



CERTIFIED MAIL

Eastway Wrecker Service
2801 Wilkinson Boulevard
Charlotte, NC 28208

**RE: APPEAL
2801 WILKINSON BOULEVARD
CASE NUMBER 11-047**

Dear Eastway Wrecker Service:

On December 13, 2011, the City of Charlotte Zoning Board of Adjustment ("Board") **reversed** the Zoning Administrator's interpretation that the property was not used as a junkyard prior to the adoption of the current code and therefore should comply with the current code requirements.

The Board based its decision on the following findings of fact:

1. The applicants are Eastway Wrecker Service (David & Karen Williams).
2. The property is located at 2801 Wilkinson Blvd, further identified as tax parcel 117-011-15.
3. The subject parcel consists of approximately 5.68 acres and is zoned I-2 (Industrial District).
4. The site is the location for Eastway Wrecker Service.
5. The applicant was issued a Zoning Notice of Violation on August 10, 2011 with a compliance date of September 8, 2011.
6. The Zoning Notice of Violation stated that the applicant should cease and desist lack of screening and buffering of junkyard.
7. The applicant has filed for an appeal and is appealing the Zoning Administrator's interpretation that they were not a junkyard prior to the adoption of the amended 2007 current code and should have to comply.
8. Per Code Section 9.1103(22) junkyards are permitted uses under prescribed conditions.
9. Per Code Section 2.201 a junkyard is a parcel of land on which waste material (not including medical or hazardous waste) or inoperative vehicles or other machinery are collected, stored, salvaged or sold.
10. The applicant currently stores and collects both operative and inoperative vehicles and other machinery on their property.
11. The applicant has been contracted with the City since 2001 as a towing and wrecker service.
12. The applicant has provided substantial proof that they have stored operative and inoperative vehicles on their property since 2001 pursuant to a contract with the City of Charlotte.

Based upon the above findings of fact, the Board concludes that the applicant has met the standard stated in §5.109(1) of the Ordinance, and more specifically:

The Zoning Board of Adjustment reversed the Zoning Administrator's decision that the property was not used as a junkyard prior to the adoption of the current code and therefore should comply with the current code requirements.

Sincerely,



Jeffrey Davis
Chairperson

01-10-12

Date

DECISION FILED IN THE PLANNING DEPARTMENT:

January 12, 2012 
Date Katrina Young, Zoning Administrator