



CERTIFIED MAIL

Kelvin and Cassandra Drakeford
2915 Wild Duck Ct
Charlotte, NC 28262

RE: VARIANCE
4000 and 4008 Wiestling Street
CASE NUMBER 2014-044

Dear Kelvin and Cassandra Drakeford:

At its meeting on October 28, 2014, the City of Charlotte Zoning Board of Adjustment ("Board") **granted** a variance to allow a childcare center to: (1) front along a local street instead of a collector street or a minor or major thoroughfare as required per the Zoning Ordinance, and (2) have primary access to the center by way of a local residential street that does not directly intersect a collector street or a minor or major thoroughfare.

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

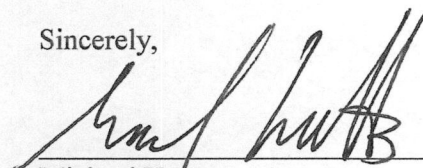
1. The applicants are Kelvin & Cassandra Drakeford.
2. The proposed site is located at 4000 & 4008 Wiestling Street, further identified as tax parcel 145-192-17 & 145-192-22.
3. The subject parcel is zoned B-1 (Neighborhood Business) and R-43MF (Multi-Family).
4. Childcare centers are uses permitted within the B-1 and R-43MF zoning districts per prescribed conditions.
5. Wiestling Street is classified as a local residential street; however, Wiestling Street is parallel to and adjacent to South Tryon Street and separated by seven to nine feet of green space and sidewalk.
6. Per Code Section 12.502(3)(d) childcare centers must have frontage on a collector street or a minor or major thoroughfare. Primary access to the center may be provided by way of a local residential street that directly intersects a collector street or a minor or major thoroughfare.
7. Wiestling Street is a city maintained road that extends approximately 400 feet north of West Cama Street and separates five (5) parcels (4000, 4008, 4014, 4020, and 4026 Wiestling Street) from having direct frontage onto South Tryon Street.
8. Wiestling Street directly intersects with another local residential street, West Cama Street, which then intersects directly with a major thoroughfare, South Tryon Street. The separation between these two intersections along West Cama Street is approximately 55' from the center line of Wiestling Street to the center line of South Tryon.

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

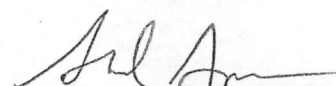
10/30/14

Date

DECISION FILED IN THE PLANNING DEPARTMENT:

11/5/14

Date



Shad Spencer, Zoning Administrator