

LAMAR OCI SOUTH CORPORATION d/b/a Lamar Advertising of Asheville,
Petitioner v. STANLY COUNTY ZONING BOARD OF ADJUSTMENT and STANLY
COUNTY, Respondents

No. 485A07

FILED: 12 DECEMBER 2008

Appeal pursuant to N.C.G.S. § 7A-30(2) from the decision of a divided panel of the Court of Appeals, 186 N.C. App. 44, 650 S.E.2d 37 (2007), reversing an order entered on 19 April 2006 and affirming an order entered on 28 April 2006, both by Judge Mark E. Klass in Superior Court, Stanly County. On 6 March 2008, the Supreme Court allowed petitioner's petition for discretionary review of additional issues. Heard in the Supreme Court 14 October 2008.

Van Winkle, Buck, Wall, Starnes & Davis, P.A., by Craig D. Justus, for petitioner-appellee/appellant.

Hamilton Moon Stephens Steele & Martin, PLLC, by Robert C. Stephens and Mark R. Kutny, for respondent-appellants/appellees.

PER CURIAM.

As to the issue on direct appeal based on the dissenting opinion, we affirm the majority decision of the Court of Appeals. We conclude that the petition for discretionary review as to additional issues was improvidently allowed.

AFFIRMED IN PART; DISCRETIONARY REVIEW IMPROVIDENTLY ALLOWED IN PART.