

**RESOLUTION NO. 2016-137**

**A RESOLUTION TO GRANT A ZONING VARIANCE ALLOWING  
ENCROACHMENT INTO THE REQUIRED SIDE YARD AT 445 PRAIRIE STREET**

**WHEREAS**, the owner of 445 State Street desires to construct an addition to his home; and

**WHEREAS**, this addition would encroach approximately 7 feet into the required 8 foot side yard setback; and

**WHEREAS**, the purpose of this building addition would be to provide accommodations to a disabled person soon to reside in the home; and

**WHEREAS**, the homeowner also seeks a front yard setback variance for the construction of a handicap access ramp; and

**WHEREAS**, the Americans with Disabilities Act requires local zoning officials to make reasonable accommodations to people with disabilities; and

**WHEREAS**, alternatives that would not require a zoning variance appear to be unavailable; and

**WHEREAS**, the City of Charlotte Zoning Board of Appeals hereby makes the following findings:

1. The granting of this variance will not impair an adequate supply of light and air to adjacent property.
2. The granting of this variance will not unreasonably increase congestion in public streets.
3. The granting of this variance will not unreasonably diminish or impair established property values within the surrounding area.
4. The granting of this variance will not, in any other respect, impair the public health, safety, comfort, morals or welfare of the inhabitants of the city.

**THEREFORE, BE IT RESOLVED** a variance to the zoning ordinance is hereby granted that allows both a building addition and a handicap access ramp to be constructed at 445 Prairie Street encroaching into the required side yard and front yard setbacks as previously described.