CHARLOTTE
UDO Board of Adjustment
City of Charlotte

RE: VARIANCE
2704 Sadler Road
CASE NUMBER VAR 2024-00065

To Whom It May Concern:

At its meeting on January 28, 2025, the City of Charlotte Unified Development Ordinance Board of Adjustment ("Board") granted three variance requests for a proposed detached garage.

- Variance to Article 17.1D.1. to allow a detached garage in the established front setback.
- Variance to Article 17.2B. to reduce the front setback for a detached garage from 20ft to 3ft.
- Variance to Article 19.6A.1.a.iii.c. to reduce the minimum driveway/parking pad length from 20 ft to 10 ft.

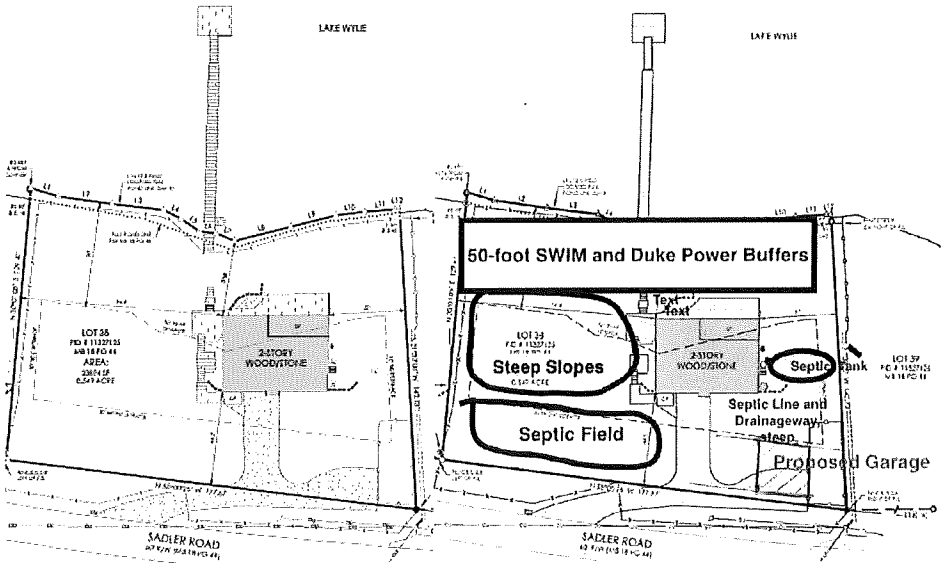
The Board based its decision on the following findings of fact:

1. The applicant is Norman Whitaker.
2. The site is located at 2704 Sadler Road, further identified as tax parcel 11327125.
3. The property is zoned N1-C (Neighborhood 1 Zoning) and is 0.508 acres.
4. The physical survey provided by the applicant completed on March 20, 2024, shows the parcel, the dimensions of the lot, and the existing residential dwelling.
5. Per the survey the parcel is rectangular, approximately 142 feet deep at the widest point and approximately 120 feet at its narrowest point and 177 ft wide.
6. The applicant is requesting three variances, one to allow a detached garage in the established front setback. The second variance is to reduce the front setback for a detached garage from 20ft to 3ft. The third variance is to reduce the minimum driveway/parking pad length from 20 ft to 10 ft.
7. The hardship results in strict application of the Ordinance because it requires the detached accessory structures to be located in the side or rear yard.
8. The property is located on Lake Wylie and slopes steeply down towards the lake.
9. The UDO requires a lake buffer, and the rear yard of the home is within the lake buffer.
10. Per the applicants plan there is a septic line and drain field prohibiting compliance with the 20 ft setback for garages. The garage will face west towards the existing driveway which is located within the front setback.
11. The applicant has agreed to the condition that a driveway/parking pad with a depth of at least 10 ft will be provided in front of the garage door.
12. The hardship results from conditions that are peculiar to the property because the shallow depth of the lot and the topography is steep, sloping towards the lake.
13. There is a 50 ft wide water quality lake buffer and floodplain over the rear yard.
14. The hardship does not result from actions taken by the applicant or the property owner.
15. The site constraints existed prior to the owner purchasing the property in 2024.
16. The home was constructed in 1945 and is served by septic, as there is not public sewer available to the area. A septic tank is located on the east side of the home and a septic field located on the west side of the lot near the road frontage.
17. The requested variances are consistent with the spirit, purpose, and intent of the Ordinance, in that the public safety is secured and substantial justice is achieved.
18. Building on a portion of the part of the lot that is already paved will minimize the net increase of impervious surface area, reducing impacts to the lake and watershed.
19. The visual impact of the garage will be reduced because the building site is several feet below the grade of Sadler Road. There is a 6-foot-high masonry wall along the property line of the adjacent property, providing partial screening.

20. Other existing dwellings in the neighborhood have similar detached accessory structures on the front of their property.
21. The variances would allow the construction of a detached garage and granting the variances will not adversely affect the adjacent or contiguous properties.
22. Granting the variance will not alter the essential character of the neighborhood.

Conclusion of Law:

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 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 *Unified Development Ordinance*, in that the public safety is secured and substantial justice is achieved.



Sincerely,

Deborah Dryden

Deborah Dryden, Chair

February 6, 2025

Date

DECISION FILED IN THE PLANNING DEPARTMENT:

Solomon Fortune, Zoning Administrator

CHARLOTTE
UDO Board of Adjustment
City of Charlotte

2-7-2025
Date