



November 16, 2020

**RE: ADMINISTRATIVE DEVIATION APPROVAL
3000 HEATHGATE ROAD
TAX PARCEL NUMBER: 211-311-49
CASE NUMBER: 2020-111AD**

Dear Applicant:

Your request for an administrative deviation has been **granted** to allow for a 1.25 foot encroachment of an attached deck into the required 45 foot rear yard, as shown on the survey dated October 26, 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(1)(g), the minimum rear yard setback for R-3 is 45 feet.
3. Per Code Section 12.106(3), certain portions of the rear yard may be used for attached extensions to the principal structure including decks.
4. Per Code Section 12.106(3)(b), no such extension may encroach more than 25% of the depth of the required rear yard.
5. The attached deck on the rear of the principal structure encroaches to within 32.5 feet of the rear property line, which is 1.25 feet more than what is permitted by the 25% encroachment provision of Section 12.106(3)(b) of the Zoning Ordinance.
6. This encroachment is shown on the survey dated October 26, 2020.
7. The applicant is requesting a 1.25 foot deviation to the depth of the deck to allow for the excess encroachment in to the 45 foot required rear yard.
8. This additional depth was caused by an inadvertent surveying error during construction.
9. This requested deviation is within the dimensional measurement allowed by the Zoning Ordinance Section 4.107(2).
10. The additional depth of the attached deck is minor and is not easily detectable or visible. 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