



CERTIFIED MAIL

Bryce W. Griffith
4200 Plateau Road
Reno, Nevada 89509

**RE: VARIANCE
29958 OUTH I-485 OUTER HWY
CASE NUMBER 2016-004**

Dear Bryce W. Griffith:

At its meeting on February 4, 2016, the City of Charlotte Zoning Board of Adjustment ("Board") **granted** a 350 foot variance from the required 400 foot spacing requirement between outdoor advertising signs and residential zoning districts to allow an outdoor advertising sign to be located 50 feet from a residential district.

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

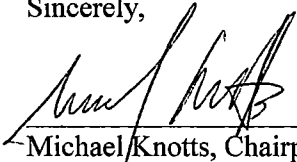
1. The applicant is Bryce W. Griffith, Representative of the Griffith Family Trust (Represented by Robert E. Keziah).
2. The proposed site is located at 29958 South I-485 Outer Hwy, further identified as tax parcel 113-153-20.
3. The property is zoned I-1 (Light Industrial District).
4. The applicant is seeking a 350 foot variance from the required 400 foot spacing requirement between outdoor advertising signs and residential zoning districts to allow an outdoor advertising sign to be located 50 feet from a residential district.
5. Per Table 13.111(1) and 13.111(2), there shall be at least 400 linear feet spacing distance between the outdoor advertising sign and any residential districts and institutional uses.
6. The property is located within the Airport Height Restriction Zone. The maximum allowed outdoor advertising sign height of 50 feet does not project above the height restriction of the Airport Height Restriction Zone.
7. The adopted Dixie Berryhill Strategic Plan recommends office/retail/light industrial land uses for the adjacent residentially zoned properties from which the separation variance is being requested.
8. The adjacent residentially zoned properties are currently vacant and the nearest residential use is approximately 1500 feet from the proposed outdoor advertising sign location.
9. There was testimony that the City has no current plans to develop its property in the vicinity for residential use.
10. The subject property is an irregularly shaped, land locked parcel that is difficult to develop in its current state.
11. Granting the variance will not alter the essential character of the area.
12. Granting the variance will not adversely affect adjacent or contiguous properties.

Based upon the above findings of fact, the Board concludes that the applicant has met the standards set forth in North Carolina General Statutes § 160A-388, and more specifically:

1. Unnecessary hardships would result from the strict application of the Ordinance.
2. The hardship results from conditions that are peculiar to the property (location, size or topography).
3. The hardship does not result from actions taken by the applicant or the property owner.
4. The requested variance is consistent with the spirit, purpose, and intent of the Zoning Ordinance, in that the public safety is secured and substantial justice is achieved.

All applicable permits must be obtained from the Planning Department, which has been notified of this decision. The Ordinance § 5.111, provides that unless otherwise specified by the Board, any decision of the Board granting a variance shall automatically expire if a permit or a certificate of occupancy pertaining to the need for the variance is not obtained within two (2) years from the date of the meeting of the Board at which the Board rendered its decision.

Sincerely,




Michael Knotts, Chairperson

2/9/16

Date

DECISION FILED IN THE PLANNING DEPARTMENT:



Shad Spencer, Zoning Administrator

2 | 10 | 16

Date

Cc: Robert E. Keziah
Colin Brown
Robert Brandon