



July 8, 2020

RE: ADMINISTRATIVE DEVIATION NOTIFICATION
3916 The Plaza
TAX PARCEL NUMBER: 093-031-20
CASE NUMBER: 2020-058AD

Dear Applicant:

Your request for an administrative deviation has been **granted** to allow for a deviation of 2 feet to the 60 foot transitional setback from the centerline of The Plaza for a proposed townhome development as shown on the site plan on page A011 of the construction approved by the Charlotte Department of Transpiration and Charlotte Urban Forestry dated April 18, 2020.

The following facts warrant approval of the administrative deviation request:

1. The subject property is currently zoned R-22MF (multi-family).
2. Per Code Section 12.103(2), a transitional setback is established for each zoning district abutting a thoroughfare. In this instance the required transitional setback is 60 feet as measured from the centerline of The Plaza.
3. Per Code Section 12.103(2)(a) The 'transitional setback' established for lots abutting thoroughfares can be used for any purpose allowed by the zoning district in which it is located, except for uses which are prohibited in the required setbacks.
4. Per Code Section 12.106(1) no principal buildings or structures shall be located within any setback.
5. The applicant proposes to construct a 3 unit townhome development on the site.
6. According to Section 4.107(2). Yards, Buffers, and Encroachments the Zoning Administrator shall also have the administrative authority to approve deviations from yard and buffer requirements.
7. The applicant has requested a deviation due to a misunderstanding about the enforcement of the proposed future setback from The Plaza.
8. The applicant requests an administrative deviation of the 2 feet from the 60 foot transitional setback from the centerline of The Plaza, reducing the transitional setback on the site to 58 feet.
9. This requested deviation is within the dimensional measurement allowed by the Zoning Ordinance Section 4.107(2).
10. The reduced transitional setback width is minor and is not easily detectable or visible.

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