



NOTICE OF VIOLATION AND CORRECTION ORDER

December 8, 2020

Nikola Brantchev
Peak of the Vine
301 N Salem St # 102
Apex, NC 27502

Wake County P.I.N. # 0742413776

To the above,

You are hereby notified that you are in violation of Town of Apex Unified Development Ordinance 2.3.17.

You violated this section in that on December 5, 2020 you held an event with a live band in the patio and garden area at the above address without an approved Temporary Use Permit. You also violated this section on December 6, 2020 you held an outdoor movie event in the patio and garden area at the above address without an approved Temporary Use Permit.

In order to comply with this ordinance *you must and are hereby ordered to:*

- Before having any promotional events at your business you must submit an application for a Temporary Use Permit, and have that permit approved.
- Complete the work outlined on the Small Town Character Overlay District Exempt Site Plan- Non Residential approved on February 18, 2020 and have any required inspections conducted prior to using the space.

Additionally, a **Civil Penalty** in the amount of five hundred dollars (\$500) has been assessed under provisions of Town of Apex Unified Development Ordinance 11.4.4 (A) for violation of this ordinance. This civil penalty must be paid to the Town of Apex within thirty days of receipt of this notice.



A person receiving a notice of violation and correction order shall pay all accrued civil penalties to the Town within 30 days of receipt of the notice. If the person fails to pay the accrued civil penalties within 30 days of receipt of the notice, then the civil penalties, including all further accruing penalties for a continuing violation, shall be collectible for the Town through a civil action in the nature of debt. Each day that any violation continues shall constitute a separate violation for the purpose of assessing civil penalties.

Any person who is served a Notice of Violation and Correction Order may appeal that determination to the Board of Adjustment within thirty (30) days of the date of receipt of the Notice of Violation and Correction Order. The appeal is not to the ordinance(s) itself, but rather to how it has been applied in your particular case. The appeal must be submitted in writing and include a completed Appeal Application found at <http://www.apexnc.org/DocumentCenter/View/432/Appeal-Application-PDF>

and be submitted with a six hundred dollar (\$600.00) fee; questions about the appeal process may be directed to Senior Planner Sarah Van Every at 919-249-3339 or sarah.vanevery@apexnc.org

Thank you for your cooperation in this matter. Should you have any questions, please contact me at 919 249-3333.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Trevor Johnson".

Trevor Johnson, CZO

Senior Zoning Compliance Officer

Town of Apex Planning and Community Development Department

cc: Drew Havens, Town Manager
Shawn Purvis, Assistant Town Manager
Laurie Hohe, Town Attorney
Brian Meyer, Assistant Town Attorney
Dianne Khin, AICP, Planning Director
Liz Jones, AICP, Senior Planner