

Project Overview

#2130935

Project Title: Murphys USA #25122 4923 Raeford Rd

Jurisdiction: City of Fayetteville

Application Type: 5.4) Variance

State: NC

Workflow: Staff Review

County: Cumberland

Project Location

Project Address or PIN: 105 HOPE MILLS RD
(0417108460000)

Zip Code: 28304

Please see checklist for instructions for multiple buildings on a single parcel submittals

Is it in Fayetteville? A Fayetteville mailing address does not mean it is in the jurisdictional boundaries of the city.
If you're not sure, click this link: [Cumberland County Tax Office GIS system](#)

E911 Addressing confirmation, please ensure that new developments have an address assigned by Cumberland County E911 before submitting. There may be delays and penalties for not doing so.

GIS Verified Data

Project Address: 105 HOPE MILLS RD

Variance Request Information

Requested Variances: Signage

Section of the City Code from which the variance is being requested.: 30-5.L.8. Permanent Signs > B. Permanent Signs Permitted within General Non-Residential Zoning Districts > 1. Freestanding Signs > C. Pole Signs

Describe the nature of your request for a variance and identify the standard(s)/requirement(s) of the City Code proposed to be varied.:

Per City Code in Zoning CC, a pole sign max height is 25' and copy area is 150SF.

We are requesting variance in overall height to 35' due to placement of the sign will need clearance over the roofline of the retail space. Placement of the sign has to be behind the retail space due to a new water main project (T.I.P. NO. U-4405B) that will not allow the sign to be installed in the preferred space that would be within City Code. The new water main project will require 20' clearance which effects placement of the pole sign.

Identify the zoning district designation and existing use of land for all adjacent properties, including those across the street.:

Adjacent properties:

First Storage Fayetteville: 4909 Raeford Rd, Fayetteville, NC 28304 - **Zoning CC**

Pizza Palace 109 Hope Mills Rd, Fayetteville, NC 28304 - **Zoning LC**

Adjacent Property across the street (Raeford Rd):

Circle K: 971 Glensford Dr, Fayetteville, NC 28314 - **Zoning CC**

Adjacent Properties across the street (Raeford Rd):

5001 Raeford Rd, Fayetteville, NC 28304 - **Zoning CC**

Justification for Variance Request - Use this and the following pages to answer the questions (upload additional sheets if necessary).

The Variance Standards states: A variance application shall be approved only upon a finding that all of the following standards are met.

1. Strict application of the Ordinance requirements results in practical difficulties and unnecessary hardships; it shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property;
2. Any practical difficulties or unnecessary hardships result from unique
3. circumstances related to the land, such as location, size, or topography, and are not the result from conditions that are common to the neighborhood or the general public be the basis from granting a variance;
4. The Variance is the minimum action that will make possible a reasonable use of land or structures;
5. The Variance is in harmony with the general purpose and intent of this Ordinance and preserves its spirit; and
6. In the granting of this Variance, the public safety and welfare have been assured and substantial justice has been done.

Expiration - Variance

30-2.C.14.e.5.- Variance approval shall automatically expire if the applicant does not record the Variance with the Cumberland County Register of Deeds within 30 days after the date the Variance is approved.

Please complete the following five (5) questions to verify the evidence that all the required standards are applicable to your property and/or situation.

Please describe how strict application of the Ordinance requirements results in practical difficulties and unnecessary hardships. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.:

Ordinance requirements do not take into account outside factors (i.e. DOT projects) that would force placement outside normal spaces. In Zoning CC, the limitation on overall height at 25' for a pole sign would not be visible behind the gas station store building.

Please describe how any practical difficulties or unnecessary hardships result from unique circumstances related to the land, such as location, size, or topography, and are not the result of the actions of the landowner, nor may hardships resulting from personal circumstances as well as hardships resulting from conditions that are common to the neighborhood or the general public be the basis for granting a variance.:

There is a unique circumstance outside of the control of property owner: due to the DOT project T.I.P. NO. U-4405B, there is a requirement of 20' clearance for a new water main. This requirement from the DOT project for the new water main will force the normal placement for a pole sign, typically on the lot frontage, to be pushed to the back.

Please describe how the Variance is the minimum action that will make possible a reasonable use of land or structures.:

For viewing clearance, the Variance requested is for the overall height to be increased to 35'.

Due to a 20' spread of lot frontage being unusable from the new water main DOT project and so that the property owner could obtain the pole sign allowed by City Code, the Variance to increase the overall height to 35' would be the minimum action that would make it possible.

Please describe how the Variance is in harmony with the general purpose and intent of this Ordinance and preserves its spirit.:

The Variance requested will allow the property owner to still have the pole sign that is allowed by City Code and at a viewable height. And in harmony with the existing Ordinance, the copy square footage will remain below the allowed allotment per City Code.

Height of Sign Face : 7

Height of Sign Face: 0

Square Footage of Sign Face : 0

Square Footage of Sign Face: 0

Please describe how, in the granting of the Variance, the public safety and welfare have been assured and substantial justice has been done.:

In granting the Variance public safety and welfare will be assured by direct burial installation as require by City Code and engineering requirements. Substantial justice will be done as to allow, per City Code, the property owner to have the pole sign and at a viewable clearance.

Height of Sign Face: 6

Square Footage of Sign Face: 126.5

Square Footage of Sign Face: 0

Square Footage of Sign Face: 0

Square Footage of Sign Face: 0

Square Footage of Sign Face: 0
Square Footage of Sign Face: 0
Square Footage of Sign Face: 0
Square Footage of Sign Face: 0

Square Footage of Sign Face: 0
Square Footage of Sign Face: 0
Square Footage of Sign Face: 0

Primary Contact Information

Project Owner

Wayne McGahee
Stratus
8959 Tyler Blvd
Mentor, OH 44060
P:888.503.1569
Wayne.McGahee@onstratus.com

Indicate which of the following project contacts should be included on this project: Sign Contractor

NC State Electrical Contractor #1 License Number:
NC State Electrical Contractor #2 License Number:
NC State Electrical Contractor #3 License Number:

NC State Mechanical Contractor's #1 License Number:
NC State Mechanical Contractor's #2 License Number:
NC State Mechanical Contractor #3 License Number:
NC State Plumbing Contractor #1 License Number:
NC State Plumbing Contractor #2 License Number:

Project Contact - Sign Contractor

Alpha Signs & Lighting Permitting
Alpha Signs & Lighting, Inc
515 Old Crow Rd
Newton Grove, NC 28366-715
P:9105675813
permitting@alphasignsnc.com

Project Contact - Agent/Representative

Alpha Signs & Lighting Permitting
Alpha Signs & Lighting, Inc
515 Old Crow Rd
Newton Grove, NC 28366-715
P:9105675813
permitting@alphasignsnc.com

As an unlicensed contractor, I am aware that I cannot enter into a contract that the total amount of the project exceeds \$40,000. :

NC State General Contractor's License Number: