*Council-Manager Memo #96*
*Wednesday, December 29, 2010*

CHARLOTTE.

## WHAT'S INSIDE:

**Page**


Calendar Details ..... 2

**Information:**
Notice of Violation for Tree Removal, 6125 Nations Ford Rd. ..... 2-3

**Attachment:**
November 11 Economic Development Committee Summary ..... 3
November 23 Economic Development Committee Summary ..... 3
December 8 Environment Committee Summary ..... 3


## WEEK IN REVIEW:

| Mon (Jan 3) | Tues (Jan 4) | Wed (Jan 5) | Thurs (Jan 6) | Friday (Jan 7) |
|---|---|---|---|---|
| **11:00a** Agenda Briefing, Room 270/271<br><br>**3:00p** Council Retreat Planning Committee, Room 280<br><br>**5:00p** Council Workshop<br><br>**6:30p** Citizens' Forum | **11:00a** Environment Committee, Room 270/271 | **12:00p** Housing & Neighborhood Development Committee, Room 280 | | |

# CALENDAR DETAILS:

**Monday, January 3, 2011**

11:00 am Agenda Briefing, Room 270/271

3:00 pm Council Retreat Planning Committee, Room 280

5:00 pm Council Workshop, Room 267

6:30 pm Citizens' Forum, Room 267

**Tuesday, January 4, 2011**

11:00 am Environment Committee, Room 270/271
**AGENDA:** FY2012-2013 Focus Area Plan for the Environment

**Wednesday, January 5, 2011**

12:00 pm Housing & Neighborhood Development Committee, Room 280
**AGENDA:** Housing and Locational Policy Follow-up; FY2012 Focus Area Plan

**December and January calendars are attached.**

***(see attached file, left side table of contents)***

# INFORMATION:

**Notice of Violation for Tree Removal, 6125 Nations Ford Rd.**

*Staff Resource: Dave Weekly, E&PM, 704-336-4103, dweekly@charlottenc.gov*
*Tom Johnson, E&PM, 704-336-3622, tjjohnson@charlottenc.gov*

On December 20th, 2010 Council member Turner inquired about a civil penalty that was assessed by the City of Charlotte Urban Forestry Staff to the property owner of 6125 Nations Ford Road.

A tree work permit was issued to Mr. Stephen Lucas (owner) on July 31, 2009 to allow the removal of lower limbs from trees within the building setback. Staff met with Mr. Lucas at his request to discuss the types of pruning work permissible under the permit. Staff explained that the trees in the building setback were protected by the tree ordinance and could not be removed.

Staff inspected the property on August 30th, 2010 and determined that three ordinance-protected trees had been removed from the front building setback area, constituting a violation of the tree ordinance. In total, 46 inches of tree trunk diameter had been removed. The fine was assessed at the standard rate of $150 per inch of diameter removed for a total fine of $6,900. Additionally, the property owner was instructed to replant trees at a rate of two trees for every one tree removed.

The property owner had 30 days to request an appeal before the Charlotte Tree Advisory Committee, but no appeal was made.

The deadline for completion of this work and settlement of the fine as stated in the original notice of violation is December 30, 2010. Mr. Lucas requested a payment plan so the fine could be settled in installments and informed staff that work will begin soon to plant the required trees. Finance staff will be in contact with Mr. Lucas to make payment plan arrangements.

Section 21-124 (b)(1) of the tree ordinance states that the "failure to plant original or replacement trees in accordance with sections 21-62 and 21-93 will result in a fine of $50.00 for each tree not planted" on a per day basis. City staff is working with the owner to plant the required trees and avoid any additional fines if possible.

## ATTACHMENTS:

November 11 Economic Development Committee Summary

***(see attached file, left side table of contents)***

November 23 Economic Development Committee Summary

***(see attached files – 'ED Summary November 23rd 2010 'and 'ULI Beatties Ford Rd..' , left side table of contents)***

December 8 Environment Committee Summary

***(see attached file, left side table of contents)***