

LINCOLNTON BOARD OF ADJUSTMENT
AGENDA
April 20, 2021
At 4:00 P.M. in City Council Chambers

1. Roll Call
2. Call to Order
3. Approval of minutes from the March 16, 2021 meeting
4. BOA-1-2021- Application from Preston Clarke, Lincolnton High School, requesting a variance of Section 153.168 of the Lincolnton UDO to allow for a 12 foot in height illuminated electronic sign in the R-10 Zoning District. The subject property is located at 803 North Aspen Street (Parcel ID 85788).
5. Adjournment



**CITY OF LINCOLNTON
BOARD OF ADJUSTMENT**
PO DRAWER 617, LINCOLNTON, NC 28092
www.ci.lincolnton.nc.us

BOARD MEMBERS: Gene Poinsette, Chair, poinsetteg@charter.net; Rebecca Abernethy, Vice- Chair, rabernethy21@bellsouth.net; Jerry Hoffman, (ETJ), jlskhoffman@charter.net; Stephen Silva, (ETJ), soundcity1@ymail.com; Jamel Farley, afarley2351@gmail.com; Greg McBryde, first alternate, Gregory.McBryde@gmail.com; Trent Mason, second alternate, trontonmason@gmail.com; Joy Smith, third alternate, joysmithmsnrn@gmail.com

Tuesday, March 16, 2021 Meeting

Present: Gene Poinsette, Jamel Farley, Jerry Hoffman and Trent Mason

Absent: Stephen Silva, Rebecca Abernethy and Greg McBryde

Call to Order

Chairman Gene Poinsette called the meeting to order and recognized Stephen Silva, Rebecca Abernethy and Greg McBryde were absent and that Trent Mason was serving as first alternate for a quorum.

Approval of Minutes

Chairman Gene Poinsette asked the Board if there were any additions or corrections to the minutes of the February 16, 2021 meeting.

Motion: Jamel Farley made a motion to approve the minutes. Trent Mason seconded. Motion carried unanimously.

Update to Rules of Procedure

Laura Elam presented the staff report included in the agenda packet to the Board regarding updates to the Rules of Procedure.

After some discussion, Chairman Gene Poinsette asked if there was a motion. The motion is as follows:

Motion: Jamel Farley made a motion to approve. Trent Mason seconded. Motion carried unanimously.

Chairman Gene Poinsette asked the Board if there was any other business to be addressed, to which there was none.

Adjournment

*Motion: Jamel Farley made a motion to adjourn. Trent Mason seconded.
Motion carried unanimously.*

Jean Derby

Boa32021minutes

MEMO TO: Lincolnnton Board of Adjustment
FROM: City of Lincolnnton Planning Department
DATE: April 20, 2021
SUBJECT: BOA-1-2021 – Preston Clarke, Lincolnnton High School

Property Information

- Property Location – 803 North Aspen Street (PID 85788)
- Current Zoning – Residential-10 (R-10)
- Property Size - 25 acres
- Current Use of Property –High School
- Adjacent Properties – Residential and Commercial.

Relevant UDO Requirement

The following are the requirements for signs at schools as outlined in the UDO:

Signs on premises of churches, schools, country clubs and publicly or privately-owned and operated outdoor recreation facilities are regulated as follows.

- (1) *Types of sign permitted.* Identification and bulletin board; ground mounted, pole or wall.
- (2) *Permitted number of signs.* One identification sign and one bulletin board.
- (3) *Maximum area of signs.* Thirty-two square feet for the identification sign; 64 square feet for the bulletin board.
- (4) *Permitted illumination.* L, N.
- (5) *Permitted height.* Five feet.

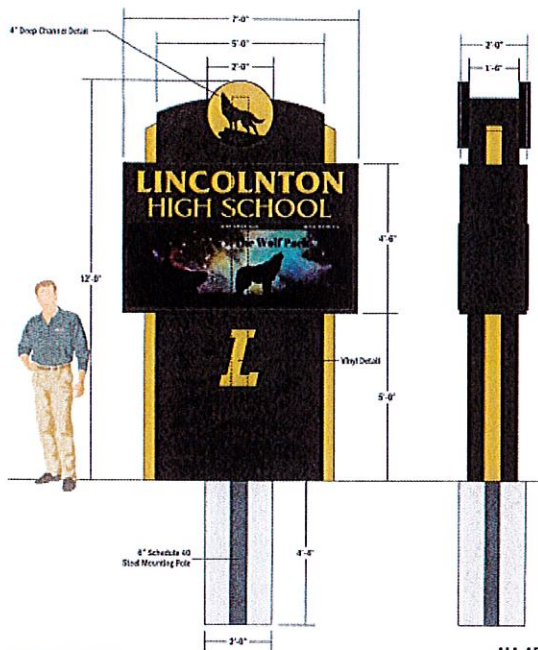
Background Information

The applicant is requesting a variance to allow for the sign height to exceed the five (5) foot maximum height requirement for schools in a residential district. They propose a 12 foot illuminated electronic sign as shown below:

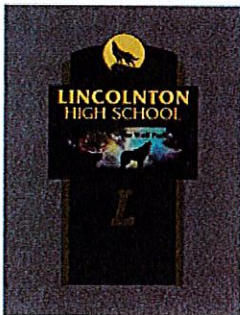
Color Schedule:

- Pantone 7540 C
- Pantone 458 C
- White

Square Footage: 35.5 sq.ft.



Existing Sign to be removed



Simulated Night View



Proposed Reface

SIGN CONNECTION
Building a Better Brand.

1630 Piedmont Court, Cary, NC 27513
PH 919.884.4509 FX 919.884.4592
WWW.SIGNCONNECTION.COM

Sign Connection is a leading provider of sign and graphic services. We are committed to providing our clients with the highest quality products and services. Our team of experienced professionals is dedicated to meeting your needs and exceeding your expectations.

Sign Connection is not responsible for any damage to property or injury to persons resulting from the use of our products or services.

Clients:

JOB#: 1621
Customer: Lincoln HS
Job Name: Sign Reface
Address: xxx
Sales Contact: Matt Elkin

Initial Design Date: 1/6/2020

Designer: E. Hellstrand

Scale: 1:20

- ☐ Conceptual Drawing
- ☐ Design Development
- ☐ Final Production

Revision Date(s): xx/xx/xxxx

Critical to Quality Information:

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Font Schedule

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ALL ARTWORK IS BILLABLE Customer Approval: _____

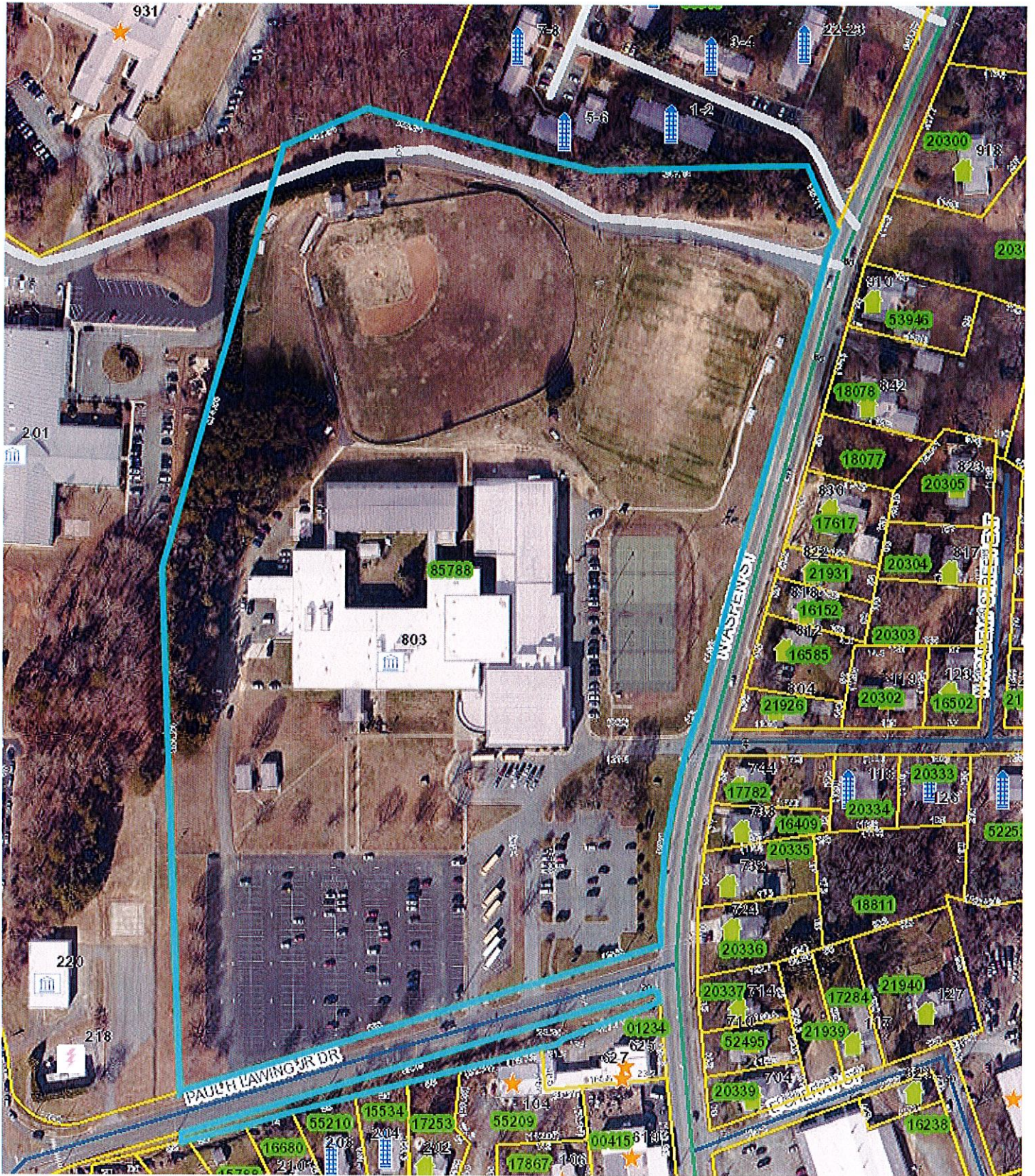
Date: _____

PAGE: 2

ISO 9001:2015 CERTIFIED
RCA-155 Rev 5 Effective Date 11/16/2017

CURRENT SIGN





Additional Applicant Statements (See Attached Application)

- We are a school that falls under residential zoning restrictions.
- The way our school sits on the property. The front of the school is not parallel to North Aspen Street. Therefore we located the last sign at North Aspen Street, however a five foot sign just isn't visible
- The sign would not impact any of the houses.
- The requested variance would not cause any safety issues.
- A five foot sign is not very visible to traffic, and it will reflect our school's mission of being a beacon of this community. We want people to be proud of our school. This sign could be used to communicate various messages, however they must be visible.

Findings of Fact

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
2. The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.
3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
4. The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured and substantial justice is achieved.

Staff Comments

- If the school were in a commercial zoning district, like the General Business GB District adjacent to the site, 25 foot tall signs are permitted along major thoroughfares such as North Aspen Street. The 12 foot height should have no impact on the adjacent properties.
- The applicant will need to provide additional information at the meeting regarding how the four findings of fact are met in order for the Board of Adjustment to grant the variance.