



2001 Roslyn Trust c/o Amy Jamison, Trustee  
Represented by David W. Murray, The Odom Firm, PLLC  
1111 Central Avenue, #230  
Charlotte, NC 28204

**RE: VARIANCE**  
**210 Walford Drive**  
**CASE NUMBER 2018-084**

To Whom It May Concern:

At its meeting on December 11, 2018, the City of Charlotte Zoning Board of Adjustment ("Board") **granted** following two variances to allow for a single family dwelling to be constructed:

1. A 10 foot reduction from the required 20 foot setback.
2. A 10 foot reduction from the required 20 foot rear yard.

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

1. The applicant is 2001 Roslyn Trust (Represented by David W. Murray, The Odom Firm, PLLC).
2. The proposed site is located at 210 Walford Drive, further identified as tax parcel 069-019-11.
3. The property is zoned R-8 (single family residential).
4. The lot contained a legal nonconforming single family home until it was demolished in approximately 2006. The lot is currently vacant.
5. The applicant is seeking a 10 foot variance from the required 20 foot setback along Walford Drive and a 10 foot variance from the required 20 foot rear yard to allow for the construction of a single family home.
6. Per Code Section 9.205(1)(e2), a minimum setback of 20 feet is required for lots along a right-of-way approved prior to 12-20-2010.
7. Per Code Section 9.205(1)(g), a minimum rear yard of 20 feet is required.
8. The property size makes it difficult to construct a single family dwelling on the subject site without a variance.
9. The minimum lot area for a detached dwelling in the R-8 district is 3,500 square feet.
10. The applicant's lot area is approximately 3,078 square feet which is a legal nonconforming lot per the Zoning Ordinance.
11. The depth of the lot is approximately 61 feet and is not sufficient to develop a reasonable size dwelling using current development requirements.
12. The majority of the lot depths within the area range from 100 feet to 150 feet.
13. The hardship is unique to the applicant's property and is not neighborhood-wide or community-wide.
14. Granting the variance will not alter the essential character of the area.
15. Granting the variance will not adversely affect adjacent or contiguous properties.
16. The hardship is unique to the property because of the depth and size of the existing lot.

**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

12/14/18  
Date

**DECISION FILED IN THE  
PLANNING DEPARTMENT:**

  
Shad Spencer, Zoning Administrator

12/21/18  
Date