



To: Board of Commissioners

From: Jeremiah Combs, Planner

Date: October 11, 2021

Re: SUP #454
Matthew Albert, applicant

Parcel ID# 77069

The following information is for use by the Lincoln County Board of Commissioners at their meeting/public hearing on November 1, 2021.

Request

The applicant is requesting a special use permit to construct an office addition to an existing boat maintenance/repair shop in the R-CR (Residential and Commercial Recreational) district. The existing structure serves as a boat maintenance/repair shop for the marina. A marina is a special use in the R-CR district. A site plan has been submitted as part of the application.

Site Area and Description

The request involves an 8.03-acre lot located at 7884 Water Oaks Drive in Catawba Springs Township. The property is adjoined by property zoned R-CR, B-N (Neighborhood Business), R-T (Transitional Residential), and R-S (Residential Suburban). Land uses in this area include recreation, residential, commercial, and industrial uses. This property is part of an area designated by the Lincoln County Land Use Plan as a Suburban Commercial Center, suitable for general commercial services.

**BOARD OF COMMISSIONERS**

CARROL MITCHEM, CHAIRMAN
MILTON SIGMON, VICE CHAIRMAN
ANITA MCCALL
BUD CESENA
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COUNTY MANAGER

KELLY G. ATKINS

COUNTY ATTORNEY

MEGAN GILBERT

CLERK TO THE BOARD

AMY S. ATKINS

Application No. **SUP #454**

Applicant **Matthew Albert**

Property Location **7884 Water Oaks Dr**

Parcel # **77069**

Zoning District **B-N, R-CR**

Proposed Special Use **Office addition on boat
maintenance/repair shop**

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 November 1, 2021, and in light of the Findings of Facts listed herein, the following action was taken by the Lincoln County Board of Commissioners:





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 Matthew Albert

Applicant Address 14785 Preston Rd. Suite 975, Dallas, TX 75254

Applicant Phone Number 678-978-7272

Property Owner Name SHM Westport LLC. DBA Safe Harbor Westport

Property Owner Address 14785 Preston Rd. Suite 975, Dallas, TX 75254

Property Owner Phone Number 678-978-7272

PART II

Property Location 7884 Water Oaks Dr. Denver, NC 28037

Property ID (10 digits) 4602779503 Property size 8.03 AC

Parcel # (5 digits) 77069 Deed Book(s) 2798 Page(s) 493

PART III

Existing Zoning District B-N & R-CR & R-CR CU (BUILDING ADDITION IN R-CR)

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

The property is being used for boat storage and boat maintenance. There are three existing structures.
The structure with the proposed addition is currently being used as a boat maintenance/repair shop.

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

The proposed structure is a building addition to the boat maintenance/repair shop. The addition will
be used as office space for employees as well as customer service.

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.

Matthew Albert
Applicant's Signature

9/17/21
Date

**RECOMMENDATIONS ON FINDINGS OF FACT FOR A
CONDITIONAL USE PERMIT**

Application # _____ Date _____

Applicant's Name _____

Applicant's Address _____

Property Location _____ Existing Zoning _____

Proposed Conditional Use _____

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 Boards: _____

APPLICANT'S PROPOSED FINDINGS OF FACT

Application No. **SUP #454**

Applicant **Matthew Albert**

Property Location **7884 Water Oaks Drive** Parcel ID# **77069**

Proposed Special Use **office space addition to boat maintenance/repair shop**

PROPOSED FINDINGS

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

The addition to the existing structure will be constructed in compliance with the building code. The expansion is for the purpose of adding an office area.

2. The use meets all required conditions and specifications.

A marina is a special use in the R-CR district. The boat maintenance/repair shop is part of the Safe Harbor Westport Marina. The location of the structure will comply with the required setbacks.

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

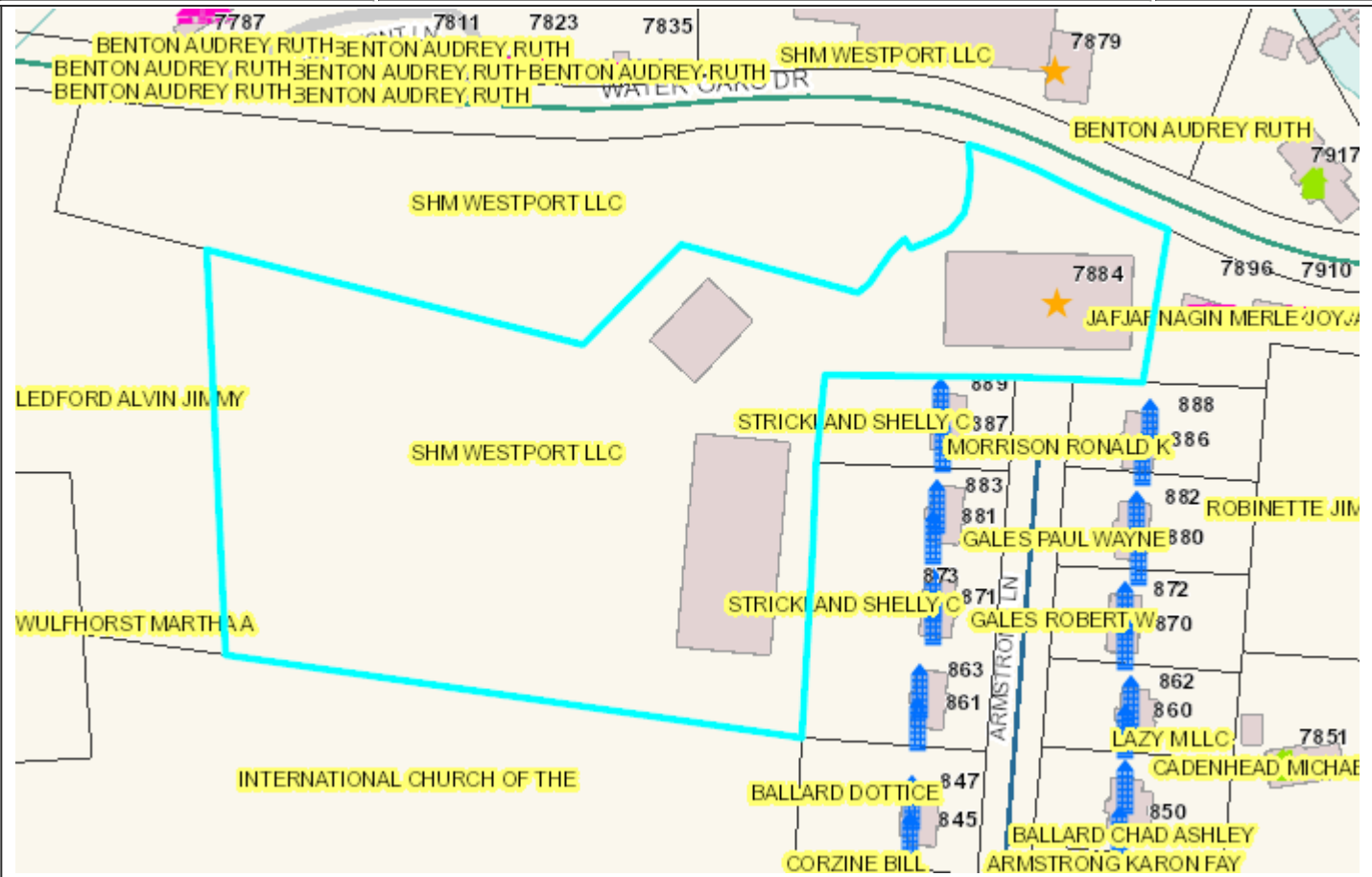
The addition to the boat maintenance/repair shop is for office space. Several of the adjoining and abutting parcels are also part of the marina operations.

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 marina is an existing use, and the boat maintenance/repair shop is located on a parcel with two larger structures that serve the marina. The Land Use Plan designates this area as Suburban Commercial, suitable for a mixture of commercial 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: 10/11/2021 Scale: 1 Inch = 200 Feet



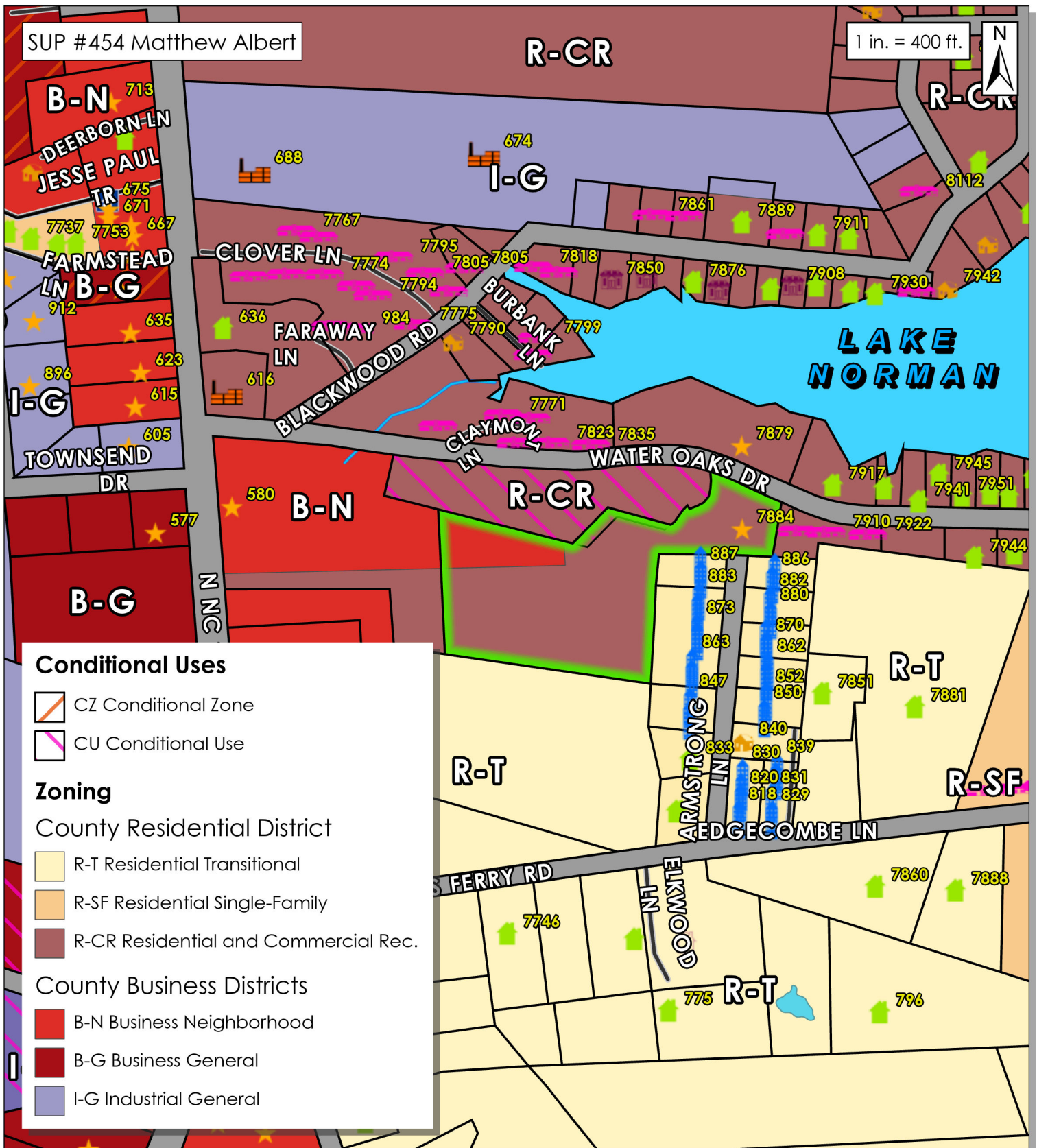
Parcel ID	77069	Owner	SHM WESTPORT LLC DBA SAFE HARBOR WESTPORT
Map	4602	Mailing	14785 PRESTON RD SUITE 975
Account	0271684	Address	DALLAS, TX 75254
Deed	2798 493	Last Transaction Date	02/20/2019
Plat		Subdivision	
Land Value	\$541,350	Improvement Value	\$1,068,929
Previous Parcel		Lot	
		Total Value	\$1,610,279

-----All values for Tax Year 2020 -----

Description	C BLACK/HWY 16	Deed Acres	0
Address	7884 WATER OAKS DR	Tax Acres	8.03
Township	CATAWBA SPRINGS	Tax/Fire District	EAST LINCOLN
Main Improvement	WAREHOUSE	Value	\$374,245
Main Sq Feet	20000	Year Built	1996
Stories	1		
Zoning District	Calc Acres	Voting Precinct	Calc Acres
B-N	1.1	CF19	8.03
R-CR	6.93		
Watershed	8.03	Sewer District	SEWER 8.03
Census County	109	Tract	071201
		Block	1031
			8.03
Flood	Zone Description	Panel	
X	NO FLOOD HAZARD	3710460200	8.03

SUP #454 Matthew Albert

1 in. = 400 ft.



Conditional Uses

- CZ Conditional Zone
- CU Conditional Use

Zoning

County Residential District

- R-T Residential Transitional
- R-SF Residential Single-Family
- R-CR Residential and Commercial Rec.

County Business Districts

- B-N Business Neighborhood
- B-G Business General
- I-G Industrial General



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

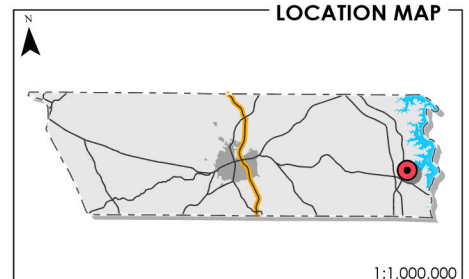
Parcel ID # 77069

- Property Location(s)

See Attached Application for Parcel Information

Property Location(s) Outlined in Green.

LOCATION MAP

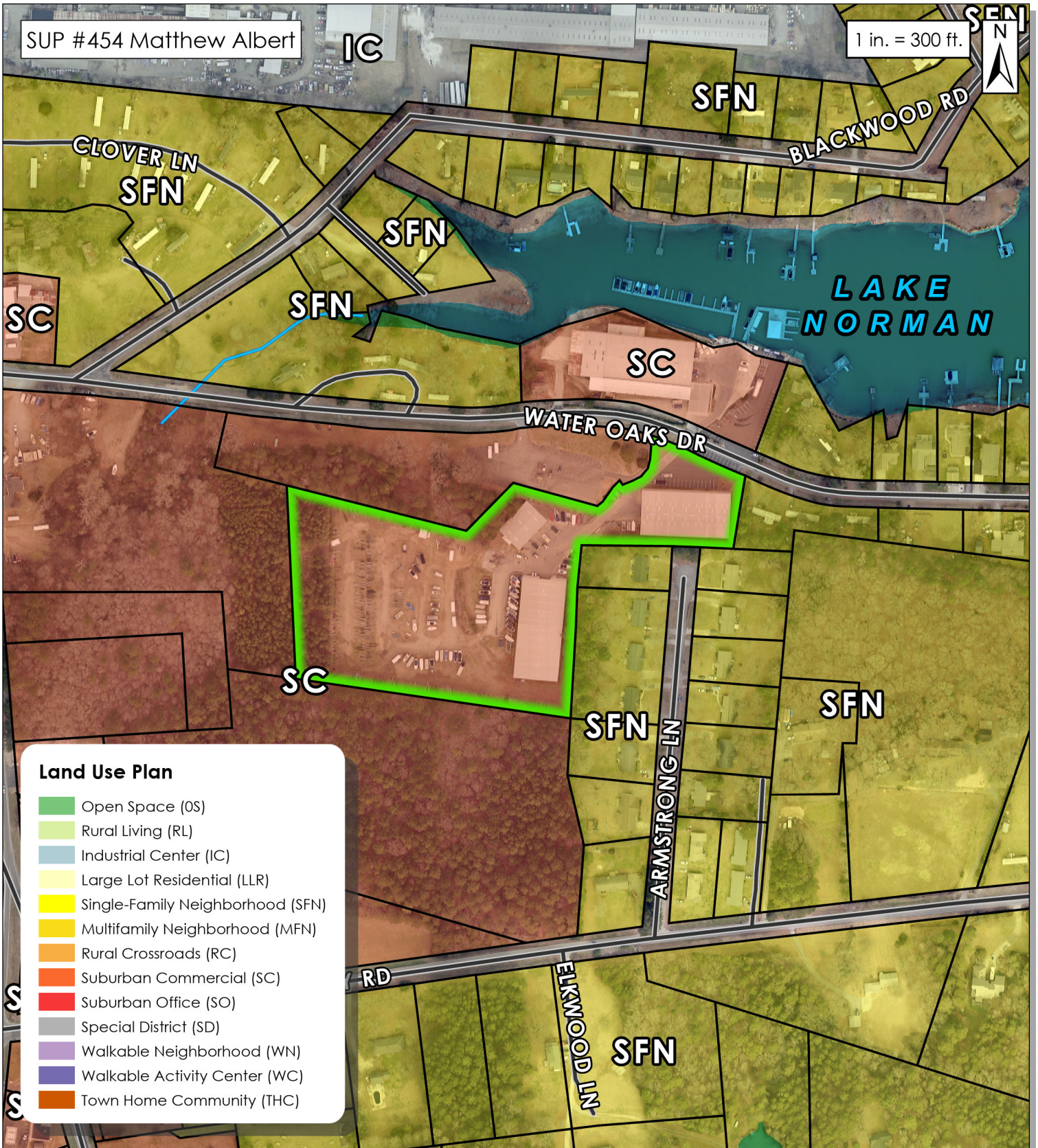


Property Location(s)

SUP #454 Matthew Albert

IC

1 in. = 300 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)
- Town Home Community (THC)



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

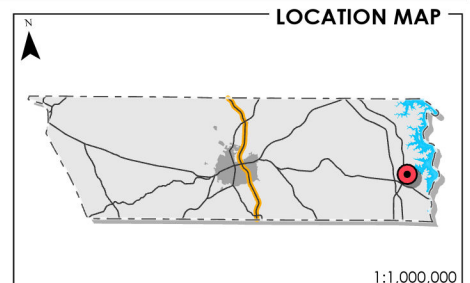
Parcel ID # 77069

 - Property Location(s)

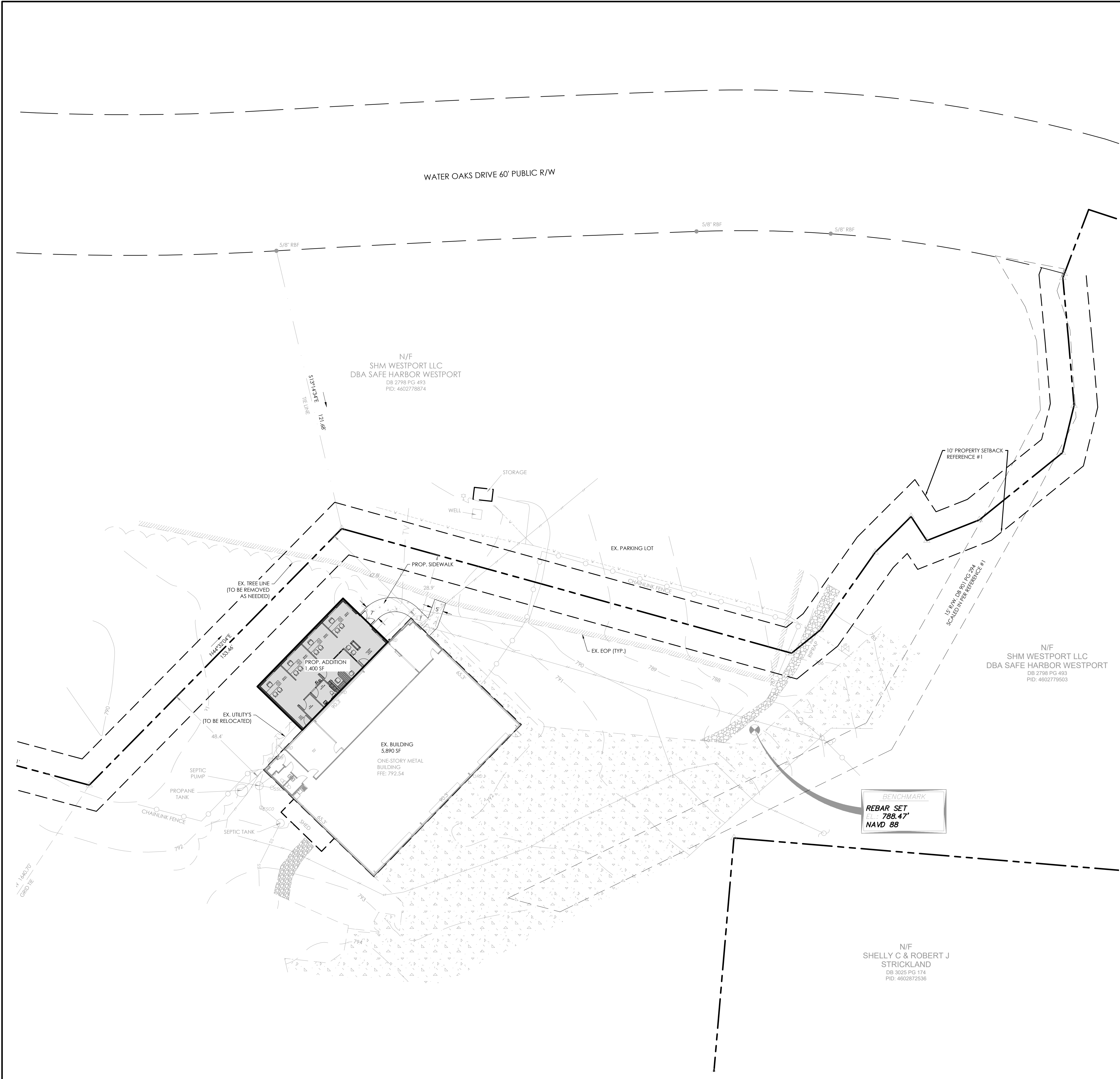
See Attached Application for Parcel Information

Property Location(s) Outlined in Green.

LOCATION MAP



 Property Location(s)



VICINITY MAP
SCALE: N.T.S.

SITE DATA TABLE	
PARCEL ID	4602779503
LOCATION	7884 WATER OAKS DR, DENVER, NC 28037
JURISDICTION	CITY OF DENVER, LINCOLN COUNTY
OWNER	SHM WESTPORT LLC, DBA SAFE HARBOR WESTPORT
	14785 PRESTON RD, SUITE 975
	DALLAS, TX 75254
ZONING	B-N & R-CR & R-CR CU
TOTAL PARCEL AREA	8.03 AC
EXISTING BUILDING USE	SERVICE DEPARTMENT
PROPOSED BUILDING USE	OFFICE/CUSTOMER SPACE FOR SERVICE DEPARTMENT
PROPOSED BUILDING PRODUCT	1 STORY METAL ADDITION
MIN. FRONT / STREET SETBACK	30'
MIN. SIDE SETBACK	10'
MIN. REAR SETBACK	40'
MAX. BUILDING HEIGHT	35'
EX. BUILDING AREA	± 5,890 SF
PROP. BUILDING ADDITION AREA	1,400 SF
WATERSHED	WSIV CRITICAL CATAWBA LAKE NORMAN
FEMA MAP NUMBER	3710460200J
FEMA MAP DATE	8/16/2007
SOIL TYPES	CeB2 (100%)

1. CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ASSURING THAT EXISTING UTILITIES ARE LOCATED PRIOR TO BEGINNING CONSTRUCTION.
2. CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES USING FLAGMEN, ETC., AS NECESSARY TO INSURE SAFETY TO THE PUBLIC.
3. ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE REPLACED ACCORDING TO STANDARDS OF THE DEPARTMENT OF TRANSPORTATION.
4. SHORING WILL BE ACCORDING TO OSHA TRENCHING STANDARDS PART 1926 SUBPART F, OR AS AMENDED.





HensonFoley

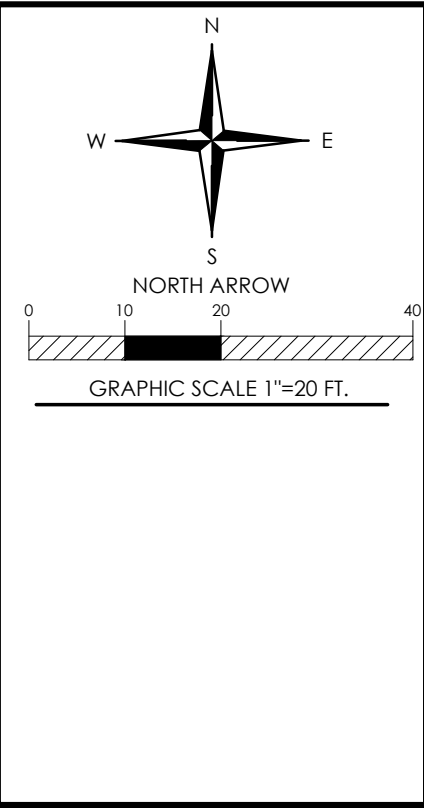
Landscape Architecture | Civil Engineering

121 Gilead, Huntersville, NC 28078

p: 704.875.1615 | f: 704.875.0959 | www.hensonfoley.com

NC ENGINEERING BOARD LICENSE #: C-3981

NC LANDSCAPE ARCHITECTURE BOARD LICENSE #: C-399



WESTPORT MARINA

PIN # / PARCEL ID: 4602779503

7884 WATER OAKS DR, DENVER, NC 28037

SITE PLAN

REVISIONS:	

C03 - SITE PLAN.DWG	
PROJECT NUMBER:	221071
DATE: 9/3/2021	DRAWN BY: KIW
C01	01
SHEET	OF