



August 17, 2020

**RE: ADMINISTRATIVE DEVIATION NOTIFICATION
710 HUNGERFORD PLACE
TAX PARCEL NUMBER: 155-134-23
CASE NUMBER: 2020-075AD**

Dear Applicant:

Your request for an administrative deviation has been **granted** to allow for a 1.7 foot encroachment of the principal structure by a bay window into the required 45 foot rear yard setback, as shown on a property survey dated July 23, 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(g), the minimum rear yard setback for R-3 district is 45 feet.
3. Per Code Section 12.106(1), no principal structure shall be located within any setback or yard.
4. A bay window on the rear of the principal structure encroaches 1.7 feet into the required 45 foot rear yard setback.
5. The encroachment is shown on a survey dated July 23, 2020.
6. The applicant requests an administrative deviation for the 1.7 foot encroachment in accordance with Section 4.107(2). Yards, Buffers, and Encroachments which states that the Zoning Administrator shall also have the administrative authority to approve deviations from yard and buffer requirements.
7. The encroachment was caused by a surveying error during construction.
8. This requested deviation is within the dimensional measurement allowed by the Zoning Ordinance Section 4.107(2).
9. The encroachment is minor and is not easily detectable or visible.
10. The encroachment is only into the 45 foot rear yard setback on the subject property, 43.3 feet from the rear property line, 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