



City of Greensboro
North Carolina

Neighborhood Development Department
Zoning Enforcement Division
Notice of Violation

Location: 1810 Coliseum Boulevard

Issue Date: 4/24/2015

To:
PHONGSAVANH ORIENTAL MARKET
KEODAOHEUANG PHONGSAVANH, T/A
1901 HARDIE STREET
GREENSBORO, NC 27403

This notice is to advise you that, based upon information gathered by the City of Greensboro, initiated by citizen complaints, the property above is in violation of the City of Greensboro Land Development Ordinance.

Based on evidence gathered by the City of Greensboro, this property is in violation of Section 30-8-3 of the Greensboro Land Development Ordinance in the following respect:

The property is Zoned C-L (Commercial Low), which allows a variety of commercial, office and personal and professional service uses as outlined in the attached zoning district summary. However the property is not being used for general retail sales as permitted in the zoning district and indicated on the issued privilege license for this property. Rather this property is being used for uses (illegal gambling, illegal sports betting, possession and sale of Schedule I and IV narcotics, possession of drug paraphernalia and permitted acts of Felony Conspiracy) that are not listed on the Permitted Use Table of the LDO and therefore are prohibited:

30-8-3 Use Categories Generally

30-8-3.1 Approach to Categorizing Uses

- A. The use categories found in the use table in Sec. 30-8-1, Permitted Use Table, are set forth in this section. Specific uses may be further defined in Article 15.
- B. Any use not specifically listed in the use category in this section is prohibited, unless the Planning and Community Development Director determines that the use is similar to a permitted use in that district. Where any similar permitted use is subject to additional use standards or special use permit approval, the proposed use is also subject to those standards or approval.

In order to correct this violation, the following action must be taken:

Cease and desist immediately and close the premises.

Failure to comply with this notice may result in a Civil Citation being issued for each day the violation continues.



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You may appeal this decision of the Zoning Enforcement Officer to the Board of Adjustment within thirty (30) days from the receipt of this notice. Such appeal shall be in writing and accompanied by a filing fee of \$200.00. In the absence of an appeal, the decision of the Zoning Enforcement Officer shall be final

If you need any additional information, please call the Zoning Enforcement Official listed below.

Mike Kirkman
Zoning Administrator
Ph.# 336-373-4649

C-L District

(formerly LB District)

Purpose and Intent:

The C-L, Commercial - Low District is primarily intended to accommodate low intensity shopping and services close to residential areas. The district is established to provide locations for businesses which serve nearby neighborhoods. The district is typically located near the intersection of collectors or thoroughfares in areas which are otherwise developed with residences.

PERMITTED USES

AGRICULTURAL USES

- Forestry and Crops

PUBLIC AND CIVIC USES

CULTURAL AND COMMUNITY

- Libraries, Museums, and Art Galleries
- All neighborhood-scale cultural and community uses except as listed below:
- Auditoriums, Coliseums, and Stadiums

EDUCATIONAL FACILITIES

- Elementary / Secondary Schools, neighborhood-scale
- All educational uses except as listed below:
- Colleges and Universities
 - Truck Driving Schools

GOVERNMENT FACILITIES

- All government uses except as listed below:
- Correctional Institutions

MEDICAL FACILITIES

- Medical, Dental, and Related Services
- All Medical Uses, except as listed below:
- Hospitals
 - Specialty Hospitals

RELIGIOUS ASSEMBLY

- Neighborhood Scale

UTILITIES

- Utility Lines and Related Appurtenances

RECREATION USES

INDOOR RECREATION

- Physical Fitness Centers, Sports Instructional Schools
- All Indoor Recreation, except as listed below:
- Movie and Other Theaters
 - Shooting Ranges

OFFICE, RETAIL, AND COMMERCIAL USES

OFFICE

- All office uses except as listed below:
- Business Incubators
 - Residential Office Conversion
 - Retreat Centers

EATING AND DRINKING ESTABLISHMENTS

All eating and drinking establishments without drive-through facilities except as listed below:

- Special Events Facilities

PERSONAL AND PROFESSIONAL SERVICES

All personal and professional services without drive-through facilities, except as listed below:

- Funeral Homes and Crematoriums
- Taxi Dispatch Terminals
- Taxidermists

RETAIL SALES AND SERVICE

- Artisans and Crafts
 - Garden Center / Nursery, Outdoor
- All retail sales and service without drive through facilities, except as listed below:
- Retail sales and service with drive-through facilities
 - ABC Stores (liquor)
 - Advertising Services, Outdoor
 - Flea Markets, Outdoor
 - Manufactured and Modular Home Sales
 - Truck Stops
 - Pawnshops
 - Sexually Oriented Businesses

INDUSTRIAL AND MANUFACTURING USES

- Medical and Dental Laboratories

ACCESSORY USES AND STRUCTURES

- Recycling Collection Points

TEMPORARY USES AND STRUCTURES

- Arts and Crafts Shows
- Christmas Tree Sales

PERMITTED SUBJECT TO USE STANDARDS

RESIDENTIAL USES

- Upper-Story Residential

PUBLIC AND CIVIC USES

CEMETERIES

- All Cemeteries

CULTURAL AND COMMUNITY

All community-scale cultural and community uses except as listed below:

- Auditoriums, Coliseums, and Stadiums

C-L District
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DAY CARE

- Day Care Centers

EDUCATIONAL FACILITIES

- Elementary / Secondary Schools, community-scale

RELIGIOUS ASSEMBLY

- Community-scale

SOCIAL SERVICE FACILITIES

- Shelters, Temporary and Emergency

UTILITIES

- Minor Utilities
- Wireless Telecommunication Facilities

RECREATION USES

INDOOR RECREATION

- Clubs and Lodges

OUTDOOR RECREATION

All outdoor recreation, except as listed below:

- Amusement and Water Parks, Fairgrounds
- Campgrounds and Recreational Vehicle Parks
- Golf Course, Driving Ranges, Country Clubs
- Marina, Boating Facility
- Riding Stables
- Shooting Ranges, Archery, Skeet
- Sporting and Recreational Camps
- Sports Instructional Schools
- Swim and Tennis Clubs

PARKS AND OPEN AREAS

- All parks and open areas

OFFICE, RETAIL, AND COMMERCIAL USES

OVERNIGHT ACCOMMODATIONS

- Tourist Homes (Bed & Breakfast)

PARKING, COMMERCIAL

- Park and Ride Facilities

EATING AND DRINKING ESTABLISHMENTS

- Bars, Nightclubs, and Brewpubs

PERSONAL AND PROFESSIONAL SERVICES

- Banks, Savings & Loans, and Credit Unions with drive-through facilities
- Dry cleaning pick-up / drop-off with drive through facilities
- Veterinary Services, Pet Grooming, Kennels

RETAIL AND SALES SERVICE

- Convenience stores with fuel pumps

ACCESSORY USES AND STRUCTURES

- Accessory Uses and Structures (Customary)
- Caretaker Dwellings
- Junked Motor Vehicles
- Satellite Dishes / TV and Radio Antennae Towers
- Swimming Pools

TEMPORARY USES AND STRUCTURES

- Land Clearing & Inert Debris Landfills, Minor
- Portable Storage Units
- Temporary Construction Office, Construction Equipment Storage, Real Estate Sales and Rental Offices
- Temporary Wireless Telecommunication Facilities

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Commercial-Low Districts Dimensional Requirements [1]:

Lot Dimensions (minimum)	
Minimum Lot Size (sq. ft.)	N/A
Minimum Lot Depth (ft.)	
Minimum Lot Width (ft.)	80[2]
Setbacks (minimum ft.)	
Minimum Street Setback (ft.)	15
Minimum Side and Rear Setback (ft.)	
Adjacent to RM-5, RM-8, and all R - Districts	15
Adjacent to All Other Districts	
Build-To Line	
Distance from edge of street right-of-way (ft.)	
Percentage of façade that must be located on or in front of the build-to-line	N/A
Build maximum	
Height (ft.) / Number of Stories	
Adjacent to Residential Districts	15/3
Adjacent to All Other Districts	50/3

Footnotes:

- [1] Dimensional requirements in this table may be modified by overlay district requirements.
 [2] All lots must be in compliance with the City's Driveway Manual.

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Signage Requirements:

Freestanding Signage

All	1 per lot frontage	0.5 per linear foot of lot frontage, up to 200 max	50	ROW[2]	15
Development [3] Entrance	1 pair per entrance	50		ROW[2]	6
Information	1 per building	50	N/A	ROW[2]	8
Banners[4]	1 per 500 feet of lot frontage	0-100' Frontage: 12 101-200' Frontage:16 >200' Frontage:20	12	ROW[2]	20

Footnotes:

- [1] "Min. Area" refers to the minimum sign area allowed for any lot, regardless of the area that would be allowed by strict compliance with the area computation formula. Signs may be smaller than the stated "minimum area".
- [2] Signs must be located outside public street right-of-way and outside any sight triangle area. However, development entrance signs may be erected in the public right-of-way provided that such signs have been permitted by an approved encroachment agreement in accordance with Sec. 30-14-7.3(D).
- [3] Permitted only in (A) major subdivisions, (B) developments of over 15,000 square feet of gross floor area, (C) multi-family developments with more than 8 dwelling units in a single building, or (D) developments with more than 40,000 square feet in open-air uses.
- [4] For banners as temporary signs see Sec. 30-14-10.

Attached Signage

Wall Sign	N/A	7.5% of wall area[2][3]	50	Top of Wall
Awning, Canopy, and Marquee Signs	N/A	25% of the canopy, awning, or marquee Face[4]	N/A	Top of Canopy[5]
Suspended Sign	1 per entrance	6	N/A	[5]
Banners[6]	1 per 500 feet street frontage	0-100 ft. = 12 sq. ft. 101-200 ft. = 16 sq. ft. >200 ft. = 20 sq. ft.	12	[5]

Footnotes:

- [1] "Min. Area" refers to the minimum sign area allowed for any lot, regardless of the area that would be allowed by strict compliance with the area computation formula.
- [2] Based on the first 30 feet of height of the wall on which the sign is located. Buildings over 30 feet in height may have additional sign area based on 5% of the wall area above 30 feet in height, provided the sign is located at or near the top of the building.
- [3] In multi-tenant buildings, the area computation must be based on the individual wall area of each separate occupant and not based on the entire façade of the building.
- [4] When an awning, canopy, or marquee is attached to a multi-tenant building or an indoor theater, the area computation for all attached signs affixed to the wall, awning, canopy, or marquee must be based on 10% of the wall area. All or any portion of this sign allocation may be affixed to the wall, awning, canopy, or marquee provided that no part of the sign projects above the top of said structures.
- [5] Minimum 9-foot clearance above pedestrian walkways; minimum 15 feet clearance above vehicular drives.
- [6] For banners as temporary signs see Sec. 30-14-10.