

ORDINANCE NO. 1513

AMENDING CHAPTER 18
ARTICLE II

AN ORDINANCE AMENDING CHAPTER 18, ARTICLE II, SECTION 26, (SUBDIVISION REGULATIONS) OF THE CODE OF THE CITY OF CHARLOTTE:

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

Section 1. Chapter 18, Article I is hereby amended as follows:

1. Amend Chapter 18, Section 18-2 DEFINITIONS, by adding the following new definitions in their proper order:

(k) Thoroughfares - Any street designated on the adopted thoroughfare plan or any street which is an extension of any street on the thoroughfare plan and which extends into the area not covered by the thoroughfare plan.

(l) Thoroughfare Plan - The most recent map approved by the Charlotte City Council which indicates the system of roads expected to serve major access and travel needs with regard to auto, truck and transit transportation.

2. Amend Chapter 18, Section 18-12, paragraph (2) by adding after "minor residential access streets - 50 feet" the following:

minor residential streets (local residential limited, VI-L) designed so that all land which touches the street is subdivided into lots and designed to serve not more than 50 dwelling units - 40 feet.

3. Amend Chapter 18, Section 18-12, paragraph (k) by adding after the words "eighty (80) feet in diameter" the following:

or other alternate turnaround designs as accepted by the City Engineer.

4. Amend Chapter 18, Section 18-12 by adding a notation to the "minor residential street" to read as follows:

(see paragraph (m) below)

and by adding a new paragraph (m) to read as follows:

(m) In certain circumstances, streets may be constructed on a 40' right-of-way and with a 22' cross section (18' pavement plus 2' roll curb). When a street serves 50 dwelling units or less and is permanently dead-ended, this smaller standard may be used. All other appropriate standards of this code still apply to the construction of such a street. The provisions of this paragraph will be in force for a period of 5 years from the effective date of its adoption.

Section 2. 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 16th day of April, 1984, the reference having been made in Minute Book 82, and recorded in full in Ordinance Book 33, beginning on Page 61.

Pat Sharkey, City Clerk

ORDINANCE NO. 1514AN 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. City of Charlotte Zoning Ordinance is hereby amended as follows:

1. Amend Section 1102 Definitions, by changing the definition of "lot width" to read as follows:

Lot Width.

- .1 The distance between the side lot lines measured along the setback line as established by this ordinance; or
 - .2 The distance between the side lot lines measured along a setback line shown on a duly recorded plat when that line is greater than the setback established by this ordinance along the turn around portion of a cul-de-sac street; or
 - .3 If no setback is established by this ordinance, the distance between the side lot lines measured along the street lines.
2. Amend Section 3101.5.2, by deleting this paragraph in its entirety and replacing it as follows:
 - .2 An 18 inch standard curb or 24 inch roll curb and gutter on a 22 foot back-to-back street may be approved by the Engineering Department for private streets unless the Engineering Department determines that curbs are not needed.
 3. Amend Sections 3005.1 and 3015.1. Area, Yard and Height Regulations, by changing the tables under the heading "Minimum Setback" for the respective zoning districts:

R-6MF - 20
R-6 - 20
R-9, R-9MF - 25
R-12, R-12MF - 30
R-15, R-15MF - 35

4. Amend Sections 3005.1 and 3015.1. Area, Yard and Height Regulations, by changing the tables under the heading "Minimum Rear Yard" as follows:

R-6MF, R-6MFH - 35	R-12, R-12MF - 45
R-6 - 35	R-15, R-15MF - 50
R-9, R-9MF - 40	

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

Approved as to form:

Henry W. Chandler Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 16th day of April, 1984, the reference having been made in Minute Book 82, and recorded in full in Ordinance Book 33, at page 62.

Pat Sharkey, City Clerk

ORDINANCE NO. 1515-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 a 4.0 acre site at Monore Road and Conference Drive at 6000 Conference Drive from O-15 to B-1(CD); and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 3201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all the application requirements as specified in Section 3202.1 and 3202.2, 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 1300 and a public hearing was held on January 30, 1984; 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 each of the following which are required by Section 3202.3:

1. The policies and objectives of the comprehensive plan, particularly in relation to the proposed site and surrounding area.
2. The potential adverse impacts on 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 Section 1005 of the City of Charlotte Zoning Ordinance is hereby amended by changing from O-15 to B-1(CD) 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 intersection of Conference Drive and Wallace Road as they intersect with Monroe Road; 1) thence N.31-43-40W. 49.58 feet; 2) thence N.21-33-00E. 544.0 feet; 3) thence S.33-53-35E. 820.0± feet to the northerly right-of-way line of Wallace Road; 4) thence following the northerly right-of-way line of Wallace Road in a westerly direction to the point or place of BEGINNING.

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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 16th day of April, 1984, the reference having been made in Minute Book 82, and is recorded in full in Ordinance Book 33, at pages 63-64.

Pat Sharkey
City Clerk

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Petition No. 84-7
R. Robert Freeman, Jr.

ORDINANCE NO. 1516-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 a 1.902 acre site at the corner of Norland Road and Charles Street off Central Avenue from R-9 to O-6(CD) and a B-2(CD) Site Plan Amendment; and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 3201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all the application requirements as specified in Section 3202.1 and 3202.2, 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 1300 and a public hearing was held on February 20, 1984; 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 each of the following which are required by Section 3202.3:

1. The policies and objectives of the comprehensive plan, particularly in relation to the proposed site and surrounding area.
2. The potential adverse impacts on 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 Section 1005 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-9 to O-6(CD) and a B-2(CD) Site Plan Amendment on the Official Zoning Map, City of Charlotte, N.C. the following described property:

AREA REZONED FROM R-9 TO O-6(CD)

BEGINNING at a point, said point being the most northerly corner of the James H. Morgan property, tax parcel 131-024-03; 1) thence following the existing right-of-way of Norland Road in a northeasterly direction 100.0 feet; 2) thence S.42-43-44E. 283.0 feet; 3) thence S.53-58W. 100.62 feet; 4) thence N.42-43-44W. 272.4 feet to the point or place of BEGINNING.

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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 16th day of April, 19 84, the reference having been made in Minute Book 82, and is recorded in full in Ordinance Book 33, at page 65-66.

Pat Sharkey
City Clerk

ORDINANCE NO. 1517-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 a 3.5520 acre site at the southeast corner of South Boulevard and Muddy Pond Lane from B-2 to BD(CD); and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 3201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all the application requirements as specified in Section 3202.1 and 3202.2, 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 1300 and a public hearing was held on February 20, 1984; 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 each of the following which are required by Section 3202.3:

1. The policies and objectives of the comprehensive plan, particularly in relation to the proposed site and surrounding area.
2. The potential adverse impacts on 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 Section 1005 of the City of Charlotte Zoning Ordinance is hereby amended by changing from B-2 to BD(CD) 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 centerlines of South Boulevard and Muddy Pond Lane; 1) thence S.86-58-30E. 396.04 feet; 2) thence S.00-34-17E. 384.41 feet; 3) thence S.83-40-04W. 352.67 feet; 4) thence N.06-17-00W. 445.35 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:

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 16th day of April, 19 84, the reference having been made in Minute Book 82, and is recorded in full in Ordinance Book 33, at page 67.

Pat Sharkey
City Clerk

ORDINANCE NO. 1518-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 a 19.7 acre site at the intersection of Newell-Hickory Grove Road, Milton Road and North Sharon Amity Road from R-9MF to B-1SCD; and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 3210 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all the application requirements as specified in Section 3202 and 3210.2 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 1300 and a public hearing was held on March 19, 1984; 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 each of the following which are required by Section 3210.5:

- .1 Access to public streets and the adequacy of those streets to carry anticipated increased traffic.
- .2 On-site circulation for both pedestrian and vehicular traffic.
- .3 Adequacy of existing community facilities such as water, sewer, police and fire protection.
- .4 Relationship to and impacts upon adjoining and nearby properties and the adequacy of proposed measures to minimize any adverse impacts.
- .5 For proposed shopping centers, the appropriateness of the proposal in relationship to the policies and objectives of the Comprehensive Plan and to a more detailed area plan, if available.

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

Section 1. That Section 1005 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-9MF to B-1SCD on the Official Zoning Map, City of Charlotte, N.C. the following described property:

BEGINNING at a point, said point being the southeast corner of North Sharon Amity Road and Milton Road; 1) thence S.82-56-32E. 564.35 feet; 2)

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thence S.41-18-02E. 818.12 feet; 3) thence S.48-43-00W. 200.06 feet; 4)
thence S.83-54-56W. 1237.83 feet; 5) thence N.14-31-24E. 698.46 feet; 6)
thence N.16-25-57E. 60.03 feet; 7) thence N.14-31-24E. 198.82 feet; 8)
thence R=35.50 feet Arc=54.02 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:

Henry W. Zander Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 16th day of April, 19 84, the reference having been made in Minute Book 82, and is recorded in full in Ordinance Book 33, at pages 68-69.

Pat Sharkey
City Clerk

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Petition No. 84-17
Ronnie W. Nixon

ORDINANCE NO. 1519-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 a 1.686 acre site at 7214 Mt. Holly Road at Morningside Road from R-9MF to I-1(CD); and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 3201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all the application requirements as specified in Section 3202.1 and 3202.2, and was recommended for denial by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Section 1300 and a public hearing was held on March 19, 1984; 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 each of the following which are required by Section 3202.3:

1. The policies and objectives of the comprehensive plan, particularly in relation to the proposed site and surrounding area.
2. The potential adverse impacts on 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 Section 1005 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-9MF to I-1(CD) on the Official Zoning Map, City of Charlotte, N.C. the following described property:

BEGINNING at a point, said point being the northwesterly corner of Mt. Holly Road and Morningside Road; 1) thence S.67-00-00W. 207.50 feet; 2) thence N23-00-00W. 200.00 feet; 3) thence N.67-00-00E. 25.00 feet; 4) thence N.23-00-00W. 175.00 feet; 5) thence N.67-00-00E. 182.50 feet; 6) thence S.23-00-00E. 375.00 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 16th day of April, 19 84, the reference having been made in Minute Book 82, and is recorded in full in Ordinance Book 33, at page 70.

Pat Sharkey
City Clerk

ORDINANCE NO. 1520-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 a 37,800 square foot lot at the corner of East Morehead Street and Berkley Avenue at 1122 East Morehead Street from 0-6 to B-1(CD); and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 3201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all the application requirements as specified in Section 3202.1 and 3202.2, 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 1300 and a public hearing was held on March 19, 1984; 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 each of the following which are required by Section 3202.3:

1. The policies and objectives of the comprehensive plan, particularly in relation to the proposed site and surrounding area.
2. The potential adverse impacts on 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 Section 1005 of the City of Charlotte Zoning Ordinance is hereby amended by changing from 0-6 to B-1(CD) on the Official Zoning Map, City of Charlotte, N.C. the following described property:

BEGINNING at a point, said point being the westerly corner of the intersection of East Morehead Street and Berkeley Avenue; 1) thence S.53-21-30W. 100.0 feet; 2) thence R=955.37 feet 150.62 feet; 3) thence N.36-38-30W. 143.30 feet; 4) thence N.53-21-30E. 250.0 feet; 5) thence S.36-38-30E. 155.15 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:

Henry W. Chadwick Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 16th day of April, 19 84, the reference having been made in Minute Book 82, and is recorded in full in Ordinance Book 33, at page 71.

Pat Sharkey
City Clerk

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ORDINANCE NO. 1521-X

AN ORDINANCE DESIGNATING THE PROPERTY KNOWN AS THE "OLD HOTEL CHARLOTTE" (INCLUDING THE INTERIOR OF THE POPLAR STREET LOBBY AND THE EXTERIOR OF THE BUILDING) AND THE LAND ASSOCIATED THEREWITH, AS HISTORIC PROPERTY, AT 231 W. TRADE STREET, CHARLOTTE, NORTH CAROLINA, AND RECORDED ON TAX PARCEL NUMBER 073-012-01 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 a joint public hearing held with the Charlotte-Mecklenburg Historic Properties Commission on the 21st day of February, 1984, and the 21st day of March, 1984, on the question of designating the property known as the "Old Hotel Charlotte" (including the interior of the Poplar Street Lobby and the exterior of the building), and the land associated therewith as historic property; and

WHEREAS, the "Old Hotel Charlotte" was built by such prominent Charlotteans as Robert Lassiter, Edward Dilworth Latta, Julian H. Little, and Word H. Wood; and

WHEREAS, the property is listed in the National Register of Historic Places; and

WHEREAS, the property played a pivotal role in Charlotte's growth as a major twentieth century southern economic center; and

WHEREAS, the property served as a symbol of Charlotte's growth as well as a show place for the city from 1924 until the late 1960's; and

WHEREAS, the property known as the "Old Hotel Charlotte" is vested in fee simple to Justice Investors of Charlotte, Inc.

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

1. That the property known as the "Old Hotel Charlotte" (including the interior of the Poplar Street lobby and the exterior of the building), and the

"Old Hotel Charlotte"

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land associated therewith, 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 231 W. Trade Street, Charlotte, North Carolina, as recorded on Parcel Number 073-012-01 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.

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"Old Hotel Charlotte"

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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 "Old Hotel Charlotte" 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:

Henry W. Anderson Jr.
City Attorney

CERTIFICATION

I, Pat Sharkey, 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 16th day of April, 1984, the reference having been made in Minute Book 82, and is recorded in full in Ordinance Book 33 at Pages 72-74.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of April, 1984.

Pat Sharkey, City Clerk