



LINCOLN COUNTY PLANNING & INSPECTIONS DEPARTMENT

115 W. MAIN ST., LINCOLNTON, NORTH CAROLINA 28092
704-736-8440 OFFICE 704-736-8434 INSPECTION REQUEST LINE

To: Board of Commissioners

From: Randy Hawkins, Zoning Administrator

Date: May 14, 2021

Re: SUP #440
Gregory Dellinger, applicant
Parcel ID #30916

The following information is for use by the Lincoln County Board of Commissioners at their joint meeting/public hearing on June 7, 2021.

REQUEST

The applicant is requesting a special use permit to allow a residential accessory structure, a 400-square-foot garage, to be located in front of the front building line of a house on a lot adjacent to Lake Norman. Under Section 4.6.2.C.2(a) of the Unified Development Ordinance, an accessory structure cannot 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; or, in the case of a lot adjacent to Lake Norman, the Board of Commissioners may approve a special use permit to allow an accessory structure to be located in the road yard, a minimum of 30 feet from the edge of the road right-of-way. A site plan submitted as part of the application shows the proposed garage would be located approximately 32 feet from the edge of the road right-of-way at the closest point.

SITE AREA AND DESCRIPTION

The 3.6-acre lot is located at 1273 Nixon Heights Lane. A 320-foot-wide Duke Energy right-of-way crosses the left side of the lot (as viewed from the road). The subject property is zoned R-SF (Residential Single-Family) and is adjoined by property zoned R-SF and by Lake Norman. Land uses in this area are primarily residential. This property is part of an area designated by the Lincoln County Land Use Plan as Single-Family Neighborhood.

**BOARD OF COMMISSIONERS**

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MILTON SIGMON, VICE CHAIRMAN
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COUNTY ATTORNEY

WESLEY L. DEATON

CLERK TO THE BOARD

AMY S. ATKINS

Applicant **Gregory Dellinger**

Application No. **SUP #440**

Location **1273 Nixon Heights Ln.**

Parcel # **30916**

Zoning District **R-SF**

Proposed Use **accessory structure located in front of the front building line of principal structure on lot abutting Lake Norman**

FINDINGS OF FACT

1. The use will not materially endanger the public health or safety if located where proposed and developed according to plan. YES _____ NO _____

FACTUAL REASONS CITED: _____

2. The use meets all required conditions and specifications. YES _____ NO _____

FACTUAL REASONS CITED: _____

3. The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity. YES _____ NO _____

FACTUAL REASONS CITED: _____

4. The location and character of use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the Land Use Plan for the area in question. YES _____ NO _____

FACTUAL REASONS CITED: _____

After having held a Public Hearing on _____ and in light of the Findings of Facts listed herein, the following action was taken by the Lincoln County Board of Commissioners:





Special Use Permit Application

Lincoln County Planning and Inspections Department
Zoning Administrator
115 W. Main St., Lincolnton, NC 28092
Phone: (704) 736-8440 Fax: (704) 732-9010

PART I

Applicant Name Gregory D. Dellinger
Applicant Address 8094 Webb's Rd. Denver NC
Applicant Phone Number 704-483-4032
Property Owner Name Gregory D. Dellinger
Property Owner Address 8094 Webb's Rd. Denver NC
Property Owner Phone Number 704-483-4032

PART II

Property Location 1273 Nixon Heights
Property ID (10 digits) 4612185392 Property size .750 Acre
Parcel # (5 digits) 30916 Deed Book(s) 2812 Page(s) 413

PART III

Existing Zoning District R-SF

Briefly describe how the property is being used and any existing structures.

RESIDENTIAL LAKE FRONT HOME W/ POOL HOUSE ON LAKE SIDE
CURRENTLY UNDER CONSTRUCTION

Briefly explain the proposed use and/or structure which would require a Special Use Permit.

TWO GARAGE TO MATCH HOUSE

APPLICATION FEE (less than 2 acres \$250, 2+ acres \$500)

MUST BE RECEIVED BEFORE PROCESSING.

I hereby certify that all knowledge of the information provided for this application and attachments is true and correct to the best of my knowledge.

Applicant's Signature

Gregory D. Dellinger

Date

04-05-2021

APPLICANT'S PROPOSED FINDINGS OF FACT

Application No. **SUP #440**

Applicant **Gregory Dellinger**

Property Location **1273 Nixon Heights Ln. Parcel ID# 30916**

Proposed Special Use **accessory structure located in front of the front building line of principal structure on lot abutting Lake Norman**

PROPOSED FINDINGS

1. The use will not materially endanger the public health or safety if located where proposed and developed according to plan.

The structure will be built to code and be set back more than 30 feet from the edge of the road right-of-way.

2. The use meets all required conditions and specifications.

An accessory structure located in front of the front building line of the principal structure is a special use on a lot abutting Lake Norman. This lot abuts Lake Norman. The proposed 400-square-foot garage meets the size limitation for residential accessory structures on this lot. The location of the accessory structure complies with the required road yard and side yard setbacks.

3. The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity.

The garage will be similar in appearance to the house on this lot. It will be used as a residential garage.

4. The location and character of use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the Land Use Plan for the area in question.

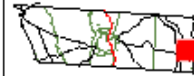
On other lots on Lake Norman, accessory structures are located in front of the front building line of the principal structure. The Land Use Plan designates this area as residential.



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: 5/10/2021 Scale: 1 Inch = 200 Feet



Parcel ID	30916	Owner	DELLINGER GREGORY DEAN DELLINGER JAYNE S		
Map	4612	Mailing	8094 WEBBS RD		
Account	17446	Address	DENVER, NC 28037-0000		
Deed	2812 413	Last Transaction Date	04/29/2019	Sale Price	\$350,000
Plat		Subdivision	NIXON HEIGHTS	Lot	27
Land Value	\$482,578	Improvement Value	\$90,297	Total Value	\$572,875
Previous Parcel					

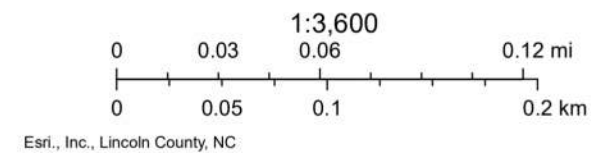
-----All values for Tax Year 2020 -----

Description	NIXON HGTS #27			Deed Acres	0
Address	1273 NIXON HEIGHTS LN			Tax Acres	3.613
Township	CATAWBA SPRINGS		Tax/Fire District	EAST LINCOLN	
Main Improvement	CUSTOM HOME			Value	\$86,740
Main Sq Feet	2633.2	Stories	1.2	Year Built	2020
Zoning District	Calc Acres		Voting Precinct	Calc Acres	
R-SF	3.61		CF19	3.61	
Watershed			Sewer District		
	3.61		SEWER	3.61	
Census County		Tract		Block	
109		071201		1024	2.64
109		071201		1033	0.97
Flood Zone	Description			Panel	
X	NO FLOOD HAZARD			3710461200	3.6
AE	SPECIAL FLOOD HAZARD AREA BASE ELEVATION DETERMINED - 100 YEAR			3710461200	0.01

Special Use Permit #440

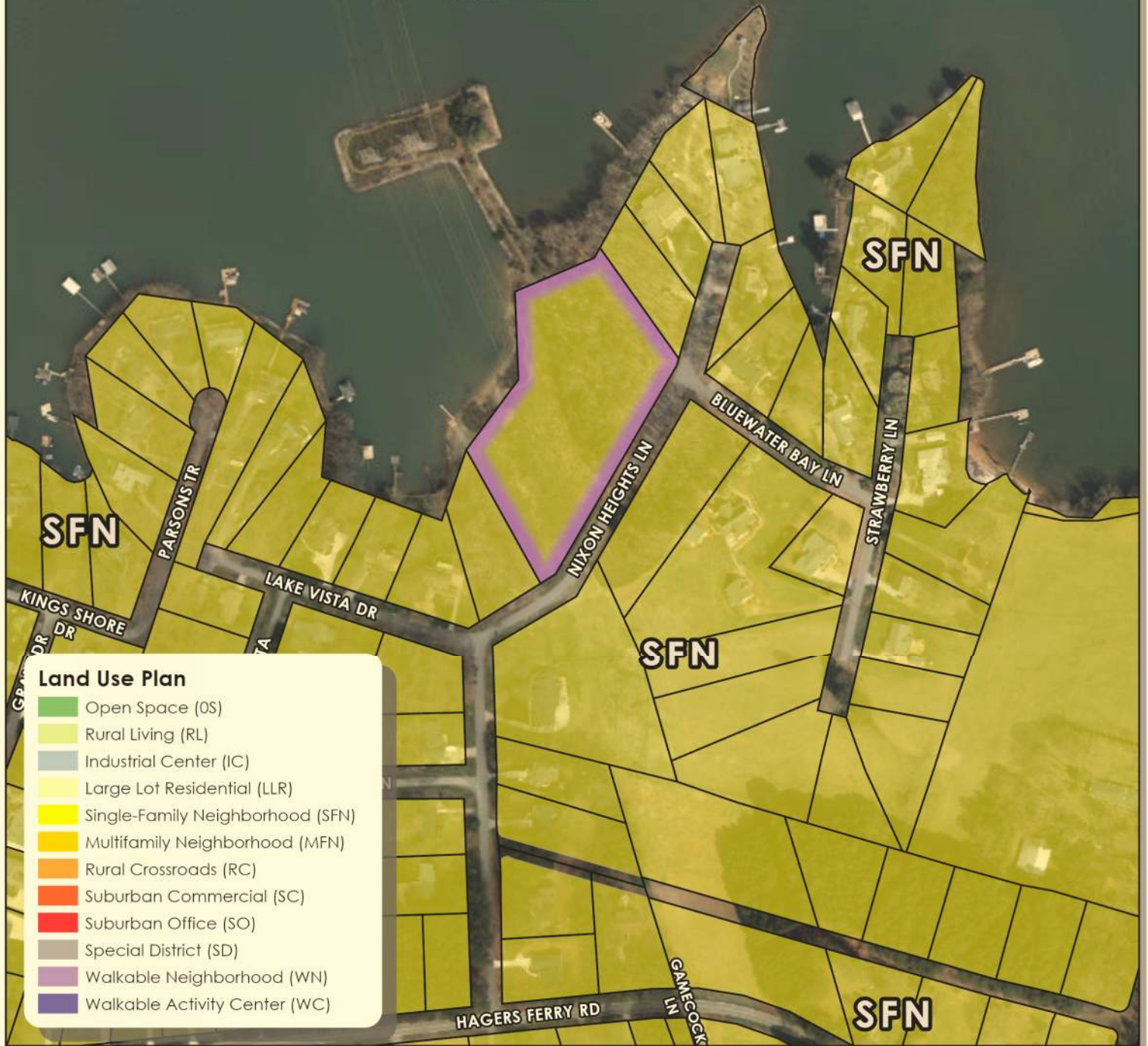


May 10, 2021





**LAKE
NORMAN**



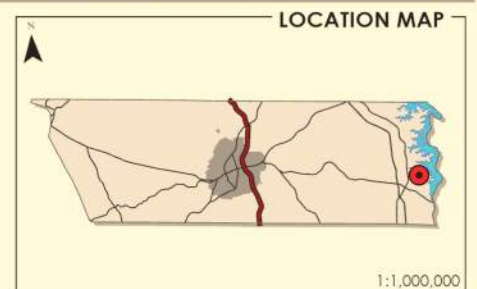
Lincoln County
Planning & Inspections
115 W. Main St
3rd Floor
Lincolnton, NC 28092


Parcel ID# 30916

 - Property Location(s)

See Attached Application for Parcel Information

Property Location(s) Outlined in Purple.



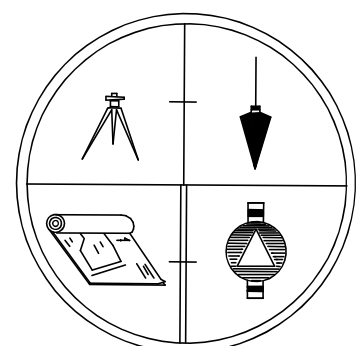
 Property Location(s)

NOTES:

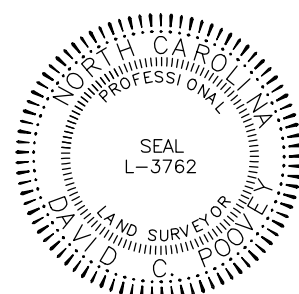
- * PROPERTY MAY BE SUBJECT TO RECORDED OR UNRECORDED RIGHTS OF WAYS OR EASEMENTS NOT OBSERVED
- * OWNER TO VERIFY ALL SETBACKS AND ZONING REGULATIONS PRIOR TO ANY PLANNING OR CONSTRUCTION.
- * DIMENSIONS OF ALL IMPROVEMENTS SHOWN ON THIS PLAT SHOULD NOT BE SCALED OR RELIED UPON FOR DESIGN OR CONSTRUCTION WITHOUT A FIELD VERIFICATION OF ALL DIMENSIONS.
- * DIGITAL COPIES OF THIS FILE ARE FOR REFERENCE ONLY AND MAY NOT BE USED FOR DESIGN WORK.
- * 10' DRAIN. & UTILITY EASEMENT MAY EXIST ALONG EACH LOT LINE.
- * NO USGS MONUMENT FOUND WITHIN 2000' OF SUBJECT PROPERTY.
- * A PORTION OF THIS PROPERTY IS LOCATED IN A 100 YEAR FLOOD PLAIN AS DESIGNATED BY FIRM PANEL # 37104612000

LEGEND

- R/W RIGHT-OF-WAY
E/P EDGE OF PAVEMENT
C/L CENTERLINE
PDE PERMANENT DRAINAGE EASEMENT
X UTILITY POLE
X LIGHT POLE
P UNDERGROUND POWER
S SANITARY SEWER LINE
OVERHEAD UTILITY LINE
GUY WIRE
T UNDERGROUND TELECOMMUNICATIONS LINE
G GAS LINE
W WATER LINE
FIBER OPTIC CABLE LINE



DEDMON SURVEYS



NIXON HEIGHTS
OWNERS ASSN
PARCEL #56235

PB D-29

26

LAKE NORMAN

28 PB D-29

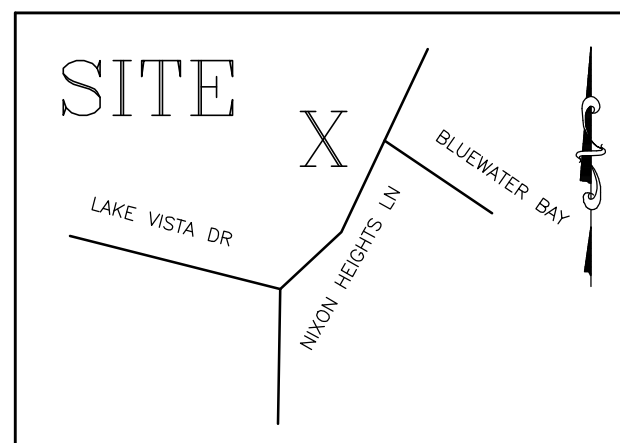
C N REID REAL
ESTATE LIMITED
985-07

Course	Bearing	Distance
L1	S 50°40'20" W	38.26'
L2	N 65°08'04" E	42.52'
L3	N 29°50'33" E	31.92'
L4	S 15°19'00" W	18.10'

PB D-29



VICINITY MAP



I, DAVID C. POOVEY, CERTIFY THAT THIS PLAT WAS DRAWN FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DB 2812, PG 413)(PB D, PG 29: THAT THE RATIO OF PRECISION AS CALCULATED EXCEEDS 1:10000; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH GS 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 10 DAY OF JUNE, AD 2020

David C. Poovey
PROFESSIONAL LAND SURVEYOR L-3762
LICENSE NO.

DEDMON SURVEYS

CHUCK POOVEY, PLS #3762
ROBERT DEDMON, PLS #3899

3704 NC HIGHWAY #16 BUSINESS NORTH
P.O. BOX 494 - DENVER, NC 28037
PHONE: 704/483/4908
FAX: 704/483/2170

DATE 6-10-2020

SCALE: 1" = 60'

DB: 2812 PG: 413
DB: PG:
PB: D PG: 29

CATAWBA SPRINGS TOWNSHIP
LINCOLN COUNTY, NC

SURV. BY: HL

DRAWN: CP

JOB# NIXONRW
STRAWB.CRD

PHYSICAL SURVEY
FOR
GREG & JANE
DELLINGER

PARCEL #30916
LOT #27 NIXON HEIGHTS