

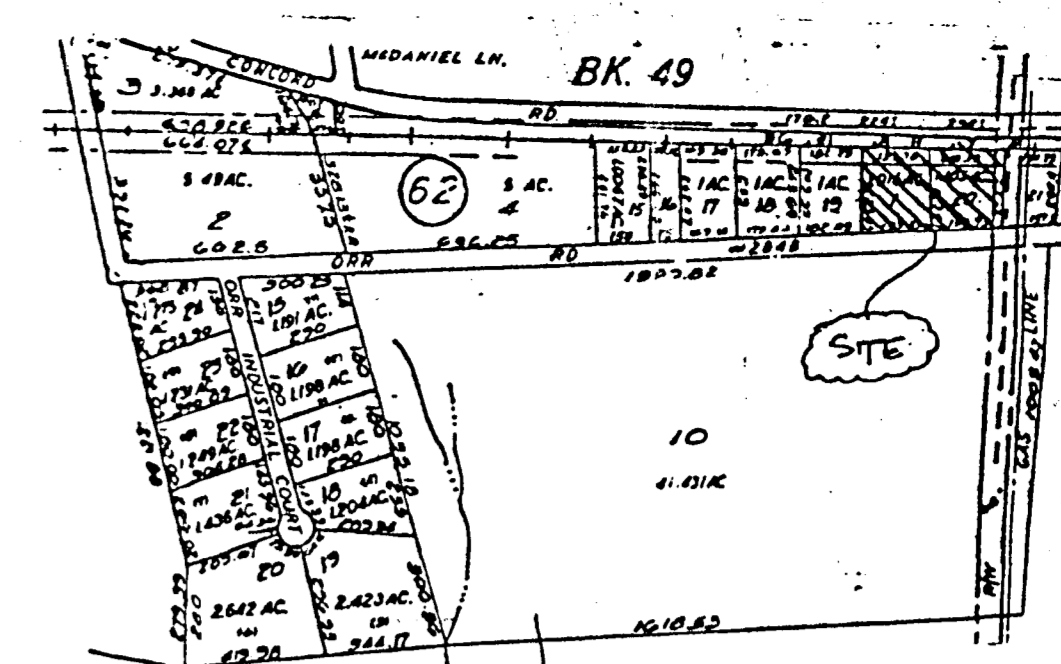
Tax Code	Name and Address
1. 097-011-22	Ted and Shirley Hildroth 17135 Belle Isle Drive Huntersville, NC 28078
2. 097-021-15	Lorenzo T. Givlini and wife, Mary Margaret J. Givlini 6700 Orr Road Charlotte, NC 28213
3. 097-067-19	Richard E. and Phyllis M. Griffin 5811 Foxcrest Drive Charlotte, NC 28212
4. 097-062-10	R. W. Bouliengy, Inc. P.O. Box 33409 Charlotte, NC 28233
5. 049-032-05	Robert E. Cothran 6539 Old Concord Road Charlotte, NC 28213
6. 049-032-07	Robert E. Cothran 6539 Old Concord Road Charlotte, NC 28213
7. 049-032-08	Inge Realty & Management Corp. 6539 Old Concord Road Charlotte, NC 28213
8. 019-061-01	M.B. Blankenship, Jr., Guardian for Janice E. Blankenship P.O. Box 1617 Salisbury, NC 28144

DEVELOPMENT DATA

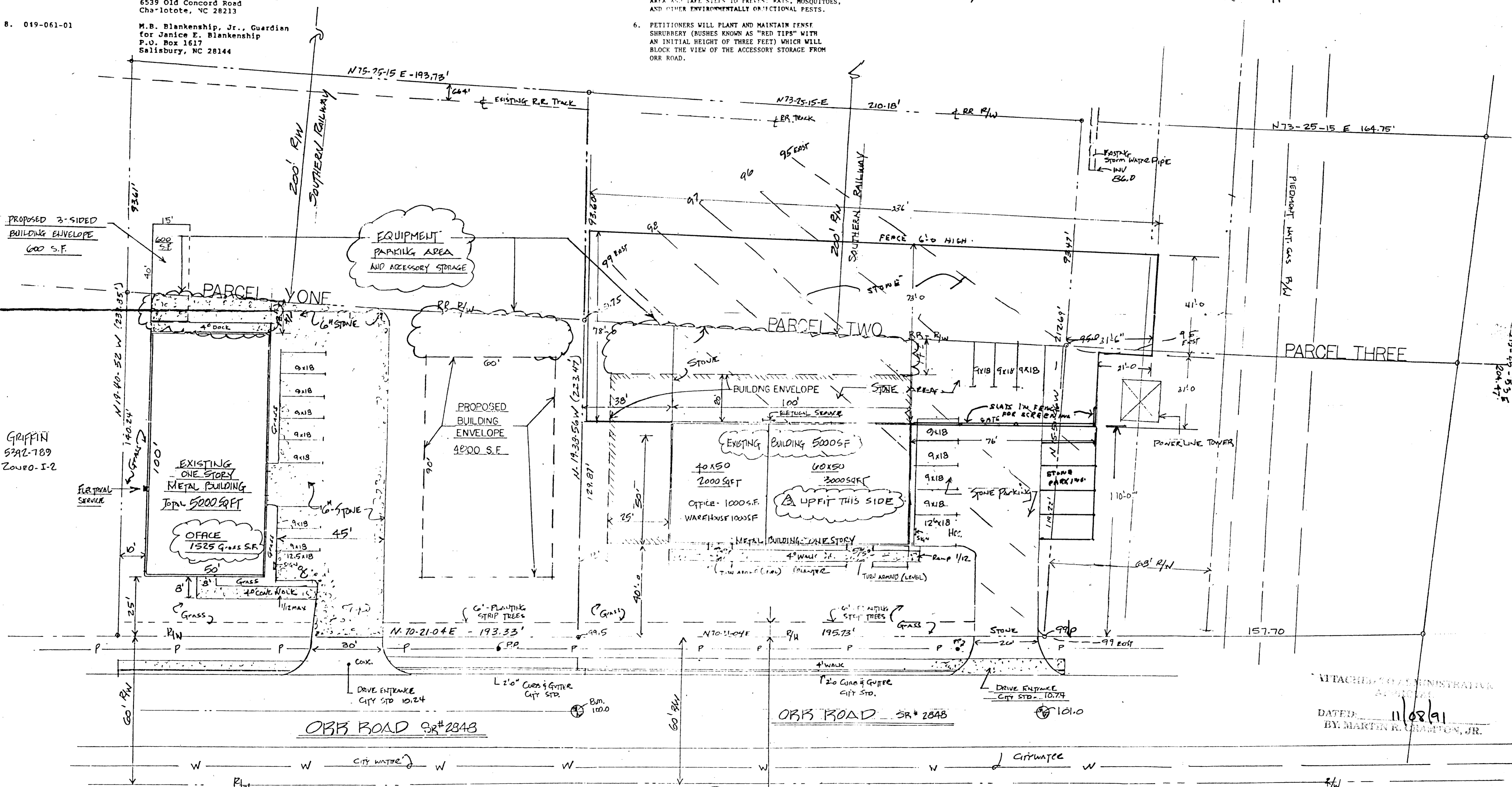
EXISTING ZONING -I-1
PROPOSED ZONING -I-2 (CD)

DEVELOPMENT NOTES

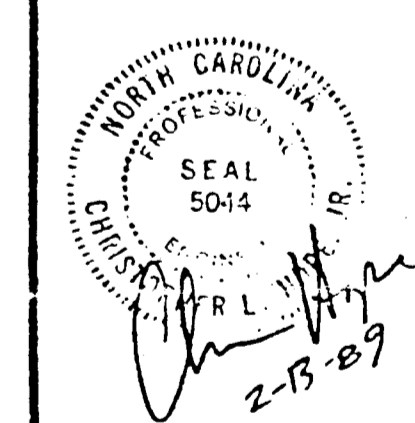
1. THE PROPERTY SHALL ONLY BE USED FOR THOSE USES PERMITTED IN I-1 LIGHT INDUSTRIAL DISTRICT.
2. THE ONLY I-2 GENERAL INDUSTRIAL DISTRICT USES THAT SHALL BE PERMITTED ARE CONTRACTOR'S OFFICES AND ACCESSORY STORAGE YARDS INCLUDING ACCESSORY STORAGE OF GENERAL CONSTRUCTION EQUIPMENT AND VEHICLES.
3. THE MAXIMUM SQUARE FOOTAGE FOR ALL STRUCTURES ON PARCEL ONE WILL BE 10400 AND PARCEL TWO WILL BE 8750 FOR A MAXIMUM OF 19150 ON BOTH PARCELS.
4. "ACCESSORY STORAGE" IS DEFINED AS TEMPORARY STORAGE OF BUILDING MATERIALS AND SUPPLIES USED BY THE OCCUPANTS OF THE PROPERTY, EXCLUDING MATERIALS SUCH AS SCRAP METAL, SCRAP LUMBER, EXCAVATION AND CONSTRUCTION RESIDUE, AND OTHER MATERIAL LEFT OVER AND/OR TAKEN FROM BUILDING SITES AND WHICH ARE NORMALLY CONSIDERED SCRAP.
5. OWNERS WILL REGULARLY INSPECT ACCESSORY STORAGE AREA AND TAKE STEPS TO PREVENT RATS, MOSQUITOES, AND OTHER ENVIRONMENTALLY OBJECTIONAL PESTS.
6. PETITIONERS WILL PLANT AND MAINTAIN DENSE SHRUBBERY (BUSHES KNOWN AS "RED TIPS" WITH AN INITIAL HEIGHT OF THREE FEET) WHICH WILL BLOCK THE VIEW OF THE ACCESSORY STORAGE FROM ORR ROAD.



VICINITY MAP



1) 6 FOOT WIDE STRIP - PLANT LARGE MATURING STREET TREES 30 TO 35 FEET ON CENTER, - PER CHARLOTTE CODE



Bids Due
Set No
Revisions
Scale 1" = 20'-0"
Drawn by
Checked by
Date
Job No

ATTACHED TO ZONING ADMINISTRATIVE APPLICATION
DATED: 11/08/91
BY: MARTIN R. CHARPION, JR.

Rezoning Plan Petition No. 89-2	SCALE 1" = 20'
Orr Rd. Site Charlotte, N.C.	for Alan R. Kessel and Wife, Jacqueline Kessel, Eddie W. Sipe and Wife, Patricia G. Sipe

CHRIS HOPE/PROFESSIONAL ENGINEER/415 BROOKGREEN DRIVE/MONROE, NC 28110/(704) 289-1843



MECKLENBURG COUNTY
Charlotte-Mecklenburg
Building Standards Department

NOTICE OF VIOLATION

September 9, 1991
CERTIFIED
Alan R. and Jacqueline S. Kessel
P.O. Box 221443
Charlotte, NC 28222
E: 6531 Orr Road
Violation Number: 80-150-91
Parcel Number: 097-062-20; 21
Zoning: I-2CD
Map Number: 77
Inspection Date: July 29, 1991

The following provision of the City of Charlotte Zoning Ordinance has been violated:

Section 3202.4: Effect of Approval - If an application is approved, the conditional district that is established and all conditions which may have been attached to the approval are binding on the property. All subsequent development and use of the property must be in accordance with the approved plan and conditions. The intent of this type of zoning is to provide an alternative procedure for specific development proposals. It is intended that all property be zoned only in accordance with firm plans to develop. Therefore, 3 years from the date of approval, the planning commission will examine progress made to develop in accordance with approved plans to determine if active efforts to comply with the approved plan are not proceeding, a report will be forwarded to the city council which may recommend that action be initiated to remove the conditional district in accordance with the amendment procedures outlined in section 1300.

You are hereby instructed to conform to the conditional district plan approved by the City Council on April 17, 1989, or submit new site plans to the Charlotte-Mecklenburg Planning Commission for review.

IMMEDIATELY CORRECT THE VIOLATION. If the violation is not corrected, the department reserves the right to exercise anyone of the following REMEDIES: REVOCATION OF A CERTIFICATION OF OCCUPANCY making continued occupancy unlawful, issuing a CITATION, if unpaid and a judgment, could become a LIEN on the property, seeking of a INJUNCTION, or the issuance of a CRIMINAL SUMMONS.



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PAGE TWO.

of overhead power lines and a future septic field required in front of Mr. Kessels building. Mr. Cochrane suggested "Capinus Caroliniana" could be planted halfway between the property line and the future septic field centered between the Bradford pears and Mr. Kessel will do that this fall.

There is still some violations with respect to the fence that is not shown on the C.D. Plan and parking lots not shown on C.D. Plan.

Since Mr. Kessel has shown some reluctance to submit a new site plan, I am sending a violation letter at this time in an effort to speed this along.

690-s/psh



MECKLENBURG COUNTY
Charlotte-Mecklenburg
Building Standards Department

September 11, 1991

TO: WALTER G. FIELDS, III
LAND DEVELOPMENT MANAGER

FROM: JOHN EAVES, ZONING INSPECTOR

SUBJECT: REZONING PETITION 89-2
ALAN R. KESSEL & WIFE
JACQUELINE S. KESSEL

In response to your letter of February 15, 1991, I have been working with Mr. Kessel with regards to bringing this C.D. into compliance. I have met at the site with Joe Cochrane, concerning the landscaping and again with Joe and Cathy Verdone. Mr. Kessel has tried to comply with most of the violations and has promised other work towards compliance.

Referring to your list of items:

- (Modified Performance) is not part of this C.D. Plan.
- Parcel #1, (Sunbelt Machines). There is no further outside storage at this location.
- Parcel #2, (Kessel and Aloha Pools). Aloha Pools and Kessel have reorganized the outside storage to comply with the site plan and Kessel has promised to plant photinias on the right side of the building and will plant the fence on both sides of the building to help screen the outside storage.
- Parcel #3, (Vacant) storage of steel beams have been removed from this area.
- The Bradford pears were planted in the 4' planting strip between the back of the curb and the sidewalk on the instructions of the City Engineering Department. Mr. Cochrane advises that large maturing trees can not be planted in the 6' planting strip because



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A. R. KESSEL INC.

6531-A Orr Road
Charlotte, North Carolina 28213
(704) 597-8505

September 16, 1991

Ms. Cathy Verdone
CHARLOTTE-MECKLENBURG PLANNING COMMISSION
600 East Fourth Street
Charlotte, North Carolina 28202-2853

Dear Ms. Verdone:

As per our conversation of Monday, September 16, 1991, I am submitting a new site plan with a fence and some new parking area as indicated.

I hope this clears up this matter.

Thank you,

A. R. KESSEL INC.

A. R. Kessel

Al Kessel

AK/pc

CHARLOTTE-MECKLENBURG
PLANNING COMMISSION

INTER-OFFICE COMMUNICATION

DATE: November 8, 1991

TO: Robert Brandon
Zoning Administrator

FROM: *Martin K. Cramton, Jr.*
Martin K. Cramton, Jr.
Planning Director

SUBJECT: Administrative Approval for Petition No. 89-2 by Alan R. Kessel Tax Parcel #097-062-01, 20, 21

Attached is a revised plan for the above mentioned rezoning petition. The plan has been revised to show a chain link fence with slats along Orr Road to screen an outdoor storage area. Also added to the plan are four parking spaces along the eastern boundary of the easterly most driveway. Since these change are minor, I am administratively approving this plan. Please use this plan when evaluating requests for building permits and certificates of occupancy.

MRC/KM:mlj

Attachment

A. R. KESSEL INC.

6531-A Orr Road
Charlotte, North Carolina 28213
(704) 597-8505

September 6, 1991

Ms. Cathy Verdone
CHARLOTTE-MECKLENBURG PLANNING COMMISSION
600 East Fourth Street
Charlotte, North Carolina 28202-2853

Ref: I-2 Rezoning - Petition #89.2

Dear Ms. Verdone:

I am a small business man trying to be an honest citizen of Charlotte, however, it can be very trying at times.

To begin with, I was looking for I-2 property on which to build my office and warehouse on. I found some represented as I-2 and bought same. During construction, I found out that the land is actually I-1. Being an honest person, I thought I would get it re-zoned. This has been the dumbest thing I have ever done. It has costs me over \$14,000.00 in lawyers fees, landscaping changes and most of all, just plain aggravation.

Let me point out a few items:

- My building and landscaping is probably one of the best looking ones on Orr Road.
- At least 90% of the other buildings zoned I-1 on Orr Road are in violation of zoning, however, nobody bothers these people. All have outside storage, including junk cars, rag storage, machinery storage, fork-lift repair, etc.
- To comply with the I-2 CD, I have planted red tips as per the City's request and spec's. They say the red-tips have not filled in enough. I have no control on how fast red-tips grow. They want me to plant red-tips in my drive-way, which is graveled. I installed vinyl inserts in the fencing instead. I think it would be hard to grow red-tips in a gravel drive-way.
- To comply with the I-2 CD, they want me to plant large maturing trees. I talked to Joe Cochrane in the tree department and he told me I can't plant that kind of tree, it's against codes, so Joe has recommended another kind of tree, however, I don't know what size

Page --2-

tree to begin with. Also, the Bradford Pear trees that the city originally told and showed me where to place are now considered in the wrong spot. Everyone elses' trees on Orr Road are in the same spot along the curbs, but, only mine are wrong. I don't understand why I have to plant more trees in front of my building to screen the back of my building.

- Now to keep people from stealing my outside storage, I have installed a fence around my property. This also provides some screening of outside storage. Now the CD people want me to re-submit a new site plan and ask for their approval for this fence which has nothing to do with my outside storage. The fence is all on my property.
- After obtaining a current copy of the zoning regulations, I noticed under 3072, part 28, that I can have a contractors office and accessory storage yard, excluding storage of general construction equipment and vehicles in I-1 zoning. So does this mean I never needed I-2 zoning to begin with except for the occasional time when my fork-lifts are not being used on a job. What can you put in accessory storage yards for contractors? The CD zoning man even wants my dumpster stored in the special storage area, but, everyone else has theirs anywhere they want to put them.
- Why doesn't the City do something to help me, such as, running a sewer line down to our property? There are sewer lines on all four (4) sides of me, but none that can be hooked up.

When does the constant aggravation stop? For \$14,000.00+, I could have built another building and had no outside storage. Why does the zoning commission keep after me and never bother the people that have never requested re-zoning but are using their property as I-2.

Sincerely,

A. R. KESSEL INC.

A. R. Kessel

Al Kessel

AK/pc

cc: Mr. John K. Eaves, III
Char-Meck Building Standards Dept.

Alan R. and Jacqueline S. Kessel
September 9, 1991
Page Two

If you have any questions as to what is required by this Notice, please contact me at 336-3576 between 8 and 9 AM.

John K. Eaves
John K. Eaves
Zoning Code Enforcement Inspector

JKE/aw

514-WK2/10-12