



CERTIFIED MAIL

Regent Homes, Inc.
2125 Southend Dr., Suite 353
Charlotte, NC 28203

**RE: VARIANCE
11509 TRIBAL DRIVE
CASE NUMBER 2013-007**

Dear Regent Homes, Inc.:

At its meeting on February 26, 2013, the City of Charlotte Zoning Board of Adjustment ("Board") **granted** a 7 foot variance from the required 30 foot minimum rear yard to allow an existing residence to remain.

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

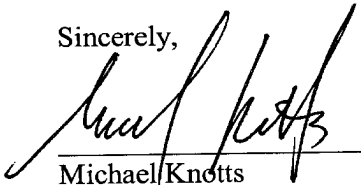
1. The applicant is Regent Homes, Inc. (Represented by Wesley Huneycutt / Control Point, Inc.)
2. The proposed site is located at 11509 Tribal Drive, further identified as tax parcel 031-142-41.
3. The subject parcel's current zoning classification is MX-1 (Mixed-Use).
4. A single-family structure occupies the site which encroaches 7 feet into the required 30 foot rear yard.
5. The encroaching portion of the home requiring a variance consists of roof trusses, walls, and a concrete slab that would be extremely difficult to remove.
6. Per Code Section 2.201 the required rear yard is the minimum distance required between the rear of a principal building or structure and the lot line farthest from the street fronting the lot.
7. Per the Catawba River Plantation Subdivision Phase 6 Map 2 plat; external lots are required to have a 30 foot rear yard.
8. The hardship is a result of an inadvertent surveying error which was labeling the rear yard of the lot at 20 feet.
9. The structure was built in reliance on the survey which was in error.
10. The adjacent property is zoned CC (Commercial Center) which requires a 75 foot class "B" buffer from abutting properties located in a residential district.
11. The rear yard encroachment has minimal to no impact on the adjacent property due to the class "B" buffer.
12. The variance if granted will not negatively affect the safety and welfare of the community.

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. Practical difficulties or unnecessary hardship exist because:
 - a. The difficulty or hardship is peculiar to the property in question.
2. The spirit of the regulations will be observed by granting the variance.

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,

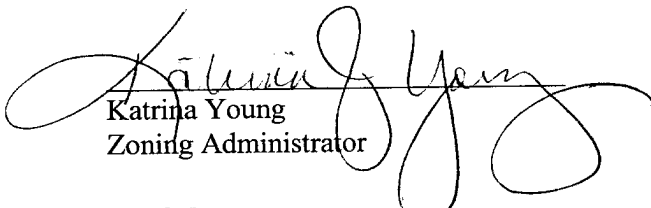


Michael Knotts
Chairperson

3/14/13

Date

DECISION FILED IN THE PLANNING DEPARTMENT:



Katrina Young
Zoning Administrator

March 14, 2013

Date

Cc: Wesley Huneycutt, Control Point, Inc.