



October 26, 2018

RE: ZONING APPROVAL FOR AN ADMINISTRATIVE DEVIATION
12420 Morning Creek Lane
TAX PARCEL NUMBER: 031-193-40
CASE NUMBER: 2018-076AD

Mrs. Dyas:

Your request for an administrative variance to allow a 5% impervious area increase to the maximum 2957 square feet impervious area allowed has been **granted**. The increase will allow for the existing single-family residence, concrete driveway, sidewalk, patio area and the accessory structure to remain. The total approved impervious area will be 3105 square feet per this Administrative Deviation

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 due to the property owners misunderstanding of the regulations.
2. Because of the nature of the geographical features of the subject property, the application of the ordinance would not serve a useful purpose.
3. The applicant's physical survey prepared by Rogers Land Surveying dated October 9, 2018, (work order #MHA-18132), shows the total impervious area.
4. The overage of the impervious area was discovered when a survey was completed in 2018 by the current owners.
5. The overage is minor and will not be easily detectable or visible and has minimal to no additional impact.
6. The requested deviation is within the 5% overage allowed by Section 4.107(1) of the Zoning Ordinance.

Condition of approval: The applicant shall reduce the current impervious area of 3447 square feet to no more than 5% above what is permitted which equates to 3105 square feet.

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,

Skad Spencer
Zoning Administrator