

Ordinance No. 855-X

AN ORDINANCE DESIGNATING THE PROPERTY KNOWN AS THE "MASONIC TEMPLE," INCLUDING THE EXTERIOR ONLY OF THE BUILDING, AS HISTORIC PROPERTY, AT 329 SOUTH TRYON STREET IN CHARLOTTE, NORTH CAROLINA, AND RECORDED ON PARCEL NUMBER 125-051-01 IN THE MECKLENBURG COUNTY TAX OFFICE.

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Part 3B, Article 19, Chapter 160A as amended of the General Statutes of North Carolina have been met; and

WHEREAS, the City Council of Charlotte, North Carolina, has taken into full consideration all statements and information presented at the joint public hearing held with the Charlotte-Mecklenburg Historic Properties Commission on the 15th day of December, 1980, on the question of designating the property known as the "Masonic Temple" as historic property; and

WHEREAS, the building is architecturally significant as the only example of the Egyptian Revival style in Charlotte-Mecklenburg; and

WHEREAS, the building is the only one in Charlotte which was erected to serve as a masonic temple; and

WHEREAS, it was designed by Hook & Rogers; C. C. Hook is an architect of local and regional importance; and

WHEREAS, the building serves as the symbolic landmark of the Charlotte masons; and

WHEREAS, the site retains its essential integrity and setting or feeling; and

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has demonstrated the historic, architectural, and/or cultural significance of the property known as the "Masonic Temple;" and

WHEREAS, the North Carolina Division of Archives and History judges that the property known as the "Masonic Temple" possess architectural significance; and

WHEREAS, the property known as the "Masonic Temple" is vested in

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fee simple title to the Masonic Temple Association of the City of Charlotte.

NOW, THEREFORE BE IT ORDAINED by the City Council of Charlotte, North Carolina:

1. That the property known as the "Masonic Temple," including the exterior of the building only, is hereby designated as historic property pursuant to Part 3B, Article 19, Chapter 160A of the General Statutes of North Carolina. For purposes of description only, the location of said property is noted as being situated on a tract of property at 329 South Tryon Street, in Charlotte, North Carolina, as recorded on Parcel Number 125-051-01 in the Tax Office of Mecklenburg County, North Carolina.

2. That said designated property may be materially altered, restored, moved or demolished only following the issuance of a certificate of appropriateness by the Charlotte-Mecklenburg Historic Properties Commission. An application for a certificate of appropriateness authorizing the demolition of said property may not be denied. However, the effective date of such a certificate may be delayed in accordance with Chapter 160A, Article 19, Part 3B, and amendments thereto and hereinafter adopted.

3. That nothing in this ordinance shall be construed to prevent or delay the ordinary maintenance or repair of any architectural feature in or on said property that does not involve a change of design, material or outer appearance thereof, nor to prevent or delay the making of emergency repairs, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition or removal of any such feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety

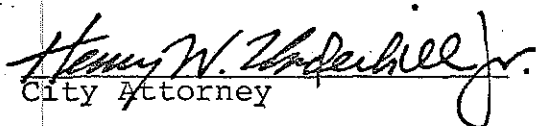
because of an unsafe condition. Nothing herein shall be construed to prevent the property owner from making any use of this property not prohibited by other statutes, ordinances or regulations.

4. That a suitable sign may be posted indicating that said property has been designated as historic property and containing any other appropriate information. If the owner consents, the sign shall be placed on said property. If the owner objects, the sign shall be placed on a nearby public right-of-way.

5. That the owners and occupants of the property known as the "Masonic Temple" be given the notice of this ordinance as required by applicable law and that copies of this ordinance be filed and indexed in the offices of the City Clerk, Building Inspection Department, Mecklenburg County Register of Deeds and the Tax Supervisor as required by applicable law.

6. That which is designated as historic property shall be subject to Chapter 160A, Article 19, Part 3B, and any amendments to it and any amendments hereinafter adopted.

Approved as to form:

  
City Attorney

CERTIFICATION

I, Ruth Armstrong, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 15th day of December, 1980, the reference having been made in Minute Book 75, and recorded in full in Ordinance Book 30, beginning at Page 203 and ending at Page 204.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of December, 1980.

\_\_\_\_\_  
Ruth Armstrong, City Clerk

Ordinance No. 856An Ordinance Amending  
Chapter 23 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. Chapter 23, "Zoning" of the Code of the City of Charlotte is hereby amended as follows:

1. Amend Section 23-31, Table of Permitted Uses, (b) Business Uses as follows:

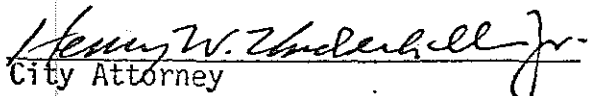
Amend the use "Trucks, retail and wholesale sales" to read: "Trucks, retail and wholesale sales and rental, including accessory service and repair (including tractor-trucks, but not accompanying detachable trailer units)", and retain the symbol "x" under the columns of B-2, B-3T, B-3, I-1, I-2 and I-3.

2. Amend Section 23-31, Table of Permitted Uses (c) Industrial Uses as follows:

Insert in the proper alphabetical order the new use "Trucks (tractor and trailer units), retail and wholesale sales and rental, including accessory service and repair" and add the symbol "x" under the columns of I-2 and I-3.

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

Approved as to form:

  
City Attorney

Read, approved and adopted by City Council of the City of Charlotte, North Carolina in regular session convened on the 15th day of December, 19 80, the reference having been made in Minute Book 75, are recorded in full in Ordinance Book, 30, Page 206.

Ruth Armstrong  
City Clerk

ORDINANCE NO. 857-Z

An Ordinance Amending Chapter 23  
of the City Code - Zoning Ordinance

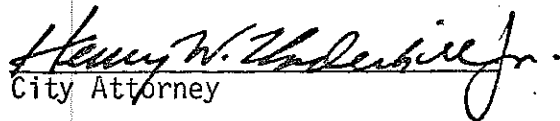
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Chapter 23, Section 23-8 of the Code of the City of Charlotte is hereby amended by changing from R-12 to O-15 on the Official Zoning Map, City of Charlotte, N. C. the following described property:

BEGINNING at a point, said point being the intersection of the southerly right-of-way line of Albemarle Road with the easterly right-of-way line of Dwightware Boulevard; 1) thence running with the southerly right-of-way line of Albemarle Road N.88-21E. 100.22 feet; 2) thence S.05-28-00E. 298.27 feet+; 3) thence S.84-34W. 100.26 feet+ to a point of intersection with the easterly right-of-way of Dwightware Boulevard; 4) thence running with the right-of-way of said road N.05-28-00W. 303.70 feet to the point or place of BEGINNING.

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 15th day of December, 1980, the reference having been made in Minute Book 75, and recorded in full in Ordinance Book 30, Page 207.

Ruth Armstrong,  
City Clerk

ORDINANCE NO. 858- Z

AMENDING CHAPTER 23

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 property located on the westerly side of Brookshire Boulevard northwest of Interstate 85 from R-6MF to B-2(CD) and B-1; and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 23-35.1 and described in Section A below was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all the application requirements as specified in Section 23-35(b), and was recommended for approval by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Section 23-96 and a public hearing was held on September 15, 1980; and

WHEREAS, in the passage of this ordinance as described in Section A below 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 each of the following, which are required by Section 23-35(d):

1. The policies and objectives of the Comprehensive Plan of the City, and particularly in relation to the proposed site and surrounding area.
2. The potential adverse impacts of the establishment of the conditional district upon the surrounding area, especially in regards but not limited to traffic, storm drainage, land values and compatibility of land use activities.

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

Section 1. That Chapter 23, Section 23-8 of the Code of the City of Charlotte is hereby amended by making the following changes on the Official Zoning Map, City of Charlotte, N. C.:

SECTION A: Change from R-6MF to B-2(CD)

BEGINNING at a point on the westerly right-of-way line of Brookshire Boulevard (N. C. Hwy. 16) said point being located S.18-30-10E. 208.0 feet from the south-easterly corner of the James Thomas Yarborough property recorded in Deed Book 1780 at page 140 in the Mecklenburg County Registry of Deeds; 1) thence following the westerly right-of-way of Brookshire Boulevard for the following two calls: a) S.18-30-10E. 56.86 feet; b) chord S.22-04-50E. 469.82 feet; 2) thence N.44-59-37W. 60.41 feet; 3) thence running with the easterly right-of-way of Woodman Avenue N.34-57-00W. 575.36 feet; 4) thence N.71-29-30E. 186.48 feet to the point or place of BEGINNING.

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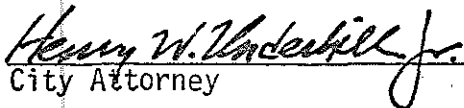
SECTION B: Change From R-6MF to B-1

BEGINNING at a point on the westerly right-of-way line of Brookshire Boulevard (N. C. Hwy. 16) said point being the southeasterly corner of the James Thomas Yarborough property recorded in Deed Book 1780 at page 140 in the Mecklenburg County Registry of Deeds; 1) thence running with the westerly right-of-way of Brookshire Boulevard S.18-30-10E. 208.0 feet; 2) thence N.71-29-30E. 186.48 feet to a point on the easterly right-of-way of Woodman Avenue; 3) thence running with said right-of-way N.34-57-00W. 217.04 feet; 4) thence N.71-29-30E. 248.48 feet to the point or place 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:

  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 15th da- of December, 1980, the reference having been made in Minute Book 75, and is recorded in full in Ordinance Book 30, at page s 208-210

Ruth Armstrong,  
City Clerk

## PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to \_\_\_\_\_  
McClure Real Estate and Investments, Inc.  
owner(s) and successors-in-interest of the property described as tax parcel 039-015-07 and part of 06  
and described in detail further in the ordinance, identified below, approved by the City Council.

In approving this parallel conditional use permit, the Charlotte City Council amended chapter 23 of the code of Charlotte and the official zoning map. The property now has a parallel conditional use district zoning classification of B-2(CD)

This parallel conditional use permit is subject to and incorporates by reference all of the following: the schematic plan, the supporting text, all attached conditions, and sections 23-35, 23-35.1, and 23-96 of the code, all of which preceding are binding upon the property and all subsequent development and use of the property. A failure to comply with any of the above may result in revocation of the parallel conditional use permit in accordance with the authority of the city council under section 23-96 of the code.

Three years from the date of approval of this parallel conditional use permit, the planning commission shall determine if active efforts to develop in accordance with approved plans have occurred. If active efforts to develop have not occurred, then a report shall be forwarded to the city council which may recommend that action be initiated to remove the parallel conditional use district in accordance with section 23-96.



ORDINANCE NO. 859-Z

An Ordinance Amending Chapter 23  
of the City Code - Zoning Ordinance

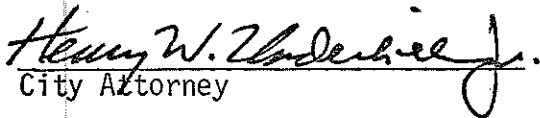
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Chapter 23, Section 23-8 of the Code of the City of Charlotte is hereby amended by changing from R-9 to I-2 on the Official Zoning Map, City of Charlotte, N. C. the following described property:

BEGINNING at a point, said point being the northeasterly corner of the Mrs. M. S. Funderburk, Sr. property recorded in Deed Book 1301 at page 148 in the Mecklenburg County Registry of Deeds; 1) thence S.60-20-00E. 100.00 feet; 2) thence S.29-36-39W. 344.14 feet to a point on the old right-of-way line of Oneida Road; 3) thence running with said right-of-way N.60-20-00W. 100.0 feet; 4) thence N.29-36-39E. 344.14 feet to the point or place of BEGINNING.

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 15th day of December, 19 80, the reference having been made in Minute Book 75, and recorded in full in Ordinance Book 30, Page 211.

Ruth Armstrong,  
City Clerk