



CITY OF CHARLOTTE ZONING BOARD OF ADJUSTMENT
INNOVATION STATION
GOVERNMENT CENTER – 600 EAST FOURTH STREET
TUESDAY – JUNE 27, 2006 – 9:00 A.M.

RECOMMENDATION AGENDA

Granted

Case no. 06-058 – 401 N. Myers Street – Little Rock AME Zion Church – Tax Parcel Number 080-104-04, requesting a sign variance, as depicted in sign diagram submitted with application, to allow church identification and bulletin board to remain as constructed. **Code Section 9.407(5)(c)** states that one six square foot detached sign is permitted on the premise of a free standing non-residential use. **Code Section 9.407(5)(e)** allows a 12 square foot bulletin board with a maximum height of 10 feet and a maximum diameter of 4 feet.

REGULAR AGENDA

Removed from agenda until a later date

Case no. 06-060 – 4711 Mt. Holly-Huntersville Road – RNM Management LLC – Tax Parcel Number 023-091-09, requesting a variance from the required 2 acre per dwelling unit to allow 3 dwelling units to be located on a total of 2 acres. **Code Section 10.504(a)** defines CA1 (Critical Area 1) - Lower Gar Creek. From normal pool elevation of Mountain Island Lake extending up Gar Creek to Beatties Ford Road and to approximately the ridgeline along the north side of Gar Creek and to Mt. Holly-Huntersville Road on the south side of Gar Creek, as shown more specifically on the City of Charlotte Zoning Maps. **Code Section 10.506(1)(b)** states the development standards for Mountain Island Lake Watershed Overlay Districts requires 2 acres per detached dwelling in a CA1. **Code Section 10.503** states the exceptions to applicability: (1) Existing development, as defined in this part, is not subject to the requirements of this part. Expansions to structures classified, as existing development must meet the requirements of this part, however the built-upon area of the existing development is not required to be included in the density calculations. (2) 2. An existing lot, as defined in this part, owned prior to the effective date of this ordinance, regardless of whether or not a vested right has been established, may be developed for single family residential purposes subject only to the buffer requirements of Section 10.508 of this part; however this exemption is not applicable to multiple contiguous lots under single ownership. (3) Existing public utilities may expand without being subject to the restrictions of this part provided that: a. Such expansion complies with all applicable laws and regulations of the State of North Carolina and the United States of America, including the minimum statewide water supply watershed management requirements adopted by the Environmental Management Commission (“EMC”).

Upheld

Case no. 06-055 (APPEAL) – 3020 Jeff Adams Drive – John & Michele McGraw – Tax Parcel Number 077-171-02, appealing the Zoning Administrator's decision that outside storage in the required setback is a permitted use. **Code Section 12.106(2)** states that no accessory structures, including architectural features, as cited in five (5) below, shall be located within any setback or side yard required of these regulations, or located within three (3) feet of a lot line in the established rear yard. No accessory structure shall be located within any established setback in any residential district, except as otherwise provided. If the accessory structure exceeds the height of the principal structure, it must meet the minimum side yard and be at least 15 feet from a rear property line and shall not exceed the total square footage of heated area located on the first floor of the principal structure. **Code Section 12.106(4)** states that no outdoor storage of goods and materials or refuse containers shall be located within any required setback, or within any required side yard which abuts a street, except for the temporary placement of refuse containers for curbside pick-up in residential districts. **Code Section 12.303(1)** state that the screening requirements must be met at the time that land is developed or land and structures are redeveloped. A buffer required in Section 12.302 may be used to meet the requirements of this Section. The requirements of this Section do not apply to lots or portions of lots, which are vacant or undeveloped. The following uses must be screened from abutting property and from public view from a public street: **(e)** Outdoor storage of materials, stock and equipment; and **(f)** Any other uses for which screening is required under these regulations.

Continued until August

Case no. 06-054 – 3020 Jeff Adams Drive – John & Michele McGraw – Tax Parcel Number 077-171-02, requesting a 20 foot variance from the required 20 foot setback to allow equipment storage in the required setback. **Code Section 12.106(2)** states that no accessory structures, including architectural features, as cited in five (5) below, shall be located within any setback or side yard required of these regulations, or located within three (3) feet of a lot line in the established rear yard. No accessory structure shall be located within any established setback in any residential district, except as otherwise provided. If the accessory structure exceeds the height of the principal structure, it must meet the minimum side yard and be at least 15 feet from a rear property line and shall not exceed the total square footage of heated area located on the first floor of the principal structure. **Code Section 12.106(4)** states that no outdoor storage of goods and materials or refuse containers shall be located within any required setback, or within any required side yard which abuts a street, except for the temporary placement of refuse containers for curbside pick-up in residential districts. **Code Section 12.303(1)** state that the screening requirements must be met at the time that land is developed or land and structures are redeveloped. A buffer required in Section 12.302 may be used to meet the requirements of this Section. The requirements of this Section do not apply to lots or portions of lots, which are vacant or undeveloped. The following uses must be screened from abutting property and from public view from a public street: **(e)** Outdoor storage of materials, stock and equipment; and **(f)** Any other uses for which screening is required under these regulations.

BUSINESS MEETING

Discuss summer schedule.
Adopt new Rules of Procedure.
Adopt new Schedule.

~ 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.
