



January 19, 2021

**RE: ADMINISTRATIVE DEVIATION APPROVAL
10320 CRESTWOOD DRIVE
TAX PARCEL NUMBER: 225-282-02
CASE NUMBER: 2021-001AD**

Dear Applicant:

Your request for an administrative deviation has been **granted** to allow for a 2 foot encroachment of a the principal structure into the required 45 foot rear yard, as shown on a property survey dated December 18, 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(e1), the minimum rear yard for R-3 district is 45 feet.
3. Per Code Section 12.106(1), no principal structure shall be located within any setback or yard.
4. The applicant requests an administrative deviation of 2 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.
5. Due to an inadvertent error during construction setting the foundation of the house farther left than intended, the house encroaches 2.3 feet into the required rear yard.
6. 2 feet of the encroachment may be corrected in accordance with Section 4.107 of the Zoning Ordinance. According to Section 2.103 Fractional Requirements, a fraction of less than a half will be disregarded allowing for the additional 0.3 foot encroachment to be disregarded.
7. The encroachment is shown on a survey dated December 18, 2020.
8. The encroachment is minor and is not easily detectable or visible.
9. The encroachment is only into the 45 foot rear yard on the subject property, 42.7 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 or 704-336-3818.

Sincerely,

Maxx Oliver
Zoning Administration Specialist