



Josh and BethAnn Sparks
5042 Murrayhill Road
Charlotte, NC 28210

**RE: VARIANCE
5042 Murrayhill Road
CASE NUMBER 2018-033**

To Whom It May Concern:

At its meeting on June 26, 2018, the City of Charlotte Zoning Board of Adjustment ("Board") **granted** a 20 foot variance from the required 40 foot rear yard to convert an existing deck into heated square footage.

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

1. The applicants are Josh and BethAnn Sparks.
2. The proposed site is located 5042 Murrayhill Road, further identified as tax parcel 171-061-13.
3. The property is zoned R-4 (single family district).
4. The single family structure currently occupying the site was built around 1956.
5. The property is approximately 9,583 square feet in lot area.
6. Per Code Section 9.205(1)(g), the minimum required rear yard for an R-4 zoned property is 40 feet.
7. The applicant is requesting a 20 foot variance from the required 40 foot rear yard to convert an existing deck into heated square footage.
8. The subject property is irregularly shaped and the rear property line is angled.
9. The applicant does not have other options to build without encroaching into the required rear yard. An existing storm drainage easement also prevents extending to the side of the property.
10. The hardship is not the result of actions proposed the applicant.

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,

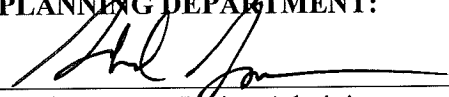


Rick Sanderson, Acting-Chairperson

6/28/18

Date

**DECISION FILED IN THE
PLANNING DEPARTMENT:**



Shad Spencer, Zoning Administrator

7/2/18

Date