



October 12, 2018

**RE: ZONING APPROVAL FOR AN ADMINISTRATIVE DEVIATION**  
**5730 Bentway Drive**  
**TAX PARCEL NUMBER: 211-673-17**  
**CASE NUMBER: 2018-074AD**

Dear Richard and Joan Foard:

Your request for an administrative variance to allow a principal building to encroach 1.7 feet into the required 45 foot rear yard as required by the Ordinance as shown on the Boundary & Physical Survey dated 9-21-2018 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 for the residential structure.
2. The applicant's physical survey prepared by Jeff Hladun Land Surveyor dated September 25, 2018, (Job #2186580.00), shows the principal structure encroaching approximately 1.7 feet into the required 45 foot rear yard.
3. The rear encroachment was discovered when a survey was completed in 2018 by the current owners.
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 704-353-1132

Sincerely,

Shad Spencer  
Zoning Administrator