

ORDINANCE NO. 708

AN ORDINANCE AMENDING CHAPTER 21
OF THE CITY CODE - ZONING ORDINANCEAn 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. That, Chapter 21, Article I, Section 2 of the City Code of the City of Charlotte (O.B.10) be amended by having Building Zone Map of the City of Charlotte, amended by changing from Residence 2 to Business 1, the following described property:

TRACT I.

Beginning at a point in the easterly margin of Kings Drive, said point being located 237 feet south of the southwesterly margin of East Fourth Street and being further described as the corner of an existing Business 1 Zoning District and running thence in an easterly direction with the boundary of said District 136.8 feet to the northeast corner of a lot belonging to Marguerite F. Thomas; thence in a southwesterly direction with the rear of said Thomas lot and three other lots fronting on Kings Drive 228 feet, more or less, to the southeast corner of property belonging to Millard C. Simpson; thence in a southwesterly direction with said Simpson property line 30 feet to a point in the rear line of Lot 5 as shown on a map of Charlotte Builders Supply Company Property recorded in Map Book 230, Page 215, in the Office of the Register of Deeds for Mecklenburg County, North Carolina; thence in a southwesterly direction with the rear of Lots 5-16 as shown on said map 613.46 feet, more or less, to the northeast corner of property belonging to J.M. Dwelle and being also the corner of an existing Business 2 Zoning District, thence with said Zoning District N. 51-45 W. 107.45 feet to the easterly margin of Kings Drive; thence in a northeasterly direction with said margin 809.3 feet, more or less to the BEGINNING, being all property fronting on Kings Drive between East Fourth Street and Independence Boulevard not presently zoned for business purposes.

TRACT II.

BEGINNING at the intersection of the southerly margin of Independence Boulevard with the easterly margin of Kings Drive and running thence in an easterly direction with said margin of Independence Boulevard 103 feet, more or less, to a point in a line which is parallel to and 100 feet east of the easterly margin of Kings Drive; thence in a southeasterly direction with said parallel line 522 feet, more or less, to a point in the southerly margin of Luther Street; thence with said margin in an easterly direction 29 feet, more or less, to a point which is 129 feet east of the easterly margin of Kings Drive; thence in a southerly direction 80 feet, more or less, to the northeast corner of a lot belonging to Lilly White Estate, said corner being in a line which is parallel to and 100 feet east of the easterly margin of Kings Drive; thence in a southerly direction with said parallel line 340 feet, more or less, to a point in the northerly margin of Baxter Street; thence in a westerly direction with said margin 100 feet to the easterly margin of Kings Drive; thence in a northerly direction with said margin of Kings Drive 1,320 feet, more or less, to the BEGINNING and being all property fronting on the east side of Kings Drive between Independence Boulevard and Baxter Street.

Section 2. That, this ordinance shall become effective upon its adoption after a public hearing in connection therewith.

APPROVED AS TO FORM:

City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, on the 23rd day of January, 1961, the reference having been made in Minute Book 40, at Page 209 and recorded in full in Ordinance Book 13, at Page 28.

Lillian R. Hoffman
City Clerk

ORDINANCE NO. 713

AN ORDINANCE AMENDING CHAPTER 21 OF THE CITY
CODE - ZONING ORDINANCE.

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. That Chapter 21, Article I, Section 2 of the City Code of the City of Charlotte (O.B. 10) be amended by having Building Zone Map of the City of Charlotte amended by changing from Residence 2 to Office-Institution the following described property:

BEGINNING at a point in the northerly margin of Brunswick Avenue, said point being located in the easterly boundary line of an existing Business 1 Zoning District, and being further described as being approximately 200 feet east of the easterly margin of Kings Drive and running thence in a northerly direction with said boundary line 545 feet, more or less, to a point in the southwesterly margin of East Morehead Street; thence with said margin in a southeasterly direction 751 feet, more or less, to the northwesterly margin of Edgehill Road; thence in a southwesterly direction with said margin of Edgehill Road and continuing with the northerly margin of Brunswick Avenue, a total distance of 673 feet, more or less, to the BEGINNING, and being that portion of the block bounded by East Morehead Street, Edgehill Road, Brunswick Avenue, and Kings Drive not presently zoned for Business 1 purposes.

Section 2. That this ordinance shall become effective upon its adoption after a public hearing in connection therewith.

APPROVED AS TO FORM:

City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, on the 23rd day of January, 1961, the reference having been made in Minute Book 40, at Page 210 , and recorded in full in Ordinance Book 13, at Page 29.

Lillian R. Hoffman
City Clerk

ORDINANCE NO. 714

AN ORDINANCE AMENDING CHAPTER 21 OF THE
CITY CODE - ZONING ORDINANCE.

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. That Chapter 21, Article I, Section 2 of the City Code of the City of Charlotte (O.B.10) be amended by having Building Zone Map of the City of Charlotte amended by changing from R-2 to O-I the following described property:

BEGINNING at a point in the westerly margin of The Plaza, said point being the common front corner of Lots 13 and 14 in Block 25 as shown on a map of Chatham Land Company, Oakhurst Lots recorded in Map Book 230, page 244 in the office of the Register of Deeds for Mecklenburg County, North Carolina and running thence with the line between said Lots 13 and 14, 151.5 feet to the easterly margin of a 12 foot alleyway; thence with said margin in a southerly direction 65 feet, more or less, to an existing Business 1 Zoning District boundary line; thence with said boundary line in an easterly direction 155 feet, more or less, to a point in the westerly margin of The Plaza; thence with said margin in a northerly direction 40 feet, more or less, to the BEGINNING, and being that portion of Lots 12 and 13 in Block 25 as shown on the aforementioned map not presently zoned for Business 1 purposes.

Section 2. That this ordinance shall become effective upon its adoption after a public hearing in connection therewith.

Approved as to form:

City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, on the 23rd day of January, 1961, the reference having been made in Minute Book 40, at Page 210, and recorded in full in Ordinance Book 13, at Page 30.

Lillian R. Hoffman
City Clerk

ORDINANCE NO. 715 AN ORDINANCE AMENDING CHAPTER 21 OF THE CITY CODE -
ZONING ORDINANCE.

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. That Chapter 21, Article I, Section 2 of the City Code of the City of Charlotte (O.B.10) be amended by having Building Zone Map of the City of Charlotte amended by changing from Residence 2 to Business 1 the following described property:

BEGINNING at the intersection of the easterly margin of Statesville Avenue and the northerly margin of Kohler Avenue and running thence with said margin of Statesville Avenue N. 2-56-20 W. 475.43 feet to an iron; thence N. 87-56-10 E. 414.31 feet to an iron; thence S. 34-56 W. 503.46 feet to an iron; thence S. 56-28-10 E. 113.54 feet to an iron in the northerly margin of Kohler Avenue; thence with said margin S. 85-50-20 W. 196.54 feet, to the BEGINNING And being a 2.643 acre tract of land belonging to Domar Corporation, Inc.

Section 2. That this ordinance shall become effective upon its adoption after a public hearing in connection therewith.

Approved as to form:

City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, on the 23rd day of January, 1961, the reference having been made in Minute Book 40, at Page 210, and recorded in full in Ordinance Book 13, at Page 31.

Lillian R. Hoffman
City Clerk

ORDINANCE NO. 717 AN ORDINANCE AMENDING CHAPTER 21 OF THE CITY CODE -
ZONING ORDINANCE

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. That Chapter 21, Article II, Section 5 of the City Code of the City of Charlotte (O.B.10) be amended by having Building Zone Map of the Charlotte Perimeter Area amended by changing from Residence 2 to Industrial the following described property:

BEGINNING at a point in the northerly margin of Interstate Highway 85, said point being also in the easterly boundary line of Lot 29, as shown on a map of Emma Davidson Property recorded in Map Book 4, Page 633, in the office of the Register of Deeds for Mecklenburg County, North Carolina, and running thence N. 54-46-30 W. 295.97 feet to an old iron in the centerline of Linwood Avenue; thence N. 6-30-15 W. 555.85 feet to an old iron in the Seaboard Airline Railroad Company property line; thence with said railroad property line two courses as follows: (1) N. 73-30-55 E. 860.17 feet; (2) S. 18-40-10 E. 529.34 feet to an iron in the northerly margin of Interstate Highway 85; thence with said margin in a westerly direction 834.94 feet to the BEGINNING and being a 13.60 acre tract of land belonging to Fannie L. Keistler.

Section 2. That this ordinance shall become effective upon its adoption after a public hearing in connection therewith.

Approved as to form:

City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, on the 23rd day of January, 1961, the reference having been made in Minute Book 40, at Page 211, and recorded in full in Ordinance Book 13, at Page 32.

Lillian R. Hoffman
City Clerk

ORDINANCE NO. 726 ADOPTING AND ENACTING A NEW CODE OF ORDINANCES OF THE CITY OF CHARLOTTE, NORTH CAROLINA, ESTABLISHING THE SAME PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN, EXCEPT AS HEREIN EXPRESSLY PROVIDED, PROVIDING FOR THE MANNER OF AMENDING SUCH CODE OF ORDINANCES; AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA.

Section 1. That a Code of Ordinances, consisting of Chapters 1 through 23, each inclusive, is hereby adopted and enacted as "The Code of the City of Charlotte" and shall be treated and considered as a new and original comprehensive ordinance which shall supersede all other general and permanent ordinances passed by the City Council prior to April 19, 1960, except such as by reference thereto are expressly saved from repeal or continued in force and effect for any purpose.

Section 2. That all provisions of such Code shall be in full force from and after the date specified in Section 10 hereof and all ordinances of a general and permanent nature of the City of Charlotte enacted on final passage on or before April 18, 1960, and not in such Code or recognized and continued in force by reference therein, are hereby repealed from and after the effective date of this ordinance, except as hereinafter provided. That no resolution of the City Council not specifically mentioned is hereby repealed.

Section 3. That the repeal provided for in Section 2 hereof shall not affect any offense or act committed or done or any penalty or forfeiture incurred or any contract or right established or accruing before the effective date of this ordinance; nor shall such repeal affect any ordinance or resolution promising or guaranteeing the payment of money by the City, or authorizing the issuance of any bonds of the City or any evidence of the City's indebtedness or any contract or obligation assumed by the City; nor shall such repeal affect the administrative ordinances or resolutions of the City Council not in conflict or inconsistent with the provisions of this Code; nor shall such repeal affect any right of franchise granted by any ordinance or resolution of the City Council to any person, firm or corporation; nor shall such repeal affect any ordinance dedicating, naming, establishing, locating, relocating, opening, paving, widening, vacating, etc.; any street or public way in the City; nor shall such repeal affect any ordinance levying or imposing taxes not included herein; nor shall such repeal affect any ordinance establishing and prescribing the street grades of any street in the City; nor shall such repeal affect any ordinance providing for local improvements and assessments therefor; nor shall such repeal affect any ordinance dedicating or accepting any plat or subdivision of land either within or without the City; nor shall such repeal affect any ordinance extending the boundaries of the City; nor shall such repeal be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance which is repealed by this ordinance.

Section 4. Any and all additions or amendments to such Code when passed in such form as to indicate the intention of the City Council to make the same a part thereof shall be deemed to be incorporated in such Code so that reference to "The Code of the City of Charlotte" shall be understood and intended to include such additions and amendments.

Section 5. A copy of such Code shall be kept on file in the office of the City Clerk, preserved in looseleaf form, or in such other form as the City Clerk may consider most expedient. It shall be the express duty of the City Clerk, or someone authorized by here, to insert in their designated places all amendments or ordinances which indicate the intention of the City Council to make the same a part of such Code when the same have been printed or reprinted in page form, and to extract from such Code all provisions which may be from time to time repealed by the City Council. This Copy of such Code shall be available for all persons desiring to examine the same and shall be considered the official Code of the City of Charlotte.

Ordinance No. 726 Adopting City Code continued.

Section 6. In case of the amendment of any section of such Code for which a penalty is not provided, the general penalty as provided in Section 1-6 of such Code shall apply to the section as amended; or in case such amendment contains provisions for which a penalty, other than the aforementioned general penalty, is provided in another section in the same chapter, the penalty so provided in such other section shall be held to relate to the section so amended, unless such penalty is specifically repealed therein.

Section 7. It shall be unlawful for any person, firm or corporation in the City to change or amend by additions or deletions, any part or portion of such code, or to insert or delete pages or portions thereof, or to alter or tamper with such Code in any manner whatsoever which will cause the law of the City of Charlotte to be misrepresented thereby. Any person, firm or corporation violating this section shall be punished as provided in Section 1-6 of the Code of the City of Charlotte.

Section 8. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed as of the effective date of this ordinance.

Section 9. The Code of Ordinances described herein shall be published in printed or mimeographed form for distribution. A copy thereof is available for public inspection at the office of the City Clerk.

Section 10. This ordinance, and the Code of ordinances referred to herein, shall become effective on the 1st day of March, 1961, after the publication of this Ordinance in The Charlotte News, a daily newspaper of general circulation published in the City of Charlotte and qualified by law to accept and publish legal advertising, unless submitted to referendum, in which event it will not take effect unless approved as required by law.

Adopted: January 23, 1961

Published: January 27, 1961

Effective: March 1, 1961

City Clerk

Rea, approved and adopted by the City Council of the City of Charlotte, North Carolina, on the 23rd day of January, 1961, the reference having been made in Minute Book 40, at Page 213, and recorded in full in Ordinance Book 13, beginning at Page 33.

Lillian R. Hoffman
City Clerk