



**CERTIFIED MAIL**

Joseph and Theresa Baich  
12030 Mountain Lake Cove  
Charlotte, NC 28216

**RE: VARIANCE  
12030 MOUNTAIN LAKE COVE  
CASE NUMBER 10-006**

Dear Mr. and Mrs. Baich:

At its meeting on April 27, 2010, the City of Charlotte Zoning Board of Adjustment ("Board") **granted** a variance request to allow an existing septic tank system and retaining wall to remain.

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

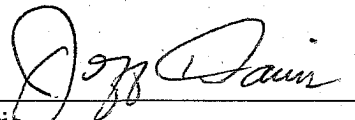
1. The applicants are Joseph & Theresa Baich.
2. The proposed site is located at 12030 Mountain Lake Cove, further identified as tax parcel 023-163-06.
3. The subject parcel's current zoning classification is R-5(residential).
4. The retaining walls and septic tank system were built with the approval of Mecklenburg County Storm Water Services Water Quality Program and Mecklenburg County Groundwater & Wastewater Services.
5. The applicant obtained permit approval and followed procedures according to the State and County regulations.
6. The applicant relied on the County for the placement of the expanded septic tank system and retaining wall.
7. Mecklenburg County (LUESA) is in support of the variance and does not foresee any negative environmental impact as it relates to the septic tank system and retaining walls.
8. The septic tank system and retaining wall are necessary to adequately support the property.
9. The property is peculiar and oddly shaped.
10. Granting the variance will not adversely affect adjacent or contiguous properties.

**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. If the variance were denied, practical difficulties or unnecessary hardship would result from the strict application of these regulations.
2. The spirit of the ordinance is observed by granting the variance.
3. In granting the variance the public safety and welfare have been assured.

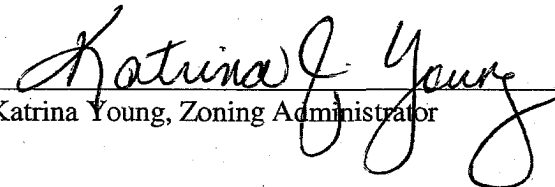
All applicable permits must be obtained from the Planning Department, which has been notified of this decision. The Ordinance §5.111, provides that unless otherwise specified by the Board, any decision of the Board granting a variance shall automatically expire if a permit or a certificate of occupancy 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,

  
\_\_\_\_\_  
Jeff Davis  
Chairperson

**DECISION FILED IN THE PLANNING DEPARTMENT:**

May 20, 2010  
Date

  
\_\_\_\_\_  
Katrina Young, Zoning Administrator