



Vincent Ward Investments, LLC
103 Chase Avenue
High Point, NC 27260

**RE: VARIANCE
2111 JUNIPER DRIVE
CASE NUMBER 2020-050
PID: 041-162-05**

To Whom It May Concern:

At its remote meeting on June 30, 2020, the City of Charlotte Zoning Board of Adjustment (“Board”) **granted** two variances to allow the development of a single family detached dwelling on the property:

1. A 10 foot variance from the required 30 foot setback.
2. A 20 foot variance from the required 40 foot rear yard.

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

1. The applicant is Vincent Ward Investments, LLC.
2. The proposed site is located 2111 Juniper Drive, further identified as tax parcel 041-126-05.
3. The property is zoned R-4 (single family).
4. The property was created through a subdivision plat dated June 12, 1952.
5. The property is currently vacant.
6. The site is approximately 0.21 acres.
7. Code Section 9.205(1)(e2) requires a minimum front setback of 30 feet for the subject property.
8. Code Section 9.205(1)(g) requires a minimum rear yard of 40 feet for the subject property.
9. The applicant’s survey dated July 23, 2019, shows that the depth of the lot ranges from 66.83 feet to 83 feet.
10. When the required 30 foot front setback and the 40 foot rear yard are imposed on the property, there is a compliant building depth ranging from negative 3.17 feet, where the setback and rear yard overlap, up to 13 feet.
11. The applicant is requesting two variances to allow the development of a single family detached dwelling on the property: 1) A 10 foot variance from the required 30 foot setback; and 2) A 20 foot variance from the required 40 foot rear yard.
12. The applicant purchased the property in 2019, and said they were unaware of the required setback and rear yard at that time.
13. The hardship is not a result from actions taken by the applicant. The applicant became aware of the setback and rear yard constraints when a survey was created for the property in order to work with an architect on a house plan.
14. The property currently has significantly less depth than what was shown on the approved plat. The approved subdivision plat for the property, Map Book 6 Page 677, shows the lot ranging in depth from 404 to 418 feet. Since that time, due to right-of-way acquired for Interstate 77, the existing lot ranges in depth from 66.83 to 83 feet.
15. The reduced setback and rear yard will not detract from the character of the neighborhood.

16. The abutting lot located to the south of the property was granted a variance from the required front setback in 2019.
17. The applicant's proposed home has a 17 foot depth, which is less than other homes in the area.
18. The abutting home to the south has a 30 foot depth, and the home located across Juniper Drive has an approximate 34 foot depth.
19. Strict application of the Ordinance would not allow a single-family home to be constructed on the property.

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 is not a 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,


Terry Brown, Jr. Vice-Chairperson

7-19-2020
Date

**DECISION FILED IN THE
PLANNING DEPARTMENT:**


Shad Spencer, Zoning Administrator

7/29/2020
Date