



**CERTIFIED MAIL**

**Mrs. Cathleen AlQatrani  
428 Vista Grande Circle  
Charlotte, NC 28226**

**RE: VARIANCE  
428 VISTA GRANDE CIRCLE  
CASE NUMBER 2015-008**

Dear Cathleen AlQatrani:

At its meeting March 31, 2015, the City of Charlotte Zoning Board of Adjustment ("Board") denied a 7.5 foot variance from the required 10 foot side yard to allow an accessory structure to remain in the side yard.

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

1. The applicant is Cathleen AlQatrani.
2. The site is located at 428 Vista Grande Circle, further identified as tax parcel 211-161-54.
3. The subject parcel's current zoning classification is R-12(CD) (single family residential, conditional district).
4. The subject property was part of a larger conditional rezoning approved by the Mecklenburg County Commission in 1976 (rezoning petition 1976-011c). The development standards of the Zoning Ordinance in place at the time of the conditional rezoning apply to the subject property.
5. The 1976 Mecklenburg County Zoning Ordinance required a 10 foot side yard for single family detached dwellings within the R-12 district.
6. The 1976 Mecklenburg County Zoning Ordinance did not allow accessory structures to be located within a required side yard.
7. The applicant is requesting a 7.5 foot variance from the required 10 foot side yard to allow an accessory structure to remain in the side yard.
8. The applicant received a notice of violation dated January 23, 2015 for erecting an accessory structure without a permit and for placing the accessory structure within the required side yard.
9. Construction of Applicant's Rear Screened-in Porch provided Applicant with prior notice that any structure or addition would require a building permit to be constructed.
10. The hardship is a result of the applicants own action.
11. The lot is not irregularly shaped.

**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.

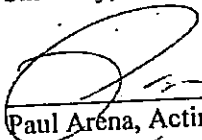
**CHARLOTTE-MECKLENBURG PLANNING DEPARTMENT**

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600 East Fourth Street  
Charlotte, NC 28202-2853  
PH: (704)-336-2205  
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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.

Pursuant to N. C. G. S. Section 160A-388(e2), the Board's decision in Case No. 2015-008 may be appealed by a petition for review in the nature of *certiorari* to Superior Court within thirty (30) days from the date stated below, which is the date when the decision of the Board was filed in the Planning Department/Zoning Administration Division, or within thirty (30) days after receipt of the decision by an aggrieved party who filed a written request for such copy with the Clerk to the Board at the time of the hearing of the case, whichever is later.


Sincerely,

  
Paul Arena, Acting Chairperson

Date

4/17/15

**DECISION FILED IN THE PLANNING DEPARTMENT:**

  
Shad Spencer, Zoning Administrator

Date

4/20/15