



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: Board of Commissioners
Planning Board

From: Randy Hawkins, Zoning Administrator

Date: August 24, 2018

Re: CUP #383
Mark Powell, applicant
Parcel ID# 34779

The following information is for use by the Lincoln County Board of Commissioners and Planning Board at their joint meeting/public hearing on September 10, 2018.

REQUEST

The applicant is requesting a conditional use permit to operate a bed and breakfast with one guest suite (two bedrooms) in the R-SF (Residential Single-Family) district in a proposed new house. An existing house would be removed to make way for the new house. A site plan is included as part of the application. Under the Unified Development Ordinance, a bed and breakfast is a conditional use in the R-SF district, subject to certain standards.

SITE AREA AND DESCRIPTION

The 0.8-acre parcel is located at 5143 Windward Point Lane, at the end of Windward Point Lane about 900 feet north of Harbor Lane. Windward Point Lane is a private road. The subject property 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.

BED AND BREAKFAST STANDARDS

The Unified Development Ordinance establishes the following standards for a bed and breakfast:

§4.4.3 Bed & Breakfast

Single-family detached dwellings may be used as bed and breakfasts in accordance with the following requirements:

- A.** One or more bedrooms may be rented on a daily basis to tourists, vacationers and similar transients;
- B.** Where the provision of meals is provided, such provision is limited to the breakfast meal, available only to guests and employees;
- C.** Individual rooms shall not be equipped with cooking facilities;
- D.** There shall be no substantial modifications to the exterior appearance of the structure; however, fire escapes, handicapped entrances and other features may be added to protect public safety;
- E.** Such operations shall be conducted primarily by persons who reside in the dwelling unit, with the assistance of not more than the equivalent of two full-time employees; and
- F.** An owner of the use shall reside on site.



County Of Lincoln, North Carolina

Planning Board

Applicants **Mark Powell**

Application No. **CUP #383**

Property Location **5143 Windward Point Lane** Parcel ID# **70464**

Zoning District **R-SF**

Proposed Conditional Use **bed and breakfast with one guest suite (two bedrooms)**

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 Planning Board:

In recommending such Conditional Use, 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 Mark Powell
Applicant Address 7851 Chapel Creek Dr. Denver NC 28037
Applicant Phone Number 704-530-3346
Property Owner Name Mark + Lisa Powell
Property Owner Address 7851 Chapel Creek Dr. Denver NC 28037
Property Owner Phone Number 704-530-3346 / 704-425-0935

PART II

Property Location 5143 Windward Point Lane
Property ID (10 digits) 4615-77-4110 Property size 0.815 Ac
Parcel # (5 digits) 34779 Deed Book(s) 2161 Page(s) 607

PART III

Existing Zoning District R-SF

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

New home construction.

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

Building new home with Bed + Breakfast with one guest suite (2 bedrooms) above a 3 car garage for the purpose of vacation rental.

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.

[Signature]
Applicant's Signature

7/10/18
Date

Applicant's Proposed Finding of Facts

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

Guests are vetted through the Airbnb program before being able to make a reservation. The number of guests is stipulated by us on the website. As this guest unit will be a 2 bedroom designed for families, the maximum number of guests will be 6. Applicant will personally welcome arriving guests and will be living on location to further monitor activities thus helping to ensure public health and safety. The process for check in is communicated to each guest and mapping directions are provided on the site. The guests will have a designated parking area on the property.

2. The use meets all required conditions and specifications.

Applicant will comply with Lincoln County Environmental Health Division standards as required for the conditional use permit for Bed and Breakfast.

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

The property will continue to appear as a single family residence. There will not be any signage on property to advertise the B&B. The Airbnb guests will use the Airbnb app to make reservation requests. The property site plan will be developed to provide privacy to the guest and neighbors. The location of the site is at the end of a peninsula so only 2 neighbors are directly impacted. Buffers of vegetation will be developed along the property lines that adjoin our neighbors.

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 in general conformity with the Land Use Plan for the area in question.

The property will visually remain as a single family residence. To our neighbors, it will only appear that we have guests visiting us at the lake. We will continue to maintain our personal property and be able to assist our community and neighbors by providing this property for others to use.



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: 7/27/2018 Scale: 1 Inch = 100 Feet



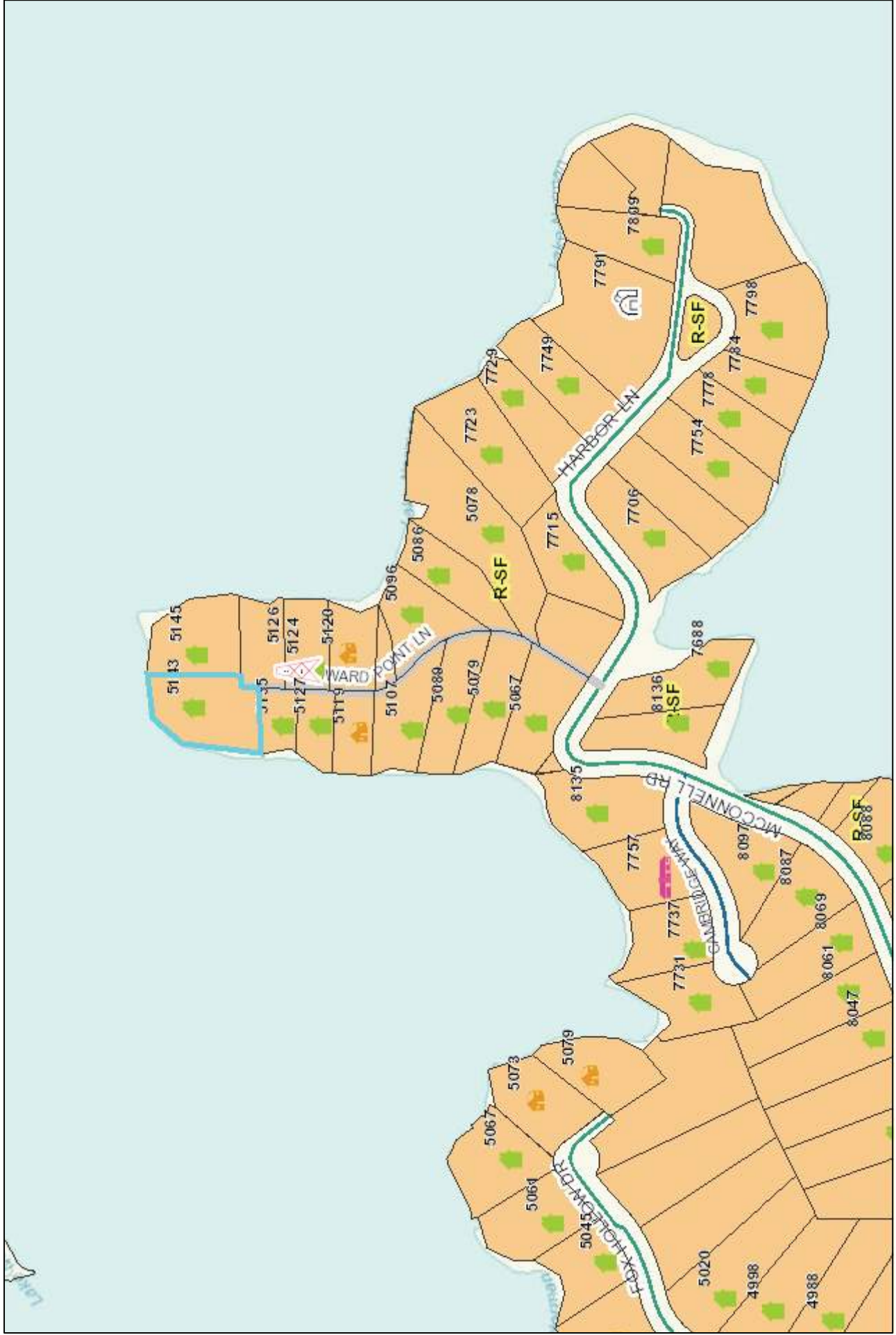
Parcel ID	34779	Owner	POWELL MARK G POWELL LISA H
Map	4615	Mailing	7851 CHAPEL CREEK DR
Account	0192693	Address	DENVER, NC 28037-8420
Deed	2407 960	Last Transaction Date	07/16/2013
Plat		Subdivision	
Land Value	\$380,839	Improvement Value	\$109,771
		Total Value	\$490,610

Previous Parcel

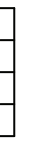
-----All values for Tax Year 2018 -----

Description	PT OF POWELL LAND	Deed Acres	0
Address	5143 WINDWARD POINT LN	Tax Acres	0.849
Township	CATAWBA SPRINGS	Tax/Fire District	DENVER
Main Improvement	RANCH	Value	\$79,930
Main Sq Feet	1120	Stories	1
		Year Built	1970
Zoning District	R-SF	Calc Acres	0.85
		Voting Precinct	DN29
		Calc Acres	0.85
Watershed	0.85	Sewer District	0.85
Census County	109	Tract	071203
		Block	1010
			0.85
Flood Zone Description		Panel	
AE	SPECIAL FLOOD HAZARD AREA BASE ELEVATION DETERMINED - 100 YEAR		3710461500 0.11
X	NO FLOOD HAZARD		3710461500 0.74

Conditional Use Permit #383
subject property is outlined in blue



0 100 200 Feet



1 inch = 300 feet

July 27, 2018

Esri, Inc., Lincoln County, NC

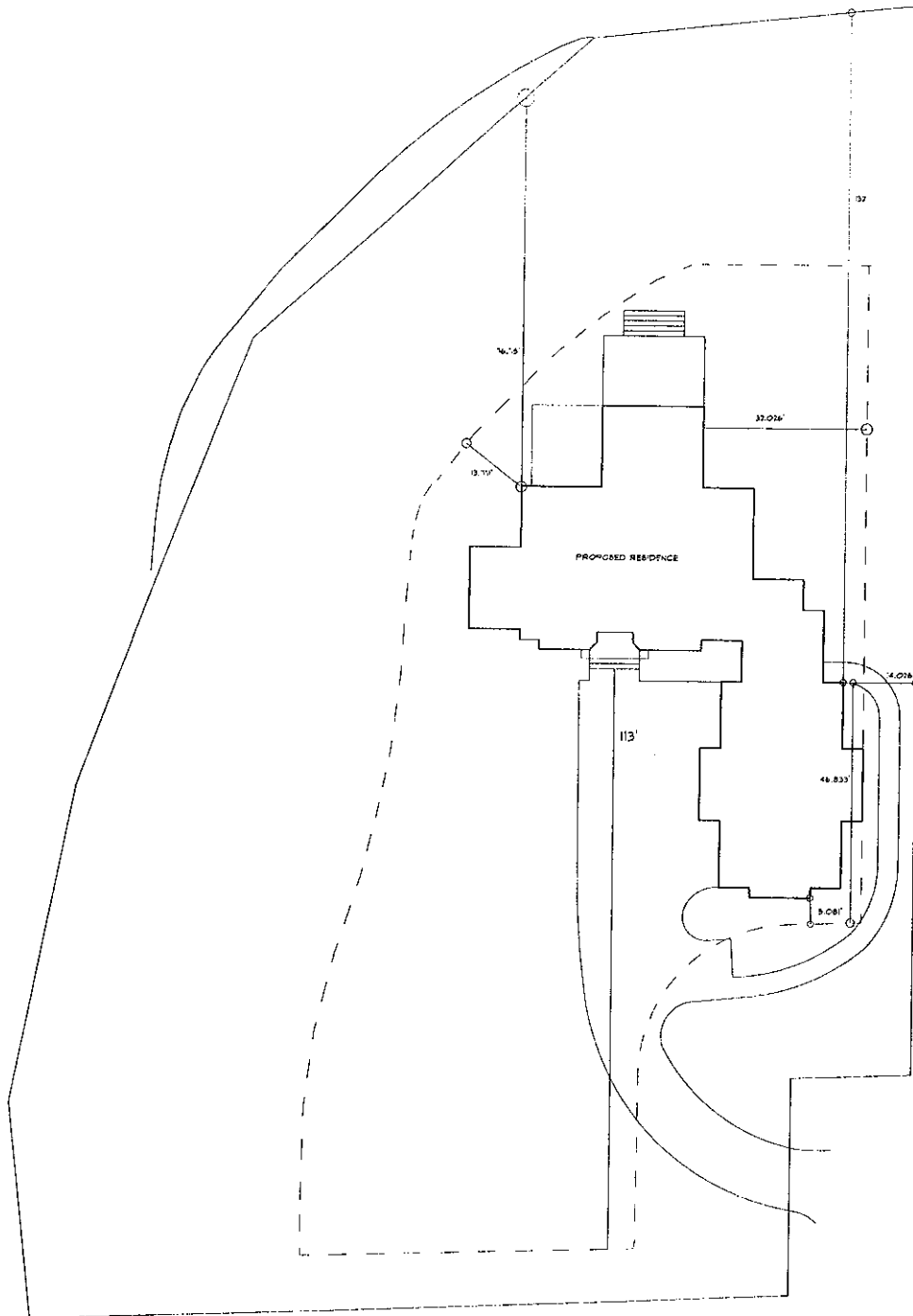


July 27, 2018

0 100 200 Feet

1 inch = 100 feet

CUP #383 site plan
proposed two-story, 4,700-square-foot house
guest portion: 1,000 square feet with two bedrooms
maximum number of guests: 6



SITE PLAN
SCALE: 1/4" = 1'-0"