



Rahwa Gebre-Egziabher
2240 Sharon Road
Charlotte, NC 28207

**RE: VARIANCE
2240 Sharon Road
CASE NUMBER 2016-057**

Dear Rahwa Gebre-Egziabher:

At its meeting on December 13, 2016, the City of Charlotte Zoning Board of Adjustment ("Board") **granted** a variance for a 26.9 foot variance from the required 45 foot rear yard to allow for the construction of an addition 18.1 feet from the rear property line onto an existing nonconforming single family structure within the required rear yard.

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

1. The applicant is Rahwa Gebre-Egziabher.
2. The proposed site is located 2240 Sharon Road, further identified as tax parcel 175-023-03.
3. The property is zoned R-3 (single family district).
4. The single family structure currently occupying the site was built around 1934.
5. Per Code Section 9.205(1)(g), the minimum required rear yard for an R-3 zoned property is 45 feet.
6. The existing 1934 built structure currently encroaches into the required rear yard and is considered a nonconforming structure.
7. The applicants are requesting a 26.9 foot variance from the required 45 foot rear yard to allow the construction of an addition.
8. The applicant is proposing additions to the rear of the home that will encroach no greater into the established rear yard than the existing structure.
9. The proposed expansions into the required rear yard include a playroom/living room on the left side and kitchen expansion on the right side of the existing home. Both expansions are one story additions.
10. The rear property line is angled.
11. The depth of the subject property ranges from approximately 72 feet along the southern property line to approximately 95 feet along the northern property line.
12. The hardship is unique to the property because of the shape of the lot.
13. The hardship is unique to the property because of its size.
14. The hardship is unique to the properties lack of depth.
15. Granting the variance will not alter the essential character of the neighborhood.
16. 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.


If any permits are required, please make sure the variance case number is referenced on the permit application and/or site plan. Section 5.111 of the Zoning Ordinance 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,


Paul Arena, Chairperson

12/23/16
Date

**DECISION FILED IN THE
PLANNING DEPARTMENT:**


Shad Spencer, Zoning Administrator

12/30/16
Date