



Michael Calcara  
1000 Leigh Ave  
Charlotte, NC 28205

**RE: VARIANCE  
3000 NORTH MYERS STREET  
CASE NUMBER 2020-070**

To Whom It May Concern:

At its remote meeting on September 29, 2020, the City of Charlotte Zoning Board of Adjustment (“Board”) **DENIED** a 355 square foot variance from the maximum building coverage requirement in a single family zoning district.

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

1. The applicant is Michael Calcara.
2. The proposed site is located at 3000 N. Myers Street, further identified as tax parcel 083-077-12.
3. The property is zoned R-5 (Single Family) and is vacant.
4. The lot area is shown as 0.21 acres, or approximately 9,147 square feet, on a property survey dated September 11, 2019.
5. Per Code Section 9.205(1)(i), the maximum building coverage for the 9,147 square foot lot is 35%, or 3,201 square feet.
6. On July 16, 2020, Mecklenburg County Building Permit #B3773806 was issued for the construction of a single family home on the property.
7. Sheet 15 of the approved house plans shows a building coverage of 3,198 square feet, which is compliant with the maximum building coverage allowance.
8. The applicant wishes to construct a roof over the deck in the rear of the home which exceeds the maximum building coverage allowance by 355 square feet.
9. The applicant is requesting a variance to exceed the maximum 35% building coverage allowance of 3,201 square feet by 355 square feet, for a total of 3,556 square feet (39% of the lot area).
10. The hardship results from actions taken by the applicant and modifying the approved building permit to gain additional building coverage.
11. There is no evidence of practical difficulty or unnecessary hardship.
12. A permitted single family home is currently under construction on the property that is compliant with the maximum building coverage allowance, and may continue without the need for a variance.
13. The hardship is not peculiar to the property.
14. Granting the variance will alter the essential character of the neighborhood, because there are no other neighboring properties that appear to exceed maximum building coverage allowances.

**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 not result from the strict application of the Ordinance.
2. The hardship does not result from conditions that are peculiar to the property (location, size or topography).
3. The hardship does result from actions taken by the applicant or the property owner.
4. The requested variance is not consistent with the spirit, purpose, and intent of the Zoning Ordinance, in that the public safety is secured and substantial justice is not 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,



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Rick Sanderson, Chairperson

10/16/2020  
Date

**DECISION FILED IN THE  
PLANNING DEPARTMENT:**

 Recoverable Signature



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Shad Spencer  
Zoning Administrator  
Signed by: sspencer@ci.charlotte.nc.us

10/23/2020  
Date