



**CERTIFIED MAIL**

John and Sandra Ibach  
5600 Wintercrest Lane  
Charlotte, NC 28209

**RE: VARIANCE  
5600 Wintercrest Lane  
CASE NUMBER 09-016**

Dear Mr. and Mrs. Ibach:

At its meeting on April 28, 2009, the City of Charlotte Zoning Board of Adjustment ("Board") **denied** an 8-foot variance from the required 45-foot rear yard to allow the construction of an addition to an existing single-family structure to be constructed 37 feet from the property line.

**The Board based its decision on the following findings of fact:**

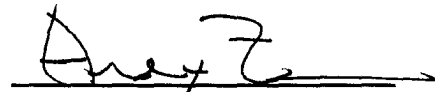
1. The applicant is John & Sandra Ibach.
2. The subject parcel's current zoning classification is R-3 (Residential).
3. The proposed site is located at 5600 Wintercrest Lane, further identified as tax parcel 177-052-09 and the site is approximately 0.35 acre.
4. The existing structure was built around 1983.
5. The applicant is proposing to construct an addition at the rear of the existing structure which would encroach into the required rear yard.
6. The applicant may have other alternatives or areas on the site where the addition could be located and remain compliant.

**Based upon the above findings of fact, the Board concludes that the applicant has met each of the three standards stated in §5.108(1) of the Ordinance, and more specifically:**

1. The hardship is personal in nature.
2. Approval of the applicant's request would be in direct violation of the ordinance.

Pursuant to N. C. G. S. Section 160A-388(e), the Board's decision in Case No. 09-016 may be appealed by a petition for review in the nature of *certiorari* to Superior Court within thirty (30) days from the date stated below, which is the date when the decision of the Board was filed in the Planning Department/Zoning Administration Division, or within thirty (30) days after receipt of the decision by an aggrieved party who filed a written request for such copy with the Clerk to the Board at the time of the hearing of the case, whichever is later.

Sincerely,

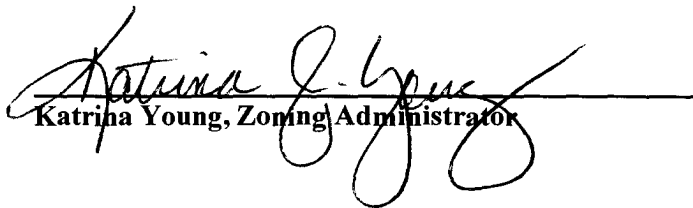
A handwritten signature in cursive script, appearing to read "Andy Zoutewelle", written over a horizontal line.

Andy Zoutewelle  
Chairperson

Cc: Charles Brandau

**DECISION FILED IN THE PLANNING DEPARTMENT:**

May 17, 2009  
Date

A handwritten signature in cursive script, appearing to read "Katrina Young", written over a horizontal line.  
Katrina Young, Zoning Administrator