



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) 31336 Deed Book(s) 2608 (642) 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]
Applicant's 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.

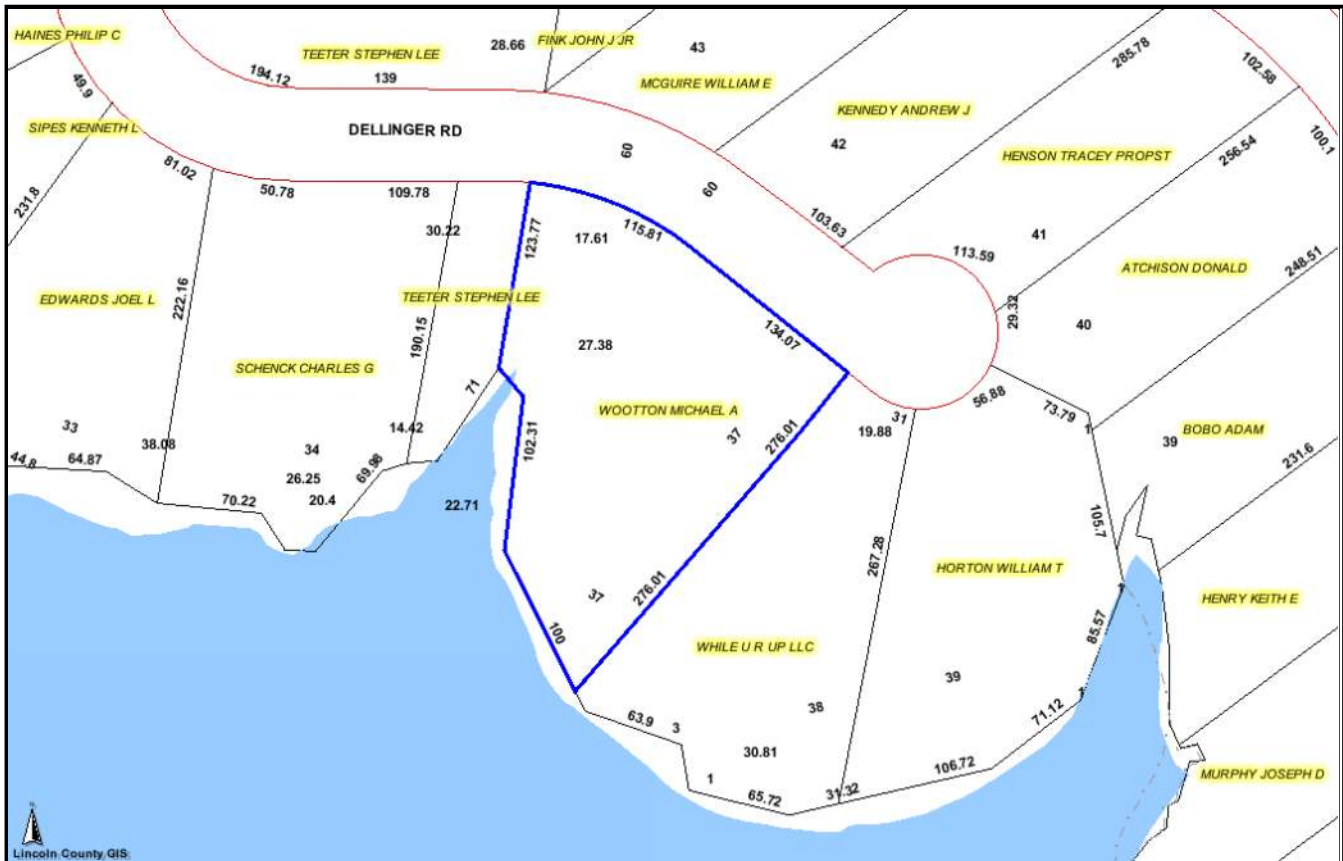
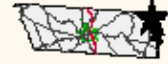


Lincoln County, NC

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



PHOTOS



31336



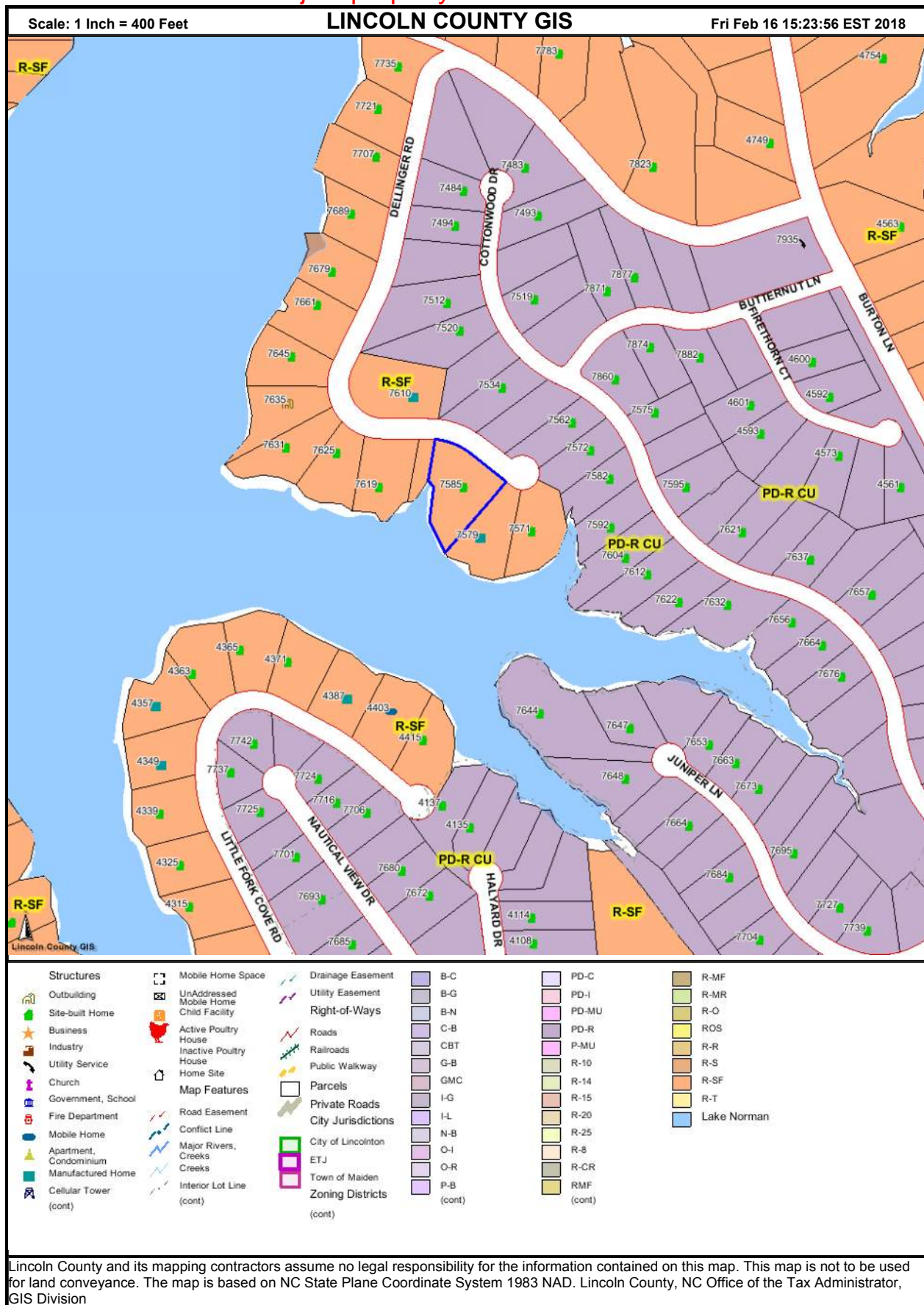
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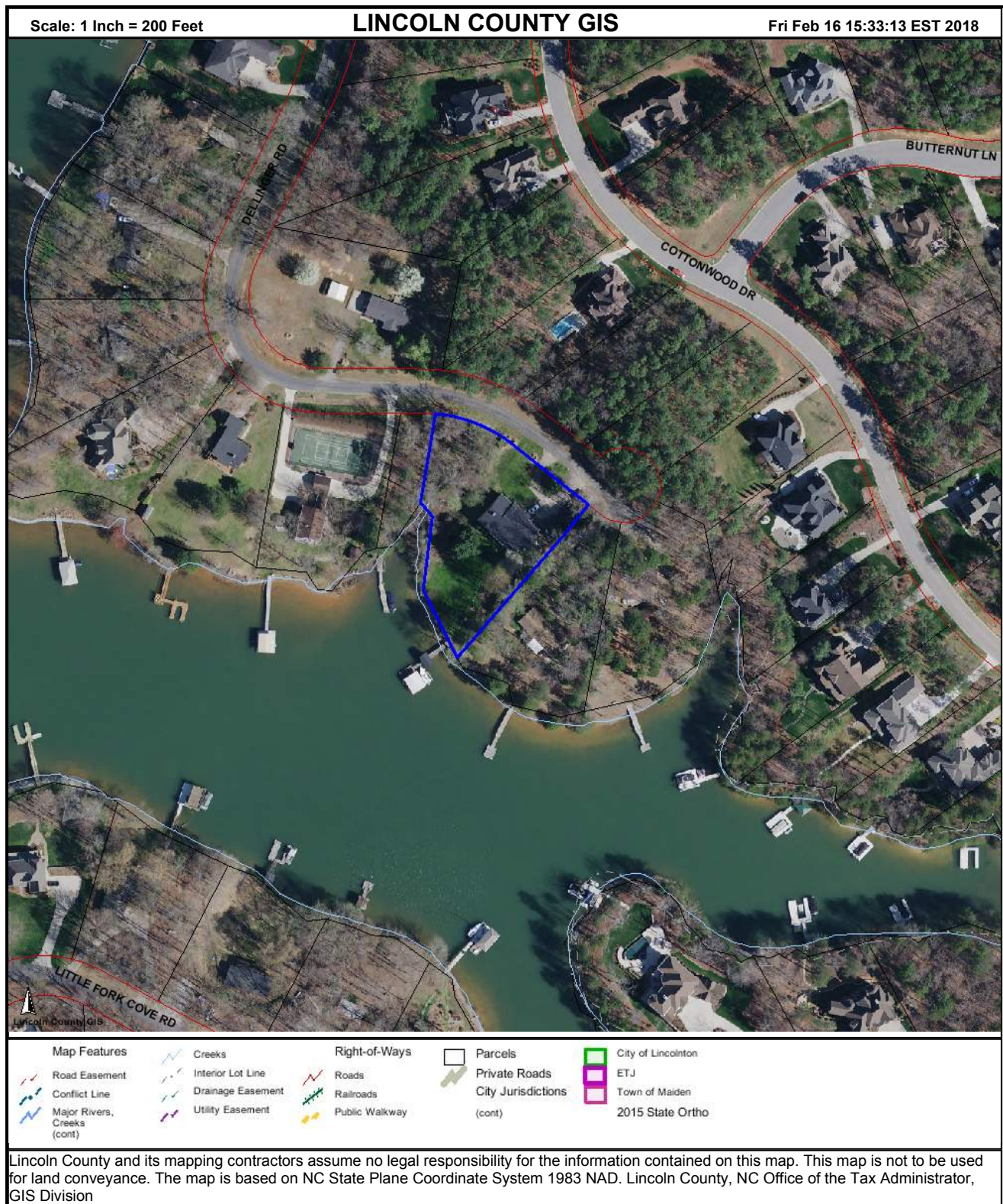
PARCEL INFORMATION FOR 4605-93-9980

Parcel ID	31336	Owner	WOOTTON MICHAEL A WOOTTON JENNIFER L
Map	4605-16	Mailing Address	7585 DELLINGER ROAD DENVER NC 28037
Account	0259393	Address	
Deed	2608-642	Last Transaction Date	8/17/2016
Land Value	\$304,690	Total Value	\$521,588
----- 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	R-SF	Voting Precinct	DENVER (DN29)
		Calculated Acres	0.98
Watershed Class	WS-IVC	Sewer District	Not in the sewer district
			0.98
2000 Census County	37109	Tract	071200
		Block	1015
		Panel	0.98
FloodZone Description	SPECIAL FLOOD HAZARD AREA BASE ELEVATION DETERMINED - 100 YEAR		
AE			
X	NO FLOOD HAZARD		
X	NO FLOOD HAZARD		



Conditional Use Permit #377
subject property is outlined in blue






LEGEND


- R\W


E\P


C\L

PDE








- RIGHT-OF-WAY

EDGE OF PAVEMENT

CENTERLINE

PERMANENT DRAINAGE EASEMENT

UTILITY POLE

LIGHT POLE

SANITARY SEWER MANHOLE

OVERHEAD UTILITY LINE

34

APPROXIMATE 100
YEAR FLOOD LINE

#5 REBAR

N 10°50'58"E 123.87'

#5 REBAR

L4

L3

L2

SEAWALL

#4 REBAR

BUILDING

37

0.986 AC +/-
PB E-48

FENCE

50' SB

10' SB

S 41°37'00"W 275.82'

10' SB

30' COUNTY SB

EDGE OF
WOODS

PROPOSED
ADDITION

764.98

768.30

769.07

770.38

772.87

773.91

774.31

770.53

775.01

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778.63

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ONE STORY
FRAME HOME

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CONC. DRIVE

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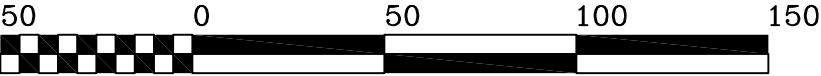
OVERHEAD UTILITY LINE

DELLINGER RD
60' PUBLIC R\W

TALL 1/4" PIN

Course	Bearing	Distance
L1	S 51°04'00" E	134.07'
L2	N 26°09'00" W	100.00'
L3	N 07°12'00" E	102.31'
L4	N 41°21'03" W	27.50'

Curve	Radius	Length	Chord	Chord Bear.
C1	196.37'	115.14'	113.50'	S 67°40'33" E



GRAPHIC SCALE - FEET