



CERTIFIED MAIL

CASCO Signs Incorporated
c/o Mr. John Carmichael
101 North Tryon St, Suite 1900
Charlotte, NC 28246

**RE: APPEAL
16625 LANCASTER HIGHWAY
CASE NUMBER 12-032**

Dear CASCO Signs:

On September 25, 2012, the City of Charlotte Zoning Board of Adjustment ("Board") **upheld** the Zoning Administrator's interpretation that the proposed wall sign is not an incidental sign.

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

1. The applicant, Casco Signs Inc. (Represented by John Carmichael) is appealing the Zoning Administrator's interpretation.
2. The proposed site is located at 16625 Lancaster Highway, further identified as tax parcel 223-081-03.
3. The subject parcel is zoned NS (Neighborhood Services).
4. Per Code Section 11.509, the maximum sign surface area of all signs on one wall does not exceed 5% of the area of the building wall to which the sign is attached, up to a maximum of 100 square feet.
5. Per Code Section 13.102 subsection (S2), a sign is 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.
6. Per Code Section 13.102 subsection (S7)(p), an incidental sign is used in conjunction with equipment or other functional elements of a use or operation such as, drive through window menu boards and other similar signs.
7. Per Code Section 13.102 subsection (S7)(al), a wall sign is 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.
8. Code Section 13.102 subsection (S7)(e) defines canopy and awning signs as a sign attached to or painted or printed upon or on top of a canopy or awning.

9. Although the signs may be incidental signs, they are also wall signs. Pursuant to Code 2.101(3), the more restrictive requirements of that code apply; therefore these are wall signs and not incidental signs.

Based upon the above findings of fact, the Board concludes that the Zoning Administrator's decision that the proposed wall sign is not an incidental sign is without an error.

Pursuant to N. C. G. S. Section 160A-388(e2), the Board's decision in Case No. 12-032 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,

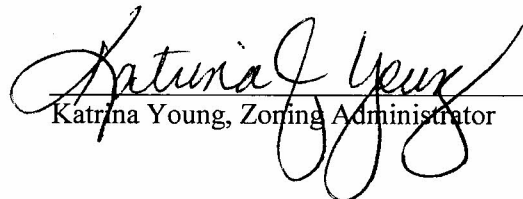


Randy Fink
Chairperson

10/9/2012
Date

DECISION FILED IN THE PLANNING DEPARTMENT:

October 12, 2012
Date


Katrina Young, Zoning Administrator