



CITY OF CHARLOTTE ZONING BOARD OF ADJUSTMENT
CONFERENCE ROOM 280, 2ND FLOOR
GOVERNMENT CENTER – 600 EAST FOURTH STREET
TUESDAY, JANUARY 25, 2011 – 9:00 A.M.

REVISED AGENDA

DENIED

CASE NO. 11-001 – Application has been made by **KLH Acquisition Company, LLC (Represented by Collin Brown, Attorney)** for property located at **7601 South Boulevard, Tax Parcel Number 173-202-16**, requesting an 80.68 square foot variance from the required 200 square foot maximum sign area to allow a 280.68 square foot wall sign. **Code Section 13.108 Specifications for permanent signs requiring a permit. Subsection (1)(a)** states that wall signs may be located on any building wall of a nonresidential structure so long as the maximum sign surface area of all signs on one wall does not exceed 10% of the area of the building wall to which the sign is attached up to a maximum of 200 square feet. **Subsection (1)(d)** states that the total area of wall signs may be increased by 10% if such wall signs consists only of individual, outlined alphabet, numeric, and/or symbolic characters without background, except the background provided by the building surface to which the sign is affixed. **Subsection (1)(e)** states that the total area of wall signs may be increased by 10% if no detached sign is used on the premises. **Code Section 13.102 Definitions. Subsection (S2)** defines a sign as any object, device, or structure or part thereof, situated outdoors, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination, or projected images. **Subsection (S7)(al)** defines any wall sign directly attached to an exterior wall or exterior parapet of a building or dependent upon a building for its support with its exposed face parallel or approximately parallel to the plane of the building or structure on which the sign is affixed. Signs directly painted on walls shall be considered wall signs.

Vote is Aye to Deny

Ayes- Jeffrey Davis, David Hoffman

Nays- Randy Fink, Michael Knotts, Lynn Wheeler

DENIED

CASE NO. 11-002 – Application has been made by **Louis G. Ratcliffe Inc. (Represented by R. Susanne Todd, Attorney for The Nile Community Theatre & Lounge)** for property located at **5715 N. Graham Street, Tax Parcel Number 045-112-02**, requesting two variances: (1) a 50.89 foot variance from the rear of the structure to the nearest residential zoning district and (2) a 165.33 foot variance on the front from the required 400 foot separation of a nightclub, bar or lounge to a residential use or residential district. **Code Section 2.201** defines a **nightclub** as any commercial establishment serving alcoholic beverages and providing entertainment for patrons including bars, lounges, and cabarets. A **cultural facility** is defined as an indoor or outdoor theater (excluding commercial motion picture theater), auditorium or other building or structure designed, intended, or used primarily for musical,

dance, dramatic, or other performances, or a museum or gallery operated primarily for the display, rather than the sale of works of art. **Code Section 9.803 (19)** states that any structure in which nightclubs, bars and lounges (B-1 and B-2 only) are the principal use shall be located at least 400 feet from any residential use or residential district. **Code Section 9.802 (23)** states that cultural facilities are uses permitted by right in B-1, B-2 and BP only.

Vote is Aye to Deny

Ayes- Jeffrey Davis, Randy Fink, David Hoffman, Michael Knotts, Lynn Wheeler

Nays- None

BUSINESS

Approval of Minutes

THE BOARD RESERVES THE RIGHT TO DEVIATE FROM THE AGENDA. ~

City of Charlotte will comply with the American Disabilities Act (ADA), which prohibits discrimination on the basis of disability. Anyone needing special accommodations when attending this meeting and/or if this information is needed in an alternative format because of a disability please contact the Clerk to the Charlotte Zoning Board of Adjustment, (704) 336-3818 or skenedy@ci.charlotte.nc.us, at least 72 hours prior to the meeting.
