



November 13, 2019

**RE: ZONING APPROVAL FOR AN ADMINISTRATIVE DEVIATION
711 & 715 WESTBURY ROAD
TAX PARCEL NUMBER: 185-042-67
CASE NUMBER: 2019-086AD**

Dear Property Owner:

Your request for an administrative deviation has been **granted** to allow a 2 foot encroachment of an attached deck for each unit to exceed the maximum of 50% of the width of the dwelling at the rear building line for the deck extension per Code Section 12.106(3), and as shown on site plan provided by the applicant.

The following facts warrant approval of the administrative deviation request:

1. The subject property is zoned R-4 (single family) and has a newly constructed duplex on the property.
2. Code Section 12.106(3) allows certain attached unheated extensions of a duplex to encroach into the rear yard with conditions including a maximum width of the encroachment of 50% of the width of the dwelling at the rear building line.
3. The duplex structure on the property is 38 feet wide at the rear building line of both dwellings.
4. The duplex has a covered deck that exceeds the allowed maximum lot width.
5. The applicant states that they were unaware of the regulation that limits unheated extensions on a duplex dwelling unit to no greater than 50 % of the width of the rear building line of the dwelling, which would allow a 19 foot deck width for each unit (50% of the 38 foot rear building line of both dwellings).
6. The permits issued for the duplex dwelling units (Permit Numbers: B3466134 & B3466104) denote the 40 foot required rear yard and do not show the covered deck encroachment. The covered deck was shown on the building plans submitted by the applicant that accompanied the permits. The duplex units were inspected and issued a Certificate of Occupancy on October 15, 2019.
7. The applicant requests an administrative deviation to allow an additional 2 feet of deck width for each dwelling unit, allowing 21 feet of width for the deck attached to each unit.
8. The proposed deviation was caused by an inadvertent error that occurred during the construction of the home and deck extension.
9. The encroachment is minor and will not be easily detectable or visible.
10. The requested deviation is within the dimensional measurement allowed by Section 4.107(2) of the Zoning Ordinance.

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 704-336-8314.

Sincerely,

A handwritten signature in cursive script that reads "Lisa McCarter". The signature is written in dark ink and is positioned above the printed name.

Lisa McCarter
Planning Project Manager