



May 8, 2020

**RE: ADMINISTRATIVE DEVIATION NOTIFICATION
3039 FLORIDA AVENUE
TAX PARCEL NUMBER: 093-096-13
CASE NUMBER: 2020-039AD**

Dear Mr. MacNeill:

Your request for an administrative deviation has been **granted** to allow for a 2 foot encroachment of a detached garage into the 3 foot side yard setback, as shown on a property survey dated March 16, 2020.

The following facts warrant approval of the administrative deviation request:

1. The subject property is currently zoned R-5 (single family).
2. Per Code Section 12.106(2)(a) the minimum required side yard setback for a detached accessory structure in the R-5 zoning district is 3 feet.
3. The detached garage located to the rear of the principal structure encroaches 1.76 feet into the required 3 foot side yard accessory structure setback.
4. The encroachment is shown on a survey dated March 16, 2020.
5. The applicant requests an administrative deviation of the 2 foot encroachment that was caused by an inadvertent error during construction.
6. This requested deviation is within the dimensional measurement allowed by the Zoning Ordinance Section 4.107(2).
7. The encroachment is minor and is not easily detectable or visible.
8. The encroachment is only into the 3 foot required accessory side yard setback on the subject property, 1.24 feet from the northeast side property line adjacent to 3043 Florida Avenue, and there is no encroachment that extends beyond the subject property.

The administrative deviation approval was granted under Section 4.107 (Delegated Authority) of the City of Charlotte Zoning Ordinance. If any permits are required, please make sure that the annotation of this section is noted on the permit application. Please retain this letter as documentation that the administrative deviation for the encroachment was granted. If I can be of further assistance, please contact me at maxx.oliver@charlottenc.gov or 704-336-3818.

Sincerely,



Maxx Oliver
Zoning Administration Specialist