



PLANNING & INSPECTIONS DEPARTMENT

Joshua L. Grant, Manager

To: Board of Adjustment

From: Julie Mosteller, Planner I

Date: October 14, 2024

Re: VAR #474  
Jimmie Giddeon, applicant  
Parcel ID# 90434

*The following information is for use by the Lincoln County Board of Adjustment at their meeting/public hearing on October 28, 2024.*

Request

The applicant is requesting a variance from Section 4.6.2.C.2a of the Lincoln County Unified Development Ordinance to permit an accessory structure in front of the principal structure but less than 100 feet from the right-of-way. This structure would be placed 1 foot from the right-of-way of Morrison Houser Trail. Morrison Houser Trail is a 60 foot right-of-way.

Site Area and Description

The request involves a 0.983-acre parcel located at 4850 Gideon Drive in Howards Creek Township. The subject property is in the R-R (Residential Rural) zoning districts. The subject property is adjoined by property also zoned R-R. Land uses in this area are residential. Pictures showing the site are available in your packet.



## Variance Application

Lincoln County Planning and Inspections Department  
Zoning Administrator  
115 W. Main St., Lincolnton, NC 28092  
Phone: (704) 736-8440

### Part I

Applicant Name Jimmie Gideon  
Applicant Address 4850 Gideon Dr. Lincolnton, NC 28092  
Applicant Phone Number 980-241-8257  
Property Owner's Name Jimmie Gideon  
Property Owner's Address 4850 Gideon Dr. Lincolnton NC 28092  
Property Owner's Phone Number 980-241-8257

### Part II

Property Location 4850 Gideon Dr. Lincolnton, NC 28092  
Property ID # (10 digits) \_\_\_\_\_ Property Size .983 acre  
Parcel # (5 digits) 90434 Deed Book(s) \_\_\_\_\_ Page(s) \_\_\_\_\_

### Part III

Briefly describe how the parcel is zoned, used, and list any existing structures.

Residential 2 Bdrm / 2 bath mobile home.  
1 12'x16' movable shed.

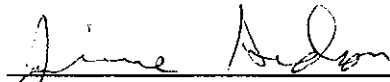
Briefly explain your reason for seeking a variance.

We would like to have a 30'x30' metal building to use. ~~the~~  
The way our property is laid out the side of our home is too close  
to the easement. The back of our home has electric lines and  
Describe the type of variance you need. septic lines.

We would like a variance to allow the 30'x30'x10'  
metal building to be placed in front of our home  
and at the end of our property (see image 1)  
Variance request is for 1 foot off the right of way in the front yard.

**\$400 APPLICATION FEE MUST BE RECEIVED**  
**BEFORE PROCESSING A VARIANCE REQUEST**

*I hereby certify that all of the information provided for this application and attachments is true and correct to the best of my knowledge.*



Applicant

9-23-24  
Date



Owner

9-23-24  
Date

Application #: \_\_\_\_\_

Date of Application: 9-23-24

**Applicant's Proposed Findings of Fact**

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.

There is no other place on our property to place the building  
because of electric lines and septic lines (leach field).

There is not enough room to put beside or on our driveway due to  
easement restrictions. We would like a building to enjoy, please.

2. The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.

We could not place our new home facing Gideon Drive due  
to the slope of the land. We placed it facing Morrison Houser Trail.  
~~We did not know~~ The electric line, septic lines, and easement  
restrictions do not allow any other location for a building.

3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.

When placing our home to face Morrison Houser Trail  
we were unaware we could not have a building  
in front of the home, even though it is not blocking  
the front of the home.

4. The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

There is no harm to persons & properties,  
or the environment if you allow us to  
place the building where we are asking.



4850 Gideon Dr. Lincolnton Dr. 28092 Parcel ID# 90434

Front view

#1

asking for  
your permission  
to build  
a 30x30x10  
metal  
Building  
here



\* To the left of home is the  
leach field.



4850 Gideon Dr. Lincolnton Dr. 28092 Parcel ID# 90434

#2



side of  
home

← approximately 40' from  
easement

cannot put Building  
here



#3

4850 Gideon Dr. Lincolnton Dr. 28092 Parcel ID# 90434

Back side



No place on side or back of property for Building.









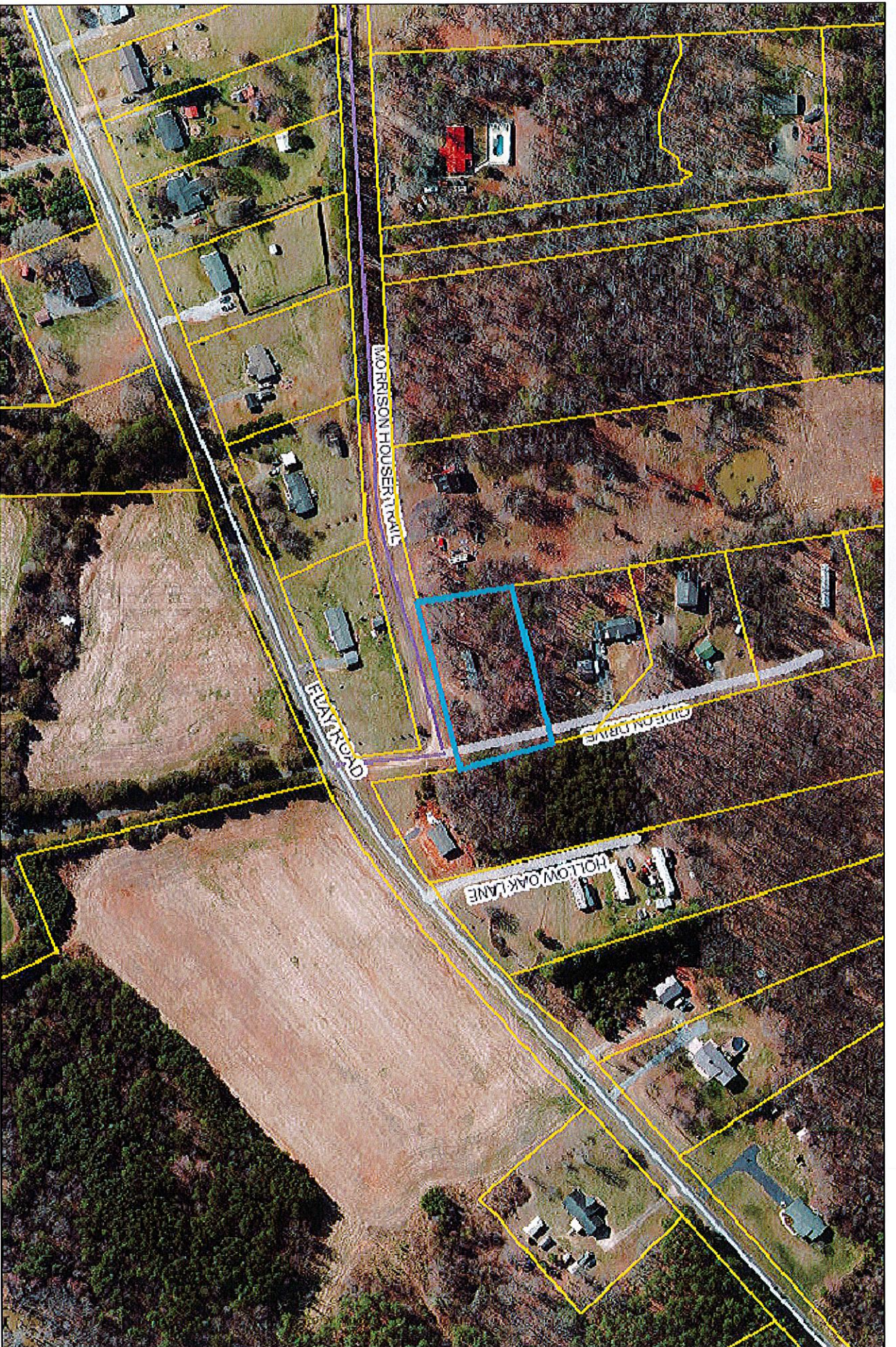












## Lincoln County, NC

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October 14, 2024

