



LINCOLN COUNTY PLANNING & INSPECTIONS DEPARTMENT
302 NORTH ACADEMY STREET, SUITE A, LINCOLNTON, NORTH CAROLINA 28092
704-736-8440 OFFICE 704-736-8434 INSPECTION REQUEST LINE 704-732-9010 FAX

To: Zoning Board of Adjustment

From: Randy Hawkins, Zoning Administrator

Date: May 8, 2015

Re: VAR #410
Douglas Dellinger, applicant
Parcel ID# 84970

The following information is for use by the Lincoln County Zoning Board of Adjustment at its meeting/public hearing on May 26, 2015.

Request

The applicant is requesting a variance from Section 2.4.5.C of the Lincoln County Unified Development Ordinance to permit a side yard setback of 5 feet for a deck on a proposed house. Section 2.4.5.C states that the minimum side yard setback in the R-SF (Residential Single-Family) district is 10 feet.

Site Area and Description

The 2.5-acre parcel is located on the east side of Little Creek Drive about 400 feet north of Pine Ridge Drive. It is adjoined by property zoned R-SF and PD-R (Planned Development-Residential) and by Lake Norman. Under the UDO and under the state's Catawba River buffer rules, any structure must be set back at least 50 feet from the full-pond level of the lake. A 320-foot-wide Duke Energy transmission right-of-way bisects this property. A regular power line runs outside the eastern edge of the right-of-way, near the proposed site for the house.



COUNTY OF LINCOLN, NORTH CAROLINA

PLANNING AND INSPECTIONS DEPARTMENT

302 NORTH ACADEMY STREET, SUITE A, LINCOLNTON, NORTH CAROLINA 28092

Applicant **Douglas Dellinger**

Application No. **VAR #410**

Request **Variance from Section 2.4.5.C to permit a side yard setback of 10 feet for a deck on a proposed house**

ZONING 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 _____ No _____

Factual reasons cited by the Board:

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 _____ No _____

Factual reasons cited by the Board:

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 _____ No _____

Factual reasons cited by the Board:

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 _____ 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 Douglas Dellinger
Applicant Address PO Box 1472 Denver NC 28037
Applicant Phone Number 704 913 5190
Property Owner's Name Millard Purvis Andersen
Property Owner's Address 4145 Cindy Ln Denver NC 28037
Property Owner's Phone Number 704 572 7503

Part II

Property Location lot 4 little creek Dr, Denver 28037
Property ID # (10 digits) 4605-76-1404 Property Size 2.53 acres
Parcel # (5 digits) 84970 Deed Book(s) 14 Page(s) 378

Part III

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

Residential, No existing structures

Briefly explain your reason for seeking a variance.

Due to the 50ft lake buffer, powerline right of way and set back from neighboring lot the buildable space is restricted

Describe the type of variance you need.

side setback of 5ft from the property line

\$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

5/5/15
Date

 Murray Devin
Owner

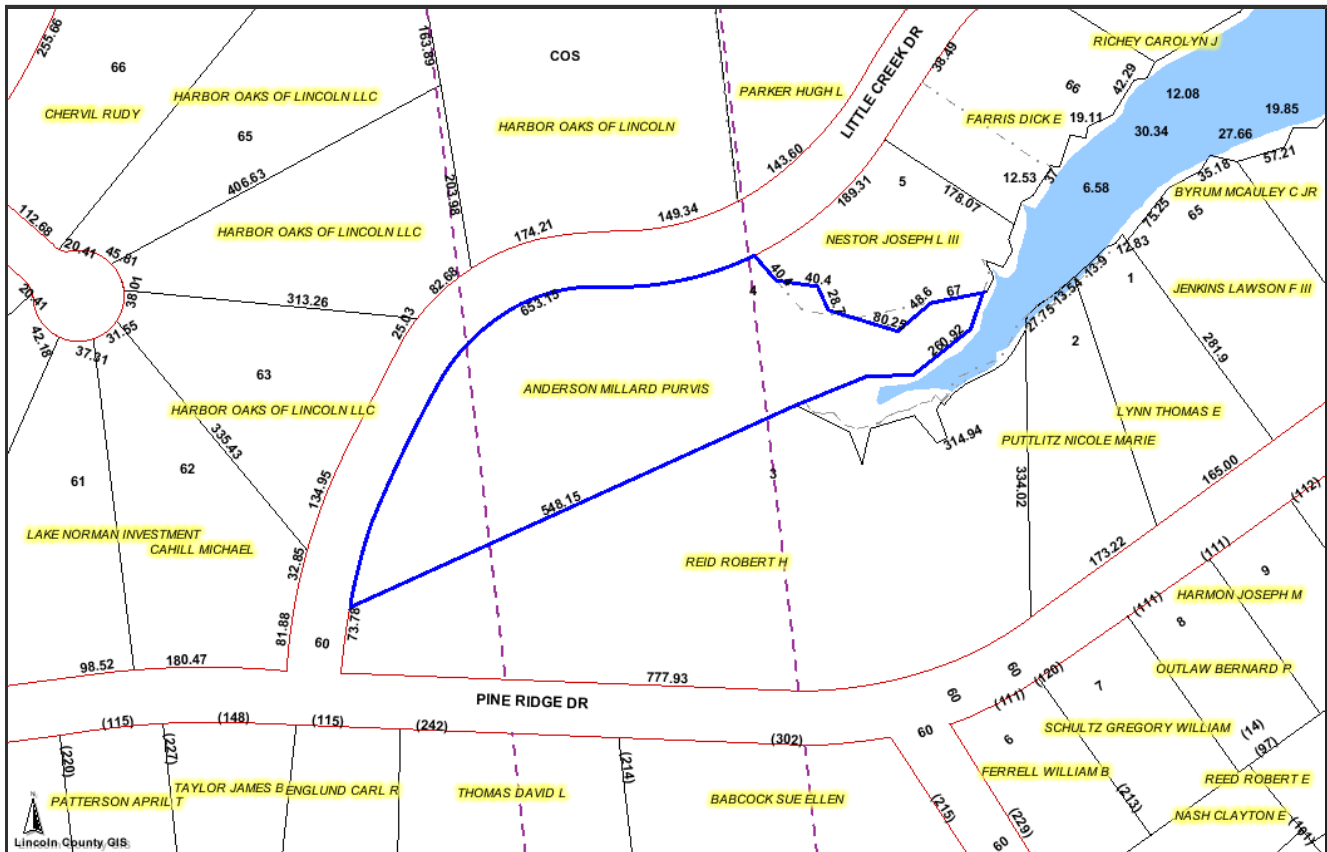
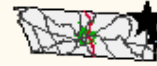
5/5/15
Date



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: 5/6/2015 Scale: 1 Inch = 200 Feet



PHOTOS

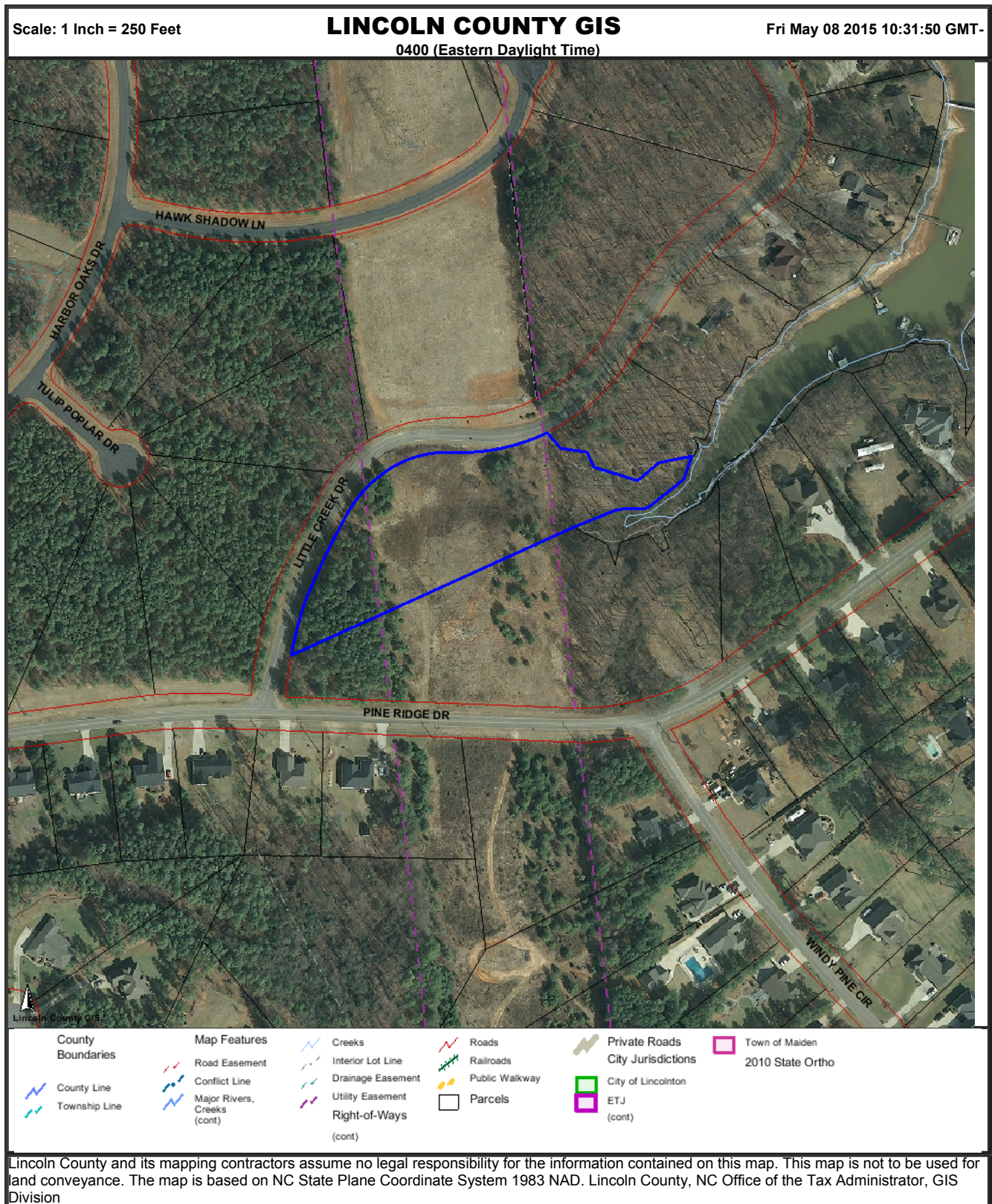


Photo Not Available

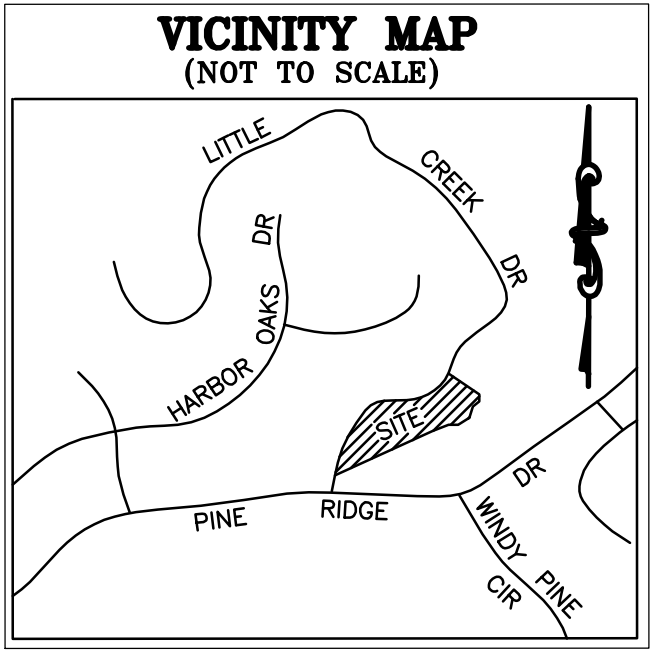
PARCEL INFORMATION FOR 4605-76-1404

Parcel ID	84970	Owner	ANDERSON MILLARD PURVIS ANDERSON ELIZABETH D
Map	4605-11	Mailing Address	4145 CINDY LANE DENVER NC 28037
Account	0211531	Deed	2027-731
Deed	2027-731	Recorded	4/18/2008
Land Value	\$76,132	Total Value	\$82,082
----- All values are for tax year 2015. -----			
Subdivision	Lot PT 4 HARBOR PINES REV		
Description	#4LT & PT#5 HARBOR PINES		
Address	LITTLE CREEK DR		
Township	CATAWBA SPRINGS		
Main Improvement	SHORELINE IMPROVEMENT		
Main Sq Feet	50	Stories	0
Year Built	2007		
Zoning District	R-SF	Voting Precinct	DENVER (DN29)
Watershed Class	WS-IVC	Sewer District	Not in the sewer district
2000 Census County	37109	Tract	071200
	37109	Block	1040
FloodZone Description	SPECIAL FLOOD HAZARD AREA BASE ELEVATION DETERMINED - 100 YEAR		
Panel	37104605000.03		
FloodZone Description	NO FLOOD HAZARD		
Panel	3710460500 2.5		





NORTH BASED ON PLAT BOOK: 14-378



Curve	Radius	Length	Chord	Chord Bear.
C1	469.39'	149.12'	148.49'	N 17°52'01" E
C2	186.39'	216.48'	204.52'	N 60°14'29" E
C3	343.21'	176.13'	174.20'	N 48°48'04" E
C4	343.21'	182.89'	180.73'	N 48°50'02" E

Course			Course		
	Bearing	Distance		Bearing	Distance
L1	N 33°31'00" E	8.58'	L21	S 64°45'32" W	23.30'
L2	S 41°15'30" W	9.80'	L22	S 76°38'37" W	11.30'
L3	S 00°03'36" E	7.24'	L23	N 88°26'23" W	10.63'
L4	S 22°29'30" E	7.15'	L24	S 64°57'23" W	10.15'
L5	S 15°50'47" W	15.38'	L25	S 52°43'35" W	12.44'
L6	S 45°45'04" W	9.72'	L26	S 67°54'46" W	14.02'
L7	N 64°45'38" W	16.88'	L27	N 85°45'21" W	4.90'
L8	N 85°42'09" W	2.60'	L28	S 40°49'20" E	40.40'
L9	S 13°58'11" E	4.18'	L29	S 81°52'50" E	40.39'
L10	S 31°12'29" E	11.03'	L30	S 24°22'59" E	28.69'
L11	S 04°16'31" E	7.69'	L31	S 72°56'11" E	29.84'
L12	S 25°26'53" W	13.99'	L32	S 72°56'11" E	50.41'
L13	S 25°26'53" W	24.2'	L33	N 49°53'44" E	48.61'
L14	S 27°59'46" W	22.00'	L34	N 78°57'52" E	66.75'
L15	S 52°51'26" W	34.24'	L35	S 78°57'52" W	86.89'
L16	S 48°41'05" W	19.53'	L36	S 80°01'31" W	54.22'
L17	S 45°37'00" W	19.47'	L37	N 40°49'20" W	41.23'
L18	S 66°12'51" W	11.92'			
L19	S 85°46'02" W	12.57'			
L20	N 84°26'32" W	29.74'			

SCALE 1" = 30'-0"

RODNEY DANIELS
 737 11th Ave Blvd SE, Hickory, NC. 28602
 PHONE AND FAX (828) 328-9486

DANIELS
* RESIDENTIAL DESIGN *

A NEW RESIDENTIAL PROJECT FOR
DOUG DETLINGER

drawn by
DANIELS

project no.
P-15041

date
5-5-15

revised

sheet no.
SW-1
of ONE

SR #1697

60' R/W

C3

POWER
POLE

30' FRONT
SETBACK

EX. #4 PIN

L28

NIP

L29

10'

NIP

L30 NEW
SIDE
LINE

SETBACK

L31

10' SIDE SETBACK

L32

NIP

L33

50'
BUFFER

0.49 ACRES +-
THIS SIDE OF
POWERLINE R/W

2.529 ACRES +-

SITE PLAN
SCALE 1" = 10'-0"

EX. #4 PIN

L27

L26

L25

L24

L23

L22

L21

L20

L19

L18

LOT #5
32,621 SF
NEW TOTAL

A NEW RESIDENTIAL PROJECT FOR
DOUG DELLINGER

drawn by
DANIELS

project no.
P-15041

date
5-5-15

revised

sheet no.
SW-1
of ONE

DANIELS
* RESIDENTIAL DESIGN *

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