



**CERTIFIED MAIL**

Peter, Evanthia, George & Margaret Pappas  
1811 Beverly Drive  
Charlotte, NC 28207

**RE: VARIANCE  
1811 BEVERLY DRIVE  
CASE NUMBER 2015-017**

Dear Peter, Evanthia, George & Margaret Pappas:

At its meeting on April 28, 2015, the City of Charlotte Zoning Board of Adjustment ("Board") **granted** a 10 foot variance from the required 45 foot minimum rear yard to allow the construction of a second floor addition to the existing nonconforming single family structure.

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

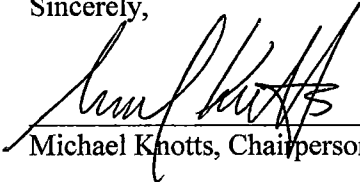
1. The applicants are Peter, Evanthia, George & Margaret Pappas (Represented by David W. Murray).
2. The proposed site is located at 1811 Beverly Drive, further identified as tax parcel 153-082-02.
3. The subject parcel is zoned R-3 (single family residential) and is 6,463 square feet in size.
4. According to Mecklenburg County tax records the principal structure was built 1936.
5. A nonconforming single-family structure is currently located on the property which encroaches into the required rear yard.
6. The applicant is requesting a 10 foot variance from the required 45 foot minimum rear yard to allow the construction of a second floor addition to the existing nonconforming single-family structure.
7. The second floor addition will not increase the footprint of the nonconforming structure.
8. All of the abutting properties contain two story homes. Granting the variance will not alter the character of the area.
9. The depth of the lot and the lot area are less than the majority of the lots within the neighborhood.
10. The front of the property is slanted thereby limiting the ability to expand the structure in front.
11. The hardship is unique to the applicant's property and is not neighborhood-wide.
12. The hardship is unique to the property because of the size of the property.

**Conclusion of Law:**

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.

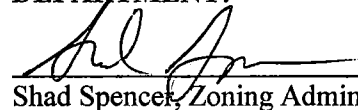
All applicable permits must be obtained from the Planning Department, which has been notified of this decision. The Ordinance § 5.111, provides that unless otherwise specified by the Board, any decision of the Board granting a variance shall automatically expire if a permit or a certificate of occupancy 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 Khotts, Chairperson

5-21-15  
Date

**DECISION FILED IN THE PLANNING  
DEPARTMENT:**

  
Shad Spencer, Zoning Administrator

5-27-15  
Date

Cc: David W. Murray, The Odom Firm, PLLC