

CITY CD

Petition No. 93-17  
Larry D. Campbell

ORDINANCE NO. 3587-Z

AN ORDINANCE AMENDING THE CITY CODE WITH RESPECT TO THE ZONING ORDINANCE.

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of approximately 2.4 acres located on the east side of Statesville Road north of Cindy Lane; and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 6.201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements as specified in Section 6.202 and 6.204, and was recommended for approval by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on April 19, 1993; and

WHEREAS, in the passage of this ordinance the City Council of the City of Charlotte has considered the promotion of the health, safety, general welfare, and public interest of the community, and the requirements in Section 6.204.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-4 to B-2(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

SEE ATTACHED

Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.

Section 3. That this ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

Henry W. Underhill Jr.  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 19<sup>th</sup> day of July, 19 93, the reference having been made in Minute Book 102, and is recorded in full in Ordinance Book 43 at page 156-158.

Brenda R. Freese  
City Clerk

LEGAL DESCRIPTION

BEGINNING at a point, said point being the easterly edge of the Statesville Road right-of-way and the northwesterly corner of the Hubert M. Howard property (045-303-10), Now or formerly, as listed in Deed Book 3997 at Page 113 of the Mecklenburg County Register of Deeds, running thence N 70-17-10 E 561.37 feet, thence N 19-38 W 200.00 feet, thence S 70-17-10 W 541.87 feet, thence along the easterly edge of the Statesville Road right-of-way in a southerly direction to the point of BEGINNING.

APPROVED BY CITY COUNCIL

DATE July 19, 1993

Petition No. 93-21

John & Theodora Davidson

ORDINANCE NO. 3588-Z

**AN ORDINANCE AMENDING THE CITY CODE WITH RESPECT TO THE ZONING ORDINANCE.**

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of approximately .18 acres located on the south side of I-85, east of Tennessee Avenue; and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 6.201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements as specified in Section 6.202 and 6.204, and was recommended for approval by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on May 17, 1993; and

WHEREAS, in the passage of this ordinance the City Council of the City of Charlotte has considered the promotion of the health, safety, general welfare, and public interest of the community, and the requirements in Section 6.204.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-5 to R-17MF on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

SEE ATTACHED

Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.

Section 3. That this ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

Henry W. Underhill Jr.  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 19th day of July, 19 93, the reference having been made in Minute Book 102, and is recorded in full in Ordinance Book 43 at page 159-161.

Brenda R. Fraye  
City Clerk

**Petition #:** 93-21

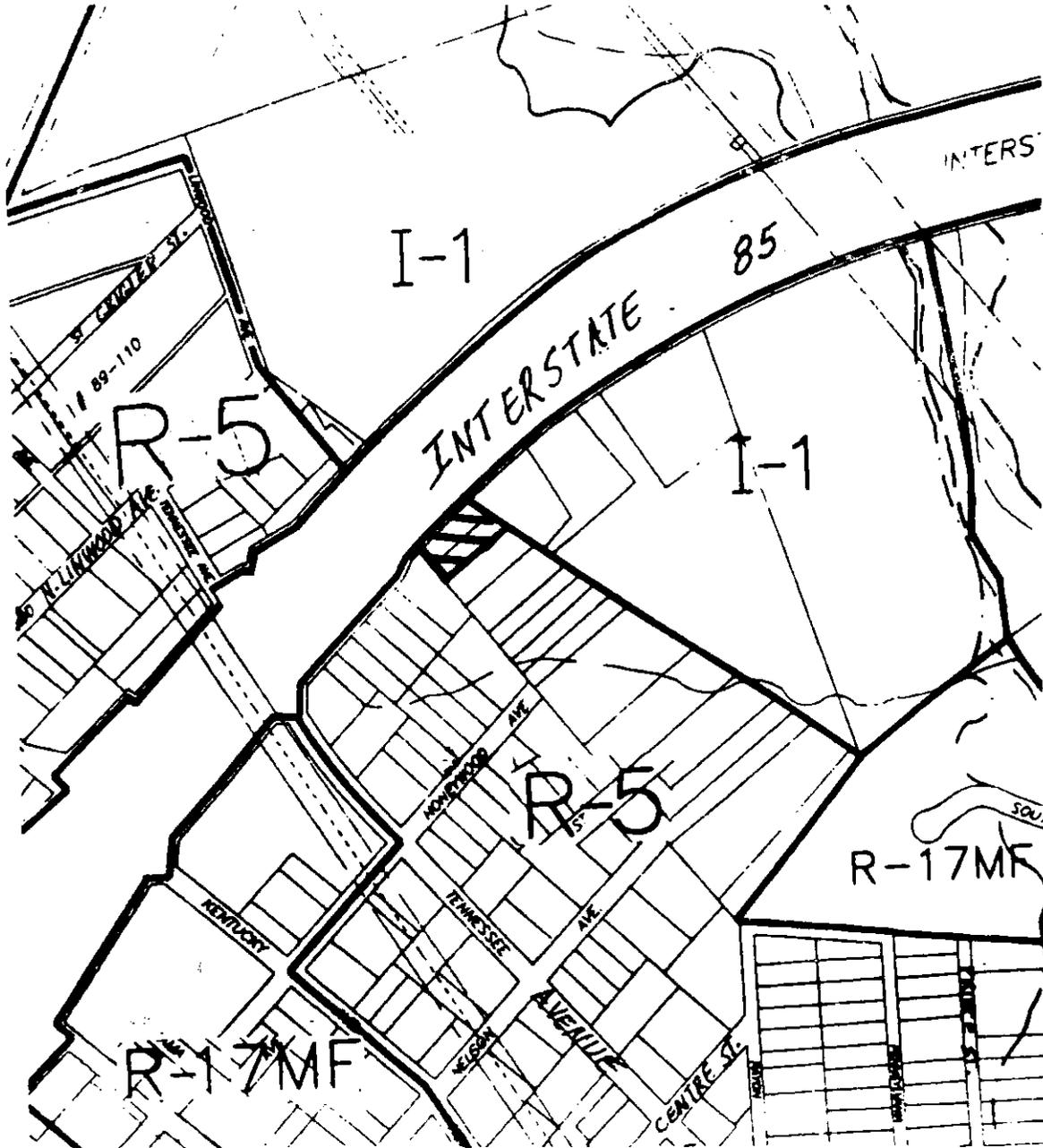
**Petitioner:** John & Theodora Davidson

**Hearing Date:** May 17, 1993

**Zoning Classification (Existing):** R-5

**Zoning Classification (Requested):** R-17MF

**Location:** Located on the south side of I-85, east of Tennessee Avenue.



**Zoning Map #(s):** 80

**Scale:** 1" = 400'

July 19, 1993

Ordinance Book 43, Page 162

ORDINANCE NO. \_\_\_\_\_

3589

APPROVED BY CITY COUNCIL

DATE

*July 19, 1993*

AN ORDINANCE AMENDING THE CITY CODE  
WITH RESPECT TO THE ZONING ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. Appendix A., "Zoning" of the City of Charlotte is hereby amended as follows:

- 1 - Amend Chapter 9, Part 9, Section 9.906, Subsection 2(g) (UMUD - Street Trees) by:
  - (A) Changing the first sentence "In addition to all other requirements of this Subsection, at least one tree of 4 inches caliper for large maturing trees or 3 inch caliper for small maturing trees must be planted for each 25 feet or fraction over 25 feet for small maturing trees and for each 35 feet or fraction of 35 feet for large maturing trees of the entire building lot which abuts any public street right-of-way" to read as follows: "In addition to all other requirements of this subsection, at least one tree of 3 - 3½ inches caliper minimum measured 6 inches above ground must be planted for each 25 feet or fraction..."
  
- 2 - Amend Chapter 9, Part 9, Section 9.906, Subsection 4(g) (UMUD - Trees) by:
  - (A) Deleting two sentences: "Trees planted on unenclosed urban open spaces must have minimum caliper of 4 inches at the time of planting. Trees planted on enclosed urban open spaces must have a minimum caliper of 3 inches at the time of planting." Replace the sentences above with "Trees must have a minimum caliper of 3 - 3½ inches measured 6 inches above ground at time of planting."
  
- 3 - Amend Chapter 11, Part 5, Subsection 1 (Neighborhood Services District - Streetscape Requirements) by:
  - (A) Changing the required tree planting sizes for the following: "Large maturing tree - One tree per 35 linear feet. The minimum caliper shall be 3 inches at the time of planting. Small maturing tree - One tree per 24 linear feet. The minimum caliper shall be 2½ inches at the time of planting." Change each to read "The minimum caliper shall be 2 inches measured 6 inches above ground at the time of planting."

4 - Amend Chapter 12, Part 2, Section 12.212, Subsection 1(c)(i,ii,iii) (Off-street Parking and Loading - Parking Deck Standards) by:

(A) Replacing (c)(i) and (c)(ii) which reads: "(i) Large maturing trees shall be planted at a rate of 1 tree per 30 linear feet of street frontage and shall have a minimum caliper of 3½ inches; (ii) Small maturing trees shall be planted at a rate of 1 tree per 30 linear feet of street frontage and shall have a minimum caliper of 2½ inches." Replace with one sentence as follows: (c)(i) "Trees shall be planted at a rate of 1 tree per 30 linear feet of street frontage and shall have a minimum caliper of 2 inches measured 6 inches above ground at time of planting." Change numbering of (c)(iii) to (c)(ii).

5 - Amend Chapter 12, Part 3, Section 12.302, Subsection (9)(a,b) - (Buffers and Screening - Buffer Requirements) by:

(A) Deleting reference to tree size in Subsection (9)(a) and requiring only one tree size in Subsection (9)(b). Existing wording as follows: (9)(a) Forty percent of the required trees within the buffer shall be large maturing trees and have a minimum caliper of 2½ inches, measured 6 inches above the ground at the time of planting; (b) Small maturing trees shall have a minimum caliper of 1½ inches, measured 6 inches above the ground at the time of planting." Change (9)(a) to: "Forty percent of the required trees within the buffer shall be large maturing trees;" and (9)(b) to: "All trees shall have a minimum caliper of 2 inches measured 6 inches above ground at the time of planting;"

Section 2. That this ordinance shall become effective upon adoption.

Approved as to form:

Henry W. Underhill Jr.  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 19th day of July, 1993, the reference having been made in Minute Book 102, and recorded in full in Ordinance Book 43, at page 162-164.

Brenda R. Frege  
City Clerk

**Attachment #2: ZONING ORDINANCE TREE SIZES OVERVIEW**

Problem(s): The minimum size at planting for trees required by the City and County Zoning Ordinance varies from section to section and is inconsistent with Tree Ordinance size requirements. It is also confusing for the construction industry to have multiple sizes.

Requirement	<u>Current</u>		<u>Recommended</u>
	Small-Maturing Tree	Large-Maturing Tree	Small- or Large-Mat. Tree
Tree Ordinance (Chapter 21)	2"	2"	2"
City / County Zoning Ordinance			
• Buffers (Sec. 12.302)	1½"	2½"	2"
• Parking Decks (Sec. 12.212)	2½"	3½"	2"
• Neighborhood Services Dist. (Sec. 11.507)	2½"	3"	2"
• UMUD (Sec. 9.906)			
Street trees	3"	4"	3 - 3½"
Open Space trees --			
Enclosed	3"	3"	3 - 3½"
Unenclosed	4"	4"	3 - 3½"
County Zoning Ordinance			
• Internal Planting in Parking Lots (Sec. 12.208)	2"	2"	2"

Table 1. Current requirements and recommendations for City and County zoning ordinance tree plantings.

APPROVED BY CITY COUNCIL

DATE July 19, 1993

Petition No. 93-28

George W. Pittman

ORDINANCE NO. 3590-Z

**AN ORDINANCE AMENDING THE CITY CODE WITH RESPECT TO THE ZONING ORDINANCE.**

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of approximately .50 acres located on the northwest corner of the intersection of Queens Road and Luther Street; and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 6.201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements as specified in Section 6.202 and 6.204, and was recommended for approval by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on June 21, 1993; and

WHEREAS, in the passage of this ordinance the City Council of the City of Charlotte has considered the promotion of the health, safety, general welfare, and public interest of the community, and the requirements in Section 6.204.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from 0-6(CD) to 0-2(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

SEE ATTACHED

Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.

Section 3. That this ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

Henry W. Underhill Jr.  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 19th day of July, 19 93, the reference having been made in Minute Book 102, and is recorded in full in Ordinance Book 43 at page 166-168.

Brenda R. Frye  
City Clerk

**METES AND BOUNDS DESCRIPTION  
GEORGE W. PITMAN REZONING REQUEST  
PETITION #93-28:**

*GP  
8/2/93*

BEGINNING at an existing iron pin on the right-of-way of Queens Road and common property corner of parcel owned now or formerly by Myers Park Manor Association, thence proceeding along the said right-of-way of Queens Road with a radius of 619.69 feet and an arc length of 100.00 feet to a point, then proceeding N 58-16-45 W 303.82 feet along the existing right-of-way of Luther Street to an existing iron pin, thence proceeding N 31-34-05 E 50.00 feet to a point, thence proceeding S 67-41-19 E 285.76' along the common property line with the parcel owned now or formerly by the Myers Park Manor Association to the point and place of beginning for parcel being LOT E BLOCK C of Myers Park and as shown on the map thereof recorded in MAP BOOK 230, Page 122, in the Office of the Register of Deeds for Mecklenburg County, North Carolina.

**APPROVED BY CITY COUNCIL**

DATE July 19, 1993

Petition No. 93-30  
Michael D. Herndon

ORDINANCE NO. 3591-Z

**AN ORDINANCE AMENDING THE CITY CODE WITH RESPECT TO THE ZONING ORDINANCE.**

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of approximately .14 acres located on the southwest corner of Charles and Yadkin Avenues; and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 6.201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements as specified in Section 6.202 and 6.204, and was recommended for approval by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on June 21, 1993; and

WHEREAS, in the passage of this ordinance the City Council of the City of Charlotte has considered the promotion of the health, safety, general welfare, and public interest of the community, and the requirements in Section 6.204.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from 0-2 to I-2(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

SEE ATTACHED

Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.

Section 3. That this ordinance shall become effective upon its adoption.

**APPROVED BY CITY COUNCIL**

DATE July 19, 1993

APPROVED AS TO FORM:

Henry W. Underhill Jr.  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 19th day of July, 19 93, the reference having been made in Minute Book 102, and is recorded in full in Ordinance Book 43 at page 169-171.

Brenda R. Frege  
City Clerk

EXHIBIT A

LEGAL DESCRIPTION  
REZONING PETITION NO. 93-30

Lying and being situated in Charlotte, Mecklenburg County, North Carolina and being more particularly described as follows:

BEGINNING at a point formed by the intersection of the southerly margin of the right-of-way of Charles Avenue (45' R/W) with the westerly margin of the right-of-way of Yadkin Avenue (45' R/W) and running thence with the westerly margin of the aforesaid right-of-way of Yadkin Avenue S. 14-13-00 W. 200.00 feet to a point in the northerly margin of the right-of-way of Matheson Avenue; thence with the northerly margin of the aforesaid right-of-way of Matheson Avenue two (2) calls and distances as follows: (1) N. 75-47-00 W. 112.67 feet to a point; and (2) N. 45-56-53 W. 20.10 feet to a point; thence S. 75-47-00 E. 30.11 feet to a point; thence N. 14-13-00 E. 190.00 feet to a point in the southerly margin of the right-of-way of Charles Avenue; thence with the southerly margin of the aforesaid right-of-way of Charles Avenue S. 75-47-00 E. 100.00 feet to a point, the point or place of beginning, all as shown on Rezoning Plan prepared by DPR Associates, Inc. dated October 30, 1992, and last revised on April 2, 1993, reference to which Rezoning Plan is hereby made for a more particular description of the Property.

BP/gb/1137

APPROVED BY CITY COUNCIL  
DATE July 19, 1993

Petition No. 93-31  
Nations Bank of North Carolina

ORDINANCE NO. 3592-7

**AN ORDINANCE AMENDING THE CITY CODE WITH RESPECT TO THE ZONING ORDINANCE.**

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of approximately .86 acres located on the southwest corner of University City Boulevard (N.C. Hwy. 49) and Mallard Creek Church Road; and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 6.201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements as specified in Section 6.202 and 6.204, and was recommended for approval by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on June 21, 1993; and

WHEREAS, in the passage of this ordinance the City Council of the City of Charlotte has considered the promotion of the health, safety, general welfare, and public interest of the community, and the requirements in Section 6.204.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from O-15(CD) to B-1(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

BEGINNING at a point, said point being the southerly edge of the N.C. Hwy. 49 right-of-way and the northeasterly corner of tax parcel 049-295-18 owned by Ned M. and Dorothy Fowler as listed in Deed Book 1959 at Page 91, running thence N.49-00-00E. 190.71 feet, thence S.30-35-00E. 60.00 feet, thence S.40-35-00E. 140.12 feet, thence S.45-11-30W. 179.05 feet, thence N.41-00-07W. 211.99 feet to the point of BEGINNING.

Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.

Section 3. That this ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

Henry W. Underhill Jr.  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 19th day of July, 19 93, the reference having been made in Minute Book 102, and is recorded in full in Ordinance Book 43 at page 172-173.

Brenda R. Frege  
City Clerk

CITY CD

Petition No. 93-21  
John & Theodora Davidson

ORDINANCE NO. 3593-Z

**APPROVED BY CITY COUNCIL**

DATE July 19, 1993

**AN ORDINANCE AMENDING THE CITY CODE WITH RESPECT TO THE ZONING ORDINANCE.**

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of approximately .18 acres located on the south side of I-85, east of Tennessee Avenue; and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 6.201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements as specified in Section 6.202 and 6.204, and was recommended for approval by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on May 17, 1993; and

WHEREAS, in the passage of this ordinance the City Council of the City of Charlotte has considered the promotion of the health, safety, general welfare, and public interest of the community, and the requirements in Section 6.204.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-5 to R-17MF(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

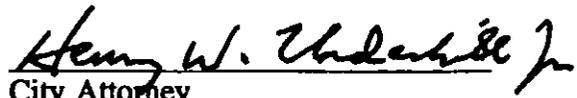
See Attached

Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.

-continued-

**Section 3.** That this ordinance shall become effective upon its adoption.

**APPROVED AS TO FORM:**

  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 19th day of July, 1993, the reference having been made in Minute Book 103, and is recorded in full in Ordinance Book 43 at page 175-177.

Brenda R. Freeze  
City Clerk

**Petition #:** 93-21

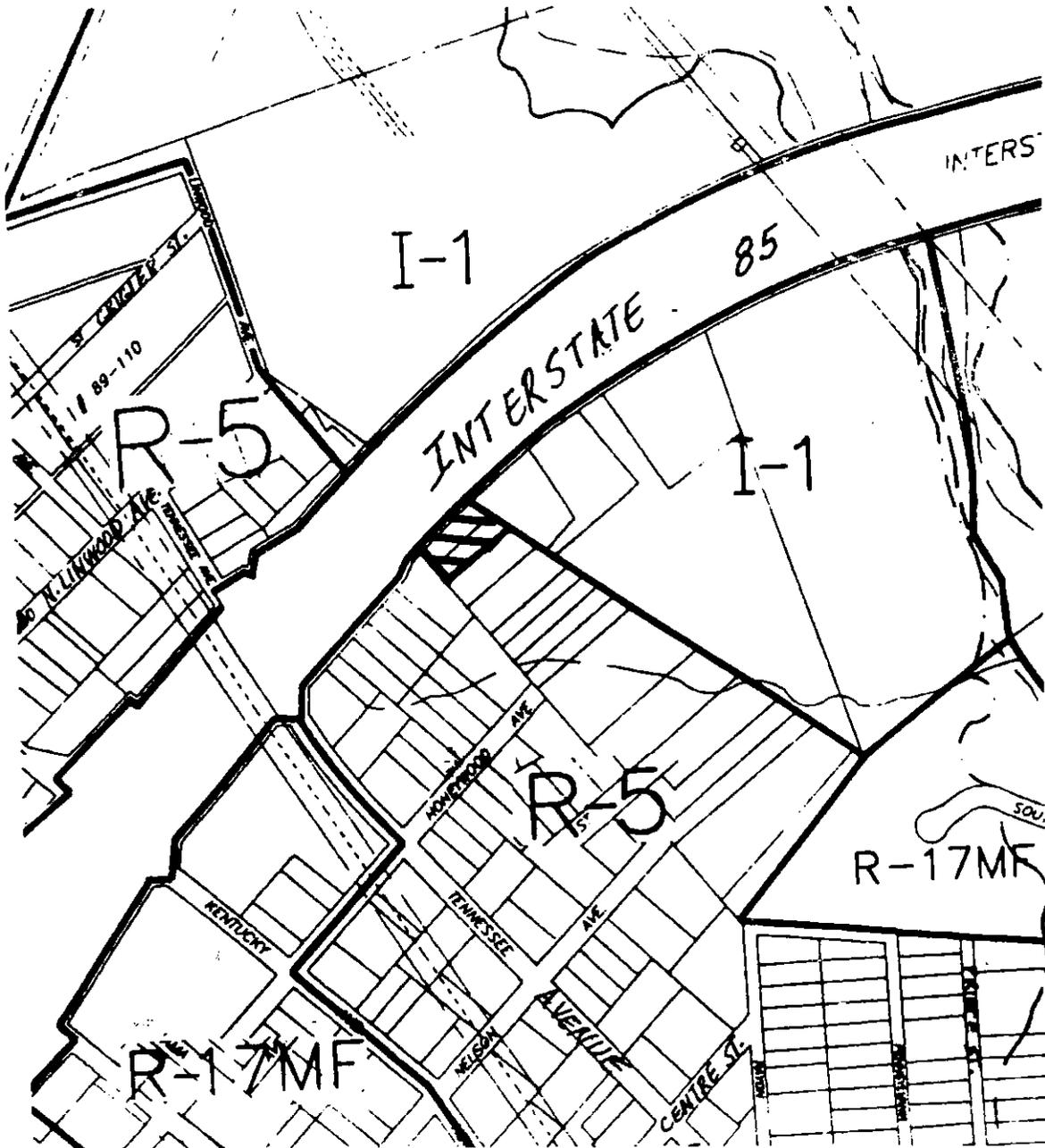
**Petitioner:** John & Theodora Davidson

**Hearing Date:** May 17, 1993

**Zoning Classification (Existing):** R-5

**Zoning Classification (Requested):** R-17MF (CD)

**Location:** Located on the south side of I-85, east of Tennessee Avenue.



Zoning Map #(s): 80

Scale: 1" = 400'

APPROVED BY CITY COUNCIL

DATE July 19, 1993

Petition No. 93-33  
Public Library of Charlotte and  
Mecklenburg County

ORDINANCE NO 3594-Z

ZONING REGULATIONS

MAP AMENDMENT NO. \_\_\_\_\_

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by change from I-1 to B-1 on the Official Zoning Map, City of Charlotte, N.C. the following described property:

SEE ATTACHED MAP

Section 2. That this ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

Henry W. Underhill Jr.  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 19th day of July, 19 93, the reference having been made in Minute Book 102 at page xxxxxxx and is recorded in full in Ordinance Book 43, Page(s) 178-179.

Brenda R. Fruge  
City Clerk

Petition #: 93-33 July 19, 1993  
Ordinance Book 43, Page 179

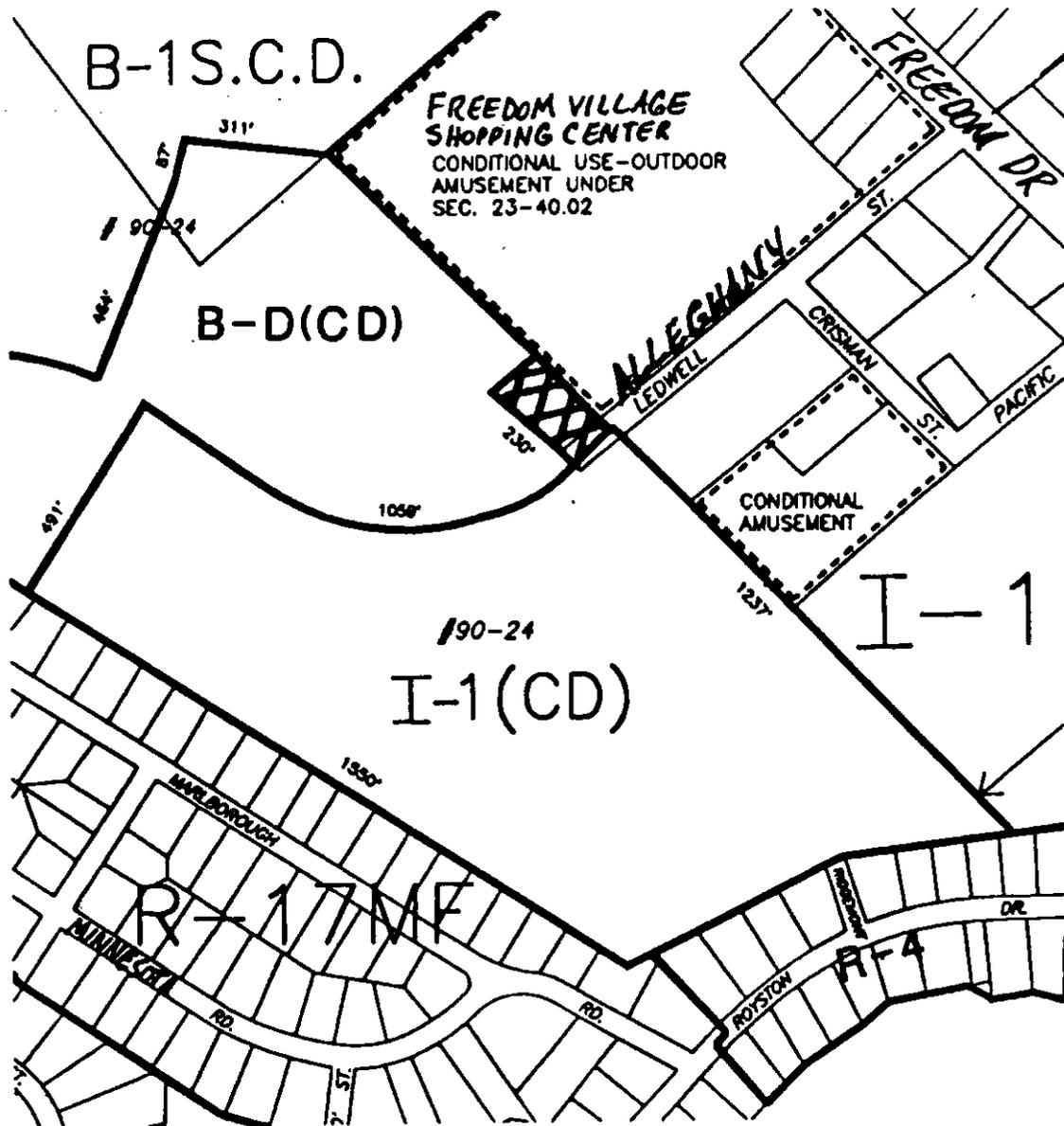
Petitioner: Public Library of Charlotte and  
Mecklenburg County

Hearing Date: June 21, 1993

Zoning Classification (Existing): I-1

Zoning Classification (Requested): B-1

Location: Approximately 0.57 acres located at the end of Alleghany Street (Formerly  
Ledwell Street) adjacent to Freedom Village Shopping Center. (Public Library  
- West Branch).



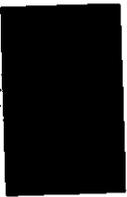
Zoning Map #(s): 87

Scale: 1" = 400'

APPROVED BY CITY COUNCIL

DATE July 19, 1993

Site Plan  
NOT RECORDED  
AS AN  
ORDINANCE  
7/19/93



Petition No. 93-35  
The Foundation of the University of  
North Carolina at Charlotte, Inc. and  
The Crosland Group, Inc.

ORDINANCE NO. 3596-Z

**AN ORDINANCE AMENDING THE CITY CODE WITH RESPECT TO THE ZONING ORDINANCE.**

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of approximately 17.55 acres located on the northeast corner of the interchange of University City Boulevard (N.C. Hwy. 49) and W. T. Harris Boulevard; and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 6.201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements as specified in Section 6.202 and 6.204, and was recommended for approval by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on June 21, 1993; and

WHEREAS, in the passage of this ordinance the City Council of the City of Charlotte has considered the promotion of the health, safety, general welfare, and public interest of the community, and the requirements in Section 6.204.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from CC to O-1(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

SEE ATTACHED

Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.

Section 3. That this ordinance shall become effective upon its adoption.

**APPROVED AS TO FORM:**

Henry W. Underhill, Jr.  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 19th day of July, 19 93, the reference having been made in Minute Book 102, and is recorded in full in Ordinance Book 43 at page 184-186.

Brenda R. Inge  
City Clerk

PARCEL II  
LEGAL DESCRIPTION

That certain tract or parcel of land situated in the City of Charlotte, Mecklenburg County, North Carolina and being more particularly described as follows: Commencing at a concrete monument marking the intersection of the Western right-of-way of the ramp from South bound W.T. Harris Blvd. and the Northern right-of-way of University Blvd. (NC Hwy. 49), said monument having North Carolina grid coordinates of North = 566,976.13 feet and East = 1,479,236.25 feet and being located South 80°27'13" West, 661.50 feet (ground distance) from North Carolina Geodetic monument "HARDEES"; thence, along said Northern right-of-way of NC Hwy. 49 the following twelve (12) courses: 1) South 37°34'52" West, 80.41 feet to a found concrete monument; 2) South 87°57'36" West, 175.61 feet to a found concrete monument; 3) South 25°20'25" West, 59.98 feet to a found concrete monument; 4) South 21°39'38" West, 64.31 feet to a found concrete monument; 5) South 65°56'03" West, 76.99 feet to a found concrete monument; 6) South 63°58'18" West, 426.58 feet to a found concrete monument; 7) South 64°36'33" West, 213.68 feet to a found concrete monument; 8) South 84°38'00" West, 69.89 feet to a found concrete monument; 9) South 47°36'49" West, 64.48 feet to a found concrete monument; 10) South 17°02'37" West, 66.89 feet to a found concrete monument; 11) South 67°15'22" West, 192.94 feet to a found concrete monument; 12) South 67°28'59" West, 831.47 feet to a found 3/4" iron pipe, the southeast corner of the land conveyed to GAF as recorded in Deed Book 4559, Page 869 in the Mecklenburg County Registry; thence, along the eastern line of GAF, North 11°17'39" East, 276.93 feet to a found 1 1/4" iron pipe, the northeast corner of said GAF; thence, along the north line of GAF, North 72°50'57" West, 118.07 feet to a point ~~marked~~ The Point and Place of Beginning; thence, continuing along the north line of GAF, North 72°50'57" West, 45.00 feet to a found 1 1/4" iron pipe, the northeast corner of UNCC Properties, Inc. as recorded in Deed Book 5593, Page 243 in the Mecklenburg County Registry; thence, along the northern line of UNCC Properties, Inc., North 73°08'20" West, passing a #4 rebar at 547.07 feet, the southeast corner of that certain parcel conveyed to Mecklenburg County in Deed Book 6071, Page 951 in the Mecklenburg County Registry; and continuing along the northern line of the Mecklenburg County parcel, 87.15 feet, a total distance of 634.22 feet to a found 3/4" iron rod, the southern corner of Duke Power Company as recorded in Deed Book 2475, Page 351; thence, along said Duke Power Company the following three (3) courses: 1) North 16°57'18" East, 283.56 feet to a found concrete monument; 2) North 45°12'48" West, 162.23 feet to a found 1" iron rod; 3) South 52°55'36" West, 259.09 feet to a found rebar in concrete on the eastern right-of-way of North Tryon Street (US Hwy. 29); thence, along the eastern right-of-way of North Tryon Street, North 14°32'34" East, 403.37 feet to a found 2" iron pipe, the northwest corner of Griffin Buick Pontiac GMC Truck, Inc. as recorded in Deed Book 6638, Page 421 in the Mecklenburg County Registry; thence, along said Griffin's southwest line, two (2) courses: 1) South 55°53'55" East, 299.90 feet to a set #5 rebar; 2) North 15°03'43" East, passing a found 2" iron pipe at 99.38 feet, a total distance of ~~200.00 feet~~ to a set #5 rebar in the southwest line of John W. and wife Julie M. Washington as recorded in Deed Book 2565, Page 287 in the Mecklenburg County Registry; thence, along said Washington's line, South 56°08'52" East, 159.02 feet to a set #5 rebar marking Washington's Southernmost corner; thence, continuing along said lands of Washington and others, North 14°46'55" East passing a found 1" iron pipe at 105.55 feet, marking the south corner of Griffin Buick Pontiac GMC Truck, Inc. as recorded in Deed Book 6638, Page 421; continuing along Griffin's line 306.32 feet to a found 1" iron pipe, marking the south corner of Henil, Inc. as recorded in Deed Book 6206, Page 734, continuing along Henil's line 114.78 feet to a found 1" iron pipe marking the south corner of South Central Oil Company, Inc. as recorded in Deed Book 3234, Pages 359 and 365; continuing along South Central Oil Company's line 105.92 feet for a total distance of 632.57 feet to a set #5 rebar, in the south line of Lot 26 of the HamptonPark Subdivision as recorded in Map Book 6, Page 773 in said Registry; thence, along the South line of HamptonPark Subdivision Lots 26-33 South 52°19'51" East, 415.07 feet to a found 1" iron pipe marking the Southernmost corner of Jackie Louise Blair and Cynthia Blair as recorded in Deed Book 3389, Page 565; thence, along said Blair line, North 51°08'20" East, 213.46 feet to a set #5 rebar in the South line of Hampton Church Road (SR #2838); thence, along said south line, South 51°54'45" East, 239.45 feet to a set #5 rebar marking the northwest corner of William H. & Fannie S. Houze as recorded in Deed Book 2041, Page 307; thence, along the lines of Houze, two (2) courses: 1) South 26°56'25" West, 185.70 feet to a set #5 rebar, the southwest corner of Houze; thence, along the Southern line of Houze, 2) South 56°26'43" East, 100.00 feet to a found 2" iron pipe, marking the southeast corner of Houze;

LEGAL DESCRIPTION  
PAGE 2

thence, five (5) new lines: 1) South 26°56'25" West, 108.21 feet to a point; 2) South 81°12'41" West, 520.75 feet to a point; 3) South 10°04'54" East, 170.00 feet to a point; 4) South 48°43'05" West, 75.68 feet to a point; 5) South 11°58'17" East, 494.15 feet to the Point and Place of Beginning, containing 17.549 acres of land.

APPROVED BY CITY COUNCIL

DATE July 19, 1993

Petition No. 93-36

Petitioner: Charlotte-Mecklenburg Board of Education

ORDINANCE NO. 3597

AN ORDINANCE AMENDING APPENDIX A  
OF THE CITY CODE - ZONING

AN ORDINANCE AMENDING THE CITY CODE  
WITH RESPECT TO THE ZONING ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. Appendix A, "Zoning" of the Code of the City of  
Charlotte is hereby amended as follows:

1. Amend Chapter 9 by:

(A) Adding the following to Part 2: SINGLE FAMILY, Section  
9.203. Uses permitted under prescribed conditions.  
(7) Elementary and secondary schools:

(d) Subsection 7(b) and 7(c) of this Section shall not  
apply to the addition of mobile classrooms to any  
school that is nonconforming with respect to these  
provisions which was constructed, or where a  
building permit for the school was issued, prior  
to January 1, 1992. However, for such a  
nonconforming school the number of additional  
mobile classrooms may not exceed more than fifty  
percent of the school's total existing classrooms.

(B) Adding the following to Part 3: MULTI-FAMILY  
DISTRICTS, Section 9.303. Uses permitted under  
prescribed conditions. (10) Elementary and secondary  
schools:

(d) Subsections 10(b) and 10(c) of this Section shall  
not apply to the addition of mobile classrooms to  
any school that is nonconforming with respect to  
these provisions which was constructed, or where a  
building permit for the school was issued, prior  
to January 1, 1992. However, for such a  
nonconforming school the number of additional  
mobile classrooms may not exceed more than fifty  
percent of the school's total existing classrooms.

(e) The requirements of Section 12, Part 3: Buffers and Screening will not apply to the placement of mobile classrooms at any school for a period of one year from the date of the issuance of a certificate of occupancy for the mobile classrooms. However, after one year all applicable Buffer and Screening requirements must be fully complied with in all areas occupied by mobile classrooms installed on or after January 1, 1992 unless the subject mobile classrooms have been removed. A Letter of Compliance as required by Section 12.306 must be provided at the time of the issuance of the Certificate of Occupancy for the mobile classroom acknowledging this provision. Mobile classrooms may not be placed within any area which would be used to meet the buffer requirement.

2. Amend Section 12.301 by deleting the last sentence and by substituting in its place the following revised sentence:

These provisions will not apply to developments in the UMUD, UI, UR, RE-1, RE-2 and NS districts or to certain development on school sites as provided for in Section 9.203(7)(e) and 9.303(10)(e).

Section 2. That this ordinance shall become effective upon its adoption.

Approved as to form:

Henry W. Chisholm Jr.  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 19th day of July, 1993, the reference having been made in Minute Book 102, and recorded in full in Ordinance Book 43, at page 187-188.

Brenda R. Freeze  
Brenda Freeze, City Clerk

Petition No. 93-37  
Habitat for Humanity of Charlotte, Inc.

ORDINANCE NO. 3598-Z

ZONING REGULATIONS

MAP AMENDMENT NO. \_\_\_\_\_

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by change from I-2 to R-5 on the Official Zoning Map, City of Charlotte, N.C. the following described property:

SEE ATTACHED

Section 2. That this ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

Henry W. Underhill Jr.  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 19th day of July, 19 93, the reference having been made in Minute Book 102 ~~at page xxxxxxxx~~ and recorded in full in Ordinance Book 43, Page(s) 189-190.

Brenda R. Frege  
City Clerk

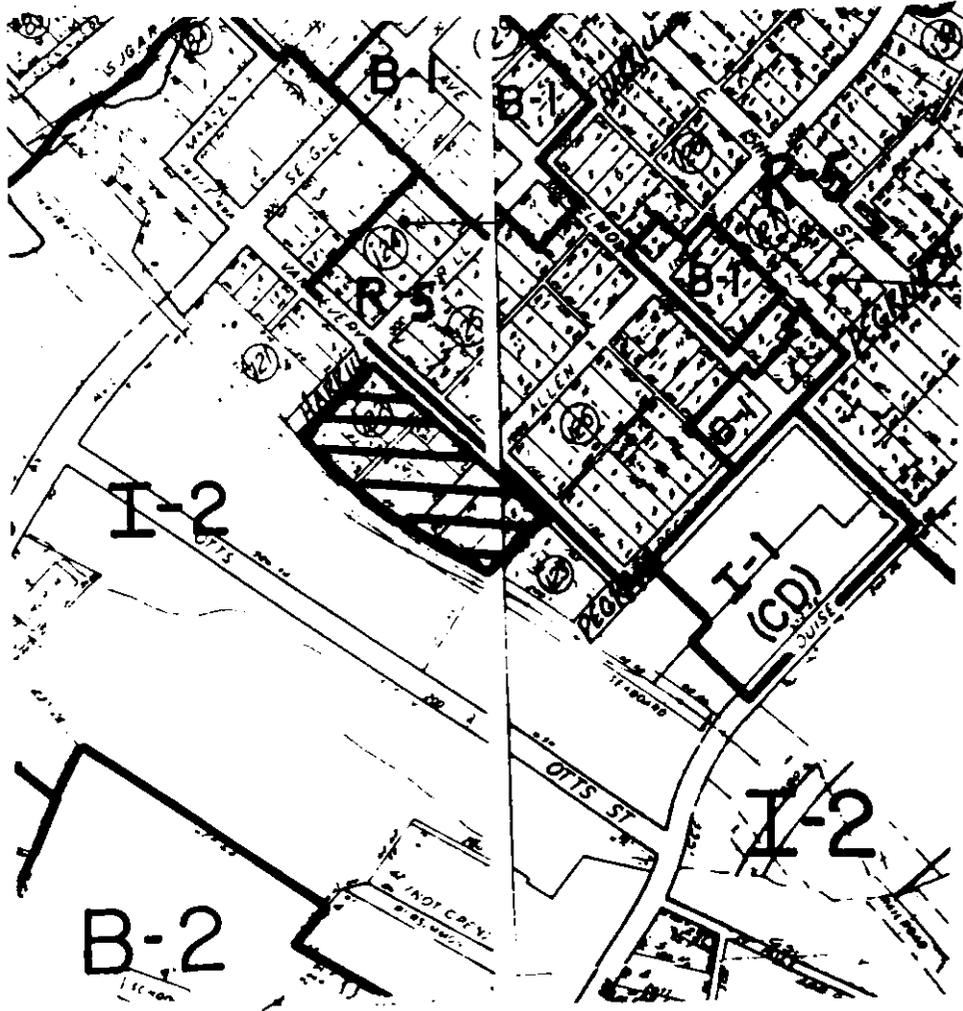
Petitioner: Habitat for Humanity  
of Charlotte, Inc.

Hearing Date: July 19, 1993

Zoning Classification (Existing): I-2

Zoning Classification (Requested): R-5

Location: Several parcels located along the southwesterly side of Van Every Street,  
generally extending from Harrill Street to Pegram Street.



Zoning Map #(s): 101, 102

Scale: 1" = 400'