

Hearing Request Application - Form 1  
Zoning Board of Adjustment  
City of Charlotte

Sonda Kennedy  
ZBA Clerk

Date Filed: AUG 17 2012

Case Number: 12-040

Received by: \_\_\_\_\_

Instructions

This form must be filed out completely. Please attach the appropriate additional form depending on your request type along with required information as outlined in the appropriate checklist. Please type or print legibly. All property owners must sign and consent to this application, attach additional sheets if necessary. If the applicant is not the owner, the owners must sign the Designation of Agent section at the bottom of this form.

The Applicant Hereby (check all that apply):

- Requests a variance from the provisions of the zoning ordinance as stated on Form 2
- Appeals the determination of a zoning official as stated on Form 3
- Requests an administrative deviation as stated on Form 4

Applicant or Agent's Name: Opening Doors Properties /Carie Tate, Manager

Mailing Address: PO Box 681774

City, State, Zip: Charlotte

Daytime Telephone: (704) 915-9915 Home Telephone: \_\_\_\_\_

Interest in this Case (please circle one): Owner Adjacent Owner Other

Property Owner(s) [if other than applicant/agent]: Opening Doors Properties

Mailing Address: PO Box 681774

City, State, Zip: Charlotte, NC 28216

Daytime Telephone: \_\_\_\_\_ Home Telephone: \_\_\_\_\_

Property Address: 1547 Tippah Park Court

Tax Parcel Number: 095-071-31 Zoning District: \_\_\_\_\_

Subdivision Name: Midwood Central Phase II Conditional District: YES NO

Applicant Certification and Designation of Agent

I (we) certify that the information in this application, the attached form(s) and documents submitted by me (us) as part of this application are true and correct. In the event any information given is found to be false, any decision rendered may be revoked at any time. I (we) hereby appoint the person named above as my (our) agent to represent me (us) in this application and all proceedings related to it. I (we) further certify to have received, read and acknowledged the information and requirements outlined in this packet.

Date 8/16/12

Date 8/16/12

Carie Tate, Manager  
Property Owner

Chris Tate, Manager  
Property Owner

Variance Application - Form 2  
 Zoning Board of Adjustment  
 City of Charlotte

Date Filed: 8/17/12 Case Number: 12-040 Fee Collected: \_\_\_\_\_

Has work started on this project? YES  NO   
 If yes, Did you obtain a building permit? YES  NO  If yes, attach a copy.  
 Have you received a Notice of Violation for this project? YES  NO  If yes, attach a copy.  
 Has this property been rezoned? YES  NO  If yes, Petition Number: \_\_\_\_\_

(1) What zoning ordinance section numbers are you seeking a variance from? Please list each section, the requirement and the requested variance.

Item	Code Section	Code Requirement	Variance Request
<i>Example</i>	<i>9.205 (1)(g)</i>	<i>45 foot rear yard</i>	<i>35 foot rear yard (10 foot reduction from required)</i>
A	<i>12.804-1</i>	<i>35 feet on each side of stream</i>	<i>400 sqft additional impervious allowance</i>
B			
C			
D			
E			

(2) Please describe why the variances requested are necessary.

*Driveway construction will exceed approved impervious area*

(3) THERE ARE PRACTICAL DIFFICULTIES OR UNNECESSARY HARDSHIPS IN THE WAY OF CARRYING OUT THE STRICT LETTER OF THE ORDINANCE. The courts have developed three rules to determine whether, in a particular situation, "practical difficulties or unnecessary hardships" exist. State facts and arguments in support of each of the following:

(a) If the property owner/applicant complies with the provisions of the Ordinance, the property owner can secure no reasonable return from, or make no reasonable use of his property. (It is not sufficient that failure to grant the variance simply makes the property less valuable.)

*Builder cannot connect street entrance to existing garage without additional impervious area for driveway*

(b) The hardship of which the Applicant complains results from unique circumstances related to the Applicant's land. (Note: Hardships common to an entire neighborhood, resulting from overly restrictive zoning regulations, should be referred to the Charlotte-Mecklenburg Planning Department. Also, unique personal or family hardships are irrelevant since a variance, if granted, runs with the life of the land.)

Hardship is due to significance of swim buffer across the back and side of this uniquely shaped lot.

(c) The hardship is not the result of the Applicant's own actions.

Previously existing driveway entrance necessitated builder use a side load garage, requiring additional driveway (impervious area)

(4) THE VARIANCE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ORDINANCE AND PRESERVES ITS SPIRIT. (State facts and arguments to show that the requested variance represents the least possible deviation from the letter of the Ordinance to allow a reasonable use of the land; and, that the use of the property, if the variance is granted, will not substantially detract from the character of the neighborhood.)

In consultation with environmental services builder has already committed to additional plantings to stabilize swim buffer area ~~and to~~ ~~mit~~ mitigate environmental impact

(5) THE GRANTING OF THE VARIANCE SECURES THE PUBLIC SAFETY AND WELFARE AND DOES SUBSTANTIAL JUSTICE. (State facts and arguments to show that, on balance, if the variance is denied, the benefit to the public will be substantially outweighed by the harm suffered by the Applicant.)

Swim buffer is designed to protect the environment for the benefit of the public. Additional plantings accomplish the protection of the environment. With that in mind, the potential harm rests only on the applicant, not the public.



## Building Permit

### One/Two Family

#### Property

Address: 1547 TIPPAH PARK CT Parcel: 09507131 Lot: Block:  
 Subdivision: Tax Jurisdiction: CHARLOTTE

#### Site Details

Land Area (sq. ft.): Parking Required: Front Street:  
 Lot  
 Corner: N Through: N Irregular: N  
 Minimum Setbacks (ft.)  
 Front: 14 Left: 5 Right: 5 Rear: 10

#### Project

Project Number: 324828 Occupancy Type: R3 \* RESIDENTIAL - SINGLE FAMI  
 Project Name: THOMAS R HOMES/NEW RES-PLAN REV Contract Cost: \$287,020  
 USDC: 101 - One Family Detached Type of Work: New  
 New Heated Area: 3831 sq. ft. New Unheated Area: 1299 sq. ft. Deck Area: 40 sq. ft.  
 Unhtd to Htd: Renovate Existing: Bdrm Add/Upfit:

#### Owner

Name: OPENING DOORS PROPERTIES Address: P.O. BOX 68774  
 Phone: (704) 915-9915 CHARLOTTE, NC 28217

#### Trade Details

##### Electrical

Total Amps: 200 Number of Circuits: 25 Connections at 120 Volts: 45 Connections Over 120 Volts: 3  
 Service Type: Existing Utility Company: DUKE ENERGY

##### Mechanical

No. of Gas Connections: 3 No. of Appliances: 3 Utility Company: PIEDMONT NATURAL GAS  
 Heating/Cooling: Heat Pump, Prefabricated Fireplace

##### Plumbing

No. of Fixtures: 12 No. of Appliances: 2

##### Utilities

Type of Service: Existing

	Public Meter/Connection		Private Service	
	Individual	Master	Individual	Community
Water/Well:	Yes	No	No	No
Sewer/Septic:	Yes	No	No	No



## Building Permit One/Two Family

### Contractors

<b>Building Contractor</b>	PARKSIDE DESIGN & BLD LLC (704) 492-3923 1138 WOODSIDE AVE CHARLOTTE, NC	Contractor ID: X46770 License #: 71845 Contract Cost: \$ 170,000 Home Owner: No Permit Number: <b>B2321689</b>
<b>Electrical Contractor</b>	MI ELECTRIC (704) 280-6595 10115 BOND MEADE LN CORNELIUS, NC 28031	Contractor ID: X43757 License #: 28438 Contract Cost: \$ 14,000 Home Owner: No Permit Number: <b>E2323197</b>
<b>Mechanical Contractor</b>	GET AIR DONE LLC (704) 779-6480 204 SUMMIT AVE ALBEMARLE, NC 28001	Contractor ID: X44988 License #: 30639 Contract Cost: \$ 13,000 Home Owner: No Permit Number: <b>M2323198</b>
<b>Plumbing Contractor</b>	MAJOR JOHN S JR (704) 563-7020 2915 PAGELAND HWY MONROE, NC 28110	Contractor ID: X31262 License #: 09789 Contract Cost: \$ 8,000 Home Owner: No Permit Number: <b>P2323199</b>

### Fees

Permit Fee Type:	Construction	Fax Fee:	\$0.00	Fast Track Fee:	\$0.00
Permit Fee:	\$1,951.64	Home Owner Recovery Fund:	\$10.00	Fee Adjustment:	\$0.00
Zoning Fee	\$25.00	NESHAP Fee:	\$0.00	Total Fee:	\$1,986.64
Triple Fee:	\$0.00	Paper Application Fee:	\$0.00	Charge To Acct:	Yes
Fire Damage Fee:	\$0.00	Other Agency Collection Fee:	\$0.00	Vector OK:	
CmrcI Surcharge Fee:	\$0.00	Paper Plans Conversion Fee:	\$0.00	NESHAP OK:	

Mecklenburg County  
Land Use and Environmental Services  
P.O. Box 31097  
700 N Tryon St  
Charlotte, NC 28231-1097  
(704) 336-3830



Permit: **B2321689**  
Issue Date: May 07, 2012

## Building Permit One/Two Family

### Miscellaneous

Entry Date: 05/2/2012 02:32 pm

Entered By: Sweeney, Eileen

Issue Date: 05/7/2012

Issued By: Sweeney, Eileen

Special Inspections: n/a

### Remarks

Your project has been assigned to the following inspection team for project assistance: North Team @ 704-336-4952.

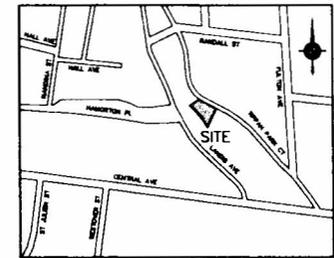
NOTE: Zoning inspection required to verify non-disturbance of SWIM buffer. Call 704-36-7600 to schedule a zoning inspection in order to remove this hold.

No Mechanical equipment in set-back area.

35' SWIM BUFFER HOLD-MAINTAIN 10' MINIMUM BUILDING SEPARATION

FLOODWAY HOLD: 684.44 FPE ELEV CER REQ

*This permit will expire if work either has not started within 6 months or is discontinued for a period of 12 months.  
No credit or refund will be given unless applied for within 120 days after a permit has expired.*



VICINITY MAP  
NOT TO SCALE

**Tippah Park Court**  
Variable Public R/W

**GUTHRIE HOLDING COMPANY, LLC**  
D.B. 19109, PG. 236  
M.B. 332, PG. 78

**MICHAEL H. LEMMOND and  
BRENDA P. LEMMOND**  
D.B. 5504, PG. 253  
M.B. 51, PG. 707

**LOT 11**  
MIDWOOD CENTRAL  
PHASE II  
MAP 1 REVISION  
M.B. 53, PG. 257  
10,664 sq. ft.  
0.2448 acres

**LOT 12**  
MIDWOOD CENTRAL  
PHASE II  
MAP 1 REVISION  
M.B. 53, PG. 257

**LOT 13**  
MIDWOOD CENTRAL  
PHASE II  
MAP 1 REVISION  
M.B. 53, PG. 257

**LOT 14**  
MIDWOOD CENTRAL  
PHASE II  
MAP 1 REVISION  
M.B. 53, PG. 257

**LOT 15**  
MIDWOOD CENTRAL  
PHASE II  
MAP 1 REVISION  
M.B. 53, PG. 257

**LOT 16**  
MIDWOOD CENTRAL  
PHASE II  
MAP 1 REVISION  
M.B. 53, PG. 257

**LOT 17**  
MIDWOOD CENTRAL  
PHASE II  
MAP 1 REVISION  
M.B. 53, PG. 257

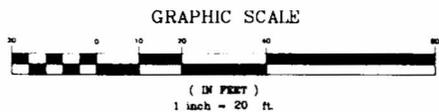
- LEGEND:**
- CB - CATCH BASIN
  - CGF - COMBINED GRID FACTOR
  - CP - CALCULATED POINT
  - CPED - CABLE PEDISTAL
  - D.B. - DEED BOOK
  - EEP - EXISTING IRON PIPE
  - EIR - EXISTING IRON ROD
  - LMP - LAMP POST
  - M.B. - MAP BOOK
  - N.G.S. - NATIONAL GEODETIC SURVEY
  - NIR - NEW IRON ROD
  - PI# - PARCEL IDENTIFICATION NUMBER
  - PG - PAGE
  - R/W - RIGHT-OF-WAY
  - RCF - REINFORCED CONCRETE PIPE
  - S.W.P.E. - STORM WATER PROTECTION ELEVATION
  - TPED - TELEPHONE PEDISTAL

- LINE LEGEND:**
- EASEMENT
  - PROPERTY LINE
  - PROPERTY LINE (NOT SURVEYED)
  - RIGHT-OF-WAY
  - RIGHT-OF-WAY (NOT SURVEYED)
  - SETBACK
  - STORM DRAIN PIPE

- UTILITIES:**
- POWER**  
DUKE POWER ENERGY  
1-800-777-9898
  - TELEPHONE**  
BELL SOUTH TELECOMMUNICATIONS  
1-888-757-4300
  - WATER & SEWER**  
CHAR-MECK. UTILITY DEPT. (CMUD)  
(704) 336-2544 WATER  
(704) 337-6064 SEWER
  - GAS**  
FIDELMONT NATURAL GAS CO.  
1-800-752-7504
  - CABLE TELEVISION**  
TIME WARNER CABLE  
1-800-892-2252



Know what's below.  
Call before you dig.



- NOTES:**
1. THIS PLAT IS NOT FOR RECORDATION AS PER G.S. 47-30 AS AMENDED.
  2. ALL CORNERS MONUMENTED AS SHOWN.
  3. TIE TO NGS MONUMENT "M 854" WAS CALCULATED FROM MP BOOK 53, PAGE 257.
  4. THE LOCATION OF UNDERGROUND UTILITIES SHOWN ON THIS MAP IS APPROXIMATE, BASED ON INFORMATION PROVIDED BY OTHERS OR BY FIELD LOCATION. UTILITY LOCATIONS AS SHOWN HEREON ARE INTENDED FOR PLANNING ONLY. ACTUAL LOCATION, SIZE, OR DEPTH OF LINE SHOULD BE VERIFIED WITH THE INDIVIDUAL UTILITY COMPANY BEFORE CONSTRUCTION.
  5. THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A TITLE COMMITMENT REPORT. R.B. PHARR & ASSOCIATES, P.A. DOES NOT CLAIM THAT ALL MATTERS OF RECORD WHICH MAY OR MAY NOT AFFECT THE SUBJECT PROPERTY ARE SHOWN HEREON.
  6. BROKEN LINES INDICATE PROPERTY LINES NOT SURVEYED.
  7. 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.

**ZONING:**  
ZONING RESTRICTIONS AS PER ZONING ORDINANCE.  
SUBJECT PROPERTY ZONED: UR-7(CD)  
REFERENCE: RECORDING PETITION 2005-42  
MINIMUM SETBACK: 14 FT FROM BACK OF CURB  
MINIMUM SIDE YARD: 3 FT  
MINIMUM REAR YARD: 10 FT  
BUILDING SEPARATION: 4 FT  
FOR FURTHER INFORMATION CONTACT THE  
CHARLOTTE-MECKLENBURG ZONING DEPARTMENT  
AT 704-336-1548.

**FLOOD CERTIFICATION**  
THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, DATED MARCH 2, 2009  
COMMUNITY PANEL NO: 370159 4564 J

THIS IS TO CERTIFY THAT ON THE 5 DAY OF MARCH 20 12 AN ACTUAL SURVEY WAS MADE UNDER MY SUPERVISION OF THE PROPERTY SHOWN ON THIS PLAT, AND THAT THE BOUNDARY LINES AND THE IMPROVEMENTS, IF ANY, ARE AS SHOWN HEREON. THIS PLAT MEETS THE MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA, BOARD RULE 1600 (21 NCAC 56) AND THE RATIO OF PRECISION DOES NOT EXCEED AN ERROR OF CLOSURE OF ONE (1) FOOT PER 10,000 FEET OF PERIMETER SURVEYED NOR 20 SECONDS TIMES THE SQUARE ROOT OF THE NUMBER OF ANGLES TURNED.

SIGNED *[Signature]*



REVISIONS			SURVEY PREPARED FOR:		
04-27-12	PROPOSED HOUSE MOVED TO 5' FROM SIDE PROPERTY LINE. IMPERVIOUS AREAS WITHIN SWM BUFFER UPDATED.		1547 TIPPAP PARK COURT, CITY OF CHARLOTTE, MECKLENBURG COUNTY, N.C. MAP REFERENCE: 53-257 DEED REFERENCE: 21984-842 TAX PARCEL NO. 095-071-31		
			<b>R.B. PHARR &amp; ASSOCIATES, P.A.</b> SURVEYING & MAPPING 420 HAWTHORNE LANE, CHARLOTTE, NC 28204 TEL: (704) 376-2186 LICENSURE NO. C-1141		
CREW:	TR	CEB	SCALE:	DATE:	FILE NO. XX-3647
			1" = 20'	MARCH 5, 2012	JOB NO. 78024