LINCOLNTON BOARD OF ADJUSTMENT
AGENDA
December 19, 2023
4:00 PM

1. **Call to Order**
2. **Roll Call**
3. **Approval of Minutes**
   - **3a November 21, 2023 meeting minutes**
4. **Adjournment**

114 WEST SYCAMORE STREET· P.O. BOX 617 · LINCOLNTON, NORTH CAROLINA 28093-0617
PHONE (704) 736-8980

CITY OF LINCOLNTON
BOARD OF ADJUSTMENT
MINUTES

PO DRAWER 617, LINCOLNTON, NC 28093
www.lincolntonnc.org

BOARD MEMBERS: Greg McBryde, Chair, Gregory.Mcbryde@gmail.com; Becky Shaw, Vice-Chair beckygreer82@gmail.com; Trent Mason, trentonbmason@gmail.com; Monte Tyson, monte@cbdeastmain.com; Kristin Radebaugh, kradebaugh6r6@gmail.com; John Waters, jh2osk@aol.com; Steve Lackey, stevelackey88@gmail.com

Tuesday, November 21, 2023

Present: Greg McBryde, Becky Shaw, Trent Mason, John Waters, and Steve Lackey

Absent: Monte Tyson, Kristin Radebaugh

<u>Call to Order</u>

Chair Greg McBryde called the meeting to order. It is to be noted that Monte Tyson and Kristin Radebaugh were absent. John Waters would serve as 1st alternate and Steve Lackey as 2nd alternate for a quorum.

<u>Approval of Minutes</u>

Chair Greg McBryde asked the Board if there were any additions or corrections to the minutes of the October 17, 2023, meeting.

Motion: *John Waters made a motion to approve the minutes.*
Members voted 5-0 in favor of the motion.

BOA-7-2023 Application from James Ball requesting a Variance of Section 153.107 (R-10 District) and Section 153.110 (R-O District) of the Lincolnton UDO to adjust the right-side property boundary over one foot and create a new nonconforming lot for the warehouse located on the property. The subject property is located at 336 East Church Street and 314 South Cedar Street (Parcel ID 22087).

Ashley Jones swore in Mark Carpenter and James Ball.

Mark Carpenter presented the staff report included in the agenda packet to the Board regarding BOA-7-2023.

After presentation and discussion, Chair Greg McBryde asked if there was a motion for each of the four Findings of Fact for the first variance request (Section 153.107 R-10 District). The motion is as follows:

Motion: *John Waters made a motion to approve the first Finding of Fact. Members voted 5-0 in favor of the motion.*

Motion: *Trent Mason made a motion to approve the second Finding of Fact. Members voted 5-0 in favor of the motion.*

Motion: *Becky Shaw made a motion to approve the third Finding of Fact. Members voted 5-0 in favor of the motion.*

Motion: *Steve Lackey made a motion to approve the fourth Finding of Fact. Members voted 5-0 in favor of the motion.*

Chair Greg McBryde asked if there was a motion to approve the request. The motion is as follows:

Motion: *Trent Mason made a motion to approve the request with staff recommendations. Members voted 5-0 in favor of the motion.*

Chair Greg McBryde asked if there was a motion for each of the four Findings of Fact for the second variance request (Section 153.110 R-O District). The motion is as follows:

Motion: *John Waters made a motion to approve the first Finding of Fact. Members voted 5-0 in favor of the motion.*

Motion: *Trent Mason made a motion to approve the second Finding of Fact. Members voted 5-0 in favor of the motion.*

Motion: *Becky Shaw made a motion to approve the third Finding of Fact. Members voted 5-0 in favor of the motion.*

Motion: *Steve Lackey made a motion to approve the fourth Finding of Fact. Members voted 5-0 in favor of the motion.*

Chair Greg McBryde asked if there was a motion to approve the request. The motion is as follows:

Motion: *Trent Mason made a motion to approve the request with staff recommendations. Members voted 5-0 in favor of the motion.*

BOA-8-2023 Application from M&B Property Holding, LLC requesting a Variance of Section 153.050 (Lot to abut a dedicated street) of the Lincolnton UDO. The lot would be used as a two-family dwelling, a permitted use in the district, but does not have the required 35 feet of road frontage. The subject property is located at 117 Chavis Lane (Parcel ID 81802).

Ashley Jones swore in Mark Carpenter and Christian Beasley.

Mark Carpenter presented the staff report included in the agenda packet to the Board regarding BOA-8-2023.

After presentation and discussion, Chair Greg McBryde asked if there was a motion for each of the four Findings of Fact. The motion is as follows:

Motion: *John Waters made a motion to approve the first Finding of Fact. Members voted 5-0 in favor of the motion.*

Motion: *Trent Mason made a motion to approve the second Finding of Fact. Members voted 5-0 in favor of the motion.*

Motion: *Becky Shaw made a motion to approve the third Finding of Fact. Members voted 5-0 in favor of the motion.*

Motion: *Steve Lackey made a motion to approve the fourth Finding of Fact. Members voted 5-0 in favor of the motion.*

Chair Greg McBryde asked if there was a motion to approve the request. The motion is as follows:

Motion: *Trent Mason made a motion to approve the request with staff recommendations and the added request for the existing easement to be expanded to 12 feet in width. Members voted 5-0 in favor of the motion.*

BOA-9-2023 Application from Keith Heavner Construction Inc., requesting a variance Section 153.107 (2) Front Setback Requirements of the Lincolnton UDO to construct a new single-family dwelling which does not meet the minimum front setback requirements of the R-10 district. The subject property is located at 607 West Main Street Ext. (Parcel ID 17819).

Mark Carpenter swore in Ashley Jones and Keith Heavner.

Ashley Jones presented the staff report included in the agenda packet to the Board regarding BOA-9-2023.

After presentation and discussion, Chair Greg McBryde asked if there was a motion for each of the four Findings of Fact. The motion is as follows:

Motion: *John Waters made a motion to approve the first Finding of Fact. Members voted 5-0 in favor of the motion.*

Motion: *Trent Mason made a motion to approve the second Finding of Fact. Members voted 5-0 in favor of the motion.*

Motion: *Becky Shaw made a motion to approve the third Finding of Fact. Members voted 5-0 in favor of the motion.*

Motion: *Steve Lackey made a motion to approve the fourth Finding of Fact. Members voted 5-0 in favor of the motion.*

Chair Greg McBryde asked if there was a motion to approve the request. The motion is as follows:

Motion: *Trent Mason made a motion to approve the request with staff recommendations. Members voted 5-0 in favor of the motion.*

Chair Greg McBryde asked the Board if there was any other business to be addressed, to which there was none.

Adjournment

Motion: *Becky Shaw made a motion to adjourn.*
Members voted 5-0 in favor of the motion.

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Ashley Jones