



CERTIFIED MAIL

**Valaree Grier
2624 W Sugar Creek Rd
Charlotte, NC 28262**

**RE: VARIANCE
1416 BROOK ROAD
CASE NUMBER 2014-019**

Dear Valaree Grier:

At its meeting on April 29, 2014, the City of Charlotte Zoning Board of Adjustment ("Board") **granted** a variance for a 19 foot variance from the required 35 foot rear yard to allow the construction of a second floor addition to the existing nonconforming single-family structure.

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

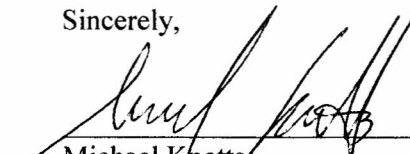
1. The applicant is Valaree Grier (Represented by Andrew Parker).
2. The proposed site is located 1416 Brook Road, further identified as tax parcel 095-022-16.
3. The property is zoned R-5 (Single-family District).
4. A nonconforming single-family structure is currently located on the property which encroaches into the required rear yard.
5. The house was built in 1950.
6. The applicant Valaree Grier purchased the property in 2005.
7. The site is currently under contract to be purchased.
8. The applicant is seeking a 19 foot variance from the required 35 foot rear yard to allow the construction of a second floor addition to the existing nonconforming single-family structure.
9. The second floor addition will not increase the footprint of the nonconforming structure.
10. The site is located within an established single-family neighborhood with only single-family structures as neighboring properties.
11. The unique shape and size of the property makes the site difficult to develop per the Zoning Ordinance requirements.
12. The hardship is unique to the property because of the lack of depth to the property.
13. Granting the variance will not alter the essential character of the area.
14. Granting the variance will not adversely affect adjacent or contiguous properties.

Based upon the above findings of fact, the Board concludes that the applicant has met the standards set forth in North Carolina General Statutes § 160A-388, and more specifically:

1. Unnecessary hardships would result from the strict application of these regulations.
2. The hardship did not result from actions taken by the applicant or the property owner but from conditions that are peculiar to the property
3. By granting the variance, the public safety is secured and substantial justice is achieved.
4. The variance is in harmony with the general purpose and intent of the Zoning Ordinance and 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.

Sincerely,



Michael Knotts
Chairperson

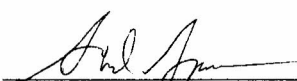
5/9/14

Date

DECISION FILED IN THE PLANNING DEPARTMENT:

5/12/2014

Date



Shad Spencer, Zoning Administrator

Cc: Andrew Parker