



Blackstone Charlotte Partners, LLC (Represented by Adams Outdoor Advertising)
2001 Wilkinson Boulevard
Charlotte, NC 28206

RE: VARIANCE
2001 Wilkinson Blvd.
CASE NUMBER 2019-033

To Whom It May Concern:

At its meeting on May 28, 2019, the City of Charlotte Zoning Board of Adjustment ("Board") **granted** two variances to allow for an outdoor advertising sign to be built on the property.

1. A 221 foot reduction from the 400 linear foot spacing requirement from a residential zoning district to allow the sign within 179 feet of a residential district.
2. A 222 foot reduction from the required 400 linear foot spacing requirement from a institutional zoning district to allow the sign within 178 feet of an institutional district.

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

1. The applicant is Blackstone Charlotte Partners, LLC (Represented by Adams Outdoor Advertising).
2. The proposed site is located at 2001 Wilkinson Blvd, further identified as tax parcel 119-111-01.
3. The property is zoned I-2 (general industrial).
4. Per Table 13.111(2), there shall be at least 400 linear feet spacing distance between the outdoor advertising sign and any residential district or institutional use. 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.
5. The applicant is requesting two variances to allow for an outdoor advertising sign to be built on the property: 1) a 221 foot reduction from the 400 linear foot spacing requirement from a residential zoning district, and 2) a 222 foot reduction from the required 400 foot spacing requirement from an institutional use.
6. The proposed sign is located 179 feet from the R-4 (single family) zoning district, which is a deficit of 221 feet from the required 400 foot separation.
7. A 200 foot wide railroad right-of-way separates the proposed billboard location from the edge of the single family zoning district. This right-of-way is heavily vegetated and has significant topography changes, with the rail line elevated approximately 40 feet from adjacent properties on either side.
8. The right-of-way, vegetation, and extreme topography provide a significant buffer, and meet the intent of the billboard separation requirements.
9. The proposed sign location is 178 feet from property containing an institutional use, which is 222 feet less than the required 400 feet.
10. The institutional use is an approximately 115,000 square foot government building on a property zoned MUDD (Mixed Use Development District), which is not considered a residential district. No separation would be required from the property if it did not contain an institutional use.
11. The intent of the separation requirement is met because the building in which the institutional use is located is more than 400 feet from the proposed billboard location.

12. Granting the variance will not alter the essential character of the area.
13. Granting the variance will not adversely affect adjacent or contiguous properties.

Staff recommends the following condition:

The existing static Adam's Outdoor Advertising billboard located within 356 feet of the proposed electronic billboard, and shown on the applicant's provided survey dated April 30, 2019 shall be removed prior to the issuance of the permit for the new electronic billboard.

Findings related to proposed condition:

1. The applicants proposed and agreed to the recommended condition that the existing static billboard along the exit ramp from Wilkinson Boulevard to I-77 southbound be removed as a condition of granting the variance to allow the proposed electronic billboard.
2. Per Table 13.111(2), no electronic changeable face outdoor advertising sign within 300 feet of any street right-of-way on the same side of the street shall be spaced less than 1,000 feet apart from any static outdoor advertising sign, regardless of the street from which the sign is intended to be viewed. The distance shall be the shortest measured distance between the nearest point of the sign to the nearest point of the other sign.
3. The proposed electronic billboard is approximately 356 feet from the existing static billboard, 644 feet less than the required distance, and would not comply with the Zoning Ordinance separation requirement of 1,000 feet.

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 not result from the strict application of the Ordinance.
2. The hardship does not result 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 not consistent with the spirit, purpose, and intent of the Zoning Ordinance, in that the public safety is secured and substantial justice is achieved.

If any permits are required, please make sure the variance case number is referenced on the permit application and/or site plan. Section 5.111 of the Zoning Ordinance 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,



Rick Sanderson, Acting - Chairperson

6/3/19
Date

**DECISION FILED IN THE
PLANNING DEPARTMENT:**



Shad Spencer, Zoning Administrator

6/11/19
Date

