



**CITY OF CHARLOTTE ZONING BOARD OF ADJUSTMENT
INNOVATION STATION
GOVERNMENT CENTER – 600 EAST FOURTH STREET
TUESDAY – OCTOBER 31, 2006 – 9:00 A.M.**

RECOMMENDATION AGENDA

Case No. 06-076 – 814 Sunnyside Avenue – Greg and Shannon Rodden - Tax Parcel Number 080-218-09, requesting a 5 foot variance from the required 10 foot side yard to allow an addition to encroach 5 feet into the required side yard. The following sections of the Zoning Ordinance apply: **Code Section 12.102(8)** – If a lot is fronted on three sides by streets, the setback requirement for the district shall be applied only on the two opposing street fronts. The required side yard on the third street front must be a least one-half the required setback in that district. **Code Section 9.205(1)(e)** requires a 20 foot setback in the R-8 zoned district.

Case No. 06-077 – 7128 Lanterntree Lane – Jorge A. Marcelo - Tax Parcel Number 111-307-03, requesting a 1 foot variance from the required 5 feet maximum fence height in the required setback to allow a 6 foot high fence to remain as constructed. The following Section of the Zoning Ordinance applies: **Code Section 12.406(1)** – 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.

Case No. 06-078 – 4027 Raccoon Run Court – Hamid Ejlali and CA-SE Construction - Tax Parcel Number 193-412-64, requesting a 3.1 foot side yard variance from the the required 6 foot side yard to allow a residence to remain as constructed 2.9 feet from the property line. The following Sections of the Zoning Ordinance apply: **Code Section 8.1.3** in the Mecklenburg County 1980 Zoning Ordinances states uses permitted in conditional use distances shall be subject to all applicable development standards and requirements for that use listed in corresponding general zoning districts as set forth elsewhere in this ordinance. Mecklenburg County 1980 Zoning Ordinance **Code Section 15.2.1** requires one side yard to be at least six (6) feet and the other side yard to be at least eight (8) feet in the R-9 zoned district.

Case No. 06-069– 3111 Whiting Avenue – New Vision Deliverance Ministry/New Life Theological Seminary (Represented by Robert L. Brandon) - Tax Parcel Numbers 083-126-01, 083-126-08, 083-126-18, & 083-126-19, requesting a required road classification and a variance from the primary vehicle access to allow a seminary use in the R-5 zoned district. The following Sections of the Zoning Ordinance apply: **Code Section 9.203(22)(b)** lists universities, colleges and junior colleges as a permitted use under prescribed conditions in a single family residential

zoned district provided that the use will be located on a lot which fronts on a minor or major thoroughfare; **Code Section 9.203(22)(c)** permits universities, colleges and junior colleges in a single family residential zoned district provided that the primary vehicular access to the use will not be provided by way of a residential local (Class VI) street.

~ 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.
