



**CERTIFIED MAIL**

Jesse and Amy Fistner  
2820 Idlewood Circle  
Charlotte, NC 28209

**RE: VARIANCE  
2820 IDLEWOOD CIRCLE  
CASE NUMBER 2013-050**

Dear Jesse and Amy Fistner:

At its meeting on November 26, 2013, the City of Charlotte Zoning Board of Adjustment ("Board") **granted** a 16' 2"-11/16" reduction from the required 40 foot rear yard to allow a second story addition.

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

1. The applicants are Jesse and Amy Fistner (*Represented by RAM Construction/Keith Wesolowski, Agent*).
2. The proposed site is located at 2820 Idlewood Circle, further identified as tax parcel 151-031-13.
3. The current zoning is R-4 (Residential).
4. The applicant is requesting a 16' 2"-11/16" reduction from the required 40 rear yard to allow a second story addition.
5. The applicant is proposing to build the second story in the same footprint as the existing structure. The existing structure is 23'-9" 5/16 from the rear property line.
6. The existing 1,336 square foot one-story single-family structure was built in 1953, and encroaches into the required rear yard.
7. The hardship is unique to the property because of lot size.
8. The addition will not extend any further into the required rear yard than the existing residence.
9. The hardship is unique due to the lack of depth to the property.
10. The hardship is unique to the applicant's property and is not neighborhood-wide or community wide.
11. The applicant's request meets the spirit and intent of the Ordinance and is in harmony with the neighborhood.
12. If granted, the variance will not negatively affect or interfere with the health and safety of adjacent properties.

**Condition:**

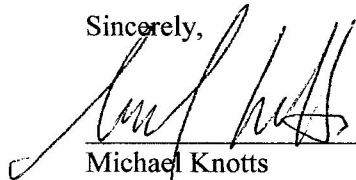
1. The height of the structure will be limited to two stories.

**Based upon the above findings of fact, the Board concludes that the applicant has met the standards set forth in North Carolina General Statutes § 160A-388, and more specifically:**

1. Practical difficulties or unnecessary hardship exist because:
  - a. The difficulty or hardship is not a result of action of the owner of the property.
  - b. The difficulty or hardship is peculiar to the property in question.
2. The spirit of the regulations will be observed by granting the variance.

All applicable permits must be obtained from the Planning Department, which has been notified of this decision. The Ordinance § 5.111, provides that unless otherwise specified by the Board, any decision of the Board granting a variance shall automatically expire if a permit or a certificate of occupancy pertaining to the need for the variance is not obtained within two (2) years from the date of the meeting of the Board at which the Board rendered its decision.

Sincerely,




Michael Knotts  
Chairperson

12/6/17  
Date

**DECISION FILED IN THE PLANNING DEPARTMENT:**

12 | 9 | 2013  
Date

  
Shad Spencer, Interim Zoning Administration

Cc: Keith Wesolowski, RAM Construction