



Barbara Hicks
P.O. Box 668401
Charlotte, NC 28266

**RE: VARIANCE
1507 Northcliff Drive
CASE NUMBER 2017-014**

Dear Barbara Hicks:

At its meeting on April 25, 2017, the City of Charlotte Zoning Board of Adjustment ("Board") **denied** a variance requesting two variances: (1) a 5 foot variance from the required 30 foot setback along Northcliff Drive and (2) a 10 foot variance from the required 40 foot rear yard to allow for the construction of a single family home.

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

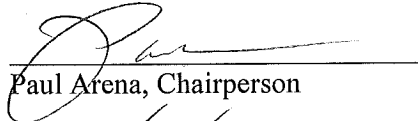
1. The applicant is Barbara Hicks.
2. The proposed site is located at 1507 Northcliff Drive, further identified as tax parcel 039-111-57.
3. The property is zoned R-4 (single family residential).
4. The applicant is requesting two variances (1) a 5 foot variance from the required 30 foot setback along Northcliff Drive and (2) a 10 foot variance from the required 40 foot rear yard to allow for the construction of a single family home.
5. Per Code Section 9.205(1)(e2), a minimum setback of 30 feet is required for lots along a right-of-way approved prior to 12-20-2010.
6. Per Code Section 9.205(1)(g), a minimum rear yard of 40 feet is required.
7. The applicant has options to modify or consider a different floor plan and/or the placement of the proposed single family home on the subject lot.
8. The lot is irregularly shaped but is of a sufficient size and dimension to accommodate a single family home using the current R-4 zoning setback and required yards.
9. The hardship is a personal hardship.
10. There is no evidence of hardship or special conditions peculiar to the property.

Based upon the above findings of fact, the Board concludes that the applicant has not met the standards set forth in North Carolina General Statutes § 160A-388, and more specifically:

1. Unnecessary hardships would not result from the strict application of the Ordinance.
2. The hardship does not result from conditions that are peculiar to the property (location, size or topography).
3. The hardship results from actions taken by the applicant or the property owner.
4. The requested variance is not consistent with the spirit, purpose, and intent of the Zoning Ordinance, in that the public safety not secured and substantial justice is achieved.

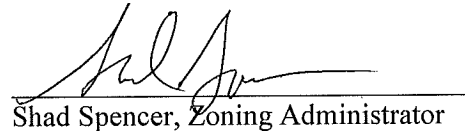
Pursuant to N. C. G. S. Section 160A-388(e2), the Board's decision in Case No. 2017-014 may be appealed by a petition for review in the nature of *certiorari* to Superior Court within thirty (30) days from the date stated below, which is the date when the decision of the Board was filed in the Planning 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, Chairperson

4/28/17
Date

**DECISION FILED IN THE
PLANNING DEPARTMENT:**


Shad Spencer, Zoning Administrator

5/3/17
Date