



CERTIFIED MAIL

LaLa World LLC
Attn: Laurie Martin
10316 Daufuskie Dr
Charlotte, NC 28216

**RE: VARIANCE
4214 STATESVILLE ROAD
CASE NUMBER 2014-040**

Dear LaLa World LLC:

At its meeting on September 30, 2014, the City of Charlotte Zoning Board of Adjustment ("Board") **granted** (i) a 250-foot variance and (ii) a 65-foot variance from the minimum 600-foot spacing as required by the Zoning Ordinance between a day labor service agency and a resident zoning district.

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

1. The applicant is Marilyn Hunt Barrier (Represented by Lala World LLC).
2. The proposed site is located at 4214 Statesville Road, further identified as tax parcel 045-012-10.
3. The subject parcel is zoned B-2 (Business District).
4. Per Code Section 12.530(1) any structure in which a day labor service agency is the principal or accessory use shall be separated by a distance of at least six hundred feet (600') from any residentially zoned district or from any existing residential use.
5. There are two areas of residential zoned properties within 600 feet of the proposed day labor service agency. One area is west of Statesville Road and is 350 feet from the proposed agency. The second area is north of the site along Starita Road and is 535 feet from the proposed agency.
6. The first residential zoned area is separated from the subject property by Statesville Road which is a major thoroughfare with an approximate right-of-way of 100 feet. Existing commercial buildings across Statesville Road help to buffer the proposed day labor service agency from the residential zoning district. All of the properties within that district that are within 600 feet of the proposed day labor service agency are vacant or contain vacant/boarded up structures. The adopted Northeast District Plan recommends this residential zoned area to be rezoned for industrial land uses.
7. The second residential zoned area is separated from the subject property by an approximate 5-acre industrial facility. There is only one single family residential use within the 600-foot minimum spacing requirement. The encroachment of the residential district into the minimum spacing requirement is relatively minor at a distance of approximately 65 feet.
8. The site is surrounded by commercially zoned properties on three sides and an industrially zoned property on one side.

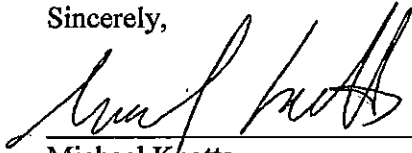
9. The location of the proposed day labor service agency is such that the streets and existing commercial and industrial land uses that are located between this proposed use and the residentially zoned areas create a natural buffer that minimizes any negative impacts that may be created by such facility.

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 the Ordinance.
2. The hardship results from conditions that are peculiar to the property (location, size or topography).
3. The hardship does not result from actions taken by the applicant or the property owner.
4. The requested variance is consistent with the spirit, purpose, and intent of the Zoning Ordinance in that the 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,

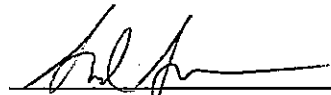


Michael Knotts
Chairperson

10/2/14
Date

DECISION FILED IN THE PLANNING DEPARTMENT:

10/6/14
Date


Shad Spencer, Zoning Administrator