



CERTIFIED MAIL

Greg Rodden
814 Sunnyside Avenue
Charlotte, NC 28217

**RE: VARIANCE
814 Sunnyside Avenue
CASE NUMBER 11-022**

Dear Mr. Rodden:

At its meeting on June 28, 2011, the City of Charlotte Zoning Board of Adjustment ("Board") **granted** a 1 foot 8 inch variance from the required 16 foot side yard abutting a street to allow a structure to encroach into the side yard.

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

1. The applicant is Greg Rodden.
2. The proposed site is located at 814 Sunnyside Avenue, further identified as tax parcel 080-218-09.
3. The subject parcel is zoned R-8 (residential district).
4. Code section 9.205(1)(e2) requires a minimum setback of 32 feet from existing or future back of curb along local and collector streets.
5. Code Section 12.102 (8) requires that if a lot is fronted on three sides by streets then the required side yard on the third street front must be at least one-half the required setback in that district.
6. The applicant is requesting a 1 foot 8 inch variance from the required 16 foot side yard abutting a street to allow a structure to encroach into the side yard.
7. The site is irregularly shaped.
8. Beaumont Avenue dead ends at Independence Boulevard and there are no plans to connect the street across Independence.
9. There is an existing structure on the lot which makes it difficult to comply with the Zoning Ordinance.
10. The hardship results from the impact of the Ordinance upon a lot that abuts a street which dead ends at the rear of the lot.

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 spirit of the Ordinance is observed by granting the variance.
2. In granting the variance the public safety and welfare have been assured and substantial justice has been done.

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.

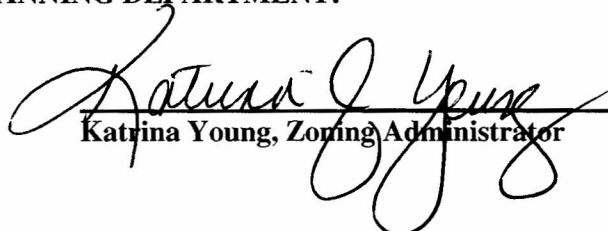
Sincerely,



Jeff Davis
Chairperson

DECISION FILED IN THE PLANNING DEPARTMENT:

7-22-11
Date



Katrina Young, Zoning Administrator