



CITY OF LINCOLNTON BOARD OF ADJUSTMENT

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BOARD MEMBERS: Gene Poinsette, Chair, poinsetteg@charter.net ; Änd Lynn, Vice-Chair, andmlynn@gmail.com ;
Becky Burke, beckyburke@charter.net ; Jerry Hoffman, jlskhoffman@charter.net; Kathryn Yarbro, kathryny@charter.net

Tuesday, March 21, 2017 Meeting

Present: Änd Lynn, Jerry Hoffman, Kathryn Yarbro, Becky Burke, and Gene Poinsette

Absent: None

Call to Order

Chairman Gene Poinsette called the meeting to order and recognized all members were present.

Approval of Minutes

Chairman Gene Poinsette asked the Board if there were any additions or corrections to the minutes of the January 17, 2017 meeting.

Motion: Änd Lynn made a motion to approve the minutes. Becky Burke seconded. Motion carried unanimously.

BOA-1-2017

Application from TNT Fireworks requesting a temporary permit to sell fireworks from June 23-July 5, 2017 in the Wal-mart Parking lot at 306 North Generals Blvd.

Mark Carpenter addressed the Board noting the following:

American Promotional Events, d.b.a. TNT Fireworks, submitted a request to sell fireworks from a tent on the premises of the Wal-Mart parking lot located at 306 North Generals Blvd. between June 23 and July 5, 2017.

Section 153.053 (B) of the Unified Development Ordinance requires authorization by the Board of Adjustment for a temporary use of this type. The Board of Adjustment, in approving such a use, may authorize conditions regarding the use. Those conditions, if authorized, will be made a part of the permit issued by the Zoning Administrator.

The City received the same request from American Promotional Events last year. That request was authorized by the Board. During their operation in 2016, our office received no complaints about the activity.

The applicant will be required to get a permit from the Fire Department.

If the use is approved, the conditions proposed below, any amendments to those conditions, and any conditions warranted by the Board of Adjustment will be required in the permit issued by the Zoning Administrator.

Conclusions

Staff recommends approval with the following conditions:

1. Period of activity shall be from June 23 through July 5, 2017.
2. The hours of operation shall be from 10 a.m. until 10 p.m.
3. Certificate of Insurance shall be provided in the amount of \$1,000,000, including the City of Lincolnton as an additional insured party.
4. The City of Lincolnton shall not provide water, sewer, or electrical utilities to the site.

There is a brief discussion between the Board and Staff.

Motion: Änd Lynn made a motion to approve. Kathryn Yarbrow seconded. Motion carried unanimously.

Adjournment

Motion: Änd Lynn made a motion to adjourn the meeting. Jerry Hoffman seconded. Motion carried unanimously.

Becky Shaw