

**F**iling fee is due when application is submitted.

An Administrative Deviation Filing Fee is required when the deviation application is submitted. The form and attachments must be submitted in person to one of the Zoning Administration staff members. Their office is found at:

**Charlotte-Mecklenburg Planning Department**

Charlotte-Mecklenburg Government Center  
600 East Fourth Street, 8th Floor

The form must be reviewed and accepted by staff when the fee is paid. The following nonrefundable fees apply:

**Residential \$150.00**

**Commercial \$350.00**

Make checks or money orders payable to **City of Charlotte**. No other form of payment will be accepted.



**Q**uestions may be answered on-line or by phone.

Information for completing the Administrative Deviation application is available at <http://www.charmeck.org/Departments/Planning/Subdivision/Subdivision+Applications/Home.htm>.

If you do not have web access, need an Administrative Deviation form mailed to you, or have any questions concerning the process, please contact the Zoning Administration staff. You may contact directly:

**Katrina Young 704-336-3571**  
[kjyoung@ci.charlotte.nc.us](mailto:kjyoung@ci.charlotte.nc.us)

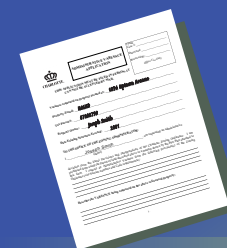
**Sonda Kennedy 704-336-3818**  
[skennedy@ci.charlotte.nc.us](mailto:skennedy@ci.charlotte.nc.us)

**Charlotte-Mecklenburg Planning Department**  
Government Center  
600 East Fourth Street, 8th Floor  
Charlotte, NC 28202-2853  
704-336-2205



# ZONING

## Administrative Deviation Process



Application

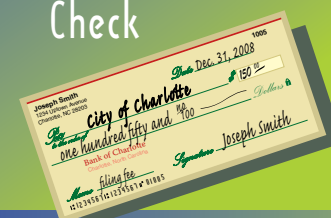
**1**



Property survey & vicinity map

**2**

Check



**3**



Submit in person

**4**



**Administrative approval** may be granted for deviations from measurable and quantifiable standards of the *City of Charlotte Zoning Ordinance*, section 4.107, except for residential density requirements and signs. Administrative deviations may only use either, but not both of these two options. A request may not be sought from both sections. Conditions may be attached to the approval.



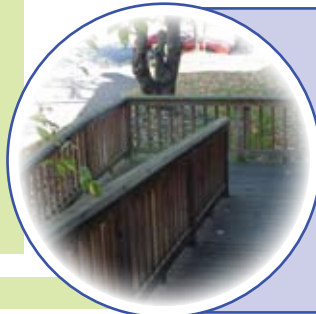
The approval cannot be for a deviation of more than 5% of the ordinance requirements. The administrative approval must be in accordance with any one of the following four conditions:

- The physical contours of the street, the land, or some other topographical or geographical feature is the basis for a surveying or other inadvertent error.
- The physical layout of the land and the structures upon the land are such that the ordinance requirement cannot be met.
- Because of the nature of the abutting property or intervening topographical or geographical features, the application of the ordinance requirement would not serve a useful purpose.
- The applicant has agreed to measures that would ameliorate the deviation from complete compliance with the ordinance requirement.

The approval for deviation of a yard or buffer requirement must be in accordance with one of the following conditions:

- that there has been a surveying error;
- that there is a misunderstanding about a property line,
- an action of Land Use and Environmental Services Agency (LUESA), Neighborhood Development, Engineering and Property Management, and/or the Planning Department,
- or other similar basis that demonstrates an inadvertent error.

Requests for a reduction of yard or buffer requirements may not exceed two feet, except for air conditioning units, which may not exceed three feet.



**Handicapped ramps** or other encroachment into a yard may be approved, if the encroachment is required by law and there is no other reasonable location.



working days to make comments to our office

See back page for different options to contact us.

Granting an administrative approval requires that reasonable steps be taken to inform the abutting property owner(s) on all sides of the administrative deviation request. The notice will advise the adjacent property owner(s) that they are entitled to object to the requested deviation. The abutting owner shall have three (3) working days to make comments to the Zoning Administrator.

If any person who is deemed to have the status of an aggrieved person objects to the administrative approval, with a stated reason, before the Zoning Administrator renders a written decision, then the request for an administrative deviation will be denied and the applicant must file for a variance.

If the Zoning Administrator determines that there is not a basis for administrative deviation, then the applicant must seek a variance.