



**LINCOLN COUNTY PLANNING & INSPECTIONS DEPARTMENT**  
302 NORTH ACADEMY STREET, SUITE A, LINCOLNTON, NORTH CAROLINA 28092  
704-736-8440 OFFICE 704-736-8434 INSPECTION REQUEST LINE 704-732-9010 FAX

To: Board of Commissioners  
Planning Board

From: Randy Hawkins, Zoning Administrator

Date: November 18, 2016

Re: CUP #362  
Paul Clark, applicant  
Parcel ID# 32689

*The following information is for use by the Lincoln County Board of Commissioners and Planning Board at their joint meeting/public hearing on December 5, 2016.*

REQUEST

The applicant is requesting a conditional use permit to allow a detached garage to extend in front of the front building line of a house on a lot that's adjacent to Lake Norman. Under Section 4.6.2.C.2(a) of the Unified Development Ordinance, on lots less than one acre in size, an accessory structure cannot extend in front of the front line of the principal structure, except on lots that abut the lake where a conditional use permit is approved. This request involves a lot where an older home has been demolished and a new house is being constructed. Only a corner of the garage would extend past the front building line of the house. The garage would be connected to the house by a breezeway.

SITE AREA AND DESCRIPTION

The 0.67 lot is located at 7689 Dellinger Road, on the west side of Dellinger Road about 1,200 feet west of Burton Lane. It is zoned R-SF (Residential Single-Family) and is adjoined by property zoned R-SF and CU PD-R (Conditional Use Planned Development-Residential) and by Lake Norman. Land uses in this area are predominately residential. This property is part of an area designated by the Lincoln County Land Use Plan as Suburban Residential.



# County Of Lincoln, North Carolina

## Planning Board

Applicant **Paul Clark**

Application No. **CUP #362**

Parcel ID# **32689**

Zoning District **R-SF**

Proposed Conditional Use **accessory structure extending in front of the front line of principal structure on lot abutting Lake Norman**

### 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 REASONS CITED: \_\_\_\_\_  
\_\_\_\_\_

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

FACTUAL REASONS 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 REASONS 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 REASONS 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, 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 PAUL CLARK  
Applicant Address 314 CENTER DR, PO BOX 1540, DAVIDSON NC 28036  
Applicant Phone Number 704.450.4670  
Property Owner Name WILLIAM & PAMELA HESS  
Property Owner Address 7890 WINDWARD CT, DENVER NC 28037  
Property Owner Phone Number 704.728-5652

#### **PART II**

Property Location 7689 DELLINGER RD.  
Property ID (10 digits) 4605.94.6679 Property size 0.67 AC  
Parcel # (5 digits) 32689 Deed Book(s) 2527 Page(s) 753

#### **PART III**

Existing Zoning District R-SF

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

EXISTING 1-STORY HOUSE WAS RAZED IN  
SUMMER 2016 TO MAKE ROOM FOR  
PROPOSED HOUSE.

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

TO ALLOW ATTACHED GARAGE TO  
EXTEND IN FRONT OF THE FRONT LINE  
OF THE HOUSE,

**APPLICATION FEE (less than 2 acres \$250, 2+ acres \$500)**  
**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.*

Paul Clark  
Applicant's Signature

10/5/2016  
Date

## *APPLICANT'S PROPOSED FINDINGS OF FACT*

Application No. **CUP #362**

Applicant **Paul Clark**

Property Location **7689 Dellinger Rd.**

Parcel ID # **32689**

Proposed Conditional Use: **accessory structure extending in front of the front line of principal structure on lot abutting Lake Norman.**

### *PROPOSED FINDINGS*

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

**The proposed accessory structure (garage) will be built to NC Building Code and will be set back more than 30 feet from the edge of the road right-of-way.**

2. The use meets all required conditions and specifications.

**An accessory structure located in front of the front building line of the principal structure is a conditional use on lots abutting Lake Norman. This lot abuts Lake Norman. The proposed building is designed as a residential accessory structure. The proposed location meets the requirements for road yard and side yard setbacks.**

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

**The accessory structure (garage) will be similar in appearance to the principal structure and is connected to it with a roof. Only one corner of the garage extends 15.2 feet closer to Dellinger Road than the house and yet this corner will remain 53.6 feet from road. On Dellinger Road there are numerous houses with attached garages extending beyond the house front. Also, on other lots on this road, an accessory structure is located in front of the front building line of the principal structure of these lots.**

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.

**On other lots abutting Lake Norman in this area accessory structures are located in front of the front building line of the principal structures. Moreover, it is quite common to see the garage portion of the principal structure extending beyond the front the house towards the roadway. The Land Use Plan designates this area as residential.**

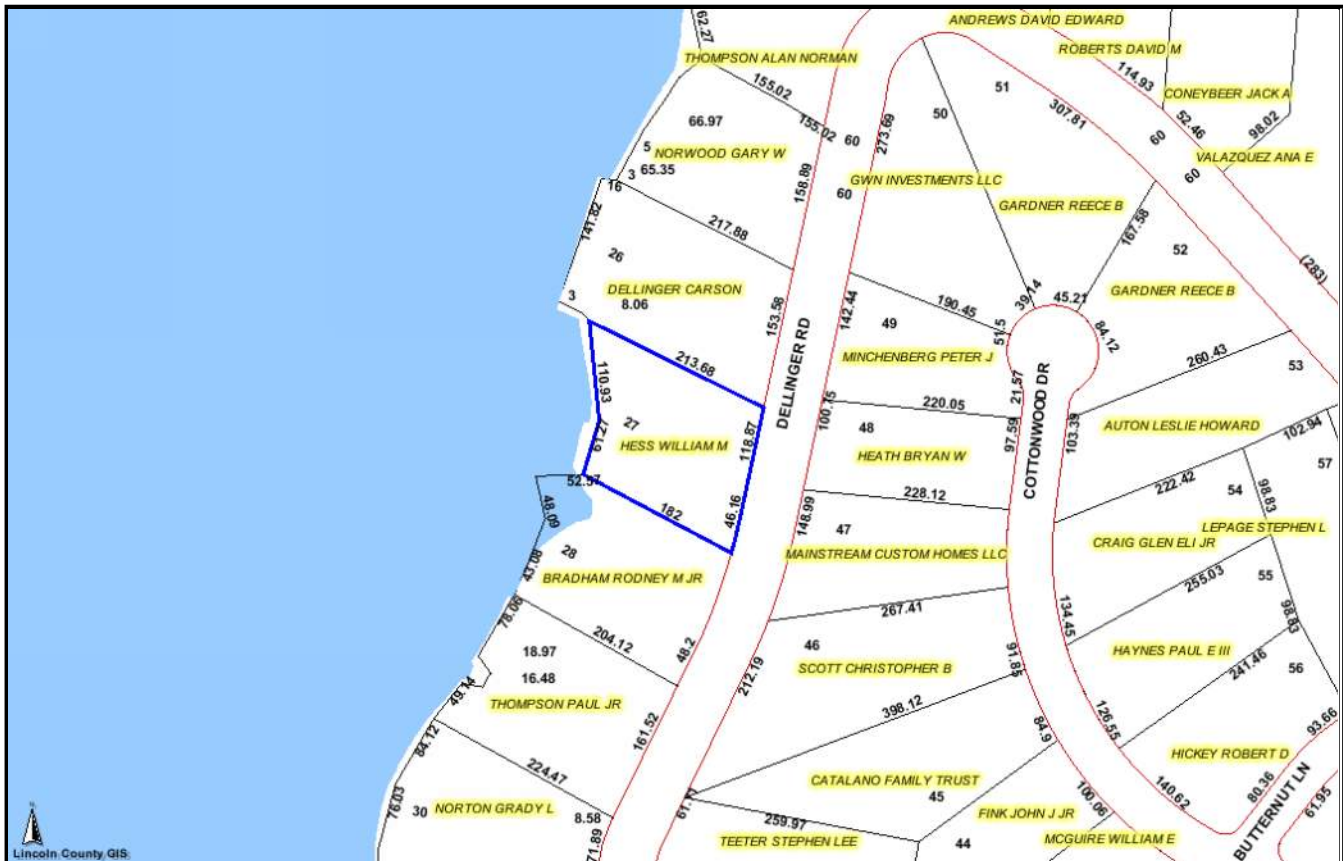


## Lincoln County, NC

### 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: 10/11/2016 Scale: 1 Inch = 200 Feet



#### PHOTOS



Photo Not  
Available

#### PARCEL INFORMATION FOR 4605-94-6679

<b>Parcel ID</b>	32689	<b>Owner</b>	HESS WILLIAM M HESS PAMELA K
<b>Map</b>	4605-16	<b>Mailing Address</b>	7689 DELLINGER RD DENVER NC 28037
<b>Account</b>	0255363	<b>Deed</b>	2527-753
<b>Value</b>	Work in Progress	<b>Recorded</b>	6/26/2015
<b>----- All values are for tax year 2016. -----</b>			
<b>Subdivision</b>	Lot 27 CRESCENT LAND & TIMBER CORP	<b>Sale Price</b>	\$365,000
<b>Description</b>	#27 SEC 36 CRESCENT	<b>Previous Parcel</b>	
<b>Address</b>	7689 DELLINGER RD	<b>Plat</b>	E-48
<b>Township</b>	CATAWBA SPRINGS	<b>Deed Acres</b>	0
<b>Tax/Fire District</b>	DENVER	<b>Tax Acres</b>	0.67
<b>Main Improvement</b>	SHORELINE IMPROVEMENT	<b>Value</b>	\$3,750
<b>Main Sq Feet</b>	150	<b>Stories</b>	0
<b>Year Built</b>	1970		
<b>Zoning District</b>	R-SF	<b>Voting Precinct</b>	DENVER (DN29)
<b>Calculated Acres</b>	0.68	<b>Calculated Acres</b>	0.68
<b>Watershed Class</b>	WS-IVC	<b>Sewer District</b>	Not in the sewer district
<b>2000 Census County</b>	37109	<b>Block</b>	1015
<b>FloodZone Description</b>	AE SPECIAL FLOOD HAZARD AREA BASE ELEVATION DETERMINED - 100 YEAR	<b>Panel</b>	37104605000.02
<b>X</b>	NO FLOOD HAZARD		37104605000.66









LAKE  
NORMAN

CONC.  
BOAT RAMP

WELL

LOT  
0.592 ACRES

DELLINGER RD 60' R/W

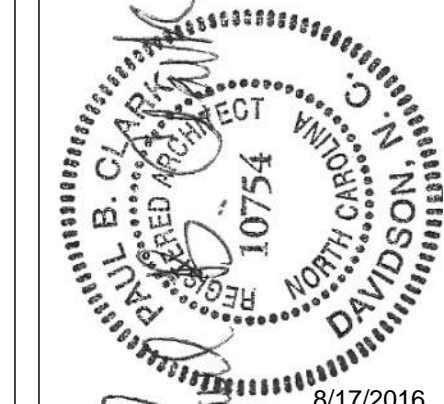
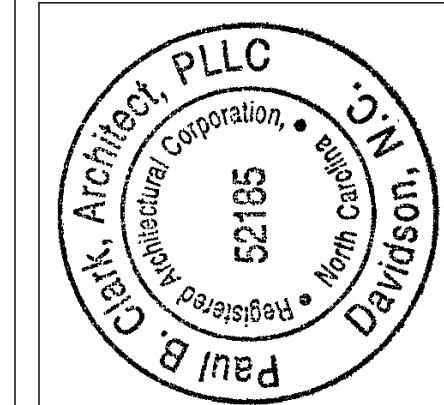
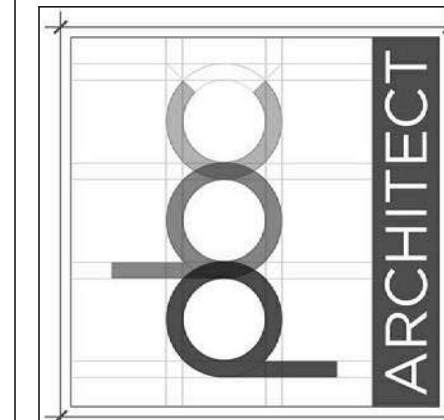
NORTH BASED ON PB: E-48

1 00 Site Plan  
1" = 10'-0"

LOT 28  
RODNEY M. BRADHAM, JR.  
DB: 1288-74  
PB: E-48

EX. #5 REBAR  
ELEV=778.22'  
(NGVD 29)

LOT 26  
WB: 96E-341  
PB: E-48  
LO Y J. DELLINGER



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Paul@pbcarchitect.com

Wood Works Engineering, P.A.  
PO Box 1509  
Davidson, NC 28036

Pam+Bill Hess  
New Residence  
7689 Dellinger Rd., Denver, NC

Project Number 123  
Date 8.17.2016  
Drawn By Author  
Checked By Checker

Notes:  
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SEPTIC  
SITE PLAN

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