



CITY OF CHARLOTTE ZONING BOARD OF ADJUSTMENT
INNOVATION STATION
GOVERNMENT CENTER – 600 EAST FOURTH STREET
TUESDAY – AUGUST 29, 2006 – 9:00 A.M.

RECOMMENDATION AGENDA

Granted

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 2 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) 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.

REGULAR AGENDA

Upheld Zoning Administrator's Decision that the use is Nonconforming and Overturned Zoning Administrator's Stipulations to the Nonconforming Use

Case No. 06-057 (APPEAL) – 14410 Eastfield Road – John and Betty Wallace - Tax Parcel Number 029-641-01 and 029-241-03, appealing the Zoning Administrator's decision that the Wallace Farms composting operation as a principal use is permitted in the residential zoned district as a non-conforming principal use. **Code Section 9.202** does not list composting / recycling as a permitted use by right in a residential zoned district. **Code Section 9.203** does not list composting / recycling as a permitted use under prescribed conditions.

~ **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 at least 72 hours prior to the meeting.
