

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

12-040

Sonda Kennedy
ZBA Clerk

Date Filed: AUG 17 2012

Case Number: _____

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

Property Owner

Property Owner

Carie Tate, Manager

Chris Tate, Manager

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</i>	<i>400 sqft additional impervious</i>
B		<i>of stream</i>	<i>allowance</i>
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
Subdivision:

Parcel: 09507131 Lot: Block:
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
Phone: (704) 915-9915

Address: P.O. BOX 68774
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

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

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:	
Cmrcl 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
Issue Date: 05/7/2012
Special Inspections: n/a

Entered By: Sweeney, Eileen
Issued By: Sweeney, Eileen

Remarks

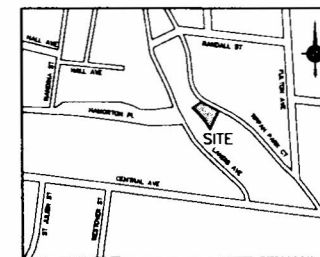
Your project has been assigned to the following inspection team for project assistance: North Team @ 704-336-4952.

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



Tippah Park Court
Variable Public R/W

VICINITY MAP
NOT TO SCALE

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

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

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

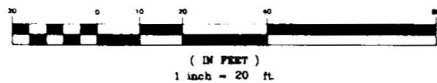
LINE LEGEND:
BASEMENT
PROPERTY LINE (NOT SURVEYED)
RIGHT-OF-WAY
RIGHT-OF-WAY (NOT SURVEYED)
SETBACK
STORM DRAIN PIPE

UTILITIES:
POWER
DUKE POWER ENERGY
1-800-777-9096
TELEPHONE
BELL SOUTH TELECOMMUNICATIONS
1-888-757-4500
WATER & SEWER
CHAR-MECK. UTILITY DEPT. (CMUD)
(704) 336-2544 WATER
(704) 357-4604 SEWER
GAS
PIEDMONT NATURAL GAS CO.
1-800-752-7504
CABLE TELEVISION
TIME WARNER CABLE
1-800-892-2253



Know what's below.
Call before you dig.

GRAPHIC SCALE



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 DISASTER 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 1400 (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 *Clark Neilson*



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 MAP 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-1(CD)
REFERENCE: RESOLUTION 2005-42
MINIMUM SETBACK: 14 FT FROM BACK OF CURB
MINIMUM SIDE YARD: 5 FT
MINIMUM REAR YARD: 10 FT
BUILDING SEPARATION: 4 FT
FOR FURTHER INFORMATION CONTACT THE
CHARLOTTE-MECKLENBURG ZONING DEPARTMENT
AT 704-336-1548.

REVISIONS			SURVEY PREPARED FOR:	
DATE	DRAWN	REVISED	OPENING DOORS PROPERTIES	
04-27-12	CEB		RE: LOT 11, MIDWOOD CENTRAL, PHASE II, MAP 1 REVISION	
			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	
			R.B. PHARR & ASSOCIATES, P.A.	
			SURVEYING & MAPPING	
			420 HAWTHORNE LANE, CHARLOTTE, N.C. 28204 TEL: (704) 376-2196	
			SCALE: 1" = 20'	
			DATE: MARCH 5, 2012	
			JOB NO: 78024	