



CERTIFIED MAIL

Jason Chamberlain and William Archer
2800 Georgia Avenue
Charlotte, NC 28205

**RE: VARIANCE
2800 GEORGIA AVENUE
CASE NUMBER 2013-014**

Dear Jason Chamberlain and William Archer:

At its meeting on April 30, 2013, the City of Charlotte Zoning Board of Adjustment ("Board") granted an 8 foot variance from the required 35 foot rear yard to allow the construction of an addition to the principal structure.

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

1. The applicants are Jason Chamberlain & William Archer.
2. The proposed site is located at 2800 Georgia Avenue, further identified as tax parcel 095-014-01.
3. The subject parcel's current zoning classification is R-5 (Residential).
4. According to Mecklenburg County records, the structure was built in 1949.
5. The original structure is nonconforming and encroaches approximately 6 feet into the required 35 foot rear yard.
6. On March 28, 2007, a permit was issued to allow the construction of a two-story addition. The required yards denoted on the permit application/plot plan were not correct.
7. The applicants are now seeking a variance to allow a proposed addition to encroach 8 feet into the required rear yard.
8. The residence when constructed prior to the adoption of the Zoning Ordinance, and was situated at an angle on the lot that now prevents any additions to the side or rear without a variance.
9. Granting the variance will not alter the essential character of the neighborhood.
10. The variance is small in context and still allows for a 25 foot rear yard.

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 the difficulty or hardship is peculiar to the property in question.
2. The spirit of the Ordinance 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.

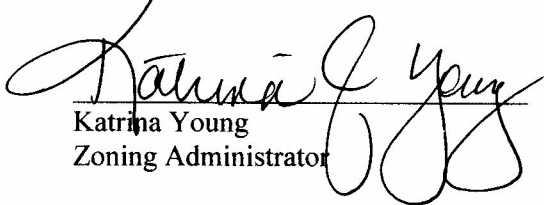
Sincerely,



Michael Knott
Chairperson

5/7/13
Date

DECISION FILED IN THE PLANNING DEPARTMENT:



Katrina Young
Zoning Administrator

May 7, 2013
Date