



CHARLOTTE

CITY OF CHARLOTTE ZONING BOARD OF ADJUSTMENT
CONFERENCE ROOM 280, 2ND FLOOR
GOVERNMENT CENTER – 600 EAST FOURTH STREET
TUESDAY, OCTOBER 29, 2013 – 9:00 A.M.

AGENDA

CONTINUED

CASE NO. 13-043 Application has been made by **The Presbyterian Home at Charlotte, Inc. (Represented by John Carmichael)** for property located at **3429 Sunnybrook Drive, Tax Parcel Number 179-051-04**, requesting two variances: (1) eliminate 50 foot class “C” buffer to preserve existing residential structure and (2) allow existing structure to encroach 9 feet into the required 20 foot side yard. **Code Section 2.201** defines a **buffer** as a strip of land with natural or planted vegetation located between a use or structure and a side or rear property lined intended to separate and partially obstruct the view of two abutting land uses or properties from one another. A **buffer** area may include any required screening for the site. **Code Section 2.201** defines **screening** as a fence, wall, hedge, landscaping, earth berm, buffer area or any combination of these provided to create a visual and/or physical separation between certain land uses. **Screening** may be located on the property line or elsewhere on the site. **Code Section 2.201** defines the **required side yard** as the minimum distance required by this ordinance between the side lot line and the side building line, extending from the established setback to the established rear yard. If no setback is required, the side yard shall be defined as extending from the street line to the rear yard. **Code Section 9.505 Development Standards for the Institutional District** states: (1) area, yard and bulk regulations shall be a minimum side yard of 20 feet; (2) Buffers and Screening states that development of any use in the INST district must conform to the buffer and screening requirements in Chapter 12, Part 3. **Code Section 12.302(3) Buffer requirements:** Buffer requirements include a minimum distance separation from the property line and required planting of trees and shrubs within the buffer. The minimum buffer requirement is 50 feet for a Class C buffer.

Vote is Aye to Continue

Ayes: David Hoffman, Jennifer Coble, Mark Loflin, Lloyd Scher (Alternate), Tyler Conner (Alternate)

Nays: None

GRANTED

CASE NO. 13-042 Application has been made by **Right Angle Media, Inc. (Represented by Robert Brandon)** for property located at **8060 Old Dowd Road, Tax Parcel Number 113-101-13**, requesting a 360 foot variance from the required 400 foot billboard spacing requirement to allow a static outdoor advertising sign or new electronic changeable face outdoor advertising sign. **Table 13.111(1) Static Outdoor Advertising Signs (Spacing of Sign to Residential District and Institutional Uses):** There shall be at least 400 linear feet spacing distance between the outdoor advertising sign and any Residential Districts and Institutional uses. The distance shall be the shortest measurable distance between the nearest point of the sign to the edge of residential districts or to the property line of the institutional use. Institutional uses include schools, religious facilities, health institutions, colleges and universities, vocational schools, child care centers, government buildings, recreation centers, public parks, and civic,

social and fraternal associations, etc. **Table 13.111(2) New or Converted Electronic Changeable Face Outdoor Advertising Signs (Spacing of Sign to Residential Districts and Institutional Uses):** There shall be a minimum spacing of 400 feet between the electronic changeable face outdoor advertising sign and Residential Districts and Institutional uses. Institutional uses include schools, religious facilities, health institutions, colleges and universities, vocational schools, child care centers, government buildings, recreation centers, public parks, and civic, social and fraternal associations, or other institutional uses as classified in the Zoning Ordinance. The distance shall be calculated as the shortest measurable distance between the nearest point of the sign to the edge of residential district or to the property line of the institutional use. **Code Section 13.102. Definitions: (x) Outdoor Advertising Sign, Static A** type of outdoor advertising sign, generally, but not limited to, a rigidly assembled sign, display, or devise, that is free-standing and affixed to the ground, the primary purpose of which is to display advertising messages or information that can be changed manually in the field. Such signs commonly referred to as “billboards” are generally designed so that the copy or poster on the sign can be changed frequently and the advertising space is for lease. **Code Section 10.302 Height Restrictions:** (1) No structure or tree shall be erected, altered, allowed to grow, or maintained in an approach zone, transition zone, horizontal zone, or conical zone to a height which projects above the upper surface of any such zone. Any tree or structure may go up to a height of 40 feet.

Vote is Aye to Grant

Ayes: David Hoffman, Jennifer Coble, Mark Loflin, Lloyd Scher (Alternate)

Nays: Tyler Conner (Alternate)

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 skennedy@ci.charlotte.nc.us, at least 72 hours prior to the meeting.
