

Hearing Request Application - Form 1

Zoning Board of Adjustment

City of Charlotte

09 - 022

09-022

Sonda Kennedy  
ZBA Clerk

Date Filed: April 30, 2009

Case Number: 09-022

Received by: \_\_\_\_\_

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: Dutch and Daisy, LLC

Mailing Address: P.O. Box 1667

City, State, Zip: Matthews, NC 28208

Daytime Telephone: 704-347-4207

Home Telephone: 704-347-4297

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: 3732 Freedom Drive

Tax Parcel Number: 06304102

Zoning District: R-22MF

Subdivision Name: \_\_\_\_\_

Conditional District: \_\_\_\_\_

YES

NO

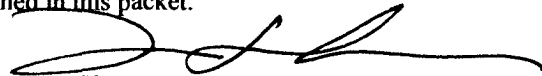
Applicant Certification and Designation of Agent

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.

Date

4/28/09

Property Owner



Date

Property Owner

Date Filed: \_\_\_\_\_ Case Number: 2005006974 Fee Collected: \_\_\_\_\_

(1) What zoning ordinance section numbers do you allege were applied in error? Please list each section, the requirement and the requested variance.

(2) Please describe why you feel the code sections listed above were applied in error. Tell the Board what you feel is the appropriate application of each code section.

<p>The property was purchased through foreclosure and was vacant and abandoned. The property was renovated after a permit was obtained from the city. I have allowed participants in a program from the South Tryon Community Church to reside at the property from time to time with my permission. I am not aware that use of the property violates any Provisions of 4.103. It is my understanding that a Certificate of Occupancy was granted since I was able to have the utilities turned on.</p>

(b) Code Section \_\_\_\_\_

[illegible]

UNIS TO BT  
4/6/09



Neighborhood Development Site Office  
Code Enforcement Division  
Adam Service Area  
4150 Wilkinson Blvd.  
Charlotte, NC 28208

4/1/2009

DUTCH & DAISY LLC  
P.O. BOX 1667  
MATTHEWS, NC 28106

**Zoning Violations Letter**  
**2005006974**

**RE: Address** 3732 FREEDOM DR  
**Parcel Number:** 06304102

**Zoning:** R-22MF  
**Map:**  
**Inspection Date:** 4/1/2009

The provision(s) of the City of Charlotte Zoning Ordinance indicated on the next page(s) have been violated:

You are hereby instructed to cease and desist

OPERATING A BUSINESS OUT OF A RESIDENTIAL PROPERTY WITHOUT CHANGING USE TO AVOID MONETARY CITATION.

**IMMEDIATELY CORRECT THE VIOLATION.** If the violation is not corrected and there is no appeal to the Zoning Board of Adjustment, the Division reserves the right to exercise any one of the following REMEDIES: REVOCATION OF A CERTIFICATION OF OCCUPANCY making continued occupancy unlawful, issuing a CITATION, if unpaid and a judgement, could become a LIEN on the property, seeking of an INJUNCTION, or the issuance of a CRIMINAL SUMMONS. The Zoning Board of Adjustment is empowered to rule on the interpretation of the Zoning Ordinance and to grant variances when a difficulty or hardship exists. Appeals will not be heard by the Board unless application is properly filed in the Zoning Administrator's office within thirty (30) days of the date on this Notice of Violation. Once the deadline has passed, your right of appeal is forfeited. Forms are available in this office.

If you have any questions as to what is required by this Notice, please contact me between 8:00 and 9:00 A.M. at the number below.

**Attachments:**  
Section 8.105  
Section 8.106

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JOHN SUTTON  
704-398-6767  
ZONING INSPECTOR

**Code Sections:**

**4.103**

4.103 Certificate of occupancy required. It is illegal for any person to occupy or use any land, building, or structure or change the use of any land, building, or structure, except for land used for agricultural purposes, without first obtaining a certificate of occupancy.