

Rec'd 2/24/14  
mj

2013-609  
2-24-2014

February 11, 2014

Re: Property at Boyd Drive., Matthews NC 28105

We do not want any rezoning of any kind on Boyd Drive. We would like to ask the Town of Matthews to widen Boyd Drive and to build side walks on both sides of the street with a 10 foot medium in the center. We would like the center to have Pine Trees topped off to 12 feet high and rounded to a 8 foot round on top. We recommend to cut Boyd Drive to Sardis Road North. A sewer line should also be installed.

Residents of Boyd Drive:

<u>Sandra Wise</u>	_____
<u>Gary Wise</u>	_____
<u>Ashlyn Wise</u>	_____
<u>James Bryant</u>	_____
<u>Duloy Bryant</u>	_____
<u>James</u>	_____
_____	_____
_____	_____
<u>Marlene Wise</u>	<u>Sharon Wise</u>

Residence of Boulevard Access  
and Boyd Drive

J. Hope Grier  
9023 Boyd Drive  
Matthews, NC 28105  
Property ID: 193-203-08

Ladies and Gentlemen of the Board:

I have been a residence of this community now for 10+ years. I have seen a lot of changes in this area, a few within this very community.

I want you to get a glimpse of what life is like within this community from my vantage point. Prior to my acquisition of the property I drove through the neighborhood during the day and at night to get a feel. It was quiet, the lawns were maintained, even the one I eventually purchased and no one had lived here for over a year and one neighbor even shared the fruits of his garden.

Diagonally across from my property was a business (Buster's Transmissions). The yard is always immaculate, the vehicles on the premises are always neatly parked, doors & hood closed, with the look that there was nothing wrong with them. Buster's Transmission did not give off the typical business aura.

After I moved in I saw the occasional tow truck drop off a vehicle. It was not until more exploration of my neighborhood that I actually saw the once invisible workers quietly, respectfully and graciously assist their customers.

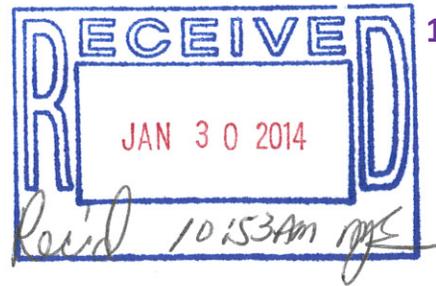
While under the management of Mr. & Mrs. Lawrence Hendricks, Buster's Transmissions operates in cohesion with this community and neighbors. One visit to this locally owned and operated repair shop and immediately you will be enmeshed with their down home charm. The staff also shares those qualities of respect and connectivity to their customers and this community.

The Hendricks gave us their word that nothing will change other than the ownership of the business. I believe and trust when the business is handed over to the new owner, the community's sense of serenity and unity will remain untarnished as a result of the continued operation of Buster's Transmission.

I ask simply that it be allowed to operate as it has in the past with the exception of ownership.

Thank you

J. Hope Grier



January 30, 2014

Protest Petition  
Prepared by Larry Allen Fisher Jr

I am in receipt of a notice dated January 27<sup>th</sup>, 2014 where Lawrence and Lora Hendricks have requested an adjustment to the zoning on their property located at 9024 Boyd Drive in Matthews NC.

My name is Larry Allen Fisher Jr. I own two of the three pieces of property that border 9024 Boyd Drive. The addresses of my properties are as follows:

9033 Scenic Drive, Matthews NC 28105  
9032 Boyd Drive, Matthews NC 28105  
I've colored my lots in yellow on the attached map.

I am strongly opposed to any and all rezoning activity that pertains to Busters Transmission—(other than designating it back to R-9.)

If my facts are correct, the arrangement that was made with the city of Matthews in February of 1989, with Lawrence and Lora Hendricks, provided that a building be constructed to house the automotive operation known as Busters Transmission. It is my understanding that-- it is a violation of our towns zoning to perform automotive operations, at they do.... outside the confines of a building. For 25 years, Busters transmission repair shop has operated, outside, in the open air, in total violation of our towns zoning regulations. A paragraph that is imbedded in the notice states: "We are hoping that our history of maintaining the grounds and keeping a low profiled business in a residential community without any incidents or complaints will help in your decision". This is not true. While the grounds are well maintained, I have complained to the zoning department on two occasions. My complaints surround the business operating outside, in the open air and in violation of the zoning set forth by the town of Matthews. I have complained about the noise caused by the open air operation as well as the number of cars that are parked at the business at peak times. I hope that the town of Matthews will take into consideration, the nuisance that is created by having an automotive repair operation doing business next to and across from single family residences.

The inference that the shop is low keyed is not factual. By their own admission, Busters Transmission is a very popular, high volume transmission repair shop. A business such as this belongs on Independence Boulevard, not in a quiet neighborhood. 25 years of business has afforded Busters Transmission a very solid business reputation and hundreds if not thousands of retail consumers. Future growth should take place in a retail setting, not in my neighborhood.

The idea that this business concern could be sold and operated from this residential location is troubling. The current owners have not respected the zoning regulations set forth for them, so what could happen with a third party involved in this business? It would cause me great personal and financial harm if this was allowed.

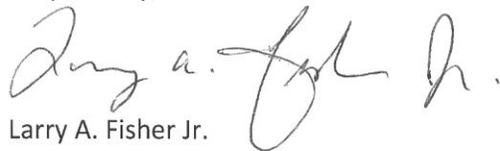
As the primary property owner that borders over half of 9024 Boyd Drive location, I can tell you with certainty that this business does not blend into my residential experience. As a direct neighbor, I am constantly bothered by the noise of air tools and the unsightly view of cars being hoisted 6 feet in the air 45 feet from my rear property line. There are all sorts of activity that occur at this business during all

times of the day and night. I have had customers of Busters Transmission knocking on my door in the middle of the night trying to locate their "*residential low key business location*". Cars are constantly being dropped in the driveway in the late night and early morning hours by a variety of tow truck companies. The beeping sound made by the tow trucks backing up have woken me on too many occasions to count. The signage is not in plain view and for that reason, in the dark; it can be hard to find for first time clientele. On more than a dozen occasions, I have had tow truck drivers or retail customers stopping at my house, knocking on my door, looking for directions to Busters Transmission.

There is a fairly constant flow of tow trucks dropping off disabled vehicles to 9024 Boyd Drive. Our streets are very narrow and the tow truck drivers have, on occasion, blocked my passage to my home as I try to negotiate Boyd Drive. As I describe this, put yourself in my shoes. Does this sound low key or low impact to you? Is it fair for a residential citizen to put up with this interruption of peace and quiet?

Work is performed into the evening hours during the week and on Saturdays and Sundays. The noise from the air tools travels into my house and yard destroying the piece and quite of my residential setting. I am not only opposed to the proposed re-zoning activity; I insist that the town of Matthews enforce the zoning that is being violated under the current conditions of this business. The property values of residential housing near this location are negatively affected and the quality of life that is protected by our town is being violated. I respectfully ask that you decline the request for re-zoning and immediately enforce the zoning in place to protect your citizens against such public nuisance

Respectfully,



Larry A. Fisher Jr.  
704-821-8870 Ext. 8876  
954-849-3383 cell phone

