



**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 13, 2018

Re: CUP #389  
Joshua and Kimberly Mays, applicants  
Parcel ID# 55562

*The following information is for use by the Lincoln County Board of Commissioners and Planning Board at their joint meeting/public hearing on December 3, 2018.*

**REQUEST**

The applicants are requesting a conditional use permit to add a guest house to serve as an accessory use to a single-family dwelling. Under the Unified Development Ordinance, a guest house may be permitted as a conditional use in any residential district, subject to certain requirements. In this case, the applicants are proposing a 576-square-foot guest house to go along with an existing 1,456-square-foot house. A site plan has been submitted as part of the application. It shows the guest house would be located in front of the front building line of the main house, but more than 100 feet from the edge of the road right-of-way, meeting the minimum setback for an accessory structure that's located in the road yard.

**SITE AREA AND DESCRIPTION**

The request involves a 2.5-acre parcel located at 6015 Beam Lumber Road, on the south side of Beam Lumber Road about 1,200 feet west of Cat Square Road, in Howards Creek Township. The property is zoned R-S (Residential Suburban) and is surrounded by property zoned R-S. Land uses in this area are primarily residential and agricultural. This property is part of an area designated by the Lincoln County Land Use Plan as Large Lot 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.



# County Of Lincoln, North Carolina

## Planning Board

Applicant **Joshua and Kimberly Mays**

Application No. **CUP #389**

Property Location **46015 Beam Lumber Road** Parcel ID# **55562**

Zoning District **R-S**

Proposed Conditional Use **guest 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 Joshua & Kimberly Mays

Applicant Address 60015 Beam Lumber Rd. Vale, NC 28168

Applicant Phone Number (480) 227-2367

Property Owner Name Same

Property Owner Address Same

Property Owner Phone Number Same

### PART II

Property Location 60015 Beam Lumber Rd. Vale, NC 28168

Property ID (10 digits) 2684-49-4225 Property size 2.47 acres

Parcel # (5 digits) 55562 Deed Book(s) 2699 Page(s) 395

### PART III

Existing Zoning District R-S

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

The property currently functions as a single family home! In addition to the home, a barn also exists on the lot, situated behind the home.

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

We would like to add a small (<600 sq. ft) guest house on the property.

**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.

Kimberly Mays  
Applicant's Signature

10/12/18

Date

## **APPLICANTS' PROPOSED FINDINGS OF FACT**

Application No. **CUP #389**

Applicants **Joshua and Kimberly Mays**

Property Location **6015 Beam Lumber Road** Parcel ID# **55562**

Existing District **R-S**

Proposed Conditional Use **guest house**

### **PROPOSED FINDINGS**

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

**A septic permit must be obtained for the guest house. The guest house must meet the state building code.**

**Septic construction authorization permit (residential) obtained as of 10/29/2018. Permit #EH18-05074.**

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 in the R-S district. The plan meets the Unified Development Ordinance's requirements for a guest house and for an accessory structure, including the size limit for a guest house and the setback for an accessory structure that's located in front of the front building line of the principal structure.**

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 located on a 2.5-acre tract in a largely rural area.**

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 primarily residential. This property is part of an area designated by the Land Use Plan as Rural Living.**



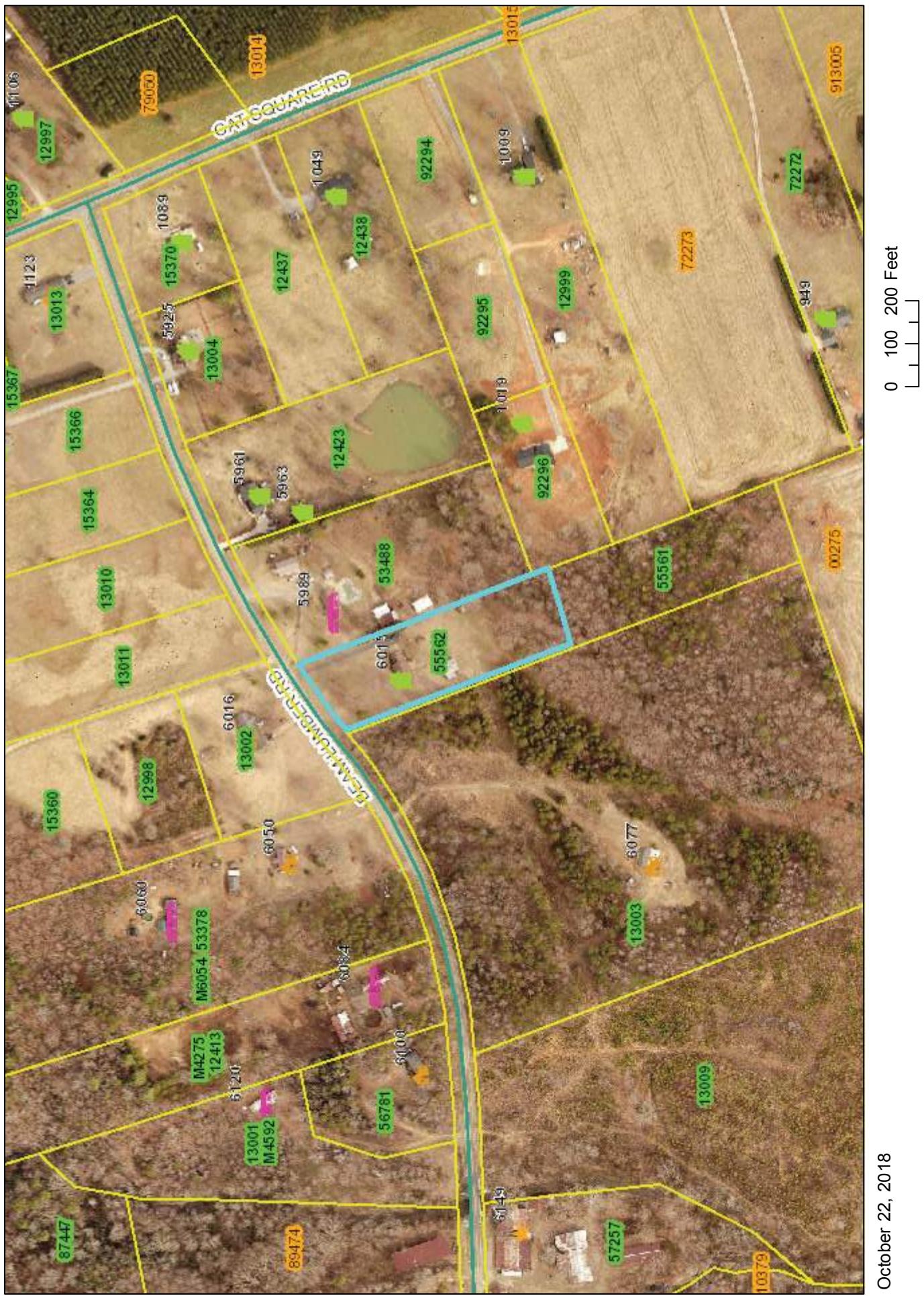
**CUP #389**  
**subject property is outlined in blue**



October 22, 2018

Esri, Inc., Lincoln County, NC

1 inch = 300 feet



October 22, 2018

1 inch = 300 feet

# CUP #389 site plan

