



Trust 509 E. 17th c/o Amy Jamison Trustee
Represented by David W. Murray, The Odom Firm, PLLC
P.O. Box 386
Denver, NC 28037

RE: VARIANCE
509 E. 17th Street
CASE NUMBER 2017-056

To Whom It May Concern:

At its meeting on November 28, 2017, the City of Charlotte Zoning Board of Adjustment ("Board") **granted** the following two variances to allow for the construction of a new home (i) a 10 foot variance from the required 20 foot setback along East 17th Street and (ii) a 15 foot variance from the required 20 foot rear yard.

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

1. The applicant is Trust 509 E. 17th c/o Amy Jamison Trustee (Represented by David W. Murray, The Odom Firm, PLLC).
2. The proposed site is located 509 E. 17th Street, further identified as tax parcel 081-072-02.
3. The property is zoned R-8 (single family district).
4. The site is currently vacant.
5. Per Code Section 9.205(1)(e2), the minimum setback for a residential use within the R-8 zoning district is 20 feet for lots along right-of-way approved prior to 12-20-2010.
6. Per Code Section 9.205(1)(g), the minimum rear yard for a residential use within the R-8 zoning district is 20 feet.
7. The depth of the subject property is approximately 49.55 feet according to the survey submitted by the applicant dated October 04, 2017, from R.B. Pharr and Associates P.A. Surveying and Mapping.
8. The applicant is requesting two variances (i) a 10 foot variance from the required 20 foot setback along East 17th Street and (ii) a 15 foot variance from the required 20 foot rear yard to allow for the construction of a new home.
9. The hardship is unique to the property because of the size of the property.
10. The hardship is unique to the property because of the lack of depth to the property.
11. Granting the variance will not alter the essential character of the neighborhood.
12. Granting the variance will not adversely affect adjacent or contiguous properties.

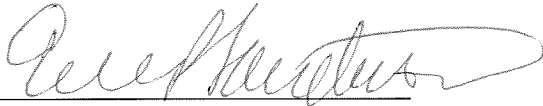
Based upon the above findings of fact, the Board concludes that the applicant has met the standards set forth in North Carolina General Statutes § 160A-388, and more specifically:

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.

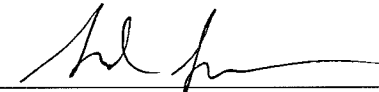
Sincerely,



Rick Sanderson, Acting Chairperson

12/11/17
Date

**DECISION FILED IN THE
PLANNING DEPARTMENT:**



Shad Spencer, Zoning Administrator

12/12/17
Date