



**CITY OF LINCOLNTON
BOARD OF ADJUSTMENT**
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BOARD MEMBERS: Gene Poinsette, Chair, poinsetteg@charter.net; Änd Lynn, Vice-Chair, andmlynn@gmail.com; Becky Burke, beckyburke940@gmail.com; Jerry Hoffman, jlskhoffman@charter.net; Kathryn Yarbro, kyarbro206@gmail.com

Tuesday, January 16, 2018 Meeting

Present: Änd Lynn, Jerry Hoffman, Jamel Farley, Worth Roberts, Becky Burke

Absent: Kathryn Yarbro, Gene Poinsette

Call to Order

Vice-Chairman Änd Lynn called the meeting to order and recognized that two members, Kathryn Yarbro and Gene Poinsette, were absent.

Approval of Minutes

Vice-Chairman Änd Lynn asked the Board if there were any additions or corrections to the minutes of the December 19, 2017 meeting.

Motion: Jamel Farley made a motion to approve the minutes. Becky Burke seconded. Motion carried unanimously.

BOA-1-2018

A Variance application from Billy E. Land is for the subdivision of a single parcel of land. Once divided the parcels will not meet the Minimum lot width (as measured at the required front yard setback) of 100 feet. The subject property is located on 596 Victory Grove Church Road (Parcel 19983).

Brett Hicks, Billy E. Land and Steve Fog were sworn in by Jean Derby.

Brett Hicks addressed the Board, noting the following:

The property (596 Victory Grove Church Road - Parcel ID 19983) is located south of Victory Grove Church Road, approximately 180 feet east of the intersection of Jessica Ann Road and Victory Grove Church Road. There is currently a single story bungalow (1,144 SF) and a carport

(308 SF) located on the property. Current use of the property is a single family and is currently zoned Residential-25 (R-25).

The variance request is to subdivide a single tract of land that does not meet the zoning requirement of Minimum lot width (as measured at the required front yard setback) of 100 feet and to add a single family dwelling on the property.

UDO Requirements

153.105 R-25 RURAL RESIDENTIAL DISTRICT.

(6) Minimum lot width (as measured at the required front yard setback).

(a) Churches, community centers, meeting facilities, schools, country clubs, bed and breakfast inns and essential services, Class III: 150 feet.

(b) Manufactured home parks: 150 feet. (Except that a portion of the site containing no manufacturing home spaces and used to provide access to the park from a public street may be as narrow as 50 feet.)

(c) All other uses: 100 feet.

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.)

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.)

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.)

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.

Staff Comments

There were no staff comments.

A neighbor, Steve Fog, was present and asked for more details and wanted to know how this would affect his property value. Board members and Brett Hicks answered his questions.

After a brief discussion, Vice-Chairman Lynn asked if there was a motion.

Motion: Worth Roberts made a motion to approve the application. Becky Burke seconded. Motion carried unanimously.

Vice-Chairman Lynn asked the Board if there was any other business to be addressed, to which there was none.

Adjournment

Motion: Jamel Farley made a motion to adjourn. Worth Roberts seconded. Motion carried unanimously.

Jean Derby

Boa01162018 minutes