



June 12, 2012

John Harrison Rodríguez
7908 Travers Run Drive
Charlotte, NC 28215

RE: **ZONING APPROVAL FOR AN ADMINISTRATIVE VARIANCE**
534 MARY CHARLOTTE DRIVE
TAX PARCEL NUMBER: 049-381-09
CASE NUMBER: 12-021AD

Dear Mr. Rodriguez:

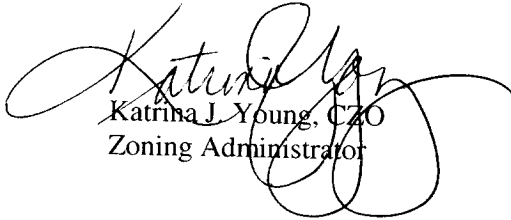
Your request for an administrative deviation for a 1.2 foot reduction from the 45 foot rear yard setback to allow an existing residence to remain as constructed has been **granted**. You may obtain a permit to reflect your variance at 700 N. Tryon Street (Hal Marshall Building).

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

1. The physical layout of the land and the structures upon the land are such that the ordinance requirement cannot be met.
 - a. *A survey dated April 9, 2012 indicates a minimum rear yard of 45 feet.*
 - b. *The survey indicates that a small portion of the structure encroaches into the required rear yard by 1.2 feet.*
 - c. *The structure is already located on the lot.*
 - d. *The variance is small in context.*
2. 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. *There appears to have been a surveying or construction error as to where the 45 foot rear yard was located.*
 - b. *The structure is already constructed and is located 43.8 feet from the property line.*
 - c. *The structure was built in 1986.*
 - d. *The residence abutting the lot is at least 80 feet away from where the structure encroaches.*
3. The applicant agrees to measures to mitigate the impact of the deviation.
 - a. *The shrubbery shielding the encroachment of the structure will remain.*

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

Cc: Janeen Miller Hogue, Attorney at Law