



Terrie Sanders
Represented by Roderick Chambers
1005 Riverside Drive
Charlotte, NC 28214

RE: VARIANCE
1005 Riverside Drive
CASE NUMBER 2016-059

Dear Terrie Sanders:

At its meeting on December 13, 2016, the City of Charlotte Zoning Board of Adjustment ("Board") **granted** a variance for a 50 foot variance from the required Catawba River/Lake Wylie Watershed Critical Area 100 foot buffer to allow the construction of an addition to the existing single-family structure

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

1. The applicant is Terrie Sanders (Represented by Roderick Chambers).
2. The proposed site is located at 1005 Riverside Drive, further identified as tax parcel 031-151-09.
3. The property is zoned R-5 (single family residential) and located within the Critical Area of the Catawba River/Lake Wylie Watershed Overlay.
4. The applicant is seeking a 50 foot variance from the required 100 foot buffer to allow the construction of an addition to the existing single-family structure.
5. Per Code Section 10.608, vegetative buffers are required along the shoreline of the Catawba River/Lake Wylie measured from the normal pool elevation and along all perennial streams measured from the top of bank on each side of the stream.
6. Per Code Section 10.608(1), the critical area minimum buffer area is 100 feet.
7. The depth of the subject property is 150 feet from the right-of-way line of Riverside Drive to the rear property line. Approximately 15 feet of the lot depth is within the boundary of Lake Wylie.
8. The existing single family home on the subject property is entirely within the required 100 foot buffer.
9. The proposed addition is on the street side of the property and will be further away from Lake Wylie than the existing home. Modifications are also proposed to the existing structure to integrate the rooflines of both the existing home and the addition.
10. The proposed addition will be built in accordance with the FEMA regulations.
11. In granting the variance the public safety has been assured and substantial justice has been achieved.
12. Granting the variance will not adversely affect adjacent or contiguous properties.
13. Maintaining a minimum 50 foot watershed buffer complies with the minimum state watershed regulation for the Catawba River.

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.

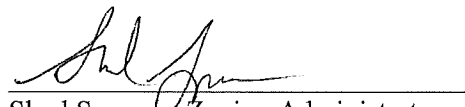
If any permits are required, please make sure the variance case number is referenced on the permit application and/or site plan. Section 5.111 of the Zoning Ordinance provides that unless otherwise specified by the Board, any decision of the Board granting a variance shall automatically expire if a permit 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

cc: Roderick Chambers