

**V** Variance Application form and hearing schedule are available on-line at [www.charlotteplanning.org](http://www.charlotteplanning.org)

# ZBA

Zoning Board of Adjustment



**ALL** portions of the form must be answered. Applicants must schedule an appointment for preliminary review prior to submitting a Variance Application. The variance request will be scheduled for the next available hearing date. The application and fee must be submitted in person to:

## Charlotte-Mecklenburg Planning Department

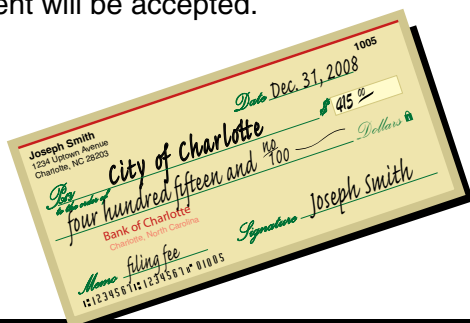
Charlotte-Mecklenburg Government Center  
600 East Fourth Street, 8th Floor

The following nonrefundable fees apply:

**Residential \$415.00**

**Commercial \$1035.00**

Make checks or money orders payable to **City of Charlotte**. No other form of payment will be accepted.



The Charlotte Zoning Board of Adjustment (ZBA) meets on the last Tuesday of the month. Applicants who have submitted the completed Variance Application in due time and paid the required fees will be heard at the first available time slot at the ZBA meeting. They will be notified by mail at least ten (10) days prior to the meeting of the date, time, and location.

If you do not have web access and need a variance form mailed to you, or have any questions concerning the process, please contact the Zoning Administration staff.

**Sonda Kennedy 704-336-3818**  
[skennedy@ci.charlotte.nc.us](mailto:skennedy@ci.charlotte.nc.us)

**Katrina Young 704-336-3571**  
[kjyoung@ci.charlotte.nc.us](mailto:kjyoung@ci.charlotte.nc.us)

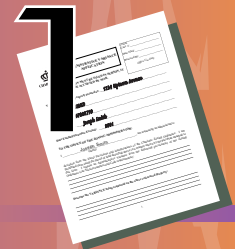
**Charlotte-Mecklenburg Planning Department**  
Government Center  
600 East Fourth Street, 8th Floor  
Charlotte, NC 28202-2853  
704-336-2205



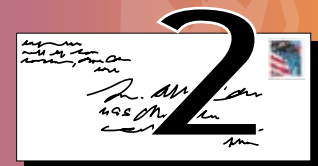
# ZONING

## Variance Application

Submit Variance Application and fee in person.



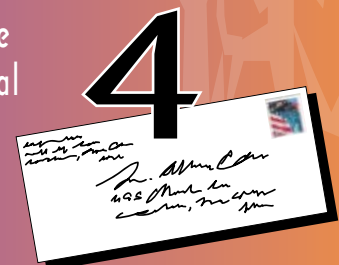
You'll be notified by mail when your case will be heard.



You or your representative must attend the ZBA meeting.



You will receive written approval or denial of your Variance request.



# F

For Conditional Zoning Districts, the ZBA may not hear cases where a variance request is associated with specifically approved conditions of the plan that are more restrictive than minimum ordinance requirements.

# N

## Notice of Violation (NOV)

### Section 5.108 Standards for granting a variance:

**1** Before granting a variance, the Board of Adjustment shall find:

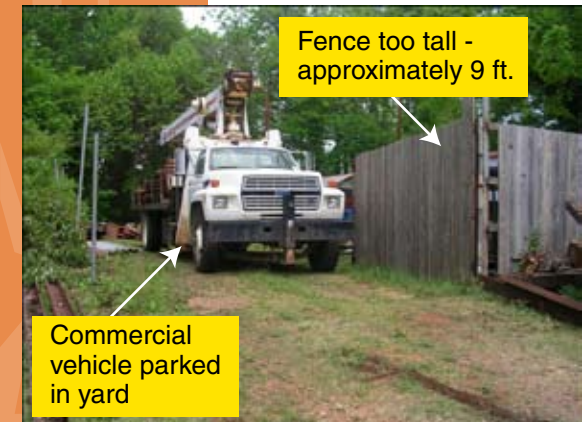
- a. That practical difficulties or unnecessary hardship would result from the strict application of the Zoning Ordinance; and
- b. That the spirit of the Zoning Ordinance should be observed by taking into consideration its general intent. The Zoning Board of Adjustment may also consider any adopted district plan or area plan covering the property, any other adopted written policies governing land development and the construction and improvement of public facilities; and
- c. That the public safety and welfare have been protected and substantial justice done.

**2** The Board of Adjustment shall not grant a variance which would allow the establishment of a use which is not otherwise permitted in the district, would result in the extension or expan-

sion of a nonconforming use, or would change the district boundary, or zoning classification of any or all of the subject property.

**3** Only the following three conditions shall constitute a practical difficulty or unnecessary hardship and all must be met:

- a. The difficulty or hardship would result only from the Zoning Ordinance and from no other cause, including the actions of the owner or previous owners of the property; and
- b. The difficulty or hardship is peculiar to the property in question and is not generally shared by other properties in the same neighborhood and/or used for the same purposes; and
- c. The difficulty or hardship resulting from the application of the Zoning Ordinance would prevent the owner from securing a reasonable return or making a reasonable use of the property.



If a NOV has been received, the property owner / tenant has

**30 days**

from the date of the notice in which to file a Variance Application.

If a NOV has not been issued, application for variance may be submitted at any time.

**A notice of violation (NOV)** will be mailed to a property owner when the enforcement officer finds that an alleged violation of the Zoning Ordinance may exist. The notice of violation will list the conditions that are in conflict with the Charlotte Zoning Ordinance.

Above shows a typical photograph that will be presented at the ZBA meeting showing the alleged violations that exist on the site.