

VARIANCE
APPLICATION

Town of Mint Hill
Board of Adjustment
4430 Mint Hill Village Lane
Mint Hill, N.C. 28227
(704) 545-9726

Office Use Only	
Petition #:	<u>V22-1</u>
Date Filed:	<u>5/17/22</u>
Received By:	<u>JH</u>

Variance requested on property located at: 6902 ~~6908~~ Matthews Mint Hill RD
Tax Parcel Number: ~~19518245~~ 195-182-63 Zoning District: BP-DO-B CD

Describe variance being requested:

To increase the square footage of the wall signs.

(Complete if Applicant is other than Property Owner)

PF Mint Hill LLC
Name of Property Owner

Sherri Hartsell
Name of Applicant

700 E. Morehead Street, Suite 100B
Address of Owner

8334-C Arrowridge Blvd
Address of Applicant

Charlotte NC 28202
City, State, Zip

Charlotte NC 28273
City, State, Zip

704-996-7547
Telephone Number

704-791-9789
Telephone Number

stve@charnisdevelopmentgroup.com
E-Mail Address

Sherri@advantage-permits.com
E-Mail Address

Steven Harris
Signature of Property Owner

Sherri Hartsell
Signature of Applicant

FACTORS RELEVANT TO THE ISSUANCE OF A VARIANCE:

The Board of Adjustment does not have unlimited discretion in deciding whether to grant a variance. Under the State Enabling Act, the Board is required to reach four conclusions as a prerequisite to the issuance of a variance: (1) that unnecessary hardships would result from the strict application of the Ordinance; (2) the hardship results from conditions that are peculiar to the property, such as location, size, or topography; (3) that the hardship did not result from actions taken by the applicant or the property owner and, (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.

In the spaces provided, indicate the facts that you intend to show and the arguments that you intend to make to convince the Board that it can properly reach these four required conclusions.

UNNECESSARY HARDSHIPS 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.

This business sits within the Mint Hill Festival Shopping Center. It also is behind
Showmars. This lot is land locked. They do not have visibilty on Lawyers Rd or
Matthews Mint Hill Rd. The business needs more signage than the allowable
64 SQ FT. The Public would have difficulty finding the location with such small
signs.

THE HARDSHIP RESULTS FROM CONDITIONS THAT ARE PECULIAR TO THE PROPERTY, SUCH AS LOCATION, SIZE OR TOPOGRAPHY. Hardship 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.

The Property is landlocked and has no direct street access entry to the building
The lot sits to the side of the shopping center and behind Showmars. The location makes the business very difficult to see from the two main roadways.

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 granting a variance shall not be regarded as a self-created hardship.

This hardship is an inherited condition of the property and its orientation as it relates to the traffic patters. This site has very limited visibility and the restrictive amount of sign square footage would harm the business and its ability to market itself to the public.

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.

If this variance is approved, it will not affect the public safety or negatively impact the surrounding businesses. It will be a benefit to the public by providing more visibility to the business and ease for the costumer to find it.
