



CERTIFIED MAIL

Cotswold Partners LLC
2201 Hopedale Ave
Charlotte, NC 28207

**RE: VARIANCE
4475 RANDOLPH ROAD
CASE NUMBER 2015-004**

Dear Cotswold Partners LLC:

At its meeting on February 24, 2015, the City of Charlotte Zoning Board of Adjustment ("Board") **granted** a variance to allow a 10 foot reduction from the required 20 foot transitional setback along North Sharon Amity Road.

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

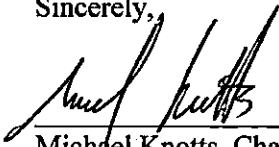
1. The applicant is Cotswold Partners LLC (Represented by Jim Neidlinger, representing PNC Bank).
2. The proposed site is located at 4475 Randolph Road, further identified as tax parcel 157-173-05.
3. The property is comprised of approximately 0.655 acres and is zoned B-1 (Neighborhood Business District).
4. The sites current use is that of an automobile service station.
5. The applicant proposes to redevelop the property to accommodate a bank.
6. Per Code Section 12.103(2), a transitional setback or yard shall also be established for each zoning district which abuts a thoroughfare that has an existing right-of-way which is not as wide as the right-of-way established for that thoroughfare.
7. Both Randolph Road and North Sharon Amity Road are classified as Major Thoroughfares and require a future right-of-way of 50 feet measured from the centerline of the thoroughfare.
8. A 20 foot setback is required from the future right-of-way along North Sharon Amity Road and a 10 foot street side yard is required from the future right-of-way along Randolph Road.
9. The applicant is requesting a variance to allow a 10 foot reduction from the required 20 foot transitional setback along North Sharon Amity Road to allow for a maneuvering lane to bypass the drive through service lanes. The applicant is not requesting a variance from the setback along Randolph Road.
10. The subject property is located on the corner of two Major Thoroughfares that require additional right-of-way which will reduce the size of the parcel from 0.655 acres to 0.598 acres.
11. The size of the property and the application of the transitional setback/yard along two street frontages make it difficult to develop the site without encroaching into the transitional setback.
12. Per Code Section 12.206(3), the space between the required setback, side, or rear yard abutting a street may not be used as maneuvering space for parking/unparking of vehicles.
13. 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 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

2/27/15

Date

**DECISION FILED IN
THE PLANNING DEPARTMENT:**



Shad Spencer, Zoning Administrator

3/2/15

Date

Cc: Jim Neidlinger (PNC Bank)