



CHARLOTTE
CITY OF CHARLOTTE ZONING BOARD OF ADJUSTMENT
CONFERENCE ROOM 280, 2ND FLOOR
GOVERNMENT CENTER – 600 EAST FOURTH STREET
TUESDAY, AUGUST 28, 2012 – 9:00 A.M.
REVISED AGENDA
8/24/2012

DENIED

CASE NO. 12-034 – Application has been made by **William Keathley** for property located at **11032 Moores Chapel Road, Tax Parcel Number 053-082-03**, requesting a variance to allow an accessory structure to be located within the established setback. **Code Section 12.106(2)(a)** **Uses and structures prohibited and allowed in required setbacks and yards**. No accessory structures shall be located within any setback or side yard required of these regulations, or located within three (3) feet of a lot line in the established rear yard. No accessory structure shall be located within any established setback in any residential district, except as otherwise provided. **Code Section 9.205(1)(e2)** states that the minimum setback from existing or future back of curb along local and collector streets in a R-3 zoned district is 42 feet. **Code Section 2.201** defines an **established setback** as the distance between the right-of-way line and the front building line of a principal building or structure, as constructed, projected to the side lines of the lot. An **accessory structure** is defined as a use or structure that is customarily or typically subordinate to and serves a principal use or structure; is clearly subordinate in area, extent, or purpose to the principal use or structure served; and is located on the same lot as the principal use or structure. In no event shall “accessory structure” or “accessory structure” be construed to authorize a principal use or structure not otherwise permitted in the district in which the use is located. A **structure** is defined as anything constructed, installed, or portable, the use of which requires a location on a parcel of land. This includes a fixed or movable building which can be used for residential, business, commercial, agricultural, or office purposes, either temporarily or permanently.

Vote is Aye to Deny

Ayes: Randy Fink, Michael Knotts, Jennifer Coble, Paul Arena (Alternate)

Nays: Lynn Wheeler

POSTPONED TO SEPTEMBER

CASE NO. 12-032 (APPEAL) – Application has been made by **CASCO Signs Inc. (Represented by John Carmichael)** for property located at **16625 Lancaster Highway, Tax Parcel Number 223-081-03**, appealing the Zoning Administrator’s interpretation that the proposed wall sign is not a drive through vehicle or incidental sign. **Code Section 13.102(s7)(al)** defines a wall sign as any 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. **Code Section 13.102(s7)(p)** defines an **incidental sign** as a sign used in conjunction with equipment or other functional elements of a use or operation. These shall include, but not limited to drive through window menu boards, and signs on automatic teller machines, gas pumps, vending machines, or newspaper delivery boxes.

Vote is Aye to Grant

Ayes: Randy Fink, Michael Knotts, Lynn Wheeler, Jennifer Coble, Paul Arena (Alternate)

Nays: None

THE BOARD WILL BREAK FOR LUNCH AFTER THE ABOVE CASES AT APPROXIMATELY 12:30 P. M.
THE FOLLOWING CASES WILL NOT BE HEARD BEFORE 12:30 P.M.
APPROVE 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 skennedy@ci.charlotte.nc.us, at least 72 hours prior to the meeting.
