



William E. Yandle
7525 Yellow Pine Court
Charlotte, NC 28277

RE: VARIANCE
7525 Yellow Pine Court
CASE NUMBER 2017-041

To Whom It May Concern:

At its meeting on September 26, 2017, the City of Charlotte Zoning Board of Adjustment ("Board") **granted** a variance to eliminate the 3 foot side lot line separation in the established rear yard to allow an accessory structure to remain.

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

1. The applicant is William E. Yandle.
2. The site is located at 7525 Yellow Pine Court, further identified as tax parcel 229-231-10.
3. The property is zoned R-3 (single family district).
4. The applicant purchased the property in 2017.
5. According to the Mecklenburg County Tax Records, the principal structure was built around 1985.
6. Mecklenburg County Tax Records reveal that the accessory structure was built about 1987.
7. The applicant is seeking a variance to eliminate the 3 foot side lot line separation in the established rear yard to allow an accessory structure to remain.
8. The accessory structure was not built by the current property owner.
9. The applicant contends that the accessory structure has been in place for 30 years and was in place when the property was purchased in 2017.
10. The overhang of the accessory structure is 0.02 feet from the property line.
11. A survey dated June 16, 2017, denoted the accessory structure location and encroachment.
12. Per Code Section 12.106(2)(a), no accessory structure, including roof overhangs, are allowed to be located within 3 feet of a lot line in the establish rear yard.
13. The hardship did no result from actions taken by the applicant. The detached garage was constructed by the previous property owner.
14. The structure is situated on a concrete slab, which will be difficult to remove. Unnecessary hardship would result from the strict application of the ordinance by requiring the removal of a 3 foot portion of the accessory structure.
15. The hardship is unique to the applicant's property and is not neighborhood-wide or community-wide.
16. The amount of the variance does not negatively affect adjacent properties.
17. Granting the variance will not alter the essential character of the area.
18. 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.

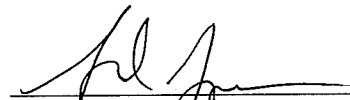
If any permits are required, please make sure the variance case number is referenced on the permit application and/or site plan. Section 5.111 of the Zoning Ordinance provides that unless otherwise specified by the Board, any decision of the Board granting a variance shall automatically expire if a permit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

9/29/17
Date

**DECISION FILED IN THE
PLANNING DEPARTMENT:**


Shad Spencer, Zoning Administrator

10/2/17
Date