



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: March 16, 2018

Re: CUP #377
Michael and Jennifer Wootton, applicants
Parcel ID# 31366

The following information is for use by the Lincoln County Board of Commissioners and Planning Board at their joint meeting/public hearing on April 2, 2018.

REQUEST

The applicants are requesting a conditional use permit to build a guest house to serve as an accessory use to a single-family dwelling and to allow the guest house to extend past the front building line of an existing house on a lot adjacent to Lake Norman. Under the Unified Development Ordinance, a guest house may be permitted as a conditional use in any residential district, subject to certain requirements. The applicant is proposing a 600-square-foot guest house that would be located to the side of the existing 2,940-square-foot existing house but extend closer to the road.

SITE AREA AND DESCRIPTION

The request involves a 0.99-acre lot located at 7585 Dellinger Road. The subject property is zoned R-SF (Residential Single Family) and is adjoined by property zoned R-SF, PD-R (Planned Development Residential) and by Lake Norman. Land uses in this area are primarily residential. This property is part of an area designated by the Lincoln County Land Use Plan as Suburban Residential.

ORDINANCE STANDARDS

Under the UDO, the term used for a guest house is "private residential quarters." The following standards are set:

§4.6.5. Residential Accessory Use Standards

K. Private Residential Quarters

Private residential quarters may be permitted by conditional use permit (See §9.11) as an accessory use to a detached single-family dwelling, subject to the following requirements:

1. Private residential quarters approved as a conditional use shall be subject to annual review for continued compliance in accordance with the requirements of §9.11.
2. Private residential quarters may be attached to or detached from the principal dwelling in the form of a guest house or garage apartment.
3. Private residential quarters shall not be rented or occupied for gain.
4. The area of private residential quarters shall not exceed 1000 square feet or half the size of the principal dwelling, whichever is less.
5. Private residential quarters shall not have a separate electrical meter.
6. The owner of the property shall occupy either the primary structure or the private residential quarters.
7. One additional parking space on the same premises shall be required for the private residential quarters.
8. Private residential quarters shall be architecturally consistent with the principal structure.
9. Manufactured homes may not be used as private residential quarters.

The location of residential accessory structures is subject to the following regulations:

§4.6. Accessory Structures and Uses

§4.6.2. General

C. Setbacks

The following setback requirements apply to all accessory structures not specifically excepted by **Error! Reference source not found.**, Yard Encroachments:

1. General

No accessory structure shall be located closer than ten feet to any other structure.

2. Residential Districts

(a) No accessory structure shall extend in front of the front line of the principal structure, unless it is set back a minimum of 100 feet from the edge of the road right-of-way. On lots adjacent to Lake Norman, the Board of Commissioners may approve a conditional use permit (See **Error! Reference source not found.**) to allow an accessory structure to be located in the road yard less than 100 feet but no closer than 30 feet from the edge of the road right-of-way.



County Of Lincoln, North Carolina

Planning Board

Applicants **Michael and Jennifer Wootton**

Application No. **CUP #377**

Parcel ID# **31336**

Zoning District **R-SF**

Proposed Conditional Use **guest house, to extend past front building line of existing house**

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 Michael and Jennifer Wootton

Applicant Address 7585 Dellinger Road Denver NC 28037

Applicant Phone Number 704 - 964 - 2182

Property Owner Name Michael and Jennifer Wootton

Property Owner Address 7585 Dellinger Road Denver NC 28037

Property Owner Phone Number 704 - 964 - 2182

PART II

Property Location 7585 Dellinger Road Denver, NC 28037

Property ID (10 digits) 4605 - 93 - 9980 Property size .99

Parcel # (5 digits) 31334 Deed Book(s) 2608 (442) Page(s) 642

PART III

Existing Zoning District R-SF

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

This property is the location of our primary residence.

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

An approximately 600 sq. ft. detached guest house is being proposed and is proposed to be slightly forward of the main house. - (see survey).

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.

Signature

2/12/18

Date

APPLICANTS' PROPOSED FINDINGS OF FACT

Application No. **CUP #377**

Applicants **Michael and Jennifer Wootton**

Property Location **7585 Dellinger Road**

Parcel ID# **31336**

Existing District **R-SF**

Proposed Conditional Use **guest house, to extend past the front building line of existing house**

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

A permit must be obtained to add a septic system to serve the guest house. The guest house will be built to meet the state building code. The guest house will meet the minimum road yard setback of 30 feet.

2. The use meets all required conditions and specifications.

A guest house is a conditional use as an accessory use to a single-family dwelling. The plans meet the Unified Development Ordinance's size limitations for a guest house. An accessory structure that extends past the front building line of a house is a conditional use on lots abutting Lake Norman. This lot abuts Lake Norman. This accessory structure will be located no closer than 30 feet to the edge of the road right-of-way.

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

The guest house will be a site-built house, similar in appearance to the 2,940-square-foot existing house. It will include dormers and a porch.

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.

Land uses in this area are mainly residential. The subject property is part of an area designated by the Land Use Plan as Suburban Residential.

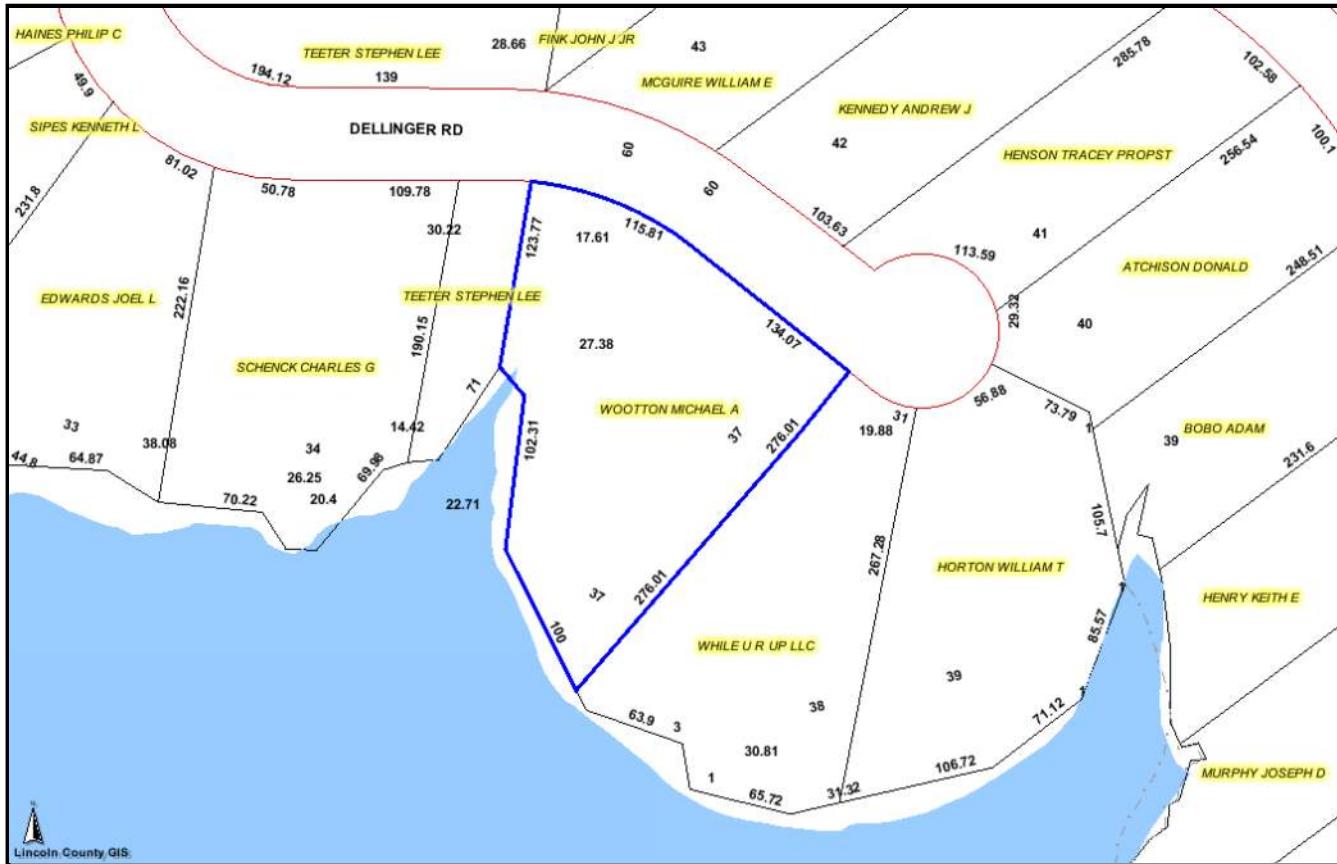


Lincoln County, NC

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: 2/16/2018 Scale: 1 Inch = 120 Feet

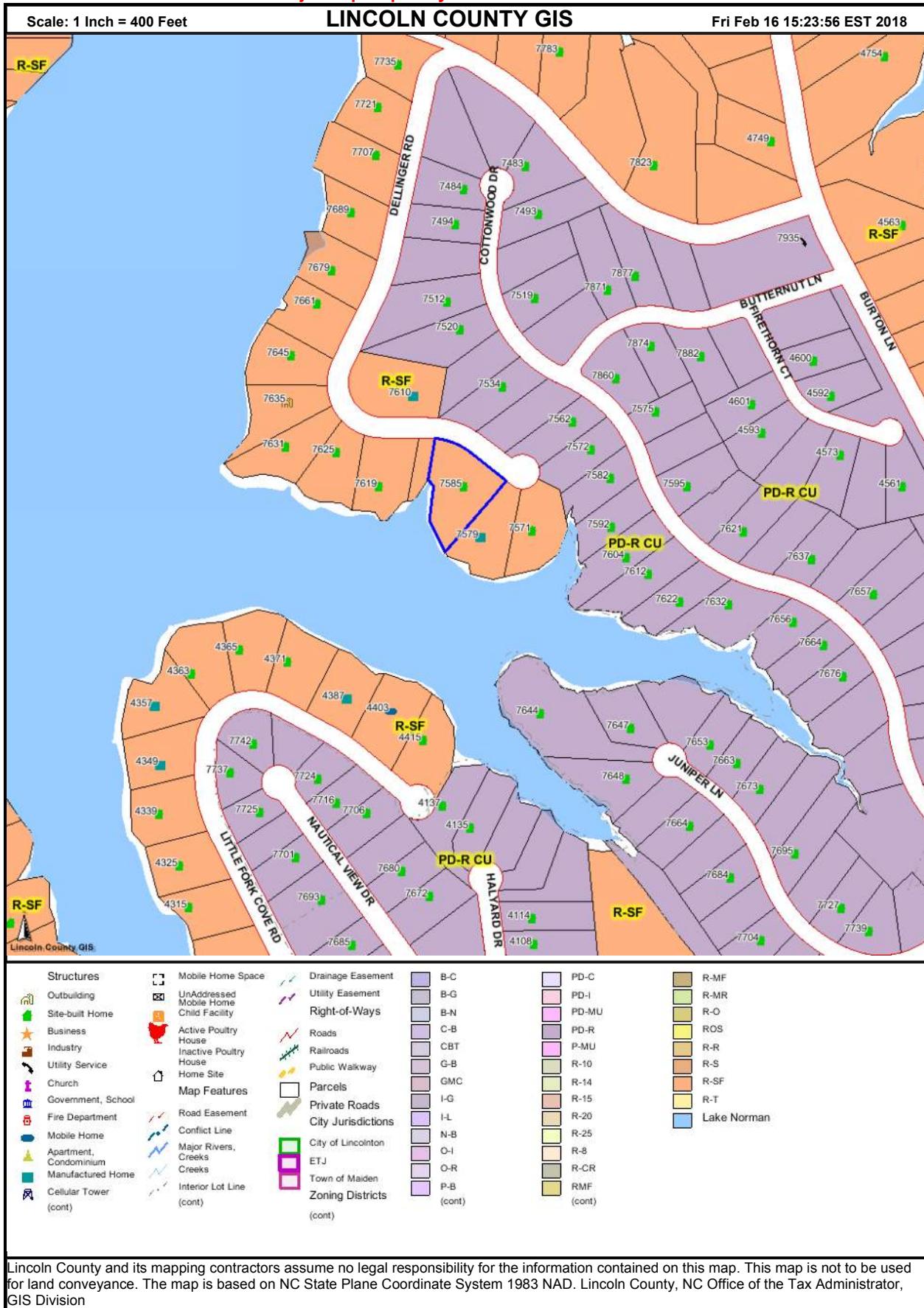


Lincoln County GIS

PHOTOS		PARCEL INFORMATION FOR 4605-93-9980					
		Parcel ID 31336 Owner WOOTTON MICHAEL A Map 4605-16 Mailing WOOTTON JENNIFER L Account 0259393 Address 7585 DELLINGER ROAD Deed 2608-642 Last Transaction Date 8/17/2016 Sale Price \$500,000 Land Value \$304,690 Total Value \$521,588 Previous Parcel ----- All values are for tax year 2017. -----					
		Subdivision Lot 37 CRESCENT LAND & TIMBER CORP Plat E-48 Description LOT 37 SECT 36 CRESCENT Deed Acres 0.98 Address 7585 DELLINGER RD Tax Acres 0.98 Township CATAWBA SPRINGS Tax/Fire District DENVER Main Improvement CUSTOM HOME Value \$201,724 Main Sq Feet 2940 Stories 1 Year Built 1970					
		Zoning District Calculated Acres Voting Precinct Calculated Acres R-SF 0.98 DENVER (DN29) 0.98 Watershed Class WS-IVC 0.98 Sewer District Not in the sewer district 0.98 2000 Census County 37109 Tract 071200 Block 1015 Panel FloodZone Description AE SPECIAL FLOOD HAZARD AREA BASE ELEVATION DETERMINED - 100 37104605000.01 YEAR X NO FLOOD HAZARD 37104605000.71 X NO FLOOD HAZARD 37104615000.26					



**Conditional Use Permit #377
subject property is outlined in blue**



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LEGEND

R\W	RIGHT-OF-WAY
E\P	EDGE OF PAVEMENT
C\L	CENTERLINE
PDE	PERMANENT DRAINAGE EASEMENT
×	UTILITY POLE
○	LIGHT POLE
□	SANITARY SEWER MANHOLE
—	OVERHEAD UTILITY LINE

