



**CERTIFIED MAIL**

David Springer  
2337 Croydon Road  
Charlotte, NC 28207

**RE: VARIANCE**  
**2337 Croydon Road**  
**CASE NUMBER 11-008**

Dear Mr. Springer:

At its meeting on April 26, 2011, the City of Charlotte Zoning Board of Adjustment ("Board") **denied** a 13 foot variance from the required 45 foot minimum rear yard to allow for the construction of a room addition to the existing house.

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

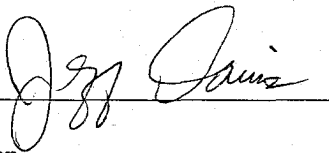
1. The applicant is David Springer (Represented by Walter Fields).
2. The site is located at 2337 Croydon Road, further identified as tax parcel 151-137-11.
3. The subject parcel is zoned R-3 (Residential).
4. Code Section 9.205(1)(g) requires a minimum rear yard of 45 feet.
5. The existing single-family structure is approximately 4,092 square feet.
6. The existing single-family structure currently meets all yard requirements as required by the Zoning Ordinance.
7. The applicant is seeking a variance to construct an addition that will encroach approximately 13 feet into the required rear yard.
8. The applicant's desire to construct an addition in the required rear yard creates a hardship.
9. Per Code Section 12.106(1) no principal building or principal structure shall be located within any setback or yard required by these regulations except as provided in this Section and elsewhere in these regulations.
10. In accordance with Code Section 12.106(3), certain portions of the required rear yard on a lot used for a single family (attached or detached) may be utilized for attached garages, porches, decks, greenhouses, covered patios and utility room extensions of the principal structure.
11. A covered patio extension of the principal structure may encroach in the rear yard no more than 25% of the depth of the required yard for a total of 11.25 feet.
12. The hardship is personal in nature.

**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. The applicant can make reasonable use of the property without a variance.
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.

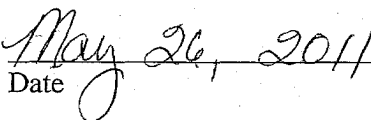
Pursuant to N. C. G. S. Section 160A-388(e), the Board's decision in Case No. 11-008 may be appealed by a petition for review in the nature of *certiorari* to Superior Court within thirty (30) days from the date stated below, which is the date when the decision of the Board was filed in the Planning 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.

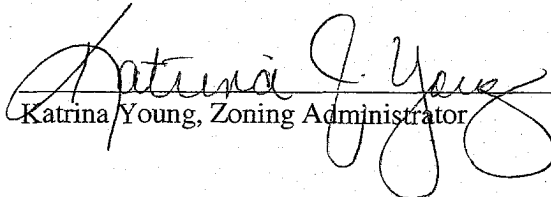
Sincerely,

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

Cc: Walter Fields

**DECISION FILED IN THE PLANNING DEPARTMENT:**

  
\_\_\_\_\_  
Date

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