



July 15, 2014

Peter and Katherine Kostiw
2306 Beverly Drive
Charlotte, NC 28207

**RE: ZONING APPROVAL FOR AN ADMINISTRATIVE VARIANCE
2306 BEVERLY DRIVE
TAX PARCEL NUMBER: 153-093-38
CASE NUMBER: 2014-033AD**

Dear Peter and Katherine Kostiw:

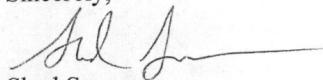
Your request for an administrative deviation to allow the eaves/gutters of the existing detached garage to encroach 0.2 feet into the required 3-foot yard separation from the side property line and 0.9 feet into the required 3-foot yard separation from the rear property line within the established rear yard 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 encroachment is to accommodate the eaves/gutters of a detached garage. The exterior wall of the detached garage is no closer than the required 3-foot separation from the property line. The eaves/gutters of the detached garage are 2.8 feet from the side property line and 2.1 feet from the rear property line.
2. The encroachment is caused by a misunderstanding regarding the fact that the eaves of a principal structure are allowed to encroach up to 3 feet into any required yard but the eaves of an accessory structure are not allowed to encroach into a required yard.
3. The structure has already been constructed.
4. The encroachments are minor and are not easily detectable or visible.
5. The requested deviation is within the dimensional measurement allowed by Section 4.107(2) of the Zoning Ordinance.

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) 353-1132.

Sincerely,



Shad Spencer
Zoning Administrator