



CERTIFIED MAIL

Michael A. Bunn
6716 Olde Sycamore Drive
Charlotte, NC 28227

**RE: VARIANCE
700 Seaboard Street
CASE NUMBER 09-008**

Dear Mr. Bunn:

At its meeting on February 24, 2009, the City of Charlotte Zoning Board of Adjustment ("Board") **granted** a variance from the required 300 foot distance from a residential zoning district to allow the establishment of a commercial kennel on the property.

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

1. The applicant is Michael Bunn.
2. The existing structure is located at 700 Seaboard Street, further identified as tax parcel 078-424-01 and the site is approximately 1.17 acres.
3. The original structure was constructed in 1988.
4. The subject parcel current zoning classification is I-2 (Industrial).
5. The applicant is requesting a variance to reduce the 300 foot distance from a residential district to approximately 280 feet.
6. Brookshire Boulevard is identified as a (Freeway) on the 2004 Mecklenburg-Union Metropolitan Planning Organization Thoroughfare Plan with a minimum right-of-way of approximately 300 feet.
7. Impact from the busy highway negates the need for additional distance separation of the kennel from the residential district.
8. There is some natural vegetation that helps to serve as a buffer.
9. Because of the parcel's odd shape, some portions of the property currently meet the 300 foot distance requirement.

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 a result of restrictions imposed by the Zoning Ordinance.
2. The request meets the intent and spirit of the Zoning Ordinance.
3. The variance is consistent with the overall public welfare.

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,

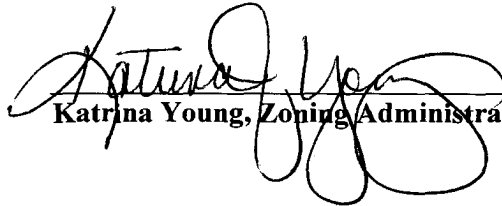


Andrew Zoutewelle
Chairperson

Cc: Mary Anne Pittman & Gerrard Tire Co.

DECISION FILED IN THE PLANNING DEPARTMENT:

March 18, 2009
Date


Katrina Young, Zoning Administrator