

**From:** Jean Paul Cosentino

**Address:** 6136 Treehouse Dr. Charlotte, NC 28214

**RE:** Innovative Setback Request; Request and Background

I am writing to formally request consideration for an Innovative Setback Adjustment and/or Variance for my property located at 6136 Treehouse Dr. Charlotte, NC 2824, regarding an attached garage that encroaches into the required side yard setback. I respectfully ask for you to review my circumstances and grant relief from the setback requirement so that the structure may be brought into full compliance with the Charlotte.

After closing, July of 2024, we submitted an application to our HOA to construct an attached garage. The HOA approved the project without any specific conditions related to setbacks, and only providing their standard notice that ARC approval does not guarantee compliance with local permitting requirements. Our application clearly stated that the garage would be approximately feet from the property line. Based on the HOA approval, general assurances from contractors and real estate professionals, and our own lack of understanding regarding the implications of setback encroachments, we proceeded in good faith. I acknowledge that it was an oversight on my part not to fully verify the setback requirements prior to construction.

There is approximately a thirty-foot separation between my attached garage and the adjoining neighbor's home, which sits at a higher elevation. Due to this significant distance, the natural topography, and the open space between the properties, the garage presents no functional or visual impact to the neighboring parcel. In addition, the adjoining property owner has provided a signed and notarized Consent and Easement Agreement, acknowledged the encroachment, and affirmed that they have no objection to the garage's location.

The setback concern was brought to my attention by an HOA board member after the structure was built. Since learning of the issue, I have acted proactively and responsibly by securing neighbor consent, engaging permitting consults and survey professionals, and initiating the proper channels through the City of Charlotte to address and resolve the matter. My goal is to bring the structure into full legal compliance and maintain the integrity, safety, and value of my home and the surrounding community.

Thank you for your time, consideration, and your help navigating through this journey.

Jean Paul Cosentino

925-234-6960

**Attachments:**

Proposed Land Survey / As built

Current Survey

Current Plat

Garage Plan Set

Notarized Consent and Easement Agreement

Photos