



May 8, 2020

**RE: ADMINISTRATIVE DEVIATION NOTIFICATION
2009 HAMORTON PLACE
TAX PARCEL NUMBER: 095-077-37
CASE NUMBER: 2020-040AD**

Dear Mr. Staley:

Your request for an administrative deviation has been **granted** to allow for a 2 feet 0 inch encroachment of a uncovered deck on the rear of the townhome into the 30 foot front setback, as shown on a property survey dated April 10, 2020.

The following facts warrant approval of the administrative deviation request:

1. The subject property is currently zoned R-22MF (multifamily).
2. Per Code Section 9.205(e1), the minimum front setback for an attached dwelling exceeding four units in the R-22MF zoning district is 30 feet.
3. Per Code Section 12.106(1), no principal structure shall be located within any setback or yard.
4. The attached porch on the rear of the principal structure encroaches 2 feet 0 inches into the required 30 foot front setback for the development.
5. The encroachment is shown on a survey dated April 10, 2020
6. The applicant requests an administrative deviation of the 2 foot zero inch encroachment that was caused by an inadvertent error during construction.
7. This requested deviation is within the dimensional measurement allowed by the Zoning Ordinance Section 4.107(2).
8. The encroachment is minor and is not easily detectable or visible.
9. The encroachment is only into the 30 foot required front setback on the subject property, 28 feet from the front property line along Hamorton Ave, 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