

Hearing Request Application - Form 1

Zoning Board of Adjustment

City of Charlotte

4/25/12 gsk

Date Filed: 4/24/12

Case Number: ~~2012-0000150~~

2012-014

Received by: gsk

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: Margaret Covade

Mailing Address: 1101 Circlewood Dr.

City, State, Zip: Charlotte, NC 28211

Daytime Telephone: (704) 367-7251 Home Telephone:

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: 1601 Fulton Ave

Tax Parcel Number: 09508907 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.

Date 4/24/2012

Property Owner Margaret Covade

**Appeal Application - Form 3**  
 Zoning Board of Adjustment  
 City of Charlotte

Date Filed: 4/25/12 <sup>gg</sup> ~~4/11/12~~ Case Number: 220120000150 Fee Collected: \$350<sup>00</sup>

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: ~~XXXXXX~~ 4689

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

Item	Code Section	Code Requirement
Example	9.205 (1)(g)	45 foot rear yard
A	7.103(4)	A nonconforming structure may undergo a change of use.
B	7.103(3)	Except as provided, a nonconforming building shall not undergo a change of use.
C		
D		
E		

(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.

(a) Code Section 7.103(4)

Per previous owner, building had previously been a commercial structure. Use ~~is~~ is consistent with commercial building.

(b) Code Section 7.103(3)

Per previous owner, building has been a commercial structure and holds proper zoning. Use is consistent with commercial building.



Code Enforcement Division  
Northeast Service Area  
5727-A N. Sharon Amity Rd.  
Charlotte NC 28215

3/26/2012

MARGARET COVODE  
1101 CIRCLEWOOD DR  
CHARLOTTE NC 28211

## ZONING NOTICE OF VIOLATION

Case Number: Z20120006150 Document # 4689

**Property Address:** 1601 FULTON AV CHARLOTTE NC 28205  
**Tax Parcel No.:** 09508907

**Zoning Classification:** r-5  
**Compliance Date:** 4/5/2012

### Violation Summary:

Cease using 1601 Fulton Ave. for a Yoga Studio. The property is zoned R-5 residential and has lost its non-conforming commercial use based on requirements for non-conforming use at this location.

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 judgment 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 of this Notice of Violation. Once the deadline has passed, your right of appeal is forfeited. Forms are available in this office and online at <http://www.charmeck.org/city/charlotte/planning/AboutUs/Pages/FeesApplications.aspx>.

If you have any questions as to what is required by this Notice, please contact me at the number below.

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GARY SETZER

Zoning Code Inspector  
(704)353-0354  
gsetzer@ci.charlotte.nc.us