

AN ORDINANCE AMENDING CHAPTER 23  
OF THE CITY CODE - ZONING ORDINANCE

ORDINANCE NO. 426

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. Chapter 23, "Zoning" of the Code of the City of Charlotte is hereby amended as follows:

Amend Section 23-40.05 Urban Residential Districts as follows:

1. In sub-section (e) listing dimensional requirements:

- (a) Add "\*\*\*\*\*" as a footnote on column heading "Min. Rear Yard".
- (b) Add explanation of this footnote following table of dimensional requirements to read:

"\*\*\*\*\*" Minimum rear yard shall be five (5) feet whenever the property adjoining that rear yard is public park or open space such as a cemetery or a public tree easement."

- (c) Delete the first paragraph of the double asterisk explanation and replace same with:

"Principal buildings may be erected to a height in excess of forty (40) feet without additional setback, side or rear yards where such abuts a public right-of-way, public park or public open space such as a cemetery or a public tree easement. Where the side or rear yard abuts any other property the affected yard shall be increased one (1) foot for every four (4) feet of building height in excess of forty (40) feet. This additional required yard space may be utilized for other residential and certain non-residential uses, provided that these uses have their own primary entrances at exterior grade, as follows:"

2. In sub-section (g) listing parking requirements:

- (a) Change sub-paragraph 3) concerning multi-family dwellings to read:

"Multi-family dwellings shall be required to provide a minimum of .75 spaces and a maximum of 1.25 spaces per unit, except that the minimum for Senior Citizen Projects is .25 spaces in accordance with Section 23-62, Schedule of off-street parking requirements. Required space may optionally be provided off-site in grouped facilities."

- (b) Change the first word of sub-paragraph 5) which is "Parking" to read: "Grade level parking".

- (c) Add sub-paragraph 6) to read:

"Underground parking structures shall be permitted within any required setback, side yard, or rear yard on any lot, provided no portion of the underground structures extends above grade more than five (5) feet at any point nor more than four (4) feet for seventy-five percent (75%) of its length along any lot line. A balustrade, parapet or railing may extend above the permitted structure height provided it is not greater than thirty-two (32) inches in height, is set back from the property line at least three (3) feet and has openings equal to at least thirty percent (30%) of its surface along each side. Along any lot line abutting a street, 'grade' shall mean ground elevation at the property line. Such structures shall conform to any corner site distance requirements which may be in effect at the time the underground structure is built and the portion of the structure within the setback area shall be covered with a pedestrian deck. All such deck may be classified as open space to satisfy the limitation on the amount of permitted land coverage."

- 3. In sub-section (i) listing submittal information for site plan review:
  - (a) Insert "location of" prior to the words "property boundary" in sub-paragraph 1).
  - (b) Add the word "and" after sub-paragraph 4).
  - (c) Delete "; and" at the end of sub-paragraph 5) and replace same with a period (.)
  - (d) Delete sub-paragraph 6).

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 24th day of January, 19 77, the reference having been made in Minute Book 64, and recorded in full in Ordinance Book 24, Page 2-3.

Ruth Armstrong,  
City Clerk

ORDINANCE NO. 427-X

AN ORDINANCE TO AMEND ORDINANCE NO. 155-X, THE 1976-77 BUDGET ORDINANCE, TRANSFERRING FUNDS FROM THE GENERAL FUND CONTINGENCY TO THE CHARLOTTE TRAFFIC ENGINEERING DEPARTMENT TO ESTABLISH AN ACCIDENT IDENTIFICATION AND SURVEILLANCE PROGRAM.

BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina;

Section 1. That the sum of \$14,000 is hereby transferred from the General Fund Contingency to Account 522.01 - Traffic Engineering Department. These funds will be used as the City's 30% cash-match to establish an Accident Identification and Surveillance Program to be jointly funded by the North Carolina Governor's Highway Safety Committee.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. 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 24th day of January, 1977, the reference having been made in Minute Book 64, and is recorded in full in Ordinance Book 24, at Page 4.

Ruth Armstrong  
City Clerk

ORDINANCE NO. 428-X

AN ORDINANCE ORDERING THE REMOVAL OF TRASH AND JUNK PURSUANT TO SECTION 6.103 AND 6.104 OF THE CITY CHARTER, CHAPTER 10, ARTICLE I, SECTION 10-9 OF THE CITY CODE AND CHAPTER 160A-193 OF THE GENERAL STATUTES OF NORTH CAROLINA

Section 1.

WHEREAS, trash and junk located on the premises at (address) 2301-03 Augusta Street has been found to be a nuisance by the Supervisor of Community Improvement Division of the Public Works Department, and the owner or those responsible for the maintenance of the premises has/have been ordered to remove the same, pursuant to Chapter 10, Article I, Section 10-9 of the Code of the City of Charlotte; and

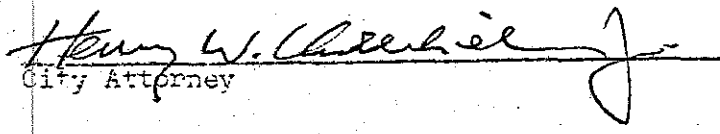
WHEREAS, the owner (s) or person (s) responsible for the maintenance of these premises has (have) failed to comply with the said order served by registered mail on October 14, 1976; and

WHEREAS, The City Council, upon consideration of the evidence, finds as a fact that the aforesaid premises are being maintained in a manner which constitutes a public nuisance because of trash and junk

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Supervisor of the Community Improvement Division, of the Public Works Department, is hereby ordered to cause removal of trash and junk from the aforesaid premises in the City of Charlotte, and that the City assess costs incurred, and this shall be a charge against the owner (owners), and shall be a lien against this property, all pursuant to Chapter 10, Article I, Section 10-9 of the Code of the City of Charlotte.

Section 2. 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 24th day of January, 1977, the reference having been made in Minute Book 64 and is recorded in full in Ordinance Book 24 at Page 5.

Ruth Armstrong  
City Clerk

ORDINANCE NO. 429-X

AN ORDINANCE ORDERING THE REMOVAL OF AN ABANDONED MOTOR VEHICLE (s) LOCATED AT 2301-03 Augusta Street PURSUANT TO THE ARTICLE 10-29 OF THE CODE OF CHARLOTTE AND CHAPTER 160A-303 OF THE GENERAL STATUTES OF NORTH CAROLINA.

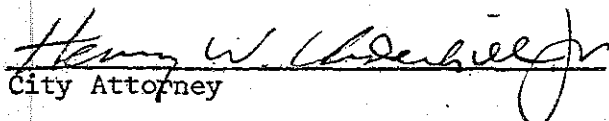
WHEREAS, an abandoned motor vehicle (s) located at 2301-03 Augusta St. \_\_\_\_\_ in the City of Charlotte has been found by the Supervisor of the Community Improvement Division of the Public Works Department to be unsafe and to constitute a health hazard, and the owner (s) thereof has/have been ordered to remove said abandoned motor vehicle (s), all pursuant to the Article 10-29 of the Code of the City of Charlotte and Chapter 160A-303 of the General Statutes of North Carolina, and

WHEREAS, said owner (s) has/have failed to comply with said order served by registered mail on October 14, 1976; and,

WHEREAS, The City Council, upon consideration of the evidence, finds as a fact that the aforesaid vehicle (s) is unsafe and constitutes a health hazard;

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Supervisor of the Community Improvement Division of the Public Works Department is hereby ordered to cause removal of said abandoned motor vehicle (s) located at 2301-03 Augusta Street \_\_\_\_\_, in the City of Charlotte in accordance with Article 10-29 of the Code of the City of Charlotte and Chapter 160A-303 of the General Statutes of North Carolina.

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 24th of January, 1977, the reference having been made in Minute Book 64 and is recorded in full in Ordinance Book 24 at Page 6.

Ruth Armstrong  
City Clerk

ORDINANCE NO. 430-X

AN ORDINANCE ORDERING THE REMOVAL OF WEEDS AND GRASS PURSUANT TO SECTION 6.103 AND 6.104 OF THE CITY CHARTER, CHAPTER 10, ARTICLE I, SECTION 10-9 OF THE CITY CODE AND CHAPTER 160A-193 OF THE GENERAL STATUTES OF NORTH CAROLINA

Section 1.

WHEREAS, weeds and grass located on the premises at (address) v/lot 4525 N. Tryon Street has been found to be a nuisance by the Supervisor of Community Improvement Division of the Public Works Department, and the owner or those responsible for the maintenance of the premises has/have been ordered to remove the same, pursuant to Chapter 10, Article I, Section 10-9 of the Code of the City of Charlotte; and

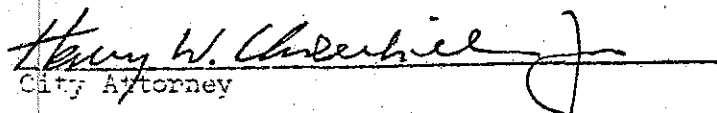
WHEREAS, the owner (s) or person (s) responsible for the maintenance of these premises has (have) failed to comply with the said order served by registered mail on November 9, 1976: and

WHEREAS, The City Council, upon consideration of the evidence, finds as a fact that the aforesaid premises are being maintained in a manner which constitutes a public nuisance because of weeds and grass

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Supervisor of the Community Improvement Division, of the Public Works Department, is hereby ordered to cause removal of weeds and grass from the aforesaid premises in the City of Charlotte, and that the City assess costs incurred, and this shall be a charge against the owner (owners), and shall be a lien against this property, all pursuant to Chapter 10, Article I, Section 10-9 of the Code of the City of Charlotte.

Section 2. 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 24th of January, 1977, the reference having been made in Minute Book 64 and is recorded in full in Ordinance Book 24 at Page 7.

Ruth Armstrong  
City Clerk

ORDINANCE NO. 431-X

AN ORDINANCE ORDERING THE REMOVAL OF WEEDS AND GRASS PURSUANT TO SECTION 6.103 AND 6.104 OF THE CITY CHARTER, CHAPTER 10, ARTICLE I, SECTION 10-9 OF THE CITY CODE AND CHAPTER 160A-193 OF THE GENERAL STATUTES OF NORTH CAROLINA

Section 1.

WHEREAS, weeds and grass located on the premises at (address) vacant lot 410-12 Biddle Street has been found to be a nuisance by the Supervisor of Community Improvement Division of the Public Works Department, and the owner or those responsible for the maintenance of the premises has/have been ordered to remove the same, pursuant to Chapter 10, Article I, Section 10-9 of the Code of the City of Charlotte; and

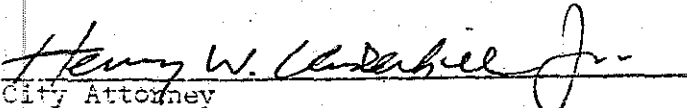
WHEREAS, the owner (s) or person (s) responsible for the maintenance of these premises has (have) failed to comply with the said order served by registered mail on November 5, 1976; and

WHEREAS, The City Council, upon consideration of the evidence, finds as a fact that the aforesaid premises are being maintained in a manner which constitutes a public nuisance because of weeds and grass

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Supervisor of the Community Improvement Division, of the Public Works Department, is hereby ordered to cause removal of weeds and grass from the aforesaid premises in the City of Charlotte, and that the City assess costs incurred, and this shall be a charge against the owner (owners), and shall be a lien against this property, all pursuant to Chapter 10, Article I, Section 10-9 of the Code of the City of Charlotte.

Section 2. 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 24th of January, 1977, the reference having been made in Minute Book 64 and is recorded in full in Ordinance Book 24 at Page 8.

Ruth Armstrong  
City Clerk

ORDINANCE NO. 432-X

AN ORDINANCE ORDERING THE REMOVAL OF WEEDS AND GRASS PURSUANT TO SECTION 6.103 AND 6.104 OF THE CITY CHARTER, CHAPTER 10, ARTICLE I, SECTION 10-9 OF THE CITY CODE AND CHAPTER 160A-193 OF THE GENERAL STATUTES OF NORTH CAROLINA

Section 1.

WHEREAS, weeds and grass located on the premises at (address) 712 E. 37th Street has been found to be a nuisance by the Supervisor of Community Improvement Division of the Public Works Department, and the owner or those responsible for the maintenance of the premises has/have been ordered to remove the same, pursuant to Chapter 10, Article I, Section 10-9 of the Code of the City of Charlotte; and

WHEREAS, the owner (s) or person (s) responsible for the maintenance of these premises has (have) failed to comply with the said order served by registered mail on November 10, 1977: and

WHEREAS, The City Council, upon consideration of the evidence, finds as a fact that the aforesaid premises are being maintained in a manner which constitutes a public nuisance because of weeds and grass

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Supervisor of the Community Improvement Division, of the Public Works Department, is hereby ordered to cause removal of weeds and grass from the aforesaid premises in the City of Charlotte, and that the City assess costs incurred, and this shall be a charge against the owner (owners), and shall be a lien against this property, all pursuant to Chapter 10, Article I, Section 10-9 of the Code of the City of Charlotte.

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 24th of January, 1977, the reference having been made in Minute Book 64 and is recorded in full in Ordinance Book 24 at Page 9.

Ruth Armstrong  
City Clerk