



**CERTIFIED MAIL**

Hunter's Affordable Bonding  
Attn: Ms. Betty McKinney  
920 Charlottetowne Avenue  
Charlotte, NC 28204

**RE: VARIANCE  
920 CHARLOTTETOWNE AVENUE  
CASE NUMBER 12-011**

Dear Hunter's Affordable Bonding:

At its meeting on June 26, 2012, the City of Charlotte Zoning Board of Adjustment ("Board") **granted** three variances from the requirements of the Zoning Ordinance: (1) a variance to allow the structure to stay as is and encroach into the side yard setback; (2) a variance to allow for parking and maneuvering in the front yard setback; and (3) a variance to allow the building and deck to encroach in the buffer with the condition that a "Class C" buffer is installed with the proper plantings.

Also, the City of Charlotte Zoning Board of Adjustment ("Board") **denied** a variance request for parking and maneuvering in the side yard.

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

1. The applicant is Hunter's Affordable Bonding (represented by Betty McKinney).
2. The proposed site is located at 920 Charlottetowne Avenue, further identified as tax parcel 125-223-03.
3. The property is oddly shaped and is bound by Charlottetowne Avenue and East 1<sup>st</sup> Street.
4. The structure was built around 1916.
5. The property was rezoned November 28, 2011 from R-22MF (Multi-family) to O-1(office).
6. The current use is a bail bond office.
7. The applicants' property is adjacent to a residentially zoned and used property.
8. Code Section 9.705(4)(2) states that development of any use in the O-1, O-2, and O-3 districts must comply with the applicable buffer and screening requirements in Chapter 12 Part 3.
9. Per table 12.302(a) a class "C" buffer is required.
10. Per table 12.206(3) parking is not permitted in the required setback or side yards.
11. The hardship is the result of the impact of the Zoning Ordinance upon the unique shape of the lot and the 2011 rezoning.
12. There is sufficient room for parking in the front of the building to offset variance request for parking in the side yard.
13. Granting the variances will not alter the character of the neighborhood, because the use is consistent with nearby uses.

**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. By granting the variances the public safety and welfare have been assured and substantial justice has been done.
2. The variances are in harmony with the general purpose and intent of the Ordinance and further preserves its spirit.

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.

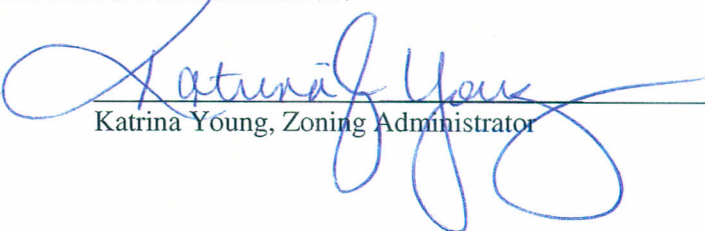
Pursuant to N. C. G. S. Section 160A-388(e), the Board's decision in Case No. 12-011 may be appealed by a petition for review in the nature of *certiorari* to Superior Court within thirty (30) days from the date stated below, which is the date when the decision of the Board was filed in the Planning 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,

  
\_\_\_\_\_  
Michael Knotts  
Vice - Chairperson

7/30/12  
\_\_\_\_\_  
Date

**DECISION FILED IN THE PLANNING DEPARTMENT:**

July 30, 2012   
\_\_\_\_\_  
Date Katrina Young, Zoning Administrator