



## **LINCOLN COUNTY PLANNING & INSPECTIONS DEPARTMENT**

115 W. MAIN ST., 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: January 10, 2020

Re: CUP #415  
Frank Smith, applicant  
Parcel ID# 02701

*The following information is for use by the Lincoln County Board of Commissioners and Planning Board at their joint meeting/public hearing on February 3, 2020.*

### **REQUEST**

The applicant is requesting a conditional use permit to build a residential accessory structure, a proposed 960-square-foot detached garage, that would extend past the front building line of an existing house on a lot adjacent to Lake Norman. Under Section 4.6.2.C.2(a) of the Unified Development Ordinance, an accessory structure cannot 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; or, in the case of a lot adjacent to Lake Norman, the Board of Commissioners may approve a conditional use permit to allow an accessory structure to be located in the road yard, a minimum of 30 feet from the edge of the road right-of-way. A site plan submitted as part of the application shows that the proposed garage would be located 74 feet from the edge of the road right-of-way and extend 12 feet past the front building line of the house.

### **SITE AREA AND DESCRIPTION**

The 0.67-acre lot is located at 7503 Pine Ridge Road. It is zoned R-SF (Residential Single-Family) and is adjoined by property zoned R-SF 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 Single-Family Neighborhood.



# County Of Lincoln, North Carolina

## Planning Board

Applicant **Frank Smith**

Application No. **CUP #415**

Parcel ID# **02701**

Zoning District **R-SF**

Proposed Conditional Use **accessory structure extending past the front building line of principal structure on lot abutting Lake Norman**

### 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 Frank P. Smith  
Applicant Address 7503 Pine Ridge Drive Denver, NC 28037  
Applicant Phone Number 603-387-2585  
Property Owner Name Frank + Danielle Smith  
Property Owner Address 7503 Pine Ridge Drive Denver, NC 28037  
Property Owner Phone Number 603-387-2585

#### **PART II**

Property Location 7503 Pine Ridge Dr. Denver, NC 28037  
Property ID (10 digits) 4605-87-4051 Property size .667  
Parcel # (5 digits) 02701 Deed Book(s) Plat Book Page(s) E-42

#### **PART III**

Existing Zoning District R-SF

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

Primary Residence, Main house & shed,

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

2 car garage. Placed on side 12ft in front of House to allow 61 feet behind to Lake. To not disrupt neighbor's Lake view. And to not Grade in 50 feet buffer zone.

**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.*

Applicant's Signature

Date

[Signature] 12-4-2019

## **APPLICANT'S PROPOSED FINDINGS OF FACT**

Application No. **CUP #415**

Applicant **Frank Smith**

Property Location **7503 Pine Ridge Drive** Parcel ID# **02701**

Proposed Conditional Use **accessory structure extending past the front building line of principal structure on lot abutting Lake Norman**

### **PROPOSED FINDINGS**

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

**The proposed structure will be built to code and will be set back more than 70 feet from the edge of the road right-of-way.**

2. The use meets all required conditions and specifications.

**An accessory structure extending in front of the front building line of the principal structure is a conditional use on lots abutting Lake Norman. This lot abuts Lake Norman. The proposed location for the accessory structure complies with the required road yard and side yard setbacks. The proposed 960-square-foot garage meets the size limitation for residential accessory structures on this lot.**

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

**The accessory structure will be similar in appearance to the house on this lot. The proposed building will be used as a residential garage.**

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.

**The proposed building will extend only 12 feet past the front building line of the house. On other lots on Lake Norman, accessory structures are located in front of the front building line of the principal structure. The Land Use Plan designates this area as 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: 12/17/2019 Scale: 1 Inch = 150 Feet



|  |                        |                              |                                   |                              |
|--|------------------------|------------------------------|-----------------------------------|------------------------------|
| <b>Parcel ID</b>                               | 02701                  | <b>Owner</b>                 | SMITH FRANK P<br>SMITH DANIELLE J |                              |
| <b>Map</b>                                     | 4605                   | <b>Mailing</b>               | 7503 PINE RIDGE DRIVE             |                              |
| <b>Account</b>                                 | 0271028                | <b>Address</b>               | DENVER, NC 28037                  |                              |
| <b>Deed</b>                                    | 2789 819               | <b>Last Transaction Date</b> | 12/31/2018                        | <b>Sale Price</b> \$440,000  |
| <b>Plat</b>                                    | E 42                   | <b>Subdivision</b>           | CRESCENT LAND & TIMBER CORP       | <b>Lot</b> 63                |
| <b>Land Value</b>                              | \$344,190              | <b>Improvement Value</b>     | \$152,020                         | <b>Total Value</b> \$496,210 |
| <b>Previous Parcel</b>                         |                        |                              |                                   |                              |
| <b>-----All values for Tax Year 2019 -----</b> |                        |                              |                                   |                              |
| <b>Description</b>                             | LOT 63 SEC 35 CRESCENT |                              |                                   | <b>Deed Acres</b> 0          |
| <b>Address</b>                                 | 7503 PINE RIDGE DR     |                              |                                   | <b>Tax Acres</b> 0.667       |
| <b>Township</b>                                | CATAWBA SPRINGS        |                              |                                   | <b>Value</b> \$140,383       |
| <b>Main Improvement</b>                        | SPLIT LEVEL            |                              |                                   | <b>Year Built</b> 1976       |
| <b>Main Sq Feet</b>                            | 1408                   | <b>Stories</b>               | 1                                 |                              |
| <b>Zoning District</b>                         | <b>Calc Acres</b>      |                              | <b>Voting Precinct Calc Acres</b> |                              |
| R-SF   | 0.67                   |                              | DN29                              | 0.67                         |
| <b>Watershed</b>                               | 0.67                   |                              | <b>Sewer District</b>             |                              |
|  |                        |                              | 0.67                              |                              |
| <b>Census County</b>                           | 109                    | <b>Tract</b>                 | 071203                            | <b>Block</b> 2005            |
|  |                        |                              |                                   | 0.67                         |



Conditional Use Permit #415  
subject property is outlined in blue



December 17, 2019

Esri, Inc., Lincoln County, NC

0 100 200 Feet

1 inch = 200 feet

CUP #415 Frank Smith

1 in. = 400 ft.



### Land Use Plan

- Open Space (OS)
- Rural Living (RL)
- Industrial Center (IC)
- Large Lot Residential (LLR)
- Single-Family Neighborhood (SFN)
- Multifamily Neighborhood (MFN)
- Rural Crossroads (RC)
- Suburban Commercial (SC)
- Suburban Office (SO)
- Special District (SD)
- Walkable Neighborhood (WN)
- Walkable Activity Center (WC)



Lincoln County  
Planning & Inspections  
115 W. Main St  
3rd Floor  
Lincolnton, NC 28092

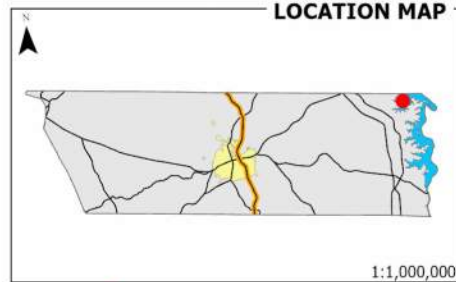
**Parcel ID# 02701**

- Property Location(s)

See Attached Application for Parcel Information

**Property Location(s) Outlined in Purple**

### LOCATION MAP



Property Location(s)



- NOTES:
- \* PROPERTY MAY BE SUBJECT TO RECORDED OR UNRECORDED RIGHTS OF WAYS OR EASEMENTS NOT OBSERVED
  - \* OWNER TO VERIFY ALL SETBACKS AND ZONING REGULATIONS PRIOR TO ANY PLANNING OR CONSTRUCTION.
  - \* DIMENSIONS OF ALL IMPROVEMENTS SHOWN ON THIS PLAT SHOULD NOT BE SCALED OR RELIED UPON FOR DESIGN OR CONSTRUCTION WITHOUT A FIELD VERIFICATION OF ALL DIMENSIONS.
  - \* DIGITAL COPIES OF THIS FILE ARE FOR REFERENCE ONLY AND MAY NOT BE USED FOR DESIGN WORK.
  - \* A PORTION OF THIS PROPERTY IS LOCATED IN A 100 YEAR FLOOD PLAIN.
  - \* NO PORTION OF THE RESIDENTIAL STRUCTURE IS LOCATED IN THE 100 YEAR FLOOD PLAIN.

LEGEND

R\W

E\P

C\L

PDE

RIGHT-OF-WAY

EDGE OF PAVEMENT

CENTERLINE

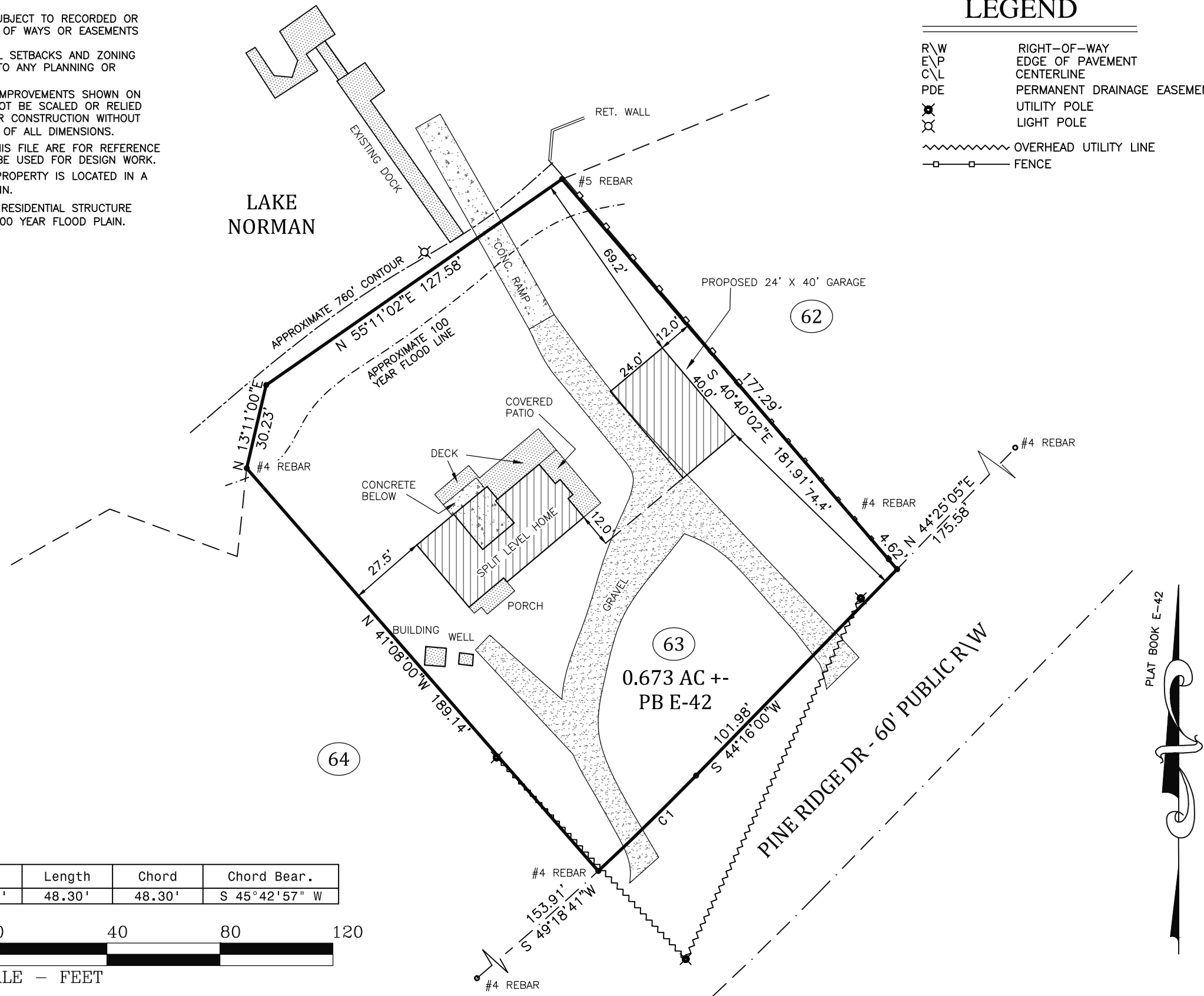
PERMANENT DRAINAGE EASEMENT

UTILITY POLE

LIGHT POLE

OVERHEAD UTILITY LINE

FENCE



PHYSICAL SURVEY  
FOR  
FRANK SMITH

7503 PINE RIDGE DR - DENVER, NC  
LOT #63, SECTION 35, CRESCENT LAND & TIMBER  
RECREATION LOTS

CATAWBA SPRINGS TOWNSHIP, LINCOLN COUNTY, NC  
SCALE: 1" = 40'

DEDMON SURVEYS

CHUCK POOVEY, PLS #3762  
ROBERT DEDMON, PLS #3899  
3704 NC HIGHWAY #16 NORTH  
P.O. BOX 494 - DENVER, NC 28037  
PHONE: 704/483/4908  
FAX: 704/483/2170  
WWW.DEDMONSURVEYS.COM

I, ROBERT J. DEDMON, CERTIFY THAT THIS PLAT WAS DRAWN FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DB 2789, PG 819)(PB E, PG 42); THAT THE RATIO OF PRECISION AS CALCULATED EXCEEDS 1:10,000'; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH GS 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, OCTOBER 23, 2019.

Robert J. Dedmon

PROFESSIONAL LAND SURVEYOR

3899

LICENSE NO.

SURV. BY: JR

DRAWN: RD

JOB# MKCT63

VICINITY MAP

The vicinity map shows the site's location at the intersection of Pine Ridge Rd and Eastmont Ln, with Ivy Run Ln to the south. A north arrow is included.