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ORDINANCE NO. 2278-X

AN ORDINANCE DESIGNATING A PROPERTY KNOWN AS THE "HENRY M. McADEN HOUSE" (THE EXTERIOR AND THE INTERIOR OF THE MAIN HOUSE, THE EXTERIOR AND THE INTERIOR OF THE GARAGE/APARTMENT, AND THE ENTIRE TRACT OF LAND ON TAX PARCEL NUMBER 155-053-06) AS HISTORIC PROPERTY, SAID PROPERTY BEING LOCATED AT 920 GRANVILLE ROAD, CHARLOTTE, NORTH CAROLINA, AND RECORDED ON TAX PARCEL NUMBER 155-053-06 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 21 day of September, 1987, on the question of designating a property known as the "Henry M. McAden House" as historic property; and

WHEREAS, the "Henry M. McAden House", erected in 1917-1918, was the residence of Henry M. McAden (1872-1957), a leading bank executive and member of a family of important textile manufacturers in this region; and

WHEREAS, the present owner, David M. McConnell, has held many important public offices during his distinguished lifetime, including United States Ambassador to the United Nations in 1968-1969; and

WHEREAS, the "Henry M. McAden House" was designed by Louis

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Asbury, an architect of local and regional importance; and

WHEREAS, the grounds of the "Henry M. McAden House" were designed by Earle Sumner Draper, a landscape architect of local and regional importance; and

WHEREAS, the "Henry M. McAden House" is one of the older and more distinguished houses in Myers Park, an elegant streetcar suburb designed for the George Stephens Company by John Nolen, a nationally-important landscape architect and urban planner; and

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has demonstrated that the property known as the "Henry M. McAden House" possesses integrity of design, setting, workmanship, materials, and/or association; and

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

WHEREAS, the property known as the "Henry M. McAden House" is vested in fee simple to David M. McConnell and wife, Ona A. McConnell.

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

1. That the property known as the "Henry M. McAden House" (the exterior and the interior of the main house, the exterior and the interior of the garage/apartment, and the entire tract

of land on tax parcel number 155-053-06) is hereby designated as historic property pursuant to Chapter 160A, Article 19, Part 3B, as amended, of the General Statutes of North Carolina. For purposes of description only, the location of said property is noted as being situated at 920 Granville Road, Charlotte, North Carolina, and recorded on Tax Parcel Number 155-053-06 in the Mecklenburg County Tax Office.

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

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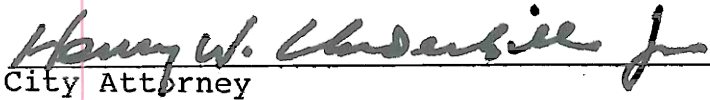
official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the property owner from making any use of this property not prohibited by other statutes, ordinances, or regulations.

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 may be placed on said property.

5. That the owners and occupants of the property known as the "Henry M. McAden House" 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 Standards 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, 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 21st day of September, 1987, the reference having been made in Minute Book 89, and is recorded in full in Ordinance Book 36, at page(s) 69-72.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of September, 1987.

Pat Sharkey, City Clerk

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Petition No. 85-79
(Part 2)
City of Charlotte
Engineering Dept.

APPROVED BY CITY COUNCIL
DATE 9/21/87

ORDINANCE NO. 2279-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 8.4 acre site bounded by Spratt Street, the Southern Railway and the Brookshire Freeway Ramp 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 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 17, 1987; 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, North Carolina the following described property:

BEGINNING at a point, said point being the most southwesterly corner of Mecklenburg County tax parcel 078-454-05; thence N.69-45-56W. 328.83 feet; thence with the arc of a circular curve having a radius of 641.20 feet, an arc distance of 153.57 feet (N.69-08-03W. 153.20 feet); thence N.39-08-02E. 94.46 feet; thence N.41-29-48E. 199.95 feet; thence N.43-35-45E. 65.64 feet; thence N.46-04-16E. 99.98 feet; thence N.47-59-25E. 99.95 feet; thence N.49-12-28E. 601.73 feet; thence S.20-52-14E. 201.84 feet; thence with the arc of a circular curve having a radius of 261.48 feet, an arc distance of 178.88 feet; thence S.18-19-33W. 189.09 feet; thence with the

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arc of a circular curve having a radius of 20.00 feet, an arc distance of 31.42 feet; thence N.71-40-27W. 55 feet; thence with the arc of a circular curve having a radius of 125 feet, an arc distance of 250 feet; thence S.65-14-04W. 70.71 feet; thence S.20-14-04W. 285.06 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 21st day of September, 1987, the reference having been made in Minute Book 89, and recorded in full in Ordinance Book 36, beginning on Page 73.

Pat Sharkey
City Clerk

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Petition No. 87-66
City of Charlotte

ORDINANCE NO. 2280-Z

APPROVED BY CITY COUNCIL

DATE 9/21/87

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-6 to R-6MF on the Official Zoning Map, City of Charlotte, N.C. the following described property:

23.4 acres known as Independence Park located south of East Seventh Street along Park Drive and shown more specifically on the attached map.

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.

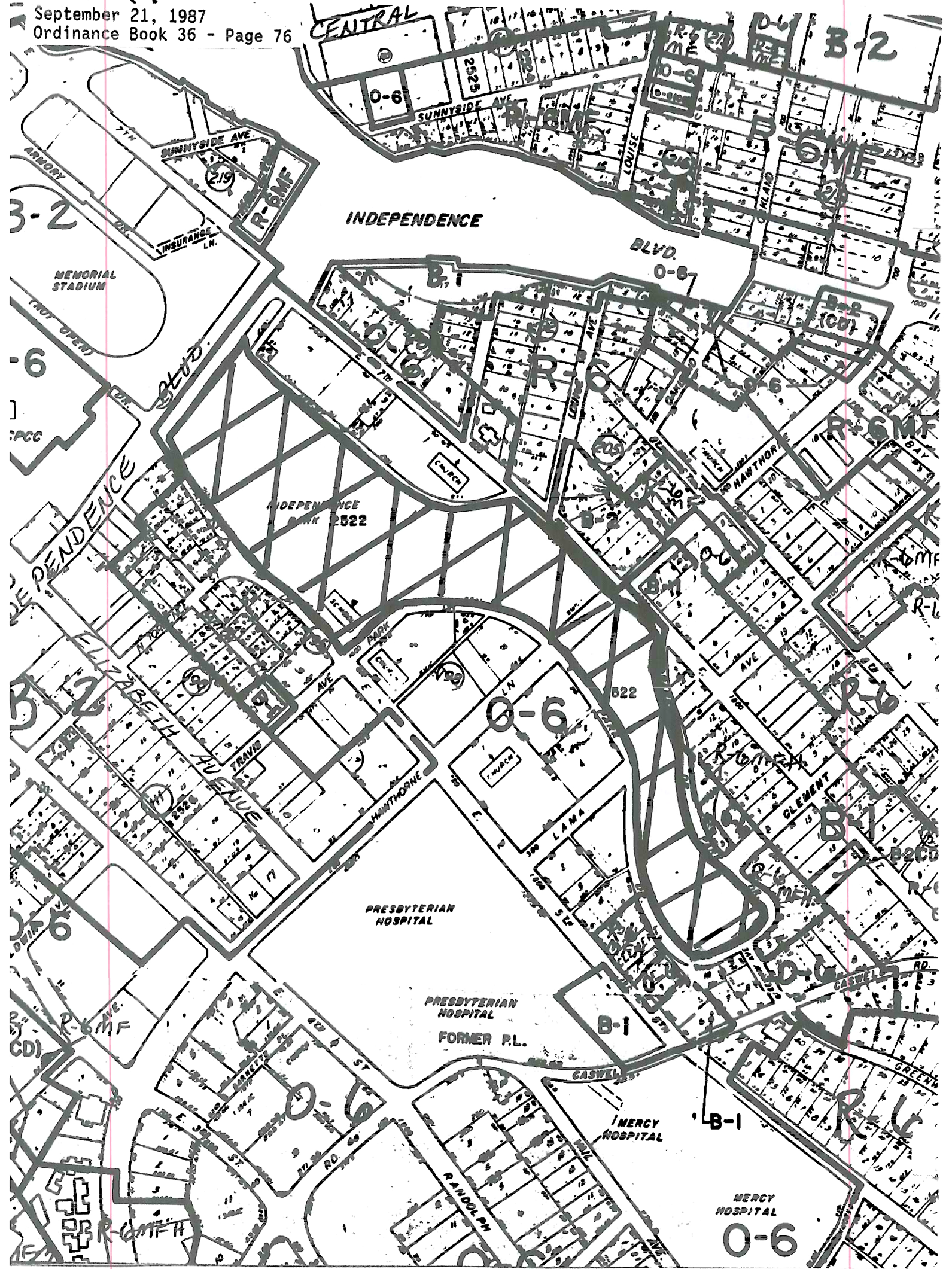
APPROVED AS TO FORM:

Henry W. Clendenen Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 21st day of September, 19 87, the reference having been made in Minute Book 89, and is recorded in full in Ordinance Book 36, at page 75.

Pat Sharkey
City Clerk

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Petition No. 87-68
Steele's Body and
Paint Shop

APPROVED BY CITY COUNCIL

ORDINANCE NO. 2281-Z

DATE 9/21/87

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 2.7 acre site located on the west side of Pineville Road from B-D to B-2(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 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 August 17, 1987; 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-D to B-2(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

BEGINNING at a point in the westerly right-of-way line of Pineville Road (US 21), said point being the southeasterly corner of property described in Deed Book 3787, Page 89 of the Mecklenburg Public Registry and running thence S.81-41-40W. 281.67 feet to the centerline of the Southern Railroad right-of-way; thence N.07-17-19W. 253.14 feet; thence with the arc of a circular curve to the right, having a radius of 2,889.41 feet, an arc distance of 147.05 feet; thence N.81-41-40E. 270.84 feet to the right-of-way of Pineville Road; thence S.08-18-20E. 388.10 feet to the point 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 Underhill, City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 21st day of September, 19 87, the reference having been made in Minute Book 89, and recorded in full in Ordinance Book 36, beginning on Page 77.

Pat Sharkey
City Clerk

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Petition No. 87-69
D. MacRay Elliott and
Clarence M. Elliott

APPROVED BY CITY COUNCIL

ORDINANCE NO. 2282-Z

DATE 9/21/87

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 two (2) acres located between Yorkmont Road and the Southern Railroad from B-1 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 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 August 17, 1987; 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-1 to I-1(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 a tract of land described in Deed Book 4518, Page 316 of the Mecklenburg Public Registry and running thence N.87-53-00W. 229.84 feet; thence N.02-28-00E. 81.66 feet; thence N.87-27-32W. 96.0 feet; thence N.02-28-00E. 212.00 feet; thence S.87-32-00E. 322.33 feet; thence S.01-44-58W. 292.40 feet to the point of BEGINNING and containing 2.0 acres.

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

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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 21st day of September, 19 87, the reference having been made in Minute Book 89, and recorded in full in Ordinance Book 36, beginning on Page 79.

Pat Sharkey
City Clerk