



PLANNING & INSPECTIONS DEPARTMENT

Joshua L. Grant, Manager

To: Board of Adjustment

From: Julie Mosteller, Planner

Date: July 7, 2025

Re: VAR #482  
Graham Park, LLC; Bill Zemak, applicant  
Parcel ID# 88567

*The following information is for use by the Lincoln County Board of Adjustment at their meeting/public hearing on July 28, 2025.*

Request

The applicant is requesting a variance from Sections 3.10.3.C3 and 3.10.3.C4 of the Lincoln County Unified Development Ordinance to remove the requirement of a 100% opaque 8 foot high visual barrier or screen across the rear property line and to remove the 15 foot setback for general outdoor storage. The UDO reads as follows,

3. General outdoor storage shall be screened by 100 percent opaque, eight foot high visual barrier or screen, except where located abutting or across the road from a residential use or residentially-zoned property such screening shall be high enough to completely conceal all outdoor storage from view. General outdoor storage shall not be subject to the interior parking lot landscaping standards of §3.4.10.B.
4. All general outdoor storage shall be located at least 15 feet from the public right-of-way and any abutting residential use or residential district.

Site Area and Description

The request involves a 5.969-acre parcel located at 2471 N NC 16 Hwy in Catawba Springs Township. The subject property is located in the I-G (Industrial General) zoning district. The subject property is adjoined by property zoned PD-R (Planned District Residential), B-G (Business



**PLANNING & INSPECTIONS DEPARTMENT**

Joshua L. Grant, Manager

General) and R-SF (Residential Single Family). Land uses in this area include industrial, commercial and residential uses.

Site plan and GIS maps are included.



## **Variance Application**

Lincoln County Planning and Inspections Department

115 W. Main St., Lincolnton, NC 28092

Phone: (704) 736-8440

### **Part I**

Applicant Name Graham Park LLC (Bill Zemak)

Applicant Address 8520 Norman Estates Drive

Applicant Phone Number 704-361-4069

Property Owner's Name Same as above

Property Owner's Address Same as above

Property Owner's Phone Number Same as above

### **Part II**

Property Location 2471 N NC 16 Business HWY

Property ID # (10 digits) 4604352956 Property Size 5.969 AC

Parcel # (5 digits) 88567 Deed Book(s) 3273 Page(s) 742

### **Part III**

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

Parcel is zoning I-G. It is currently being used for warehouse storage. A site plan is being developed to propose additional buildings for contractor offices, warehousing, self storage, and general outdoor storage.

There is one existing 6,000 SF building used as storage.

**Briefly explain your reason for seeking a variance.**

The existing western property line abuts a 380 foot wide power line right-of-way. The power line right-of-way is zoned residential and would require a 15 foot setback as well as screening with a minimum 8 foot opaque fence for outdoor storage. This western property line is 380 feet from existing properties which contain residential uses. Within the 380 foot power line right-of-way is a hill which blocks the industrial zoned site from view of the residences. An 8 foot fence and 15 foot setback would not provide any screening of the outdoor storage along this property line and therefore would be unnecessary. We are seeking a variance from providing this outdoor storage setback and opaque fence where it can not be viewed from a residential property. At each corner of the western property line, the 40 foot buffers along the north and south property lines will still be installed adjacent to where the hill is not as tall within the power line right-of-way.

**Describe the type of variance you need.**

We are seeking a variance from the required 15 foot outdoor storage setback and opaque screening located along the western property line (UDO 3.10.C.3&4) due to existing topography within the 380 foot wide power line right-of-way blocking the site from view from neighboring residences. We are specifically requesting a variance from providing a 15 foot setback. No screening along this western property line is also requested.

**\$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

\_\_\_\_\_  
6/23/25

\_\_\_\_\_  
Date

\_\_\_\_\_  
Graham park LLC  
Owner

\_\_\_\_\_  
6/23/25

\_\_\_\_\_  
Date



Application #: \_\_\_\_\_ Date of Application: \_\_\_\_\_

**BOARD OF ADJUSTMENT'S 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.

Yes   X   No       

*Factual reasons cited by the Board:*

There is no benefit to providing a 15' outdoor storage setback to the power line owner nor to the residential properties located 380 feet away. An 8' opaque fence would also block access to the power line right-of-way.

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.

Yes   X   No       

*Factual reasons cited by the Board:*

The property is located adjacent to an existing 380 foot wide power line right-of-way. A 15 foot outdoor storage setback and 8 foot opaque fence does not benefit the residential properties 380 feet away. The property grade would have to be raised for the fence to be fully visible.

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.

Yes   X   No       

*Factual reasons cited by the Board:*

The power line right-of-way and existing topography have not resulted in actions taken by the applicant or the property owner. No hardship was self-created.

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.  
Yes   X   No

*Factual reasons cited by the Board:*

The purposes of a setback and opaque fence is screen to outdoor storage from adjoiners.

The natural grade elevation and separation of 380 feet provide this screen naturally.

**Based on the Findings of Fact, the following action was taken on \_\_\_\_\_  
\_\_\_\_\_ by the Lincoln County Board of Adjustment after a public hearing was held  
and duly advertised:**

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**In approving said variance, the following conditions have been imposed by the  
Board of Adjustment:**

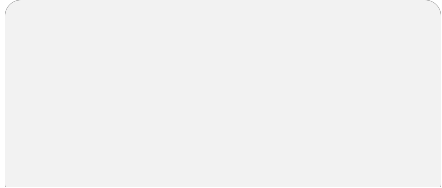
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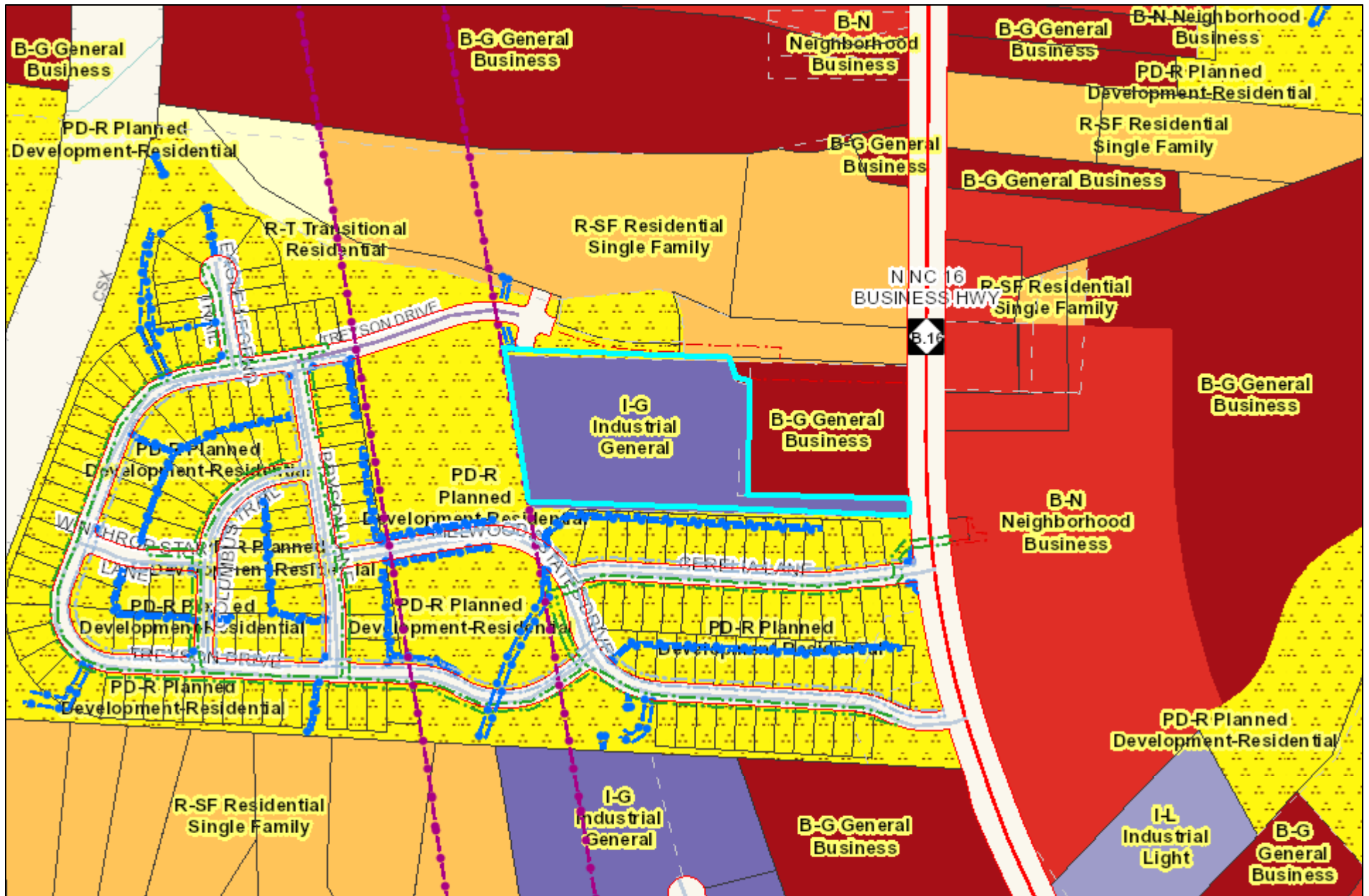
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Image capture: Sep 2022 © 2025 Google





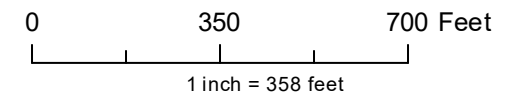


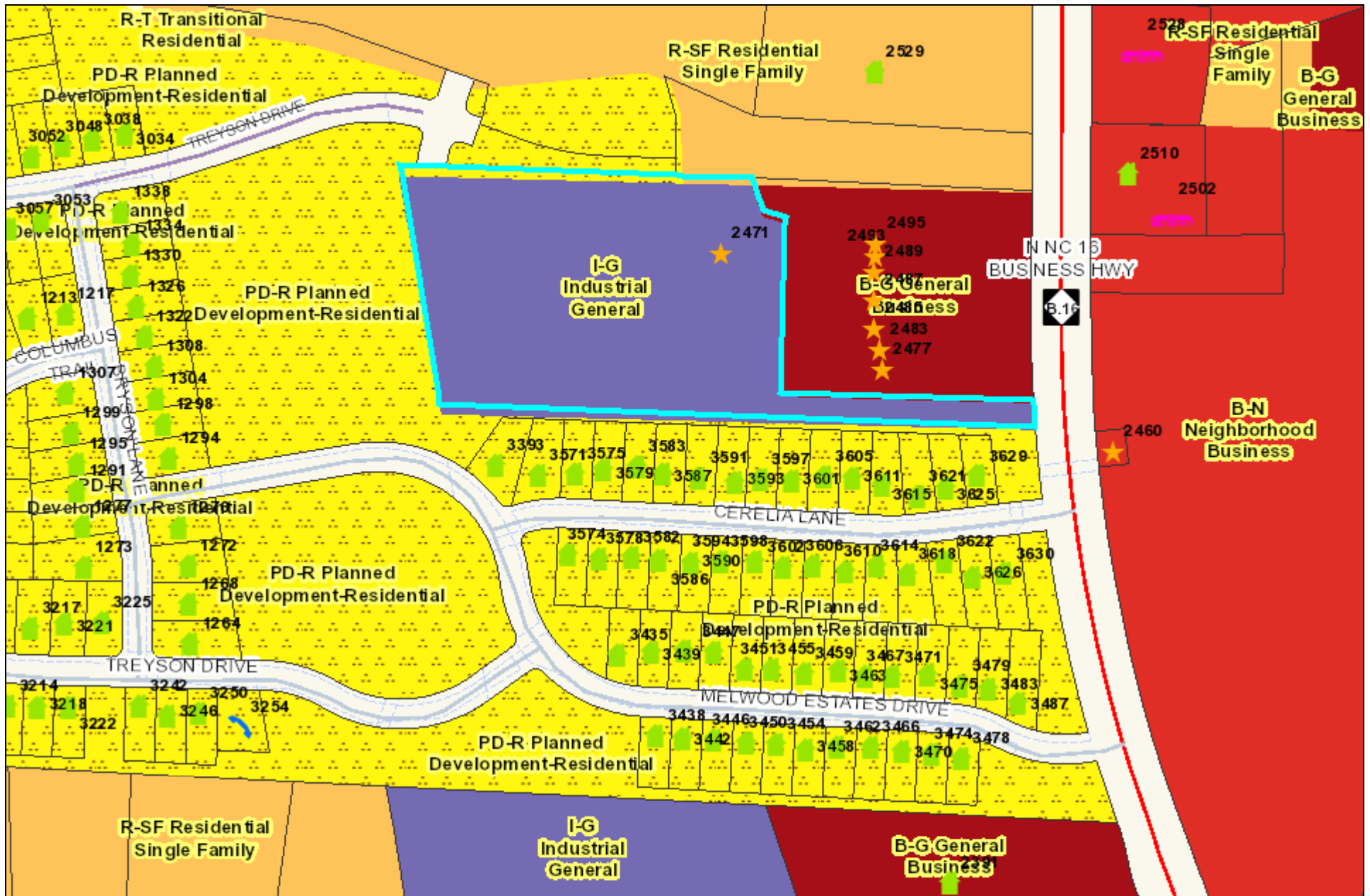
## Lincoln County, NC

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July 2, 2025



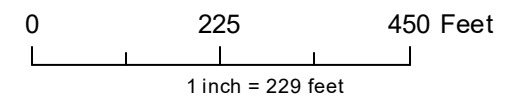


## Lincoln County, NC

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July 6, 2025



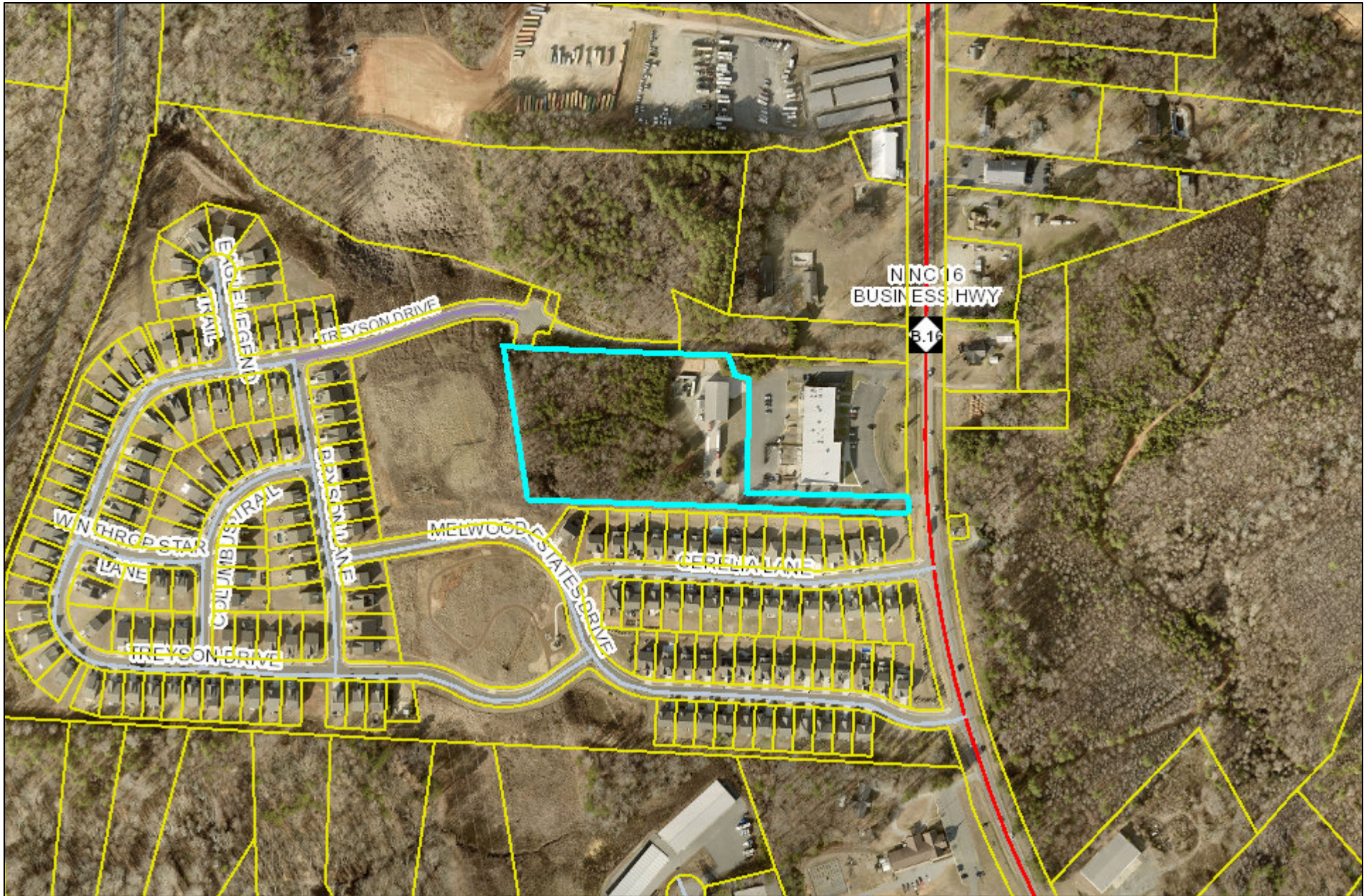


**Office of the Tax Administrator, GIS Mapping Division**

July 2, 2025







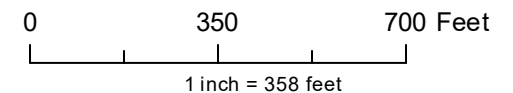
## Lincoln County, NC

### Office of the Tax Administrator, GIS Mapping Division

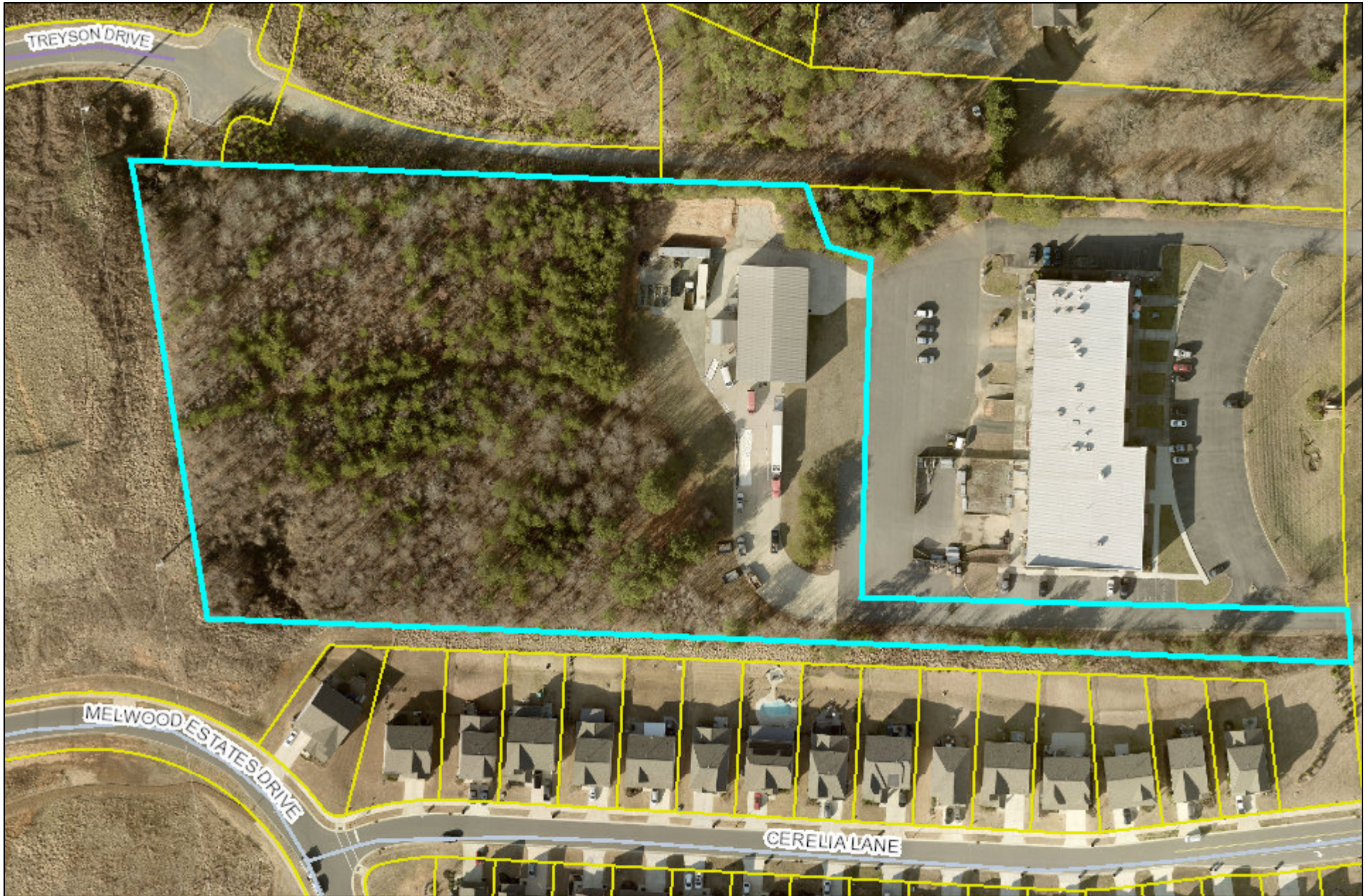


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July 2, 2025







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July 2, 2025

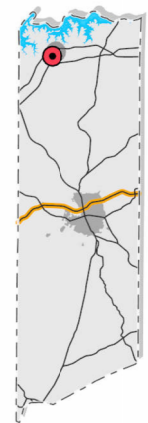
0 110 220 Feet  
1 inch = 119 feet







LOCATION MAP



Property Location(s)

50 ft. Side Yard Setback  
50 ft. Rear Yard Setback

120 ft.  
1 in.

Parcel #88567 | 2471 N NC 16 BUSINESS HWY





Viewshed Review of Graham Park LLC site from Bryson Lane



View between house number 1294 and 1298



View between house number 1298 and 1304



View between house number 1304 and 1308





View between house number 1308 and 1322



View between house number 1322 and 1326



View between house number 1326 and 1330





View between house number 1330 and 1334



View between house number 1334 and 1338



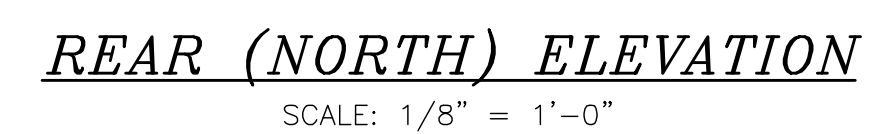
View between house number 1338 and Treyson Drive.



DATE: 05/22/2025

**SWARTZ**  
**DESIGN**  
**& ENGINEERING, PLLC**  
*"Design without boundaries"*

585 BAY LANE  
TAYLORSVILLE, NC 28681  
PHONE: (828) 632-0499  
FAX: (831) 604-5011  
NOBELS NO. P-2500  
jet@swde-llc.com



NOTE:  
ALL DOORS SHALL EXIT AT GRADE LEVEL FOR CODE ACCESSIBILITY.











LANDSCAPE NOTES:





1. WHENEVER POSSIBLE, UTILIZE EXISTING TREES AND SHRUBS FOR REQUIRED BUFFERS AND LANDSCAPING. A 2 TO 1 SUBSTITUTION MAY BE USED (EVERY EXISTING TREE/SHRUB EQUALS 2 PROPOSED TREES/SHRUBS).
2. MAINTAIN LANDSCAPING AND BUFFERS. REPLACE DAMAGED OR DEAD TREES AND SHRUBS.
3. ALL BUILDING MECHANICAL EQUIPMENT VISIBLE FROM STREET SHALL BE SCREENED WITH SHRUBS, MASONRY WALL, OR PRESSURE TREATED FENCE.
4. SCREENING MUST BE PROVIDED WHERE ANY OPEN STORAGE IS WITHIN 100' OF THE STREET ROW LINE.
5. MAINTAIN PLANTS IN ACCORDANCE WITH THE NC BMP MANUAL AND CITY OF LINCOLNTON UDO
6. SIGNAGE TO BE INSTALLED PER CODE AND CANNOT BLOCK SIGHT TRIANGLE.

20' - TYPE B BUFFER PLANTING SCHEDULE

SYMBOL	COMMON NAME	BOTANICAL NAME	QUANTITY	HEIGHT
	EASTERN RED BUD	CERCOIS CANADENSIS	1/100 LF	4'
	EASTERN WHITE PINE	PINUS STROBUS	1/100 LF	6'
	RED MAPLE	ACER RUBRUM	1/100 LF	6'
	INDIAN HAWTHORN	RHAPHIOLEPIS	12/100 LF	18"





\*36" IN TWO YEARS

20' - TYPE C BUFFER PLANTING SCHEDULE

SYMBOL	COMMON NAME	BOTANICAL NAME	QUANTITY	HEIGHT
	EASTERN RED BUD	CERCOIS CANADENSIS	1/100 LF	4'
	EASTERN WHITE PINE	PINUS STROBUS	1/100 LF	6'
	RED MAPLE	ACER RUBRUM	1/100 LF	6'
	INDIAN HAWTHORN	RHAPHIOLEPIS	12/100 LF	18"





\*36" IN TWO YEARS

10' - TYPE C BUFFER PLANTING SCHEDULE

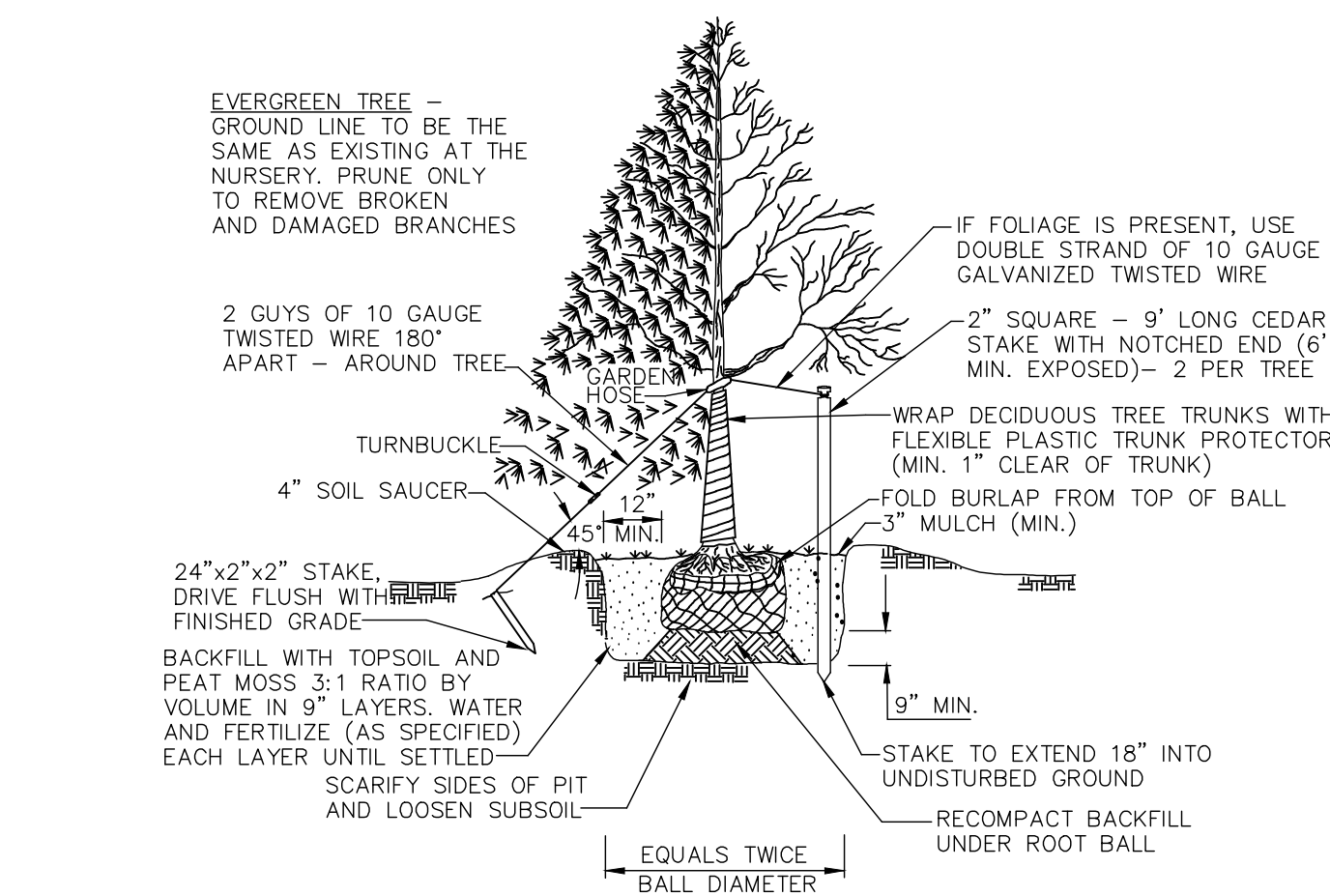
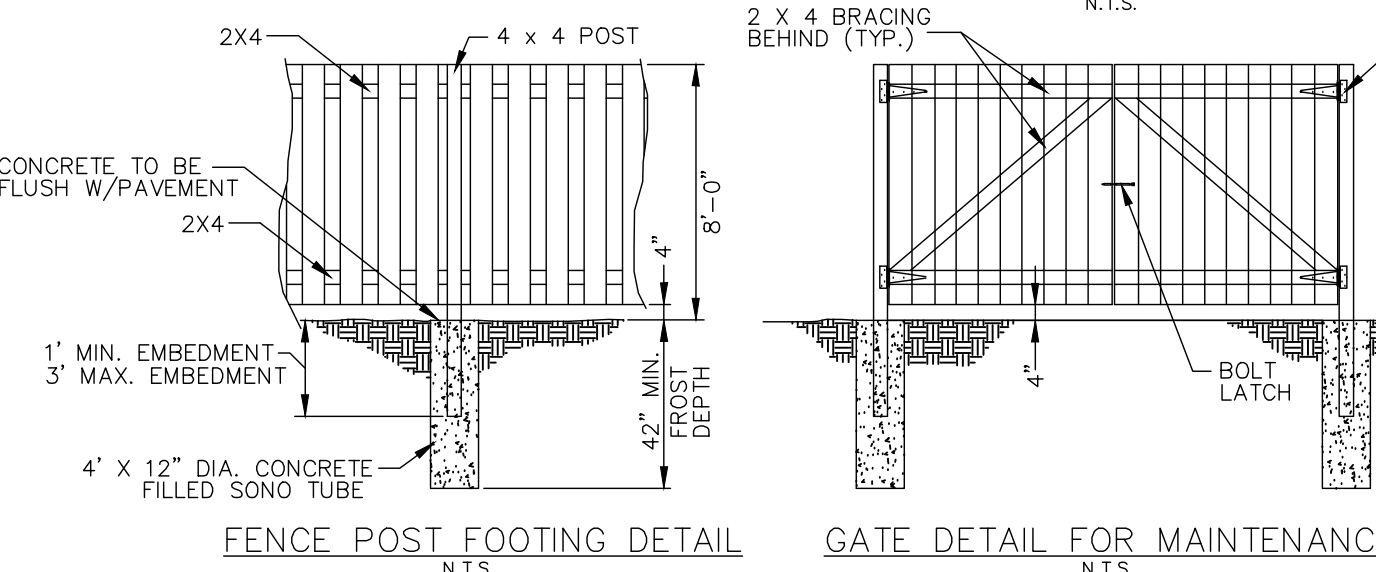
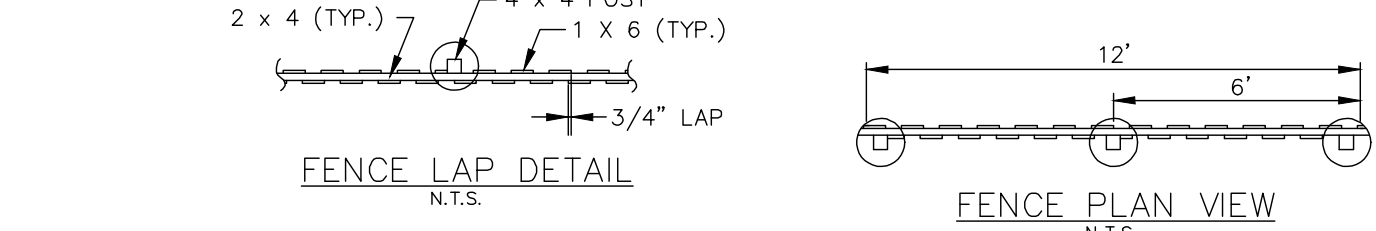
SYMBOL	COMMON NAME	BOTANICAL NAME	QUANTITY	HEIGHT
	EASTERN RED BUD	CERCOIS CANADENSIS	3/100 LF	4'
	EASTERN WHITE PINE	PINUS STROBUS	1/100 LF	6'
	RED MAPLE	ACER RUBRUM	1/100 LF	6'
	INDIAN HAWTHORN	RHAPHIOLEPIS	12/100 LF	18"

\*36" IN TWO YEARS

40' - TYPE C BUFFER PLANTING SCHEDULE



SYMBOL	COMMON NAME	BOTANICAL NAME	QUANTITY	HEIGHT
	EASTERN RED BUD	CERCOIS CANADENSIS	4/100 LF	4'
	EASTERN WHITE PINE	PINUS STROBUS	4/100 LF	6'
	RED MAPLE	ACER RUBRUM	4/100 LF	6'
	INDIAN HAWTHORN	RHAPHIOLEPIS	48/100 LF	18"

\*36" IN TWO YEARS

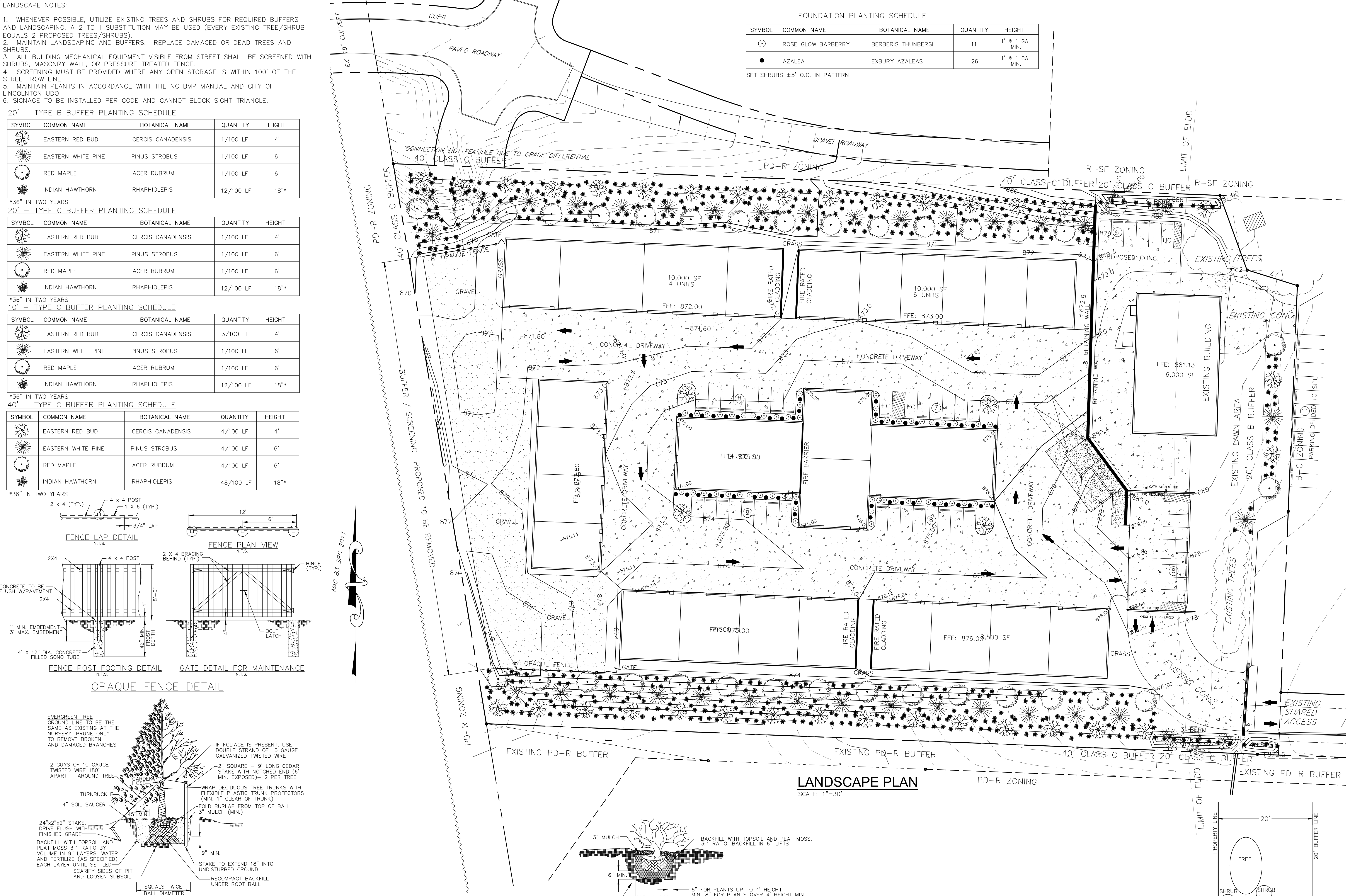


- NOTES:
1. STAKE ALL EVERGREEN TREES UNDER 12'
  2. GUY TREES 12' AND OVER AS SPECIFIED FOR DECIDUOUS TREES.
  3. TREE SHALL BEAR SAME RELATION TO FINISHED GRADE AS IT BORE TO PREVIOUS GRADE.
  4. NEVER CUT LEADERS

TREE PLANTING DETAIL  
NOT TO SCALE

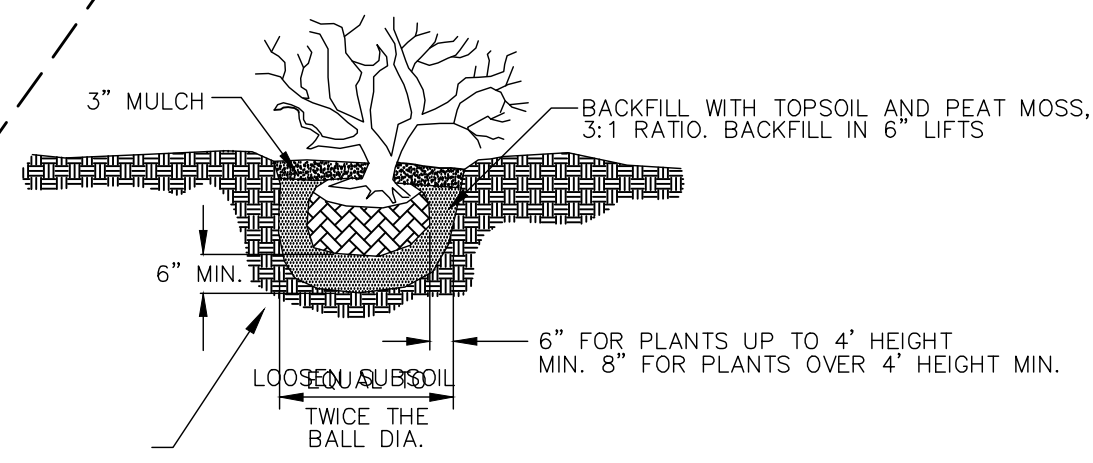
SYMBOL	COMMON NAME	BOTANICAL NAME	QUANTITY	HEIGHT
	ROSE GLOW BARBERRY	BERBERIS THUNBERGII	11	1' & 1 GAL MIN.
	AZALEA	EXBURY AZALEAS	26	1' & 1 GAL MIN.

SET SHRUBS ±5' O.C. IN PATTERN

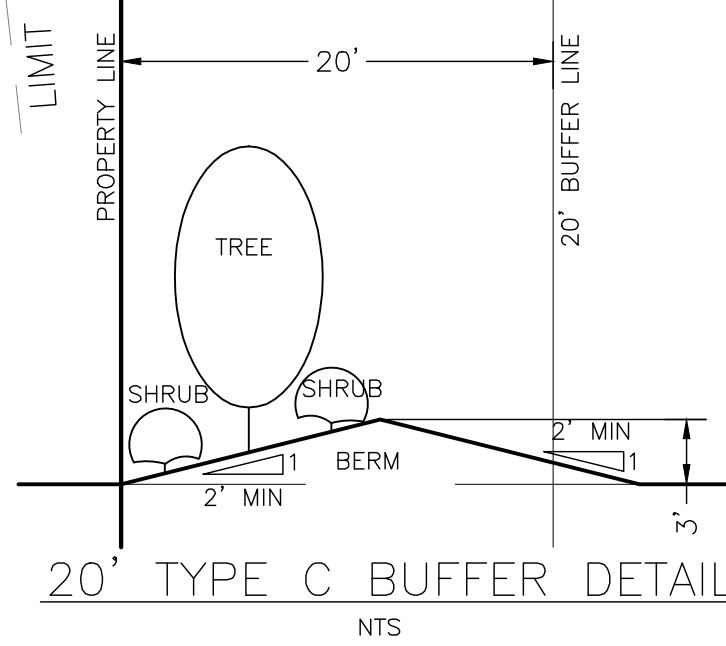


LANDSCAPE PLAN

SCALE: 1"=30'



SHRUB PLANTING DETAIL  
NOT TO SCALE



PRELIMINARY - DO NOT USE FOR CONSTRUCTION

C12

SHEET NO.: 12 OF 13

PROJECT NO.: 2023-181

DATE: 05/22/2025

REVISIONS	DATE	BY	REASON
1	6/20/25	JJS	REVISED PER PRELIM COUNTY REVIEW
2	6/27/25	JJS	REVISED USE MIX

PROJECT MANAGER	JEFF SWARTZ, PE
DESIGN BY	JEFF SWARTZ, PE
CHECKED BY	JJS
DRAWN BY	PSS/JJS
CHECKED BY	JJS

CLIENT/APPLICANT	BILL ZEAK, LLC GRAHAM PARK, NC 28681 8520 NORMAN ESTATES DR DENVER, NC 28037 (704) 361-4069
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PLANS PREPARED BY:	SWARTZ DESIGN & ENGINEERING, PLLC 585 B&T LANE TAYLORSVILLE, NC 28681 PHONE: (828) 632-0499 FAX: (831) 604-5011 NCBELS NO. P-2500 jeff@sd-e-pllc.com
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DRAFT

SEAL

SEAL

SWARTZ  
DESIGN  
& ENGINEERING, PLLC  
"Design without boundaries"

585 B&T LANE  
TAYLORSVILLE, NC 28681  
PHONE: (828) 632-0499  
FAX: (831) 604-5011  
NCBELS No. P-2500  
jeff@sd-e-pllc.com