



## COUNTY OF LINCOLN, NORTH CAROLINA

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

PLANNING AND INSPECTIONS DEPARTMENT  
704-736-8440 OFFICE  
704-732-9010 FAX

To: Alex Patton, Board of Commissioners Chairman  
George Wood, County Manager  
Christine Poinsette, Planning Board Chairman

From: Randy Hawkins, Zoning Administrator

Date: October 18, 2012

Re: CUP #320  
David McCachern, applicant  
Parcel ID# 29845

*The following information is for use by the Lincoln County Board of Commissioners and Planning Board at their joint meeting/public hearing on November 5, 2012.*

### REQUEST

The applicant is requesting a conditional use permit to locate two accessory structures in the road yard of a residential lot that's adjacent to Lake Norman. Under Section 4.6.2.C.2(a) of the Unified Development Ordinance, on lots less than one acre in size, accessory structures cannot be located in the road yard (the area between the edge of the road right-of-way and the front building line of the principal structure), except on lots that abut the lake where a conditional use permit is approved.

### SITE AREA AND DESCRIPTION

The 0.64-acre parcel is located at 7218 Sigmon Peninsula Lane, at the end of Sigmon Peninsula Lane, about 400 feet west of Channelview Drive. It 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 predominately residential. This property is part of an area designated by the Lincoln County Land Use Plan as Suburban Residential.

## ORDINANCE STANDARDS

Minimum road yard setback: 30 feet from edge of right-of-way.

Minimum side yard setback: 10 feet.

Minimum setback from Lake Norman: 50 feet.

Total maximum size of accessory structures in this case: 1,059.9 square feet (three percent of the lot area over one-half acre, plus one-half the heated ground floor area of the principal structure).

**LINCOLN COUNTY PLANNING BOARD'S**  
**RECOMMENDATIONS ON FINDINGS OF**  
**FACT FOR A CONDITIONAL USE PERMIT**

Application # CUP #320 Date November 5, 2012

Applicant Name David McCachern

Applicant Address 7218 Sigmon Peninsula Lane, Sherrills Ford, NC 28673

Property Location 7218 Sigmon Peninsula Lane Zoning District R-SF

Proposed Conditional Use locate two accessory structures in road yard

**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 REASON CITED: \_\_\_\_\_  
\_\_\_\_\_

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

FACTUAL REASON 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 REASON 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 REASON 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 Planning Board:

\_\_\_\_\_

In recommending such Conditional Use Permit, the following conditions were recommended by the Lincoln County Planning Board:

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



**Conditional Use Permit Application**

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

**PART I**

Applicant Name DAVID MCCARTHERN

Applicant Address 7218 SIMON PENINSULA LANE SHEPPARD FORD NC 28673

Applicant Phone Number (704) 564-4366

Property Owner Name SAME

Property Owner Address SAME

Property Owner Phone Number \_\_\_\_\_

**PART II**

Property Location SAME

Property ID (10 digits) 4616-00-1191 Property size .64

Parcel # (5 digits) 29845 Deed Book(s) 1272 Page(s) 510

**PART III**

Existing Zoning District R-SF

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

SINGLE FAMILY HOME

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

2 OUTBUILDINGS FOR STORAGE

**\$750 APPLICATION FEE 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 [Signature] Date 9/6/2012

**APPLICANT'S PROPOSED FINDINGS OF FACT**  
**FOR A CONDITIONAL USE PERMIT**

Application No. CUP #320

Applicant David McCachern

Property Location 7218 Sigmon Peninsula Lane

Parcel ID# 29845

Zoning District R-SF

Proposed Conditional Use locate two accessory structures in road yard

**PROPOSED FINDINGS**

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

**The structures will be inspected by the county to make sure they meet building codes. They will be used as residential storage buildings.**

2. The use meets all required conditions and specifications.

**Under the Unified Development Ordinance, accessory structures may be placed in the yard road of a lot that's adjacent to Lake Norman subject to the issuance of a conditional use permit. The buildings will meet the minimum road yard setback of 30 feet, the minimum side yard setback of 10 feet, and the minimum setback from the lake of 50 feet. The total square footage of the buildings will be within the size limits set by the ordinance for residential accessory structures.**

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

**This property is at the end of a private driveway and is adjoined by only one lot. That lot has a similarly sized accessory structure in the road yard. The proposed buildings will be constructed of high-quality materials.**

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.

**The use will be similar in location and character to the use on the adjoining lot. The house on this lot faces the lake, making the road yard the back yard in appearance and function. The proposed structures will be typical residential accessory structures.**



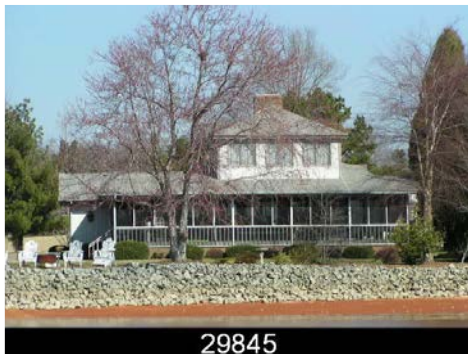
# Lincoln County, NC

**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: 9/20/2012 Scale: 1 Inch = 80 Feet**



Lincoln County GIS

**PHOTOS**



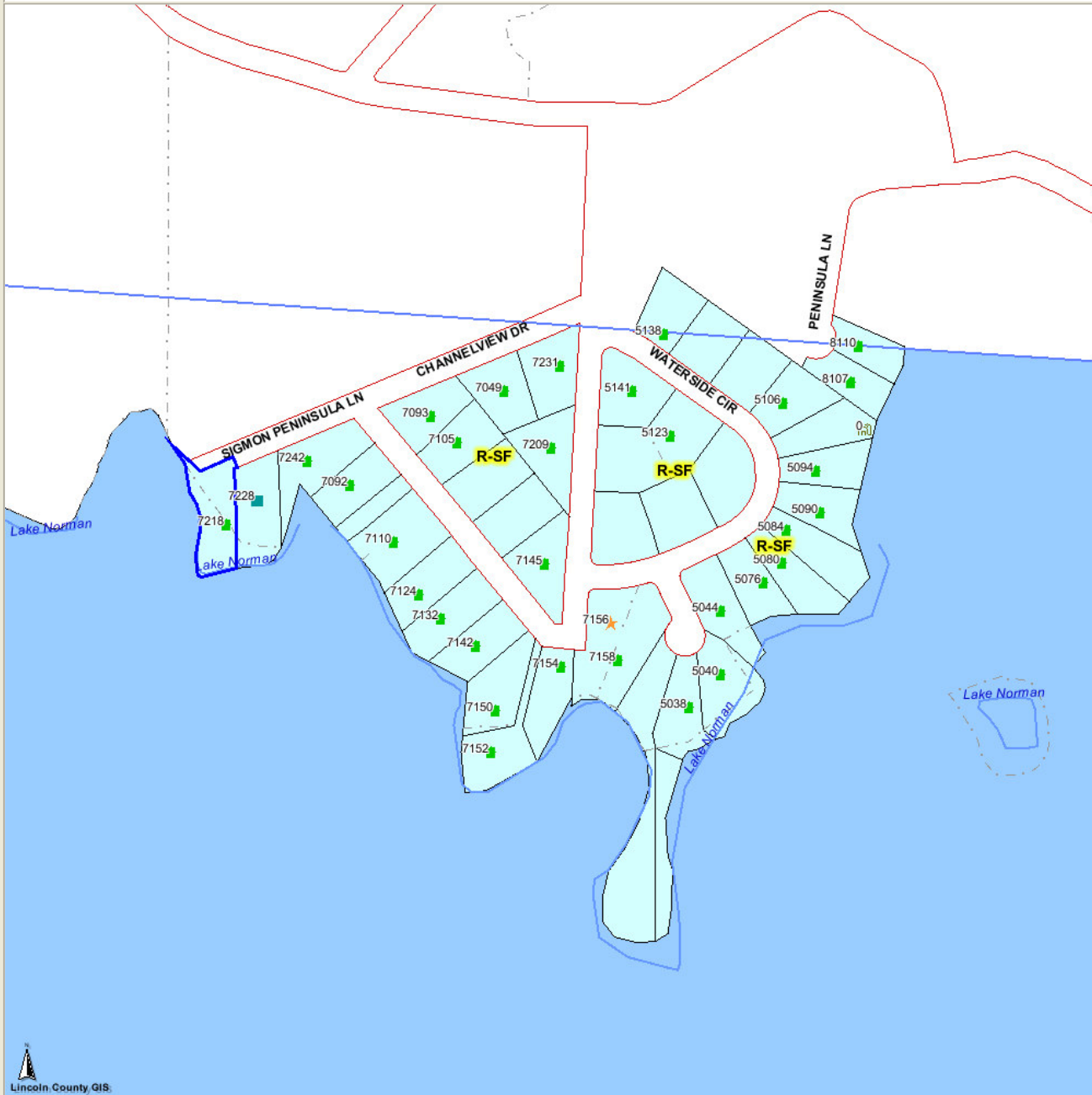
**PARCEL INFORMATION FOR 4616-00-1191**

<b>Parcel ID</b>	<b>29845</b>	<b>Owner</b>	MCCACHERN DAVID G MCCACHERN MARY M
<b>Map Account</b>	<b>4616-17</b> 0154456	<b>Mailing Address</b>	7218 SIGMON PENINSULA LANE SHERRILLS FORD NC 28673
<b>Deed</b>	1272-510	<b>Recorded</b>	8/31/2001
<b>Land Value</b>	\$390,702	<b>Total Value</b>	\$603,297
<b>----- All values are for tax year 2012. -----</b>			
<b>Description</b>	HSE & LT OFF RD 1844		<b>Deed Acres</b> 0.64
<b>Address</b>	7218 SIGMON PENINSULA LN		<b>Tax Acres</b> 0.63
<b>Township</b>	CATAWBA SPRINGS	<b>Tax/Fire District</b>	DENVER
<b>Main Improvement</b>	CUSTOM HOME	<b>Value</b>	\$181,508
<b>Main Sq Feet</b>	2333	<b>Stories</b>	1.33
		<b>Year Built</b>	1984
<b>Zoning District</b>	<b>Calculated Acres</b>	<b>Voting Precinct</b>	<b>Calculated Acres</b>
R-SF	0.64	DENVER (DN29)	0.64
<b>Watershed Class</b>		<b>Sewer District</b>	
WS-IVC	0.64	Not in the sewer district	0.64
<b>2000 Census County</b>		<b>Tract</b>	<b>Block</b>
37109		071200	1036
37109		071200	1998
			0.62
			0.02
<b>FloodZone Description</b>			<b>Panel</b>
AE	SPECIAL FLOOD HAZARD AREA BASE ELEVATION DETERMINED - 100 YEAR		3710461500
			0.1
AE	SPECIAL FLOOD HAZARD AREA BASE ELEVATION DETERMINED - 100 YEAR		37104616000.12
X	NO FLOOD HAZARD		3710461500
X	NO FLOOD HAZARD		37104616000.41
			0

Scale: 1 Inch = 400 Feet

# LINCOLN COUNTY GIS

Thu Sep 20 11:23:33 EDT 2012



			<b>Zoning Districts</b>		
	<b>County Boundaries</b>				
	<b>Map Features</b>				
		<b>City Jurisdictions</b>			

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



Scale: 1 Inch = 50 Feet

# LINCOLN COUNTY GIS

Fri Sep 7 16:37:03 EDT 2012



① BUILDING SIZE  
20' x 25'

② BUILDING SIZE  
10' x 16'

County Boundaries	Map Features	Creeks	Roads	City Jurisdictions
County Line	Road Easement	Interior Lot Line	Railroads	City of Lincoln
Township Line	Conflict Line	Drainage Easement	Public Walkway	ETJ
	Major Rivers, Creeks (cont)	Utility Easement	Parcels	Town of Maiden
		Right-of-Ways (cont)	Private Roads	2009 Aerial Photography

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