



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: May 13, 2019

Re: CUP #406
Erik Distasio, applicant
Parcel ID# 55980

The following information is for use by the Lincoln County Board of Commissioners and Planning Board at their joint meeting/public hearing on June 3, 2019.

REQUEST

The applicant is requesting a conditional use permit to operate a haunted Halloween trail in the R-T (Transitional Residential) district. A site plan has been submitted as part of the application. It includes conditions proposed by the applicant. A haunted trail is classified under recreation. Under the Unified Development Ordinance, private recreation facilities are permitted in the R-T district where approved by the Board of Commissioners through the issuance of a conditional use permit.

SITE AREA AND DESCRIPTION

The proposed site is a 1.8-acre lot located at 2576 Swanson Road, on the west side of Swanson Road about 500 feet north of N.C. 150, in Howards Creek Township. The applicant resides on an adjacent lot. The subject property is adjoined by property zoned R-T and R-SF (Residential-Single Family). Land uses in this area include residential and agricultural. This property is part of an area designated by the Lincoln County Land Use Plan as Large Lot Residential, suitable for single-family detached homes with the following listed as secondary uses: church, community center, pool and amenities, natural areas and horse stables.



County Of Lincoln, North Carolina

Planning Board

Applicant **Eric Distasio**

Application No. **CUP #406**

Parcel ID# **55980**

Zoning District **R-T**

Proposed Conditional Use **private recreation facilities (haunted Halloween trail)**

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 James Erik Distasio

Applicant Address 2576 Swanson Rd chouse 28033

Applicant Phone Number 704 732 5614

Property Owner Name Same as Above

Property Owner Address _____

Property Owner Phone Number _____

PART II

Property Location 2576 Swanson Rd

Property ID (10 digits) 3611-07-1238 Property size 1.8 acres

Parcel # (5 digits) 55980 Deed Book(s) 2528 Page(s) 79

PART III

Existing Zoning District R-T

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

VACANT LOT

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

Haunted Trail

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.

James Erik Distasio
Applicant's Signature

04/22/2019
Date

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

Application No. **CUP #406**

Applicants **Erik Distasio**

Property location **2576 Swanson Road**

Parcel# **55980**

Zoning District **R-T**

Proposed Conditional Use **private recreation facilities (haunted Halloween trail)**

PROPOSED FINDINGS

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

N.C. 150 includes turning lanes to access Swanson Road. An adequate area for parking will be provided on-site. The trail will be staffed with a minimum of 20 people, not including actors.

2. The use meets all required conditions and specifications.

Private recreation facilities is a conditional use in the R-T district.

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

The rear of the property, where the trail will be located, is adjacent to wooded areas and a large tract used for farming. The property owner resides on an adjoining lot. The operation of the haunted trail will be limited to five weeks each fall.

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.

Property owners and residents in the immediate area are in support of the proposed use. Part of the proceeds will be used to maintain at least the first 1,000 feet of Swanson Road. This property is located in an area designated by the Lincoln County Land Use Plan as Large Lot Residential, a classification that lists recreational facilities as secondary uses.



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: 4/24/2019 Scale: 1 Inch = 200 Feet

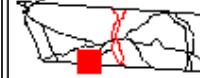
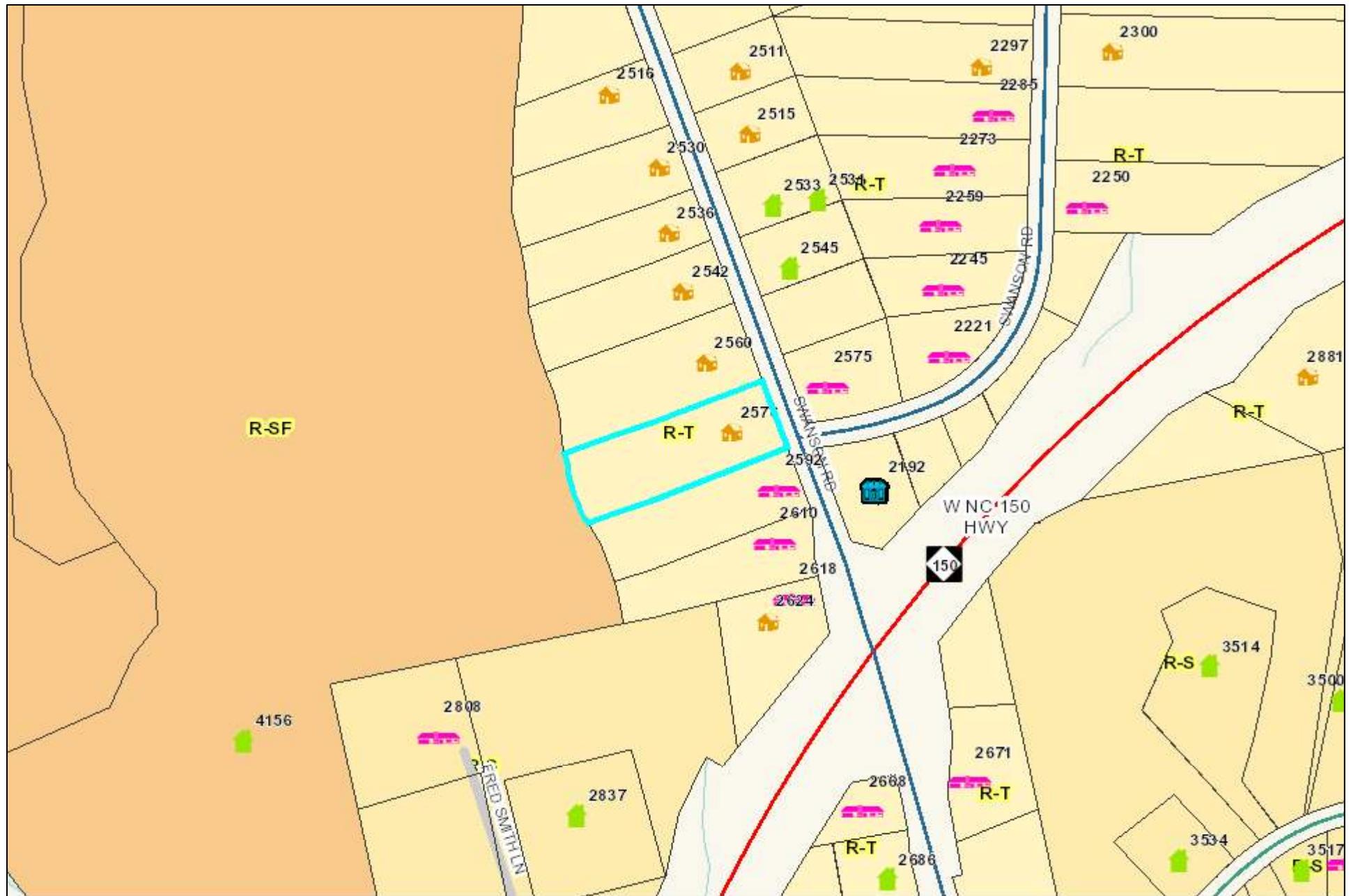


Photo Not Available

Parcel ID	55980	Owner	DISTASIO JAMES ERIK
Map	3611	Mailing	2560 SWANSON RD
Account	0060681	Address	CROUSE, NC 28033
Deed	2528 79	Last Transaction Date	06/29/2015
Plat		Subdivision	SUMMERSETT
Land Value	\$21,536	Improvement Value	\$532
Previous Parcel			
-----All values for Tax Year 2019 -----			
Description	SUMMERSETT 3A D/W	Deed Acres	0
Address	2576 SWANSON RD	Tax Acres	1.808
Township	HOWARDS CREEK	Tax/Fire District	CROUSE
Main Improvement		Value	
Main Sq Feet		Year Built	
Zoning District	Calc Acres	Voting Precinct	Calc Acres
R-T	1.81	HC33	1.81
Watershed		Sewer District	
	1.81		1.81
Census County		Tract	Block
109		070400	2026
Flood	Zone Description	Panel	
X	NO FLOOD HAZARD	3710361100	1.4
X	NO FLOOD HAZARD	3710360100	0.41

Conditional Use Permit #406
subject property is outlined in blue



April 24, 2019

Esri, Inc., Lincoln County, NC

0 100 200 Feet

1 inch = 300 feet



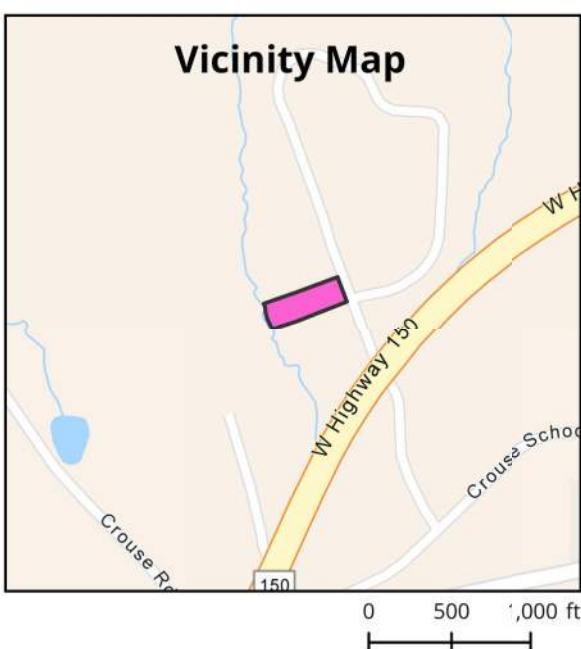
April 24, 2019

0 100 200 Feet
1 inch = 200 feet

1 inch = 200 feet

CUP #406 - Erik Distasio

Parcel: ID# 55980



Legend:

- CUP #406 Parcel
- Haunted Trail
- Queue
- Traffic Flow
- Ticket Fence
- Unnamed Stream
- Ticket Both & Porta-Potties
- Parking Lot (Unpaved)

0 25 50 Feet N

Parking Lot Specs:

Space Width: 10 ft.
Space Length: 19 ft.
Aisle Width: 24 ft.
Total Spaces: 102

Proposed Condition of Operation

- 1) The operator shall obtain a permit each year under the county's ordinance regulating special events and mass gatherings.
- 2) The operation of the trail shall be limited to five weeks each fall.
- 3) The property owner shall provide the county with certification that the owner has general liability coverage of at least \$100,000.

159.28 ft. SWANSON RD

473.75 ft.

482.62 ft.

END

166.41 ft.

Produced by Lincoln County Planning