



November 25, 2019

**RE: ZONING APPROVAL FOR AN ADMINISTRATIVE DEVIATION
2806 BRIAR RIDGE LANE
TAX PARCEL NUMBER: 22727237
CASE NUMBER: 2019-087AD**

Dear Property Owner:

Your request for an administrative deviation has been **granted** to allow a 1.55 foot encroachment of a screened porch on the rear of the home over the maximum allowed encroachment of 11.25 feet for an unheated extension, and a 2.7 foot encroachment of the left rear of the home into the 45 foot rear yard, as shown on a property survey dated October 30, 2019.

The following facts warrant approval of the administrative deviation request:

1. The subject property is currently zoned R-3 (single family).
2. There is a home on the property that was built in 1985.
3. Per Code Section 9.205(1)(g), the minimum rear yard for the R-3 zoning district is 45 feet.
4. The left rear of the home encroaches 2.7 feet into the 45 foot rear yard as shown on a property survey dated October 30, 2019.
5. Section 4.107(1) of the Zoning Ordinance, allows a deviation of up to 2.25 feet, which is a 5 percent encroachment into the 45 foot rear yard. The subject encroachment is 2.7 feet, however, the difference of .45 feet, being a fraction of less than a half of a foot, can be disregarded per the fractional requirements of Code Section 2.103.
6. Per Code Section 12.106(3), certain unheated portions of a single family home, including screened porches, may encroach up to 25% of the depth of a required rear yard. 25 % of the depth of the 45 foot rear yard on the subject property is 11.25 feet.
7. Per the property survey dated October 30, 2019, the screened porch on the rear of the home encroaches 12.8 feet into the 45 foot rear yard, which exceeds the maximum allowed encroachment by 1.55 feet.
8. This requested deviation is within the dimensional measurement allowed by the Zoning Ordinance Section 4.107(1).
9. The encroachments were discovered when the above survey was completed for the sale of the property.
10. The proposed deviation was caused by an inadvertent error that occurred during the construction of the home and screened porch.
11. The deviation will allow the house to remain as it was originally built. No new construction is currently proposed.
12. The encroachment is minor and is not be easily detectable or visible.
13. The encroachment is only into the required rear yard on the subject property 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 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 and title.

Lisa McCarter
Planning Project Manager