



Andrea Giovanni Lucchi and Ludovica Tassani (Represented by Alexander Ricks PLLC)
4601 Park Road, Suite 580
Charlotte, NC 28209

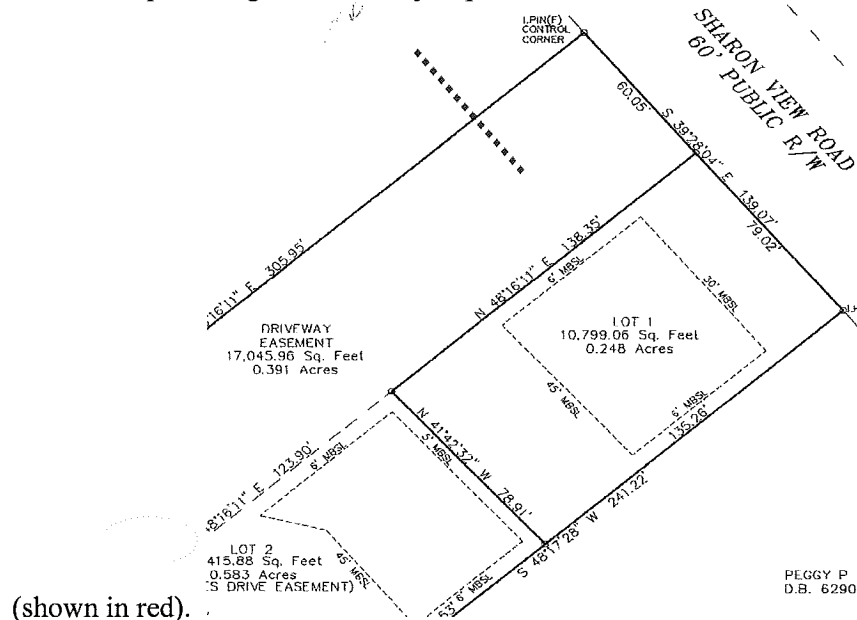
RE: VARIANCE
3110 Sharon View Road
CASE NUMBER 2019-002

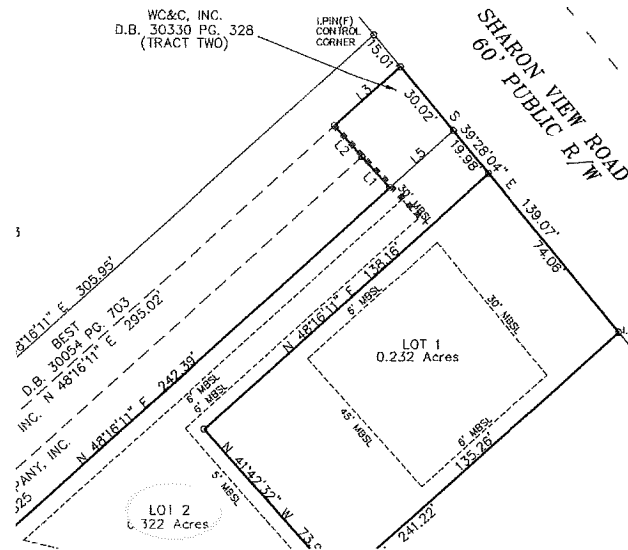
To Whom It May Concern:

At its meeting on January 29, 2019, the City of Charlotte Zoning Board of Adjustment ("Board") **granted** a 31 foot variance from the 50 foot minimum lot width requirement to allow the existing lot of record to no longer be in violation of the Zoning Ordinance and for the existing single family dwelling to remain.

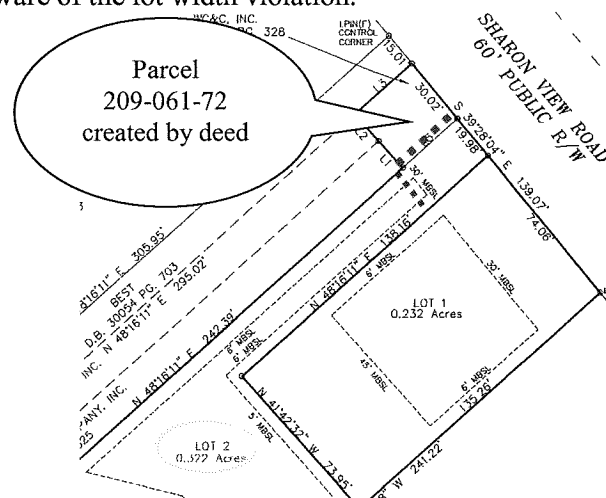
The Board based its decision on the following findings of fact:

1. The applicants are Andrea Giovanni Lucchi & Ludovica Tassani, represented by Ryan Hoffman and Abbie Henderson of Alexander Ricks, PLLC.
2. The subject site is located at 3110 Sharon View Road, further identified as tax parcel 209-061-70.
3. The property is zoned R-3 (single family).
4. The subject parcel was created on December 11, 2014 through a subdivision plat.
5. The lot was subject to Section 21-95(a) of the Tree Ordinance in effect at the time of subdivision approval. The December 11, 2014 subdivision allocated 10% tree save area in common open space, which permitted a minimum lot width requirement of 60 feet.
6. The December 11, 2014 plat designated the subject parcel as 'Lot 2', with a lot width of 60.05 feet





9. On January 22, 2015, a building permit was issued to construct a single family home on the property.
10. On August 1, 2016, a Certificate of Occupancy was issued for the single family home.
11. On September 12, 2016, a portion of lot 2 was retained by Juno Development, LLC, on the deed conveying lot 2 to Andrea Giovanni Lucchi and Ludovica Tassani (the Lucchi's). This left a 19.98-foot lot width on the subject property (lot width shown red/new parcel line shown in blue). The Lucci's were not aware of the lot width violation.



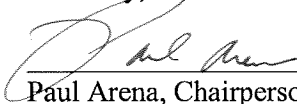
12. The Lucchi's learned of the violation when they received a Notice of Violation on January 13, 2017. The applicant is requesting a variance of 31 feet to bring the lot into compliance and remedy the violation.
13. In an effort to reduce or eliminate the need of a variance, the applicants have attempted to but were unable to purchase additional land from the previous sellers, WC & C, Inc., that own the adjacent property to the north.
14. The applicants cannot purchase additional property from the adjacent property to the south, 3850 Sharon View Road, because it would cause that lot to be noncompliant with lot width requirements.
15. The hardship was not self-created. The applicants were not aware of the lot width violation when they purchased the property.
16. The single family home on the property is constructed and the variance request would allow the property to remain in its current condition.
17. Granting the variance will not alter the essential character of the neighborhood.
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

2/1/19
Date

**DECISION FILED IN THE
PLANNING DEPARTMENT:**


Shad Spencer, Zoning Administrator

2/6/19
Date