



CITY OF CHARLOTTE ZONING BOARD OF ADJUSTMENT
INNOVATION STATION
GOVERNMENT CENTER – 600 EAST FOURTH STREET
TUESDAY – MAY 30, 2006 – 9:00 A.M.

REVISED REGULAR AGENDA

Denied

Case no. 06-049 – 4435 Monroe Road – Bob Jung, rep. by Chet Helt – Tax Parcel Number 159-061-24, requesting 6 variances: 1) a variance to eliminate two required parking space; 2) a 6.5 foot variance to allow a handicapped parking space to be located in the required side yard; 3) a variance to allow maneuvering in the required setback; 4) a 7.5 foot variance to allow 5 parking space to be located within the required 20 foot buffer; 5) a 7.5 foot variance to reduce the required 15 foot buffer with fence and 6) a variance to allow the existing structure to encroach into the required 20 foot buffer area. **Code Section 12.206(3)** states that no maneuvering is allowed within the required setback. **Table 12.202** requires 1 parking space per 250 square feet of business use. **Code Section 12.302(1)** requires a buffer from the adjacent properties. **Code Section 12.302(8)** allows a buffer reduction of 25 percent when a fence or wall is constructed. **Table 12.302(a)** requires a class B buffer for a business use adjacent to a residential use. **Table 12.302(b)** requires a buffer width of 22 feet for a lot that is less than one-half acres. **Code Sections 12.206(3)** states that no maneuvering is allowed within the required setback. **Table 12.202** requires 1 parking space per 250 square feet of business use.

Continued

Case no. 06-050 – 1911 Holly Street – Mony R. Davis – Tax Parcel Number 077-041-02, requesting a 3.2 foot variance from the required 5 feet to allow the construction of an addition to remain as built. **Code Section 2.201** defines required side yard as the minimum distance required by this Ordinance between the side lot line and the side building line, extending from the established setback to the established rear yard. **Code Section 9.205(1)(f)** states the minimum side yard required in an R-5 district is 5 feet.

Denied

Case no. 06-051 – 8926 Summer Club – Bill & Terri Saint – Tax Parcel Number 229-058-20, requesting a 10.1 foot variance from the required 30 foot rear yard requirement to allow a construction of a residence to be located 19' 9" from the property line. **Code Section 2.201** defines required rear yard as the minimum distance required by this Ordinance between the rear of a principal building or structure and the lot line farthest from the street fronting the lot as measured parallel to the rear lot line, projected to the side lines of the lot on which the building or structure is located. **Code Section 9.205(1)(g)** states the minimum rear yard required in an R-3 district is 45 feet.

Upheld Zoning Administrator's Decision

Case no. 06-031 (APPEAL) – 316 Woodvale Place – John Drakeford – Tax Parcel Number 071-074-28, appealing the Zoning Administrator's decision that applicant is operating an auto repair shop at his residence. **Code Section 9.202 nor Code Section 9.203** lists auto repair as a permitted use by right or under prescribed conditions in an R-8 zoned district. **Code Section 9.204(10)(a)(1)** states that no more than two (2) motor vehicles that do not have a current, valid license plate and are not fully enclosed in a permanent structure shall be permitted outside on any premises, provided such vehicles are registered to the occupant of the premises or immediate family member of the occupant as the record title owner of the vehicle. **Code Section 12.406: (1) states** that no fence or wall located in the required setback shall be built to a height greater than 5 feet above grade, unless it is a part of a zero lot line subdivision, then it may be 6 feet; **(2) states** that no fence or wall located in the required side yard between the required setback and established rear yard shall be built to a height greater than 6 feet above grade; **(3) No fence or wall located in the established rear yard shall be greater in height than 8 feet above grade height in the rear yard.**

~ THE BOARD RESERVES THE RIGHT TO DEVIATE FROM THE AGENDA. ~

City of Charlotte will comply with the American Disabilities Act (ADA), which prohibits discrimination on the basis of disability. Anyone needing special accommodations when attending this meeting and/or if this information is needed in an alternative format because of a disability please contact the Clerk to the Charlotte Zoning Board of Adjustment, (704) 336-3818 or lbell@ci.charlotte.nc.us, at least 72 hours prior to the meeting.
