



CHARLOTTE

CITY OF CHARLOTTE ZONING BOARD OF ADJUSTMENT
CONFERENCE ROOM 280, 2ND FLOOR
GOVERNMENT CENTER – 600 EAST FOURTH STREET
TUESDAY, JULY 26, 2011 – 9:00 A.M.

REVISED AGENDA
JULY 25, 2011

RECOMMENDATION AGENDA

CASE NO. 11-024 – Application has been made by Shannon Jordan *for property located at 3033 Nance Cove Road, Tax Parcel Number 023-151-34*, requesting a 50 foot variance from the required 100 foot buffer area requirements to allow the construction of a single family home. **Code Section 10.502** defines a buffer as a natural or vegetated area through which storm water runoff flows in a diffuse manner so that the runoff does not become channelized and which provides for infiltration of the runoff and filtering of pollutants. The buffer is measured landward from the normal pool elevation of impounded structures and from the bank of each side of streams or rivers. The critical area is the area adjacent to a water supply intake or reservoir where risk associated with pollution is greater than from the remaining portions of the watershed. **Normal Pool Elevation.** The Mountain Island Lake normal pool elevation which is at contour interval 648 feet above Mean Seal Level, United States Geological Survey Datum. The perennial stream is a stream or creek containing a continuous natural flow of water throughout the year except possibly under exceptionally dry conditions. **Code Section 10.508(1)** states that vegetative buffers are required along the shoreline of Mountain Island Lake measured from the normal pool elevation and along all perennial streams measured from the bank on each side of the stream. In the critical area 1 sub area, the minimum buffer is 100 feet. **Code Section 10.508(3)** states that no permanent structures, built upon areas, septic tanks systems or any other disturbance of existing vegetation shall be allowed within the buffer except as stated.

AGENDA

CASE NO. 11-025 – Application has been made by Gate Petroleum Company *for property located at 4712 Monroe Road, Tax Parcel Number 161-082-22*, requesting a 20 foot variance from the required 20 foot setback to allow an existing pump island canopy to be removed and rebuilt in the same location. **Code Section 12.103(2)** states that a transitional setback or yard shall also be established for each zoning district which abuts a thoroughfare that has an existing right-of-way which is not as wide as the right-of-way established for that thoroughfare. **Code Section 2.201** defines the transitional setback or yard as that area, if any, along a thoroughfare which lies between the existing required setback line or yard line and the future required setback or yard line. The future setback or yard is measured from the proposed right-of-way. There will be no transitional setback or yard when the existing street right-of-way line and the proposed right-of-way line are the same or when the existing right-of-way width exceeds the proposed right-of-way width. An accessory structure or use is a use or structure that is customarily or typically subordinate to and serves a principal use or structure; is clearly subordinate in area, extent, or purpose to the principal use or structure served; and is located on the same lot as the principal use or structure. In no event shall “accessory use” or “accessory structure” be construed to authorize a principal use or structure not otherwise permitted in the district in which the use is located.

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.
