



October 15, 2019

**RE: ZONING APPROVAL FOR AN ADMINISTRATIVE DEVIATION
151 BRUNS AVENUE
TAX PARCEL NUMBER: 071-018-30
CASE NUMBER: 2019-076AD**

Dear Property Owner:

Your request for an administrative deviation has been **granted** to allow a deviation of 0.75 feet from the 35 foot base maximum average height measured from the side yard per Section 9.205(1)(j) of the Zoning Ordinance.

The following facts warrant approval of the administrative deviation request:

1. The subject property is zoned R-8 (single family) and has a 35 foot base maximum average side height per Zoning Ordinance Section 9.205(1)(j), with an increased height ratio permitted by providing additional side yard distance.
2. The applicant's Building Height Exhibit prepared by Rogers Land Surveying and dated September 23, 2019, shows several of the properties on Bruns Avenue being developed by Wesley Heights Development, LLC, and includes the height measurements of the duplex building located at 151 and 153 Bruns Avenue.
3. The required maximum average side height of the duplex building located at 151 Bruns Avenue is 35.15 feet, with the additional height allowance for increased side yard distance per Zoning Ordinance Section 9.205(1)(j). The actual average side height is shown as 35.9 feet, which is a 0.75 foot discrepancy.
4. The proposed deviation was caused by an inadvertent error that occurred during the construction of the duplex building.
5. The applicant states that the inadvertent error was caused by the topography, with the physical contour of the land that varies approximately 6 feet across the lots on which 151 and 153 Bruns Avenue are located.
6. The encroachment is minor and will not be easily detectable or visible.
7. The requested deviation is within the dimensional measurement allowed by Section 4.107(1) 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