



Vinay Patel  
7920 Arrowridge Blvd  
Charlotte, NC 28273

**RE: VARIANCE  
7920 Arrowridge Blvd  
CASE NUMBER 2019-055**

To Whom It May Concern:

At its meeting on August 27, 2019, the City of Charlotte Zoning Board of Adjustment ("Board") **granted** a 5-foot variance from the 40 maximum sign height requirement to allow for the replacement of a sign face to a new sign face with a different shape on an existing nonconforming 45 foot sign on the property.

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

1. The applicant is Vinay Patel.
2. The subject site is located at 7920 Arrowridge Boulevard, further identified as tax parcel 203-031-28.
3. The property is zoned I-1 (Light Industrial).
4. There are two signs on the property, including a 9 square foot on premises directional and instructional monument sign. Although this sign is included on the variance application, a variance is not required for this sign as it is compliant and does not require a permit per Zoning Ordinance Section 13.106(3).
5. The subject property was developed as a hotel in 1997 and according to aerial photography the subject 45-foot sign was constructed at that time.
6. Since the subject sign was constructed in 1997, it was subject to the 1995 Zoning Ordinance effective at that time. Section 13.109(5) of the 1995 ordinance required a maximum sign height of 40 feet along a Class 1 Freeway or Expressway, which is still the section reference and height regulation under today's ordinance standards.
7. A sign permit #S1416726 was issued on October 20, 2004 for a sign face change on the existing sign, that noted the maximum sign height of 40 feet.
8. The applicant purchased the property on June 22, 2018.
9. Following the purchase of the property, Marriott International, the corporate office, notified the applicant that there was new hotel branding which required the sign face to be changed. The applicant provided an email from the corporate office with the notification regarding the branding and signage change.
10. The applicant became aware that the sign exceeded the 40-foot maximum sign height required per Section 13.109(5), when his sign contractor, Cummings Signs, applied for a sign permit to replace the sign face and indicated that the existing sign height was 45 feet.
11. The applicant measured the sign with a laser measuring device and verified that the total existing sign height, including the face, is 44.2 feet. (The sign support is 35 feet and the sign face is 9 feet 2 inches, totaling 44.2 feet.)
12. The applicant is requesting a 5-foot variance from the 40 maximum sign height requirement to allow the replacement of the sign face on the existing 45 foot sign on the property.

13. The applicant was previously unaware that the sign was not compliant with the height requirements of Section 13.109(5) of the Zoning Ordinance.
14. According to the applicant the additional sign height is necessary to aid with visibility from Interstate 77, because the trees and vegetation increase between his property and the interstate towards the exit ramp to Arrowood Road.
15. The requested variance would not detract from the character of the area.
16. The additional height is not easily visible or distinguishable from the neighboring properties sign height.
17. The existing sign was permitted and has been in existence at a height of 45 feet for 22 years.
18. The requested variance is consistent with Section 13.101 the intent and purpose of the Sign Ordinance because keeping the existing sign height contributes to economic development and allows for effective signage for communicating identification from I-77.

**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 does 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 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, Chairperson

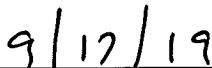


Date

**DECISION FILED IN THE  
PLANNING DEPARTMENT:**



Shad Spencer, Zoning Administrator



Date