



June 24, 2010

Self-Help Community Development Corporation
P.O. Box 3619
Durham, NC 27702-3619

**RE: ZONING APPROVAL FOR AN ADMINISTRATIVE VARIANCE
5108 ROCKWOOD ROAD
TAX PARCEL NUMBER: 039-252-36
CASE NO. 10-26AD**

Dear Self-Help Community Development Corporation:

Your request for a seven (7) inch variance from the front setback and a three (3) inch variance from the required side yard to allow a residential structure to remain as constructed has been **granted**. You may obtain a permit to reflect your variance at 700 N. Tryon Street (Hal Marshall Building).

My investigation and review of the request indicates that the following facts warrant approval of the request:

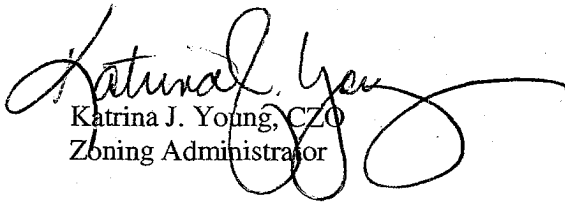
1. The physical contours of the street, the land, or some other topographical or geographical feature is the basis for a surveying or other inadvertent error.
 - a. *A survey completed in the process of the home construction revealed that the house encroaches into the required 20 foot setback and required three feet side yard.*
 - b. *The structure encroaches into the front setback by less than one foot.*
 - c. *Code Section 2.105 of the City of Charlotte Zoning Ordinance allows a fraction of a half or more to be rounded up to the next whole unit and therefore the side yard of 2.7 feet is rounded up to the required 3 feet.*
 - d. *The lot size is sufficient to accommodate the structure had the stake been located at the required 20 foot setback line.*
2. The physical layout of the land and the structures upon the land are such that the ordinance requirement cannot be met.
 - a. *The structure was built in 2004.*
 - b. *The home is built on a mono-slab and cannot be moved.*
3. Because of the nature of the abutting property or intervening topographical or geographical features, the application of the ordinance requirement would not serve a useful purpose.

- a. *Removing one foot from the building front and side would have a detrimental effect on the structure.*
- b. *The amount of the variance is very small in context.*
- c. *The encroachments are visually undetectable and will not change the characteristics of the neighborhood.*

An Administrative approval was granted under Section 4.107(Delegated Authority). Please make sure that the annotation of this section is noted on the permit application.

If I can be of further assistance in this matter, please contact me at (704) 336-3571.

Sincerely,


Katrina J. Young, CZO
Zoning Administrator