

**CITY OF FAYETTEVILLE  
STATE OF NORTH CAROLINA  
ORDER TO APPROVE A VARIANCE**

**Increase total number of signs and maximum sign copy area at 1800 Skibo Road #200  
(041802313900)**

**VARIANCE A26-13**

**Address:** 1800 Skibo Road #200  
**REID Number:** 041802313900  
**Property Owner:** Cross Creek Plaza Dr LLC  
**Applicant:** Tina Arcuri

The Zoning Commission of the City of Fayetteville, North Carolina, conducted an evidentiary hearing on June 9, 2026, to consider a Variance application submitted by Tina Arcuri (“Applicant”), on behalf of Cross Creek Plaza Dr LLC (“Owner”), seeking approval to increase the total number of signs and maximum sign copy area at 1800 Skibo Road #200 (041802313900) (“Subject Property”).

On May 27, 2026, notice of the public hearing was mailed to the Property Owners and all owners of property within three hundred (300) feet of the Subject Property, in accordance with applicable legal requirements. A public hearing notice sign was properly posted on the Subject Property on May 27, 2026. Additionally, on May 29, 2026, notice of the public hearing was submitted for publication in the legal notices section of *The Fayetteville Observer*, with the advertisement scheduled to run on May 29, 2026, and June 5, 2026.

Upon careful consideration of all sworn testimony, admitted evidence, and oral arguments presented by the parties at the duly held evidentiary hearing, the Zoning Commission of the City of Fayetteville hereby issues the following FINDINGS OF FACT and CONCLUSIONS OF LAW:

**Findings of Fact**

1. Chapter 30, Article 30-5, Subsection 30-5.L.8.B of the City’s Unified Development Ordinance (“UDO” or “Ordinance”) establishes the maximum number of permanent, wall-mounted, signs that may be placed and the calculations as to the maximum sign copy area.
2. The Subject Property is located at 1800 Skibo Road #200, is zoned Community Commercial (CC), and is within the municipal limits of the City of Fayetteville.
3. The Property Owner holds title to the Subject Property.
4. In the Community Commercial zoning district, the maximum number of signs permitted is five (5). The maximum sign copy area is one (1) square foot per linear foot of building

frontage on a single use occupancy building; for the Subject Property, the maximum sign copy area is 113.58 square feet.

5. The applicant requested an increase to the maximum number of signs from five (5) to seven (7) and an increase to the maximum sign copy area from 113.58 square feet to 600 square feet.

6. The Subject Property is designated as Regional Center on the City's adopted Future Land Use Map which are commercial centers with regional draw of 400,000 square feet or more.

7. The area surrounding the Subject Property is developed as commercial properties mostly associated with the Cross Creek Plaza or Cross Creek Mall.

8. The Applicant has the burden of proof to show that the Variance meets the following statutory requirements:

- a. Strict application of the Ordinance requirements results in practical difficulties and unnecessary hardships;
- b. 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 landowner's actions or conditions common to the neighborhood or the general public;
- c. The variance is the minimum action that will make possible a reasonable use of the land or structures;
- d. The variance is in harmony with the general purpose and intent of the ordinance and preserves its spirit; and
- e. In granting the variance, public safety and welfare have been assured, and substantial justice has been done.

9. Strict enforcement of the ordinance requirements would impose practical difficulties and unnecessary hardships because the shape of the building reduces storefront and sign visibility for the Subject Property.

10. The hardship is attributable solely to the unique conditions specific to the property and not the landowner's actions because the shape of the adjacent building section projects outwards in a manner that affects visibility for the Subject Property.

11. The variance is the minimum action necessary to permit reasonable visibility for the Subject Property while maintaining aesthetic consistency with adjacent buildings.

12. The variance aligns with the general purpose and intent of the Ordinance and preserves its spirit because it allows only the additional signage necessary to provide reasonable commercial visibility for the Subject Property under the circumstances.

13. Granting the variance assures public safety and welfare while ensuring substantial justice because the additional signage will create equal visibility to the adjacent buildings.

### **Conclusions of Law**

1. Pursuant to the authority conferred by the North Carolina General Statutes, the City of Fayetteville adopted the Unified Development Ordinance (“UDO”), as codified in Chapter 30 of the City Code, thereby consolidating the City’s zoning and subdivision regulatory authority into a single, comprehensive framework.
2. The Applicant duly submitted an application in full compliance with the procedural and substantive requirements of the UDO for consideration of a Variance.
3. The City of Fayetteville’s Zoning Commission provided adequate and lawful notice and conducted an evidentiary public hearing in accordance with the procedural requirements established under North Carolina law.
4. The City of Fayetteville’s Development Services Department is responsible for administering, coordinating, and enforcing the provisions of the UDO.
5. Based on the competent, material, and substantial evidence in the record, all of general and specific conditions precedent to the issuance of the requested Variance have been satisfied, in that:
  - a. Strict application of the Ordinance requirements results in practical difficulties and unnecessary hardships;
  - b. 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 landowner’s actions or conditions common to the neighborhood or the general public;
  - c. The variance is the minimum action that will make possible a reasonable use of land or structures;
  - d. The variance is in harmony with the general purpose and intent of the Ordinance and preserves its spirit; and
  - e. In granting the variance, the public safety and welfare have been assured, and substantial justice has been done.

WHEREFORE, based on the foregoing FINDINGS OF FACT and CONCLUSIONS OF LAW, it is ORDERED by the City of Fayetteville’s Zoning Commission that the application for the issuance of the Variance in Case A26-13 be APPROVED with the condition that the lifestyle signs, as depicted in the application materials, including signs depicting people, children, toys, shoes, home appliances, electronics, or similar lifestyle imagery, shall not be placed or installed.

VOTE: Unanimous 5-0

This, the 14<sup>th</sup> of July, 2026.

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Kevin Hight

Zoning Commission Chair