



TO: Planning Commission

FROM: Bryan Myrkle, Community Development Director

SUBJECT: September Planning Commission meeting

DATE: September 2, 2021

There are three items on the September Planning Commission meeting agenda. These include two separate lot splits (boundary adjustments), and an initial discussion on the Ad-Hoc Code Enforcement Committee's recommendations to the City Council and Planning Commission.

Lot Split – 437 & 441 West Lawrence Avenue

The purpose of this lot split is to eliminate a shared driveway situation. The request is being made by the owners of 437 West Lawrence, Erik and Carrie Burch, as well as the owners of 441 West Lawrence, Albert and Deborah Ramirez.

441 West Lawrence is a home on the corner of Lawrence Avenue and Pearl Street. The main driveway for this location is currently shared with the house at 437 West Lawrence, however there is a second curb cut and driveway on Pearl Street that also serves this property and which could function as the main driveway, thereby preserving access to the site.

It is generally considered preferable for each property to have its own driveway. This helps reduce or eliminate neighbor conflicts, and improves emergency response by reducing confusion about access.

The owners of these two properties have agreed to a property transfer that would deed the shared driveway solely to the owners of 437 West Lawrence.



Because these two properties are located in the oldest part of the City, there are a number of nonconforming conditions, mostly in terms of setbacks. If this boundary adjustment is approved, it would not remedy these conditions, but it does not make them any worse.

I believe this is a straightforward request from the property owners that the Planning Commission can approve. There are several supporting materials included in your meeting packet for your use and reference. These include an aerial photo of the sites, an illustration of the proposed boundary change, and a resolution of approval.

As we have discussed in the past, the Charlotte Zoning Code tasks the Planning Commission with making this decision, but does not provide any specific standards to help guide you. Therefore, as we have done with the most recent lot splits you have had to consider, the resolution of approval speaks to the general standards of zoning conformity as well as the code's standards for Planning Commission decision-making, i.e. does the proposal promote the basic intent of the code; is the proposal generally compatible with the surrounding neighborhood; and does the proposal support the general welfare of the community.

Lot Split – 339 & 341 Bostwick Street

These two parcels are both owned by John & Carol Little, and they are seeking a boundary adjustment to better align the properties with the existing structures on them. As we often find in the older parts of town, buildings were not always built in a manner that respected property lines, and issues with non-conforming setbacks and boundary encroachments are unfortunately common. The Planning Commission has been asked to solve these issues for residents several times over the past two years.



In this case, the current property line runs through the south side of two structures at 341 Bostwick. The owners would like to move the property line 4 feet to the south to better fit the physical state of the lots and fix this encroachment.

Similar to the first lot split discussed above, this change would not bring the properties into total compliance with zoning standards, would greatly improve the existing non-conformities. Furthermore, the existing conditions are nearly a 'worst case scenario,' in which the property line is crossed by both the main structure and an accessory structure.

As with the first, I believe this is a straightforward and beneficial lot split that the Planning Commission can approve. I have provided a resolution of approval, as well as a site drawing illustrating the proposed change, and an aerial photo for your use and reference.

Ad Hoc Committee on Code Enforcement

The City of Charlotte's Ad Hoc Committee on Code Enforcement has completed its temporary assignment and is making several recommendations for code review to both the City Council and Planning Commission. It is anticipated that the City Council will work directly on those items that are part of the City Code outside of Chapter 82, which is the zoning ordinance; and that the Planning Commission will review those items from Chapter 82. You can access the committee's full list of recommendations on the City's Website (www.charlottemi.org) under the post for the September 7 City Council meeting. However, I will provide a copy of the list at next Wednesday's meeting. I will also provide a brief overview of the issues the committee identified and the Planning Commission can determine how it wants to approach the list as it moves forward.