



June 15, 2020

**RE: ADMINISTRATIVE DEVIATION NOTIFICATION
7111 RHYGATE CIRCLE
TAX PARCEL NUMBER: 211-303-28
CASE NUMBER: 2020-048AD**

Dear Dennis J. Marsoun:

Your request for an administrative deviation has been **granted** to allow for a 0.9 feet encroachment for an attached garage into the 6 foot side yard setback, as shown on a property survey dated May 20, 2020.

The following facts warrant approval of the administrative deviation request:

1. The subject property is currently zoned R-3 (single family).
2. Per Code Section 9.205(1)(f) the minimum required side yard setback for a principal structure in the R-3 zoning district is 6 feet.
3. The attached garage is considered integral to the home and therefore is part of the principal structure. It is located along the left side property line and encroaches 0.9 feet into the required 6 foot side yard setback.
4. The encroachment is shown on a survey dated May 20, 2020.
5. The applicant requests an administrative deviation of the 0.9 foot encroachment that was caused by an inadvertent error during construction and unknown to the property owner.
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 6 foot required side yard setback on the subject property, 5.1 feet from the east side property line adjacent to 7101 Rhygate Circle, 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