



June 30, 2010

David C. Scott
5326 Huntwell Commons Ln
Charlotte, NC 28226

RE: ZONING APPROVAL FOR AN ADMINISTRATIVE VARIANCE
5326 Huntwell Commons Ln
TAX PARCEL NUMBER: 211-191-41
CASE NO. 10-27AD

Dear Mr. Scott:

Your request for a 2.25 foot variance from the required 45 foot rear yard to allow for remodeling of a master bedroom 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:

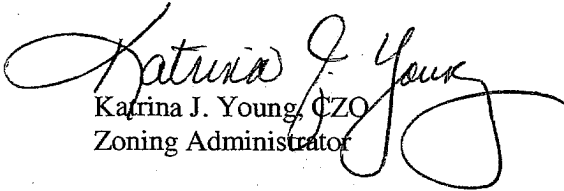
1. The physical contours of the street, the land, or some other topographical or geographical feature is the basis for a surveying or other inadvertent error.
 - a. *The lot has a significant grade change towards the right rear yard which creates a hardship when renovating the existing structure.*
 - b. *The lot is slightly wider than the adjacent lots but the depth of the lot is much smaller than most of the lots in the neighborhood.*
 - c. *The variance is small in context.*
 - d. *Only a small portion of the addition will encroach into the required rear yard.*
 - e. *The encroachment into the required rear yard is not noticeable from the street.*
2. The physical layout of the land and the structures upon the land are such that the ordinance requirement cannot be met.
 - a. *The principal structure is existing and only a small portion of the residence will encroach into the required rear yard.*
 - b. *The applicant's rear property line also serves as the rear property line for the adjacent lot to the rear, which creates a great distance between the principal residential structures.*
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. *Code Section 9.205(1) (g) of the Charlotte Zoning Ordinance requires a minimum rear yard of 45 feet in an R-3 zoning district.*

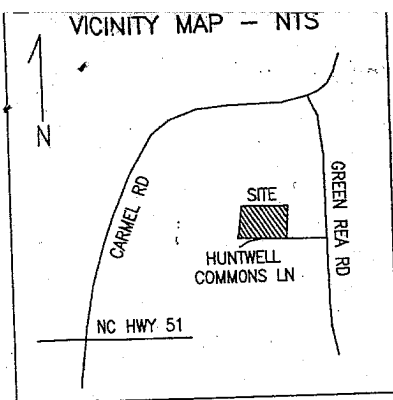
- b. *Code Section 12.106(3) permits the encroachment of up to 25% of the required rear yard for some uses such as porches and utility rooms. This encroachment would be for 5% of the required rear yard and for a very small area.*
- 4. The applicant has agreed to measures that would ameliorate the deviation from complete compliance with the ordinance requirement.
 - a. *The applicant has agreed to keep the existing mature trees on the site.*
 - b. *The property will be developed in accordance with the attached site drawing as submitted.*

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



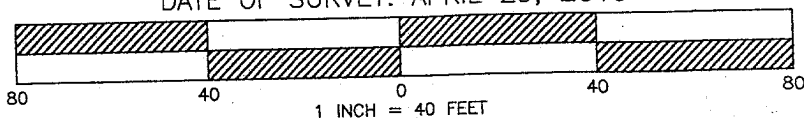
DAVID & JENNIFER SCOTT

CITY OF CHARLOTTE, MECKLENBURG COUNTY, N.C.

REFERENCE: DB 14132-680 & MB 30-43

TAX PARCEL: 211-191-41

DATE OF SURVEY: APRIL 29, 2010



NORTHWEST CORNER
OF LOT 1A, MB 30-43

**Proposed
Setback
Deviation**

JUDY MORGAN & HUSBAND,
JACK MORGAN, JR.
DB 19505-527
LOT 1A
MB 30-43

PEGGY B. FULLER, TRUSTEE
OF THE PEGGY B. FULLER
REVOCABLE TRUST
DB 11333-793

MARY BREIDING &
JOSEPH JOHN LUCAS
DB 23944-601
LOT 2
MB 19-94

**Mature
Trees**

MB 27-68



RONALD & KRISTY HEMLEY
DB 21433-688
LOT 1
MB 27-68

HUNTWELL COMMONS LANE
VARIABLE PUBLIC R/W, MB 27-68

GREGORY & ANITA BRANDNER
DB 22882-215
SUBLOT 2
MB 46-731

FRED HIX STUBBLEFIELD, III &
WIFE, CAROLYN LEFEVRE STUBBLEFIELD
DB 22949-266
SUBLOT 1
MB 46-731

SOUTHEAST CORNER
OF SUBLOT 1, MB 46-731

NOTES:

- SUBJECT PROPERTY IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA.
- HOUSE DIMENSIONS SHOWN ARE MEASURED FROM THE OUTSIDE OF THE SIDING. PORCH DIMENSIONS ARE MEASURED FROM THE COLUMNS.

LEGEND:

DB - DEED BOOK
EIR - EXISTING IRON ROD
EIP - EXISTING IRON PIPE
MB - MAP BOOK
R/W - RIGHT-OF-WAY

"BOUNDARY SURVEY"

I HEREBY STATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, AND IN MY PROFESSIONAL OPINION, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A "CLASS A" SURVEY AS SPECIFIED IN NCAC 21, CHAPTER 56.

Jason Lee Wylie

JASON LEE WYLIE, NORTH CAROLINA PLS L-4366

FROM THE OFFICE OF
JASON LEE WYLIE
PROFESSIONAL LAND SURVEYOR
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