



**CITY OF CHARLOTTE ZONING BOARD OF ADJUSTMENT
INNOVATION STATION
GOVERNMENT CENTER – 600 EAST FOURTH STREET
TUESDAY – JUNE 26, 2007 – 9:00 A.M.**

RECOMMENDATION AGENDA

GRANTED

Case No. 07-030 – 3019 Hanson Drive – David DuBose/DuBose Custom Homes/Hanson Homes LLC– Tax Parcel Number 153-092-25, requesting a 1.7 foot variance from the required six foot side yard to allow a residence with a fireplace encroachment to remain as constructed. **Code Section 9.205(1)(f)** of the Charlotte Zoning Ordinance requires a minimum side yard of six feet in a R-3 zoning district. **Code Section 2.201(g)** of the Charlotte Zoning Ordinance defines the 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. If no setback is required, the side yard shall be defined as extending from the street line to the rear yard.

AGENDA

GRANTED

Case No. 07-029 – 1126 Morningside Drive –Circle K Properties, Inc. (Represented by John Carmichael) – Tax Parcel Number 129-075-08, requesting a variance to allow reconstruction of a commercial building in the floodway lower than one foot above the level of the community based flood elevation. **Code Section 9.20(2)** of the Mecklenburg County Floodplain applies: In all areas of special flood hazard where base flood elevation data have been provided, as set forth in Article III, Section 9-7 and Article IV, Section 9-16(10), the following provisions are required: Nonresidential construction. New construction or substantial improvement of any commercial, industrial or nonresidential structure shall have the lowest flood, including basement, elevated no lower than one foot (two(2) feet along the Catawba River including Lake Wylie and Mountain Island) above the level of the Community base flood elevation. Structures located in the floodway-fringe or the floodway may be flood proofed in lieu of elevation, provided that all areas of the structure below the required elevation are watertight with walls substantially impermeable to the passage of water, using structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A registered professional engineer or architect shall certify that the standards of the subsection are satisfied. Such certification shall be provided to the official as set forth in Article IV, Section 9-15(5).

BUSINESS MEETING

~ 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 skennedy@ci.charlotte.nc.us, at least 72 hours prior to the meeting.
