

CITY CD
 January 19, 1988
 Ordinance Book 36, Page 289

Petition No. 87-87
 Charlotte Eye Associates, PA

APPROVED BY CITY COUNCIL

DATE January 19, 1988

ORDINANCE NO. 2344-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 1.8 acre parcel of land located on the southerly side of Billingsley Road approximately 800 feet east of Randolph Road from R-6MF 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 October 19, 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-6MF to O-15(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

BEGINNING at an iron pin located on the southerly margin of Billingsley Road, said point being the northeasterly corner of the Providence Realty Associates property as described in Deed Book 5066, Page 503 of the Mecklenburg County Registry, and runs thence with the southerly margin of Billingsley Road as follows: (1) S.80-39E. 124.27 feet to a point; (2) with the arc of a circular curve to the left having a radius of 2,157.43 feet, a distance of 113.50 feet to an iron pin located at the northwesterly corner of Joseph J. Estwanik, III property as described in Deed Book 4563, Page 450 and Deed Book 5132, Page 248 of the Mecklenburg County Registry; thence with the westerly line of the Estwanik property

S.4-11-29W. 365.46 feet to an iron pin located in the northerly line of the Charter Medical of Charlotte, Inc. property as described in Deed Book 4750, Page 490 of the Mecklenburg County Registry; thence with the northerly line of Charter Medical property as follows: (1) N.72-11-55W. 127.34 feet to an iron pin; (2) N.61-25-43W. 123.62 feet to an iron pin located at the southeasterly corner of the Providence Realty property; thence with the easterly line of the Providence Realty property N.4-04E. 302.87 feet to the point and place of beginning. Containing 80,306.26 square feet or 1.844 acres as shown on map prepared by R. B. Pharr & Associates, dated August 13, 1987.

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 19th day of January, 1988, the reference having been made in Minute Book 90, and recorded in full in Ordinance Book 36, beginning on Page 289-290.

Pat Sharkey
City Clerk

DATE 1/19/88CITY R-20MF

January 19, 1988
Ordinance Book 36, Page 291

Petition No. 87-92
MECA Properties, Inc.
Part Two

ORDINANCE NO. 2345-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 12.5 acre site (Crockett Park) bounded by Lyndhurst Avenue, Magnolia Avenue, Winthrop Avenue, and Iverson Way, from R-6 to R-20MF (Innovative); 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 December 21, 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 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 and 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-6 to R-20MF (Innovative) on the Official Zoning Map, City of Charlotte, N.C. the following described property:


Lying and being in the City of Charlotte, Mecklenburg County, North Carolina, and being more particularly described as follows:

BEGINNING at an iron pipe located at the point of intersection of the southeasterly margin of the right-of-way of Lyndhurst Avenue and the southwesterly margin of the right-of-way of Magnolia Avenue, and running thence with the southwesterly margin of the right-of-way of Magnolia Avenue S.46-32-32E. 471.6 feet to an iron pipe, said iron pipe being located at the point of intersection of the southwesterly margin of the right-of-way of Magnolia Avenue and the westerly margin of the right-of-way of Winthrop Avenue; running thence with the westerly margin of the right-of-way of Winthrop Avenue two call and distances as follows: (1) with the arc of a circular curve to the left having a radius of 994.48 feet an arc distance of 448.6 feet to an iron pipe and (2) S.5-14-17E. 374.56 feet to an iron pipe in the westerly margin of the right-of-way of Winthrop Avenue, said iron pipe also marking the easterlymost rear corner of Lot 1 in Block 21 of the subdivision known as Sunset Hills as shown on the map recorded in Map Book 4 at page 661 in the Mecklenburg County Registry; running thence with the rear lines of Lots 1 through 14, inclusive, in Block 21 of the subdivision known as Sunset Hills as shown on the map recorded in Map Book 4 at page 661 in the Mecklenburg County Registry N.60-28W. 820.94 feet to an iron pipe located in the easterly margin of the right-of-way of Iverson Way, said Lot 14; thence with the easterly margin of the right-of-way of Iverson Way two calls and distances as follows: (1) with the arc of a circular curve to the left having a radius of 627.7 feet an arc distance of 246.31 feet to an iron pipe and (2) with the arc of a circular curve to the left having a radius of 415.13 feet an arc distance of 170.95 feet to an iron pipe located at the point of intersection of the northeasterly margin of the right-of-way of Iverson Way and the southeasterly margin of the right-of-way of Lyndhurst Avenue; thence with the southeasterly margin of the right-of-way of Lyndhurst Avenue three calls and distances as follows: (1) N.66-48-3E. 207.43 feet to an iron pipe, (2) with the arc of a circular curve to the left having a radius of 580.6 feet an arc distance of 246.08 feet to an iron pipe and (3) N.42-36-33E. 158.68 feet to the point and place of beginning. Said parcel of land contains 12.519 acres and is shown on the plat of survey for Meca Properties, Inc. prepared by R. B. Pharr, North Carolina Registered Land Surveyor, dated September 9, 1987.

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 19th day of January, 19 88, the reference having been made in Minute Book 90, and is recorded in full in Ordinance Book 36, at page 291-292.

Pat Sharkey
City Clerk

DATE

1/19/88

CITY R-20MF

Petition No. 87-93
Butterfly Seven Ltd., Inc.

ORDINANCE NO. 2346-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 40 acre site on the eastern side of Reddman Road approximately 2,600 feet south of Albemarle Road from R-9MF(CD) and B-1(CD) to R-20MF(Innovative) and R-9MF(CD) Site Plan Amendment; 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 December 21, 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 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 and 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-9MF(CD) & B01(CD) to R-20MF(Innovative) & R-9MF(CD) Site Plan Amendment on the Official Zoning Map, City of Charlotte, N.C. the following described property:

REDDMAN ROAD

BEGINNING at an iron in the northwesterly corner of Reddman Road, the northerly property conveyed to Forest Ridge Development Company by deed recorded in Book 4758, Page 289 of the Mecklenburg Public Registry, and running thence with the line of Forest Ridge Development (now or formerly), N.81-41-57E. 1,924.72 feet to an iron, the northeasterly corner of the property conveyed to Green Acres, Inc. by deed recorded in Book 3258, Page 225 of the Mecklenburg Public Registry; thence with the line of Green Acres, Inc. (now or formerly), S.26-18-31W. 1,676.60 feet to an iron, the southeasterly corner of the property conveyed to Government Zone by deed recorded in Book 4531, Page 773 of the Mecklenburg Public Registry, and The Mathisen Company by deed recorded in Book 4789, Page 302 of the Mecklenburg Public Registry; thence continuing along the southerly margin to an iron, N.69-13-16W. 772.64 feet, the property conveyed to The Ryland Group by deed recorded in Book 5123, Page 161 of the Mecklenburg Public Registry and Leo Marreles by deed recorded in Book 5058, Page 190 of the Mecklenburg Public Registry and Shirley Giles by deed recorded in Book 5078, Page 874 of the Mecklenburg Public Registry and Thomas Petaccia by deed recorded in Book 4458, Page 172 of the Mecklenburg Public Registry and Larry Cody by deed recorded in Book 4658, Page 508 of the Mecklenburg Public Registry and Lynn Brown by deed recorded in Book 4548, Page 737 of the Mecklenburg Public Registry; thence continuing on southerly margin to iron, N.74-05-13W. 304.02 feet, the property conveyed to Samuel Phips by deed recorded in Book 3225, Page 020 of the Mecklenburg Public Registry; thence along the westerly margin, Reddman Road, N.08-49-40E. 72.23 feet to an iron, the westerly property conveyed to Margret K. Walden by deed recorded in Book 1989, Page 367 of the Mecklenburg Public Registry; thence with the line of Walden (now or formerly) N.16-14-52W. 551.65 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 19th day of January, 19 88, the reference having been made in Minute Book 90, and is recorded in full in Ordinance Book 36, at page 293-294.

Pat Sharkey
City Clerk

APPROVED BY CITY COUNCIL

DATE 1/19/88

CITY CD

Petition No. 87-95
Waters, Inc.

ORDINANCE NO. 2347-Z

A RESOLUTION 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 1.6 acre lot located on the southeasterly corner of the intersection of Belhaven Boulevard and North Hoskins Road; changing from R-6MF 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 December 21, 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-6MF to B-1(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

BOUNDARY DESCRIPTION

BEGINNING at the intersection of the northeasterly right-of-way line of Belhaven Boulevard and the southeasterly right-of-way line of North Hoskins Road and running thence with said Hoskins right-of-way N.72-30-00E. 142.00 feet; thence S.17-25-26E. 348.96 feet; thence S.55-16-32W. 148.73 feet to a point in the Belhaven right-of-way; thence with said right-of-way N.17-25-26E. 393.00 feet to the BEGINNING and containing 1.144 acres.

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 19th day of January, 19 88, the reference having been made in Minute Book 90, and is recorded in full in Ordinance Book 36, at page 295-296.

Pat Sharkey
City Clerk

January 19, 1988
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CITY ZONE CHANGE

Petition No. 87-96
Harvey W. Gouch and wife, Louise

ORDINANCE NO. 2348-Z

APPROVED BY CITY COUNCIL
DATE January 19, 1988

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-2 on the Official Zoning Map, City of Charlotte, N.C. the following described property:

BEING in the city of Charlotte, North Carolina and beginning at a point located in the southwest margin of Eloise Avenue (unopened), said point being distant N.48-00-25W. 235.38 feet from the point where the Southwest margin of Eloise Avenue intersects with the Northwest margin of North Tryon Street, and runs from said point or place of beginning and with common rear lines of Lots 190-193 and Lots 188 and 189 of Austin Park as recorded in Map Book 5 at Page 315, in the Mecklenburg Register, S.62-56W. 87.5 feet to an old iron; thence N.30-58-47W. 10.06 feet to a point, thence N.43-34-13E. 88.34 feet to a point located in the Southwest margin of Eloise Avenue; thence with Eloise Avenue. S.48-00-26E. 41.53 feet to the beginning, the same being a portion of Lots 188 and 189 of Austin Park as shown on maps recorded as aforesaid. The same being shown as shaded area on map of Keith R. Moen, R.S. dated November 13, 1878, revised October 12, 1987.

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. Cladenhill Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 19th day of January, 1988, the reference having been made in Minute Book 90, and is recorded in full in Ordinance Book 36, at page 297.

Pat Sharkey
City Clerk

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January 19, 1988
Ordinance Book 36 - Page 299

APPROVED BY CITY COUNCIL
DATE 1/19/88

ORDINANCE NO. 2349

AN ORDINANCE AMENDING APPENDIX A
OF THE CITY CODE - ZONING ORDINANCE

AN ORDINANCE AMENDING THE CITY CODE
WITH RESPECT TO THE ZONING ORDINANCE

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

Section 1. Appendix A, "Zoning" of the Code of the City of Charlotte is hereby amended as follows:

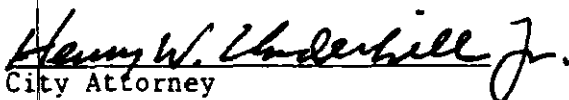
1. Add a new Section 1208 as follows:

1208. Application and Review Fees

Certain fees may be required in order to provide the necessary administrative review and processing of plans or permit applications. These fees shall be established pursuant to the schedule of user fees adopted by the Charlotte City Council. Any fees for processing services or permit review listed in the City of Charlotte Zoning Ordinance will apply unless superseded by the adopted fee schedule. An accurate copy of the Zoning Ordinance Fees Schedule shall be posted in a conspicuous place in the office of the Charlotte-Mecklenburg Planning Commission".

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

Approved as to form:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 19th day of January, 1988, the reference having been made in Minute Book 90, and recorded in full in Ordinance Book 36, at page 299.

Pat Sharkey, City Clerk

January 19, 1988
Ordinance Book 36 - Page 300

CITY CD

Petition No. 87-98
Crow-Childress-Klein #9

APPROVED BY CITY COUNCIL

DATE January 19, 1988

ORDINANCE NO. 2350-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 30.298 acre site bounded by the Coffey Creek Business Park, Tyvola Road Extension and Big Sugar Creek from R-15 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 December 21, 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-15 to I-1(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

SITUATED In Mecklenburg County, North Carolina and being more particularly described as follows:

BEGINNING at a point which is determined by the intersection of the northerly margin of the right of way of South Stream Boulevard and the southwesterly margin of the right of way of Tyvola Road Extension and run thence along the southwesterly margin of Tyvola Road Extension and two calls as follows: 1) thence S.45-47-16E. 204 feet; 2) thence S.46-58-57E. 385.55 feet; 3) thence S.15-53-30E. 116.10 feet; 4) thence S.03-03-42W.

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114.34 feet; 5) thence S.18-42-41W. 267.41 feet; 6) thence S. 04-38-58E. 418.55 feet; 7) thence S.32-15-01E. 131.59 feet; 8) thence S.22-38-41E. 142.51 feet; 9) thence S.12-59-45E. 20.38 feet; 10) thence S.75-30-01W. 27.03 feet; 11) thence N. 79-59-17W. 89.94 feet; 12) thence N. 48-18-40W. 170.25 feet; 13) thence N. 26-44-29W. 90.31 feet; 14) thence N.00-45-25W. 120.79 feet; 15) thence N.82-51-08W. 301.04 feet; 16) thence N.82-49-19W. 257.17 feet; 17) thence N.82-50-00W. 211.52 feet; 18) thence N.82-49-02W. 183.36 feet; 19) thence N.10-03-18E. 127.37 feet; 20) thence N.10-04-37E. 442.24 feet; 21) thence N.10-04-13E. 593.04 feet; 22) thence N.10-03-03E. 478.56 feet; 23) thence N.10-00-55E. 21.42 feet; to a point in the southwesterly margin of Tyvola Road Extension; thence with a southwesterly margin of Tyvola Road Extension in two calls as follows: (1) S.21-43-53E. 191.50 feet to a point; (2) with the arc of circular curve to the left having a radius of 1,703.52 feet and a chord bearing of S.33-44-33E., an arc distance of 546.30 feet to the POINT OR PLACE OF BEGINNING.

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 19th day of January, 1988, the reference having been made in Minute Book 90, and recorded in full in Ordinance Book 36, beginning on Page 300-301.

Pat Sharkey
City Clerk