



**CERTIFIED MAIL**

Todd Bluemke  
1915 Hamorton Place  
Charlotte, NC 28205

**RE: VARIANCE  
1915 HAMORTON PLACE  
CASE NUMBER 2013-026**

Dear Todd Bluemke:

At its meeting on July 30, 2013, the City of Charlotte Zoning Board of Adjustment ("Board") **denied** a request for a 4 foot 4 inch variance to allow a carport to encroach in the required 5 foot side yard.

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

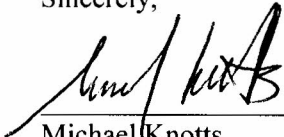
1. The applicant is Todd Bluemke (Represented by Matthew Holtgrewe).
2. The proposed site is located at 1915 Hamorton Place, further identified as tax parcel 095-074-04.
3. The subject parcel's current zoning classification is R-22MF (Multi-Family).
4. The applicant is requesting a 4 foot 4 inch variance to allow a carport to encroach in the required 5 foot side yard.
5. Per Code Section 2.201, a side yard is defined as the minimum distance required by this ordinance between the side lot line and the side building line.
6. Per Code Section 12.106(1), states that no principal building or principal structure shall be located within any setback or yard required by these regulations except as provided in this Section and elsewhere in these regulations.
7. The applicant did not obtain a building permit for the carport prior to construction.
8. The hardship is a result of the applicant's own action.
9. The structure is located approximately 8 inches from the property line, thus the variance would be large in context.
10. Granting the variance would be in direct conflict with the Zoning Ordinance.
11. The applicant may have the option of constructing a carport/garage/parking slab in the front or rear of the property.

**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. No practical difficulties or unnecessary hardship exist because:
  - a. The difficulty or hardship is a result of action of the owner of the property.
  - b. The difficulty or hardship is not peculiar to the property in question.
  - c. The difficulty or hardship resulting from the application of these regulations would not prevent the owner from securing a reasonable return or making a reasonable use of the property.
2. The spirit of the regulations will be observed by denying the variance.

Pursuant to N. C. G. S. Section 160A-388(e2), the Board's decision in Case No. 2013-026 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  
Chairperson

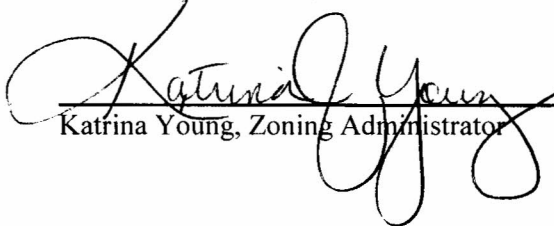
8/27/13

Date

**DECISION FILED IN THE PLANNING DEPARTMENT:**

August 29, 2013

Date



Katrina Young, Zoning Administrator

Cc: Matthew Holtgrewe, Agent