



CERTIFIED MAIL

William T. Blalock
338 S. Sharon Amity Rd., PMB 234
Charlotte, NC 28211

**RE: VARIANCES
6533 Freedom Drive
CASE NUMBER 09-001**

Dear Mr. Blalock:

At its meeting on January 27, 2009, the City of Charlotte Zoning Board of Adjustment ("Board") **granted** two variances : (1) a 20 foot variance from the transitional setback (along Freedom Drive) and (2) a 10 foot variance from the 20 foot setback (along Little Rock Road) to allow the construction of a commercial building as shown on the applicant's site and with the condition that all rights to any increase in compensation from the City as a result of the variance, with regards to the area within the transitional setback, are voluntarily waived.

The Board based its decision on the following findings of fact:

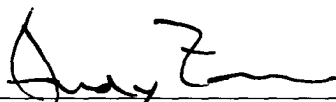
1. The applicant is William T. Blalock.
2. The property is located at 6533 Freedom Drive, further identified as tax parcel 059-231-21 and is approximately 0.21 acres.
3. The subject parcel current zoning classification is B-1 (Business).
4. The original structure which has been demolished, was built in 1927, and had a total heated area of approximately 1,238 square feet.
5. The applicant is requesting a variance to encroach into the required transitional setback (along Freedom Drive) to construct a 1,250 square foot building on the subject lot.
6. The applicant is also requesting a variance to encroach 10 feet into the required side yard along Little Rock Road.
7. The 2004 Mecklenburg-Union Metropolitan Planning Organization Thoroughfare Plan shows the realignment of Little Rock Road to connect with the proposed Fred D. Alexander Blvd. Freedom Drive is proposed to be realigned north of the property in question.
8. The lot is irregular shaped.
9. The hardship is not the result of the applicant's own action, but rather the result of the nature of the transitional right-of-way, unique lot size, and double setbacks.

Based upon the above findings of fact, the Board concludes that the applicant has met each of the three standards stated in §5.108(1) of the Ordinance, and more specifically:

1. The hardship is unique to the property because of the irregular shape and lack of depth which makes it impossible to meet the requirements of the Ordinance and gain reasonable use of the property.
2. The spirit of the Ordinance will be observed because the variance will not adversely impact surrounding properties.
3. The 20 foot and 10 foot variance are large in context, but equitable in relief.

All applicable permits must be obtained from the Planning Department, which has been notified of this decision. The Ordinance §5.111, provides that unless otherwise specified by the Board, any decision of the Board granting a variance shall automatically expire if a permit or a certificate of occupancy pertaining to the need for the variance is not obtained within two (2) years from the date of the meeting of the Board at which the Board rendered its decision.

Sincerely,



Andrew Zoutewelle
Chairperson

Cc: Debra Campbell, Planning Director
Charles Emina, Property Owner
John Sutton, Zoning Inspector

DECISION FILED IN THE PLANNING DEPARTMENT:


Date 
Katrina Young, Zoning Administrator