



CITY OF CHARLOTTE ZONING BOARD OF ADJUSTMENT
CONFERENCE ROOM 280 2ND FLOOR - CMGC
GOVERNMENT CENTER – 600 EAST FOURTH STREET
TUESDAY FEBRUARY 24, 2009 – 9:00 A.M.

AFTER HEARING REVISED

RECOMMENDATION AGENDA

GRANTED

CASE NO. 09-008 – Application has been made by **Michael Bunn** *for property located at 700 Seaboard Street, Tax Parcel Number 078-424-01*, requesting a 20 foot variance from the required 300 foot distance from a residential zoning district to allow the establishment of a commercial kennel. **Code Section 9.1103(23)**. Under prescribed conditions, commercial kennels must be located at least 300 feet from a residential zoning district.

Votes

Ayes: Andy Zoutewelle, Jeffrey Davis, Lee McLaren, Michael Knotts, Randy Fink

Nays: None

AGENDA

Deferred to March

CASE NO. 09-006 (APPEAL) – Application has been made by **Branch Banking & Trust Company (Represented by M. Brandon Mangum)**, *for property located at 2211 West Arbors Drive- Tax Parcel Number 029-011-38*, appealing the interpretation of Zoning Violation letter (# 2005006190) dated December 5, 2008, which instructs the applicant to cease and desist allowing a detached sign to remain located in the sight distance triangle. The sign, which is located at the intersection of W. Mallard Creek Church Road and Claude Freeman Road must be located out of the sight distance triangle. **Code Section 12.109 (1)(a)**. Clear sight triangles at street intersections state that the triangle bounded on two sides by the curb (or pavement edge where there is no curb), measured in each direction along the curb or pavement edge for 50 feet from the midpoint of the radius of the curb or pavement edge, and on the third side by the diagonal line connecting the ends of the 50-foot sides. **Code Section 12.109 (1)(b)** states that the triangle bounded on two sides by the intersecting right-of-way lines, measured 35 feet in each direction from their point of intersection, and on the third side by the diagonal line connecting the ends of the 35-foot sides. **Code Section 12.109(2)** states that within the triangles identified in subsection (1), and except as provided in subsection (3), no structure, sign, plant, shrub, tree, berm, fence, wall, or other object of any kind shall be installed, constructed, set out or maintained so as to obstruct cross-visibility at a level between 30 and 72 inches above the level of the center of the street intersection.

CASE NO. 09-009 – Application has been made by **St. Marks Coptic Orthodox Church (Represented by Tom West)**, *for property located at 101 Shasta Lane - Tax Parcel Number 185-091-25*, requesting two (2) variances: (1) a variance for exemption from the dryland access requirements and (2) a variance for exemption from the 6” depth water requirement. **City of Charlotte Floodplain Regulations. Code Section 9.102(5)**. Dryland access must be provided to new or substantially improved habitable buildings

according to the following criteria: Dryland access is required if any portion of either habitable building or vehicular access route, connecting to the habitable building to a public street, is within the Floodplain. **Code Section 9.102(12)** states that all parking areas for new or substantially improved non-single family habitable buildings must be at an elevation such that water depths would be less than 6” deep in any parking space during the occurrence of a Community Base Flood.

Votes

Ayes: Andy Zoutewelle, Jeffrey Davis, Lee McLaren, Michael Knotts, Randy Fink

Nays: None

**THE BOARD WILL BREAK FOR LUNCH AFTER THE ABOVE CASES
AT APPROXIMATELY 12:30 P. M.**

THE FOLLOWING CASE WILL NOT BE HEARD BEFORE 12:30 P.M.

BUSINESS

Approval of Minutes

~ 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.
