

The loss of service rating and post build conditions for Access A were questioned.

Randy Goddard, Design Resource Group, presented the traffic impact study. He said the only access to the development analyzed was a right in/right out, left in with no traffic signal, which is

why it was rated F. Under a traffic signal control, which is approved for this development, it will have a better level of service, probably B or C. He said it will be an unsignalized u-turn.

Commissioner Cesena said this will be like the Optimist Club before the light was installed and St. James is now except the u-turns will be with big trucks. He said he is all about adding more industry to Lincoln County but between the Lincoln County and Gaston County Representatives we should be able to get a light installed there.

Jeff Pariano, 2442 Gateway Lane, said the site is almost 4 miles south on 4-lane Highway 16 and 262 acres is located in Lincoln County, with only 156 usable acres with the river buffer. The site is part of a Master Planned Development with a mix of commercial and residential uses. The intended use is Industrial. The rezoning request is to change from R-SF to PD-MUD. The Land Use Plan recommends Industrial Center for the Site. The rezoning proposes to develop the site with up to 2.5 million square feet for industrial uses in Lincoln and Gaston Counties. There will be 316 acres for an Industrial Center with a conceptual master plan. Access for the site will be from Highway 16 only.

There was a lengthy discussion about the traffic flow on Highway 16 and signals. Mr. Goddard said they can have a discussion with NCDOT concerning the traffic signals.

Vice Chairman Sigmon closed the public hearing and reopened it.

Martin Oakes, 8057 Lucky Creek Lane, said if you could pick a perfect development, this would be it. The only issue is the intersection, which could be rearranged with a second entrance. He said the Board needs to get Jason Saine and Ted Alexander involved.

Kathy Howie, 7350 Sifford Road, said her family has been in the area since before the Revolutionary War. She said their property abuts this property, they want it to stay rural and they do not want it rezoned. She said if their plea is ignored and this is approved, it must be contingent on buffer.

Lauren Price, 137 Pine Valley Drive, Stanley, spoke concerning the safety on Hwy 16. She said if this is an Amazon facility, that would bring trucks and traffic. She said an Environmental Impact Study has not been done and asked what will happen to the watershed for Mountain Island Lake.

Sabrina Nunnery, 7205 Monaghan Ct, said right behind her property is where the creek begins. She said she worries about the wildlife and has concerns that this will annihilate the beauty of the area. She asked the Board to consider the impact to the residents.

Kay Killian, 1624 Killian Road, said she lives on her family farm adjoining this property. She said this property needs to be protected instead of developed. She said water quality is an issue and traffic is also an issue.

Being no additional speakers, Vice Chairman Sigmon closed the public hearing.

CZ #2022-6 Reliable Insulation, LLC, applicant:

The applicant is requesting the rezoning of a 1.209-acre tract from B-N (Neighborhood Business) to CZ B-N (Conditional Zoning Neighborhood Business) to permit an additional 3500 sq. ft. building at the existing contractor's office site. A site plan has been submitted as part of the rezoning application. This acreage also includes 0.06 acres that is located across E. NC 27 Hwy., between the highway and the railroad. This 0.06 acre portion is currently zoned R-SF (Residential Single Family). Because this is a proposed rezoning to a conditional zoning district, if the request is approved, the property could only be used for the specified use in accordance with the approved site plan. Other than staff and the applicant, no attendees were present for the Community Involvement Meeting held on June 27, 2022.

Site Area and Description The subject property is located at 3217 Cinnabar Lane in the Ironton Township. Current use of the property is an office and outdoor storage for Reliable Insulation. The property is adjoined by property zoned R-SF (Residential Single-Family). Land uses in this area are residential and agricultural. This property is designated by the Lincoln County Land Use Plan as Large Lot Residential, consisting almost entirely of single-family homes.

Staff's Recommendation

Staff recommends approval of the rezoning request.

Vice Chairman Sigmon opened the Public Hearing concerning CZ #2022-6 Reliable Insulation, LLC, applicant.

Amy Fonseca, said she is here representing Reliable Insulation. She said there are temporary storage buildings on the property currently, which will be removed. The new facility will replace them.

Being no additional speakers, Vice Chairman Sigmon closed the public hearing.

CZ #2022-8 Matthew Gilbert, applicant:

The applicant is requesting the rezoning of a 4.429-acre tract from R-SF (Residential Single-Family) to CZ R-R (Conditional Zoning Rural-Residential) to permit a campground. A site plan has been submitted as part of the rezoning application. Because this is a proposed rezoning to a conditional zoning district, if the request is approved, the property could only be used for the specified use in accordance with the approved site plan. Also included in this packet is a summary of the community involvement meeting that was held on June 29, 2022.

Site Area and Description

The subject property is located on the west side of Gilbert Road at the intersection with Imperial Lane in the Howards Creek Township. Current use of the property is a manufactured home park with six spaces. The property is adjoined by property zoned R-SF (Residential Single-Family),

R-T (Residential Transitional) and R-S (Residential Suburban). Land uses in this area are residential and agricultural. This property is designated by the Lincoln County Land Use Plan as Large Lot Residential suitable for single-family homes with densities up to 1.35 units per acre.

Staff's Recommendation

Staff recommends approval of the rezoning request.

Vice Chairman Sigmon opened the Public Hearing concerning CZ #2022-8 Matthew Gilbert, applicant.

Matthew Gilbert, applicant, presented additional photos of the site. He said the mobile home park is in really bad condition and he would like to make it into something usable. He said there are ten spaces proposed. He said he will remove the existing mobile homes.

David Ledford, 2730 Maiden Hwy, said Matthew would like this to be a RV park for people visiting the area. He said this would not be your typical pay and stay, but would be a recreational facility.

Being no additional speakers, Vice Chairman Sigmon closed the public hearing.

ZMA #692 – Nicholas Speed, applicant:

The applicant is requesting the rezoning of a 0.576-acre tract from R-T (Transitional Residential) to BN (Neighborhood Business). The property is also located in the Eastern Lincoln Development District (ELDD) overlay. The stated reason for the request is to construct a drive-thru coffee shop.

Site Area & Description

The subject property is located at 7778 NC 73 Hwy in Catawba Springs Township. It is adjoined by property zoned R-T (Transitional Residential) and B-N (Neighborhood Business). Land uses in the immediate area include a mixture of residential and commercial. The subject property is located in an area designated by the Lincoln County Land Use Plan as Single Family Neighborhood, suitable for 1- 2 dwelling units per acre.

Additional Information Permitted uses under current R-T zoning: single family home, modular home, duplex Permitted use under proposed B-N zoning: restaurant, retail, service oriented business

Adjoining zoning and uses

East: zoned B-N, business

South: zoned R-T, residence

West: zoned R-T, residence

North: zoned R-T, opposite side of NC 73 Hwy from subject property, residence

Staff's Recommendation

Staff recommends approval of the rezoning request.

Commissioner Cesena commented on the traffic backup on Highway 16 at the donut and coffee shop. He said we do not need anything backing up Hwy 73 like it does on Highway 16 at Dunkin Donuts.

Jeremiah Combs said this is a straight rezoning so it could be anything permitted by right. He said if the use triggers a traffic impact analysis and a TIA would have to come back before the Board. DOT will also have to approve a driveway permit for this site.

Vice Chairman Sigmon opened the Public Hearing concerning ZMA #692 – Nicholas Speed, applicant.

Nick Speed, applicant, said NCDOT is proposing to put a turning lane that will encroach onto their property by about 20 feet. They will either need to move the house back or tear it down. He said they understand that Dunkin Donuts does cause a major traffic jam and would not be opposed to another use.

Linda Ostergaard, 8514 Pine Lake Road, said this request presents a clear danger to the public. She said the request is not reasonable and asked the Board to deny.

Being no additional speakers, Vice Chairman Sigmon closed the public hearing.

ZMA #693 – Mark Allen, applicant:

The applicant is requesting the rezoning of a 1.9-acre tract from R-S (Suburban Residential) to I-G (General Industrial). The stated reason for the request is for a boat fiberglass repair shop.

Site Area & Description

The subject property is located on the north side of N.C. 27 and the west side of Cat Square Road in Howards Creek Township. It is adjoined by property zoned R-S (Suburban Residential) and B-G CZ (General Business Conditional Zoning). Land uses in the immediate area include a mixture of residential and commercial. The subject property is located in an area designated by the Lincoln County Land Use Plan as Suburban Commercial, suitable for a mixture of commercial uses.

Additional Information

Permitted uses under current R-S zoning: single family home, modular home, duplex Permitted use under proposed I-G zoning: manufacturing, vehicle repair, wholesale trade, etc.

Adjoining zoning and uses

East: zoned R-S, residence

South: zoned B-G CZ, business

West and North are composed of one parcel: zoned R-S, residence

Staff's Recommendation Staff recommends disapproval of the rezoning request.

Vice Chairman Sigmon opened the Public Hearing concerning ZMA #693 – Mark Allen, applicant.

Mark Allen, applicant, said he will purchase the acreage behind Dollar General to move his small business to Lincoln County. He said he would like to put up a 1200 square foot metal building that was designed to blend into the area. He said they are a quiet business and only operate on weekdays. He said his shop is currently in Gastonia. He said he would employ local contractors for construction and his business operations. Mr. Allen said he would do mobile detailing and repairs on boats at this site. He asked the Board to approve the request.

Being no additional speakers, Vice Chairman Sigmon closed the public hearing.

ZMA #694 – Donald Scott Roach, Jr., applicant:

The applicant is requesting the rezoning of a 0.558-acre portion of a parcel from B-G (General Business) to R-T (Transitional Residential). The stated reason for the request is to construct a house.

Site Area and Description

The subject property is located on the west side of Gaston Hillside Drive and the south side of County Line Trail in Ironton Township. The property is adjoined by property zoned B-G (General Business) and R-S (Residential Suburban). The remainder of this parcel located on the east side of U.S. 321 is zoned R-S. Land uses in this area are primarily residential and commercial. This property is designated by the Lincoln County Land Use Plan as Large Lot Residential, suitable for single-family homes with densities up to 1.35 units per acre

Additional Information

Permitted uses under current B-G zoning: retail, offices, restaurant
Permitted use under proposed R-T zoning: single family home, modular home, duplex, manufactured home

Adjoining zoning and uses

East: zoned R-S, duplex on remainder of parcel on opposite side of U.S. 321
South: zoned B-G, residence
West: zoned B-G, undeveloped property
North: zoned B-G, undeveloped property

Staff's Recommendation

Staff recommends approval of the rezoning request.

Vice Chairman Sigmon opened the Public Hearing concerning ZMA #694 – Donald Scott Roach, Jr., applicant.

Jonathan Sisk, 3360 Gaston Hillside Drive, said his property borders the lot in question. He said he does not see any reason to allow a variance to build on the lot. He said he would rather not have a rental unit there.

Rocky Mathis 3467 Countyline Trail, said when the highway was built, the property was secluded. He said there are 11 homes, which consist of 6 or more acres. He said a home there would not fit in the area.

Being no additional speakers, Vice Chairman Sigmon closed the public hearing.

Vice Chairman Sigmon called for a five minute recess and called the meeting back to order.

ZMA #695 – Phyllis Labauch, applicant

The applicant is requesting the rezoning of a 1.467-acre tract from R-SF (Residential Single-Family) to R-S (Residential Suburban). The stated purpose for the request is to construct a duplex.

Site Area & Description

The subject property is located on the east side of Hoffman Road about 900 feet south of the intersection with Wesleyan Church Road in Lincoln Township. It is adjoined by property zoned R-SF (Residential Single-Family). Land use in the immediate area is residential. The subject property is located in an area designated by the Lincoln County Land Use Plan as Large Lot Residential, suitable for densities up to 1.35 units per acre.

Additional Information

Permitted uses under current R-SF zoning: single family home, modular home

Permitted use under proposed R-S zoning: single family home, modular home, duplex

Adjoining zoning and uses

East: zoned R-SF, residence

South: zoned R-SF, vacant West: zoned R-SF, residence

North: zoned R-SF, residence

Staff's Recommendation

Staff recommends approval of the rezoning request.

Jeremiah Combs presented a letter from someone who was not able to be here tonight voicing her concerns.

Vice Chairman Sigmon opened the Public Hearing concerning.

Phillip Labauch, 672 Hoffman Road, said his mother plans to build a brick duplex for her granddaughter to live in. He said there will be no mobile homes placed there.

Jacob Rhyne, 958 Hoffman Road, said his main concern is about changing from one residence to a subdivision. He said he is happy they will not be placing mobile homes on the property.

Being no additional speakers, Vice Chairman Sigmon closed the public hearing.

ZMA #696 – Thomas Lackey, applicant

The applicant is requesting the rezoning of a 3.686-acre tract from B-N (Neighborhood Business) to B-G (General Business). The stated purpose for the request is to expand an existing use for storage.

Site Area & Description

The subject property is located at 2105 Cat Square Road in Howards Creek Township. It is adjoined by property zoned R-S (Residential Suburban) and B-N (Neighborhood Business). Land use in the immediate area is mostly residential and business. The subject property is located in an area designated by the Lincoln County Land Use Plan as Rural Crossroads, suitable for small nodes of commercial activity along rural highways

Additional Information

Permitted uses under current B-N zoning: office, convenience store, restaurant
Permitted use under proposed B-G zoning: retail, general service, medical office

Adjoining zoning and uses

East: zoned B-N, vacant
South: zoned R-S, vacant
West: zoned R-S, residence
North: zoned B-N, residence

Staff's Recommendation

Staff recommends approval of the rezoning request.

Vice Chairman Sigmon opened the Public Hearing concerning.

Thomas Lackey, applicant, said they have been in business 35 years and have outgrown the current building. He said it will be a metal structure on a cement slab.

Being no additional speakers, Vice Chairman Sigmon closed the public hearing.

ZMA #698 – NC West District of Wesleyan Church, applicant:

The applicant is requesting the rezoning of a 7.003-acre tract from B-N (Neighborhood Business) to B-G (General Business). The subject property is also in the Eastern Lincoln Development

District (ELDD) overlay. The stated purpose for the request is to add an additional storage building that would exceed the allowable space under B-N.

Site Area & Description

The subject property is located at 2381 North NC 16 Business Highway in Catawba Springs Township. It is adjoined by property zoned I-G (General Industrial) and ELDD PD-R (Residential Planned Development). Land use in the immediate area consists of residential, commercial, and industrial. The subject property is located in an area designated by the Lincoln County Land Use Plan as Single-Family Neighborhood.

Additional Information

Permitted uses under current B-N zoning: office, convenience store, restaurant
Permitted use under proposed B-G zoning: retail, general service, medical office

Adjoining zoning and uses

East: zoned B-N, vacant
South: zoned B-N & I-G, Industrial
West: zoned I-G, industrial
North: zoned PD-R, residential neighborhood

Staff's Recommendation

Staff recommends approval of the rezoning request.

Vice Chairman Sigmon opened the Public Hearing concerning.

Hugh McKay, 6009 South NC 16, said he is here on behalf of Denver Wesleyan Church as a Trustee. He said they need this small additional building for their food pantry ministry. He requested the Board's approval of the request.

Being no additional speakers, Vice Chairman Sigmon closed the public hearing.

ZMA 700 – Carolina Elite Builders, applicant:

The applicant is requesting the rezoning of a 5.299-acre tract from I-G (General Industrial) to R-S (Residential Suburban) with the intent to subdivide and construct duplexes.

Site Area & Description

The subject property is located on the north side of Petes Road at the intersection with Midtown Drive in Lincolnton Township. It is adjoined by property zoned I-G (General Industrial) and R-S (Residential Suburban). Land use in the immediate area consists of residential and industrial. The subject property is located in an area designated by the Lincoln County Land Use Plan as Single-Family Neighborhood.

Additional Information

Permitted uses under current I-G zoning: manufacturing, mining, wholesale trade
Permitted use under proposed R-S zoning: single family detached, modular, duplex

Adjoining zoning and uses

East: zoned I-G, vacant
South: zoned I-G, vacant
West: zoned R-S, residential
North: zoned I-G, industrial

Staff's Recommendation

Staff recommends approval of the rezoning request.

Vice Chairman Sigmon opened the Public Hearing concerning.

Igor Shiper, 205 S. Academy Street, applicant, said city water and sewer is available at the site. He said there will be five to six parcels. He said there was an article published saying this would be an apartment complex, which is incorrect. These will be duplexes, not apartments. He said there will not be subsidized housing.

Gus Evans, 310 W. Trade St Dallas, asked who would provide water and sewer for this site. He said he has a trailer park up the street and would like to hook onto the water and sewer also.

Donna Stone, 1195 Petes Road, said she is totally against duplexes. She said there is a lot of traffic and they fly up and down the road.

Sherry Garner, 1161 Confederate Road, said the traffic on Pete's Road is impossible. She said her concern is for the traffic and the safety of the people who live there.

Randall Jenkins 1192 Petes Road, said the road is heavily congested. He said this will add more people

Being no additional speakers, Vice Chairman Sigmon closed the public hearing.

ZMA #701 – Danny Weaver, applicant:

The applicant is requesting the rezoning of a 10.565-acre tract from R-SF (Residential Single-Family) to R-R (Rural Residential). The stated purpose of the request is to subdivide lots for residences for family.

Site Area & Description

The subject property is located at 7240 Dan Rhyne Road in North Brook Township. It is adjoined by property zoned R-SF (Residential Single-Family) and R-R (Rural Residential). Land use in the immediate area is residential. The subject property is located in an area designated by the Lincoln County Land Use Plan as Large Lot Residential.

Additional Information

Permitted uses under current R-SF zoning: Single family detached, modular

Permitted use under proposed R-R zoning: single family detached, modular

Adjoining zoning and uses

East: zoned R-SF, vacant
South: zoned R-SF, vacant
West: zoned R-SF, vacant
North: zoned R-R, residence

Staff's Recommendation

Staff recommends approval of the rezoning request.

Vice Chairman Sigmon opened the Public Hearing concerning.

Danny Weaver, 7240 Dan Rhyne Road, said his main purpose for the request is so his children can move back home.

Being no additional speakers, Vice Chairman Sigmon closed the public hearing.

Public Comments:

Jeff Fowler, 686 Cedar Grove Church Road, spoke concerning the UDO and how it affects his property.

Adjourn: UPON MOTION by Commissioner Davis, the Board voted unanimously to adjourn.

Amy S. Atkins, Clerk
Board of Commissioners

Milton Sigmon, Vice Chairman
Board of Commissioners