



CERTIFIED MAIL

Chris Skibinski and Erin Dougherty
2200 Floral Avenue
Charlotte, NC 28203

**RE: VARIANCE
2200 FLORAL AVENUE
CASE NUMBER 2014-027**

Dear Chris Skibinski and Erin Dougherty:

At its meeting on June 24, 2014, the City of Charlotte Zoning Board of Adjustment ("Board") **granted** a 10 foot variance from the required 35 foot rear yard to allow the construction of a bathroom and closet addition.

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

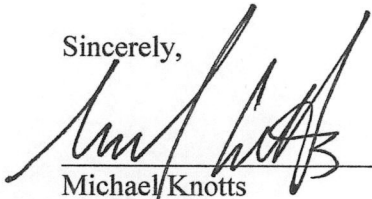
1. The applicants are Chris Skibinski and Erin Dougherty.
2. The proposed site is located 2200 Floral Avenue, further identified as tax parcel 151-013-05.
3. The property is zoned R-5 (single family).
4. The single family structure that currently occupies the site was built in 1939.
5. The existing structure is non-conforming and encroaches approximately two (2) feet into the required 35 foot rear yard.
6. Per Code Section 7.103(5) a nonconforming structure may be expanded, without bringing the nonconforming structure into conformity with these regulations, only if the part of the structure to be expanded and the area of the lot into which the expansion is taking place are both brought into conformity with the requirements of these regulations.
7. Chris Skibinski purchased the property in 2011.
8. Per Mecklenburg County Real Estate records, the property was deeded to Chris Skibinski and Erin Dougherty in September 2013.
9. The applicant is seeking a 10 foot variance from the required 35 foot rear yard to allow the construction of a bathroom and closet addition.
10. Code Section 9.205(1)(g) requires a minimum rear yard of 35 feet.
11. The depth of the lot and the lot area are less than the majority of the lots within the neighborhood.
12. The hardship is unique to the applicant's property and is not neighborhood-wide or community-wide.
13. The variance does not negatively affect adjacent properties.
14. Granting the variance will not alter the essential character of the area.
15. Granting the variance will not adversely affect adjacent or contiguous properties.
16. The hardship is unique to the property because of the size of the property.

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 results from conditions that are peculiar to the property, such as location, size, or topography.
3. The hardship did not result from actions taken by the applicant or the property owner.
4. The requested variance is consistent with spirit, purpose and intent of the ordinance, such that public safety is secured and substantial justice is achieved.

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


7/16/14

Date

DECISION FILED IN THE PLANNING DEPARTMENT:

7/17/14

Date



Shad Spencer, Zoning Administrator