



October 30, 2019

**RE: ZONING APPROVAL FOR AN ADMINISTRATIVE DEVIATION
1009 E. 35TH STREET
TAX PARCEL NUMBER: 083-161-03
CASE NUMBER: 2019-080AD**

Dear Property Owner:

Your request for an administrative deviation has been **granted** to allow a 1.8 foot encroachment of a home into the 5 foot side yard, required by the Ordinance, and shown on a Physical Survey of the property dated June 1, 2019, provided by the applicant.

The following facts warrant approval of the administrative deviation request:

1. The subject property is currently zoned R-5 (single family).
2. Section 9.205(f) of the Zoning Ordinance requires a minimum side yard of 5 feet in the R-5 zoning district.
3. The applicant's physical survey prepared by John A. Christian, II, Land Surveyor, dated June 1, 2019, shows a 1.8 foot encroachment of the single family home into the 5 foot side yard.
4. The setback encroachment was discovered when the above survey was completed.
5. The proposed deviation was caused by an inadvertent error that occurred during the construction of the home.
6. The encroachment is minor and will not be easily detectable or visible.
7. 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,

Lisa McCarter
Planning Project Manager