



January 2, 2018

**RE: ZONING APPROVAL FOR AN ADMINISTRATIVE DEVIATION
506 EAST 37th STREET
TAX PARCEL NUMBER: 091-103-13
CASE NUMBER: 2017-059AD**

Dear Kelly Albertson:

Your request for an administrative variance to allow: (1) a 1.9 foot encroachment into the required 35 foot rear yard and allow (2) a .52 encroachment into the required 10 foot street side setback. The encroachments are as shown on the Physical Survey dated November 10, 2017 has been granted.

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

1. The proposed deviation was caused by an inadvertent error that occurred during the staking and placement of the foundation of the home currently under construction.
2. In order to preserve an existing large tree within the front yard of the subject property and minimize the impact to the root system of the tree, the single family home was intended to be placed along the required 35 foot rear yard.
3. Both encroachments are both identified on the submitted survey dated November 10, 2017, conducted by Felton W. Berger, PLS EI Professional Land Surveyor/Civil Engineer (job# 2016-025).
4. The encroachment is minor and will not be easily detectable or visible.
5. The requested deviation is within the dimensional measurement allowed by Section 4.107(2) of the Zoning Ordinance.

The administrative approval was granted under Section 4.107 (Delegated Authority) of the City of Charlotte Zoning Ordinance. If any permits are required, please make sure that the annotation of this section is noted on the permit application. Please retain this letter as documentation that the administrative variance for the encroachment was granted. If I can be of further assistance, please contact me at 704-336-8314.

Sincerely,

Barry Mosley
Planning Coordinator