



CERTIFIED MAIL

Adams Outdoor Advertising
Attn: Ms. Karen Price
1134 N Graham St
Charlotte, NC 28206

**RE: VARIANCE
10274 NATIONS FORD ROAD
CASE NUMBER 2013-001**

Dear Adams Outdoor Advertising:

At its meeting on January 29, 2013, the City of Charlotte Zoning Board of Adjustment ("Board") **denied** a request for a 9'-8" variance from the required 50 foot maximum height requirement to allow for the operation of a 59'-8" high billboard.

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

1. The applicant is Adams Outdoor Advertising (Represented by Karen Price).
2. The proposed site is located at 10274 Nations Ford Road, further identified as tax parcel 203-046-47.
3. The subject parcel's current zoning classification is I-1(Industrial).
4. Per Table 13.111(1) the maximum height for a static outdoor advertising sign is 50 feet.
5. Per Code Section 2.201, height is defined as "the vertical distance between the average grade at the base of a structure and the highest part of the structure, but not including firewalls, chimneys, sky lights, and roof structures for elevators, stairways, tanks, heating, ventilation and air-conditioning equipment, or similar equipment for the operation and maintenance of a building and any device (no more than five feet in height) used to screen only the immediate area around a roof top structure or equipment."
6. The applicant is requesting a 9'-8" variance from the required 50 foot maximum height requirement to allow the existence of a 59'-8" high billboard.
7. The hardship is a result of the applicants own action and not that of the Zoning Ordinance.
8. The applicant can make reasonable use of the property without a variance.

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:

1. No practical difficulties or unnecessary hardship exist because:
 - a. The difficulty or hardship is a result of action of the owner of the property.
 - b. The difficulty or hardship resulting from the application of these regulations would not prevent the owner from securing a reasonable return or making a reasonable use of the property.
2. The spirit of the regulations will be observed by denying the variance.

Pursuant to N. C. G. S. Section 160A-388(e2), the Board's decision in Case No. 13-001 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,

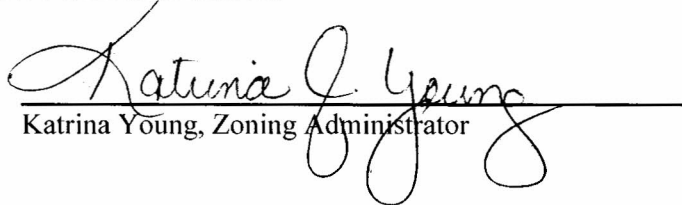


Randy Fink
Chairperson

2/18/2013
Date

DECISION FILED IN THE PLANNING DEPARTMENT:

January 21, 2013
Date



Katrina Young, Zoning Administrator

Cc: Kenneth Dale Brooks (Duke Power Company)