



COUNTY OF LINCOLN, NORTH CAROLINA

302 NORTH ACADEMY STREET, SUITE A, LINCOLNTON, NORTH CAROLINA 28092

PLANNING AND INSPECTIONS DEPARTMENT
704-736-8440 OFFICE
704-732-9010 FAX

To: Alex Patton, Board of Commissioners Chairman
George Wood, County Manager
Jeff Frushtick, Planning Board Chairman

From: Randy Hawkins, Zoning Administrator

Date: April 20, 2012

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

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

REQUEST

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

SITE AREA AND DESCRIPTION

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

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

Application # CUP #312 Date May 7, 2012

Applicant Name Ray Massey

Applicant 125 Bethlehem Church Rd., Moore, SC 29369

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

Proposed Conditional Use Internet sweepstakes center (amusement center)

FINDINGS OF FACT

1. The use will not materially endanger the public health or safety if located where proposed and developed according to plan. YES _____ NO _____

FACTUAL REASON CITED: _____

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

FACTUAL REASON CITED: _____

3. The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity
YES _____ NO _____

FACTUAL REASON CITED: _____

4. The location and character of use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the Land Use Plan for the area in question.
YES _____ NO _____

FACTUAL REASON CITED: _____

After having held a Public Hearing on _____ and in light of the Findings of Facts listed herein, the following action was taken by the Lincoln County Planning Board:

In recommending such Conditional Use Permit, the following conditions were recommended by the Lincoln County Planning Board:



Conditional Use Permit Application

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

PART I

Applicant Name RAY MASSEY

Applicant Address 125 Bethlehem Church Rd Moore SC 29369

Applicant Phone Number 864-216-2988

Property Owner Name (Bill CAPP) L+B Investors LLC

Property Owner Address 8212 MALIBU Pointe Ln Denver NC 28037

Property Owner Phone Number 704-737 3920

PART II

Property Location 7505 N.C 73 Hwy

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

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

PART III

Existing Zoning District B-G

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

multi tenant Development

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

Business Center Internet Sweepstake

\$750 APPLICATION FEE MUST BE RECEIVED BEFORE PROCESSING.

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

Ray Massey
Applicant's Signature

3-22-12
Date

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

**Mr. Ray Massey
(owner)**

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

Application No. **CUP #312**

Applicant **Ray Massey**

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

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

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

PROPOSED FINDINGS

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

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

2. The use meets all required conditions and specifications.

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

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

This is an existing commercial development in an existing commercial area.

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

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



Lincoln County, NC

Office of the Tax Administrator, GIS Mapping Division
 Lincoln County and its mapping contractors assume no legal responsibility for the information contained on this map. This map is not to be used for land conveyance. The map is based on NC State Plane Coordinate System 1983 NAD.
Date: 4/10/2012 Scale: 1 Inch = 80 Feet



Lincoln County GIS

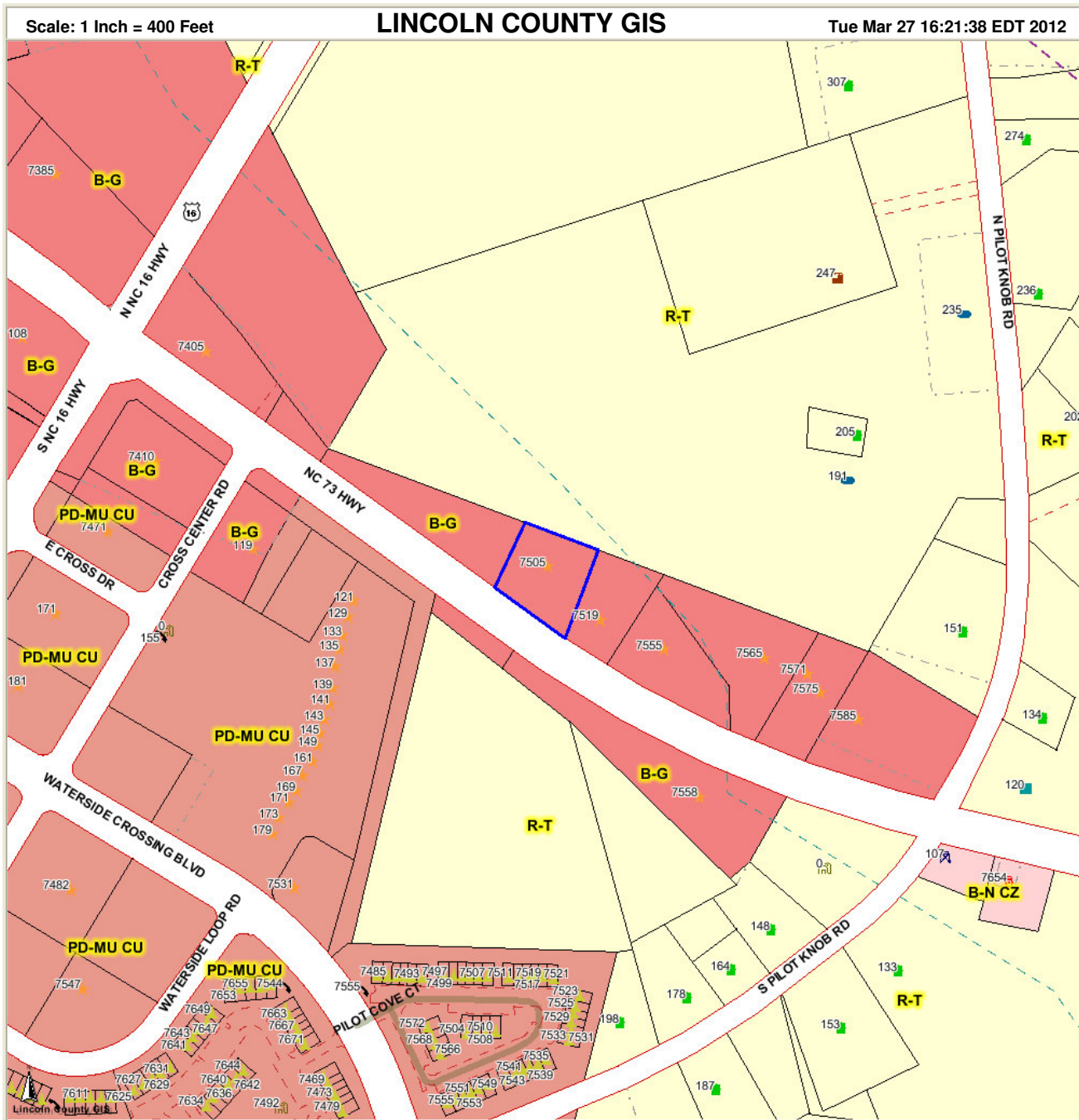
PHOTOS



80383

PARCEL INFORMATION FOR 4602-62-2786

Parcel ID	80383	Owner	L & B INVESTORS LLC	
Map	4602-04	Mailing	C/O LINDA VALERIANO	
Account	0159970	Address	8212 MALIBU POINTE LN DENVER NC 28037	
Deed	1353-115	Recorded	6/19/2002	
Land Value	\$425,580	Total Value	\$1,188,541	
		Sale Price	\$268,700	
		Previous Parcel	74803	
----- All values are for tax year 2012. -----				
Subdivision	Lot 2 PINNACLE PROPERTY ASSOCIATES COMMER		Plat	11-393
Description	#2 LOT PINNACLE PRO ASSOC		Deed Acres	0.98
Address	7505 NC 73 HWY		Tax Acres	0.97
Township	CATAWBA SPRINGS	Tax/Fire District	EAST LINCOLN / EL SEWER	
Main Improvement	COMMUNITY SHOPS		Value	\$730,486
Main Sq Feet	10140	Stories	1	Year Built 2005
Zoning District	B-G	Calculated Acres	0.98	
Watershed Class	Not in a watershed		Calculated Acres	0.98
2000 Census County	37109	Voting Precinct	COWANS FORD (LW31)	
Flood	X	Sewer District	In the sewer District	
Zone Description	NO FLOOD HAZARD		Tract	071100
		Panel	2021	0.98
			Block	2021
				0.98
			Block	2021
				0.98



LINCOLN COUNTY GIS

Scale: 1 Inch = 400 Feet

Tue Mar 27 16:21:38 EDT 2012

Outbuilding	Mobile Home Space	Interior Lot Line	Town of Maiden	ELDD	R-14
Site-built Home	UnAddressed Mobile Home	Drainage Easement	Zoning Districts	B-G	R-20
Business	Child Facility	Utility Easement		B-N	R-10
Industry	Home Site	Right-of-Ways		I-G	R-15
Utility Service	County Boundaries	Roads		I-L	R-25
Church		Railroads		P-MU	R-8
Government, School	County Line	Public Walkway		PD-C	RMF
Fire Department	Township Line	Private Roads		PD-I	R-O
Mobile Home	Map Features	City Jurisdictions		PD-MU	O-R
Apartment, Condominium	Road Easement	City of Lincolnton		PD-R	ROS
Manufactured Home	Conflict Line	ETJ (cont)		P-R (cont)	B-C
Cellular Tower (cont)	Major Rivers, Creeks (cont)				Lake Norman

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