RESOLUTION NO. 2017-

A RESOLUTION TO GRANT A VARIANCE FROM CITY CODE SECTION 82-463 CORNER CLEARANCE AT 212 WEST SEMINARY STREET FOR THE PURPOSES OF CONSTRUCTING A FENCE

WHEREAS, Charlotte City Code Section 82-463 requires fences to meet certain Corner Clearance requirements; and

WHEREAS, the owners of 212 West Seminary Street have applied for, and been denied, a fence permit based on a potential violation of these Corner Clearance requirements; and

WHEREAS, the owners of 212 West Seminary Street are seeking a variance that would grant relief from these Corner Clearance requirements; and

WHEREAS, the City of Charlotte Zoning Board of Appeals is able to grant such variances in certain circumstances; and

WHEREAS, in considering whether to grant a variance, the Zoning Board of Appeals is required to consider the following possible justifications:

- By reason of exceptional narrowness, shallowness, shape or area of the specific piece of property, or

- By reason of exceptional topographic conditions or other extraordinary or exceptional conditions of such property, or

- The strict application of the regulations would result in peculiar or exceptional undue hardship upon the owner of such property, and

- Providing such relief may be granted without substantial detriment to the public good, and without substantially impairing the intent and purpose of the code, and

WHEREAS, the Zoning Board of Appeals also may attach whatever conditions regarding the location, character and other features of the proposed use as it deems reasonable; and

WHEREAS, if the Zoning Board of Appeals determines that a variance is appropriate, it must state the grounds on which it is granting the variance.

THEREFORE, BE IT RESOLVED the City Council of the City of Charlotte, acting as in its capacity as the Zoning Board of Appeals hereby (_____ grants, _____ does not grant) a variance from section 82-463 of the City Code for the purposes of constructing a fence at 212 W. Seminary Street; and

BE IT FURTHER RESOLVED that the justification for granting this variance is

_____

_____;

and

BE IT FURTHER RESOLVED that the following additional conditions are imposed

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