



**CERTIFIED MAIL**

Eco-Energy Distribution – Charlotte  
725 Cool Springs Boulevard, Suite 500  
Franklin, TN 37067

**RE: VARIANCE  
7720 MOUNT HOLLY ROAD  
CASE NUMBER 11-045**

Eco-Energy Distribution - Charlotte:

At its meeting on December 13, 2011, the City of Charlotte Zoning Board of Adjustment (“Board”) **denied** a 95 foot variance from the required 100 feet minimum distance separation to allow the placement of a butane tank on site.

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

1. The applicant is Eco Energy Distribution-Charlotte (Brian Williams).
2. The proposed site is located at 7720 Mt. Holly Road, further identified as Mecklenburg County Tax Parcel number 031-033-56.
3. The subject parcel is zoned I-2 (Heavy Industrial).
4. The applicant proposes to install butane storage tanks on the property.
5. Code section 9.1103(38)(b) requires that all storage tanks and facilities be a minimum distance of 100 feet from any exterior property line.
6. The proposed butane storage tank will be located approximately 5 feet from the side exterior property line.
7. A hardship is created because the applicant wants to locate on a parcel a structure that cannot be constructed without a large separation variance.
8. The applicant may have the option to combine a portion of the adjacent lot to meet the separation requirements.
9. There is no hardship as a result of the Zoning Ordinance.
10. Reasonable use of the property can be secured without granting a variance.

**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 would be in violation of the Zoning Ordinance.
2. The spirit of the Ordinance is not observed by granting the variance to reduce the distance separation and eliminate the buffer requirements.

Pursuant to N. C. G. S. Section 160A-388(e), the Board's decision in Case No. 11-045 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,

  
\_\_\_\_\_  
Jeffrey Davis  
Chairperson

01-10-12  
Date

**DECISION FILED IN THE PLANNING DEPARTMENT:**

January 12, 2012        
Date      Katrina Young, Zoning Administrator

cc: Brian Williams