



To: Board of Commissioners

From: Julie Mosteller, Planner

Date: April 8, 2022

Re: SUP #459  
Craig Kuhr, applicant

Parcel ID# 29807

*The following information is for use by the Lincoln County Board of Commissioners at their meeting/public hearing on May 2, 2022.*

### Request

The applicant is requesting a special use permit to construct a detached garage in front of the front building line of the 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 in compliance with the required setbacks.

### Site Area and Description

The request involves a 0.73-acre lot located at 5014 Lynwood Road in Catawba Springs Township. The property is zoned R-SF (Residential Single Family) and surrounded by property zoned R-SF. 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.



**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 CLARK KUHR  
 Applicant Address 4804 Poplar Grove DR CLT  
28269  
 Applicant Phone Number 704 904 7165  
 Property Owner Name ERIN COLACURCIO  
 Property Owner Address 13014 MAY RIVER Lane CLT  
28278  
 Property Owner Phone Number 704 258 0296

**PART II**

Property Location 5014 Lynwood Rd SherillB FORD  
 Property ID (10 digits) \_\_\_\_\_ Property size .72 A  
 Parcel # (5 digits) 29807 Deed Book(s) \_\_\_\_\_ Page(s) \_\_\_\_\_

**PART III**

Existing Zoning District \_\_\_\_\_

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

RESIDENTIAL NO EXISTING STRUCTURES  
Proposed are attached

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

ALLOWING GARAGE TO PROJECT CLOSER  
TO THE STREET, THAN THE 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.

[Signature]  
 Applicant's Signature

3/7/22  
 Date

Application # SUP 459 \_\_\_\_\_ Date 4-8-22 \_\_\_\_\_

Applicant's Name Clark Kuhr \_\_\_\_\_

Applicant's Address 4804 Poplar Grove Dr, Charlotte, NC 28269 \_\_\_\_\_

Property Location 5014 Lynwood Rd Sherrills Ford

Existing Zoning R-SF \_\_\_\_\_

Proposed Special Use accessory building in road yard of house on the lake

### **PROPOSED 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 \_\_\_\_\_ X \_\_\_\_\_ NO \_\_\_\_\_

FACTUAL REASONS CITED:

This use will not materially endanger the public health and safety because it is a garage for personal use at the residence.

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

FACTUAL REASONS CITED:

The use will meet all required conditions and specifications such as the setbacks as shown on the site plan.

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

FACTUAL REASONS CITED:

This use is very much in keeping with the feel of the street and therefore would not affect adjoining property.

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 \_\_\_\_\_ X \_\_\_\_\_ NO \_\_\_\_\_

FACTUAL REASONS CITED:

Several other homes on this street have accessory buildings in the road yard. Because of this, it is in harmony with the area.



SUP #459 Clark Kuhr

1 in. = 300 ft.



# CATAWBA COUNTY

R-SF

LINCOLN

R-SF

LAKE NORMAN

5220

5112

5106

5098

5086

5074

5064

5050

5042

5032

5057

5020

5045

5000

4988

4974

4962

4950

4930

4912

4894

7139

86

EASTBROOK LN

### Zoning

County Residential District

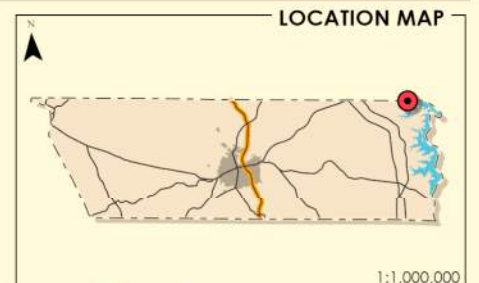
R-SF Residential Single-Family

Parcel ID # 29807

 - Property Location(s)

See Attached Application for Parcel Information

Property Location(s) Outlined in Red.



 Property Location(s)



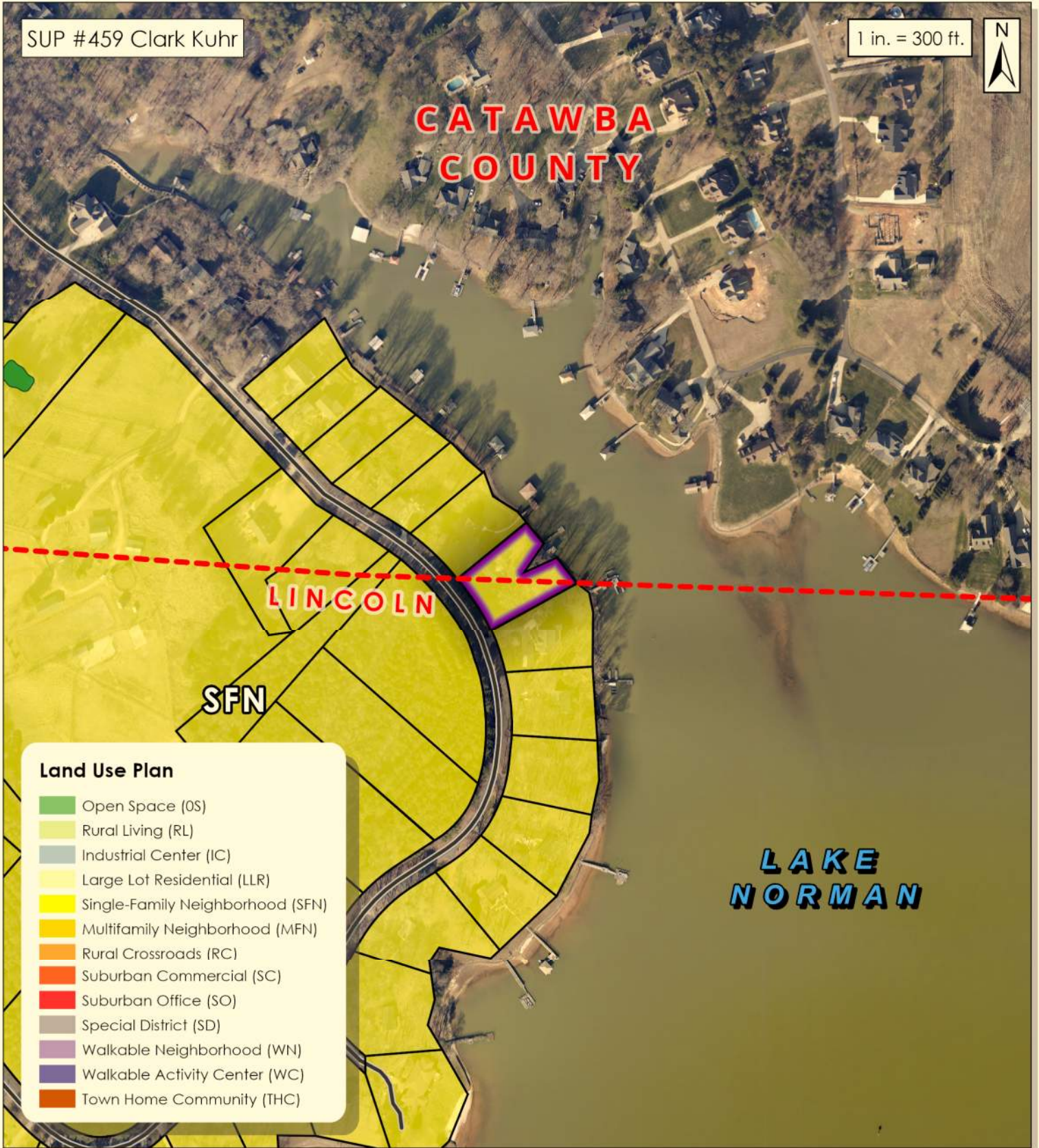
Lincoln County  
Planning & Inspections  
115 W. Main St  
3rd Floor  
Lincolnton, NC 28092

SUP #459 Clark Kuhr

1 in. = 300 ft.



# CATAWBA COUNTY



### Land Use Plan

-  Open Space (OS)
-  Rural Living (RL)
-  Industrial Center (IC)
-  Large Lot Residential (LLR)
-  Single-Family Neighborhood (SFN)
-  Multifamily Neighborhood (MFN)
-  Rural Crossroads (RC)
-  Suburban Commercial (SC)
-  Suburban Office (SO)
-  Special District (SD)
-  Walkable Neighborhood (WN)
-  Walkable Activity Center (WC)
-  Town Home Community (THC)

# LAKE NORMAN



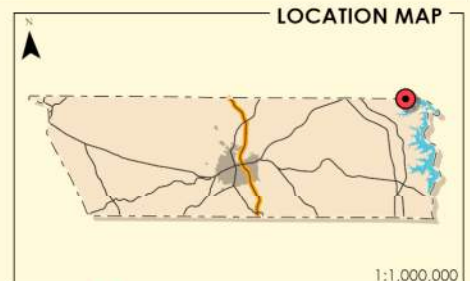
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