



September 6, 2012

Iglesia Apostoles Y Profetas Fuente DeAgua Vida  
Attn: Jesus Hernandez  
4440 Back Creek Road  
Charlotte, NC 28213

**RE: APPROVAL FOR A ZONING VARIANCE EXTENSION  
4811 E. WT HARRIS BLVD  
TAX PARCEL NUMBER: 107-131-25  
PROPERTY OWNER: Iglesia Apostoles Y Profetas Fuente DeAgua Vida**

**CASE NUMBER 10-024**

Dear Iglesia Apostoles Y Profetas Fuente DeAgua Vida:

Your request for an extension to the variance that was granted on June 29, 2010 has been approved. The original approval was for a variance to allow vehicular access by way of a residential (Class VI) street. This extension will expire one year from today's date. You may obtain a permit to reflect your variance at 700 N. Tryon Street (Hal Marshall Building).

The original findings of fact made by the City of Charlotte Zoning Board of Adjustment ("Board") in **granting** the variance are:

1. The applicant is Iglesia Apostoles Y Profeta Fuente DeAgua Vida.
2. The proposed site is located at 4811 E. W.T. Harris Boulevard, further identified as tax parcel 107-131-25.
3. The subject parcel's current zoning classification is R-3 (Residential) and is a vacant lot.
4. The applicant is proposing to construct a religious institution at this location.
5. The applicant is seeking relief from Ordinance Section 12.506(7).
6. The site fronts along E. W.T. Harris Boulevard (Major Thoroughfare) and Demill Lane (Class VI).
7. CDOT has determined that access is best provided from Demill Lane in the location proposed in the variance request.

8. Granting the variance will not affect adjacent or contiguous properties.
9. The hardship is peculiar because to the applicant's property fronts along a major thoroughfare.

Based upon the above findings of fact, the Board concluded that the applicant had met each of the three standards stated in §5.108(1) of the Ordinance, and more specifically:

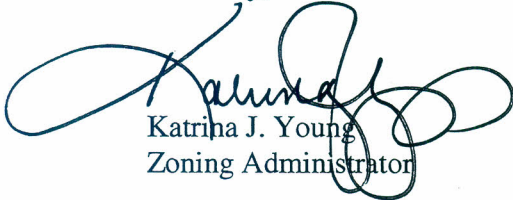
1. The variance was in harmony with the general purpose and intent of the ordinance and further preserves its spirit.
2. In granting the variance the public safety and welfare had been assured.
3. Practical difficulties and unnecessary hardships would have resulted from a strict application of the Ordinance.

The circumstances for granting the variance have not change and therefore the approval for extension is granted administratively in accordance with **Code Section 5.111** (Effect of grant of variance) and Code Section 4.107 (Delegated Authority). **Code Section 5.111** states that if two years have expired, the Zoning Administrator shall have the authority to issue the permit if the Zoning Administrator determines that, based upon the Board's decision; the circumstances for the granting of the variance have not changed and would allow the issuance of the permit. **Code Section 4.107** states the Zoning Administrator has the authority to grant an administrative approval of deviations from measurable and quantifiable standards of this ordinance, except for density requirements and signs, if the deviations are in accordance with conditions listed.

Please make sure that the annotation of this section is noted on the permit application.

If I can be of further assistance in this matter, please contact me at (704) 336-3571.

Sincerely,



Katriha J. Young  
Zoning Administrator