



CITY OF CHARLOTTE ZONING BOARD OF ADJUSTMENT
CONFERENCE ROOM 280 – 2ND FLOOR
GOVERNMENT CENTER – 600 EAST FOURTH STREET
TUESDAY DECEMBER 9, 2008 – 9:00 A.M.

REVISED AGENDA / ROOM CHANGE

RECOMMENDATION AGENDA

CASE NO. 08-069 – Application has been made by **Bellsouth Telecommunications, Inc** (*Represented by Dave Kendelhardt*) for property located at 13719 Erwin Road - Tax Parcel Number 201-221-07, requesting three (3) variances from the buffer requirement as outlined in Table 12.302(b) of the Zoning Ordinance to allow a reduction in the 67 foot Class “A” buffer; (1) an 18 foot variance along a portion of the northern property line, (2) a 32 foot variance along a portion of the northern property line and (3) a 59 foot variance along a portion of the southern property line. **Code Section 2.201** states that a buffer is a strip of land with natural or planted vegetation located between a use or structure and a side or rear property line intended to separate and partially obstruct the view of two abutting land uses or properties from one another. A buffer area may include any required screening for the site. **Code Section 9.1105(3)** requires a development in the I-1 district to comply with applicable buffer and screening requirements in Chapter 12. Development of any industrial use in the I-1 zoning district that is directly across the public right-of-way from a residentially zoned or used property, shall provide a buffer along the frontage that is directly across the public right-of-way from the residential property. This buffer shall be one half the width of a Class “A” buffer. **Code Table 12.302(a)** requires a Class “A” buffer for an industrial use adjacent to a residential use or zoning district. **Code Table 12.302(b)** requires a Class “A” buffer of 67 feet in width for a lot size of 4.7 acres.

AGENDA

CASE NO. 08-064– Application has been made by **University Park Baptist Church/aka The Park Ministries** (*Represented by Guy P. Peters, PE, CFM*), for property located at 2500 East Independence Boulevard)- Tax Parcel Number 159-021-09, requesting a variance from the requirements set forth in the Floodplain Regulations which requires that nonresidential construction (new or substantially improved) to elevate or floodproof the structure’s lowest floor. **Floodplain Regulations Code Section 9.102 Specific standards.** (a) In all community and FEMA Special Flood Hazard Areas where Community and FEMA Base Flood Elevation data have been provided, as set forth in Section 9-37, the following provisions are required: **Floodplain Regulations Code Section 9.102(a)(2) Nonresidential construction** states that new construction or substantial improvement of any commercial, industrial or nonresidential structure shall meet the requirements for residential construction in Section 9-102(a)(1) or the structure may be floodproofed in lieu of elevation, provided that all areas of the structure below the required elevation are watertight with walls substantially impermeable to the passage of water, using structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. **Floodplain Regulations Code Section 9.102(a)(1) Residential construction** states that new

construction or substantial improvement of any residential structure shall have the lowest floor, elevated at least one foot above the Community Base Flood Elevation.

CASE NO. 08-068 – Application has been made by **Colonial Properties Trust** for property located at **710 East Seventh Street - Tax Parcel Number 080-081-07**, requesting two (2) variances, (1) a 14 square foot size variance and (2) a 29 inch variance for a projecting sign to allow a 20 square foot sign to project 34” in the UR-C district. **Code Section 9.407(5)(b) Urban Residential Districts; development standards for various uses** requires a maximum sign of 6 square feet.

BUSINESS

Approval of Minutes

~ **THE BOARD RESERVES THE RIGHT TO DEVIATE FROM THE AGENDA.** ~

City of Charlotte will comply with the American Disabilities Act (ADA), which prohibits discrimination on the basis of disability. Anyone needing special accommodations when attending this meeting and/or if this information is needed in an alternative format because of a disability please contact the Clerk to the Charlotte Zoning Board of Adjustment, (704) 336-3818 or skennedy@ci.charlotte.nc.us, at least 72 hours prior to the meeting.
