



## 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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**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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



o. 704.736.8473  
f. 704.736.8820



lincolncounty.org



P.O. Box 738 | LINCOLNTON NC 28093  
353 N. GENERALS BLVD | LINCOLNTON NC 28092

**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. Delling

Applicant Address 8094 Webbs Rd. Denver NC

Applicant Phone Number 704-483-4032

Property Owner Name Gregory D. Delling

Property Owner Address 8094 Webbs Rd, Denver NC

Property Owner Phone Number 704-483-4032

**PART II**

Property Location 1273 Nixon Heights

Property ID (10 digits) 4612185392 Property size 0.750 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 CAR 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 Delling

04-05-2021

Date

## **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<br>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                                  |
| Plat            |           | Subdivision           | NIXON HEIGHTS                               |
| Land Value      | \$482,578 | Improvement Value     | \$90,297                                    |
| Previous Parcel |           |                       | Total Value \$572,875                       |

## -----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

3.61 SEWER 3.61

## Census County

## Tract

## Block

|     |        |      |      |
|-----|--------|------|------|
| 109 | 071201 | 1024 | 2.64 |
| 109 | 071201 | 1033 | 0.97 |

## Flood Zone Description

X NO FLOOD HAZARD

AE SPECIAL FLOOD HAZARD AREA BASE ELEVATION

DETERMINED - 100 YEAR

## Panel

3710461200 3.6

3710461200 0.01



30916

# Special Use Permit #440

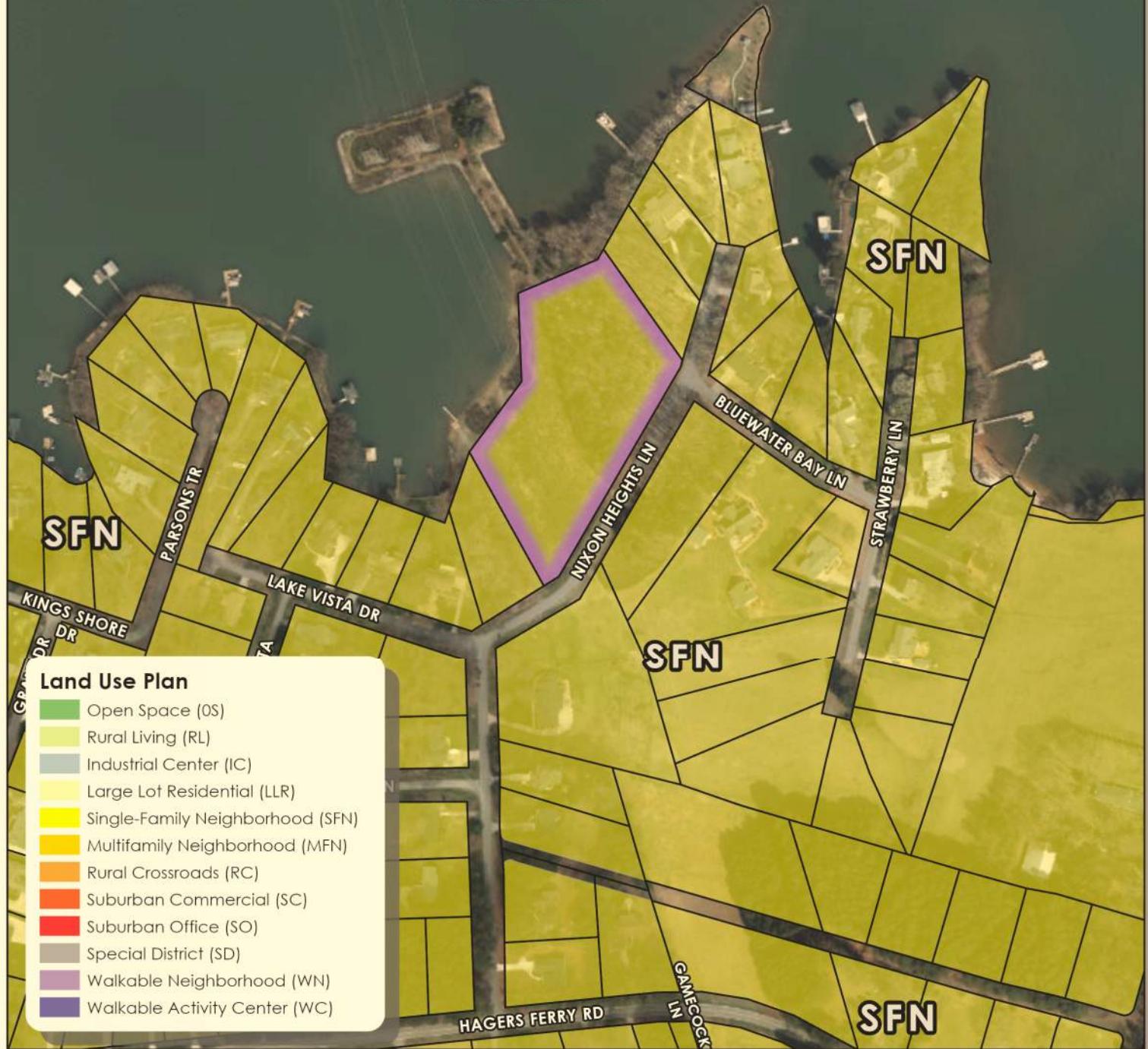


May 10, 2021

1:3,600  
0 0.03 0.06 0.1 0.2 km  
0 0.05 0.1 0.15  
Esri, Inc., Lincoln County, NC



## LAKE NORMAN



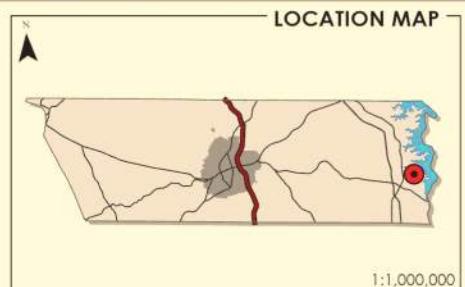
Lincoln County  
Planning & Inspections  
115 W. Main St  
3rd Floor  
Lincolnton, NC 28092

**Parcel ID# 30916**

- Property Location(s)

See Attached Application for Parcel Information

Property Location(s) Outlined in Purple.



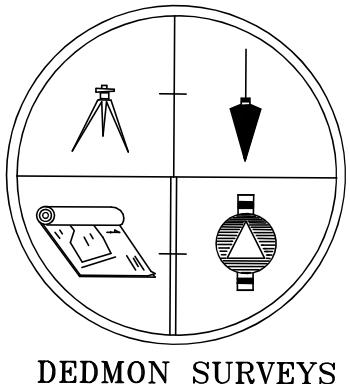
Property Location(s)

NOTES:

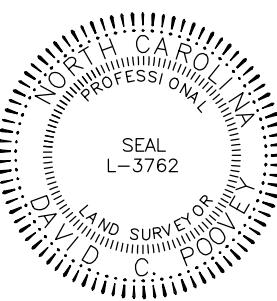
- \* PROPERTY MAY BE SUBJECT TO RECORDED OR UNRECORDED RIGHTS OF WAYS OR EASEMENTS NOT OBSERVED
- \* OWNER TO VERIFY ALL SETBACKS AND ZONING REGULATIONS PRIOR TO ANY PLANNING OR CONSTRUCTION.
- \* DIMENSIONS OF ALL IMPROVEMENTS SHOWN ON THIS PLAT SHOULD NOT BE SCALED OR RELIED UPON FOR DESIGN OR CONSTRUCTION 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         |
|  | UTILITY POLE                        |
|  | LIGHT POLE                          |
| _____ P _____   | UNDERGROUND POWER                   |
| _____ S _____   | SANITARY SEWER LINE                 |
| ~~~~~ Overhead Utility Line Icon ~~~~~  | OVERHEAD UTILITY LINE               |
| Guy Wire Icon   | GUY WIRE                            |
| _____ T _____   | UNDERGROUND TELECOMMUNICATIONS LINE |
| _____ G _____   | GAS LINE                            |
| _____ W _____   | WATER LINE                          |
| _____ c _____   | FIBER OPTIC CABLE LINE              |



## DEDMON SURVEYS



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*

 L-3762  
PROFESSIONAL LAND SURVEYOR 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  | DB: 2812 | PG: 413 |
| SCALE: 1" = 60' | DB:      | PG:     |
|                 | PP: D    | PC: 22  |

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

| 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'   |

28 PB D-29

