



October 30, 2020

**RE: ADMINISTRATIVE DEVIATION NOTIFICATION
2301 CHESTERFIELD AVENUE
TAX PARCEL NUMBER: 127-067-02
CASE NUMBER: 2020-101AD**

Dear Applicant:

Your request for an administrative deviation has been **granted** to allow for a 1.1 foot encroachment of an accessory structure into the required 3 foot accessory side yard, as shown on a property survey dated February 25, 2019.

The following facts warrant approval of the administrative deviation request:

1. The subject property is currently zoned R-5 (single family).
2. Per Code Section 12.106(2)(a), the minimum side yard for a detached accessory structure is 3 feet.
3. The right side of the accessory structure encroaches 1.1 feet into the 3 foot side yard as shown on a property survey dated February 25, 2019.
4. Section 4.107(2) of the Zoning Ordinance allows a deviation of up to 2 feet in the instance of an unintended error.
5. This requested 1.1 foot deviation is within the dimensional measurement allowed by the Zoning Ordinance Section 4.107(2).
6. The proposed deviation was caused by an inadvertent error that occurred during the construction of the accessory structure.
7. The deviation will allow the accessory structure to remain as it is currently built. No new construction is currently proposed.
8. The encroachment is minor and not easily visible or detectable and is only into the required side yard along the east side property line of the subject property 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