



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: Planning Board Members

From: Jeremiah Combs, CZO
Planner I

Date: November 17, 2017

Re: SR #81
D.R. Horton, Inc., applicant
Parcel ID# 02378 and 33155

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

REQUEST

The applicant is requesting a waiver from one of the subdivision standards of the Lincoln County Unified Development Ordinance for a proposed 208-acre residential development that would include up to 422 single-family homes.

Under Section 9.6.9 of the UDO, the Planning Board is authorized to grant waivers from the subdivision standards if it makes certain findings based upon the evidence presented. The applicant is requesting a waiver from section 5.4.11.B of the Unified Development Ordinance, which requires that cul-de-sacs not be longer than 10 times the minimum lot width or 1,000 feet, whichever is less. Section 5.4.11.B of the UDO and a copy of the proposed site plan for the development are included with this report.

SITE AREA AND DESCRIPTION

The property is located on the south side of N.C. 73 and the east and west sides of South Ingleside Farm Road. It is adjoined by property zoned R-T, PD-R and R-SF (Residential Single-Family). The Trilogy planned residential development borders this property to the east. Land uses in the area are primarily residential and agricultural.

Road Widths

F. Alley

A public vehicular way providing service access along rear or side property lines of lots which are also served by one of the other listed road types.

§5.4.10. Road Widths

- A. Road widths and cross-sections shall be subject to the approval of the County and NCDOT.
- B. Subdivisions along existing roads of inadequate or undedicated right-of-way shall provide additional right-of-way to meet the minimum widths specified by the County's Construction Standards. The entire right-of-way shall be provided where any part of a new subdivision is on both sides of an existing road, and one-half the required right-of-way, measured from the center line of the existing road, shall be provided where a new subdivision is located on one side of an existing road.

§5.4.11. Cul-de-sac Roads

- A. Cul-de-sac roads shall be used only when it is determined by the Board of Commissioners that extension of the road to an adjacent property is impractical or unnecessary.

Alternative turnaround designs on residential roads serving six dwelling units or less

may be considered on a case-by-case basis. Alternative designs must readily accommodate emergency vehicles and other necessary truck traffic.

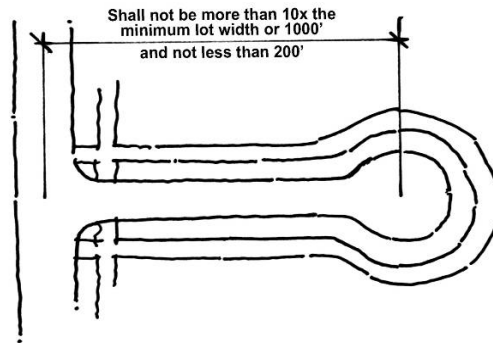


Figure 79. Cul-de-sac Roads

- B. Cul-de-sac roads shall not be less than 200 feet or longer than ten times the minimum lot width or 1000 feet, whichever is less, and shall be terminated by a circular road having a minimum diameter as determined by NCDOT. The length of cul-de-sac roads shall be measured from the center point of its turnaround, along the centerline of its right-of-way and that of any intervening roads, to the centerline of the right-of-way of the nearest through road.

§5.4.12. Half Roads

The dedication of half roads at the perimeter of a new subdivision is prohibited. When a half road exists along the perimeter of an adjoining subdivision, the remaining half must be provided by the proposed subdivision.

§5.4.13. Road Signs

The subdivider shall either provide and erect road name signs at all road intersections within the subdivision in accordance with all NCDOT standards or be required to reimburse Lincoln County for providing said signs. Any such fee shall be paid to the Director prior to final plat approval.



County Of Lincoln, North Carolina

Planning Board

Applicant **D.R. Horton, Inc.**

Application No. **SR #81**

Request **A waiver from the subdivision standards of section 5.4.11.B of the Unified Development Ordinance to allow three cul-de-sacs to exceed the maximum cul-de-sac length.**

FINDINGS OF FACT

Where the Planning Board finds that extraordinary hardships or practical difficulties may result from strict compliance with Article 5, Subdivision Standards, and the intent of the UDO may be served to a greater extent by an alternative proposal, a waiver may be granted. A waiver shall not have the effect of nullifying the intent and purpose of the UDO, and the Planning Board shall not grant a waiver unless the Planning Board makes findings based upon the evidence presented in each case that:

1. The granting of the waiver will not be detrimental to the public safety, health, or welfare or injurious to other property or improvements in the neighborhood in which the property is located.

2. The conditions upon which the request for a waiver are based are unique to the property for which the waiver is sought and are not generally applicable to other property.

3. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the UDO is enforced.

4. The purpose of the waiver is not based primarily upon financial consideration.

***Based on the Findings of Fact, the following action was taken on _____
by the Lincoln County Planning Board after a public hearing was held and duly advertised:***

***In granting a waiver, the Planning Board required the following condition(s) to secure
substantially the objectives of the standards or requirements of this UDO:***



Request for Subdivision Waiver

Lincoln County Planning & Inspections Department
302 N. Academy St., Lincolnton, NC 28092
Phone: (704) 736-8440 Fax: (704) 732-9010

Request # _____

Date _____

PART I

Name of Subdivision Lightside Rising

Applicant Name D. R. Horton

Applicant Address 809 Arrowridge Blvd. Charlotte, NC 28073

Applicant Phone Number _____

Property Owner Name Carelike Clark

Property Owner Address 21 Farness Dr., Charleston, SC 29407

Property Owner Phone Number _____

PART II

Property Location Lightside Farm Rd. at NC 73

Property ID (12 digits) 3642-24-5095 Parcel # (15 digits) 02318
3642-24-9098 33155

PART III

PURPOSE OF REQUEST

To the Lincoln County Planning Board,

I David Hughes (DR Horton) (Name of Applicant) hereby petition for a waiver from Article 5, Subdivision Standards, of the Lincoln County Unified Development Ordinance. The extraordinary hardships or practical difficulties which may result from strict compliance can be described as follows:

Ordinance section(s) Number 5.4.11(B) affecting Lot number(s) _____

See attached map may cause hardship due to topography, streams,
and inability to connect to adjoining property

(Describe hardship(s) in specific terms)

APPLICANT'S JUSTIFICATION

Where the Planning Board finds that extraordinary hardships or practical difficulties may result from strict compliance with Article 5, Subdivision Standards, and the intent of the UDO may be served to a greater extent by an alternative proposal, a waiver may be granted. A waiver shall not have the effect of nullifying the intent and purpose of the UDO, and the Planning Board shall not grant a waiver unless the Planning Board makes findings based upon the evidence presented in each case that:

1. The granting of the waiver will not be detrimental to the public safety, health, or welfare or injurious to other property or improvements in the neighborhood in which the property is located.

The streets in this community would not connect to adjoining communities that might develop. No street network will be harmed and emergency access is still provided.

2. The conditions upon which the request for a waiver are based are unique to the property for which the waiver is sought and are not generally applicable to other property.

The site includes numerous areas with steep slopes and streams that limit the possibility for additional street connections, and one adjoining parcel is being put in a conservation easement that prevents development.

3. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the UDO is enforced.

The steep slopes and streams would be severely disturbed with potential loss of environmentally sensitive areas and disruption of the environs of the historic property on the site.

4. The purpose of the waiver is not based primarily upon financial consideration.

Significant grading would change potentially environmentally sensitive areas for no real purpose. The working lots is set by the zoning plan so additional land development does not increase the site development.

Affirmation

I hereby affirm that to the best of my ability, knowledge, information and belief, I have provided all information requested on this form and that it is accurate.



Applicant's Signature

APPLICANT'S JUSTIFICATION

Where the Planning Board finds that extraordinary hardships or practical difficulties may result from strict compliance with Article 5, Subdivision Standards, and the intent of the UDO may be served to a greater extent by an alternative proposal, a waiver may be granted. A waiver shall not have the effect of nullifying the intent and purpose of the UDO, and the Planning Board shall not grant a waiver unless the Planning Board makes findings based upon the evidence presented in each case that:

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The streets in this community would not connect to adjoining communities that might develop. No street network will be harmed and emergency access is still provided.

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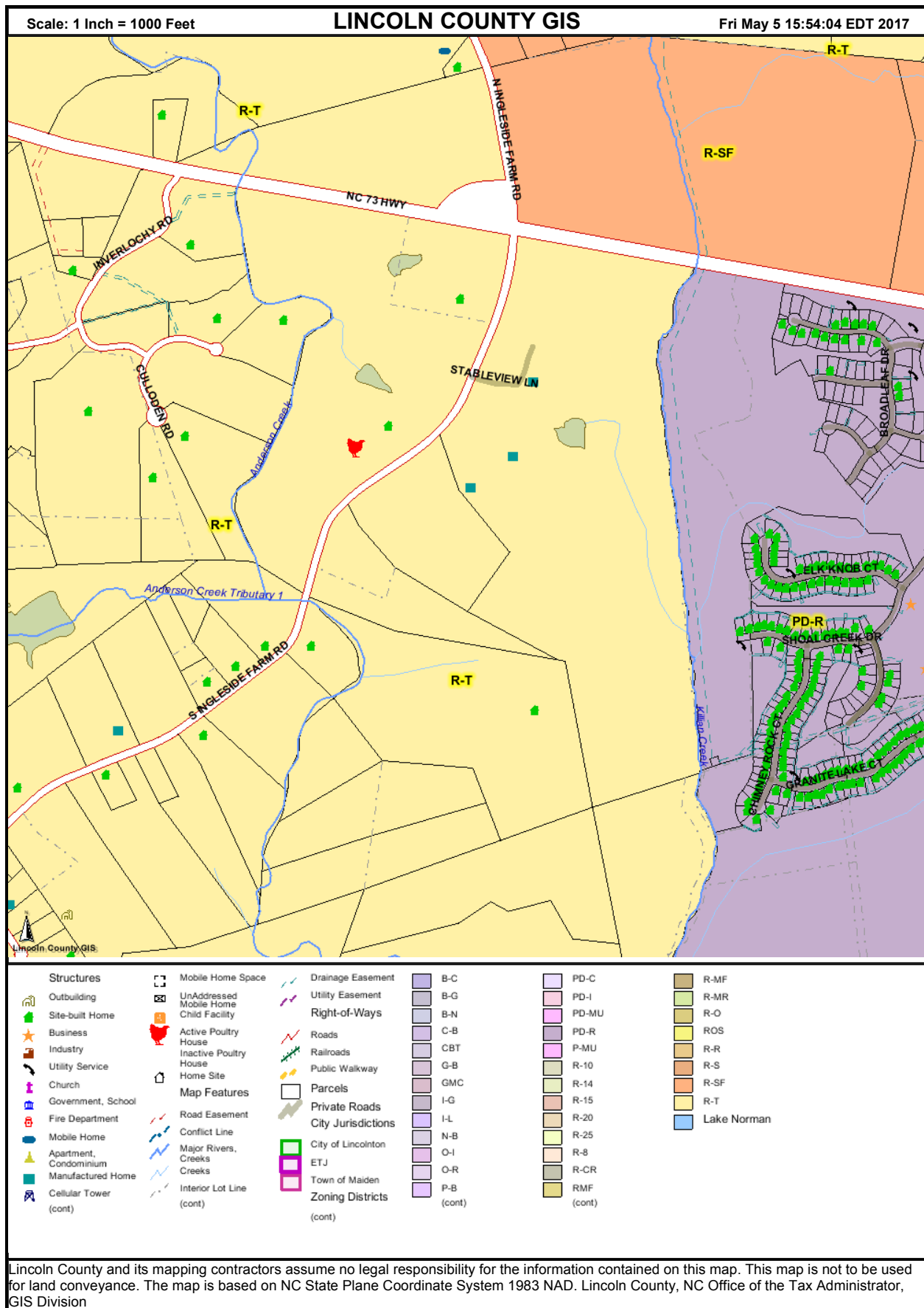
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3. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the UDO is enforced.

The steep slopes and streams would be severely disturbed, with potential loss of environmentally sensitive areas and disruption of the environs of the historic property on the site.

4. The purpose of the waiver is not based primarily upon financial consideration.

Significant grading would damage potentially environmentally sensitive areas for no real purpose. The number of lots is set by the rezoning plan, so additional land development does not increase the site development.



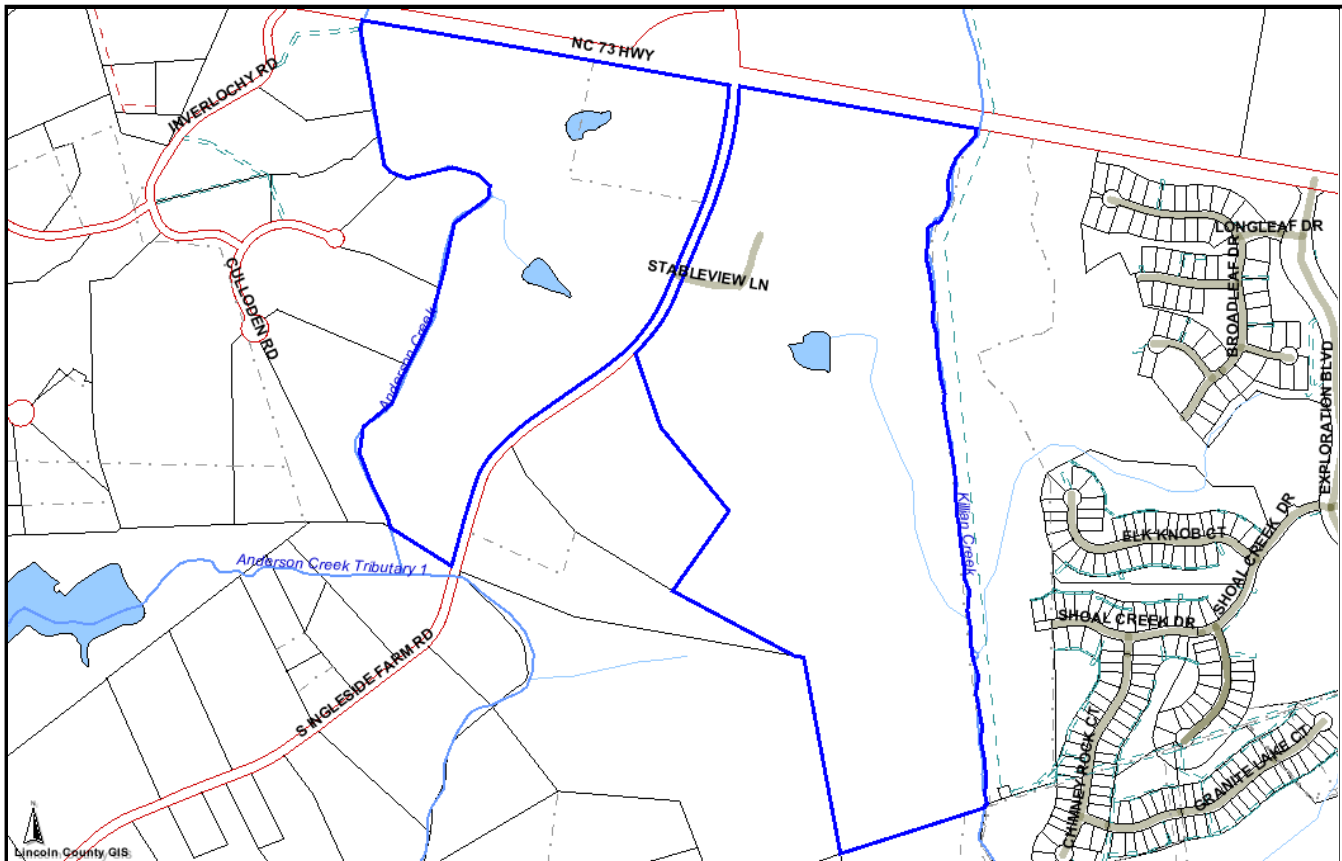
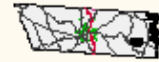


Lincoln County, NC

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: 5/5/2017 Scale: 1 Inch = 1000 Feet



PHOTOS



02378



02378

PARCEL INFORMATION FOR 3692-25-9098

Parcel ID	02378	Owner	CLARK CAROLINE		
Map	3692-00	Mailing	21 FORMOSA DR		
Account	0113107	Address	CHARLESTON SC 29407		
Deed	928-102	Recorded	1/15/1996	Sale Price	0
Land Value	\$1,329,214	Total Value	\$1,982,374	Previous Parcel	
----- All values are for tax year 2017. -----					
Description	PT OF CAROLINE CLARK LAND		Deed Acres	0	
Address	214 S INGLESIDE FARM RD		Tax Acres	190.66	
Township	CATAWBA SPRINGS		Tax/Fire District	EAST LINCOLN	
Main Improvement	COLONIAL		Value	\$319,116	
Main Sq Feet	4256	Stories	2 Year Built	1860	
Finished Basement	2128				
Zoning District		Calculated Acres	Voting Precinct	Calculated Acres	
R-T		190.67	LOWESVILLE (LW31)	0.1	
Watershed Class			LOWESVILLE WEST (LW18)	190.57	
Not in a watershed		190.67	Sewer District		
			Not in the sewer district	190.67	
2000 Census County			Tract	Block	
37109			071000	1000	111.33
37109			071000	1001	70.09
37109			071000	1002	4.96
37109			071100	3016	4.29
FloodZone Description				Panel	
AE	SPECIAL FLOOD HAZARD AREA BASE ELEVATION DETERMINED - 100 YEAR			3710369200	36.46
X	NO FLOOD HAZARD			3710369200154.21	



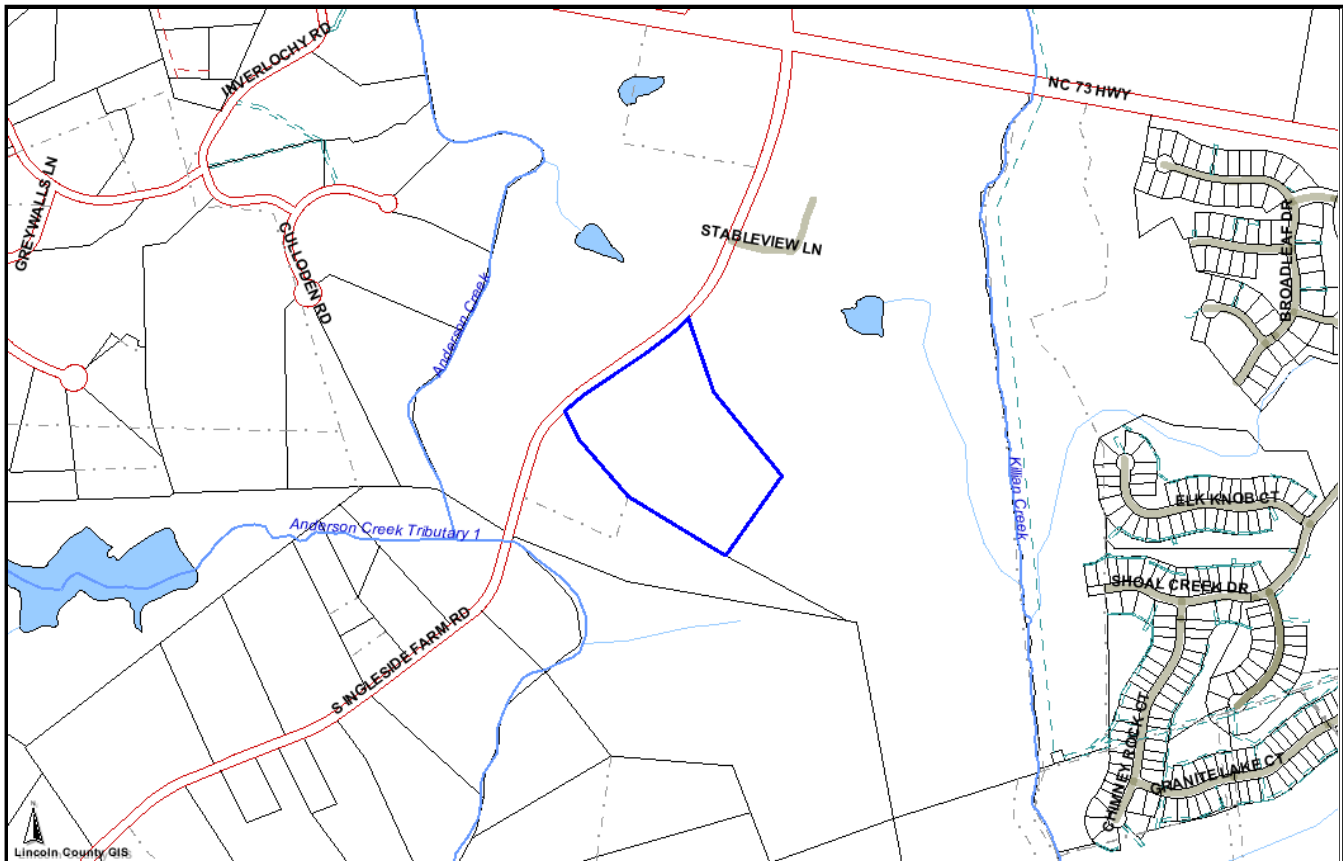
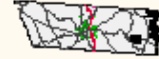



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Date: 5/5/2017 Scale: 1 Inch = 1000 Feet



PHOTOS	PARCEL INFORMATION FOR 3692-24-5405			
 Photo Not Available	Parcel ID	33155	Owner	CLARK ALLISON THORNE
	Map	3692-00	Mailing	***
	Account	30670	Address	PO BOX 9
	Deed	673-447	Recorded	LINCOLNTON NC 28093-0009
	Land Value	\$193,787	Total Value	\$193,787
	Description	CLARK LD RD 1383	Sale Price	0
	Address	S INGLESIDE FARM RD	Previous Parcel	
	Township	CATAWBA SPRINGS	Deed Acres	17.74
	Improvement	No Improvements	Tax Acres	17.61
	Zoning	Calculated	Voting Precinct	Calculated Acres
District	R-T	17.62	LOWESVILLE WEST (LW18)	17.62
Watershed Class	Not in a watershed	17.62	Sewer District	Not in the sewer district
2000 Census County	37109	071000	Block	1000
Flood	Zone Description	Panel	3710369200	17.62
X	NO FLOOD HAZARD			



Vicinity Map	
Not To Scale	
Site Data:	
Tax Parcels:	3692-24-5405 & 3692-25-9098
Total Acreage:	± 208.41 Acres (per GIS)
Location:	Lincoln County, NC
Zoning:	R-T
Existing:	PD-R
Proposed:	
Total Lots:	± 422 Lots
50' x 125' Lots:	± 288 Lots (68%)
61' x 125' Lots:	± 134 Lots (32%)
Density:	2.0 DU/AC
Open Space:	
Required:	± 26.1 Acres (12.5%)
Proposed:	± 114.6 Acres (55%)
Connectivity Index:	
Required:	1.4
Proposed:	1.38 (33 Links, 24 Nodes)

General Notes
1. Base information provided by Lincoln County GIS Data and should be verified for accuracy.
2. All site plan, zoning, and wetland information utilized in the preparation of this plan is considered to be preliminary in nature and subject to change and final verification.
3. Draft - Do not rely on this document.

Floodplain Information
Floodplain information obtained from FEMA FIRM Panel 3692J effective date of study August 16, 2007.

Stream/Wetland Information
Stream/Wetland information surveyed by ESP based on the "Preliminary Wetland Map" provided by Wetlands & Environmental Group, dated February 20, 2014. For purposes of preparation of this Preliminary Development Concept Plan, any potential wetland areas and stream features depicted on the plan are considered to be preliminary. The Preliminary Development Concept Plan may need to be revised once all agencies approved on-site wetland/stream and appropriate jurisdictional boundaries are verified.

Open Space
Open Space areas are conceptual and preliminary. The exact location of these areas may change as the client finalizes decisions regarding final layout, product allocation, and as other spatially dependent project components such as stormwater areas, wetland areas, utility features, and buffers, (as applicable) for this project are better defined.

Potential Stormwater Quality Areas
Storm water BMPs are currently not proposed but will be used if required by 401/404 state permits.

Public Information
ESP Associates is not responsible for plan deficiencies created by incorrect, incomplete, missing or outdated information derived from public sources such as GIS, Planning and Zoning departments.

