



November 15, 2005

Robert and Rosa Lee Hill
4213 Morris Field Drive
Charlotte NC 28208

Re: 4223 Morris Field Drive
Rezoning Petition Number 76-07

Dear Mr. and Mrs. Hill,

The above reference property received a conditional zoning approval on July 6, 1976 outlining the uses that would be allowed on the premise. Included in the conditional zoning were the reasons why the approval was being granted.

An excerpt from the approval states: *In addition, there has recently been built on the rear portion of the property, a garage structure which was originally permitted as an accessory building but which now the petitioner wishes to utilize as an office and service garage for a fuel oil distribution business.....and since it was pointed out that the service which both the store and the proposed fuel oil business provides is related to the primary area in the vicinity of the subject property, the Planning Commission does believe that a controlled type of zoning application here would make reasonable the recognition of these activities.*

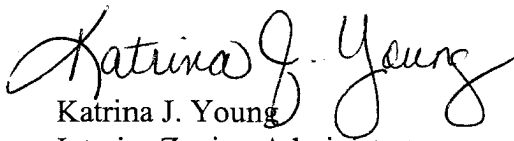
The property was rezoned from R-6MF to B-2CD with the reasons specified that there was a grocery store on the property and at the rear of the property was a garage in which the petitioner husband wanted to use for his office and to service trucks used in connection with his business. A survey was submitted with the rezoning request which indicated the one story garage with 4-5 parking spaces located it front.

There was no mention of any other nonconforming uses on the property and since the garage as mentioned in the rezoning petition had just been recently constructed it is my belief that there were no other nonconforming uses on the property at the time of the rezoning approval.

The Zoning Board of Adjustment has the authority to hear an appeal of this interpretation. Appeal applications are available at the Zoning Administrator's office. If the thirty-day deadline has passed and an appeal application has not been filed, then the Board shall have no jurisdiction to hear an appeal of this interpretation. Your rights of appeal shall have been forfeited.

If you have questions or need further assistance, I may be reached at 704.336.3571.

Sincerely,


Katrina J. Young
Interim Zoning Administrator

cc: Darryl Broome