

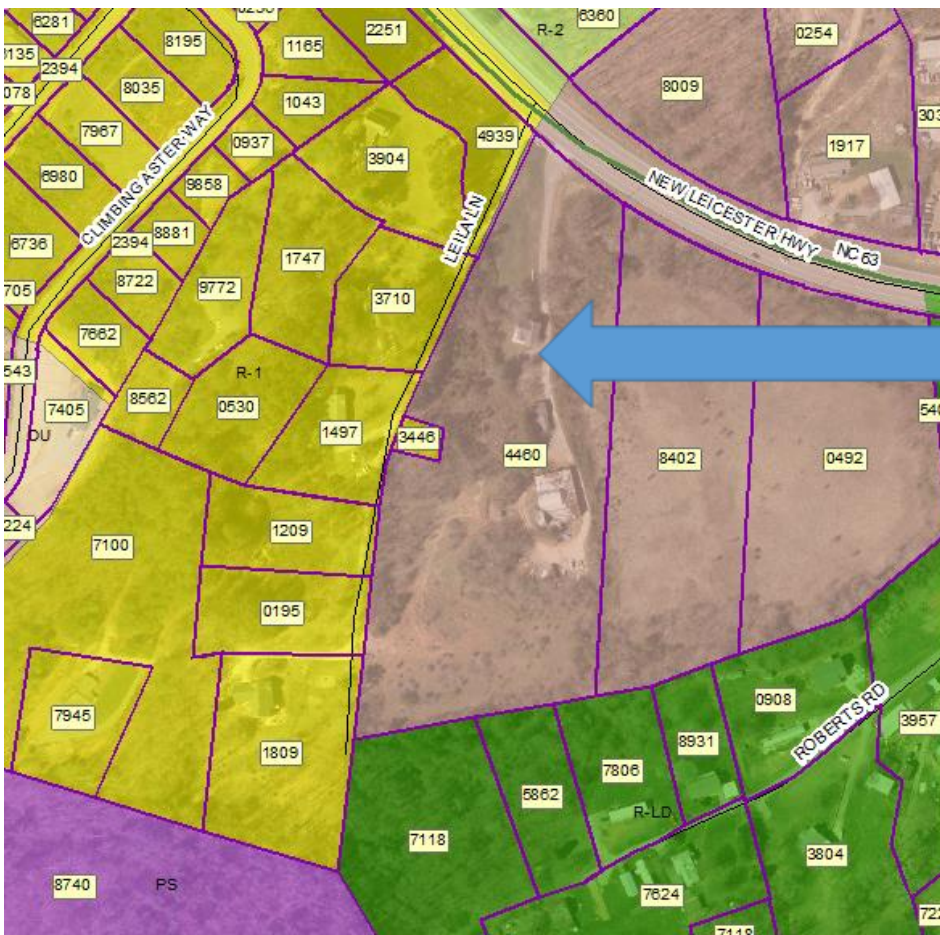
Agbala Complaint
Illegal Junkyard
828 New Leicester Highway

SUMMARY:

The subject property is zoned Neighborhood Service District. Currently, the property is being used as a junkyard in violation of the Zoning Ordinance. The County began receiving complaints in the latter portion of 2017 from residents. Upon inspection by County officials, approximately 250 vehicles were on the property as a junkyard. The initial Notice of Violation (NoV) was issued on August 31, 2017. Julian Agbala (along with Trupoint Bank and Richard Maita) has stated numerous times through his attorney that the vehicles are being moved. Some movement has occurred, but vehicles remain in violation of the Zoning Ordinance. This is an egregious violation and code compliance cases of this magnitude are rare. Compliance is our best tool for mitigation, but sometimes people will only be compelled to comply through the court system. Brandon Freeman is filing a complaint to the Court system to remove the vehicles as well as requesting monetary damages.

From the start of this violation, Mr. Agbala has been slowly working to bring the property into compliance. The initial violation included 250 junk cars and the current car count is approximately 35. Parts of the property are inaccessible due to thick vegetation, etc. We do not have restrictions on fencing or walls and therefore we cannot regulate the aesthetics of the constructed fence. Doing so would require a text amendment to the Zoning Ordinance and would involve a large effort to regulate and may not be in the best interest of the citizens and businesses of Buncombe County to do so. The City of Asheville does not require permits for fencing.

Nathan Pennington and Brandon Freeman met with neighbors following the BOC meeting on August 7th and have scheduled a tentative follow up meeting with the neighbors at 10AM, August 14th.



Subject Property