



CERTIFIED MAIL

Horizon Christian Fellowship Church
7936 Steele Creek Road
Charlotte, NC 28217

**RE: VARIANCE
7936 STEELE CREEK ROAD
CASE NUMBER 11-007**

Dear Horizon Christian Fellowship Church:

At its meeting on March 29, 2011, the City of Charlotte Zoning Board of Adjustment ("Board") **denied** (1) a 25 foot variance from the required 38 foot "Class C" buffer to allow a driveway and (2) no action was taken on the variance request to allow secondary vehicle access for a religious institution by way of a residential local street.

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

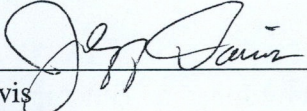
1. The applicant is Horizon Christian Fellowship Church (Represented by Jonathan Hutchinson).
2. The proposed site is located at 7936 Steele Creek Road, further identified as tax parcel 141-112-03.
3. The subject parcel is zoned R-3 (Residential District).
4. A religious institution currently occupies this location.
5. The applicant is proposing to construct an additional building on site and reconfigure an existing driveway to be located in the required buffer.
6. The applicant has other locations on the property where the primary access could be located and not disrupt the required buffer.
7. The property currently has two access points along Steele Creek Road.
8. The hardship is a result of the applicant's configuration of the site and not that of the City's Zoning Ordinance.
9. The applicant is proposing to locate secondary access along Snow Ridge Road to a planned parking lot.
10. The hardship is personal in nature.
11. Snow Ridge Lane is a "Class C" street.
12. Denying the variance request would not prevent continued development of the site.

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. No practical difficulties or unnecessary hardships exist that would prevent the owner from securing a reasonable return or making a reasonable use of the property.
2. Granting the variance will be in direct violation of the Zoning Ordinance.
3. The spirit of the Ordinance would not be observed, because granting the variance would have the effect of amending the Zoning Ordinance.

Pursuant to N. C. G. S. Section 160A-388(e), the Board's decision in Case No. 11-007 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

Cc: Jonathan Hutchinson, Architect

DECISION FILED IN THE PLANNING DEPARTMENT:

4-25-11
Date April 25, 2011



Katrina Young, Zoning Administrator