



**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 17, 2017

Re: CUP #372  
Delzon Kingett, applicant  
Parcel ID# 81793

*The following information is for use by the Lincoln County Board of Commissioners and Planning Board at their joint meeting/public hearing on December 4, 2017.*

**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.

**SITE AREA AND DESCRIPTION**

The 0.77 lot is located at 8199 Deep Water Lane. It is zoned R-SF (Residential Single-Family) and is adjoined by property zoned R-SF 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 **Delzon Kingett**

Application No. **CUP #372**

Parcel ID# **81793**

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 Delzon Kingett

Applicant Address 8199 Deep Water Lane Denver NC 28037

Applicant Phone Number 704- 530- 1378

Property Owner Name same

Property Owner Address \_\_\_\_\_

Property Owner Phone Number \_\_\_\_\_

### **PART II**

Property Location 8199 Deep Water Lane Denver NC 28037

Property ID (10 digits) 4613-27-4983 Property size 0.769 AC

Parcel # (5 digits) 81793 Deed Book(s) 2531 Page(s) 379

### **PART III**

Existing Zoning District R-SF

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

single family home

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

detached garage to extend past front building line

**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.*

Wally Howard (agent)  
Applicant's Signature

10/20/17  
Date

**APPLICANT'S PROPOSED FINDINGS OF FACT**  
**FOR A CONDITIONAL USE PERMIT**

Application No. **CUP #372**

Applicant **Delzon Kingett**

Property Location **8199 Deep Water Drive** Zoning District **R-SF**

Parcel ID# **81793**

Proposed 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 (detached garage) will be built to the State Building Code and will be set back 30 feet from the edge of the road right-of-way.**

2. The use meets all required conditions and specifications.

**An accessory structure extending 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 location meets the minimum road yard setback of 30 feet and the minimum side yard setback of 10 feet.**

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

**A garage is located in front of the front building line of the house on the adjoining lot to the west. This proposed accessory structure will be located partially behind the front building line. It will be similar in appearance to the house.**

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.

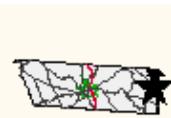
**The proposed building is designed as a residential accessory structure. The Land Use Plan designates this area as residential.**



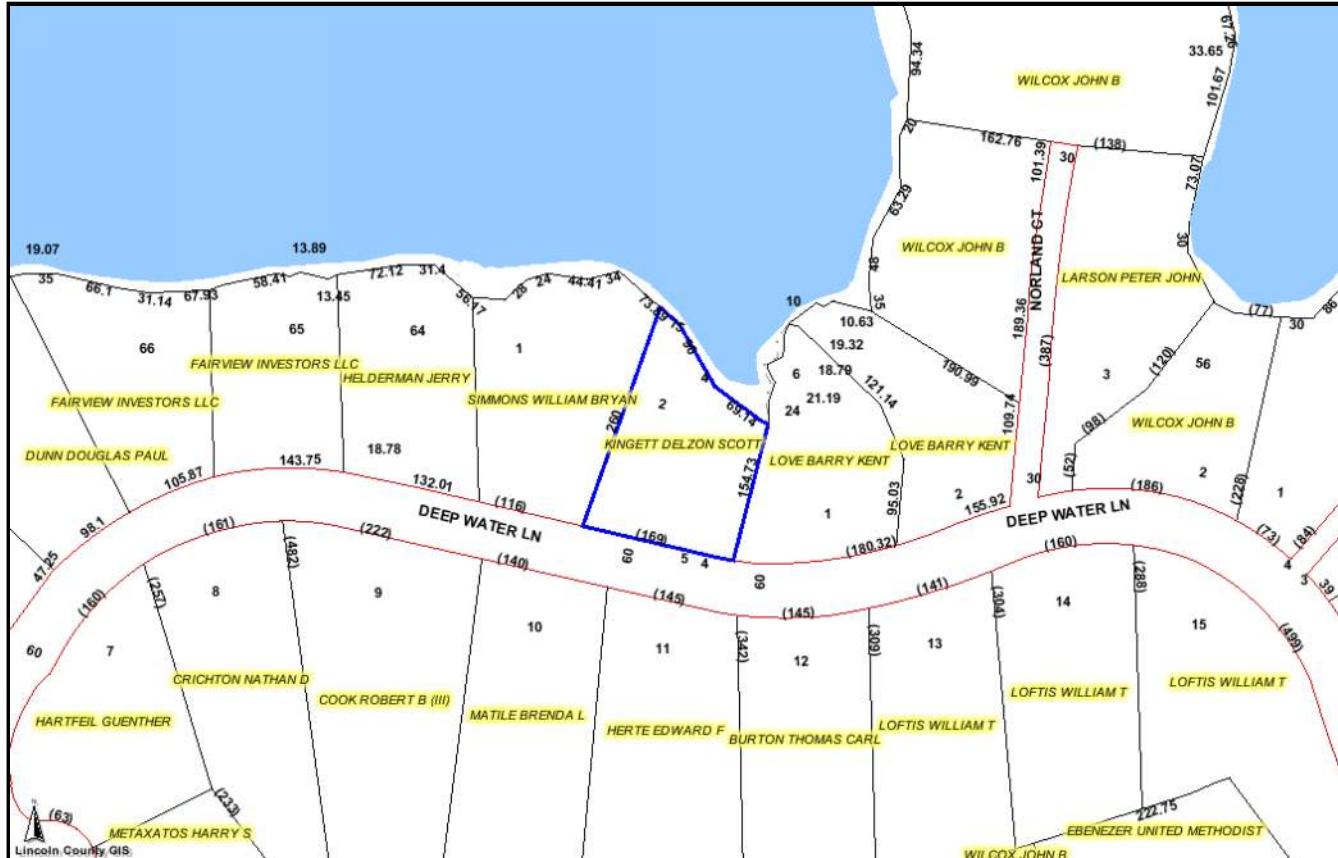
## Lincoln County, NC

### 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: 10/27/2017 Scale: 1 Inch = 200 Feet



#### PHOTOS



81793



81793

#### PARCEL INFORMATION FOR 4613-27-4983

Parcel ID 81793 Owner KINGETT DELZON SCOTT  
 Map 4613-05 Mailing 8199 DEEP WATER LANE  
 Account 0255559 Address DENVER NC 28037  
 Deed 2531-379 Last Transaction Date 7/15/2015 Sale Price \$729,000  
 Land Value \$353,542 Total Value \$750,395 Previous Parcel  
 ----- All values are for tax year 2017. -----

Subdivision Lot 2 SFI OF THE CAROLINAS INC Plat 12-182

Description #2 LOT SFI OF CAROLINAS Deed 0.76

Address 8199 DEEP WATER LN Acres 0.72

Township CATAWBA SPRINGS Tax/Fire District EAST LINCOLN

Main Improvement CUSTOM HOME Value \$359,582  
 Main Sq Feet 3528 Stories 1.59 Year Built 2003  
 UF Basement 311 Finished 1642

Zoning District	Calculated Acres	Voting Precinct	Calculated Acres
R-SF	0.72	TRIANGLE EAST (TE27)	0.72

Watershed Class	Calculated Acres	Sewer District	Calculated Acres
WS-IVC	0.72	In the sewer District	0.72

2000 Census County	Tract	Block	Panel
37109	071200	3009	0.67
37109	071200	3010	0.05

FloodZone Description	Calculated Acres
AE SPECIAL FLOOD HAZARD AREA BASE ELEVATION DETERMINED - 100 YEAR	37104613000.03
X NO FLOOD HAZARD	37104613000.69



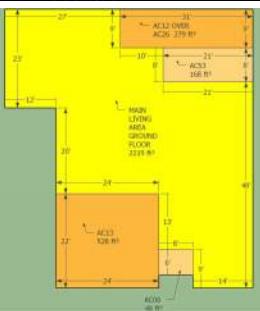
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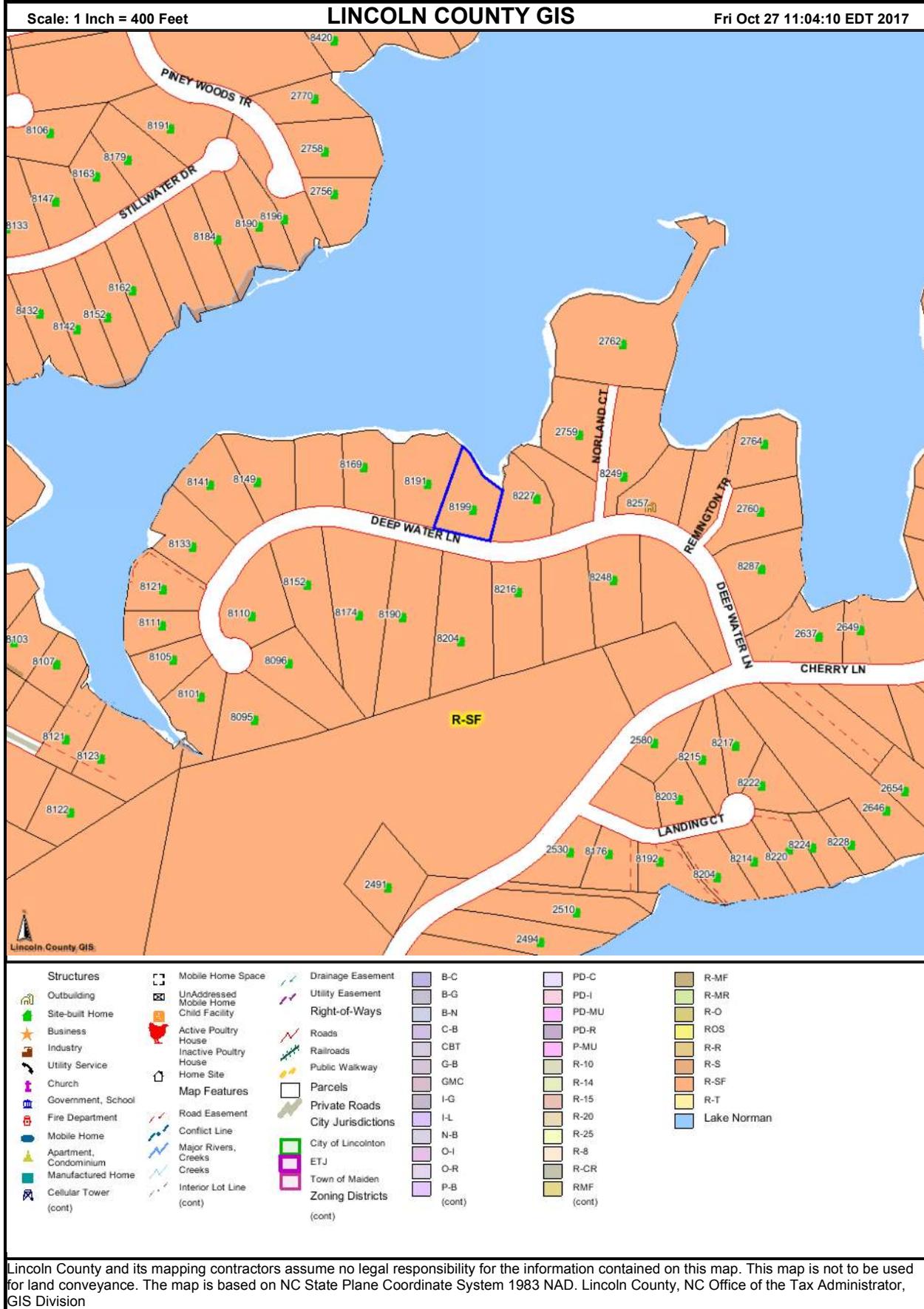
## CUP #372

Subject property is outlined in blue

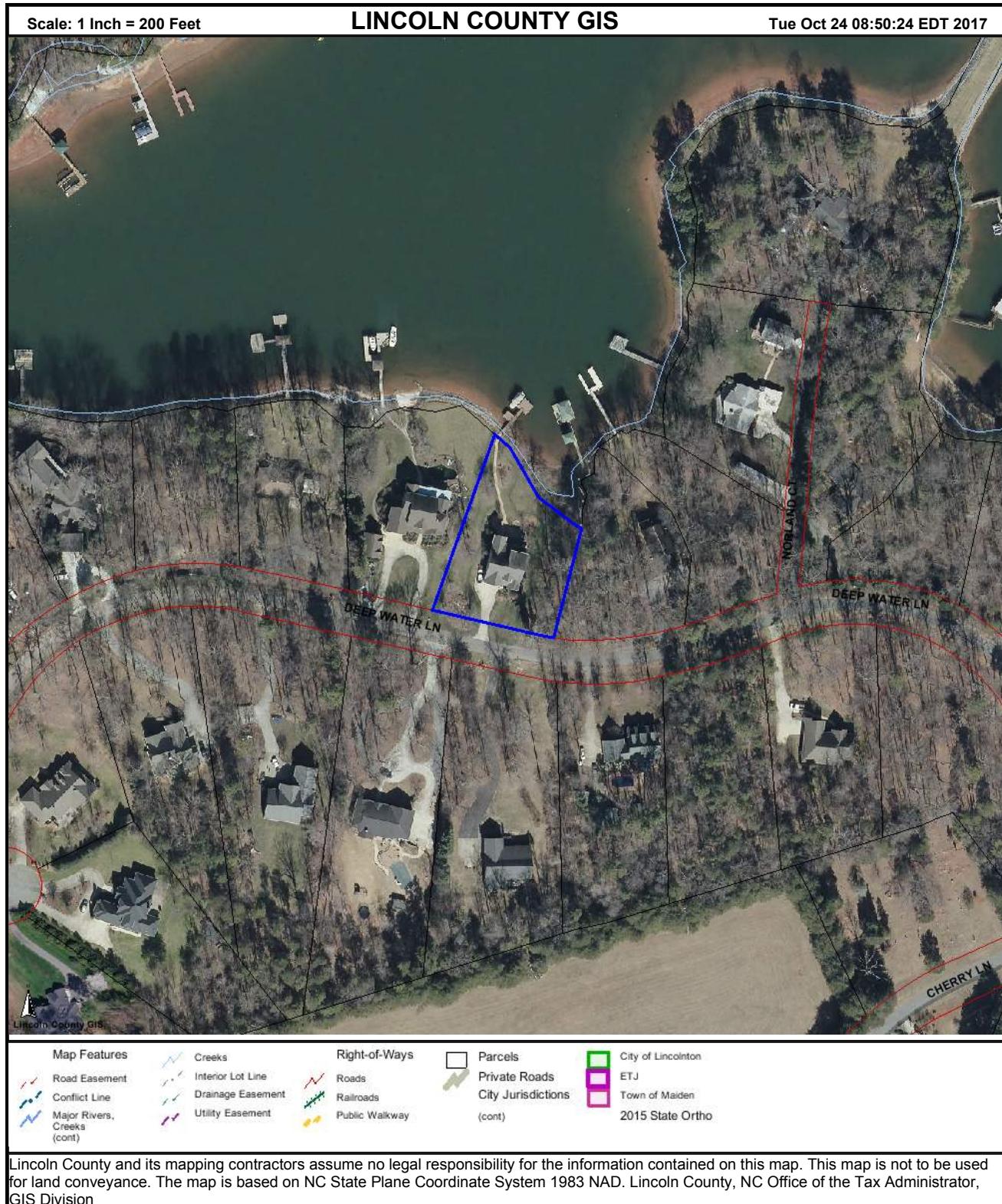
**Scale: 1 Inch = 400 Feet**

# LINCOLN COUNTY GIS

Fri Oct 27 11:04:10 EDT 2017



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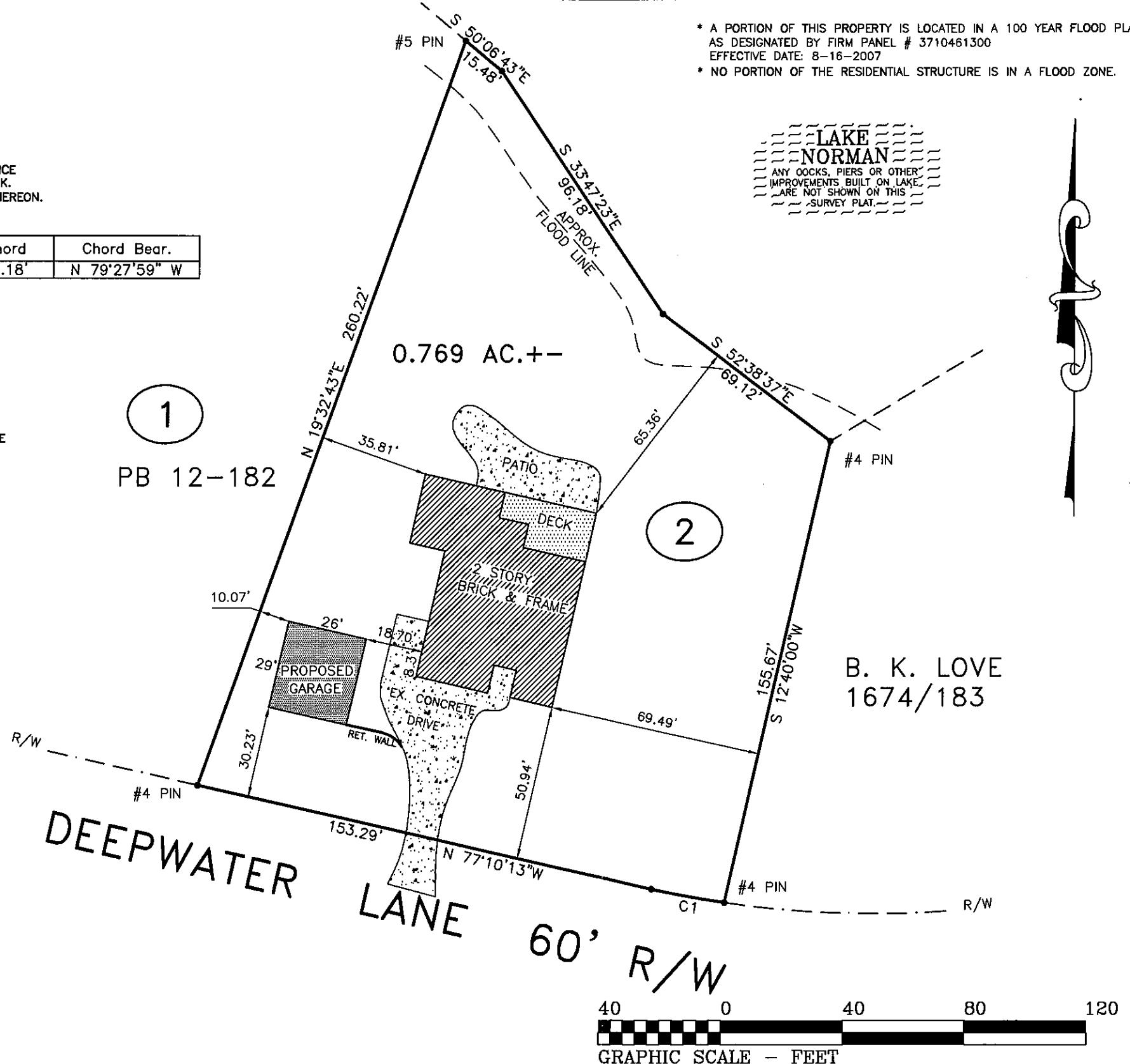
NOTES:

- \* PROPERTY MAY BE SUBJECT TO RECORDED OR UNRECORDED RIGHTS OF WAYS OR EASEMENTS NOT OBSERVED
- \* OWNER TO VERIFY ALL SETBACKS AND ZONING REGULATIONS PRIOR TO ANY PLANNING OR CONSTRUCTION.
- \* DIMENSIONS OF ALL IMPROVEMENTS SHOWN ON THIS PLAT SHOULD NOT BE SCALED OR RELIED UPON FOR DESIGN OR CONSTRUCTION WITHOUT A FIELD VERIFICATION OF ALL DIMENSIONS.
- \* DIGITAL COPIES OF THIS FILE ARE FOR REFERENCE ONLY AND MAY NOT BE USED FOR DESIGN WORK.
- \* ALL UNDERGROUND UTILITIES ARE NOT SHOWN HEREON

Curve	Radius	Length	Chord	Chord Bear.
C1	331.07'	24.19'	24.18'	N 79°27'59" W

**LEGEND:**

 BOUNDARY LINE  
 SANITARY SEWER LINE  
 NATURAL GAS LINE  
 UNDERGROUND POWER  
 OVERHEAD UTILITIES  
 UNDERGROUND TELEPHONE  
 WATER LINE  
 FENCE (TYPE NOTED)  
 CP = COMPUTED POINT (UNMARKED)  
 R/W = RIGHT-OF-WAY  
 E/P = EDGE OF PAVEMENT  
 C/L = CENTERLINE  
 P = UTILITY POLE



\* A PORTION OF THIS PROPERTY IS LOCATED IN A 100 YEAR FLOOD PLAIN AS DESIGNATED BY FIRM PANEL # 3710461300  
EFFECTIVE DATE: 8-16-2007  
\* NO PORTION OF THE RESIDENTIAL STRUCTURE IS IN A FLOOD ZONE.

SITE PLAN  
FOR  
S. KINGETT

LOT #2 SFI OF CAROLINAS  
8199 DEEP WATER LN - DENVER, NC

CATAWBA SPRINGS TOWNSHIP - LINCOLN COUNTY  
SCALE: 1" = 40'

## DEDMON SURVEYS

CHUCK POOVEY, PLS #3762  
ROBERT DEDMON, PLS #3899  
3704 NC HIGHWAY #16 NORTH  
P.O. BOX 494 - DENVER, NC 28037  
PHONE: 704/483/4908  
FAX: 704/483/2170



I, CAVIO C. POOVEY, CERTIFY THAT THIS PLAT WAS DRAWN FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (OB 2531, PG 379)(PB 12, PG 1B2; THAT THE RATIO OF PRECISION AS CALCULATED EXCEEDS 1:10000; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH GS 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 18 DAY OF OCTOBER, AD 2017.

Don C. F. L-3762  
PROFESSIONAL LAND SURVEYOR LICENSE NO.

SLPM1, RX, K1 Q8A9W1, QD

#### VICINITY MAP

## VICINITY MAP

