



March 11, 2019

RE: ZONING APPROVAL FOR AN ADMINISTRATIVE DEVIATION
1526 Stanford Place
TAX PARCEL NUMBER: 151-082-19
CASE NUMBER: 2019-018AD

Dear Property Owner:

Your request for an administrative variances to allow encroachments of an ADU (Accessory Dwelling Unit) in the second story of an existing detached garage structure as follows:

- 0.3 foot encroachment into the required 15 foot rear yard; and,
 - 1.3 foot encroachment into the required 6 foot side yard;
- which are regulated by the Zoning Ordinance Section 12.407(6)(c), and shown on a Physical Survey of the property dated February 26, 2019, have been granted.


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

1. The property is zoned R-3 (Single-Family).
2. According to Section 9.204, permitted accessory uses and structures, ADU's are permitted in the R-3 zoning district, subject to the supplemental regulations found in Section 12.407.
3. According to Section 12.407(6)(c), an ADU located within an accessory structure shall be located in the rear yard and not be any closer than 15 feet to a rear property line or along any side property line within the required side yard dimension.
4. The required side yard dimension is 6 feet in the R-3 zoning district according to Section 9.205.
5. The existing detached garage structure has an established rear yard of 14.7 feet and an established side yard of 4.7 feet.
6. A building permit for the detached garage was issued in March of 2007.
7. On December 3, 2018 building permit B3452708 was obtained to upfit the second story of the detached garage to construct an ADU, with the project name of "Kugajevsky Eff Apt".
8. The project was inspected and issued a Certificate of Compliance on February 7, 2019.
9. On February 18, 2019 a Notice of Violation was issued for failure of the ADU to meet the required setbacks.
10. The proposed deviation was caused by an inadvertent error that occurred during the ADU permitting, because zoning review should have been required.
11. The applicant is requesting an administrative deviation of 0.3 feet for the 15 foot rear yard, and 1.3 feet into the 6 foot side yard.
12. The encroachments are minor and will not be easily detectable or visible.
13. The requested deviations are 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,

A handwritten signature in cursive script that reads "Lisa McCarter". The signature is written in dark ink and is positioned above the printed name.

Lisa McCarter
Planning Coordinator