



Jeff and Lynette Pierce
Represented by ALB Architecture, PA
1440 Harding Place #204
Charlotte, NC 28204

**RE: VARIANCE
2204 Floral Avenue
CASE NUMBER 2018-015**

To Whom It May Concern:

At its meeting on March 27, 2018, the City of Charlotte Zoning Board of Adjustment ("Board") **denied** an 8 foot variance from the required 35 foot rear yard to allow a heated pantry and a second floor closet addition to be constructed 27 feet from the rear property line.

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

1. The applicants are Jeff & Lynette Pierce (Represented by ALB Architecture, PA).
2. The proposed site is located 2204 Floral Avenue, further identified as tax parcel 151-013-04.
3. The property is zoned R-5 (single family).
4. The single family structure that currently occupies the site was built in 2013.
5. Per Mecklenburg County GIS tax records the house is approximately 2,175 square feet.
6. The applicant's survey dated August 1, 2013, reveals that the existing structure does not encroach into any of the yard requirements.
7. The applicant is seeking an 8 foot variance from the required 35 foot rear yard to allow a heated pantry and a second floor closet addition to be constructed 27 feet from the rear property line.
8. Code Section 9.205(1)(g) requires a minimum rear yard of 35 feet.
9. The hardship is created by the applicant's desire to construct an addition to the rear of the existing structure.
10. The subject property has a lot depth of 98.84' along the right property line and 94.72' along the left property line.
11. Based on the lot depth and the required 20' setback and required 35' rear yard for the subject property, a building envelope of approximately 40' deep is allowed on the site.
12. The hardship is not unique to the property because of the size of 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 is a result from actions taken by the applicant or the property owner.

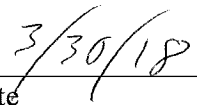
4. The requested variance is not consistent with the spirit, purpose, and intent of the Zoning Ordinance, in that the public safety is secured and substantial justice is achieved.

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

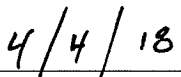


Date

**DECISION FILED IN THE
PLANNING DEPARTMENT:**



Shad Spencer, Zoning Administrator



Date