



December 16, 2020

**RE: ADMINISTRATIVE DEVIATION APPROVAL
913 VAN EVERY STREET
TAX PARCEL NUMBER: 081-124-17
CASE NUMBER: 2020-119AD**

Dear Applicant:

Your request for an administrative deviation has been **granted** to allow for a 1.1 foot encroachment of a the principal structure into the required 10 foot setback, as shown on a property survey dated November 9, 2020.

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 9.205(e1), the minimum setback for R-5 district is 20 feet.
3. At its meeting on October 30, 2018, the Charlotte Zoning Board of Adjustment granted a 10 foot variance from the 20 foot setback requirement to allow a single family home to be built on the exiting lot.
4. Per Code Section 12.106(1), no principal structure shall be located within any setback or yard.
5. Due to an error during construction the foundation for the front patio encroaches 1.1 feet into the required 10 foot front setback.
6. The encroachment is shown on a survey dated November 9, 2020.
7. The applicant requests an administrative deviation of 1.1 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 10 foot front setback on the subject property, 8.9 feet from the front property line along Van Every Street, 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