

Ordinance No. 39

An Ordinance Amending Chapter 23  
(Zoning) of the City Code

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

Section 1. That Chapter 23, Article I, Section 23-7. of the City Code of the City of Charlotte be amended by inserting in the first paragraph between "Residence 2 Districts" and "Office-Institution Districts" the words "Residence 3 Districts" and further amend said Section by inserting in the second paragraph thereof the symbol "R-3" after the symbol "R-2" and the words "Residence 3" after the words "Residence 2".

Section 2. Further amend Chapter 23, Article I, by inserting between Section 23-10. and Section 23-11 a new Section as follows:

Section 23-10.5. Residence 3 Districts. In the Residence 3 Districts the following shall apply:

(A) USES PERMITTED:

- (1) All uses permitted by Section 23-9. in R-1 Districts, the provisions of said Section 23-9. relating to accessory uses and structures, garage apartments, temporary living quarters and customary home occupations in the residence to be applicable in R-3 Districts.
- (2) Two-family dwellings and multiple dwellings if provision is made on the lot on which any such dwelling is located for parking at least one car for each housekeeping unit.
- (3) Hospitals, sanatoriums, nursing homes, but no hospital, sanatorium or nursing home in an R-3 District shall be used primarily for the treatment of contagious diseases or the care and treatment of drug addicts or alcoholics.

(B) BUILDING AND AREA REGULATIONS:

- (1) Height: The maximum heights of dwellings and all other buildings shall be forty (40) feet or three (3) stories. Dwellings and all other buildings may be erected to a height in excess of forty (40) feet provided that minimum side yards shall be increased by one (1) foot on each side for each two feet of building height in excess of forty (40) feet.
- (2) Area: There shall be a minimum of six thousand (6,000) square feet of lot area for single-family dwelling units or for the first unit of a duplex or multi-family dwelling and one thousand (1,000) square feet of lot area for each additional dwelling unit.
- (3) Front Yard: A front yard shall be required for every main building. The minimum depth of any front yard shall be twenty (20) feet.
- (4) Rear Yard: A rear yard shall be required for every main building. The minimum depth of any rear yard shall be forty (40) feet.
- (5) Side Yard: There shall be a side yard on each side of every main building. The minimum width of one side yard shall be eight (8) feet and the minimum width of the other side yard shall be six (6) feet.
- (6) Lot Width: There shall be a minimum lot width of fifty (50) feet for single-family dwelling units and a minimum lot width of fifty-five (55) feet for duplex and multi-family dwelling units.
- (7) The minimum unobstructed open space, or area not covered by buildings or structures, shall be forty-five (45) per cent of the total lot area.

August 14, 1961  
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Section 3. That this ordinance shall become effective upon its adoption after a public hearing in connection therewith.

Approved as to form:

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City Attorney

Read, approved, and adopted by the City Council of the City of Charlotte, North Carolina, on the 14th day of August, 1961, the reference having been made in Minute Book 40, at Page 464, and recorded in full in Ordinance Book 13, at Page 101.

Lillian R. Hoffman  
City Clerk



Ordinance No. 40

An Ordinance Amending Chapter 23  
(Zoning) of the City Code

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

Section 1. That Chapter 23, Article II, Section 23-42 of the City Code of the City of Charlotte be amended by inserting in the first paragraph between "Residence 2 districts" and "Office-institution districts" the words "Residence 3 districts" and further amend said Section by inserting in the second paragraph thereof the symbol "R-3" after the symbol "R-2" and the words "Residence 3" after the words "Residence 2".

Section 2. Further amend Chapter 23, Article II by inserting between Section 23-46. and Section 23-46.1 a new Section as follows:

Section 23-46.05. Residence 3 districts. In the Residence 3 districts the following shall apply:

(A) USES PERMITTED:

- (1) All uses permitted by Section 23-4.5 in R 1 Districts, the provisions of said Section 23-4.5. relating to accessory uses and structures, garage apartments, temporary living quarters and customary home occupations in the residence to be applicable in R-3 Districts.
- (2) Two-family dwellings and multiple dwellings if provision is made on the lot on which any such dwelling is located for parking at least one car for each housekeeping unit.
- (3) Hospitals, sanatoriums, nursing homes, but no hospital, sanatorium or nursing home in an R-3 District shall be used primarily for the treatment of contagious diseases or the care and treatment of drug addicts or alcoholics.

(B) BUILDING AND AREA REGULATIONS:

- (1) Height: The maximum heights of dwellings and all other buildings shall be forty (40) feet or three (3) stories. Dwelling and all other buildings may be erected to a height in excess of forty (40) feet provided that minimum side yards shall be increased by one (1) foot on each side for each two feet of building height in excess of forty (40) feet.
- (2) Area: There shall be a minimum of six thousand (6,000) square feet of lot area for single-family dwelling units or for the first unit of a duplex or multi-family dwelling and one thousand (1,000) square feet of lot area for each additional dwelling unit.
- (3) Front Yard: A front yard shall be required for every main building. The minimum depth of any front yard shall be twenty (20) feet.
- (4) Rear Yard: A rear yard shall be required for every main building. The minimum depth of any rear yard shall be forty (40) feet.
- (5) Side Yard: There shall be a side yard on each side of every main building. The minimum width of one side yard shall be eight (8) feet and the minimum width of the other side yard shall be six (6) feet.
- (6) Lot Width: There shall be a minimum lot width of fifty (50) feet for single-family dwelling units and a minimum lot width of fifty-five (55) feet for duplex and multi-family dwelling units.
- (7) The minimum unobstructed open space, or area not covered by buildings or structures, shall be forty-five (45) per cent of the total lot area.

Section 3. That this ordinance shall become effective upon its adoption after a public hearing in connection therewith.

Approved as to form:

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City Attorney

Read, approved, and adopted by the City Council of the City of Charlotte, North Carolina, on the 14th day of August, 1961, the reference having been made in Minute Book 40, at Page 464, and recorded in full in Ordinance Book 13, at Page 103.

Lillian R. Hoffman  
City Clerk