

12/1/2023

Notice of Violation and Order to Comply

WINEBARGER ROBERT EDWIN
605 Fox Hunters Lane
BROADWAY, NC 27505

Type of Delivery: ☒ First Class Mail ☐ Email ☒ Personal Delivery ☐ Property Posted

Violation Location: 605 FOX HUNTERS LN

PID #: 130509 0201 02

Case Number: CEZO2312-0001

Zoning District: RA-20R 9.89 acres (100%)

A site inspection performed on 11/30/2023, at the above referenced property, has identified one or more violations of the Harnett County Unified Development Ordinance. You will find the violation information listed below.

Violation: Land Use Violation (junkyard)

Compliance Measures: Article V. Section 1.0. (Use Types & Regulations) Sub-Section 1.2 (Junkyard). Any lot containing more than three (3) unregistered and non-functional vehicles shall constitute a junkyard. Junkyards are prohibited in the above referenced zoning district. The junk vehicles must be reduced to the permitted number allowed and stored in a manner consistent with the regulations of the Harnett County Unified Development Ordinance. Junk vehicle is defined as a motor vehicle that is: A. Partially dismantled or wrecked; or B. Cannot be self-propelled or moved in the manner in which it was originally intended to move; or C. Does not display a current license plate.

Compliance Must Be Met No Later Than: 1/4/2024

Failure to comply with the Harnett County Unified Development Ordinance will force the County to seek remedies through the courts under Chapter 153A, Article 6, Section 153A-123 of the North Carolina General Statutes. A one hundred dollar (\$100.00) civil citation shall be issued to any person(s) failing to take corrective actions by the compliance date specified above. Each day the violation exists after the expiration of the compliance period shall constitute a separate offence and be charged as a separate violation. In addition, the County may seek judicial enforcement such as court ordered injunctions and orders of abatement. Further, in accordance with the Unified Development Ordinance of Harnett County, Article XV Administration Enforcement and Penalties, Section 3.5 Right of Appeal: If any notice of violation or penalty is issued, the applicant has thirty (30) days to appeal the action of the Zoning Administrator to the Board of Adjustment. Beyond the decision of the Board of Adjustment, recourse shall be to the Courts as provided by law. The application for appeal may be obtained online at www.harnett.org or may be picked up at the Harnett County Development Services building located at 420 McKinney Parkway Lillington, NC 27546. For further information, staff may be reached by phone at (910) 893-7525.

Notification Issued By: KYLE HOLDER

4.2 Junk Motor Vehicles (on private property)

Unless otherwise provided, junked motor vehicles in the RA-40, RA-30, RA-20R, and RA-20M Zoning Districts on private property not associated with a business, shall conform to the following requirements effective November 15, 2004.

A. General Requirements

1. The junked motor vehicles shall not be stored or located within 30 feet of any adjoining property line or side street or right-of-way and shall be situated so that no motor vehicle or parts are visible from the adjoining properties. In no case shall junked motor vehicles be located in the front yard of the primary building of the lot.
2. The junked motor vehicles shall not be a health or safety nuisance, nor shall the area constitute a health or safety nuisance according to the Harnett County Department of Public Health.
3. The junked motor vehicles shall be entirely concealed during all seasons of the year from public view from the public right-of-way and from the adjoining properties. The vehicles may be concealed by an automobile cover or tarpaulin, with the cover adequately secured to prevent removal by wind. The automobile cover or tarpaulin shall remain in good repair and not allowed to deteriorate.
4. In no case shall there be more than three (3) junked motor vehicles located outside any enclosed building unless otherwise specified by this Ordinance. In situations where a person owns multiple tracts of land that are located within 500 feet of each other, the owner of such land shall be limited to three (3) junked motor vehicles located outside any enclosed building unless otherwise specified by this Ordinance for all lots located within the distance requirement.

B. Exceptions for Junked Motor Vehicles The repair of no more than one (1) motor vehicle per household for personal use is exempt from the screening, concealment, and setback requirements of this Ordinance. However the vehicle shall be owned by a member of the household and all repairs shall take place within an enclosed building or in the rear yard of the dwelling and shall not constitute a health or safety nuisance and all repairs shall take no longer than 180 days to complete.

