



PLANNING & INSPECTIONS DEPARTMENT

Joshua L. Grant, Manager

To: Board of Adjustment

From: Julie Mosteller, Planner

Date: July 7, 2025

Re: VAR #484
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 3.4.6.B3 and 4.4.19.B of the Lincoln County Unified Development Ordinance to remove the requirements of the Class C buffer standard requiring a wall and plantings. The UDO reads as follows,

3. District Boundary Buffers

(a) Required Buffers Perimeter compatibility is required along the boundaries of all incompatible zoning districts. The following table shall be used to determine the required buffer classification between adjacent districts.



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Subject Property District U	U Adjacent Property DistrictU														
	R-R	R-T	R-S	R-SF	R-CR	R-20	R-14	R-MR	RL-MF	O-R	B-N	B-G	B-C	I-L	I-G
R-R	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R-T	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R-S	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R-SF	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R-CR	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R-20	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R-14	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
R-MR	B	B	B	A	A	A	A	--	--	--	--	--	--	--	--
R-MF	B	C	C	C	C	B	B	B	--	--	--	--	--	--	--
O-R	B	C	C	C	C	C	C	C	A	--	--	--	--	--	--
B-N	B	C	C	C	C	C	C	C	B	A	--	--	--	--	--
B-G	B	C	C	C	C	C	C	C	C	B	A	--	--	--	--
B-C	B	C	C	C	C	C	C	C	B	B	B	A	--	--	--
I-L	B	C	C	C	C	C	C	C	C	C	B	B	A	--	--
I-G	B	C	C	C	C	C	C	C	C	C	C	B	B	A	--

§4.4.19 Self-Storage Facility

B. A Class C buffer (see §3.4) shall be established along any side of the property where the self-storage facility abuts or is across the road from a residential use or a residential district.

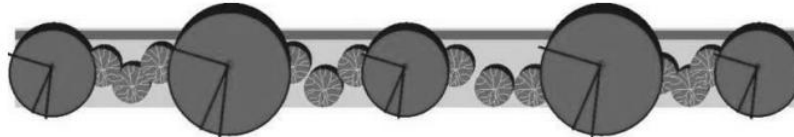


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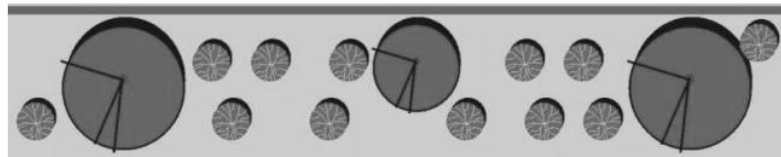
CLASS C BUFFER (plants/100 linear feet)

Alternative 1 10 feet



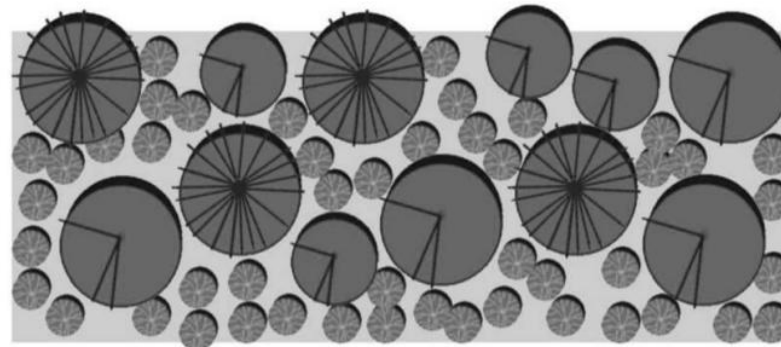
1 wall
1 evergreen tree
1 canopy tree
3 understory trees
12 shrubs

Alternative 2 20 feet



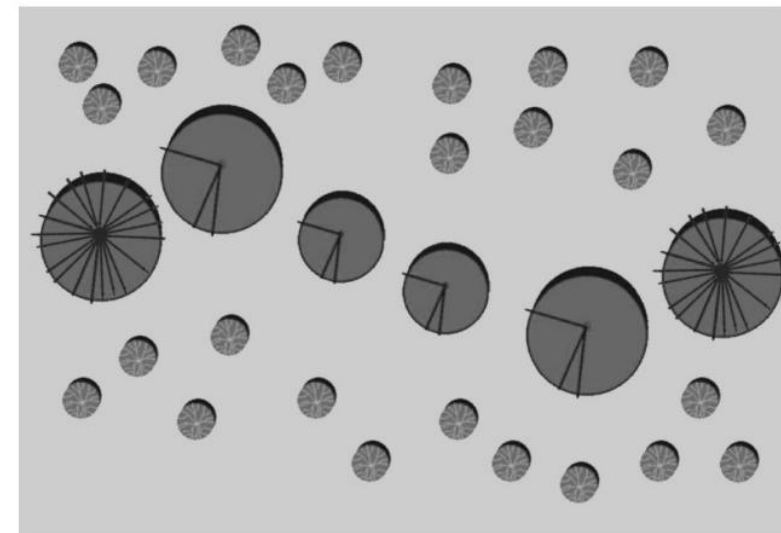
1 wall or berm
1 evergreen tree
1 canopy tree
1 understory tree
12 shrubs

Alternative 3 40 feet



4 evergreen trees
4 canopy trees
4 understory trees
48 shrubs

Alternative 4 70 feet



2 evergreen trees
2 canopy trees
2 understory trees
24 shrubs



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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 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 type C buffer. The minimum type C buffer width would be 10 feet with a 3 foot masonry wall and plantings. This 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. A three foot masonry with plantings would not provide any buffering of the site along this property line and therefore would be unnecessary. We are seeking a variance from providing this buffer and from providing a 3 foot masonry wall. At each corner of the western property line, the 40 foot vegetated 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 district boundary type C buffer located along the western property line (UDO 3.4.6.B.3; 4.4.19.B; and any other sections referencing this buffer pertaining to the western property line) 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 3 foot masonry wall within the 10 foot type C buffer. No plantings are 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 the buffer to the power line owner nor to the
residential properties located 380 feet away. Portions from buffer trees encroaching
into the power line right-of-way would require trimming which may damage the health of the trees.

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 at a lower elevation than the neighboring grade within
the power line right-of-way. In order to provide a 3' buffer wall that is visible from
the residential properties 380 feet away, the property grade would have to be raised at least 3 feet.

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 buffer is is screen to dissimilar zoning districts from each other.

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

**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:**

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