



Jeff Gantier  
(Represented by George Hobel)  
15241 Beeding Street  
Charlotte, NC 28278

**RE: VARIANCE  
15241 Beeding Street  
CASE NUMBER 2019-052**

To Whom It May Concern:

At its meeting on August 27, 2019, the City of Charlotte Zoning Board of Adjustment ("Board") **granted** a variance to allow an accessory structure to be placed in the established front yard.

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

1. The applicant is Jeff Gantier (Represented by George Hobel).
2. The subject site is located at 15241 Beeding Street, further identified as tax parcel 199-331-17.
3. The subject parcel is zoned R-5 (Single Family).
4. The site is located in the Lower Lake Wylie Watershed Overlay - Critical Area.
5. Per Code Section 10.708, there is a 50 foot undisturbed buffer requirement from the shoreline of Lake Wylie. No permanent structure is permitted to be constructed in the 50 foot buffer area, with the exception of water dependent structures.
6. The principal structure was built in 1999, and the rear of the principal structure is located adjacent to, but outside of the 50 foot watershed water quality buffer as shown on the scaled site plan, prepared by Reflections of Charlotte, which is included in the application packet.
7. Per Code Section 12.106(2)(a), no accessory structure shall be located within any required or established setback in any residential district.
8. The applicant is seeking a variance to allow an accessory structure to be constructed within the established setback.
9. The hardship is not a result of actions taken by the property owner.
10. The hardship results from conditions that are peculiar to the property.
11. The property has a steep slope to the right and left sides of the property, with an approximate 26 foot drop on each side towards the lake.
12. The applicant's existing septic field and repair area inhibit locating the proposed garage closer to the home on the flatter, middle portion of the property.
13. The applicant is unable to locate the proposed garage in the established rear or side yards due to the required 50 foot watershed buffer.
14. The topography on the sides of the property downward to the lake, the septic field and repair area, and the 50 foot watershed buffer create an unnecessary hardship in the strict application of the ordinance.
15. The requested variance is consistent with the spirit of the ordinance because it would allow a residential accessory structure, which is common in single family zoning districts.

**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 does result 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, Chairperson

8/30/19

Date

**DECISION FILED IN THE  
PLANNING DEPARTMENT:**



Shad Spencer, Zoning Administrator

9/17/19

Date