

<b>REQUEST</b>	Text amendment to Section 10.213 of the Charlotte Zoning Ordinance
<b>SUMMARY OF PETITION</b>	<p>The petition proposes to:</p> <ol style="list-style-type: none"> <li>1) Shorten the number of days for a party to file an appeal to the Zoning Board of Adjustment for a Historic District decision; and</li> <li>2) Add a requirement that if an appellant chooses to have prepared a transcript of the Historic District Commission discussion about the action being appealed, the transcript must be received by the Zoning Board of Adjustment prior to the appeal hearing.</li> </ol>
<b>PETITIONER AGENT/REPRESENTATIVE</b>	Charlotte-Mecklenburg Planning Department Charlotte-Mecklenburg Planning Department
<b>COMMUNITY MEETING</b>	Meeting is not required.
<b>STATEMENT OF CONSISTENCY</b>	<p>The Zoning Committee found this petition to be consistent with the <i>Centers, Corridors and Wedges Growth Framework</i> goals because:</p> <ul style="list-style-type: none"> <li>• The amendment protects existing neighborhoods.</li> </ul> <p>Therefore, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> <li>• Shortening the appeal time frame to 30 days after issuance of a decision will still provide adequate time for parties to appeal, but will also reduce uncertainty for the property owner proposing a project; and</li> <li>• The 30-day time frame for filing an appeal is consistent with the appeal time frame for other processes, such as an appeal of a decision of the Zoning Administrator to the Zoning Board of Adjustment; and</li> <li>• Providing a transcript of the Historic District Commission's action on a "certificate of appropriateness" prior to the appeal hearing ensures the transcript is available for review by the Zoning Board of Adjustment when making their decision on the appeal;</li> </ul> <p>By a 6-0 vote of the Zoning Committee (motion by Majeed seconded by Spencer).</p>

<b>ZONING COMMITTEE ACTION</b>	The Zoning Committee voted 6-0 to recommend <b>APPROVAL</b> of this petition.
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<b>VOTE</b>	<p>Motion/Second: Majeed / Spencer</p> <p>Yeas: Fryday, Majeed, McClung, Spencer, Watkins and Wiggins</p> <p>Nays: None</p> <p>Absent: Lathrop</p> <p>Recused: None</p>
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<b>ZONING COMMITTEE DISCUSSION</b>	<p>Staff briefly reviewed the text amendment. Staff also noted that this petition is consistent with the <i>Centers, Corridors and Wedges Growth Framework</i> goals.</p> <p>A Commissioner asked why the current language reads that the transcript is prepared by the petitioner? Staff responded that it prepared by a court reporter and it is delivered to the petitioner. There were no further questions.</p>
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<b>STAFF OPINION</b>	Staff agrees with the recommendation of the Zoning Committee.
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(Pre-Hearing Analysis online at [www.rezoning.org](http://www.rezoning.org))

#### PLANNING STAFF REVIEW

- **Background**
  - A “certificate of appropriateness” is typically required prior to construction or demolition in a local Historic District.
  - Depending on the extent of the work, a “certificate of appropriateness” can be issued by either staff or the appointed Historic District Commission.
  - Appeals to “certificates of appropriateness” are heard and decided by the Zoning Board of Adjustment.
  - A party has 60 days from the issuance or denial of a “certificate of appropriateness” to file an appeal to the Zoning Board of Adjustment.
- **Proposed Request Details**

The text amendment contains the following provisions:

  - Reduces the time period for an appeal of a Historic District “certificate of appropriateness” decision to the Zoning Board of Adjustment from 60 days to 30 days.
  - If the appellant has prepared a verbatim transcript of the Historic District Commission discussion concerning the case being appealed to the Zoning Board of Adjustment, the transcript must be received by the Zoning staff prior to the appeal hearing.
- **Public Plans and Policies**
  - This petition is consistent with the *Centers, Corridors and Wedges Growth Framework* goal to protect existing neighborhoods.
- **TRANSPORTATION CONSIDERATIONS**
  - No comments received.

#### DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No comments received.
  - **Charlotte Department of Neighborhood & Business Services:** No comments received.
  - **Charlotte Fire Department:** No comments received.
  - **Charlotte-Mecklenburg Schools:** No comments received.
  - **Charlotte-Mecklenburg Storm Water Services:** No comments received.
  - **Mecklenburg County Land Use and Environmental Services Agency:** No comments received.
  - **Mecklenburg County Parks and Recreation Department:** No comments received.
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#### Attachments Online at [www.rezoning.org](http://www.rezoning.org)

- Application
- Pre-Hearing Staff Analysis
- Text Amendment

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