



Special Use Permit 2022.03 Public Hearing

Application number: SUP 2022.03 Roper Street subdivision

Property owner: Andrew Lineberger Builders, LLC

Applicant: Andrew Lineberger, Andrew Lineberger Builders, LLC

Attorney presenting case: John H. Russell, Jr. of Mullen Holland & Cooper

Gaston County parcel ID: #183620

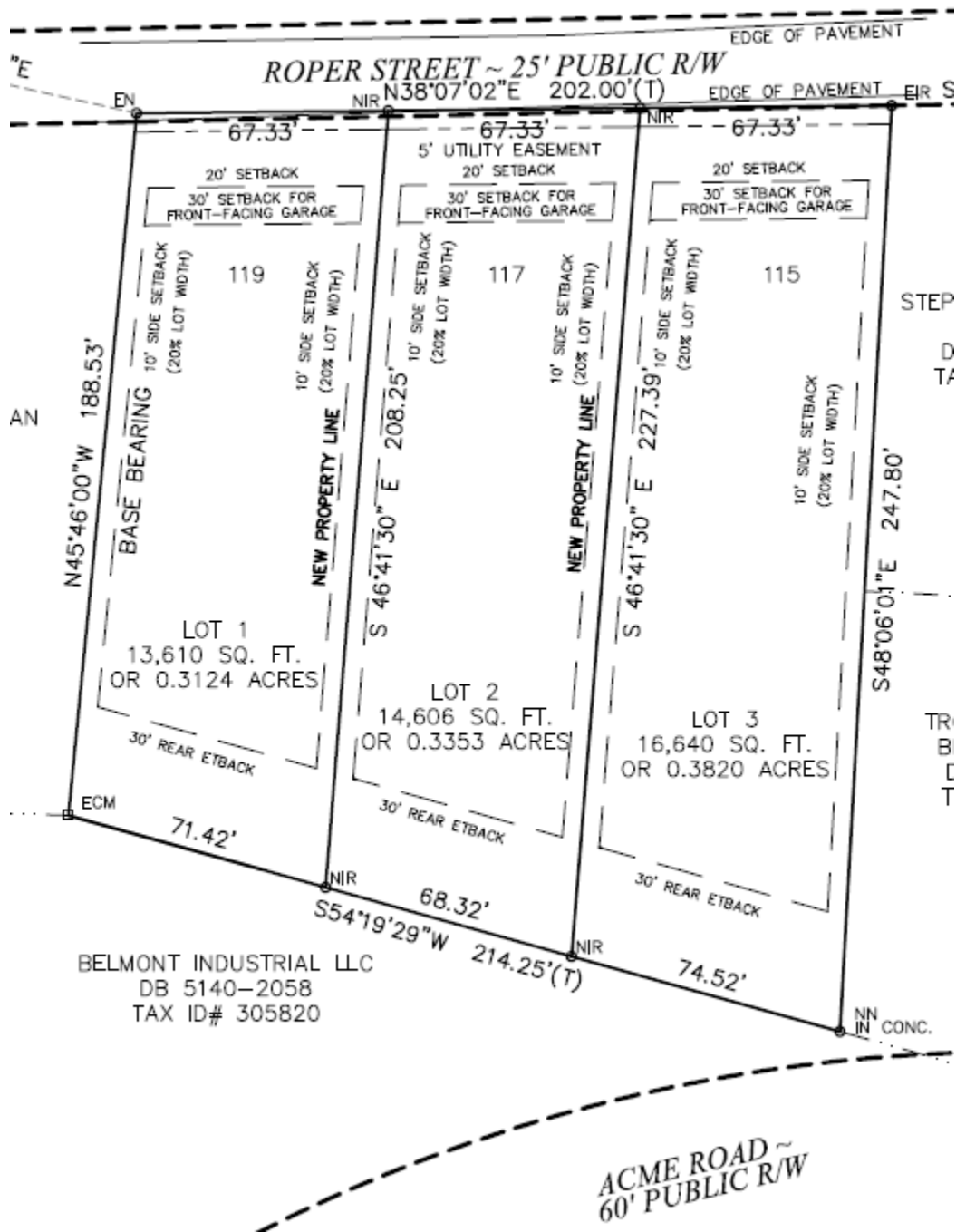
Request: To approve a special use permit (SUP) to authorize the subdivision of an existing parcel, totaling 0.98 acres, into three lots with lot widths less than the average lot widths within 300 feet or one block length.

Background: Pursuant to Section 5.4 (2)(4) of the land development code (LDC), a special use permit is required to approve subdivision lots that are proposed with lot widths less than the average lot widths within 300 feet or one block length, whichever is greater. The applicant is proposing to subdivide two existing parcels into three lots with widths of 50 feet, which is less than the average.

Analysis: The subject property is approximately 0.98 acres in size and has a street frontage of approximately 202 linear feet. The properties are currently a vacant, wooded area. There are no physical constraints on the property.



Lot width requirements for infill subdivisions are to be consistent with the average lot widths in 300 feet or one block length, whichever is greater, unless approved by special use permit. Calculations have been provided by the applicant and verified (attachment A). The average lot width within 300 feet of the subject property is 82.67 feet. The average lot width within one block of the subject property is 75.72 feet. The applicant is proposing three 67-foot-wide lots and plans to develop each with a single-family home. Staff has reviewed the proposed subdivision plat and found the plan in compliance with other performance standards such as setbacks, use, and parking.



Special Use Permit (SUP) review criteria: Section 15.10 of the LDC outlines the requirements, which city council must find that the applicant has met to approve a SUP. The evaluation and approval of the SUP shall be based upon the sworn testimony and evidence presented at the hearing relevant to the following findings of fact, items A through C, on the attached application.

The burden of proof of producing evidence to support these findings (and to overcome any challenges that approval of the plan would be contrary to one or more of these findings) shall rest entirely with the applicant or agent.

Council shall consider the following requirements for the special use permit (SUP) along with the **applicant's response provided in attachment A of this report.**

A. The use meets all required principles and specifications of the code (LDC) and any adopted land use plans; and,

B. The proposed plan if developed according to the plan submitted and approved will be visually and functionally compatible to the surrounding area; and,

C. The use will not materially endanger the public health or safety and will not substantially injure the value of adjoining property if located where proposed.

Proposed conditions of approval: Should city council make the required findings to grant the permit request, staff recommends the following conditions:

1. The applicant shall process a minor subdivision plat in compliance with section 15.3 of the LDC.
2. The residential units shall be connected to municipal water, as approved by the city engineer.
3. Single-family residences shall not be duplexes.
4. The applicant should adhere to the erosion and sediment permit plan approved by Gaston County throughout the entire development process.
5. Special use permit shall be valid for one year.

Attachment A – Application

Attachment B – Site Plan



CITY OF BELMONT

PLANNING & ZONING

Special Use Permit Application

Date: 09/06/2022

Site Address / Owner

Site Address:	ROPER ST	Owner Name:	Lineberger Construction Group
City, State, Zip:	, 0	Address:	LLC
Parcel ID#:	183620	City, State, Zip:	PO Box 308
Subdivision:		Phone:	Cramerton, NC 28032
Lot:		Email:	

Applicant / Alternative Owner

Applicant Name:	Lineberger Construction Group, LLC	Owner Name:	andrew lineberger
Applicant Role:	.Property Owner	Address:	po box 308
Applicant Address:	po box 308	City, State, Zip:	cramerton nc 28032
City, State, Zip:	cramerton NC 28032	Phone:	7046066458
Phone:	7046066458	Email:	andrew.lineberger@gmail.com
Email:	andrew.lineberger@gmail.com		

Project

Site Address:	0 Roper Street	Grading/Demo
Project Name:	Roper Street 3 Parcel	Lot Disturbance Area:.0
Use Type:	Residential	Parcel ID#s: 183620
Previous Project #:		Floodway Review:
Plan Type:	SUP-Special Use Permit	Watershed Protection
Total Site Area:	1	Review:
# of Lots:	3	

Project Description: Subdividing 2 lots into 3 lots. I already have two lot by right subdivision past review.

Consultant

Consultant Firm:	Andrew Lineberger	Point of Contact:	Andrew Lineberger
Consultant Type:	Developer	Consultant Email:	andrew.lineberger@gmail.com
Consultant Mailing:	po box 308 cramerton, nc 28032	Consultant Phone:	7046066458

By checking the "I agree" box below, you agree and acknowledge that 1) your application will not be signed in the sense of a traditional paper document, 2) by signing in this alternate manner, you authorize your electronic signature to be valid and binding upon you to the same force and effect as a handwritten signature, and 3) you may still be required to provide a traditional signature at a later date.

Andrew Lineberger

Name

09/06/2022

Date

BELMONT

PLANNING
& ZONING

Special Use Permit- Findings of Fact Applicant Statements

Each of the findings below must be found in the affirmative by the City Council in order to approve a special use permit. Please provide support for each finding. The burden of proof of producing evidence to support these findings (and to overcome any challenges that approval of the plan would be contrary to one or more of these findings) shall rest entirely with the applicant or landowner.

<p>The use meets all required principles and specifications of the Code and any adopted land use plans.</p>
<p>Yes, This use meet the requirements. The proposed use of single family residential is in fitting with the surrounding neighborhood.</p>
<p>The proposed use, if developed according to the plan submitted and approved, will be visually and functionally compatible to the surrounding area.</p>
<p>The proposed use will be visually and functionally compatible. Lots range in width from 43.49 ' to 200' within the 300' buffer. I am planning to subdivide two lots into 3 lots having 67.33' per lot. The homes directly adjacent to this property are 50' wide. I intend to build smaller homes with similar square footages matching the homes in the neighborhood and surrounding areas.</p>
<p>The use will not materially endanger the public health or safety and will not substantially injure the value of adjoining property if located where proposed.</p>
<p>Public health and safety will be improved and this project in no way will injure any property values. This project will be for the benefit and betterment of the neighborhood.</p>

Andrew Joel Lineberger



8/30/2022

Applicant Signature

Date

LINEBERGER CONSTRUCTION GROUP, ROPER STREET

Lot #'s ROPER STREET 300' BUFFER CALC'S

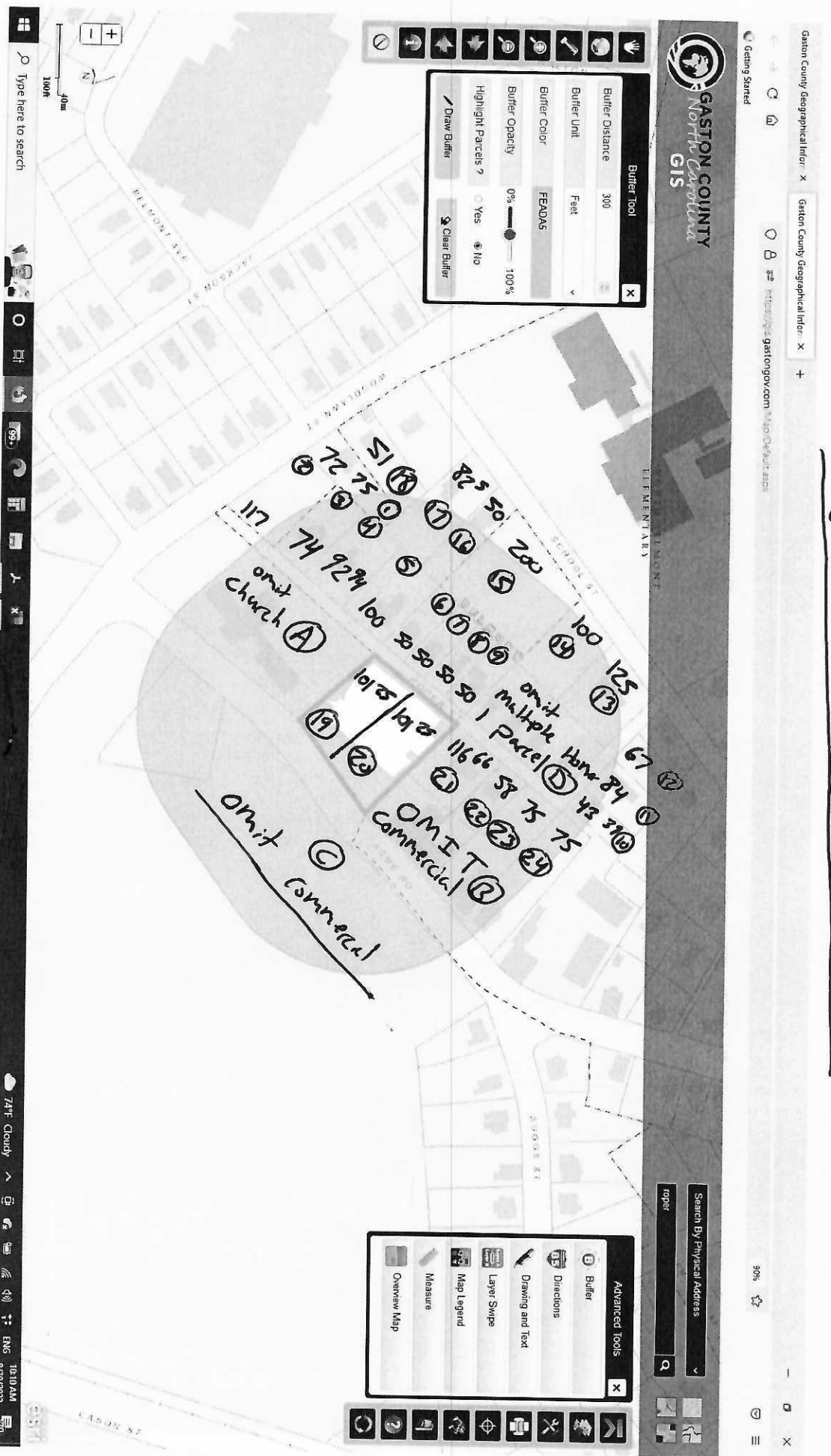
1	72.75
2	117
3	74
4	92.94
5	100
6	50
7	50
8	50
9	50
10	43.49
11	84
12	67
13	125
14	100
15	200
16	50
17	82.5
18	51
19	101.25
20	101.25
21	116.66
22	58
23	75
24	75

1986.84

1986.24 Divided By 24= 82.76 average Lot width

Proposed New Lot Width 67.33'

Single Family Lot Averages 300' Buffer



- Omissions**
- A Church
- B Commercial
- C Commercial
- D Multiple Homes 1 Parcel

Lineberger Construction Group

Roper Street 300' Buffer Addresses

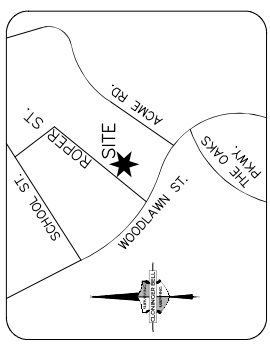
Parcel Number	Current Owners	Mailing Address	Physical Address	Deed Book	Deed Page	Sale Date	Deed Book	Deed Page	Acraag
183682	TAYLOR FAMILY REVOCABLE TRUST	105 ROPER STREET , BELMONT, NC 28012	105 ROPER ST	5357	0962	8/12/2022	002	003	0.22
183646	ROSS PITTMAN CONSULT GROUP INC	7202 W WILKINSON BLVD STE G, BELMONT, NC 28012	NO ASSIGNED ADDRESS	5265	0164	9/10/2021	003	097	0.39
183661	CARVER TROY D JOHNSON BRYAN S	345 MCADENVILLE RD , BELMONT, NC 28012	2105 ACME RD	3299	0933	8/30/2001			0.53
183635	CONTRERAS CESAR FUENTES NELLY ELIANA CUETO	201 SCHOOL ST , BELMONT, NC 280122122	201 SCHOOL ST	4897	0214	2/24/2017	002	003	0.4
183654	TAYLOR FAMILY REVOCABLE TRUST	105 ROPER STREET , BELMONT, NC 28012	112 ROPER ST	5357	0981	8/12/2022	002	003	0.16
183645	BISHOP CASEY CLINT BISHOP WESLEY SWAIN	438 NIXON ROAD , BELMONT, NC 28012	394 WOODLAWN ST	5287	1056	11/18/2021			0.27
183643	HINSON BARTLETT E HINSON REBECCA	396 WOODLAWN AVE , BELMONT, NC 280122138	396 WOODLAWN ST	4224	1658	5/25/2006			0.29
183593	BELMONT CITY OF	PO BOX 431 , BELMONT, NC 280120431	NO ASSIGNED ADDRESS	2530	0015	3/11/1996			0.72

Print Data										
Parcel Number	Current Owners	Mailing Address	Physical Address	Deed Book	Deed Page	Sale Date	Deed Book	Deed Page	Acraag	
183662	JOHNSON LARRY KEITH & OTHERS JOHNSON LUCAS RAYMOND	6419 AMOS SMITH RD , CHARLOTTE, NC 282148956	2109 ACME RD	4732	0255	6/9/2014			0.52	
183402	GOSHEN PRESBYTERIAN CHURCH	380 WOODLAWN AVE , BELMONT, NC 28012	380 WOODLAWN ST	3903	0940	12/29/2003			1.74	
183647	PETERSON ROBERT MICHAEL PETERSON WENDI L	124 ROPER ST , BELMONT, NC 280122119	124 ROPER ST	4615	0733	6/11/2012	003	097	0.28	
183636	LEATHERMAN JAY DEE	116 PEACHTREE ST , BELMONT, NC 28012	203 SCHOOL ST	001E	0937	8/10/2001	002	003	0.37	
183620	LINEBERGER CONSTRUCTION GROUP LLC	P O BOX 308 , CRAMERTON, NC 28032	NO ASSIGNED ADDRESS	5341	0250	6/1/2022			0.98	
183681	LONG ERIN K	104 ARBOR RIDGE RD , BELMONT, NC 28012	107 ROPER ST	5018	0385	12/28/2018	002	003	0.13	
183656	CARVER TROY JOHNSON BRYAN	345 MCADENVILLE RD , BELMONT, NC 28012	2101 A ACME RD	4870	2257	9/28/2016			0.28	
183683	LEATHERMAN JAY DEE	116 PEACHTREE ST , BELMONT, NC 28012	103 ROPER ST	001E	0937	8/10/2001	002	003	0.17	

Parcel Number	Current Owners	Mailing Address	Physical Address	Deed Book	Deed Page	Sale Date	Deed Book	Deed Page	Acraag
183648	BUMGARDNER DONALD B	122 ROPER ST , BELMONT, NC 280120000	122 ROPER ST	4123	1317	5/4/2005	003	097	0.34
183640	SOLOMON PAUL LESTER LIFE ESTATE	213 SCHOOL ST , BELMONT, NC 28012	213 SCHOOL ST	5058	0213	8/2/2019			0.44
305820	BELMONT INDUSTRIAL LLC	101 SOUTH KINGS DR STE 200 ATTN SCOTT C BORTZ, CHARLOTTE, NC 28204	192 WOODLAWN ST	5140	2058	7/22/2020	094	057	25.64
183649	MOORE GENEVA HALL	120 ROPER ST , BELMONT, NC 280122119	120 ROPER ST	4552	1527	2/18/2011	003	097	0.35
183652	PATTERSON JANET	116 ROPER STREET , BELMONT, NC 28012	116 ROPER ST	5355	0601	8/1/2022	002	003	0.17
183638	KALE JEROME C	284 EIGHTH AVE , CRAMERTON, NC 28032	NO ASSIGNED ADDRESS	5309	0271	2/4/2022	002	003	0.85
183653	MOORE JARED ROSE TAYLOR	114 ROPER ST , BELMONT, NC 28012	114 ROPER ST	5048	2223	6/19/2019	002	003	0.16
183657	TURNER STEPHEN B TURNER NANCY C	401 GARDENIA ST , BELMONT, NC 280120000	113 ROPER ST	4835	1100	3/30/2016			0.33

Parcel Number	Current Owners	Mailing Address	Physical Address	Deed Book	Deed Page	Sale Date	Deed Book	Deed Page	Acreag
183639	KALE JEROME C KALE ANDREA L	284 8TH AVENUE , CRAMERTON, NC 28032	211 SCHOOL ST	5332	0961	4/28/2022			0.24
183651	HAGANS DEBORAH MELISSA	118 ROPER ST , BELMONT, NC 280120000	118 ROPER ST	2895	0280	2/3/1999	002	003	0.17
218140	CONTINENTAL CABINET SHOP INC	2115 ACME RD , BELMONT, NC 280120000	2115 ACME RD	1987	0584	7/7/1989			1.06
183659	CARVER TROY D JOHNSON BRYAN S	345 MCADENVILLE RD , BELMONT, NC 28012	2101 C ACME RD	2584	0355	8/29/1996			0.16
183658	MCDANIEL BETTY GAYLE MCDANIEL MICHAEL	111 ROPER ST , BELMONT, NC 280120000	111 ROPER ST	4277	1427	12/6/2006			0.17
183655	LEATHERMAN JAY DEE	116 PEACHTREE ST , BELMONT, NC 28012	104 ROPER ST	001E	0937	8/10/2001	002	003	0.66

SUBDIVISION
 PREPARED FOR
ANDREW LINEBURGER BUILDERS, LLC
 ROPER STREET PROPERTY
 CITY OF BELMONT, GASTON COUNTY, NC
 DEED REFERENCE: 3903-940
 TAX PARCEL: 1833620



CERTIFICATE OF OWNERSHIP AND DEDICATION
 I HEREBY CERTIFY THAT ALL THE CORNERS OF THE PROJECTED LOTS AND DESCRIBED HEREON WHICH ARE LOCATED IN THE SUBDIVISION JURISDICTION OF THE CITY OF BELMONT AND THAT HEREIN ADOPT THIS PLAN OF SUBDIVISION WITH MY FREE CONSENT, ESTABLISHING MINIMUM BUILDING SETBACK LINES, PRESERVE, AND PROTECT PROTECTION AREA, PLANT SUPPLEMENTARY TREES, FENCES AND DEDICATE AL STREETS, ALLEYS, PARKS, AND OTHER SITES AND EASEMENTS TO PUBLIC OR PRIVATE USES AS NOTED. FURTHERMORE, I HEREBY DEDICATE ALL SAVING SUPER RIGHTS OF WAY TO THE CITY OF BELMONT.

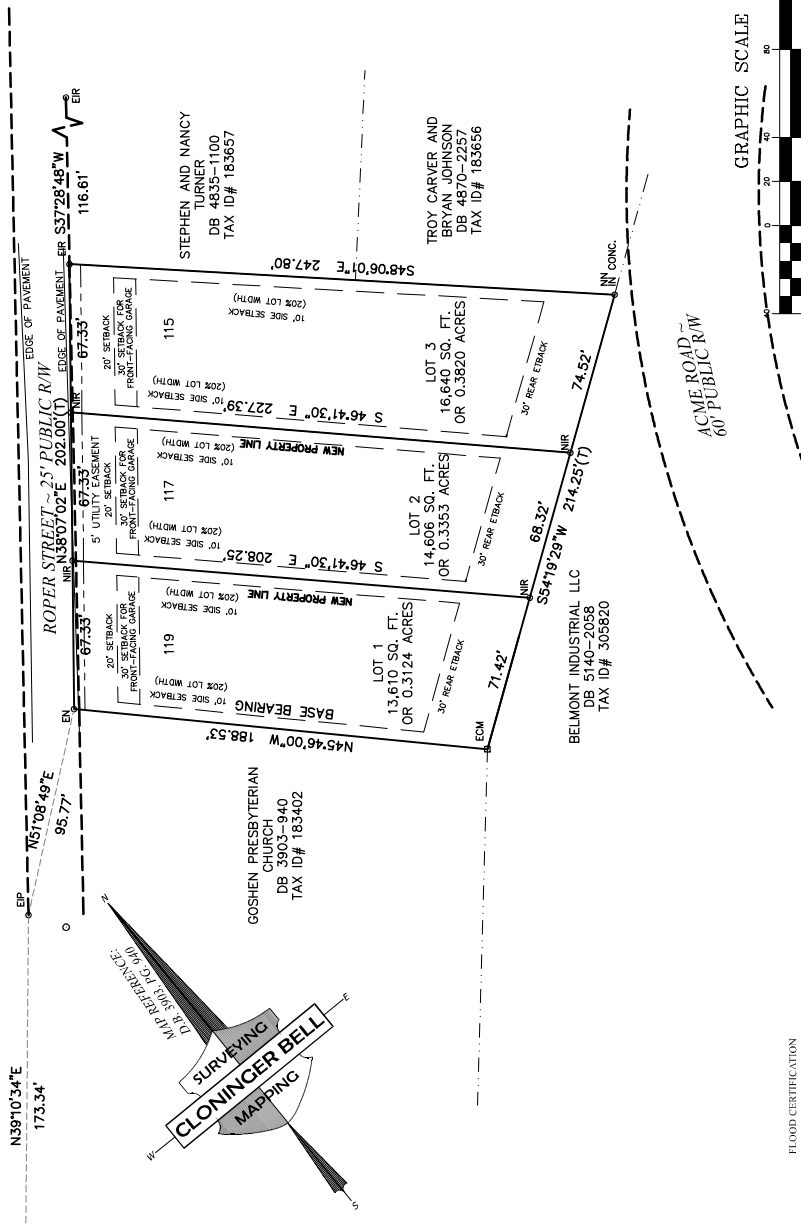
REVIEW OFFICER _____ DATE _____
CERTIFICATE OF APPROVAL FOR RECORDING
 I HEREBY CERTIFY THAT THE SUBDIVISION PLAN SHOWN HEREON IS EXEMPT FROM THE SUBDIVISION PROVISIONS OF THE BELMONT REGULATING ORDINANCE AND IS THEREFORE NOT SUBJECT TO ITS PROVISIONS. THE PLAN HAS BEEN FOUND TO COMPLY WITH THE CITY OF BELMONT REGULATING ORDINANCE AND HAS BEEN APPROVED BY THE CITY OF BELMONT FOR THE RECORDING IN THE OFFICE OF THE REGISTER OF DEEDS IN GASTON COUNTY.

REVIEW OFFICER _____ DATE _____
CERTIFICATE OF APPROVAL FOR RECORDING
 THIS PROPERTY IS LOCATED WITHIN A PUBLIC WATERSHED. DEVELOPMENT RESTRICTIONS MAY APPLY. I CERTIFY THAT THE PLAN SHOWN HEREON COMPLIES WITH THE SUBDIVISION PROVISIONS OF THE BELMONT REGULATING ORDINANCE AND HAS BEEN APPROVED BY THE GASTON COUNTY REGISTER OF DEEDS OFFICE.

WATERSHED DIRECTOR _____ DATE _____
CERTIFICATE OF APPROVAL FOR RECORDING
 I HEREBY CERTIFY THAT THE SUBDIVISION PLAN SHOWN HEREON IS EXEMPT FROM THE SUBDIVISION PROVISIONS OF THE BELMONT REGULATING ORDINANCE AND IS THEREFORE NOT SUBJECT TO ITS PROVISIONS. THE PLAN HAS BEEN FOUND TO COMPLY WITH THE CITY OF BELMONT REGULATING ORDINANCE AND HAS BEEN APPROVED BY THE GASTON COUNTY REGISTER OF DEEDS IN THE OFFICE OF THE REGISTER OF DEEDS OF GASTON COUNTY.

PLANNING DIRECTOR _____ DATE _____
CERTIFICATE OF APPROVAL FOR RECORDING
 I HEREBY CERTIFY THAT THE SUBJECT PROPERTY IS NOT SUBJECT TO THE FLOODING REGULATIONS OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, DATED SEPTEMBER 28, 2007.

NOTES:
 1. ALL CORNERS MONUMENTED AS SHOWN.
 2. THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A TITLE COMMITMENT REPORT. CLONINGER BELL SURVEYING & MAPPING, PLLC DOES NOT CLAIM THAT ALL MATTERS OF RECORD WHICH MAY OR MAY NOT AFFECT THE SUBJECT PROPERTY ARE SHOWN HEREON.
 3. BROKEN LINES INDICATE PROPERTY LINES NOT SURVEYED.
 4. THE OFF-SITE RIGHT-OF-WAY SHOWN HEREON IS FOR ILLUSTRATIVE PURPOSES ONLY. THE UNDERSIGNED CERTIFIES ONLY TO THE RIGHT-OF-WAYS SURVEYED AND DOES NOT CERTIFY TO THE RIGHT OF WAY WIDTH OF ANY ADJACENT PROPERTIES.
 5. PHYSICAL IMPROVEMENTS MAY EXIST ON THIS PROPERTY THAT ARE NOT SHOWN HEREON.
 6. THE PURPOSE OF THIS PLAN IS TO SUBMIT THE SUBJECT PROPERTY INTO THREE (3) LOTS.
 7. ALL AREAS SHOWN HEREON WERE DETERMINED BY COORDINATE COMPUTATION.



FLOOD CERTIFICATION
 THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS NOT SUBJECT TO THE FLOODING REGULATIONS OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, DATED SEPTEMBER 28, 2007.
 COMMUNITY PANEL NO.: 376855800
SURVEYOR'S CERTIFICATE:
 STATE OF NORTH CAROLINA
 COUNTY OF GASTON
 I, THE UNDERSIGNED SURVEYOR, CERTIFY THAT THIS PLAN WAS DRAWN UNDER MY PERSONAL SUPERVISION AND THAT THE INFORMATION CONTAINED THEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I HEREBY CERTIFY THAT THE INFORMATION FROM INFORMATION AS REFERENCED ON THE FACE OF THIS PLAN, THAT THE RATIO OF PRECISION AS CALCULATED LIES BETWEEN 10 AND 100 MILLI METERS PER FOOT, THAT THIS PLAN WAS PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF THE NORTH CAROLINA SURVEYING AND MAPPING ACT AND THE REGULATIONS OF THE BOARD OF SURVEYING AND MAPPING, LICENSE NUMBER AND SEAL THIS 21 DAY OF MARCH, A.D., 2022.
 THIS PLAN CONTAINS A SUBDIVISION OF LAND WITHIN A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

LEGEND:
 --- 1" = 40' (IN FEET)
 --- 1 inch = 40 ft.
 --- GRAPHIC SCALE
 --- (IN FEET)
 --- 1 inch = 40 ft.

SURVEYING & MAPPING
CLONINGER BELL
 SURVEYING & MAPPING, PLLC
 201 W. 2nd AVENUE, SUITE C
 GASTONIA, NC 28052
 704.864.9007
 LICENSE P-2326



PRELIMINARY
 PROFESSIONAL LAND SURVEYOR