



**CERTIFIED MAIL**

Alson Court Condominium Owner Assoc. Inc  
Henry E. Stepp, II, HOA President  
106 Colville Rd, Apt 31 B  
Charlotte, NC 28207

**RE: VARIANCE  
127 SOUTH LAUREL AVENUE  
CASE NUMBER 12-031**

Dear Alson Court Condominium Owner Assoc. Inc:

At its meeting on September 25, 2012, the City of Charlotte Zoning Board of Adjustment (“Board”) **granted** a two (2) foot variance from the required five (5) foot side yard to allow the reconstruction of a garage to be located three (3) feet from the rear property line.

**The Board based its decision on the following findings of fact:**


1. The applicant is Alson Court Condominium Owner Assoc. Inc. (Henry E. Stepp, II, HOA President).
2. The proposed site is located at 127 Laurel Avenue, further identified as tax parcel 115-03C-96.
3. The subject parcel’s current zoning classification is R-22MF (Multi-Family).
4. The structure was built around 1938.
5. The applicant is requesting a variance of two (2) feet from the required five (5) foot side yard to allow the reconstruction of a garage to be located three (3) feet from the property line.
6. The adjacent property is elevated higher than the parking garage and therefore may not be affected.
7. The parking garage wall also acts as a retaining wall for the soil behind the wall.
8. The tree on the adjacent property has pushed the rear wall of the carport causing the structure to lean.
9. The hardship is not created by the applicant but by nature (natural act) which caused the carport wall to be damaged.

**Based upon the above findings of fact, the Board concludes that the applicant has met each of the three standards stated in §5.108(1) of the Ordinance, and more specifically:**

1. Practical difficulties or unnecessary hardship exist because:
  - a. The difficulty or hardship is not a result of action of the owner of the property.
  - b. The difficulty or hardship is peculiar to the property in question.
  - c. The difficulty or hardship resulting from the application of these regulations would prevent the owner from securing a reasonable return or making a reasonable use of the property.
2. The spirit of the regulations will not be observed by denying the variance.

All applicable permits must be obtained from the Planning Department, which has been notified of this decision. The Ordinance §5.111, provides that unless otherwise specified by the Board, any decision of the Board granting a variance shall automatically expire if a permit or a certificate of occupancy pertaining to the need for the variance is not obtained within two (2) years from the date of the meeting of the Board at which the Board rendered its decision.

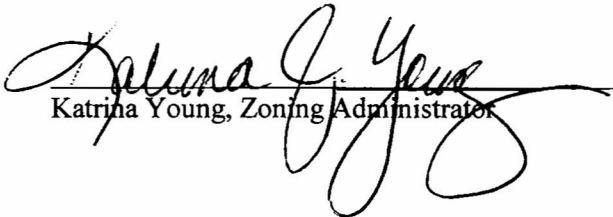
Sincerely,

  
\_\_\_\_\_  
Randy Fink  
Chairperson

10/9/2012  
\_\_\_\_\_  
Date

**DECISION FILED IN THE PLANNING DEPARTMENT:**

October 12, 2012  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Katrina Young, Zoning Administrator