

MEMORANDUM

TO: Catawba County Board of Adjustment
FROM: Chris Timberlake, Planning Director
DATE: September 15, 2026
IN RE: Appeal of a decision by the Subdivision Review Board regarding jurisdictional authority for the proposed Campground Road Subdivision

REQUEST

Lawrence J. Shaheen, Jr attorney for Dream Finders Homes, LLC, is appealing the decision by the Catawba County Subdivision Review Board regarding jurisdictional authority for a proposed residential subdivision that crosses the boundary into Lincoln County.

REVIEW/BACKGROUND

On February 24, 2026 the Catawba County Subdivision Review Board (SRB) considered and conditionally approved an application for the Catawba County portion of a cluster subdivision located on the northwest side of Slanting Bridge Road/Campground around the county boundary between Catawba and Lincoln Counties (see GIS map). The project included three existing parcels and proposed a total of 149 new lots, with 115 lots in Catawba County and 34 lots in Lincoln County.

The SRB approved the portion of the project within Catawba County subject to the following conditions:

- 1) The project as designed must receive approval from Lincoln County Board of Commissioners and ensuing Lincoln County Technical Review Committee for the portion in Lincoln County to allow the construction of the NCDEQ permitted wastewater facility. If the project is not approved in Lincoln County by the appropriate entities, the project must be redesigned.
- 2) The applicant shall notify Catawba County Planning staff of submittal of NCDEQ Permit Application for the wastewater facility.
- 3) Approval of a Sedimentation and Erosion Control Permit.
- 4) Submittal to Planning staff of the permit from US Fish and Wildlife for development near the bald eagles' nest prior to Final Plat approval.
- 5) The community well system must be permitted, installed and certified with NCDEQ before approval of the Final Plat.
- 6) The community wastewater system must be permitted, installed and certified with NCDEQ before approval of the Final Plat.
- 7) The stormwater system must meet NCDEQ's standards for low density development.
- 8) Joint approval of road names by both Catawba and Lincoln County addressing.
- 9) The property needs to be combined, and a boundary description needs to be recorded, prior to application for Final Plat approval. The applicant will need to record the same document(s) in Lincoln County. County staff will coordinate with Lincoln County GIS to ensure that the properties are mapped correctly and align with each other. The developer should reach out to both counties to ensure that the county line is projected correctly.

- 10) Any well discovered during construction must be properly abandoned through Environmental Health.
- 11) Submit HOA formation documents and Restrictive Covenants for review and approval by County Attorney before Final Plat approval.
- 12) Submittal of Final Plat meeting all the requirements of the Code.

For the cluster subdivision development to have reduced lot sizes and reduced setbacks, the applicant has proposed a community wastewater system to serve the development. The wastewater system facility will be located in the Lincoln County portion of the project and will be permitted by the State. The overall lot design is reliant on use of a community wastewater system. The Lincoln County Board of Commissioners did not approve the portion of the project in Lincoln County and therefore, the project could not meet the conditions of the conditional approval.

§ 160D-203. Split jurisdiction.

(a) If a parcel of land lies within the planning and development regulation jurisdiction of more than one local government, for the purposes of this Chapter, the local governments may, by mutual agreement pursuant to Article 20 of Chapter 160A of the General Statutes and with the written consent of the landowner, assign exclusive planning and development regulation jurisdiction under this Chapter for the land, including all development phases on the land, to any one of those local governments.

(b) In the event no mutual agreement or written consent under subsection (a) of this section exists, the landowner of land lying within the planning and development regulation jurisdiction of more than one local government may elect the planning and development regulations of the local government where the majority of the total acreage of the parcel of land is situated.

(c) This section shall only be applicable to planning and development regulations and shall not affect taxation or other nonregulatory matters. The mutual agreement under subsection (a) of this section shall be evidenced by a resolution formally adopted by each governing board and recorded with the register of deeds in every county where the land is located within 14 days of the adoption of the last required resolution. (2019-111, s. 2.4; 2020-3, s. 4.33(a); 2020-25, s. 51(a), (b), (d); 2025-94, s. 29(c).)

On May 15, 2026, Catawba County Planning staff received an election from the property owner pursuant to the above state statute, to elect the land use regulations of Catawba County to apply to the entire development. The SRB considered the request on June 30, 2026. Upon guidance from the Assistant County Attorney, the Catawba County SRB did not have jurisdiction to approve the portion of development within Lincoln County. The conditional approval of the portion of the project within Catawba County was confirmed and that approval is still valid.

CATAWBA COUNTY PLANNING

MAJOR SUBDIVISION



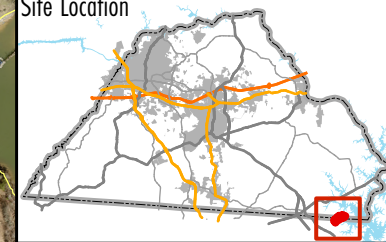
Subdivision Name: Campground Road
 Land Owner(s): Denver Vaults LLC
 Parcel Address: Slanting Bridge Rd
 PIN: 460603418109 & 460603207045
 Zoning: R-30
 Overlays: CRC-O, FPM-O & WP-O
 (WS-IV Critical)

-  Subject Boundary
-  Subject Parcels
-  Parcels



1 inch equals 720 feet

Site Location



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Subject Boundary

Subject Parcels

Parcels

Structures

County Zoning

HC

PD

R-30

R-40

RC



1 inch equals 770 feet

Site Location

