



November 13, 2020

**RE: ADMINISTRATIVE DEVIATION APPROVAL
4538 WENTWORTH PLACE
TAX PARCEL NUMBER: 171-042-13
CASE NUMBER: 2020-107AD**

Dear Property Owner:

Your request for an administrative deviation has been **granted** to allow for a 5%, or 2 foot, encroachment into the 40 foot required rear yard setback, shown on the property survey dated August 10, 2020. The proposed encroachment is in order to construct a new house.

The following facts warrant approval of the administrative deviation request:

1. The subject property is currently zoned R-4 single family residential.
2. Per Code Section 9.205(1)(g), the minimum rear yard for the R-4 district is 40 feet.
3. Per Code Section 12.106(1), no principal structure shall be located within any setback or yard.
4. The deviation is requested to construct a new home on the vacant lot. The applicant states that a portion of the lot is not buildable due to the steep topography and a large tree along the west side property.
5. The required 40 foot rear setback is shown on the survey dated August 10, 2020.
6. The applicant requests an administrative deviation of the 5%, or 2 feet, to allow the encroachment of the proposed home into the required 40 foot rear yard.
7. This requested deviation is within the dimensional measurement allowed by the Zoning Ordinance Section 4.107(1).
8. The encroachment is minor and is not easily detectable or visible.
9. The proposed encroachment is only into the 40 foot required rear yard on the subject property, 38 feet from the north property line running perpendicular to Wentworth Place, and there will be 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