



CERTIFIED MAIL

Edens & Avant
P. O. Box 528
Columbia, SC 29202

**RE: APPEAL
3540 MOUNT HOLLY-HUNTERSVILLE ROAD
CASE NUMBER 11-017**

Dear Edens & Avant:

At its meeting on April 26, 2011, the City of Charlotte Zoning Board of Adjustment ("Board") **upheld** the Zoning Administrator's interpretation of Code Section 13.102(S3) of the Zoning Ordinance that individual letters are calculated within a single continuous perimeter enclosing the extreme limits of characters, lettering, logos, illustrations or ornamentations, together with any material or color forming an integral part of the display or to differentiate the sign from the background to which it is placed.

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

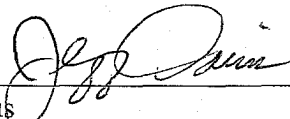
1. The applicant is Edens & Avant (Represented by Darin Martin, Casco Signs, Inc).
2. The property is located at 3540 Mt. Holly-Huntersville Road, further identified as tax parcel 033-012-26.
3. The site is zoned CC (Commercial Center District).
4. The applicant was denied a sign permit from the City on December 27, 2010 because they did not meet the requirements of the Zoning Ordinance.
5. Code Section 13.102 (S3) defines sign face area as the area within a single, continuous perimeter enclosing the extreme limits of characters, lettering, logos, illustration, or ornamentations, together with any material or color forming an integral part of the display or to differentiate the sign from the background to which it is placed.
6. The applicant met with the Zoning Administrator who agreed that the City sign permit division denial of the application was not in error.
7. On March 25, 2011, the applicant filed an appeal of the Zoning Administrator interpretation.
8. Per Code Section 13.108(1)(a) 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.
9. Per Code Section 13.108(1)(d) 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.
10. City staff calculated the square footage of signs base on the Zoning Ordinance and Charlotte/Mecklenburg Sign manual.

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

The Zoning Board of Adjustment upholds the Zoning Administrator's decision that the calculation of individual letters is correct and that the applicant must conform to requirements of the Zoning Ordinance.

Pursuant to N. C. G. S. Section 160A-388(e), the Board's decision in Case No. 11-017 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.

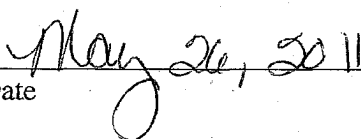
Sincerely,



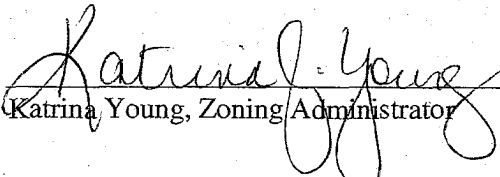
Jeff Davis
Chairperson

Cc: Darin Martin, Casco Signs, Inc

DECISION FILED IN THE PLANNING DEPARTMENT:



Date



Katrina Young, Zoning Administrator