

# Pender County Planning and Community Development

## Planning Division

805 S. Walker Street  
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## AGENDA

**Pender County Board of Adjustment Meeting  
July 18, 2012 9:00 a.m.  
Pender County Public Meeting Room  
805 S. Walker Street, Burgaw, North Carolina**

**Call to Order:** Chairman Ferrante

**Prayer:**

**Roll Call:** Chairman Ferrante

Pender County Board of Adjustment Members:

Ferrante: \_\_\_\_\_ Pullen: \_\_\_\_\_ Kane: \_\_\_\_\_ Newton: \_\_\_\_\_ Thompson: \_\_\_\_\_

Alternates:

Luther: \_\_\_\_\_ Peters: \_\_\_\_\_

**1. Adoption of the Agenda:**

**2. Approval of Minutes: April 25, 2012**

**3. Public Comment:**

*\* Public Hearing\**

**4. Variance:** Site Enhancement Services, applicant, on behalf of Hartzog Holdings, LLC, owner, is requesting a twenty (20) ft<sup>2</sup> variance for two (2) wall signs pursuant to § 10.7.1(C)(1) of the Pender County Unified Development Ordinance; the property is zoned GB, General Business District. The subject property, Lot 2, is located on the northeast corner of US Highway 17 and Headwaters Drive, Hampstead, NC. There is one (1) tract associated with this request totaling ±1.3 acres and the property may be identified by Pender County PIN #3282-86-3055-0000.

**5. Discussion Items:**

- a. BOA Members
- b. Planning Staff

**6. Adjournment:**

## PLANNING STAFF REPORT

### Variance Request

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#### SUMMARY:

**Hearing Date:** July 18, 2012

**Applicant:** Ty Robbins, Site Enhancement Services

**Property Owner:** Hartzog Holding, LLC

**Case Number:** 10743 Hartzog

**Property Location and Description:** The subject property, Lot 2, is located on the northeast corner of US Highway 17 and Headwaters Drive in Hampstead, NC. There is one (1) tract associated with this request totaling  $\pm 1.3$  acres and the property may be identified by Pender County PIN #3282-86-3055-0000.

**Zoning District of Property:** The property is zoned GB, General Business District.

**Variance Requested:** Ty Robbins with Site Enhancement Services, on behalf of the owner Hartzog Holdings, LLC, is requesting a twenty (20') foot variance from § 10.7.1(C) (1) of the Pender County Unified Development Ordinance, to allow an increase in square footage for two(2) wall signs.

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#### BACKGROUND AND DESCRIPTION OF VARIANCE:

Advance Auto Parts is currently in the building review process for the construction of a  $\pm 6,895\text{ft}^2$  retail store to be located on the northeast corner of Headwater Drive and US Highway 17 in Hampstead. A Zoning Determination (Permit #120912) was issued for the site on June 20, 2012.

Site Enhancement Services (SES), contract agent for Advance Auto Parts is requesting a variance from § 10.7.1(C) (1) of the Pender County Unified Development Ordinance (UDO). According to the Pender County UDO, a sign is *any object, device, display or structure or part thereof, situated outdoors or indoors, 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, design, symbols, fixtures, colors, illumination or projected images.*

According to the Advance Auto Parts building plans the store front is  $\pm 80$  linear feet. The Pender County UDO prescribes that each separate building establishment be allowed a permanent wall sign provided the total allowable sign area for the wall signs shall not exceed one (1) square foot for each linear foot of building wall facing a public street. SES has proposed the use of two (2) wall signs to be located on US Highway 17 and Headwaters Drive (SR #1741). The applicant is requesting a variance for each wall sign; the sign proposal is for  $\pm 100\text{ft}^2$  for each wall sign. The UDO only permits 1 square foot per each linear foot of building wall, therefore requiring a variance of 20  $\text{ft}^2$  for each wall sign.

The sign area is defined in the Pender County UDO as *the area of a sign face with the smallest square, circle, rectangle, triangle or combination thereof that encompasses the extreme limits of the letters, figures, designs, devices, pictures, projected images, symbols, fixtures, logos, emblems or insignias, or any part or combination thereof together with any materials or colors forming an integral part of the background of the sign face or used to differentiate the sign from the backdrop or structure against which it is placed. In the case of a double-faced sign where the interior angle formed by the faces is*

*45° or less or where the sign face is parallel, only one display face shall be used in calculating the area.*

According to the definition of sign area staff has determined the channel letters for Advance Auto Parts, as submitted in the application are 35'-6" by 34" totaling ±100 ft<sup>2</sup>.

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**ZONING ADMINISTRATOR'S CONCLUSION:**

Ty Robbins with Site Enhancement Services, on behalf of the owner Hartzog Holdings, LLC, is requesting a twenty (20) ft<sup>2</sup> for variance for two (2) wall signs pursuant to § 10.7.1(C) (1) of the Pender County Unified Development Ordinance.

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**3.14 VARIANCE**

**3.14.1 Applicability**

- A. The Board of Adjustment may vary certain requirements of this Ordinance, in harmony with the general purpose of these regulations, where special conditions applicable to the property in question would make the strict enforcement of the regulations impractical or result in a hardship in making reasonable use of the property.
- B. The Board of Adjustment may waive certain requirements when authorized to do so by provisions adopted as a part of this Ordinance.
- C. No variance shall be permitted that would have the effect of allowing a use not permitted in the use table of Section 5.2.3.
- D. No variance shall be permitted that would allow a project to exceed the maximum density as to number of dwelling units to the acre in a Zoning District. This maximum density shall be inclusive of any density bonus allowance or additional units in a planned unit development.
- E. The need for the variance cannot be a result of the owner's own actions and cannot be for strictly economic reasons.
- F. The Board of Adjustment may grant variances in the following special circumstances, as indicated elsewhere in this Ordinance.

**3.14.7 Findings**

In granting any variance, the Board of Adjustment shall make the following findings:

- A. That special or unique circumstances or conditions or practical difficulties exist which apply to the land, buildings or uses involved which are not generally applicable to other land, buildings, structures, or uses in the same zoning districts;
  - 1) That the special conditions or circumstances or practical difficulties do not result from the actions of the property owner or applicant, their agent, employee, or contractor. Errors made by such persons in the development, construction, siting or marketing process shall not be grounds for a variance except in cases where a foundation survey submitted to the Building Official before a contractor proceeds beyond the foundation stage has not revealed an error which is discovered later;
  - 2) That the strict enforcement of this Ordinance would deprive the owner or applicant of reasonable use of the property that is substantially consistent with the intent of this Ordinance;
  - 3) That the granting of a variance will not result in advantages or special privileges to the applicant or property owner that this Ordinance denies to other land, structures, or uses in the same district, and it is the minimum variance necessary to provide relief;
  - 4) That the variance shall not be materially detrimental to the health, safety or welfare of persons residing or working in the neighborhood. Consideration of the

effects of the variance shall include but not be limited to, increases in activity, noise, or traffic resulting from any expansion of uses allowed by the variance;

- 5) That the proposed use and the appearance of any proposed addition or alteration will be compatible with, and not negatively impact, nearby properties; and
- 6) That the variance will not result in the expansion of a nonconforming use.
- 7) In the case of expansions to nonconforming structures, the variance granted shall be the smallest that is reasonably necessary.

B. In making the findings above, the Board of Adjustment may give special weight to the number and percentage of nearby properties that share characteristics for which the variance is requested by the applicant. The Board of Adjustment may grant a variance to expand an existing structure, including the expansion of a nonconforming structure if the findings listed above can be made.

#### 4.9.1 GB: General Business District

This district is primarily intended to accommodate uses which require close access to major highways. The district is established to provide convenient locations for businesses which serve the needs of surrounding residents, including office, retail, and personal service uses.

#### 4.14 Zoning District Dimensional Requirements

Dimensional Requirements Table

Dimensional Standards (9)	RA	RP	RM	MH	GB	OI	IT	GI	PD	EC
Lot Size	1 Acre <sup>(8)</sup>	15,000 <sup>(5)</sup> Sq. Ft.	(1)	(7)	15,000 Sq. Ft. <sup>(8)</sup>	15,000 Sq. Ft.	1 Acre	1 Acre	(1)	1 Acre
Lot Size Duplex	60,000 Sq. Ft.	22,000 Sq. Ft.	(1)						(1)	
Min. Area Rezoning(3)	NA	5 Acres	10 Acres	5 Acres	1 Acre	1 Acre	5 Acres	5 Acres	100 acres	NA
Min. Lot Width-Ft	100 <sup>(8)</sup>	80 <sup>(6)</sup>	(1)	(7)	80 <sup>(8)</sup>	80	100	100	(1)	100
Min. Chord Length at ROW line for "cul de sac's"	45	30	(1)	20	30	30	45	45	(1)	45
Min. Front Yd.-Ft.	30 <sup>(8)</sup>	30	(1)	(7)	25 <sup>(8)</sup>	25	40	50	(1)	50
Min. Side Yard-Ft	15 <sup>(8)</sup>	10	(1)	(7)	10 <sup>(8)</sup>	10	25	25	(1)	25
Min. Rear Yard-Ft	30 <sup>(8)</sup>	25	(1)	(7)	10 <sup>(8)</sup>	10	25	25	(1)	25
Max. Height-Ft	35 <sup>(2)</sup>	35 <sup>(2)</sup>	45	35	40	40	50	50	(1)	40
Min. Req. Structure Separation	40 <sup>(8)</sup>	30	(1)		50 <sup>(8)</sup>	50	50	100	(1)	30

**10.7 SIGNS APPROVED IN THE COMMERCIAL AND MIXED USE DISTRICTS AND NON-RESIDENTIAL USES IN THE RESIDENTIAL DISTRICTS**

**10.7.1 Within the Commercial Districts, Mixed Use Districts and Non-Residential uses in the Residential Districts, the following types of signs are approved. Any residential uses within the Commercial and Mixed Use Districts shall comply with the standards set forth in Section 10.6 of this Article.**

A. Freestanding Signs

A. 100' To 300' Road Frontage:

- a) One (1) permanent freestanding sign of (32) thirty-two square feet of signage is allowed for the first one hundred (100) feet or less of road frontage. Thereafter the area of the sign may be increased three and two-tenths (3.2) square feet for each ten (10) feet of additional road frontage, up to a maximum sign area of ninety-six (96) square feet for three hundred (300) feet of road frontage.

B. 300' to 1,000 Feet Road Frontage:

- a) Beginning at three hundred (300) feet of road frontage, the area of the sign may be increased 1.5 square feet for each ten (10) feet of additional road frontage, up to a maximum sign area of two hundred (200) square feet for one thousand (1,000) feet of road frontage.

C. Corner Lots

- a) Corner lots may utilize two freestanding signs one for each road frontage, so long as they are not placed closer than fifty (50) feet from the corner intersection and do not exceed the total freestanding sign area allowed.

B. Sign Height

- A. The maximum height of signs described in this Section shall be twenty-five (25') feet.

C. Wall Signs

- A. A permanent wall sign shall be allowed for each separate business establishment provided the total allowable sign area for the wall signs shall not exceed one (1) square foot for each lineal foot of building wall facing a public street.

D. Canopy/Marquee Sign

- A. One (1) sign per business establishment may be suspended from or attached to the underside of a canopy or marquee, provided such sign does not exceed six (6) square feet in area and maintains a clear distance of at least seven and one-half (7-1/2) feet between the sidewalk and the bottom of the sign.

E. Setbacks

- A. No freestanding sign shall be closer than ten (10') feet from any property line.

**Appendix A**

**BUILDING:** Any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of any persons, animals, processes, equipment, goods or materials of any kind.

**LOT:** A designated parcel, tract, or area of land established or to be established by plat or subdivision or previously established as a recorded lot.

1. **LOT AREA:** The total area within the lot lines of a lot.
2. **LOT, CORNER:** A lot abutting two or more streets at their intersection.

3. **LOT COVERAGE:** The total built upon area, including all non-pervious surface materials.
4. **LOT LENGTH:** The distance between the front lot line and the rear lot line measured at the maximum distance.
5. **LOT LINE, FRONT:** The line separating a lot from a street right-of-way.
6. **LOT LINE, REAR:** The lot line opposite and parallel to the front lot line or within 45° of being parallel to the front lot line.
7. **LOT LINE, SIDE:** Any lot line other than front or rear lot lines.
8. **LOT OF RECORD:** A lot for which a plat or survey description has been legally recorded with the Pender County Register of Deeds.
9. **LOT, PIPESTEM:** A residential lot fronting on a public or a private street in which access is provided by a narrow strip of land, referred to as the "pipestem driveway yard," which is less than the minimum required front yard width, and located between adjoining residential lots fronting on the same street.
10. **LOT WIDTH:** The horizontal distance between side lot lines measured at the front yard setback line.

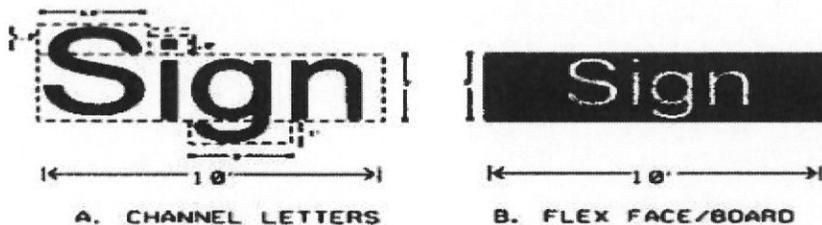
**PARCEL:** A lot or tract of land.

**SETBACK:** The required distance between a building or structure and a lot line.

1. **SETBACK, FRONT YARD:** The required distance between a street right-of-way line and the front line of a building or structure.
2. **SETBACK, REAR YARD:** The required distance between a building or structure and the rear lot line of the lot containing the building or structure.
3. **SETBACK, SIDE YARD:** The required distance between a building or structure and the side lot line of the lot containing the building or structure.

**SIGN:** Any object, device, display or structure or part thereof, situated outdoors or indoors, 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, design, symbols, fixtures, colors, illumination or projected images.

1. **SIGN AREA:** The sign area shall be measured as the area of a sign face with the smallest square, circle, rectangle, triangle or combination thereof that encompasses the extreme limits of the letters, figures, designs, devices, pictures, projected images, symbols, fixtures, logos, emblems or insignias, or any part or combination thereof together with any materials or colors forming an integral part of the background of the sign face or used to differentiate the sign from the backdrop or structure against which it is placed. In the case of a double-faced sign where the interior angle formed by the faces is 45° or less or where the sign face is parallel, only one display face shall be used in calculating the area.



2. **SIGN, ANIMATED:** Any sign or part of a sign that changes physical position or light intensity by any movement or rotation or that gives the visual impression of such movement or rotation.
3. **SIGN, BANNER:** A sign having characters, letters or illustrations applied to cloth, paper, flexible plastic, or fabric of any other kind, with only such material for backing.

4. **SIGN, BUILDING ENTRANCE:** A sign designating the location to the outside entrance to a particular use.
5. **SIGN, BUSINESS:** A sign which directs attention to a business or profession conducted or to a commodity or service sold, offered or manufactured or to a service, activity or entertainment offered.
6. **SIGN, COTTAGE OCCUPATION:** A sign advertising an approved cottage occupation.
7. **SIGN, DIRECTIONAL:** A sign that is designed or erected for the purpose of providing direction and/or orientation for pedestrian or vehicular traffic.
8. **SIGN, ELECTRONIC MESSAGE:** A sign with a fixed or changing message and/or display composed of a series of lights that may be changed through electronic means. LED (light emitted diodes) is a type of electronic message sign. Such electronic sign messages shall be displayed for a minimum of two minutes, and shall not be animated by scrolling, flashing or other similar non-static displays. In no case shall an electronic message sign occupy more than 50% of the area of a permitted sign size.
9. **SIGN, FLASHING:** Any sign directly or indirectly illuminated that exhibits changing natural or artificial light or color effects by any means whatsoever.
10. **SIGN, ILLUMINATED:** A sign lighted by or exposed to artificial lighting either by lights on or in the sign or directed toward the sign.
11. **SIGN, INFLATABLE:** Any display capable of being expanded or powered by air or other gas and used to advertise a business, service, product or event.
12. **SIGN, INFORMATIONAL:** A sign commonly associated with, and not limited to, information necessary for the convenience of visitors coming on the property, including signs marking entrances and exits, parking areas, circulation direction, rest rooms, and pick-up and delivery areas.
13. **SIGN, ON-PREMISES:** A sign which directs attention to a business, commodity, service, activity or entertainment conducted, sold or offered on the parcel of land on which the sign is located.
14. **SIGN, PORTABLE:** A sign designed or intended to be moved easily that is not permanently embedded in the ground or affixed to a building or other structure.
15. **SIGN, WALL-MOUNTED:** A sign fastened to the wall of a building or structure in such a manner that the wall becomes the supporting structure for the sign.

#### **STRUCTURE:**

1. Any man-made object having an ascertainable stationary location on or in land or water, whether or not it is affixed to the ground. All buildings are "structures."
2. For floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. Structure, for insurance rating purposes, means a walled and roofed building, other than a gas or liquid storage tank, which is principally above ground and affixed to a permanent site, as well as a manufactured home on a permanent foundation. For the latter purpose, the term includes a building while in the course of construction, alteration or repair, but does not include building materials or supplies intended for use in such construction, alteration or repair, unless such materials or supplies are within an enclosed building on the premises.

**VARIANCE:** A reasonable deviation from those provisions regulating the size or area of a lot or parcel of land or the size, area, bulk or location of a building or structure when the strict application of this Ordinance would result in unnecessary or unreasonable hardship to the property owners and such need for a variance would not be shared generally by other properties, and provided that such variance is not contrary to the intended spirit and purpose of this Ordinance and would result in substantial justice being done.

**Board of Adjustment: Finding of Facts**

1. It is the Board's CONCLUSION that the hardship of which the applicant complains **does/does not** result from extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography that are not applicable to other lands or structures in the same district. This conclusion is based on the following FINDINGS OF FACT:
  
2. It is the Board's CONCLUSION that, granting the variance requested **will/will not** confer upon the applicant any special privileges that are denied to other residents of the zoning district in which the property is located. This conclusion is based on the following FINDINGS OF FACT:
  
3. It is the Board's CONCLUSION that a literal interpretation of the provisions of this ordinance **would/ would not** deprive the applicant of rights commonly enjoyed by other residents of the zoning district in which the property is located. This conclusion is based on the following FINDINGS OF FACT:
  
4. It is the Board's CONCLUSION that the requested variance **will/will not** be in harmony with the purposes and intent of this ordinance and will not be injurious to the neighborhood or to the general welfare. This conclusion is based on the following FINDINGS OF FACT:
  
5. It is the Board's CONCLUSION that, the special circumstances **are / are not** the result of the actions of the applicant. This conclusion is based on all of the FINDINGS OF FACT listed above, as well as the following:

**Board Action:**

Motion: \_\_\_\_\_ Seconded: \_\_\_\_\_

Approved: \_\_\_\_\_ Denied: \_\_\_\_\_ Unanimous: \_\_\_\_\_

Ferrante: \_\_\_\_\_ Pullen: \_\_\_\_\_ Kane: \_\_\_\_\_ Newton: \_\_\_\_\_ Thompson: \_\_\_\_\_

**Alternates:**

Luther: \_\_\_\_\_ Peters: \_\_\_\_\_

## APPLICATION FOR VARIANCE

THIS SECTION FOR OFFICE USE			
Application No.	VA 10743	Date	June 4, 2012
Application Fee	\$ 250.00	Receipt No.	116 779
<b>SECTION 1: APPLICANT INFORMATION</b>			
Applicant's Name:	Ty Robbins (Site Enhancement Services)	Owner's Name:	Hartzog Holdings, LLC
Applicant's Address:	6001 Nimitz Pkwy	Owner's Address:	109 Stillwild Lane
City, State, & Zip	South Bend, IN 46628	City, State, & Zip	Elgin, SC 29045
Phone Number:	574-232-4474	Phone Number:	
Legal relationship of applicant to land owner: Authorized agent			
<b>SECTION 2: PROJECT INFORMATION</b>			
Property Identification Number (PIN):	3282-86-3055-0000	Total property acreage:	Not known
Zoning Classification:	<del>PD</del> GB	Variance Size:	Additional sign square footage
Variance Location & Address	NE Corner of Highway 17 and Headwaters Drive Hampstead, NC		
Describe Variance and amount or type requested:	See attached narrative		
<b>SECTION 3: SIGNATURES</b>			
Applicant's Signature		Date:	6-1-12
Owner's Signature		Date:	
<b>NOTICE TO APPLICANT:</b>			
<ol style="list-style-type: none"> <li>1. The Board of Adjustment shall review applications for a variance and shall be the approving authority for all requirements.</li> <li>2. All applicants seeking a variance shall schedule a pre-application conference with the administrator to discuss the procedures, standards, and regulations required for variance approval.</li> <li>3. An application for a variance shall be submitted in accordance with application requirements.</li> <li>4. Once the application has been determined complete, the Administrator shall schedule a public hearing and give notice to adjoining/abutting property owners and aggrieved parties in the form of applicant supplied #10 envelopes with paid first class postage.</li> <li>5. The applicant seeking the variance shall have the burden of presenting evidence sufficient to allow the Board of Adjustment to reach the conclusions set forth below (Findings), as well as the burden of persuasion on those issues.</li> <li>6. Applicant must also submit the information described in the Variance Checklist provided below.</li> <li>7. Applicant or agent authorized in writing must attend the public hearing.</li> <li>8. Once the public hearing has been advertised, the case will be heard unless the applicant withdraws the application or unless the Board of Adjustment agrees to table or delay the hearing.</li> </ol>			
<b>OFFICE USE ONLY</b>			
<input checked="" type="checkbox"/> VA Fees \$250	Total Fee Calculation \$ 250.00		
Payment Method :	Cash : <input type="checkbox"/> \$ _____	Credit Card: <input type="checkbox"/> Master Card <input type="checkbox"/> Visa	Check: <input checked="" type="checkbox"/> Check # 280883
Application received by:	Ashley W Frank		Date: 6.4.2012
Application completeness approved by:	Ashley W Frank		Date: 6.4.2012
Date scheduled for public hearing:	July 18, 2012		

## Variance Checklist

<input checked="" type="checkbox"/>	Signed application form
<input checked="" type="checkbox"/>	Application fee
<input checked="" type="checkbox"/>	Legible list of all property owners adjacent to the property upon which the use is to be located. The list shall include the mailing address & physical address of these property owners (The application will not be advertised for public hearing until the list is accurate & complete--the list maybe compiled from the public PC terminal in the Pender County Tax Office).
<input checked="" type="checkbox"/>	One business size envelope legibly addressed with <b>first class</b> postage for each of the adjacent property owners on the above list.
<input checked="" type="checkbox"/>	<u>Variance Description</u> : Written description of the Variance requested meeting the approval criteria described on pages 1 & 2.
<input type="checkbox"/>	<p><u>Project Map(s)</u>—Applicant shall supply 15 (11"x17") project maps at a readable scale, clearly showing the following (as applicable):</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Property Location</li> <li><input type="checkbox"/> Building Separation Distances</li> <li><input type="checkbox"/> Dimensions of Property</li> <li><input type="checkbox"/> Proposed Building Height</li> <li><input type="checkbox"/> Building Distances From Property Lines (Front, Sides, Rear)</li> <li><input type="checkbox"/> Location of All Existing Utilities On-Site</li> <li><input type="checkbox"/> Existing Structures</li> <li><input type="checkbox"/> Acreage of Property</li> <li><input type="checkbox"/> Any Proposed Structures</li> <li><input type="checkbox"/> Additional Information Pertinent to the Variance Request (Pictures, Other Permits, etc.)</li> </ul>
<p><b>RETURN COMPLETED APPLICATION TO:</b>  Pender County  Planning &amp; Community Development  P.O. Box 1519  Burgaw, NC 28425</p>	

**Print Form**





June 1, 2012

Pender County  
Planning Division  
805 S. Walker Street  
Burgaw, NC 28425

Board of Adjustment | Application for Variance  
Advance Auto Parts | NE Corner of US Hwy 17 & Headwaters Drive

**Nature of Request:**

Site Enhancement Services, contract agent for Advance Auto Parts (Advance Stores, Inc.) is requesting a sign variance for the property located on the NE corner of Highway 17 and Headwaters Drive. Property Identification Number: 3282-86-3055-0000. The property is currently zoned PD – Planned Development.

The request is to provide relief from Section 10.7.1(C)(1) of the Pender County Unified Development Ordinance to allow two wall signs that exceed the area restriction of 1 SF for each lineal foot of building frontage. Each proposed wall sign (one facing Hwy 17 and the other facing Headwaters Drive) is 100 sq. ft. in area. Both façades measure 80 ft. in length, which constitutes the need for a variance to allow 20 sq. ft. above what is allowed by code.

The signs requested are part of Advance Auto Part's corporate branding initiative. The signs are an integral part of the overall store branding, which purposes to communicate a consistent image of service and quality products to its customers.

**Findings:**

1. The special circumstance arises from the building setback, a unique condition that does not result from the actions of the applicant or property owner. Due to the setback, the additional square footage is necessary to give motorists the visibility needed to recognize the business and make necessary maneuvers to enter the property. Additionally, this property does not have an ingress/egress point off of Highway 17. The property's entry point is located along Headwaters Drive. This constitutes the need for the additional visibility for drivers to be able to safely make the turn from Highway 17 onto Headwaters Drive.

2. Strict enforcement of the zoning ordinance would deprive this business from reasonable use of the property. Code-compliant signage on this building would result in decreased sales revenue at this property. Furthermore, the community would fail to maximize its commercial potential. Decreased sales revenue would result in lower sales tax revenue and lower property values. Maximum visibility is a commodity not only enjoyed by the business, but the community and governing bodies as well.
3. Granting of this variance will not result in an advantage or special privilege. Rather, this variance is simply intended to maximize the productivity and economical value of the commercial use.
4. This variance will not be materially detrimental to the health, safety, or welfare of the community or adjacent properties. The signage design will serve to enhance the effectiveness of the commercial corridor and positively influence competitive business in the community.
5. Granting this variance will not negatively impact the surrounding properties. On the contrary, the proposed business and its signage will serve to provide the community an opportunity to enjoy the products and services offered at this business – products not currently available to the community. In addition, the signage serves as an important way-finding device to help customers safely navigate onto the property.
6. This variance will not result in the expansion of a nonconforming use. This property's use will not be altered.
7. This variance is the smallest that is reasonable necessary. The additional 20 sq. ft. is the minimum amount of signage necessary for Advance Auto Parts to achieve its branding objectives. It is also the minimum amount required to provide motorists with ample visibility in order to safely navigate on to the premise.

Regards,



Ty Robbins

Zoning Specialist | Site Enhancement Services | (574) 232-4474

# Advance Auto Parts



Store Identifier: #7181

**NE Corner of US Highway 17 & Headwaters Drive  
Hampstead, NC**

May 31, 2012 - Variance Presentation

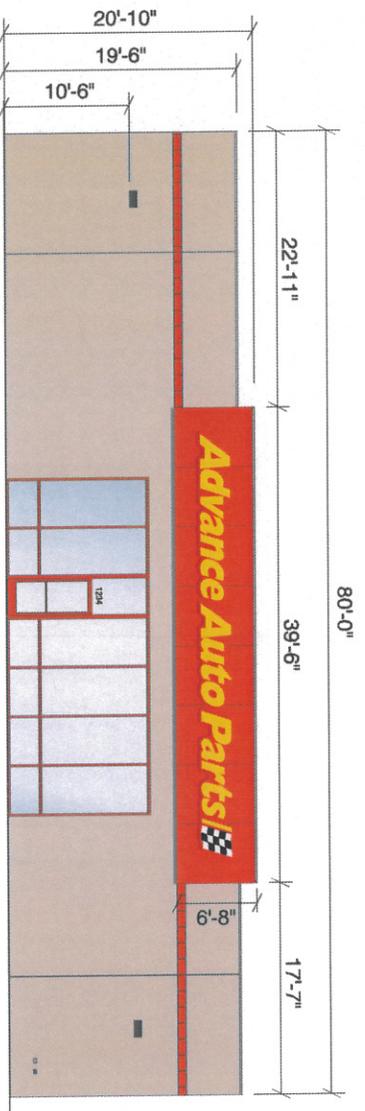


Ph: 1.888.660.1298  
Fax: 1.574.237.6166  
[www.steenhancementalservices.com](http://www.steenhancementalservices.com)

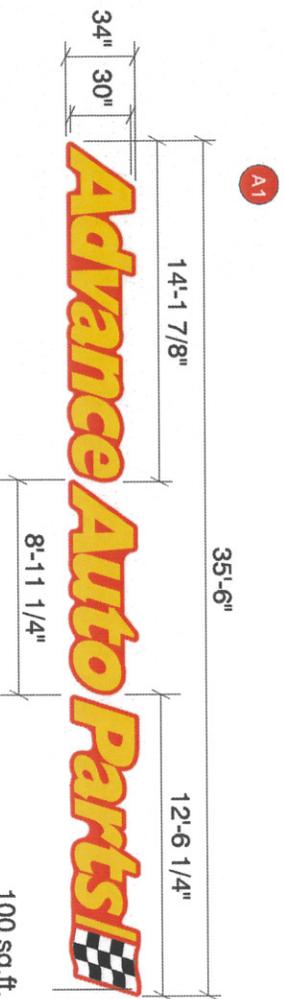
- A1** Variance Required: 30" Cloud Sign; 100.0 SF
- A2** Variance Required: 30" Cloud Sign; 100.0 SF
- B** Code Allowed: 5' x 15' Pylon at 25' OAH; 75.0 SF



Variance Required



FRONT ELEVATION  
Scale: 1/16" = 1'-0"



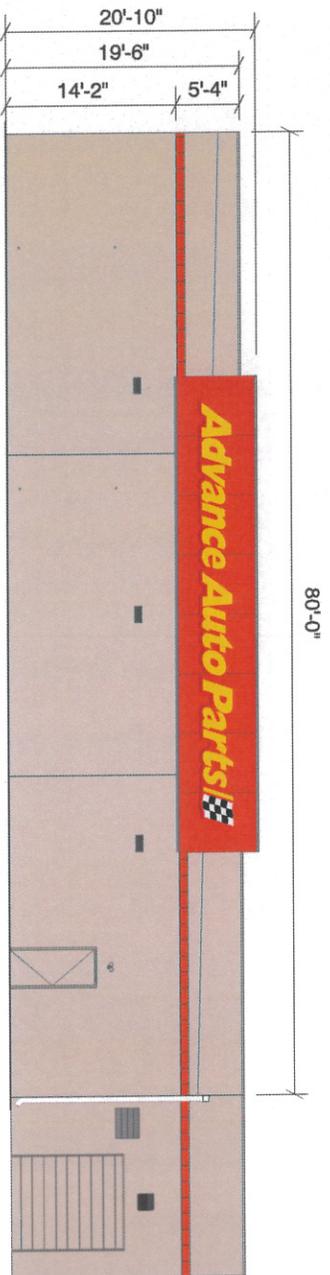
100 sq.ft.  
Scale: 1/8" = 1'-0"

Dimensions of red panels: 6'-8" x 39'-6" (263.35 SF)

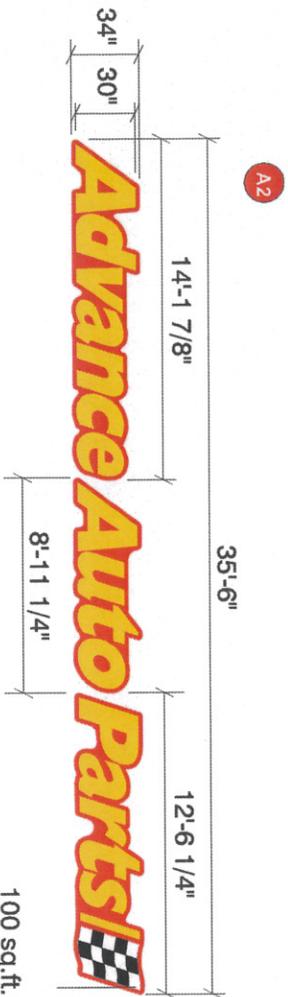
- Pantone 108 C
- Pantone 485 C
- Pantone White
- Pantone Black



Variance Required



RIGHT ELEVATION  
Scale: 1/16" = 1'-0"



100 sq.ft.  
Scale: 1/8" = 1'-0"

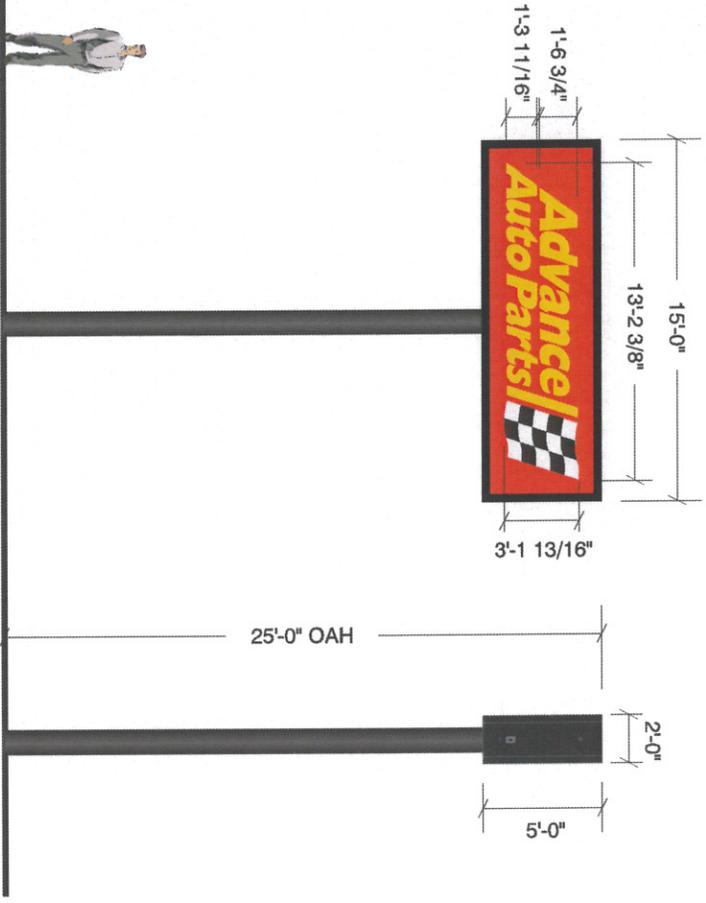
Dimensions of red panels: 6'-8" x 39'-6" (263.35 SF)

-  Pantone 108 C
-  Pantone 485 C
-  Pantone White
-  Pantone Black



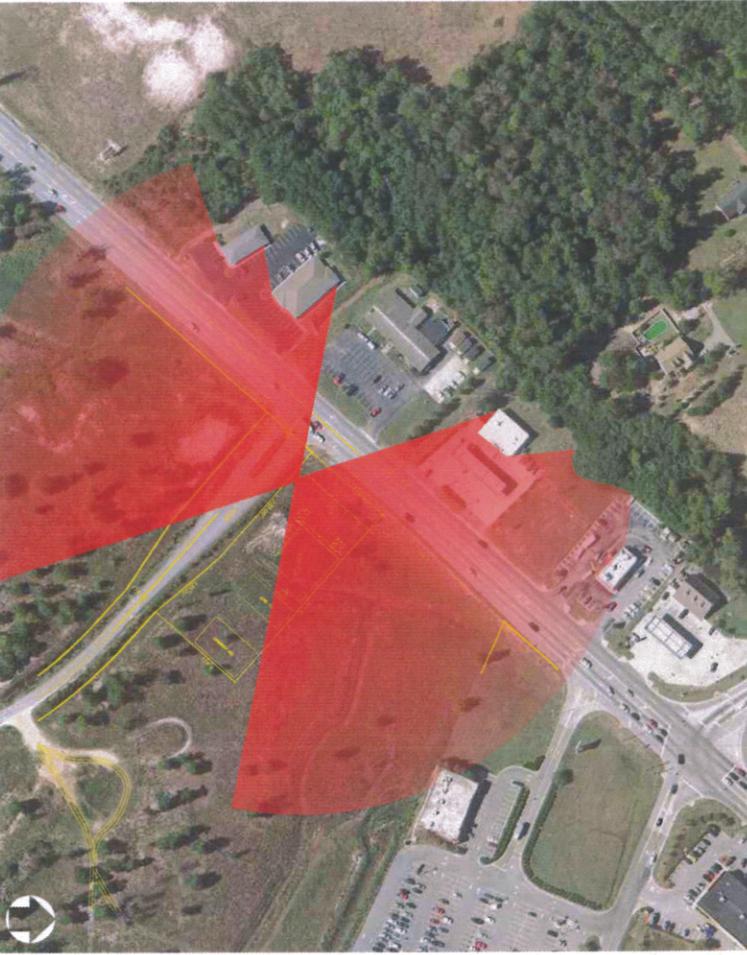
Code Allowed

B 5'-0" x 15'-0" Pylon at 25' OAH



- To match PMS 485C / Arlon series 2500 #33 Red
- To match PMS 108C / Arlon series 2500 #15 Yellow
- To match Arlon series 2500 #22 Black
- White Substrate

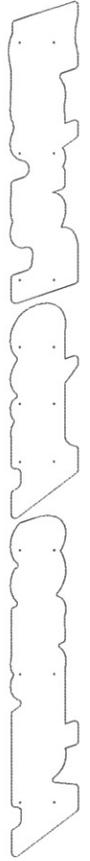
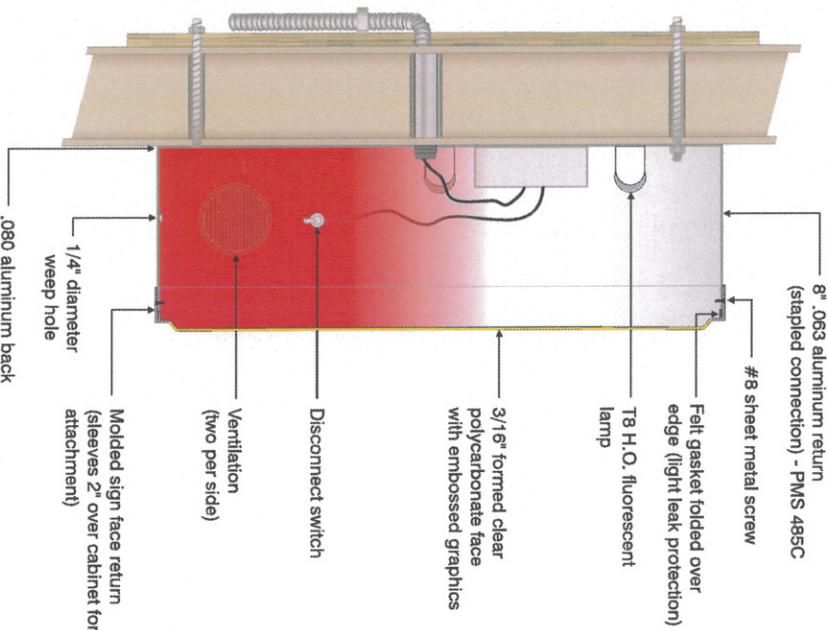
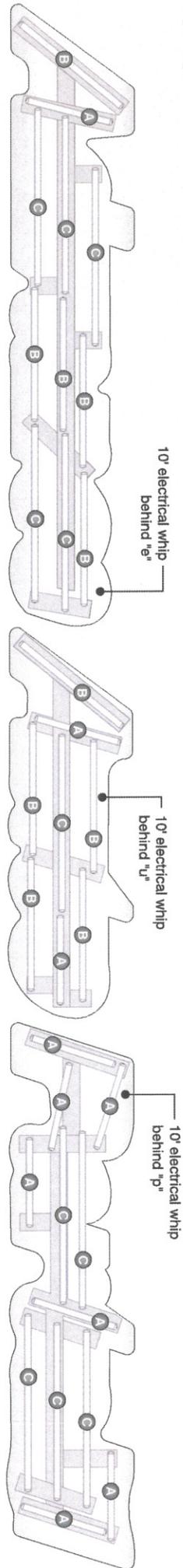
75.0 sq.ft.  
Scale: 1/8" = 1'-0"



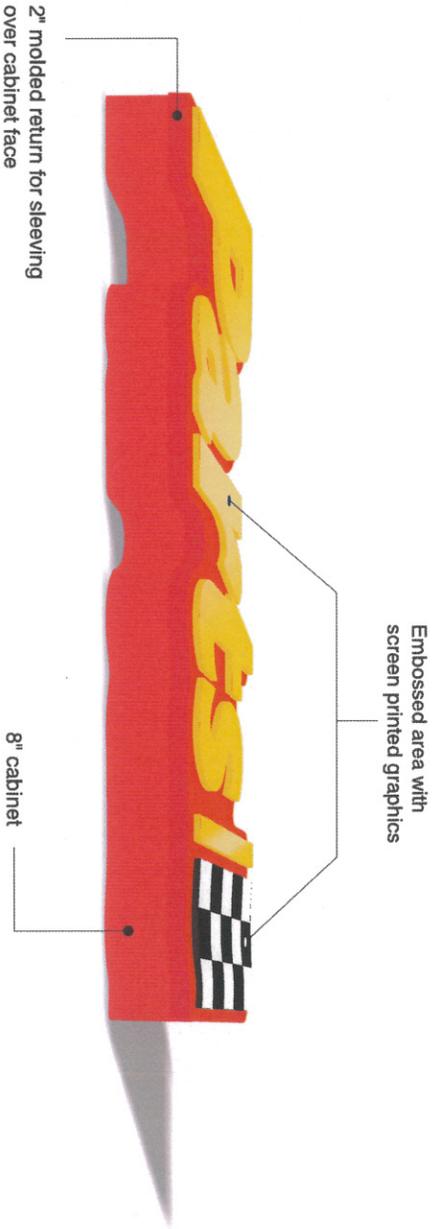
**A1 A2** 30" Cloud Sign

BALLASTS: SYLVANIA - (8) QHE 4X32T8/UNV ISN-SC / (1) QHE 1X32T8/UNV ISN-SC  
 DISCONNECT SWITCH: 20 AMP switch with weatherproof rubber boot (UL approved)  
 SERVICE: 6" x 11" .040 aluminum panel located on each cabinet side

- A** 24" lamp
- B** 36" lamp
- C** 48" lamp



Mounting Pattern



- To match PMS 485C / Arlon series 2500 #33 Red
- To match PMS 108C / Arlon series 2500 #15 Yellow
- To match Arlon series 2500 #22 Black
- White Substrate

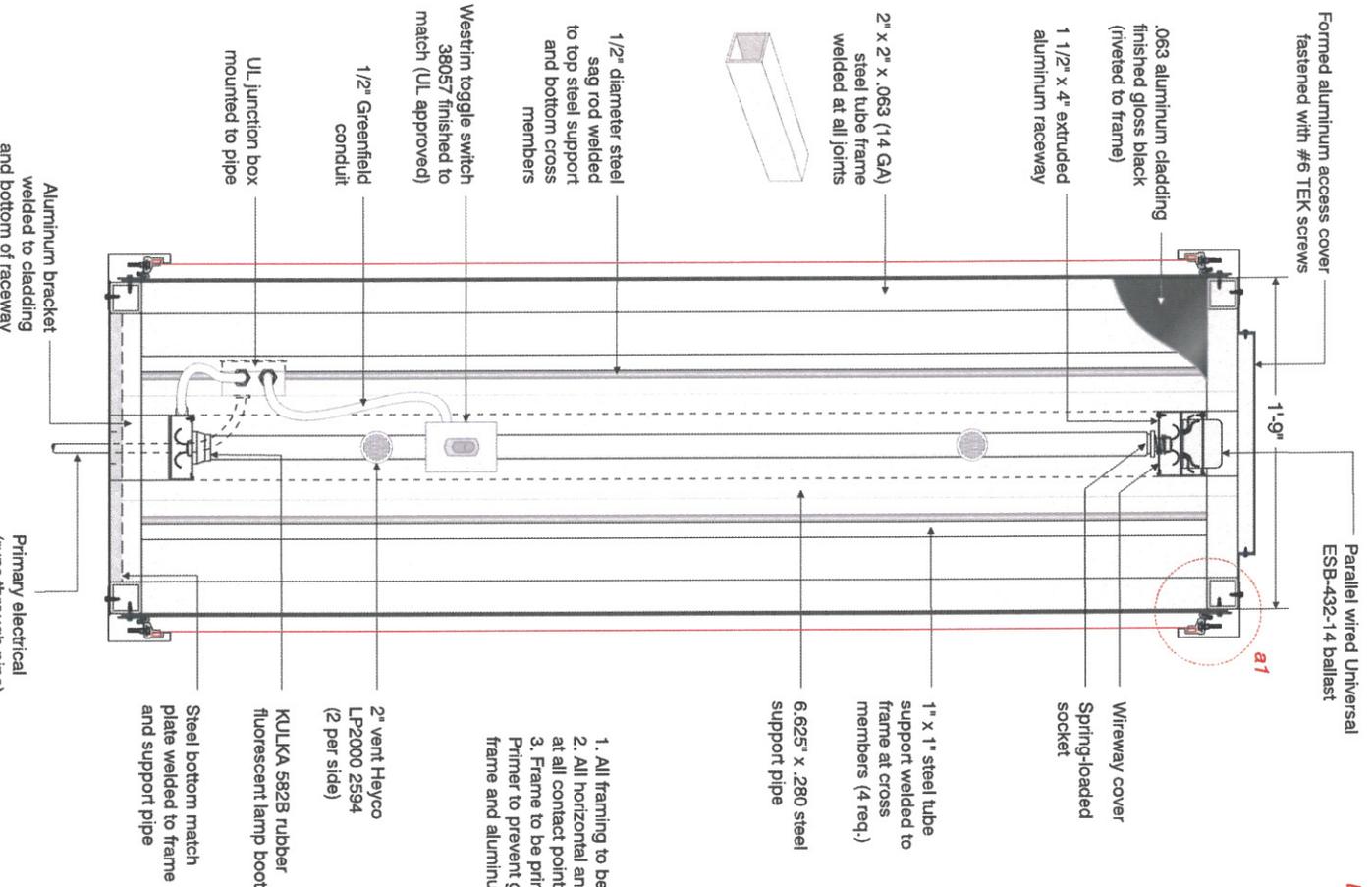
**\*Molded faces must be back sprayed white for light diffusion**  
**\*Pre-drill holes to allow for expansion/contraction of faces**

Sign components to be in strict compliance with all UL standards.

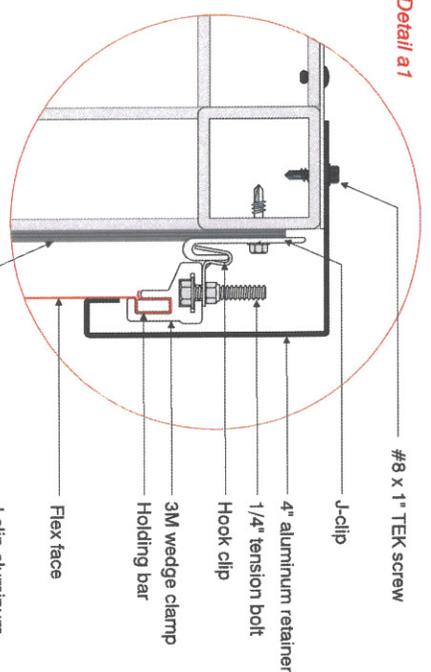


**B** 5'-0" x 15'-0" Pylon  
at 25' OAH

Sign components to be in strict compliance with all UL standards.

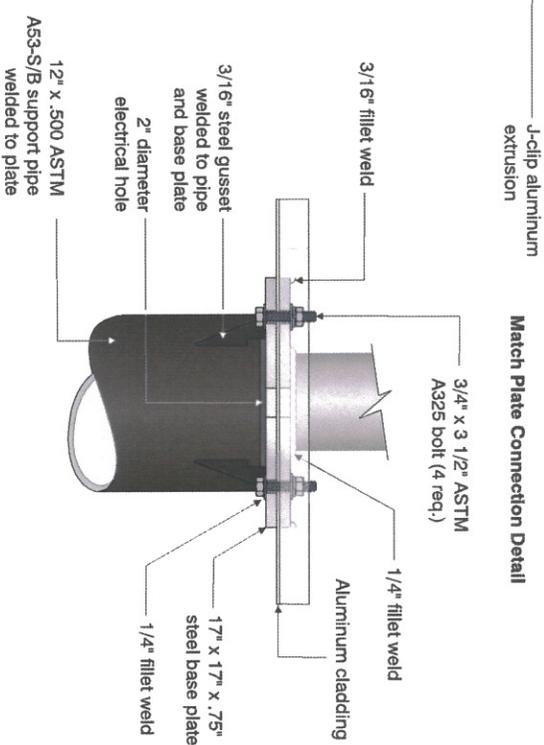
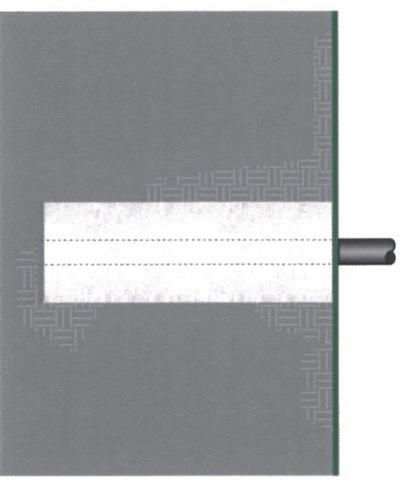


1. All framing to be 2" x 2" x .063" 14 gauge steel tube.
2. All horizontal and vertical members to be fully welded at all contact points with 3/16" min. fillet weld.
3. Frame to be primed with Akzo Nobel White Enamel Primer to prevent galvanic corrosion between steel frame and aluminum cladding.



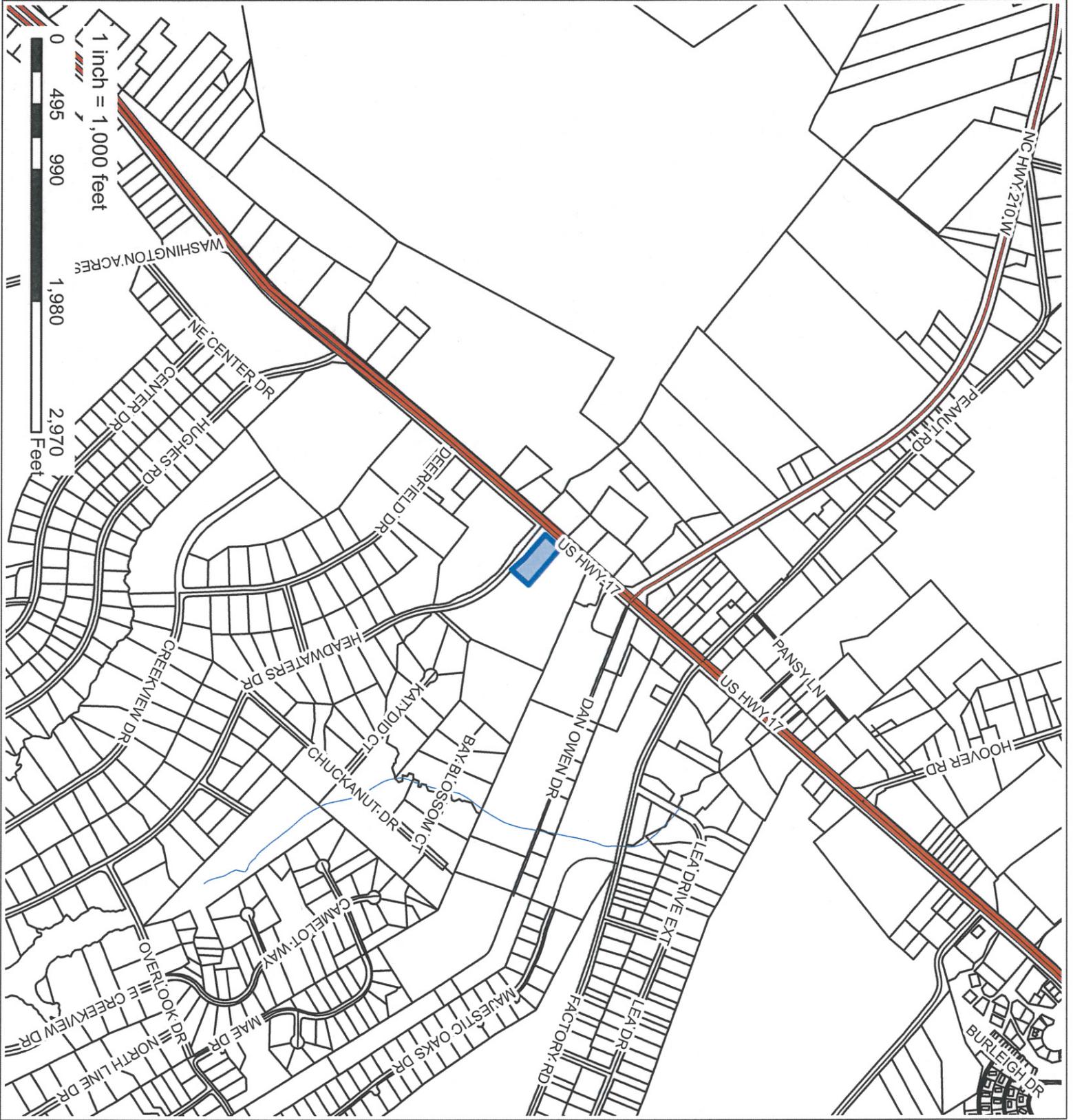
**Electrical Data**

- Volts: 120
- Total Amps: 8
- Circuits: 1
- Visible Disconnects: 1
- Ballasts: 4



Proper sign foundation to be determined by certified engineer. Pylon to be direct set into concrete pad and foundation below grade. Sign must be installed in accordance with requirements of article 600 of National Electrical code and/or applicable local codes.

Windload requirement: 90 MPH



**Applicant:**  
Site

**Enhancement Services**

**Owner:**  
Hartzog Holding, LLC

**Case # 10743**

**Variance**

**Legend**

 Subject Property



**VICINITY MAP**



**Applicant:**  
Site

**Enhancement Services**

**Owner:**

**Hartzog Holding, LLC**

**Case # 10743**

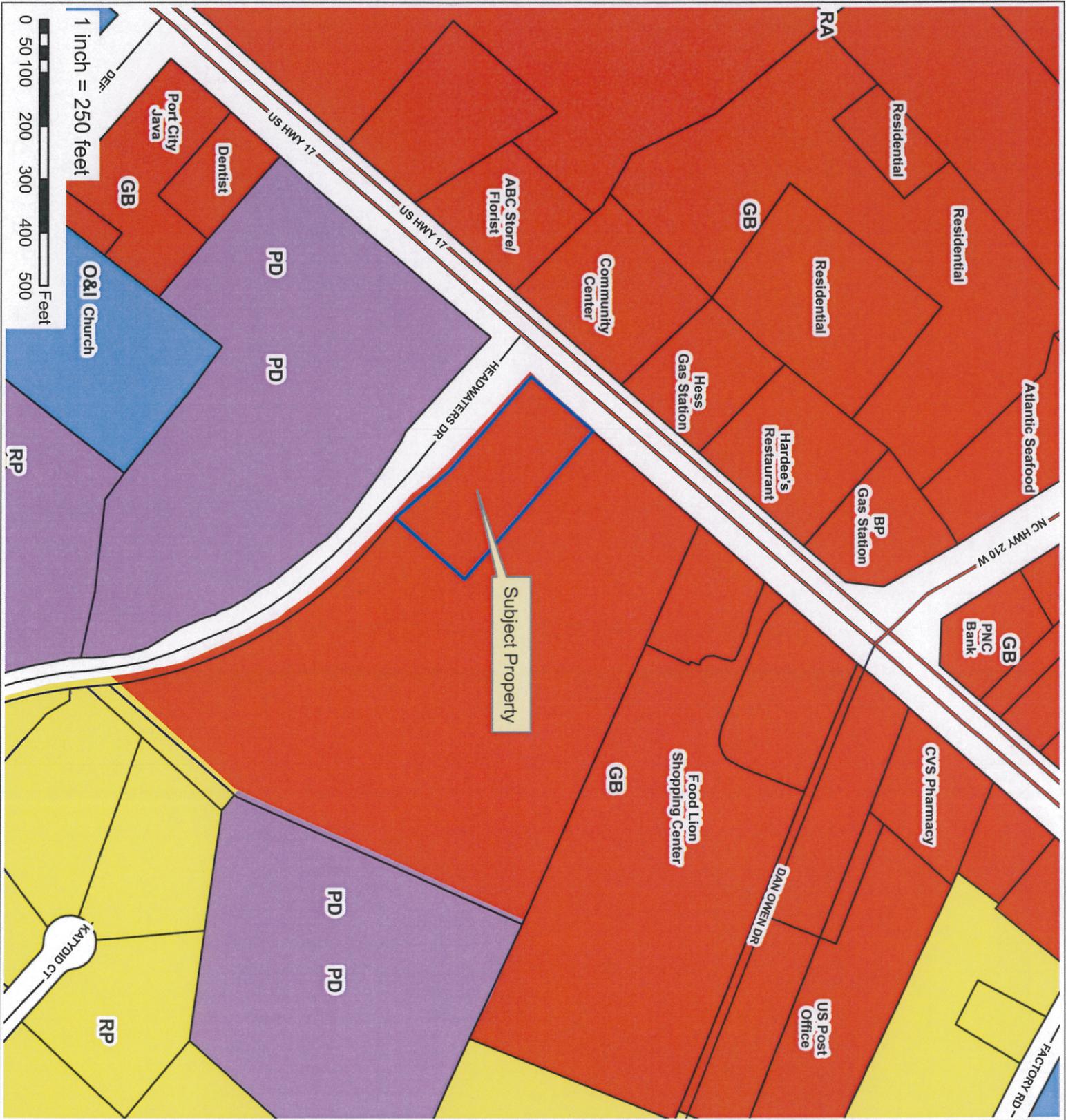
**Variance**  
**Wall Sign Area**

**Legend**

- Subject Property
- Zoning Classification**
- General Business (GB)
- General Industrial (GI)
- Industrial Transition (IT)
- Office & Institutional (OI)
- Rural Agricultural (RA)
- Planned Development (PD)
- Residential Performance (RP)
- Environmental Conservation (EC)
- Incorporated Areas (INCORP)
- Manufactured Home Park (MH)
- Residential Mixed (MF)

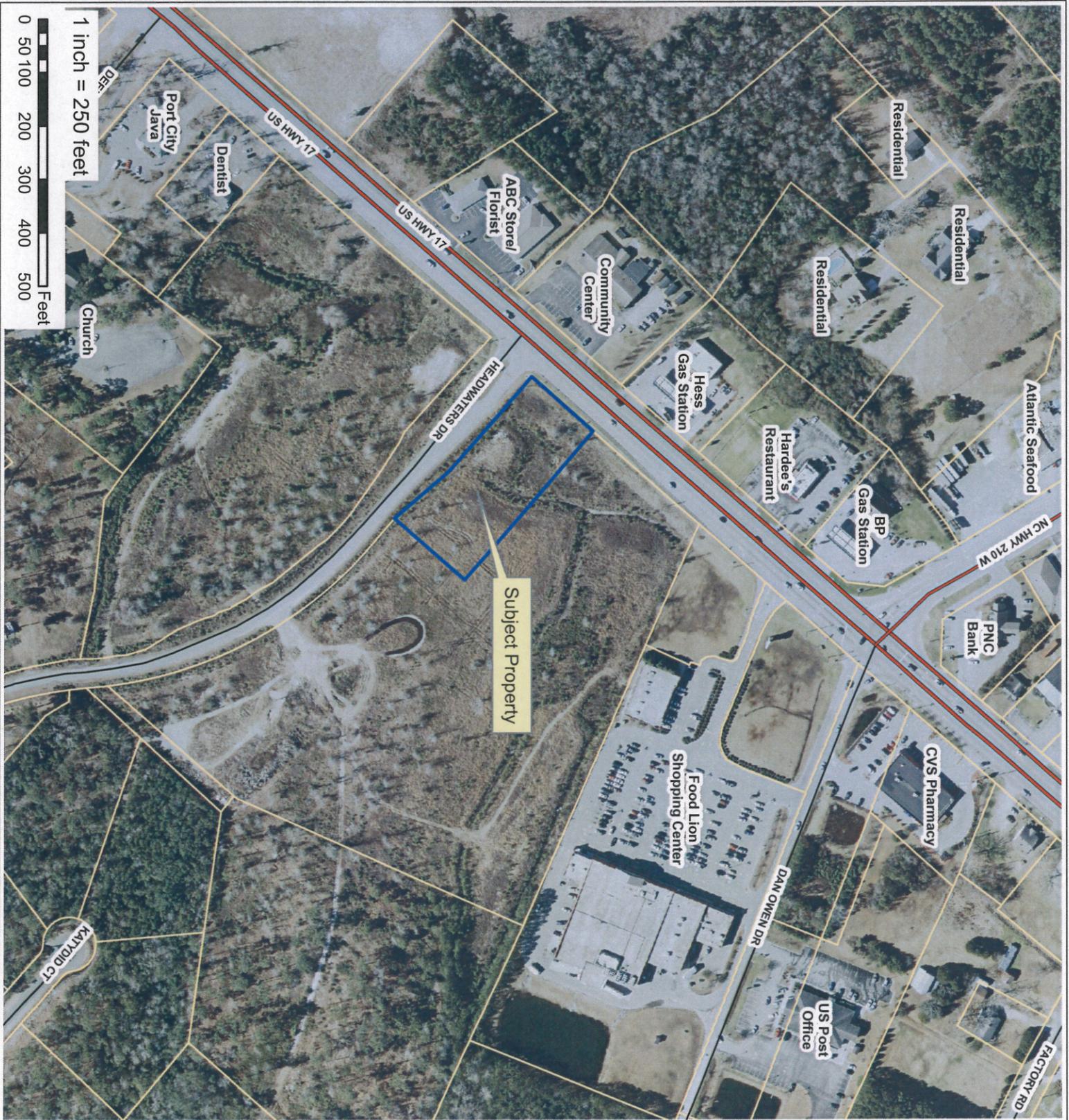


**Zoning Map**



1 inch = 250 feet





**Applicant:**  
Site

**Enhancement Services**

**Owner:**  
Hartzog Holding, LLC

**Case # 10743**  
**Variance**  
**Wall Sign Area**



**Aerial Map**