



**CITY OF CHARLOTTE ZONING BOARD OF ADJUSTMENT
INNOVATION STATION
GOVERNMENT CENTER – 600 EAST FOURTH STREET
TUESDAY – JULY 31, 2007 – 9:00 A.M.**

AGENDA

GRANTED with conditions

CASE NO. 07-031 – 4206 Walker Road – Steve Keim – Tax Parcel Number 157-142-11, requesting a 15 foot variance from the required 30 foot required setback to allow the demolition and reconstruction of a porch and roof overhang. **Code Section 9.205(1)(e)** of the Charlotte Zoning Ordinance requires a minimum setback of 30 feet in a R-4 zoning district. **Code Section 7.103 (1)** states that a nonconforming structure devoted to a use permitted in the zoning district in which it is located may continue only in accordance with the provisions of this section. **Code Section 7.103(2)** states normal repair and maintenance may be performed to allow the continuation of nonconforming structures. **Code Section 7.103(6)** states that a nonconforming structure shall not be moved unless it thereafter conforms to the standards of the zoning district in which it is located. **Code Section 2.201** The required side yard is 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.

GRANTED

CASE NO. 07-033 – 2711 Millwood Circle – Robert and Nancy Ennis – Tax Parcel Number 023-151-21, requesting a 42 foot variance from the required 100 foot buffer to allow the construction of a residential addition. **Code Section 9.205(1)(e)** of the Charlotte Zoning Ordinance requires a minimum setback of 20 feet in a R-5 zoning district. **Code Section 2.201** 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.

Code Section 10.508(a) requires a 100 foot minimum buffer area for lots located in the critical area of the Mountain Island Lake watershed. **Code Section 10.508(3)** Additional buffer requirements: No permanent structures, built upon areas, septic tanks systems or any other disturbance of existing vegetation shall be allowed within the buffer area.

DENIED

CASE NO. 07-042 – 3005 Somerset Drive – Keith C. Sink – Tax Parcel Number 151-063-08, requesting a 2.5 foot variance from the required five (5) foot side yard to allow a second story addition to remain as constructed. **Code Section 9.205(1)(f)** of the Charlotte Zoning Ordinance requires a minimum side yard of five (5) feet in a R-4 zoning district. **Code Section 2.201** 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.

DENIED

CASE NO. 07-035 (APPEAL) – 4124 Eagle Chase Drive – Larry and Gail Mercer - Tax Parcel Number 023-111-42, appealing the Zoning Administrator's decision that a commercial vehicle parked at a residence is not a permitted use by the City of Charlotte Zoning Ordinance. **Code Section 12.218(1)(a)** states one light or medium commercial vehicle may be parked overnight at a residence or customary home occupation. **Code Section 12.218(4)** – This section shall not be construed as to prevent the temporary parking of emergency vehicles, delivery trucks, moving vans and similar vehicles used for delivery of goods and services nor the parking of commercial vehicles at an active job site or staging area. **Code Section 2.201 Definitions – Commercial vehicles. Large** – Any vehicle designed or used for business purposes that has a gross vehicle weight rating of 13,000 pounds or more. Large vehicles also include commercial vehicles with a GVWR of less than 13,000 pounds if the height of the vehicle exceeds 9.5 feet (including any installed accessories such as ladder racks, cranes, compressors, hose reels, welders, etc), or the length of the cargo area/work platform exceeds 14 feet (not to include step bumpers less than 18 inches in length).

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.
