



**COUNTY OF LINCOLN, NORTH CAROLINA**  
PLANNING AND INSPECTIONS DEPARTMENT

To: Zoning Board of Adjustment

From: Randy Hawkins  
Zoning Administrator

Date: February 11, 2013

Re: VAR #330  
Kevin and Valerie Dorton, applicants  
Parcel ID# 85057

*The following information is for use by the Lincoln County Zoning Board of Adjustment at its meeting/public hearing on February 25, 2013.*

**Request**

The applicants are requesting a variance from Section 4.6.2.E.2 of the Lincoln County Unified Development Ordinance to permit an 1,800-square-foot pool house and garage. Section 4.6.2.E.2 states that on a lot larger than  $\frac{1}{2}$  acre in size, the total maximum area of accessory structures shall be computed by taking 3 percent of the area over  $\frac{1}{2}$  acre and adding 750 square feet or half the heated ground floor area of the principal structure, whichever is greater. In this case, that works out to a total maximum area of 2,207 square feet. With this lot containing a 960-square-foot detached garage, the proposed pool house would put the total area of accessory structures at 2,760 square feet.

Here's the calculation for the maximum allowance under the ordinance:

$$\text{Lot area} = 1.076 \text{ acres} \times 43,560 \text{ sf/acre} = 46,870.56 \text{ sf}$$

$$- \underline{21,780} \text{ sf (1/2 acre)}$$

$$\text{Lot area over } \frac{1}{2} \text{ acre} = 25,090.56 \text{ sf}$$

$$\begin{array}{r} \times \quad 0.03 \\ \hline 752.72 \text{ sf} \end{array}$$

$$+ \underline{1,274.50} \text{ sf (half the heated ground floor area of house)}$$

$$2,207.22 \text{ sf (maximum area of accessory structures)}$$

$$- \underline{960.00} \text{ sf (area of existing detached garage)}$$
  
$$1,247.00 \text{ sf (remaining allowance)}$$

### Site Area and Description

The 1.076-acre parcel is located at 4373 Woodsbury Lane, and also abuts Hunter Rhyne Road, about 1,200 feet east of Furnace Road Extension, in Ironton Township. It is zoned R-SF (Residential Single-Family) and is adjoined on all sides by property zoned R-SF. This parcel is part of the Breckenridge subdivision. It was originally two lots, one fronting Woodsbury Lane on which the house and detached garage were built and the other fronting Hunter Rhyne Road. In order to build a swimming pool on the lot fronting Hunter Rhyne Road, the property owners were required to combine the lots into one.

Applicants Kevin and Valerie Dorton

Application No. VAR #330

**ZONING BOARD OF ADJUSTMENT'S FINDINGS OF FACT**

1. THERE ARE PRACTICAL DIFFICULTIES OR UNNECESSARY  
HARDSHIPS IN THE WAY OF CARRYING OUT THE STRICT LETTER OF  
THE ORDINANCE. YES \_\_\_\_\_ NO \_\_\_\_\_

A. If the property owner complies with the provisions of the  
ordinance, he can secure no reasonable return from or make no  
reasonable use of his property. Yes \_\_\_\_\_ No \_\_\_\_\_  
*Factual reasons cited by the Board:*

---

---

B. The hardship results from the application of the ordinance.  
Yes \_\_\_\_\_ No \_\_\_\_\_  
*Factual reasons cited by the Board:*

---

---

C. The hardship is suffered by the applicant's property.  
Yes \_\_\_\_\_ No \_\_\_\_\_  
*Factual reasons cited by the Board:*

---

---

D. The hardship is not the result of the applicant's own action.  
Yes \_\_\_\_\_ No \_\_\_\_\_  
*Factual reasons cited by the Board:*

---

---

E. The hardship is peculiar to the applicant's property.  
Yes \_\_\_\_\_ No \_\_\_\_\_  
*Factual reasons cited by the Board:*

---

---

2. THE VARIANCE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THIS ORDINANCE. Yes \_\_\_\_\_ No \_\_\_\_\_  
*Factual reasons cited by the Board:*

---

---

3. IN THE GRANTING OF THE VARIANCE, THE PUBLIC SAFETY AND WELFARE HAVE BEEN ASSURED AND SUBSTANTIAL JUSTICE HAS BEEN DONE. Yes \_\_\_\_\_ No \_\_\_\_\_  
*Factual reasons cited by the Board:*

---

---

4. THE REASONS SET FORTH IN THE APPLICATION JUSTIFY THE GRANTING OF A VARIANCE, AND THAT THE VARIANCE IS A MINIMUM ONE THAT WILL MAKE POSSIBLE THE REASONABLE USE OF LAND OR STRUCTURES. Yes \_\_\_\_\_ No \_\_\_\_\_  
*Factual reasons cited by the Board:*

---

---

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

---

---

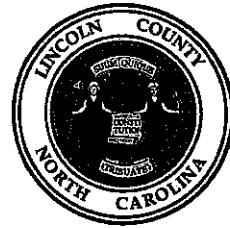
*In approving said variance, the following conditions have been imposed by the Zoning Board of Adjustment:*

---

---

## Variance Application

Lincoln County Planning and Inspections Department  
302 N. Academy St., Suite A, Lincolnton, NC 28092  
Phone: (704)736-8440 Fax: (704)732-9010



### Part I

Applicant Name Kevin R / Valerie F. Dorton

Applicant Address 4373 Woodsbury Ln. Lincolnton, NC 28092

Applicant Phone Number 704-732-7182

Property Owner's Name Same

Property Owner's Address Same

Property Owner's Phone Number Same

### Part II

Property Location 4373 Woodsbury Ln. Lincolnton, NC 28092

Property ID # (10 digits) 3664653158 Property Size 1.07 Acres

Parcel # (5 digits) 85057 Deed Book(s) 2043 Page(s) 828

### Part III

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

R-SF Residential Use, Primary Residence + Detached Garage

Briefly explain your reason for seeking a variance.

I would like to build a "pool" Building that matches the other Dwellings and preserves the consistency of such dwellings

Describe the type of variance you need.

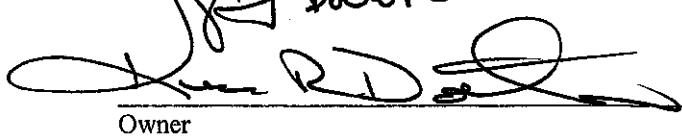
I need permission to build 30' x 60' Building opposed to 1,247 sq ft currently allowed by county. My parcel was originally 2 separate lots (10 + 23) so now combined, the allowed sq ft restricts to 1,247 sq ft. I do not want to Destroy the comps on Hunter Rhynne Rd with a small dwelling (see letter)

**\$500 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  
J. F. Dorton

2-1-13  
Date

  
Owner

2-1-13  
Date

  
J. F. Dorton

Kevin R. Dorton / Valerie F. Dorton  
4373 Woodsbury LN.  
Lincolnton, NC 28092

January 31, 2013

Lincoln County Planning Board  
302 N. Academy St.  
Lincolnton, NC 28092

Please see the attached request for variance of guidelines regarding a proposed dwelling in Lincoln County. Originally, my property (Woodsbury LN) consisted of one,  $\frac{1}{2}$  acre lot on which the dwell currently sits. In 2007, I purchased an adjacent lot that fronts on Hunter Rhyne Rd. and is connected to the rear of the Woodsbury Ln. property. When I installed a swimming pool in 2008, both lots had to be joined and made into one lot.

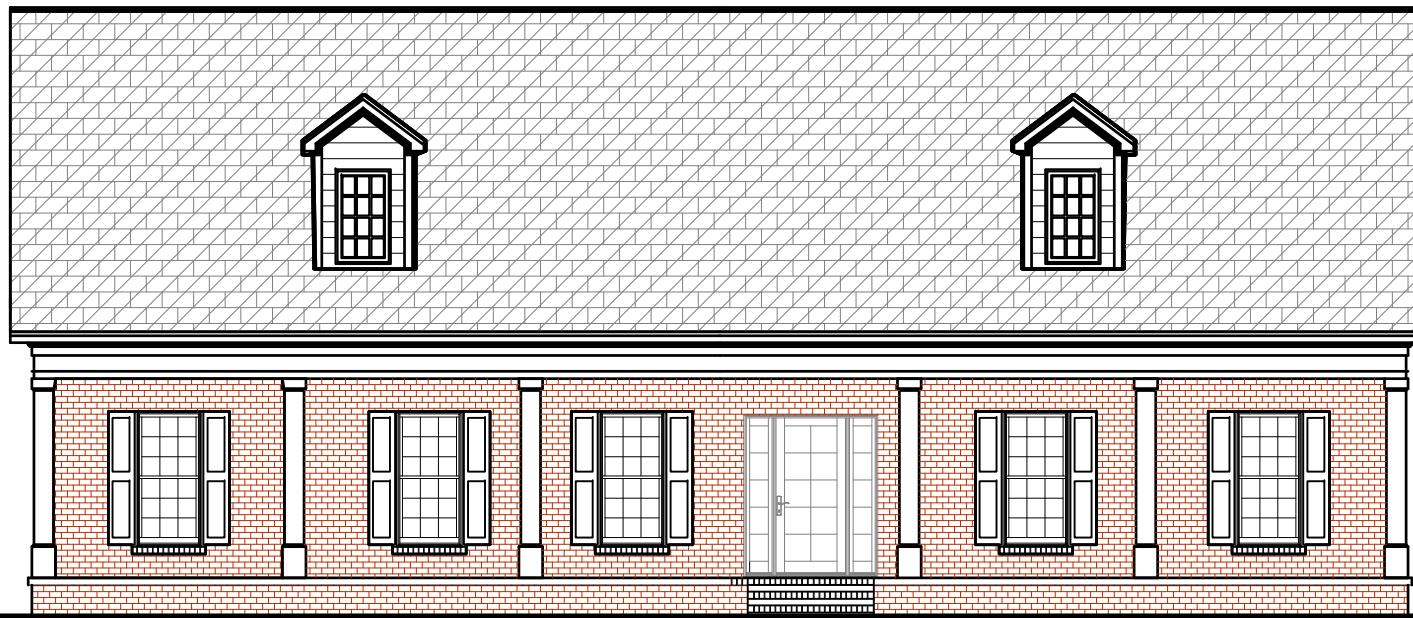
Now, I propose a building to be used as a "Pool house" that is basically intended for showering, changing of clothes and storing of clothes while swimming. Upon closer examination, from the Hunter Rhyne Road perspective, a small building will, in my opinion, destroy the consistency of the neighborhood, reduce the values of the adjacent properties and basically "look bad". So, I propose the construction of a 30' X 60' building that will be built consistent with the other homes on Hunter Rhyne and will be constructed using the same building materials used in my home on Woodsbury Ln.. The roof pitch will be the same, landscaping and all aspects of the building will be consistent with the surrounding homes. Of course, the inside of this building will consist of a bathroom, changing room and a large kitchen/open area in the event that we should host a gathering at our pool. A two-Car garage for storage will be included as well.

I request that you consider my plea for this variance, based on my intention to preserve the look and integrity of the neighborhood. Keep in mind that my cost for doing so is about 400% more than the size of building currently allowed by Lincoln County. My neighbors agree.

Respectfully yours,



Sincerely,



ELEVATION FACING STREET

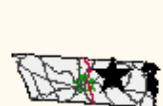
SCALE:  $1/4"=1'-0"$



## Lincoln County, NC

Office of the Tax Administrator, GIS Mapping Division

Lincoln County and its mapping contractors assume no legal responsibility for the information contained on this map. This map is not to be used for land conveyance. The map is based on NC State Plane Coordinate System 1983 NAD.



Date: 2/6/2013 Scale: 1 Inch = 100 Feet

