



CERTIFIED MAIL

Thomas Hunter
1050 Watts Drive
Charlotte, NC 28216

**RE: VARIANCE
1050 WATTS DRIVE
CASE NUMBER 10-041**

Dear Mr. Hunter:

At its meeting on October 26, 2010, the City of Charlotte Zoning Board of Adjustment ("Board") **denied** a 5 foot variance from the required 6 foot minimum side yard to allow an accessory structure to be located in the required side yard and established setback.

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


1. The applicant is Thomas Hunter.
2. The proposed site is located at 1050 Watts Drive, further identified as tax parcel 037-028-02.
3. The subject parcel is zoned R-3 (Single Family Residential).
4. The existing accessory structure which encroaches 5 feet into the required 6 foot side yard is not in compliance with Code Section 9.205 (1) (g) of the ordinance.
5. The applicant has other options such as relocating the structure or removing it.
6. A building permit was not obtained prior to erecting the structure.
7. The variance is large in context.
8. The hardship is personal and the applicant has other options such as relocating the structure or removing it.
9. There was opposition.

Based upon the above findings of fact, the Board concludes that the applicant has failed to meet the three standards stated in §5.108(1) of the Ordinance, and more specifically:

1. Granting the variance will be in direct violation of the Zoning Ordinance.
2. The applicant can make reasonable use of the property without a variance.

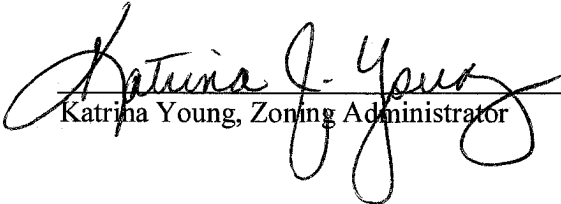
Pursuant to N. C. G. S. Section 160A-388(e), the Board's decision in Case No. 10-041 may be appealed by a petition for review in the nature of *certiorari* to Superior Court within thirty (30) days from the date stated below, which is the date when the decision of the Board was filed in the Planning Department/Zoning Administration Division, or within thirty (30) days after receipt of the decision by an aggrieved party who filed a written request for such copy with the Clerk to the Board at the time of the hearing of the case, whichever is later.

Sincerely,



Jeff Davis
Chairperson

DECISION FILED IN THE PLANNING DEPARTMENT:

November 2, 2010 
Date Katrina Young, Zoning Administrator