



CERTIFIED MAIL

CEW Properties II, LLC
Attn: Mr. Ward Williams
5701 E Independence Boulevard
Charlotte, NC 28212

**RE: 5701 and 5721 E INDEPENDENCE BOULEVARD
CASE NUMBER 2014-045**

Dear CEW Properties II, LLC:

At its meeting on October 28, 2014, the City of Charlotte Zoning Board of Adjustment ("Board") **granted** a variance subject to conditions to allow maneuvering in the setback and to allow a driveway be installed within the setback parallel to the street right-of-way as opposed to nearly perpendicular to the street right-of-way as required by the Zoning Ordinance.

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

1. The applicant is CEW Properties II, LLC (Represented by Ward Williams)
2. The proposed site is located at 5701 & 5721 E. Independence Blvd., further identified as tax parcel 165-011-04 & 165-011-05.
3. The subject parcel's current zoning classification is B-2 (General Business).
4. The applicant is proposing to create a circulation drive within the setback along E. Independence Blvd.
5. The hardship is a result of NCDOT's substantial taking of applicant's property and relocated billboard.
6. The hardship is also a result of the manufacturer's requirements of the auto dealer.

Condition:

1. No parked cars in setback as it is applied in proposed parcel 165-011-05 as shown in Government Exhibit #5.

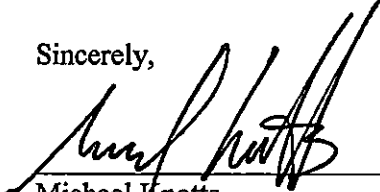
Based upon the above findings of fact, the Board concludes that the applicant has met the standards set forth in North Carolina General Statutes § 160A-388, and more specifically:

1. Unnecessary hardships would result from the strict application of the Ordinance.
2. The hardship results from conditions that are peculiar to the property (location, size or topography).

3. The hardship does not result from actions taken by the applicant or the property owner.
4. The requested variance is consistent with the spirit, purpose, and intent of the Zoning Ordinance in that the public safety is secured and substantial justice is achieved.

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
Chairperson

10/30/14

Date

DECISION FILED IN THE PLANNING DEPARTMENT:

11/5/14

Date



Shad Spencer, Zoning Administrator

