



PLANNING & INSPECTIONS DEPARTMENT

Joshua L. Grant, Manager

To: Board of Adjustment

From: Julie Mosteller, Planner

Date: October 15, 2025

Re: VAR #489
Karl and Jackie Slavetsky, applicant
Parcel ID# 30257

The following information is for use by the Lincoln County Board of Adjustment at their meeting/public hearing on October 27, 2025.

Request

The applicant is requesting a variance from Section 10.2.4 of the Lincoln County Unified Development Ordinance to allow the expansion of a non-conforming structure by 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 request is to expand the home from 2242 square feet according to current tax records to 6618 square feet.



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Site Area and Description

The request involves a 0.923-acre parcel located at 720 Windy Pine Circle in Catawba Springs Township. The subject property is located in the R-SF (Residential Single Family) zoning district. The subject property is adjoined by property also zoned R-SF (Residential Single-Family). Land uses in this area are residential in nature.



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 Karl & Jackie Slavetsky

Applicant Address 5023 Gorham Dr., Charlotte, NC 28226

Applicant Phone Number 704.309.0532 (K) 704.400.4820 (J)

Property Owner's Name Karl & Jackie Slavetsky

Property Owner's Address 5023 Gorham Dr., Charlotte, NC 28226

Property Owner's Phone Number 704.309.0532 (K) 704.400.4820 (J)

Part II

Property Location 7320 Windy Pine Circle, Denver, NC 28037

Property ID # (10 digits) 4605630935 Property Size 0.94 acre

Parcel # (5 digits) 30257 Deed Book(s) 3378 Page(s) 867

Part III

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

Property is zoned R-SF and is being used as a single family residence. Original property had a 52 yr old cottage with full basement, kitchen addition, sun room, various decks, car port and multiple sheds. All structures have since been demolished leaving only the basement slab and foundation walls.

Briefly explain your reason for seeking a variance.

Would like to build off the existing cottage basement foundation walls and add to the existing cottage foundation walls to create an energy efficient, modern home for a permanent residence with attached garages for vehicle/boat storage.

Describe the type of variance you need.

Seeking relief for the small portion of the existing basement foundation that encroaches into the 50' buffer. Would also like to be able to expand the existing structure more than 50%.

\$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.

Karl Slawsky Jackie Slawsky
Applicant

9/3/25
Date

Karl Slawsky Jackie Slawsky
Owner

9/3/25
Date

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.

Without variance for slight encroachment: 1) entire existing foundation would have to be demolished and new foundation designed, excavated and installed; 2) limits are placed on ability to expand; and 3) existing engineered design drawings would require redesign

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.

The small encroachment results from the unusual shape which cuts back the property line on the side of the property abutting Lake Norman. This in turn causes a nonconforming structure which then limits the ability for expansion which may be available to others.

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.

The structure in question has been in place since 1973. It should be noted, the Applicant has lessened the encroachment from existing structures by removing the existing Sun Room and has only owned the property since 2025.

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. The requested variance is in keeping with the spirit, purpose and intent of the ordinance as any new structure would occur outside of the buffer. The existing use remains so there is no concern for impact on public safety. Justice is achieved by allowing the Applicant to enjoy the same opportunities for renovation/updating as afforded to others through the UDO despite a minor encroachment into the buffer.

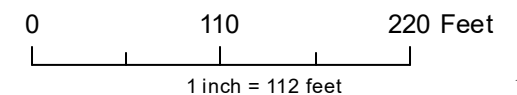


Lincoln County, NC
Office of the Tax Administrator, GIS Mapping Division



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October 15, 2025





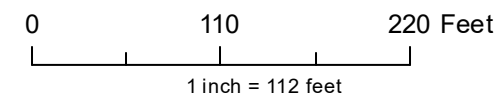
Lincoln County, NC

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October 15, 2025





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Date: 10/15/2025



30257

| | | | | |
|--|------------------------|------------------------------|--|------------------------------|
| Parcel ID | 30257 | Owner | SLAVETSKY KARL J SLAVETSKY JACQUELINE M | |
| Map | 4605 | Mailing | 7320 WINDY PINE CIRCLE | |
| Account | 308479 | Address | DENVER, NC 28037 | |
| Deed | 3378 867 | Last Transaction Date | 01/13/2025 | Sale Price \$920,000 |
| Plat | E 43 | Subdivision | CRESCENT LAND & TIMBER CORP | Lot 17 |
| Land Value | \$480,608 | Improvement Value | \$284,830 | Total Value \$765,438 |
| Previous Parcel | | | | |
| -----All values for Tax Year 2025 ----- | | | | |
| Description | #17 SEC 35 CRESCENT | | | Deed Acres 0 |
| Address | 7320 WINDY PINE CIR | | | Tax Acres 0.923 |
| Township | 5 | | | 60 |
| Main Improvement | CONVENTIONAL | | | Value \$249,040 |
| Main Sq Feet | 1180 | Stories | 1 | Year Built 1973 |
| Zoning District | Conditional Use | Calc Acres | Voting Precinct | Calc Acres |
| R-SF | | 0.92 | DN29 | 0.92 |
| Watershed | 0.92 | | Sewer District | 0.92 |