



CERTIFIED MAIL

Ms. Donna M. Crim
4306 Claybury Court
Charlotte, NC 28227

**RE: VARIANCE
4306 CLAYBURY COURT
CASE NUMBER 2014-047**

Dear Ms. Crim:

At its meeting on November 25, 2014, the City of Charlotte Zoning Board of Adjustment ("Board") **granted** a 2.8-foot variance from the required 5-foot required side yard to allow an existing principal structure to remain in the required side yard.

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

1. The applicant is Donna M. Crim.
2. The proposed site is located at 4306 Claybury Court, further identified as tax parcel 135-051-25.
3. The subject parcel's current zoning classification is R-4 (single family residential).
4. The applicant is requesting a variance to allow an existing principal structure to encroach 2.8 feet into the required 5 foot side yard.
5. The applicant contends that the sunroom addition was permitted and approved by the City of Charlotte in 1999.
6. The encroachment has been in place for approximately 15 years.
7. According to the application, the owner was not aware of the encroachment until a recent survey dated October 20, 2014. That survey indicated the sunroom encroaching into the required side yard.
8. The property is currently under contract to be purchased.
9. The structure is situated on a concrete slab and would be difficult to remove.
10. Granting the variance will not adversely affect adjacent or contiguous properties.
11. Granting the variance will not alter the essential character of the neighborhood, in fact, it will maintain the existing integrity.

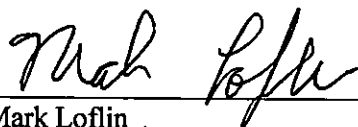
Based upon the above findings of fact, the Board concludes that the applicant has met the standards set forth in North Carolina General Statutes § 160A-388, and more specifically:

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,




Mark Loflin,
Acting-Chairperson

11-25-14
Date

DECISION FILED IN THE PLANNING DEPARTMENT:

11-25-14
Date



Shad Spencer, Zoning Administrator