



March 3, 2006

Randy Smith
400 N. Harbor Suite F-2
Davidson, NC 28036

RE: ZONING APPROVAL FOR AN ADMINISTRATIVE VARIANCE
7819 Forest Pine Drive: TAX PARCEL NUMBER 167-193-08
PROPERTY OWNER: Faison Arrowood Property LTD
CASE NO. 06-016A

Dear Mr. Smith:

Your request for a 2 foot variance to allow 8 vehicle storage spaces for a restaurant drive through window to be a total length of 157 feet has been granted. You may obtain a permit to reflect your variance at 700 N. Tryon Street (Hal Marshall Building).

My investigation and review of the request indicates that the following facts warrant approval of this request:

1. The physical layout of the land and the structures upon the land are such that the ordinance requirement cannot be met.
 - a. *The driveway into the site has a sharp radius that precludes the owner from using a portion of it as stacking area.*
 - b. *The building must be located in its present site so that the zoning setback requirements will be met.*
 - c. *The location of the drive-in window in relationship to the building prohibits it from being relocated elsewhere in the building.*
2. Because of the nature of the abutting property or intervening topographical or geographical features, the application of the ordinance requirement would not serve a useful purpose.
 - a. *Due to the relocated easement of adjacent property, moving the building closer to Arrowood Road would create a greater safety hazard.*
 - b. *The stacking area is located along the side of the building and will not interfere with any other traffic.*
 - c. *A driveway and curb area separates the stacking area from any other traffic on the site.*

An Administrative approval was granted under Section 4.107 (Delegated Authority). Please make sure that the annotation of this section is noted on the permit application.

If I can be of further assistance in this matter, please contact me at (704) 336-3571.

Sincerely,

Katrina J. Young
Planning Coordinator

cc: Faison Arrowood Property LTD