



PLANNING & INSPECTIONS DEPARTMENT

Joshua L. Grant, Manager

To: Board of Adjustment

From: Julie Mosteller, Planner

Date: September 9, 2025

Re: VAR #488  
James and Lisa Jenkins, applicants  
Parcel ID# 52762

*The following information is for use by the Lincoln County Board of Adjustment at their meeting/public hearing on September 22, 2025.*

Request

The applicant is requesting a variance from Section 4.6.2.C.2 of the Lincoln County Unified Development Ordinance (UDO) to allow a rear yard setback of 2 feet instead of the required 10 feet for an accessory structure less than 1000 square feet. See below:

**2. Residential Districts**

- (a) No accessory structure shall extend in front of the front line of the principal structure, unless it is set back a minimum of 100 feet from the edge of the road right-of-way. On lots adjacent to Lake Norman, an accessory structure may be located in the road yard less than 100 feet but no closer than 30 feet from the edge of the road right-of-way.
- (b) Accessory structures are allowed in side (interior) and rear yards no closer than ten feet to the property line; provided that, as the size of the accessory structure increases the required setback shall increase as follows:

Size of Accessory Structure (sq. ft.)	Required Setback (ft.)
1,000 or Less	10
1,001 to 2,000	20
2,001 to 3,000	30
3,001 to 4,000	40
4,001 or more	50



## PLANNING & INSPECTIONS DEPARTMENT

Joshua L. Grant, Manager

### Site Area and Description

The request involves a 0.373-acre lot located at 1569 Sandy Park Road in Ironton Township.

The subject property is zoned R-SF (Residential- Single Family) and is adjoined by property zoned R-SF (Residential Single-Family). Land uses in this area are residential.

### Additional Information

The structure is not yet on the property and a building permit has been applied for.



## Variance Application

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

### Part I

Applicant Name James R + Lisa M Jenkins

Applicant Address 1569 Sandy Park Road

Applicant Phone Number 704 473 9076

Property Owner's Name James R + Lisa M Jenkins

Property Owner's Address 1569 Sandy Park Road

Property Owner's Phone Number 704 473 9076

### Part II

Property Location 1569 Sandy Park Road (Lot 4)

Property ID # (10 digits) — Property Size .373

Parcel # (5 digits) 52762 Deed Book(s) — Page(s) —

### Part III

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

- used, residential
- zoned, residential
- house only

Briefly explain your reason for seeking a variance.

Very limited backyard space due to pool  
+ side easement

Describe the type of variance you need.

due to back property line easement -

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.

Hardship due to: very limited space in  
the backyard

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.

location - due to very small overall lot size

Size - limited availability of space for building size

topography - east side slopes away from pool west side enters  
w/ access to backyard

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 we purchased the house + lot in  
1989 there was no such variant in the  
back property line. We did not create this  
hardship.

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.

Installing the building closest to the back prop line

would serve as the safest location on the existing

lot given all of the existing structures + inground pool.  
It would not be a safety hazard.

**\$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.*

James R. Jenkins  
Applicant Signature

8-24-2025  
Date

JAMES R. JENKINS  
Applicant Printed Name

JAMES R. JENKINS  
Owner

8-24-2025  
Date



1. AREA CALCULATED BY COORDINATE COMPUTATION.
2. ADJOINING PROPERTY OWNERS NAMES WERE TAKEN FROM LINCOLN COUNTY TAX OFFICE RECORDS, AND ARE CONSIDERED AS NOW OR FORMERLY.
3. IRON RODS AT ALL CORNERS UNLESS NOTED.
4. THIS MAP IS SUBJECT TO ANY AND ALL APPLICABLE DEED RESTRICTIONS, EASEMENTS, RIGHT-OF-WAY, UTILITIES AN RESTRICTIVE COVENANTS AND PRELIMINARY PLAN WHICH MAY BE OF RECORD.
5. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES, MEASURED WITH ELECTRONIC MEASURING DEVICES.
6. LOT SUBJECT TO ALL ZONING ORDINANCES OF LINCOLN COUNTY. BUILDER/OWNER MUST VERIFY THAT LOT IS IN COMPLIANCE WITH ALL COUNTY AND HOMEOWNERS ASSOCIATION ZONING ORDINANCES PRIOR TO ANY LAND DISTURBANCE OR CONSTRUCTION.
7. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE SEARCH.
8. NO NCGS MONUMENT FOUND WITHIN 2000 FEET.
9. THIS PROPERTY MAY BE SUBJECT TO MAXIMUM IMPERVIOUS AREA REQUIREMENTS. BEFORE MAKING ANY RENOVATIONS OR REPAIRS TO THIS PROPERTY CHECK WITH THE LOCAL PLANNING OR ZONING DEPARTMENT FOR ANY RESTRICTIONS OR REGULATIONS IN PLACE.
10. IT IS THE RESPONSIBILITY OF THE OWNER/DEVELOPER TO OBTAIN ALL UTILITY INFORMATION FROM THE JURISDICTION PRIOR TO DEVELOPMENT OF PROPERTY TO ENSURE THERE ARE NO UTILITY CONFLICTS. UTILITIES SHOWN ON SURVEY WERE FIELD LOCATED FROM ABOVE GROUND VISUAL EVIDENCE. CAROLINA GEOMATICS, PLLC MAKES NO CLAIM THAT ALL UNDERGROUND UTILITIES ARE SHOWN HEREON.
11. ALL PHYSICAL IMPROVEMENTS ARE NOT SHOWN AS PART OF THIS SURVEY. THE PURPOSE OF THIS SURVEY IS TO SHOW THE PROPOSED BUILDING 2' FROM PROPERTY LINE.
12. PROPERTY IS SUBJECT TO ANY AND ALL RESTRICTIONS FOUND IN DEED BOOK 489, PAGE 135.

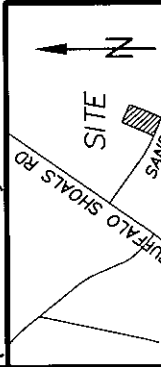
ROY & BETTY HEAFNER  
NOW OR FORMERLY  
DB 12E PG 556  
PARCEL ID  
#26152



RF	REBAR FOUND	_____	BOUNDARY
P/L	PROPERTY LINE	_____	ADJUNGER
R/W	RIGHT OF WAY	_____	RIGHT OF WAY
SF	SQUARE FEET	_____	OVERHEAD UTILITIES
PB	PLAT BOOK	_____	EASEMENT
DB	DEED BOOK	_____	
PG	PAGE	_____	
FS	FRONT SETBACK	_____	
SY	SIDE YARD	_____	
RY	REAR SETBACK	_____	
⊙	UTILITY POLE	_____	

LOT 5  
PB D PG 109  
PARCEL ID  
#25656

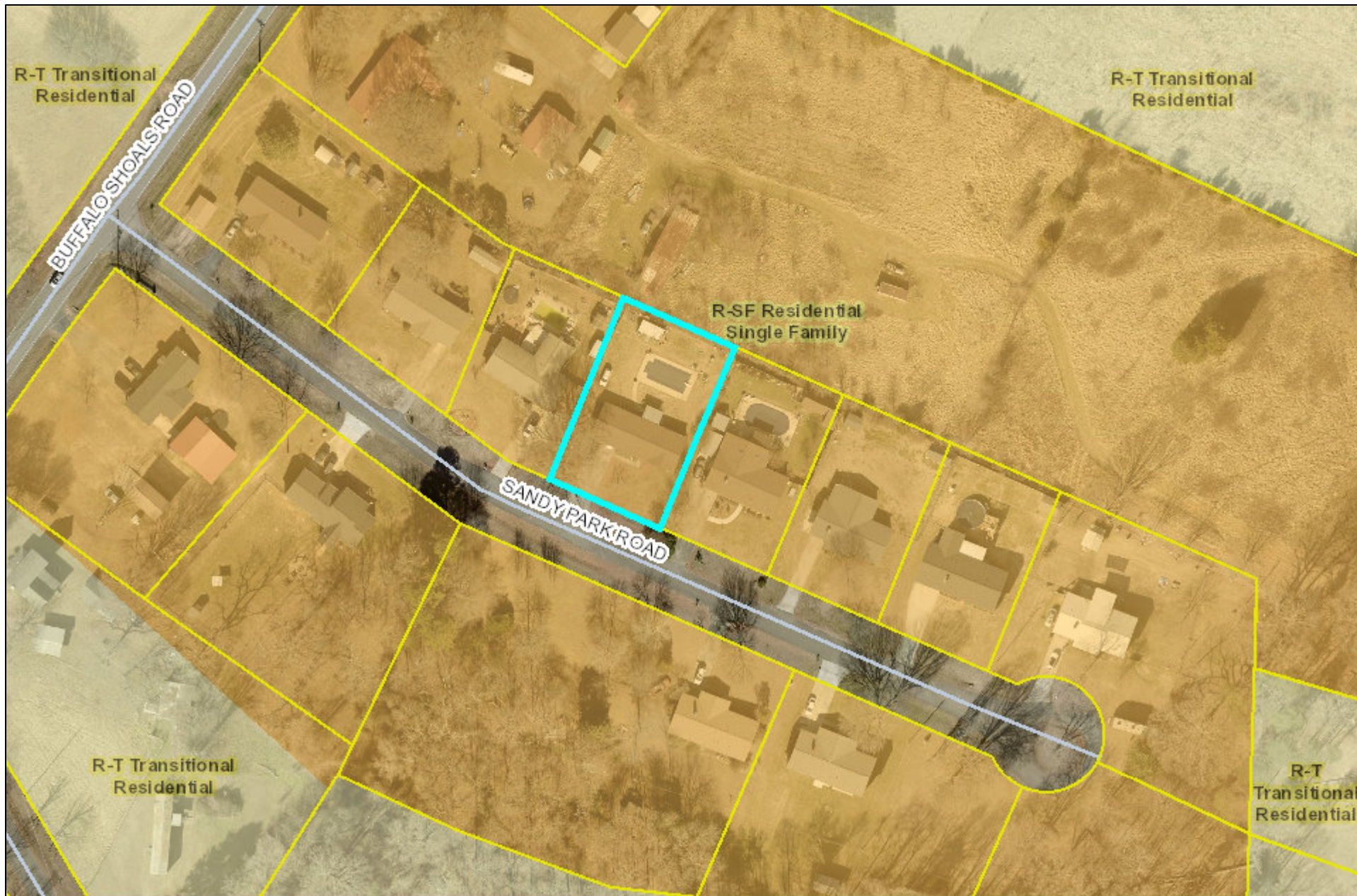
**VICINITY MAP**  
**(Not to Scale)**



**FLOOD NOTE:  
NO PORTION OF THE  
SUBJECT PROPERTY SHOWN  
HEREON LIES WITHIN A  
SPECIAL FLOOD HAZARD  
AREA PER F.E.M.A. FLOOD**

SCALE: 1" = 30'



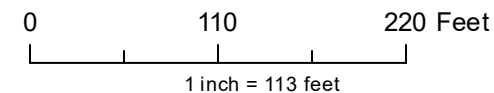


## Lincoln County, NC

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September 9, 2025





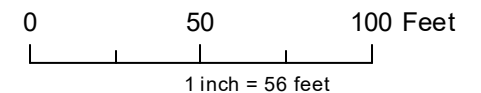


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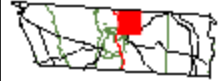


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Date: 9/9/2025



52762

<b>Parcel ID</b>	52762	<b>Owner</b>	JENKINS JAMES R JENKINS LISA M
<b>Map</b>	3645	<b>Mailing</b>	1569 SANDY PARK RD
<b>Account</b>	07539	<b>Address</b>	LINCOLNTON, NC 280930000
<b>Deed</b>	722 798	<b>Last Transaction Date</b>	01/01/1992
<b>Plat</b>		<b>Subdivision</b>	SANDY PARK
<b>Land Value</b>	\$28,000	<b>Improvement Value</b>	\$196,783
		<b>Total Value</b>	\$224,783

#### Previous Parcel

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

<b>Description</b>	SANDY PARK #4	<b>Deed Acres</b>	0
<b>Address</b>	1569 SANDY PARK RD	<b>Tax Acres</b>	0.373
<b>Township</b>	IRONTON	<b>Tax/Fire District</b>	NORTH 321
<b>Main Improvement</b>	RANCH	<b>Value</b>	\$173,205
<b>Main Sq Feet</b>	1461	<b>Stories</b>	1
		<b>Year Built</b>	1973

<b>Zoning District</b>	<b>Conditional Use</b>	<b>Calc Acres</b>	<b>Voting Precinct</b>	<b>Calc Acres</b>
R-SF		0.37	BS26	0.37

<b>Watershed</b>	<b>Sewer District</b>
0.37	0.37

<b>Census County</b>	<b>Tract</b>	<b>Block</b>
109	070901	2011
		0.37

<b>Flood</b>	<b>Zone Description</b>	<b>Panel</b>
X	NO FLOOD HAZARD	3710364400
		0.37