



October 22, 2020

**RE: ADMINISTRATIVE DEVIATION APPROVAL  
4438 FIRWOOD LANE  
TAX PARCEL NUMBER: 149-151-40  
CASE NUMBER: 2020-093AD**

Dear Applicant:

Your request for an administrative deviation has been **granted** to allow for a 0.7 foot encroachment of a the principal structure into the required 14 foot rear yard setback, as shown on a property survey dated September 9, 2020.

The following facts warrant approval of the administrative deviation request:

1. The subject property is currently zoned R-4 (single family).
2. Per Code Section 9.205(g), the minimum rear yard setback for R-4 district is 40 feet.
3. At its meeting on December 10, 2019, the Charlotte Zoning Board of Adjustment granted a variance for a 26 foot reduction to the 40 foot rear yard requirement to allow an addition to be built on to the existing home.
4. Per Code Section 12.106(1), no principal structure shall be located within any setback or yard.
5. An addition was constructed on to the principal structure following the variance granted December 10, 2019. Due to an error during construction the addition encroaches 0.7 feet into the required 14 foot rear yard setback.
6. The encroachment is shown on a survey dated September 9, 2020.
7. The applicant requests an administrative deviation of 0.7 feet to correct the 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.
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 14 foot rear yard setback on the subject property, 13.3 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](mailto:maxx.oliver@charlottenc.gov) or 704-336-3818.

Sincerely,

Maxx Oliver  
Zoning Administration Specialist