

Lincoln County Planning Commission Meeting

September 10th, 2007 - 5:30 p.m.

The Lincoln County Planning Commission met in regular session on Monday, September 10th, 2007 at 5:30 pm in the Conference Room of the new Planning and Zoning Department building. Those present were Herbert Moxley, Chairman, District Four; Coleman Kennedy, Vice-Chairman, District Three; Commissioner Barney Aycock, III, District Two; Commissioner Bill Parker, District One; Commissioner Jim Mattison, At Large by the Chairman; Britt Hammond, County Attorney; Meg Burg, Planning and Zoning Director and Denise Cunningham, Planner.

1.

Call Meeting to Order

Chairman Moxley called the meeting to order.

2.

Invocation

Chaplain Barney Aycock , III opened the meeting with prayer.

3.

Pledge of Allegiance to the Flag

Chairman Moxley led in the Pledge of Allegiance to the Flag.

4.

Declaration of a Quorum

Quorum was confirmed by Chairman Kennedy.

5.

Approval of Minutes

On motion by Commissioner Aycock and seconded by Commissioner Mattison, the board voted unanimously to approve the minutes from the previous meeting.

6.

Preliminary Plat Determination

Final Plat Determination

Applicant: Price McWhorter

Oak Hill Subdivision – Phase 1

Off of Maxim Road

Chairman Moxley opened the meeting with the Preliminary Plat Determination for a major subdivision of Phase 1 consisting of approximately 50.32 acres known as (Tax Map 60/Parcel 051A) named Oak Hill located off of Maxim Road owned by Price

McWhorter. Mr. McWhorter was not present. At this time, Director Burg advised the committee that the lot size requirements, dimensions and road requirements were in compliance with the county ordinances. Chairman Moxley asked for a motion of approval. At this time, Director Burg asked for approval on preliminary and final plat. Chairman Moxley asked for a motion including the following terms set forth:

Pursuant to Lincoln County Land Development Code 34-134©, this preliminary approval constitutes approval only of the proposed widths and alignments of streets and the dimensions and shapes of lots, subject to the final approval of the county health department. Applicant has proven by clear and convincing evidence that all requirements specified in Lincoln County Land Development Code 34-135(a) have been satisfied.

Commissioner Parker motioned for final plat determination upon the following items being approved by the Lincoln County Board of Commissioners:

- 1. Lincoln County Health Department Approval**
- 2. Copy of current covenants and restrictions**

Vice-Chairman seconded the motion. The board voted unanimously to approve the Preliminary Plat Determination and Final Plat Determination for Phase 1 of the Oak Hill Subdivision.

7.

Variance Request

Applicant: Ficklen Guinn

4.7 acres located on Augusta HWY

Chairman Moxley moved to the next request for a lot area variance for 4.7 acres Known as (Tax Map 38/ Parcel 39) located on Augusta HWY owned by Ficklen Guin. Mr. Guinn was not present. Director Burg stated that the minimum lot size requirement is 2.5 acres in a Agricultural zoning area. Director Burg sated that the lot would meet the road frontage requirements. This lot would be for division of heirs. Mr. Guinn would like to divide this property for his son to build a home. After a brief discussion from the committee, Chairman Moxley asked for a motion from the committee. Commissioner Aycock motioned to approve the request with the following condition:

- (a) A building permit for a site-built home must be obtained within one year or said variance shall terminate automatically unless an extension for the variance is made to the Planning Commission.**

The motion was seconded by Commissioner Parker, and the board voted unanimously to approve the lot area variance with conditions.

8.

**Preliminary Plat Determination
And Rezoning from A-2 to R-1
Applicant: Richard Brown
River Birch Plantation
Off of Ben Lane (Chamberlain Ferry Road)**

Chairman Moxley moved to the next item with the rezoning request from A-2 to R-1 and Preliminary Plat Determination for approximately 75 acres of a 202.69 acre tract for a major subdivision known as (Tax Map 46/Parcels 064 and 065) River Birch Plantation owned by Richard Brown located off of Ben Lane. The committee reviewed the proposed subdivision and did not have any questions at this time. Chairman Moxley asked for a motion and Vice-Chairman Kennedy requested a motion for approval. Chairman Moxley advised the following condition:

Pursuant to Lincoln County Land Development Code 34-134©, this preliminary approval constitutes approval only of the proposed widths and alignments of streets and the dimensions and shapes of lots, subject to the final approval of the county health department. Applicant has proven by clear and convincing evidence that all requirements specified in Lincoln County Land Development Code 34-135(a) have been satisfied.

Commissioner Aycock seconded the motion with the condtions and the board voted unanimously to approve the rezoning and preliminary plat for the 75 acres of the major subdivision known as River Birch Plantation.

9.

**Preliminary Plat Determination
Variance Request
Applicant: Brad Moore and Chris Hardy
PUD known as “The Retreat at Lake Thurmond, LLC.”
Off of the McCormick HWY**

Chairman Moxley moved to the next item for a Preliminary Plat Determination for a PUD (Planned Unit Development) known as “The Retreat at Lake Thurmond, LLC” (Tax Map 45/Parcel 051) located off of the McCormick HWY owned by Brad Moore

and Chris Hardy. Clay Antanokas and Brad Moore were present for any questions from the committee. Director Burg advised the committee that the lot size requirements, dimensions and road requirements were in compliance with the county ordinances. Director Burg advised the committee that the developers were working with the City for water and sewage for the development. She also advised the committee to include the following variance requests in their motion for:

1. Cul-de-sac length – (1400 ft. instead of the maximum 1200 ft)
2. Side set-back variance – (5 ft. instead of 10 ft.)

After a brief discussion among the committee members, Chairman Moxley asked for a motion to approve the preliminary plat and variances to include the following terms set forth:

Pursuant to Lincoln County Land Development Code 34-134©, this preliminary approval constitutes approval only of the proposed widths and alignments of streets and the dimensions and shapes of lots, subject to the final approval of the county health department. Applicant has proven by clear and convincing evidence that all requirements specified in Lincoln County Land Development Code 34-135(a) have been satisfied.

Commissioner Parker motioned to approve the preliminary plat and variance request with the following condition:

1. Subject to the final approval of the signed written infrastructure agreement with sewage and water between the City of Lincolnton and Lincoln County Board of Commissioners.

Vice-Chairman Kennedy seconded the motion with conditions and the board voted unanimously to approve the preliminary plat and variances with conditions for the PUD known as “The Retreat at Lake Thurmond, LLC.”

10.

Amendment Application to the Lincoln County Official Zoning Map

Chairman Moxley moved to the last item on the agenda for an amendment to the Official Zoning Map to designate Lisbon Road as an entrance/lake corridor. Director Burg stated the roads total length is approximately 2.4 miles. After a brief discussion, Chairman Moxley asked for a motion. Commissioner Parker motioned to approve and Commissioner Aycock seconded the motion. The board voted unanimously to approve Lisbon Road as an entrance corridor.

11.

Planning and Zoning Departmental Update and Discussion

12.

Adjourn

On motion by Commissioner Aycock and seconded by Commissioner Mattison, the board voted to unanimously adjourn.

Adjourn

On motion by Commissioner Aycock and seconded by Commissioner Mattison, the board voted to unanimously adjourn.

Coleman Kennedy, Vice-Chairman

Denise Cunningham, Planner