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ORDINANCE NO. 1586-X

AN ORDINANCE DESIGNATING A PROPERTY KNOWN AS THE "POPLAR APARTMENT CONDOMINIUMS" (i.e. THE EXTERIOR OF THE BUILDING ONLY) AS HISTORIC PROPERTY, SAID PROPERTY LOCATED AT 301 WEST TENTH STREET, IN CHARLOTTE, NORTH CAROLINA, AND RECORDED ON TAX PARCEL NUMBERS 078-037-16 THROUGH 078-037-54, IN THE MECKLENBURG COUNTY TAX OFFICE.

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Chapter 160A, Article 19, Part 3B, 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 17th day of September, 1984, on the question of designating a property known as the "Poplar Apartment Condominiums" (i.e. the exterior of the building only); and

WHEREAS, the "Polar Apartment Condominiums," completed in 1930 and designed by Lockwood, Greene and Company, represented a major breakthrough in the local apartment development business in terms of the elegance and lavishness of its architectural appointments; and

WHEREAS, the "Poplar Apartment Condominiums" document the transformation of Fourth Ward into a fashionable multi-family residential district in the 1920's; and

WHEREAS, the "Poplar Apartment Condominiums" is the most elegant 20th Century apartment building which survives in uptown Charlotte; and

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has demonstrated that the property known as the "Poplar Apartment Condominiums" possesses special significance in terms of its history, architecture, and/or cultural importance; and

WHEREAS, the property known as the "Poplar Apartment Condominiums" possesses integrity of design, setting, workmanship, materials, feeling and/or

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association; and

WHEREAS, the several units of the property known as the "Poplar Apartment Condominiums" are vested in fee simple to Ms. Margie M. Hinson, Mr. Dennis J. Hall, Mr. Everett A. Gallant, Mr. Henry A Engler & wife, Carol A., Mr. William R. Cogar & wife, Ruth, Mr. Miller W. Cavin & wife, Thelma J., Mr. Timothy F. Finley & wife, Delores Andrews, Ms. Hazel L. McCain, Mr. Robert F. Thomas, Jr., Mr. Michael K. Warner, Mr. David J. Roberts, Ms. Leah W. McGee, Mr. Paul M. Flowe, Jr. & wife, Camilla M., Mr. Allen R. Stafford, Jr., Mr. Willie J. Stratford, Sr., Mr. Guy Ferreri & wife, Justine C., Ms. Mamie A. McDonald, Mr. Louis F. Chester, Mr. Thomas D. Lanning & wife, Kay C., Dr. Joseph B. Roberts & wife, Rebecca S., Mr. Graham W. Denton, Jr., Mr. Simmons B. Jones, Mr. William H. Sturges, Mr. William W. Sturges, Ms. Gladys E. Hale, Mr. Vernie R. Snider, Mr. Edward H. Gamm & wife, Glenis S., Ms. Virginia B. Blain, Mr. Joseph L. Overton, Mr. Roger W. Lovelett & wife, Deborah C., Mr. Sam H. McMahon, III, Mr. Robert K. Schlosser, Jr., Ms. Mary I. Mabry, Mr. William H. Williamson, III, Mr. W. Douglas Cochrane, Ms. Edith K. Hitchcock, Mr. Donald A. Stewart, Mr. John A. Moore, Jr., Mr. Robert E. Mason, IV, the Robert E. Mason Company, Mr. Sloan D. Gibson, IV, Mr. Lewis E. Powell & wife, Dannye G.

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

1. That the property known as the "Poplar Apartment Condominiums" (i.e. the exterior of the building only) is hereby designated as historic property pursuant to Chapter 160A, Article 19, Part 3B, 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 301 West Tenth Street, Charlotte, North Carolina, as recorded on Tax Parcel Numbers 078-037-16 through 078-037-54 in the Tax Office of Mecklenburg County, North Carolina.

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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.

5. That the owners and occupants of the property known as the "Poplar Apartment Condominiums" be given 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.

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Approved as to form:

Henry W. Underhill 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 17th day of September, 1984, the reference having been made in Minute Book 83, and is recorded in full in Ordinance Book 33 at Pages 225-228.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this the 19th day of September, 1984.

Pat Sharkey, City Clerk

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ORDINANCE NO. 1587-X

AN ORDINANCE DESIGNATING A PROPERTY KNOWN AS THE "W. G. ROGERS HOUSE" (INCLUDING THE INTERIOR AND EXTERIOR OF THE MAIN HOUSE, THE INTERIOR AND EXTERIOR OF THE OUTBUILDINGS, AND THE LAND ASSOCIATED THEREWITH) AS HISTORIC PROPERTY, SAID PROPERTY LOCATED AT 524 EAST BOULEVARD, IN CHARLOTTE, NORTH CAROLINA, AND RECORDED ON TAX PARCEL NUMBER 121-051-12, IN THE MECKLENBURG COUNTY TAX OFFICE.

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Chapter 160A, Article 19, Part 3B, 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 17th day of September, 1984, on the question of designating a property known as the "W. G. Rogers House" (including the interior and exterior of the main house, the interior and exterior of the outbuildings, and the land associated therewith); and

WHEREAS, the initial owner and most probably the designer of the main house and outbuildings was Willard G. Rogers, an architect of local and regional importance and from 1906 until about 1916 a partner of C. C. Hook's; and

WHEREAS, the "W. G. Rogers House," erected in 1902, is one of the earliest examples of the Dutch Colonial Revival style in the City of Charlotte; and

WHEREAS, the "W. G. Rogers House" is a well-preserved example of upper middle class housing in turn-of-the-century Dilworth, Charlotte's first street-car suburb; and

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has demonstrated that the property known as the "W. G. Rogers House" possesses special significance in terms of its history, architecture, and/or cultural importance; and

WHEREAS, the property known as the "W. G. Rogers House" possesses integrity of design, setting, workmanship, materials, feeling and/or association; and

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WHEREAS, the property known as the "W. G. Rogers House" is vested in fee simple to Gary L. Benner and John B. Geer.

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

1. That the property known as the "W. G. Rogers House" (including the interior and exterior of the main house, the interior and exterior of the outbuildings, and the land associated therewith) is hereby designated as historic property pursuant to Chapter 160A, Article 19, Part 3B, 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 524 East Boulevard, Charlotte, North Carolina, as recorded on Tax Parcel Number 121-051-12 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

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the property owner from making any use of this property not prevented 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.

5. That the owners and occupants of the property known as the "W. G. Rogers House" 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. Zanderhill 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 approved by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 17th day of September, 1984, the reference having been made in Minute Book 83, and is recorded in full in Ordinance Book 33 at Pages 229-231.

Witness my hand and the corporate seal of the City of Charlotte, North Carolina, this the 19th day of September, 1984.

Pat Sharkey, City Clerk

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ORDINANCE NO. 1588-X

AN ORDINANCE DESIGNATING A PROPERTY KNOWN AS THE "OLD CHARLOTTE SUPPLY COMPANY BUILDING" (INCLUDING THE EXTERIOR OF THE BUILDING AND THE LAND UPON WHICH THE BUILDING SITS) AS HISTORIC PROPERTY, SAID PROPERTY LOCATED AT 500 SOUTH MINT STREET, IN CHARLOTTE, NORTH CAROLINA, AND RECORDED ON TAX PARCEL NUMBER 077-123-08, IN THE MECKLENBURG COUNTY TAX OFFICE.

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Chapter 160A, Article 19, Part 3B, 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 17th day of September, 1984, on the question of designating a property known as the "Old Charlotte Supply Company Building" (including the exterior of the building and the land upon which the buildingsits); and

WHEREAS, the "Old Charlotte Supply Company Building" was designed by Lockwood, Greene and Company, was completed in November, 1923, and is an especially fine example of industrial and warehouse construction of that era; and

WHEREAS, the Charlotte Supply Company, founded in November, 1889, was a manifestation for over seventy years of the importance of the textile industry in Charlotte-Mecklenburg; and

WHEREAS, D. A. Tompkins, famous New South prophet, founder of the Charlotte Observer, and leading industrialist, was one of the founders of the Charlotte Supply Company; and

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has demonstrated that the property known as the "Old Charlotte Supply Company Building" possesses special significance in terms of its history, architecture, and/or cultural importance; and

WHEREAS, the property known as the "Old Charlotte Supply Company Building" possesses integrity of design, setting, workmanship, materials, feeling and/or

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association; and

WHEREAS, the property known as the "Old Charlotte Supply Company Building" is vested in fee simple to Charlotte Supply Partners.

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

1. That the property known as the "Old Charlotte Supply Company Building" (including the exterior of the building and the land upon which the building sits) is hereby designated as historic property pursuant to Chapter 160A, Article 19, Part 3B, 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 500 South Mint Street, Charlotte, North Carolina, as recorded on Tax Parcel Number 077-123-08 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

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the property owner from making any use of this property not prevented 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.

5. That the owners and occupants of the property known as the "Old Charlotte Supply Company Building" 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. Zandvoort 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 17th day of September, 1984, the reference having been made in Minute Book 83, and is recorded in full in Ordinance Book 33 at Pages 232-234.

Witness my hand and the corporate seal of the City of Charlotte, North Carolina, this the 19th day of September, 1984.

Pat Sharkey, City Clerk

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Petition No. 83-68
T. A. Bella

ORDINANCE NO. 1589-2

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 5.95 acre site at 6300 Wilora Lake Road from R-9 to 0-15(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 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 September 19, 1983; 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 0-15(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

BEGINNING at a point, said point being the most northeasterly corner of the Try Surratt property at the centerline of Wilora Lake Road, tax parcel 103-041-06; 1) thence N.86-06W., 390.3 feet; 2) thence N.13-30W., 609.0 feet; 3) thence S.86-05E., 490.5 feet; 4) thence S.03-55W., 600.0 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.
Henry Underhill, City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 17th day of September, 19 84, the reference having been made in Minute Book 83, and recorded in full in Ordinance Book 33, beginning on Page 235.

Pat Sharkey
City Clerk

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Petition No. 84-19
The Walsh Corporation

ORDINANCE NO. 1590-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 an 18.82 acre site along the easterly side of Wilora Lake Road north of Albemarle Road from R-12 to O-15(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 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 R-12 to O-15(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

BEGINNING at a point in the centerline of the 60 foot right-of-way of Wilora Lake Road, said point being located 700.00 feet, as measured in a northerly direction along the said centerline of the 60 foot right-of-way of Wilora Lake Road, from the point of intersection of the said centerline of the 60 foot right-of-way of Wilora Lake Road and the northerly margin of the right-of-way of Albemarle Road; and running thence from said point of BEGINNING, with the centerline of the said 60 foot right-of-way of Wilora Lake Road, in three (3) courses and distances, as follows:

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1) N.3-46-10W., 1056.08 feet to a point; 2) thence, continuing in a northerly direction, with the arc of a circular curve to the left, having a radius of 527.13 feet, an arc distance of 197.65 feet to a point; and 3) N.25-15-10W., 95.0 feet to a point in the centerline (extended) of the right-of-way of a proposed 50 foot street; thence, with the centerline of the right-of-way of a proposed 50 foot street, in seven (7) courses and distances, as follows: 1) N.67-15-50E., 172.77 feet to a point; 2) continuing in a northeasterly or easterly direction, with the arc of a circular curve to the right, having a radius of 150.73 feet, an arc distance of 176.59 feet to a point; 3) S.45-36-48E., 457.86 feet to a point; 4) continuing in a southeasterly direction, with the arc of a circular curve to the right, having a radius of 392.47 feet, an arc distance of 286.55 feet to a point; 5) S.3-46-48E., 408.44 feet to a point; 6) continuing in a southeasterly direction, with the arc of a circular curve to the left, having a radius of 287.45 feet, an arc distance of 299.57 feet to a point; and 7) S.63-29-30E., 107.60 feet to a point in the centerline of the 60 foot right-of-way of Jenkins Avenue; thence with the centerline of the said 60 foot right-of-way of Jenkins Avenue, S.26-30-30W., 25.0 feet to a point; thence, with the northerly lines of Lots 8, 6, 5, and 4 in Block 2 of LYNWOOD ACRES, as shown on a map thereof recorded in the Mecklenburg Public Registry in Map Book 7, at Page 433, and with the northerly line of the property of Ralph E. Cagle (now or formerly; see Deed recorded in the Mecklenburg Public Registry in Deed Book 1405, at Page 85), S.85-10W., 881.86 feet the point or place of BEGINNING, containing 19.180 total acres, less 1.06 acres within the right-of-way of the said proposed 50 foot street, and, less 0.95 acre within the right-of-way of Wilora Lake Road, or 17.170 net acres, all as shown on blueprint of boundary survey, dated November 8, 1984, for The Walsh Corporation by Don Allen Surveyors, reference to which is hereby made.

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 Underhill, City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 17th day of September, 19 84, the reference having been made in Minute Book 83, and recorded in full in Ordinance Book 33, beginning on Page 237-238.

Pat Sharkey
City Clerk

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Petition No. 84-20
The Walsh Corporation

ORDINANCE NO. 1591-7

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 31.44 acre site along Jenkins Drive east of Wilora Lake Road and north of Albemarle Road from R-12 to R-15MF(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 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 R-12 to R-15MF(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

BEGINNING at a point in the centerline of the 60 foot right-of-way of Wilora Lake Road, said point marking the southwesterly corner of the property of Bertha W. McLean (now or formerly; see Deed recorded in the Mecklenburg Public Registry in Deed Book 1175, at Page 211); thence, with the southerly line of the said Bertha W. McLean property, N.67-15-50E., 230.0 feet to an iron, marking the southeasterly corner of the said Bertha W. McLean property; thence with the easterly or rear line of the said Bertha W. McLean property, N.25-15-10W., 100.00 feet to an iron;

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thence, with a portion of the southerly or southeasterly line of the property of Kings Forest, Inc. (now or formerly; see Deed recorded in the Mecklenburg Public Registry in Deed Book 4291, at Page 109), N.67-15-50E., 1009.51 feet to a point in the centerline of a branch; thence, with the centerline of a branch and with the rear lines of the properties of Margaret R. Hoover (now or formerly; see Deed recorded in the Mecklenburg Public Registry in Deed Book 1678, at Page 109), Thomas King (now or formerly; see Deed recorded in the Mecklenburg Public Registry in Deed Book 2375, at Page 68), Dolan R. Hinson (now or formerly; see Deed recorded in the Mecklenburg Public Registry in Deed Book 3019, at Page 177), Milford E. Lackey (now or formerly; see Deed recorded in the Mecklenburg Public Registry in Deed Book 3089, at Page 192), Allen Preston Orbison (now or formerly; see Deed recorded in the Mecklenburg Public Registry in Deed Book 4712, at Page 408), Thomas W. Armstrong (now or formerly; see Deed recorded in the Mecklenburg Public Registry in Deed Book 4468, at Page 925), Ronnie P. Sherril (now or formerly; see Deed recorded in the Mecklenburg Public Registry in Deed Book 4196, at Page 802), and Margaret R. Hoover (now or formerly; see Deed recorded in the Mecklenburg Public Registry in Deed Book 1678, at Page 109), in thirty-two (32) courses and distances, as follows: 1) S.38-04-40E., 144.56 feet to a point; 2) S.5-01E., 16.0 feet to a point; 3) S.60-05E., 16.0 feet to a point; 4) S.35-08E., 151.50 feet to a point; 5) S.56-48E., 61.60 feet to a point; 6) S.41-06E., 35.50 feet to a point; 7) S.78-24E., 27.0 feet to a point; 8) S.70-56E., 32.50 feet to a point; 9) S.5-34W., 12.0 feet to a point; 10) S.33-13E., 31.20 feet to a point; 11) S.33-37E., 268.80 feet to a point; 12) S.0-47E., 35.0 feet to a point; 13) S.3-01W., 58.50 feet to a point; 14) S.28-06W., 13.50 feet to a point; 15) S.56-47E., 9.0 feet to a point; 16) S.10-02E., 26.50 feet to a point; 17) S.1-12W., 63.50 feet to a point; 18) S.26-20E., 15.0 feet to a point; 19) S.41-40W., 17.0 feet to a point; 20) S.57-25E., 24.50 feet to a point; 21) S.7-15W., 23.50 feet to a point; 22) S.64-03E., 16.50 feet to a point; 23) S.44-59E., 16.40 feet to a point; 24) S.78-51E., 49.07 feet to a point; 25) S.25-30E., 29.50 feet to a point; 26) S.73-19W., 32.50 feet to a point; 27) S.34-44W., 21.0 feet to a point; 28) S.73-39E., 19.0 feet to a point; 29) S.23-08E., 9.0 feet to a point; 30) S.63-18E., 14.0 feet to a point; and 32) N.43-24-52E., 29.09 feet to a point; thence, S.26-29-30W., 118.07 feet to an old iron, marking the northeasterly corner of Lot 16 in Block 1 of LYNWOOD ACRES, as shown on a map thereof recorded in the Mecklenburg Public Registry in Map Book 7, at Page 433; thence, with the northerly line of the said Lot 16, S.84-17-30W., 236.04 feet to a point in the centerline of the 60 foot right-of-way of Jenkins Avenue; thence, with the centerline of the 60 foot right-of-way of Jenkins Avenue, S.26-30-30W., 811.80 feet to a point in the centerline (extended) of the right-of-way of a proposed 50 foot street; thence, with the centerline of the right-of-way of a proposed 50 foot street, in seven (7) courses and distances, as follows: 1) N.63-29-30W., 107.60 feet to a point; 2) continuing in a northwesterly direction, with the arc of a circular curve to the right, having a radius of 287.45 feet, an arc distance of 299.57 feet to a point; 3) N.3-46-48W., 408.44 feet to a point; 4) continuing in a northwesterly direction, and with the arc of a circular curve to the left, having a radius of 392.47 feet, an arc distance of 286.55 feet to a point; 5) N.45-36-48W., 457.86 feet to a point; 6) continuing in a northwesterly or westerly direction, with the arc of a circular curve to the left, having a radius of 150.73 feet, an arc distance of 176.59 feet to a point; and 7) S.67-15-50W., 172.77 feet to a point in

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the centerline of the 60 foot right-of-way of Wilora Lake Road; thence, with the centerline of the 60 foot right-of-way of Wilora Lake Road, N.25-15-10W., 25.0 feet to the point or place of BEGINNING, containing 30.313 total acres, less 1.06 acres within the right-of-way of the proposed 50 foot street, less 0.57 acre within the right-of-way of Jenkins Avenue, or 28.683 net acres, all as shown on blueprint of boundary survey, dated November 8, 1984, for The Walsh Corporation by Don Allen Surveyors, reference to which is hereby made.

Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.

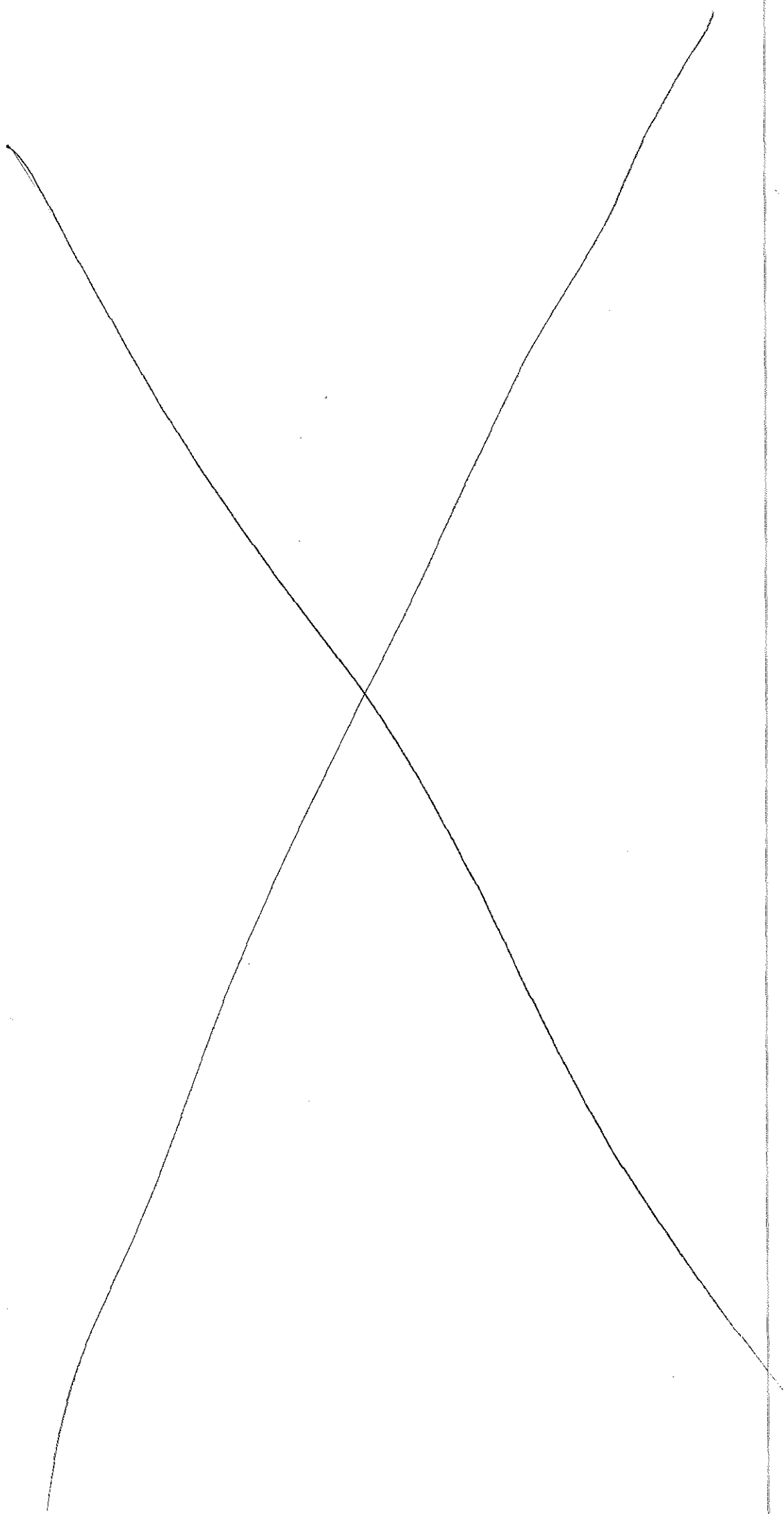
Section 3. That this ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

Henry W. Underhill Jr.
Henry Underhill, City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 17th day of September, 1984, the reference having been made in Minute Book 83, and recorded in full in Ordinance Book 33, beginning on Page 239-240(a).

Pat Sharkey
City Clerk



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Petition No. 84-24
John Crosland Company

ORDINANCE NO. 1592-7

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 9.7± acre site at the southeast corner of Sharon Road and Sharon View Road from R-15 to R-15MF(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 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 April 16, 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-15 to R-15MF(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

BEGINNING at a point, said point being the southeast corner of Sharon Road and Sharon View Road; 1) thence S.82-25-44E., 533.81 feet; 2) thence S.08-04-09W., 653.44 feet; 3) thence N.84-17-00W., 746.45 feet; 4) thence N.22-59-06E., 132.49 feet; 5) thence N.41-47-06E., 22.53 feet; 6) thence R=426.20 feet., L=139.85 feet; 7) thence N.22-59-06E., 419.95 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.
Henry Underhill, City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 17th day of September, 1984, the reference having been made in Minute Book 83, and recorded in full in Ordinance Book 33, beginning on Page 241.

Pat Sharkey
City Clerk

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Petition No. 84-37
Southeastern
Freight Lines

ORDINANCE NO. 1593-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 16.084 acre site along the south side of I-85 between N. Graham Street and Sugar Creek Road from I-1 and R-9 to I-2(CD) and R-9(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 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 May 21, 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 I-1 and R-9 to I-2(CD) and R-9(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

Portion Zoned R-9(CD)

BEGINNING at a point located N. 36-35-04 W. 570.95 feet from the southwesterly corner of the property described as "Parcel One" in Deed recorded in Book 4917 at Page 860 in the Mecklenburg Registry, said point being the southwest corner of the 1.88 acre tract which was zoned R-9(CD) pursuant to Petition No. 84-56, and runs thence from said beginning point

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with a southwesterly line of the property described as "Parcel One" in the above-mentioned Deed N. 36-35-04 W. 51.83 feet to a point, thence N. 38-10 E. 814.30 feet to a point, thence N. 10-52 E. 330.66 feet to a point in the northerly line of the property described as "Parcel One" in the above-mentioned Deed, thence with said line of that property S. 81-19-40 E. 50.04 feet to a point located at the northwesterly corner of the above-mentioned 1.88 acre tract and thence with two northwesterly or westerly lines of said 1.88 acre tract as follows: (1) S. 10-52 W. 334.454 feet and (2) S. 38-10 W. 840.154 feet to the point and place of BEGINNING.

Portion Zoned I-2(CD)

BEGINNING at a point located N. 36-35-04 W. 622.78 feet from the southwesterly corner of the property described as "Parcel One" in Deed recorded in Book 4917 at Page 860 in the Mecklenburg Registry, said point being the southwesterly corner of the above-described 1.31 acre tract and runs thence from said beginning point with two southwesterly lines of the property described as "Parcel One" in the above mentioned Deed as follows: (1) N. 36-35-04 W. 455.00 feet to a point and (2) N. 41-18 W. 251.64 feet to a point, thence with the southeasterly line of property zoned I-2, said line being the westerly line of the property described as "Parcel One" in the above-mentioned Deed, N. 23-54-24 E. 578.09 feet to the northwesterly corner of that property thence with the northerly line of that property S. 81-19-40 E. 777.52 feet to a point located at the northwesterly corner of the above-described 1.31 acre tract and thence with two northwesterly or westerly lines of said 1.31 acre tract as follows: (1) S. 10-52 W. 330.66 feet to a point and (2) S. 38-10 W. 814.30 feet to the point and 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.
Henry Underhill, City Attorney

Read, approved, and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 17th day of September, 1984, the reference having been made in Minute Book 83, and is recorded in full in Ordinance Book 33 at Pages 243-244.

Pat Sharkey
City Clerk

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Petition No. 84-45
John W. Harding

ORDINANCE NO. 1594-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 .26± acre site at 2727 and 2801 Selwyn Avenue from R-9 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 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 June 18, 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 B-1(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

Being a portion of Lot 7 in Block 3 as shown on Map of Mecklenburg Heights, recorded in the Register of Deeds for Mecklenburg County in Map Book 3 at Page 26, said portion being described as: From an iron in the southeasterly Margin of Selwyn Avenue, said iron being located along said Margin of Selwyn Avenue in a northeasterly direction 546.43 feet from its intersection with Colony Road, running thence S.43-15E., 120.0 feet to a point of

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BEGINNING; thence S.43-15E., 122.24 feet to an iron, thence S.67-01W., 79.95 feet to an iron; thence continuing S.67-01W., 85.28 feet to an iron; thence N.43-15W., 45.0 feet to a point, said point in the line between Lots 7 and 8 of Block 3 of Mecklenburg Heights; thence N.46-45E., 155.0 feet to the point 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 Underhill, City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 17th day of September, 19 84, the reference having been made in Minute Book 83, and recorded in full in Ordinance Book 33, beginning on Page 245.

Pat Sharkey
City Clerk

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Petition No. 84-48
Metrolina Association
for the Blind

ORDINANCE NO. 1595-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 7,000 square foot lot at 700 Louise Avenue from R-6MF to 0-6(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 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 July 16, 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-6MF to 0-6(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

BEGINNING at a point, said point being the northeasterly corner of Louise Avenue and Sunnyside Avenue; 1) thence N.11-39-00E., 50.00 feet; 2) thence S.75-56-00E., 140.00 feet; 3) thence S.11-39-00W., 50.00 feet; 4) thence N.75-56-00W., 140.00 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:

Henry W. Underhill Jr.
Henry Underhill, City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 17th day of September, 1984, the reference having been made in Minute Book 83, and recorded in full in Ordinance Book 33, beginning on Page 247.

Pat Sharkey
City Clerk

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Petition No. 84-56
NCNB

ORDINANCE NO. 1596-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 1.88 acre site south of I-85 between N. Graham Street and Sugar Creek Road from R-9 to R-9(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 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 August 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 R-9(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

BEGINNING at a point located N. 36-35-04 W. 519.12 feet from the southwesterly corner of the property described as "Parcel One" in Deed recorded in book 4917 at Page 860 in the Mecklenburg Registry and runs thence from said beginning point with a southwesterly line of that property N. 36-35-04 W. 51.83 feet to a point in said line, said point being the southwesterly corner of the 1.31 acre tract which was zoned R-9(CD) pursuant to Petition No. 84-37, thence with two southeasterly or easterly lines of said 1.31

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acre tract as follows: (1) N. 38-10 E. 840.154 feet to a point and (2) N. 10-52 E. 334.454 feet to a point in the northerly line of the property described "Parcel One" in the above-mentioned Deed, thence with said line of that property S. 81-19-40 E. 74.41 feet to a point located at the northeasterly corner of the property of the Charlotte Park and Recreation Commission, thence with the southwesterly line of that property S. 19-52-22 E. 168.812 feet to a point in said line and thence S. 38-10 E. 1107.151 feet to the point and place of BEGINNING.

The above-described tract is the 1.88 acre tract shown on the Plan prepared by Dana H. Rucker & Associates, Structural Engineers, which is now on file in the office of the Charlotte-Mecklenburg Planning Commission with respect to the proceedings relating to Zoning Petition No. 84-56.

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.
Henry Underhill, City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 17th day of September, 19 84, the reference having been made in Minute Book 83, and recorded in full in Ordinance Book 33, beginning on Page 248-249.

Pat Sharkey
City Clerk

ORDINANCE NO. 1597-ZAN 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 14.25 acre site on the north side of Marsh Road across from Hunters Run from R-12MF(CD) to R-20MF; and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 3211 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 April 16, 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 3211.5:

- .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 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-12MF(CD) to R-20MF on the Official Zoning Map, City of Charlotte, N.C. the following described property:

BEGINNING at a point, said point being the most southerly corner of the Timothy McGowan property, tax parcel 147-101-68; 1) thence S.06-58-31E., 783.11 feet; 2) thence R=199.01 feet, L=163.87 feet; 3) thence S.54-09-13E., 377.68 feet; 4) thence N.35-50-47E., 210.07 feet; 5) thence N.02-31-58W., 1290.15 feet; 6) thence S.59-27-16W., 636.59 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 17th day of September, 1984, the reference having been made in Minute Book 83, and is recorded in full in Ordinance Book 33, at page 250.

Pat Sharkey
City Clerk