



CERTIFIED MAIL

Michael and Melissa Steinitz
5105 45th Street NW
Washington, DC 20016

**RE: VARIANCE
1830 DOVE COTTAGE DRIVE
CASE NUMBER 10-038**

Dear Mr. and Mrs. Steinitz:

At its meeting on October 26, 2010, the City of Charlotte Zoning Board of Adjustment ("Board") **granted** a 4.3 foot variance from the required 45 foot minimum rear yard to allow an existing structure to encroach into the rear yard as it appears in Government Exhibit "10" (see attached).

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

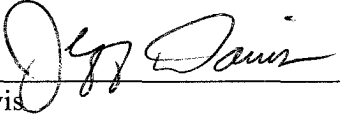
1. The applicant is Michael and Melissa Steinitz (represented by Ralph McMillan).
2. The proposed site is located at 1830 Dove Cottage Drive, further identified as tax parcel 211-641-32.
3. The subject parcel is zoned R-3 (Single Family Residential).
4. The existing structure encroaches approximately 4.3 feet into the required 45 foot rear yard.
5. In 2002, the residential plot plan permit application obtained prior to building the structure distinctly showed the minimum rear yard requirement of 45 feet.
6. The plot plan permit application showed that the addition would be located 48 feet from the rear property line.
7. Due to the irregular shape of the lot, the applicant has a hardship.
8. The variance is small in context.
9. There was no opposition present.

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 variance is in harmony with the general purpose and intent of the Ordinance and further preserves its spirit.
2. In granting the variance the public safety and welfare have been assured and substantial justice has been done.
3. Granting the variance will not adversely affect adjacent or contiguous properties.

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,

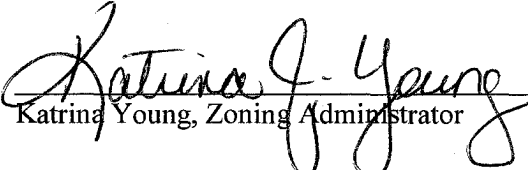


Jeff Davis
Chairperson

Cc: Ralph McMillan (Applicant's Representative)

DECISION FILED IN THE PLANNING DEPARTMENT:

November 2, 2010
Date



Katrina Young, Zoning Administrator

Government
Exhibit
2010-038
#10

4.3'

