

Hearing Request Application - Form 1  
Zoning Board of Adjustment  
City of Charlotte

6719  
Date Filed: 11/15/07 Case Number: 08-001 Received by: Skennedy

Instructions

This form must be filed out completely. Please attach the appropriate additional form depending on your request type along with required information as outlined in the appropriate checklist. Please type or print legibly. All property owners must sign and consent to this application, attach additional sheets if necessary. If the applicant is not the owner, the owners must sign the Designation of Agent section at the bottom of this form.

The Applicant Hereby (check all that apply):

- ☒ Requests a variance from the provisions of the zoning ordinance as stated on Form 2  
☐ Appeals the determination of a zoning official as stated on Form 3  
☐ Requests an administrative deviation as stated on Form 4

Applicant or Agent's Name: GEORGE + SUZANNE BAILLIE

Mailing Address: 7012 GARDNER POND COURT

City, State, Zip: CHARLOTTE, NC 28270

Daytime Telephone: 7045546404 Home Telephone: 7045600918 cell

Interest in this Case (please circle one): Owner Adjacent Owner Other

Property Owner(s) [if other than applicant-agent]: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Daytime Telephone: \_\_\_\_\_ Home Telephone: \_\_\_\_\_

Property Address: 7012 GARDNER POND COURT

Tax Parcel Number: 213-372 4B Zoning District: \_\_\_\_\_

Subdivision Name: \_\_\_\_\_ Conditional District: YES NO

Applicant Certification and Designation of Agent

I (we) certify that the information in this application, the attached form(s) and documents submitted by me (us) as part of this application are true and correct. In the event any information given is found to be false, any decision rendered may be revoked at any time. I (we) hereby appoint the person named above as my (our) agent to represent me (us) in this application and all proceedings related to it. I (we) further certify to have received, read and acknowledged the information and requirements outlined in this packet.

10/2/07  
Date

10/2/07  
Date

George B. Baillie  
Property Owner

Suzanne L. Baillie  
Property Owner

**Variance Application - Form 2**  
**Zoning Board of Adjustment**  
**City of Charlotte**

Date Filed: 11/15/07 Case Number: 08-001 Fee Collected: 28000

Has work started on this project? YES ☐ NO ☒  
 If yes, Did you obtain a building permit? YES ☐ NO ☐ If yes, attach a copy.  
 Have you received a Notice of Violation for this project? YES ☐ NO ☒ If yes, attach a copy.  
 Has this property been rezoned? YES ☐ NO ☐ If yes, Petition Number: \_\_\_\_\_

(1) What zoning ordinance section numbers are you seeking a variance from? Please list each section, the requirement and the requested variance.

Item	Code Section	Code Requirement	Variance Request
Example	9.205 (1)(g)	45 foot rear yard	35 foot rear yard with 10 foot reduction in rear yard
A	9.205(1)(g)	30 foot setback	18 foot setback (12 foot reduction required)
B			
C			
D			
E			

(2) Please describe why the variances requested are necessary.

*PLEASE COMPLETE*

**TOPOGRAPHY AND DRAINAGE IN OUR BACKYARD MAKE THE AREA FAIRLY UNUSEABLE.**

(3) THERE ARE PRACTICAL DIFFICULTIES OR UNNECESSARY HARDSHIPS IN THE WAY OF CARRYING OUT THE STRICT LETTER OF THE ORDINANCE. The courts have developed three rules to determine whether, in a particular situation, "practical difficulties or unnecessary hardships" exist. State facts and arguments in support of each of the following:

(a) If the property owner/applicant complies with the provisions of the Ordinance, the property owner can secure no reasonable return from, or make no reasonable use of his property. (It is not sufficient that failure to grant the variance simply makes the property less valuable.)

*PLEASE COMPLETE*

**LAND AREA IS TOO SMALL AND HANDICAPPED BY TOPOGRAPHY TO BE ENJOYED.**

\*

(b) The hardship of which the Applicant complains results from unique circumstances related to the Applicant's land. (Note: Hardships common to an entire neighborhood, resulting from overly restrictive zoning regulations, should be referred to the Charlotte-Mecklenburg Planning Department. Also, unique personal or family hardships are irrelevant since a variance, if granted, runs with the life of the land.)

WATER FROM DRAINAGE AND THE STEEP
TOPOGRAPHY IN A LIMITED AREA ARE UNIQUE
TO OUR LAND.

\*

(c) The hardship is not the result of the Applicant's own actions.

WE DID NOT CREATE THE CONDITION. IT
WAS ALREADY THERE WHEN WE MOVED IN.

\*

(4) THE VARIANCE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ORDINANCE AND PRESERVES ITS SPIRIT. (State facts and arguments to show that the requested variance represents the least possible deviation from the letter of the Ordinance to allow a reasonable use of the land; and, that the use of the property, if the variance is granted, will not substantially detract from the character of the neighborhood.)

VARIANCE REQUEST IS FOR A SMALL AREA
(13' x 16') AND DOES NOT AFFECT ADJACENT
PROPERTIES.

\*

(5) THE GRANTING OF THE VARIANCE SECURES THE PUBLIC SAFETY AND WELFARE AND DOES SUBSTANTIAL JUSTICE. (State facts and arguments to show that, on balance, if the variance is denied, the benefit to the public will be substantially outweighed by the harm suffered by the Applicant.)

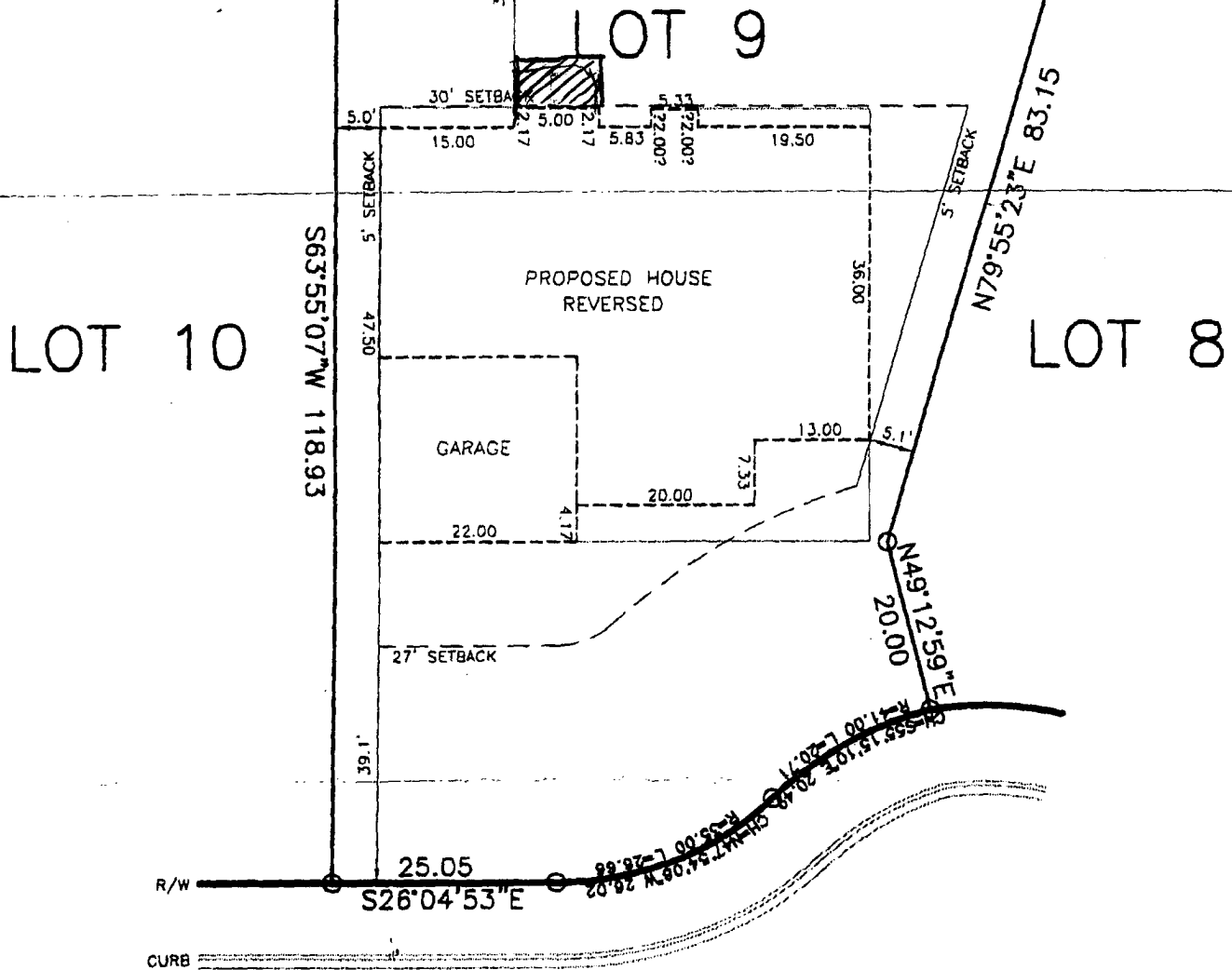
THERE IS NO SAFETY ISSUE INVOLVED.



lot 5122  
80879

# COMMON OPEN SPACE

N26°04'53"W 84.94



## GARDNER POND COURT

40" PUBLIC R/W

### PLOT PLAN OF LOT 9, GARDNER LANE SUBDIVISION, MAP 1

CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA  
PREPARED FOR  
MARQUEE BUILDERS

**R. B. PHARR & ASSOCIATES**  
PROFESSIONAL SURVEYORS  
19801 S. MAIN STREET  
CORNELIUS, NC 28031  
TEL: 704-895-1730  
FAX: 704-895-1964

REFERENCE:  
MAP BOOK 42-505  
TAX PARCEL:  
213-372-11 PART OF  
DRAWN: [ ] REVISED: [ ] VERIFIED: [ ] JOB NUMBER:  
JH 84879

