



October 17, 2013

Charndon Village Homeowners Association, Inc.
11520 N. Community House Rd Suite 250
Charlotte, NC 28277

**RE: ZONING APPROVAL FOR AN ADMINISTRATIVE VARIANCE
320 CHARNDON VILLAGE COURT (Lot B2)
TAX PARCEL NUMBER: 189-272-15
CASE NUMBER: 2013-049AD**

Dear Charndon Village Homeowners Association Inc.:

On October 17, 2013, I made a determination that the above referenced property should receive approval for an administrative variance in accordance with Code Section 4.107 (Delegated Authority for Quantifiable Ordinance Standards) of the Zoning Ordinance. Mr. and Mrs. Richard Zulman, (Represented by Providence Partners/Charndon Associates, LLC), owners of the property at the referenced address are seeking a two (2) foot variance from the required side yard to allow a structure to remain as constructed.

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.

Code Section 4.107 states that any aggrieved person who objects to the administrative approval must provide a written request for denial of the variance. The request must be submitted within three working days of this notice. After this notice has expired, the Interim Zoning Administrator will grant the above variance request. If I can be of further assistance, please contact me at 704-353-1132.

Sincerely,



Shad Spencer
Interim Zoning Administrator

Cc: Providence Partners/Chardon Associates, LLC