



PLANNING & INSPECTIONS DEPARTMENT

Joshua L. Grant, Manager

To: Board of Adjustment

From: Julie Mosteller, Planner

Date: August 12, 2025

Re: VAR #486

Micah and Cindy Testerman, applicant

Parcel ID #31236

The following information is for use by the Lincoln County Board of Adjustment at their meeting/public hearing on August 25, 2025.

Request

The applicant is requesting a variance from Section 10.2.4 of the Lincoln County Unified Development Ordinance to expand a nonconforming structure more than 50%. Section 10.2.4 states,

§10.2.4. Expansion

A nonconforming structure may be enlarged or expanded by a maximum of 50 percent, subject to the approval of the Director, provided that any expansion does not increase the degree of nonconformity and meets all of the requirements for the zoning district; including, but not limited to the yard, dimensional, height, parking, loading, access, lot area, and lot coverage provisions of this UDO.

The structure relating to this variance request is the house at 8035 Lucky Creek Lane. The proposed square footage including the addition would be 4646 sq ft. According to the Lincoln County Tax Department the current main finished area is 1389 square feet and it has an unfinished walkout basement.

Site Area and Description

The request involves a 0.415-acre parcel located at 8035 Lucky Creek Lane in Catawba Springs Township. The subject property is located in the R-S (Residential Suburban) zoning district. The subject property is adjoined by property zoned the same. Land uses in this area are residential.



Variance Application

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

Part I

Applicant Name Micah & Cindy Testerman

Applicant Address 8035 Lucky Creek Ln. Denver, NC 28037

Applicant Phone Number 336 669 4783

Property Owner's Name Micah James Testerman

Property Owner's Address 8035 Lucky Creek Ln. Denver, NC 28037

Property Owner's Phone Number 336 669 4783

Part II

Property Location 8035 Lucky Creek Lane Denver, NC 28037

Property ID # (10 digits) 4602990735 Property Size .415

Parcel # (5 digits) 31236 Deed Book(s) 2763 Page(s) 542

Part III

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

the parcel is zoned R-S, used for a single family dwelling and a small lake cottage is located there

Briefly explain your reason for seeking a variance.

seeking to expand structure to make larger, more energy-efficient modern home

Describe the type of variance you need.

Seeking to expand the nonconforming structure greater than the 50% allowed by the UDO.

Application #: _____

Date of Application: _____

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.

reconfigure the home's interior by eliminating level changes to enhance flow and mobility

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.

uneven flooring can require assists from others for everyday activities reducing a person's independence in their own home

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.

ownership of the property was transfer to the current homeowner through an estate inheritance

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.

This project aims to renovate the existing structure structure with a higher value home, design with accessible and a mobility conscious home that meets contemporary living standards

**\$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.

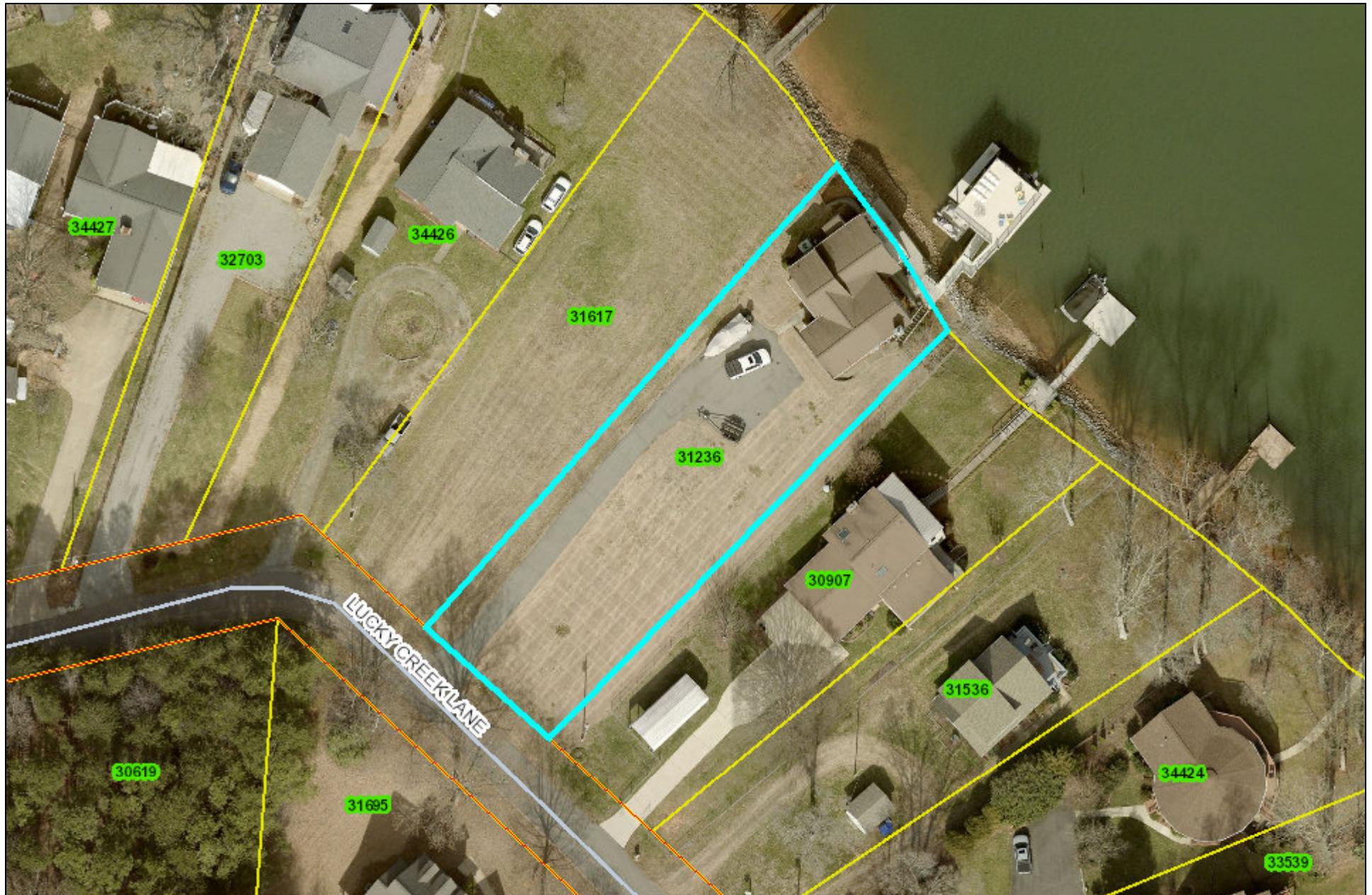
Micah Testerman
Applicant Signature

7-26-25
Date

Micah Testerman
Applicant Printed Name

Micah Testerman
Owner

7-26-25
Date



Lincoln County, NC
Office of the Tax Administrator, GIS Mapping Division



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August 13, 2025

0 50 100 Feet
1 inch = 56 feet





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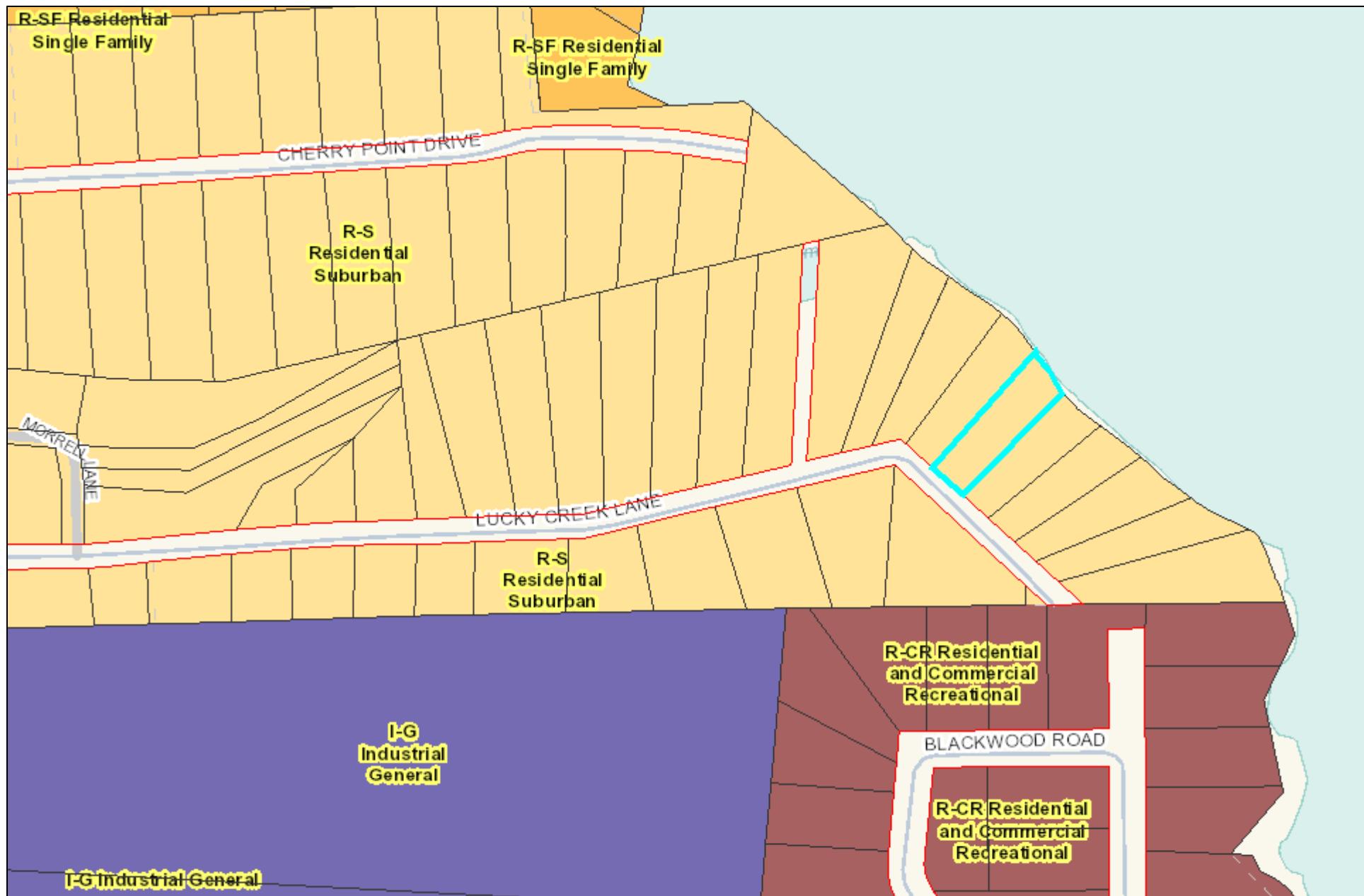


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August 13, 2025

0 220 440 Feet
1 inch = 224 feet





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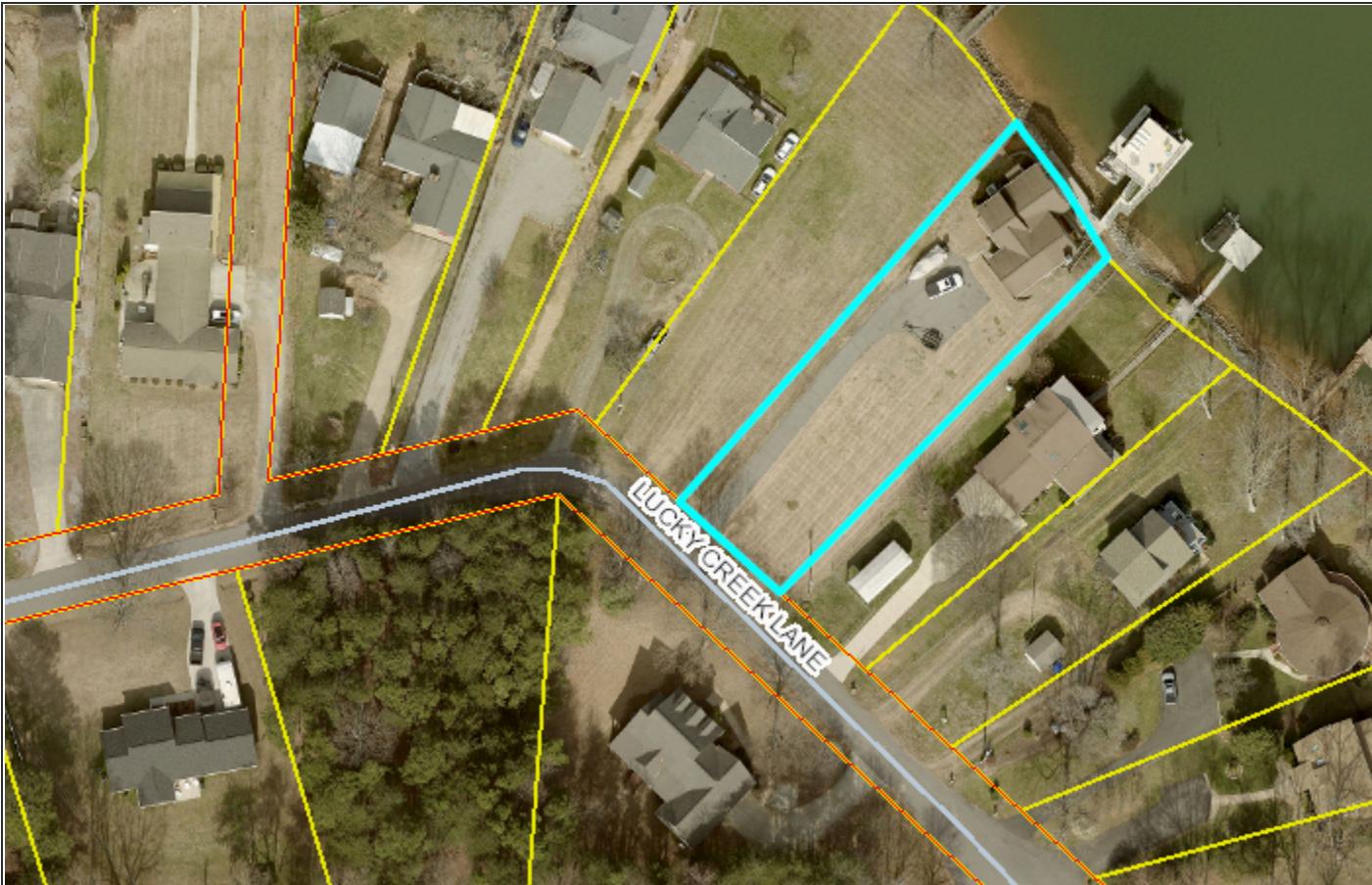
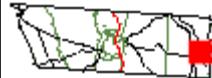


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Date: 8/13/2025



31236

Parcel ID	31236	Owner	TESTERMAN JAMES GARLAND LIFEST TESTERMAN JUNE AKER LIFE ESTAT
Map	4602	Mailing	C/O MICAH JAMES TESTERMAN 3118 VALHALLA CIRCLE
Account	0269031	Address	GREENSBORO, NC 27406
Deed	2763 542	Last Transaction Date	08/17/2018
Plat		Subdivision	LAKE HILL VILLAGE
Land Value	\$406,259	Improvement Value	\$282,880
			Total Value \$689,139

Previous Parcel

-----All values for Tax Year 2025 -----

Description	LAKE HILL V 6 SEC1	Deed Acres	0
Address	8035 LUCKY CREEK LN	Tax Acres	0.415
Township	CATAWBA SPRINGS	Tax/Fire District	EAST LINCOLN
Main Improvement	CONVENTIONAL	Value	\$245,945
Main Sq Feet	1389	Stories	1
			Year Built 1983
Zoning District	Conditional Use	Calc Acres	Voting Precinct
R-S		0.41	TA37
			0.41

Watershed

0.41

Sewer District

SEWER 0.41

Census County

109

Tract

071201

Block

1020

0.41

Flood Zone Description

Panel

NOTES:

- * PROPERTY MAY BE SUBJECT TO RECORDED OR UNRECORDED RIGHTS OF WAYS OR EASEMENTS NOT OBSERVED
 - * THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE SEARCH.
 - * 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.
 - * PROPERTY CORNER MARKERS ARE FOUND CORNERS UNLESS OTHERWISE NOTED AS "SET".
 - * A PORTION OF THIS PROPERTY IS LOCATED IN A 100 YEAR FLOOD PLAIN, ACCORDING TO THE CURRENT FIRM MAP.
 - * NO PORTION OF THE RESIDENTIAL STRUCTURE IS LOCATED IN THE 100 YEAR FLOOD PLAIN.

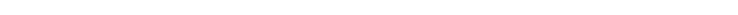
W. SIMPSON JR.
DB 2827-682

0.418 AC +-
PB F-3
LOT #6

R. MOORE
DB 603-747

Course	Bearing	Distance
L1	S 31°51'14" E	83.93'

40 0 40 80 120



GRAPHIC SCALE FEET

LEGEND

R\W	RIGHT-OF-WAY
E\P	EDGE OF PAVEMENT
C\L	CENTERLINE
PDE	PUBLIC DRAINAGE EASEMENT
SSE	SANITARY SEWER EASEMENT
	UTILITY POLE
	LIGHT POLE
	OVERHEAD UTILITY LINE
	FENCE
	R\W LINE
	BOUNDARY LINE

PHYSICAL SURVEY
FOR
MICAH TESTERMAN

8035 LUCKY CREEK LANE, DENVER NC
LOT #6, SECTION ONE, LAKE HILLS VILLAGE

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
LICENSE NO. C-0453



I, ROBERT J. DEDMON, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED 2763-542) (PLAT F-3); THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED AS DRAWN FROM INFORMATION IN DB; THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY IS GREATER THAN 1:10,000'; AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.1600).

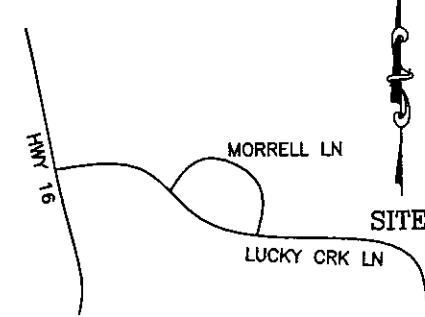
DATE: 6-22-2023

2023
Robert D. DeMare

PROFESSIONAL LAND SURVEYOR

URV, BY: JR DRAWN: JR JOB# JRLH6

VICINITY MAP



LEGEND

- NOTES:

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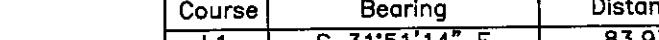
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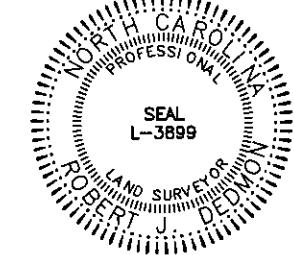
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DATE: 6-22-2023

Robert D. Debnam

PROFESSIONAL LAND SURVEYOR

SUBV. BY: JR DBAWN: JR JOB# JRLH6

VICINITY MAP

A map showing the location of a site. To the left, a vertical line labeled "Hwy 16" extends downwards. To the right, a curved line labeled "MORRELL LN" extends upwards and to the right. Below the curve, another line labeled "LUCKY CRK LN" extends downwards and to the right. A vertical line labeled "SITE" extends upwards from the bottom right, intersecting the "LUCKY CRK LN" line.