



Bradley Bloomquist  
Madison Bloomquist  
1153 Crestbrook Drive  
Charlotte, NC 28211

**RE: VARIANCE  
1153 CRESTBROOK DRIVE  
CASE NUMBER 2020-110**

To Whom It May Concern:

At its remote meeting on December 8, 2020, the City of Charlotte Zoning Board of Adjustment (“Board”) **GRANTED** a 5 foot variance from the required 6 foot accessory side yard for an existing garage.

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

1. The applicants are Bradley and Madison Bloomquist.
2. The original applicants were Gregory and Cheryl Corallo, but the property has changed ownership since application submittal.
3. The subject site is located at 1153 Crestbrook Drive, further identified as tax parcel 185-121-01.
4. The subject parcel is zoned R-3 (Single Family).
5. The property is approximately 0.68 acres.
6. The home on the property was built in 1963.
7. On April 26, 2004, Mecklenburg County Building Permit #B1356994 was obtained for a garage on the property located to the right side of the home.
8. The permit for the garage listed the minimum side yard as 3 feet.
9. Per Code Section 12.106(2)(a), accessory structures located in the established rear yard may be located within 3 feet of a side lot line, but accessory structures located in the established side yard must comply with the required side yard of the principal structure.
10. The home is ‘L’ shaped, and the garage is located in the established side yard and not within the established rear yard. It is located to the right of the wing of the home which extends along the left side property line. Therefore, the garage must comply with the required side yard of the subject R-3 zoning district.
11. Per Code Section 9.205(1)(f), the required side yard is 6 feet.
12. The garage was constructed 1 foot from the right side property line and encroaches 5 feet into the required 6 foot side yard per a property survey dated December 24, 2019.
13. A Zoning Notice of Violation for the property was issued on October 22, 2020, for the side yard encroachment, resulting from a code enforcement field inspection of the property.
14. The applicants request a 5 foot variance from the 6 foot side yard for zoning compliance and to allow the garage to remain.
15. The hardship is not a result of actions taken by the applicant.
16. The approved building permit listed the minimum side yard for the garage as 3 feet.
17. The applicants were not aware of the encroachment until they commissioned a survey for the sale of the property.

18. Strict application of the ordinance requirements would cause the garage to be demolished.
19. The hardship results from conditions that are peculiar to the property.
20. The home has an 'L' shaped configuration that decreases the area of the established rear yard, where a lesser 3 foot accessory side yard would be permitted.
21. The requested variance is not easy to detect.
22. The right side of the property abuts the rear of the Strawberry Hill Apartment development that is heavily vegetated and screened from view of the property.
23. The property is located on the end of a cul-de-sac and there is vegetation screening the garage from the right-of-way.
24. The rear of the property abuts the rear of a religious institution use that is heavily vegetated and screened from view of the property.
25. The requested variance will not impact public safety.
26. Due to the "L" shaped configuration of the home, the location of the home at the end of a cul-de-sac, and vegetation screening the property from the adjacent multi-family and religious intuition development, unnecessary hardships would result from the strict application of the Ordinance.

**Conclusion of Law:**

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.

Sincerely,



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Rick Sanderson, Chairperson

12/23/2020

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Date

**DECISION FILED IN THE  
PLANNING DEPARTMENT:**

 Recoverable Signature

X 

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Shad Spencer

Zoning Administrator 12/28/2020

Signed by: sspencer@ci.charlotte.nc.us