



April 9, 2013

Mr. and Mrs. Ali Soyak
2400 Houston Branch Road
Charlotte, NC 28270

RE: ZONING APPROVAL FOR AN ADMINISTRATIVE VARIANCE
308 CHARNDON VILLAGE COURT (Lot B5)
TAX PARCEL NUMBER: 189-272-18
CASE NUMBER: 2013-0011AD

Dear Mr. and Mrs. Ali Soyak:

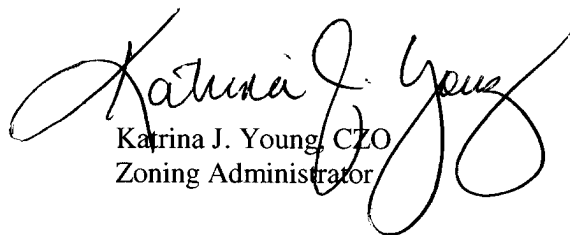
Your request for an administrative deviation for a two (2) foot variance from the required side yard to allow a structure to remain as constructed has been **granted**. You may obtain a permit to reflect your variance at 700 N. Tryon Street (Hal Marshall Building).

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. *The structure was originally approved as a duplex with two units.*
 - b. *The two units were planned to be constructed at different times.*
 - c. *Construction of the second unit now requires that it be regulated under different building code regulations.*
 - d. *There was some confusion as to the building code requirements for the two units.*
 - e. *The contractor believed that the second unit could be constructed without meeting the requirements for attached housing.*
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 has already been constructed.*
 - b. *The portion of the structure that encroaches in the required side yard is a small storage unit.*
 - c. *The variance request is small in context.*
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. *Any new property owner that purchases the adjacent lot will be aware of the existing encroachment.*
 - b. *There will be more space between the units than was originally planned.*

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,

A handwritten signature in black ink, appearing to read "Katrina J. Young". The signature is fluid and cursive, with a large loop at the end of the last name.

Katrina J. Young, CZO
Zoning Administrator