



# Lincolnton NC

**Near the City. Near the Mountains. Near Perfect.**

Public Hearing Staff Analysis  
CZ-7-2023  
502 N. Aspen Street  
PID 20343

# SUMMARY

## Location

502 N. Aspen Street

## Zoning

Existing: R-8

Proposed: R-O

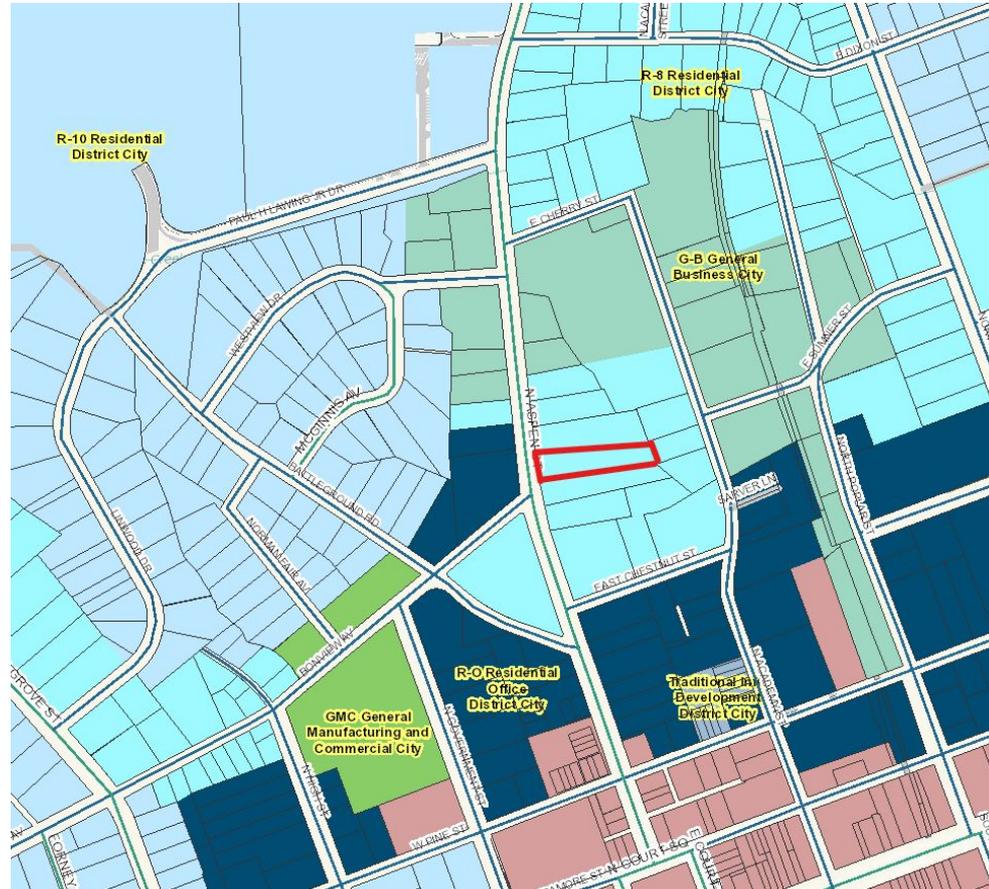
## Use

Existing: The site is currently a single family home.

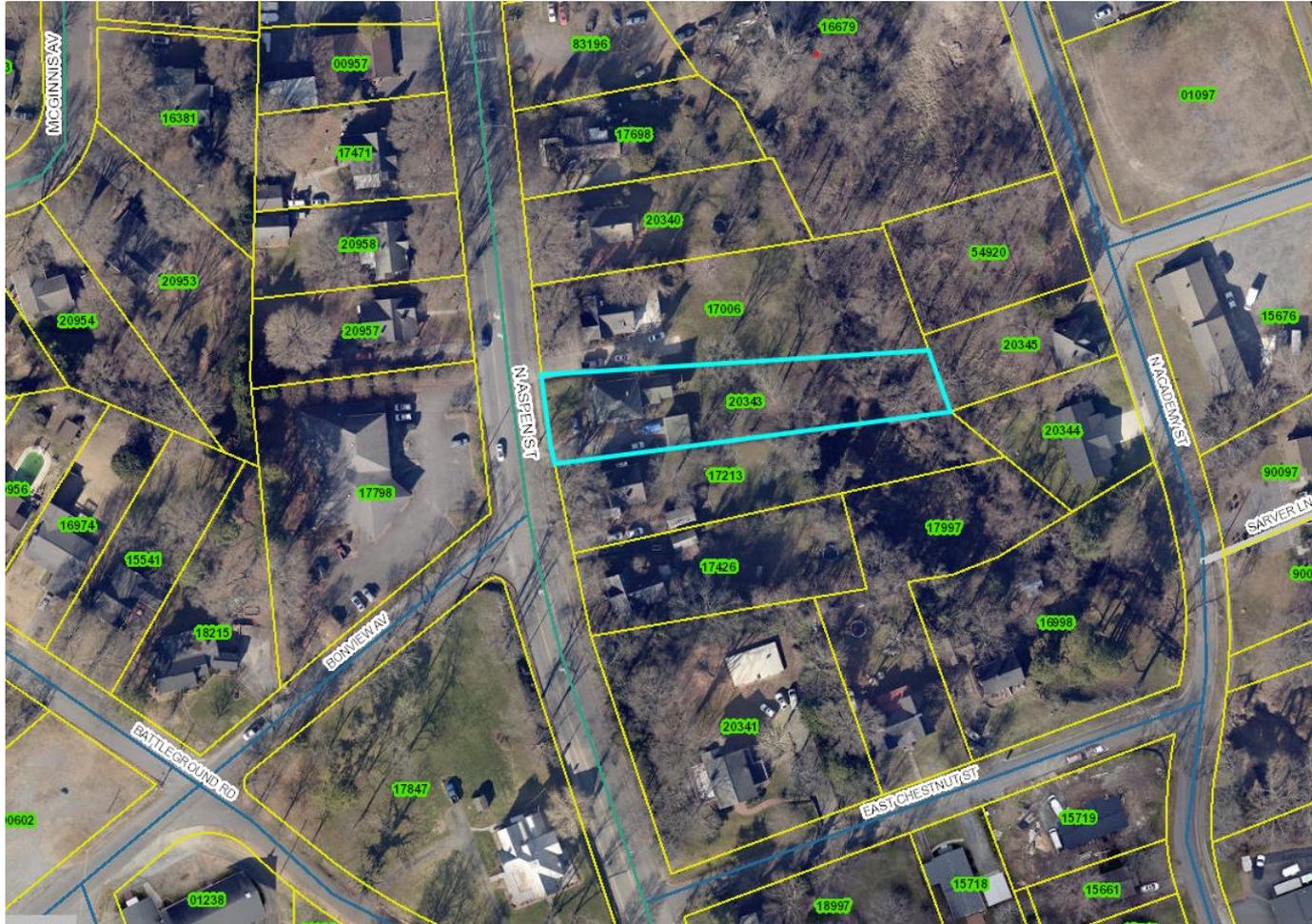
Proposed: home and office

## Request Summary

The applicant is requesting to change the zoning of the .519 acre parcel from Residential-8 to Residential Office to use the home as her law office and residence.



# PROJECT AREA



# SITE INFO AND BACKGROUND

## Site Summary

The subject property is a single family home. Land uses in the area include a mixture of residential and commercial uses. The property is surrounded by General Business, Residential Office and Residential-8 zoning.





Adjacent properties to the north



Adjacent properties to the south

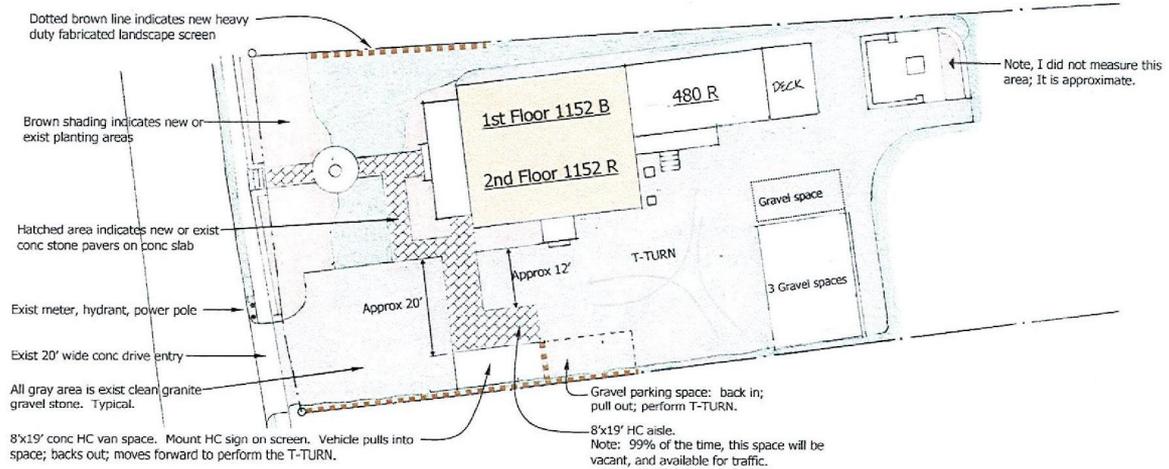


Across the street

# STREET VIEWS

# SITE PLAN

STEPHEN WIDDOWS  
 1415 Depot Street  
 Iron Station, N.C. 28080  
 s@widdows.org  
 (704) 732-1831  
*The secret of the Lord...  
 is with them that fear Him.*



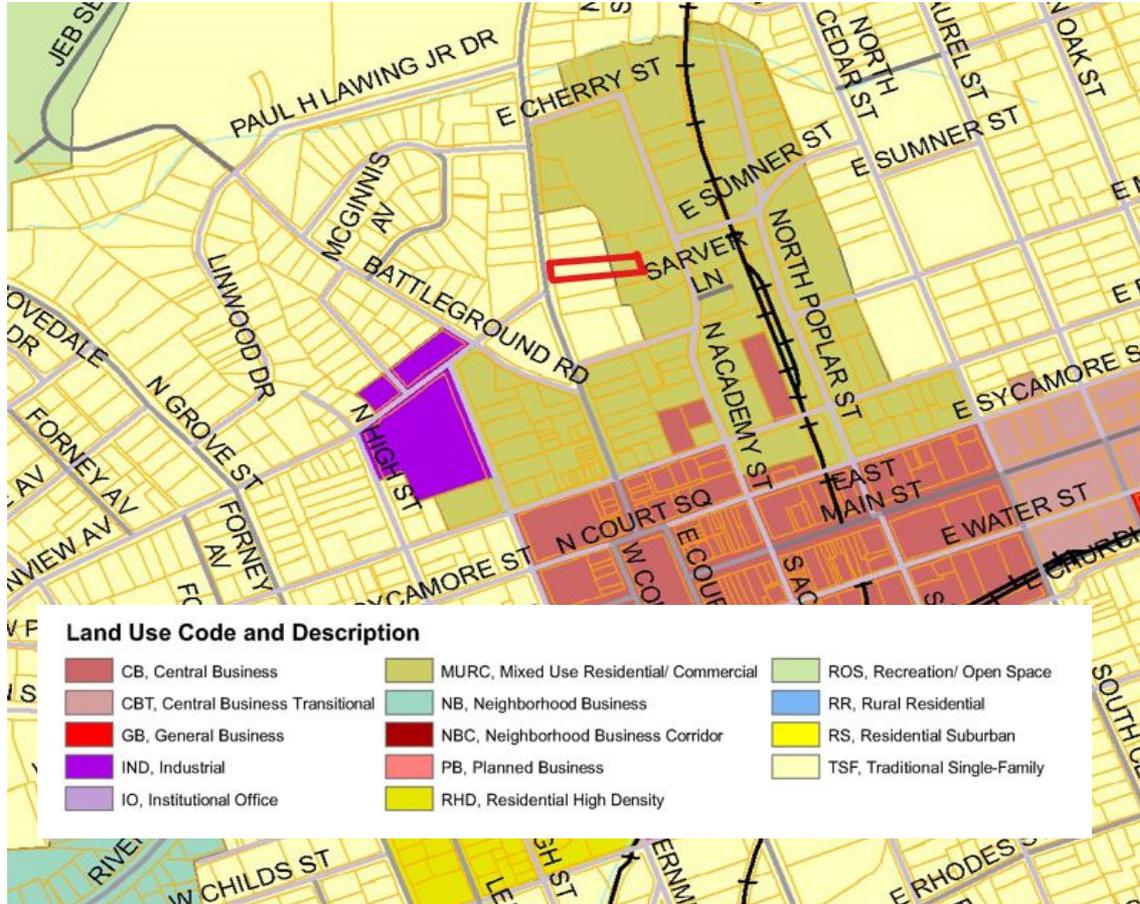
NOTE. A survey has been done. The edge of the gravel and toe of existing grass hill on south property line, - is approximate. Likewise, the location of the building; location of the garage; etc.

502 NORTH ASPEN



PRELIMINARY SITE PLAN 1" = 20'

# LAND USE PLAN



**Traditional Single Family** These planning areas will consist of single-family uses on smaller to medium sized lots in older established portions of the community. As these areas are primarily residential in character, they should be protected from encroachment of incompatible business and industrial development.

**Mixed-Use Residential/Commercial** These are planning areas in select, older portions of the City where true "urban villages" consisting of high-density residential uses (both single- and multi-family) and associated small-scale and pedestrian-oriented offices and retail uses may be located. The thrust behind these planning areas is to create areas in which persons are able to both live, work and shop. They are designed to emulate development patterns from the early and mid portions of the twentieth century when reliance on the automobile was not paramount. In order for such a concept to be feasible, an area of significant size must be so designated thus ensuring that there will be ample room for the variety of uses needed to create a "village."

## Strategies from the Land Use Plan

STRATEGY R-G1: Encourage mixed-use development (in a more urban manner) in areas other than Downtown.

STRATEGY D-A7: Re-examine the boundaries of the City's "Central Business District" and peripheral areas. Allow "downtown" type residential buildings and settings to develop in areas that are not specifically located in the Downtown Lincolnton core

# STAFF COMMENTS

## Planning Department

- A landscape plan is required. The street landscaping, as well as the screening between residential and commercial properties, must meet the UDO requirements
- Limit sign area to 16 square feet
- Driveway apron needs to be 15' of pavement from the road a minimum of 24' wide.
- Ordinance requires a 24' driveway, will need to obtain a variance from the Board of Adjustment for a 20' driveway
- Handicap spaces need to meet building code requirements
- Dotted area on the plan that indicates heavy duty fabricated landscape screen would need to be natural plantings or a wooden fence

## Fire

- Coordinate with Fire Marshall for compliance with Fire Code. He stated that there would need to be fire separation between residential and commercial floors and a separate egress

## Public Works

- After January 1, 2024, may have to pay for a commercial rollout fees

## NCDOT

- No driveway permit will be required

# STATEMENTS

## Staff's Proposed Statement of Consistency and Reasonableness for **APPROVAL** of Application

**Case No.** CZ-7-2023  
**Applicant:** Tracy Calhoun  
**Parcel ID#:** 20343  
**Location:** 502 N. Aspen  
**Request:** Rezone from R-8 to R-O

Proposed Consistency and Reasonableness Statement:

The Lincolnton Land Use Plan designates this property as part of the Traditional Single Family Planning Area and Mixed-Use Residential/Commercial. The proposed rezoning request **is consistent** with the Lincolnton Land Use Plan.

The following strategies from the Land Use Plan make this consistent and reasonable:

- to encourage mixed-use development (in a more urban manner) in areas other than Downtown
- to re-examine the boundaries of the City's "Central Business District" and peripheral areas. Allow "downtown" type residential buildings and settings to develop in areas that are not specifically located in the Downtown Lincolnton core

Therefore, **approval of the proposed amendment is reasonable and in the public interest.**

## Staff's Proposed Statement of Consistency and Reasonableness for **DENIAL** of Application

**Case No.** CZ-7-2023  
**Applicant:** Tracy Calhoun  
**Parcel ID#:** 20343  
**Location:** 502 N. Aspen  
**Request:** Rezone from R-8 to R-O

Proposed Consistency and Reasonableness Statement:

The Lincolnton Land Use Plan designates this property as part of the Traditional Single Family Planning Area and Mixed-Use Residential/Commercial. The proposed rezoning request **is partially consistent** with the Lincolnton Land Use Plan. However, the proposed use is not viewed as desirable in the area. Therefore, **denial of the proposed amendment is reasonable and in the public interest.**

# STAFF RECOMMENDATIONS

## **Planning Board Vote:**

7-0 in favor of approval

Planning Board also recommended adding no electronic signs as a condition of approval

## **Staff recommend the following action:**

1. Recommend approval of rezoning of the property from R-8 to R-O
2. Approval of the statement of consistency for approval of the rezoning request
3. Zoning be effective upon receipt of signed conditions of approval