



CERTIFIED MAIL

Greater Galilee Baptist Church (Trustees)
Attn. Dexter Sneed
501 W. Park Avenue
Charlotte, NC 28203

**RE: VARIANCE
501 W. PARK AVENUE
CASE NUMBER 10-008**

Dear Deacon Sneed:

At its meeting on April 27, 2010, the City of Charlotte Zoning Board of Adjustment ("Board") **granted** a 10.5 foot variance request from the required 35 foot minimum rear yard in an R-5 zoning district to allow the relocation of an existing single family structure.

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

1. The applicant is Greater Galilee Baptist Church (represented by Greg Hartley).
2. The proposed site is located at 1565 Wilmore Drive, further identified as tax parcel 119-082-01.
3. The subject parcel's current zoning classification is R-5(residential).
4. The lot is considered legal nonconforming because it was created prior to the adoption of these regulations and does not meet the current minimum lot size requirement.
5. Granting the variance will not alter the character of the neighborhood.
6. Granting the variance will not have an adverse impact on contiguous properties.
7. Currently the site is being used as a parking lot which is a violation. Locating a residence on this lot would bring the lot into compliance.
8. The Wilmore Community is seeking a historic designation for the area. The house to be relocated on the lot was built in 1931 from another location in the area.
9. The hardship is unique to the property because of the lack of depth to the property.
10. The majority of lots within Wilmore are 50' x 150' with the exception of a few lots which do not disrupt the character of the neighborhood.
11. The variance is small in context.

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. In granting the variance the public safety and welfare have been assured and substantial justice has been done.
2. The variance is in harmony with the general purpose and intent of the Ordinance and further preserves its spirit.

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

Cc: Greg Hartley, EMT&T

DECISION FILED IN THE PLANNING DEPARTMENT:

May 20, 2010
Date

Katrina Young, Zoning Administrator