



CERTIFIED MAIL

George A. Arzberger, III
18200 Hideaway Road
Charlotte, NC 28278

**RE: VARIANCE
18200 HIDEAWAY ROAD
CASE NUMBER 12-023**

Dear Mr. Arzberger, III:

At its meeting on June 26, 2012, the City of Charlotte Zoning Board of Adjustment ("Board") **granted** a 13 foot variance from the required 35 foot rear yard to allow a single family structure to be constructed.

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

1. The applicant is George A. Arzberger III.
2. The subject parcel's current zoning classification is R-5 (Residential).
3. The site is located at 18200 Hideaway Road, further identified as tax parcel 217-172-41.
4. The property comprises of approximately 1.38 acres.
5. The site is located in the Lake Wylie watershed.
6. Pursuant to Section 9.205(1)(g) of the Zoning Ordinance, the required rear yard is 35 feet.
7. The applicant is proposing to remove an existing mobile home and replace it with a new structure; the existing structure is currently 22 feet from the rear lot line.
8. The new dwelling will encroach no further than the existing structure.
9. The new dwelling will not be located in the required S.W.I.M. buffer.
10. The current nonconforming mobile home will be replaced with a stick built structure making the property more in compliance with the current Ordinance.
11. The hardship is a result of the steep topography of the land.

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. The variance request meets the general purpose and intent of the Zoning Ordinance and preserves its spirit.
2. There are practical difficulties or unnecessary hardships that would result from the strict application of these regulations.

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,



Michael Knotts
Vice - Chairperson

7/30/12

Date

DECISION FILED IN THE PLANNING DEPARTMENT:

July 30, 2012 Katrina Young

Date Katrina Young, Zoning Administrator