



October 4, 2019

**RE: ZONING APPROVAL FOR AN ADMINISTRATIVE DEVIATION FOR AN ADA
COMPLIANT HANDICAP RAMP REQUIRED FOR ACCESS
4701 SMITH FARM ROAD
TAX PARCEL NUMBER: 033-041-34
CASE NUMBER: 2019-073AD**

Dear Property Owner:

Your request for an administrative deviation has been **granted** to allow an 11 inch deviation from the 14 foot required setback along Smith Farm Road to accommodate a required ADA (Americans with Disabilities Act) ramp and landing.

The following facts warrant approval of the administrative deviation request:

1. The subject property is zoned NS (Neighborhood Services) and has a minimum setback of 14 feet per Ordinance Section 11.505(1).
2. Per Code Section 12.106(2)(a), no accessory structures, including architectural features, shall be located within any required front setback.
3. Per the Zoning Ordinance Section 4.107 (3) Handicapped ramps: *The Zoning Administrator shall have the authority to approve a handicapped ramp or other encroachment into a yard, if the encroachment is required by law and there is no other reasonable location.*
4. Due to the topography and grade difference of the building and the sidewalk, and to ensure compliance with ADA (Americans With Disabilities Act) regulations, placement of the ramp within the front setback is appropriate to provide access to the commercial building on the property.
5. The requested deviation to locate the handicap ramp structure 11 inches within the 14 foot front setback is allowed by Section 4.107(3) of the Zoning Ordinance.

The administrative deviation 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 deviation for the encroachment was granted. If I can be of further assistance, please contact me at 704-336-8314.

Sincerely,

Lisa McCarter
Planning Coordinator