

APPROVED BY CITY COUNCIL

DATE July 16, 1990ORDINANCE NO. 2960AN ORDINANCE AMENDING APPENDIX A
OF THE CITY CODE - ZONING ORDINANCE

Pet. No. 90-46

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. Amend Section 1308 Hierarchy of Zoning Districts by adding "B-P" between "B-D" and "U-I" and amend the last sentence of that section to read "The UDC-V District is not classified in the hierarchy of districts due to its mixed use potential and special review and approval procedures."
2. Amend Section 3202.1 by amending the last sentence of the first paragraph and add a new last sentence so that it reads as follows: "The applicant should include at least the items listed below for all applications except B-P(CD). For B-P(CD) the application should include at least the items listed in Section 3402.3.1-8."
3. Amend Section 3202.2 by adding at the end of .4 and .5 the following: "(Not required for B-P(CD) applications.)"
4. Amend Section 3402.3 by removing in its entirety the last sentence in the last paragraph.

Section 2. That this resolution shall become effective upon adoption.

Approved as to form:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 16th day of July, 19 90, the reference having been made in Minute Book 95, and recorded in full in Ordinance Book 39, at page 120.

Pat Sharkey, City Clerk

DATE 7/16/90

CITY CD

Petition No. 90-11
J. L. Neal

ORDINANCE NO. 2961-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 approximately 23.98 acres located off the easterly side of Starita Road north of I-85, changing from R-9, B-D, I-1 and I-2 to I-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 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, 1990; 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, B-D, I-1 and I-2 to I-2(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

That certain tract or parcel of land lying and being in the City of Charlotte, Mecklenburg County, North Carolina, and more particularly described as follows:

BEGINNING on a point on the northerly margin of Starita Road, said beginning point being the southeast corner of the property of Forest M. Gains and wife, Sara W. Gains (now or formerly), as shown on Deed recorded in Book 5066, Page 357, Mecklenburg County Public Registry, and commencing from said beginning point, N.29-08-09E. 548.66 feet to a point; thence N.82-10-05E. 153.62 feet to a point; thence N.11-23-59E. 132.65 feet to a point; thence N.11-23-59E. 450.74 feet to a point, the common corner of the properties of Bland Armond Jordan (now or formerly) as shown in Deed recorded in Book 4936, Page 492, Mecklenburg County Public Registry, and the properties of B. D. Farmer, III, et al. (now or formerly), as shown in Deed recorded in Book 3819, Page 816, Mecklenburg County Public Registry, thence with the southerly line of B. D. Farmer, III, et al. (now or formerly), S.82-02-52E. 494.55 feet to a point; thence S.82-39-40E. 406.52 feet to a point; thence S.83-48-42E. 811.11 feet to a point; thence S.13-05-59W. 339.63 feet to a point; thence S.54-28-13W. 122.11 feet to a point; thence S.46-07-55W. 128.62 feet to a point; thence with the northwesterly line of Canada Dry Bottling Company of Raleigh-Durham (now or formerly), as shown in Deed recorded in Book 3101, Page 217, Mecklenburg County Public Registry, S.75-43-26W. 251.32 feet to a point; thence N.77-22-13W. 100.50 feet to a point; thence S.28-19-51W. 52.70 feet to a point; thence N.40-38-19W. 74.80 feet to a point; thence N.40-12-32W. 96.99 feet to a point; thence N.63-19-42W. 53.54 feet to a point; thence S.88-35-52W. 60.76 feet to a point; thence N.50-27-29W. 118.86 feet to a point; thence N.82-39-40W. 119.90 feet to a point, thence S.22-24-54E. 119.00 feet to a point; thence with the centerline of Irwin Creek the following nine (9) distances and bearings: (1) S.25-35-19W. 54.05 feet; (2) S.23-20-27W. 42.69 feet; (3) S.26-55-33W. 105.64 feet; (4) S.30-53-02W. 22.78 feet to a point; (5) S.43-01-22W. 85.48 feet to a point; (6) S.61-42-02W. 105.38 feet to a point; (7) thence S.43-22-22W. 130.37 feet to a point; (8) thence S.14-24-02W. 67.44 feet to a point; (9) thence S.40-11-42W. 63.42 feet to a point; thence with the westerly margin of the property of Rental Tools and Equipment Company International, Inc. (now or formerly), as shown in Deed recorded in Book 5914, Page 448, Mecklenburg County Public Registry, S.33-33-01E. 217.23 feet to a point; thence S.07-33-09W. 46.90 feet to a point; thence N.47-46-12W. 70.44 feet to a point; thence N.70-17-56W. 90.02 feet to a point; thence S.19-40-41W. 15.02 feet to a point; thence N.79-44-38W. 152.18 feet to a point; thence N.72-51-30W. 105.29 feet to a point; thence N.72-51-30W. 100.60 feet to a point; thence N.72-51-30W. 44.39 feet to a point; thence N.70-34-04E. 247.19 R+749.88 feet L-184.76 feet to the point or place of Beginning, and containing 34.74 acres, all as shown on survey by Glenn Christopher Otto, N.C.R.L.S., dated December 13, 1989.

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 day of July 16, 19 90, the reference having been made in Minute Book 96, and is recorded in full in Ordinance Book 39, at page 121-122A.

Pat Sharkey
City Clerk

DATE 7/16/90

CITY CD

Petition No. 90-41
Carol L. Patterson

ORDINANCE NO. 2962-7

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 approximately .368 acres located on the westerly side of North Sharon Amity Road north of Abbydale, changing from R-9 to R-9MF(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, 1990; 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:

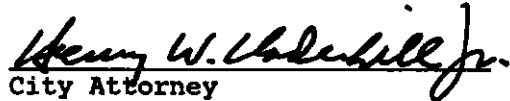
Section 1. That Section 1005 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-9 to R-9MF(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

BEGINNING at a point being the southeasterly corner of Herbert M. Willetis property parcel 101-091-026 at North Sharon Amity Road. Thence from said point of beginning N.37-01-SE. 49-62 feet; thence N.17-49-45W. 188.32; thence S.37-01-50W., 158.02 feet; thence S.52-58-10W. 154.0 feet to said 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:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the day of July 16, 19 90, the reference having been made in Minute Book 96, and is recorded in full in Ordinance Book 39, at page 123-123A.

Pat Sharkey
City Clerk

APPROVED BY CITY COUNCIL
DATE July 16, 1990

ORDINANCE NO. 2963

ORDINANCE AMENDING APPENDIX A-ZONING
Petition No. 90-47

AN ORDINANCE AMENDING THE ZONING ORDINANCE, APPENDIX A-ZONING,
OF THE CODE OF THE CITY OF CHARLOTTE.

BE IT ORDAINED by the City Council of the City of Charlotte,
NC, that:

Section 1. Appendix A-Zoning, § 1407, of the City
Code, shall be amended by adding a new § 1407 to read as follows:

"§ 1407. Fees. Petitions for appeals to be consid-
ered by the Board of Adjustment must be filed with the
Department of Building Standards and Code Enforcement
and must be accompanied by the necessary application
fee which shall be uniform with the application fee as
established by the Board of County Commissioners."

Sec. 2. This ordinance shall become effective upon its
adoption.

Approved as to form:

Henry W. Underhill Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North
Carolina, in regular session convened on the 16th day of July, 1990, the reference h ng
been made in Minute Book 95, and is recorded in full in Ordinance Book 39, at page(s) 24

Pat Sharkey,
City Clerk

DATE July 16, 1990

ORDINANCE NO. 2964

AN ORDINANCE AMENDING APPENDIX A
OF THE CITY CODE ZONING
ORDINANCE

Petition No. 90-48

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

Be it ordained by the City Council of the City of Charlotte that:

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

1. Amend Section 1403. Duties of the Board of Adjustment, by
adding a new section 1403.4. Conditional districts., to read
as follows:

1403.4. Conditional districts. The board of adjustment shall
not have jurisdiction with respect to Section 3200.
"Conditional Districts". The process identified in Section
3200., "Conditional Districts", is the only process available
for any changes or amendments to approved conditional
districts. The board of adjustment shall only have
jurisdiction with respect to conditional districts if the
request pertains to a variance from specified minimum
requirements of the zoning ordinance and is filed with the
board prior to the approval of a conditional district. At no
time shall the board of adjustment have authority to consider
a variance relating to signs in a conditional district.

Section 2. This ordinance shall become effective upon adoption.

APPROVED AS TO FORM:

Henry W. Underhill Jr.
City Attorney

Read, approved, and adopted by the City Council of the City of
Charlotte, North Carolina, in regular session convened on the 16th
day of July, 19 90, the reference having been made in
Minute Book 95, and recorded in full in Ordinance Book 39, at
page 125.

Pat Sharkey, City Clerk

APPROVED BY CITY COUNCIL

DATE 7/16/90

CITY ZONE CHANGE

Petition No. 90-49
James Alexander

ZONING REGULATIONS
MAP AMENDMENT NO. 2965-Z

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 change from R-6 to I-1 on the Official Zoning Map, City of Charlotte, N.C. the following described property:

SEE ATTACHED MAP

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

APPROVED AS TO FORM:

Henry W. Underhill Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 16th day of July, 1990, the reference having been made in Minute Book 96, and is recorded in full in Ordinance Book 39,, at page(s) 126-127

Pat Sharkey,
City Clerk

PETITIONER James Alexander

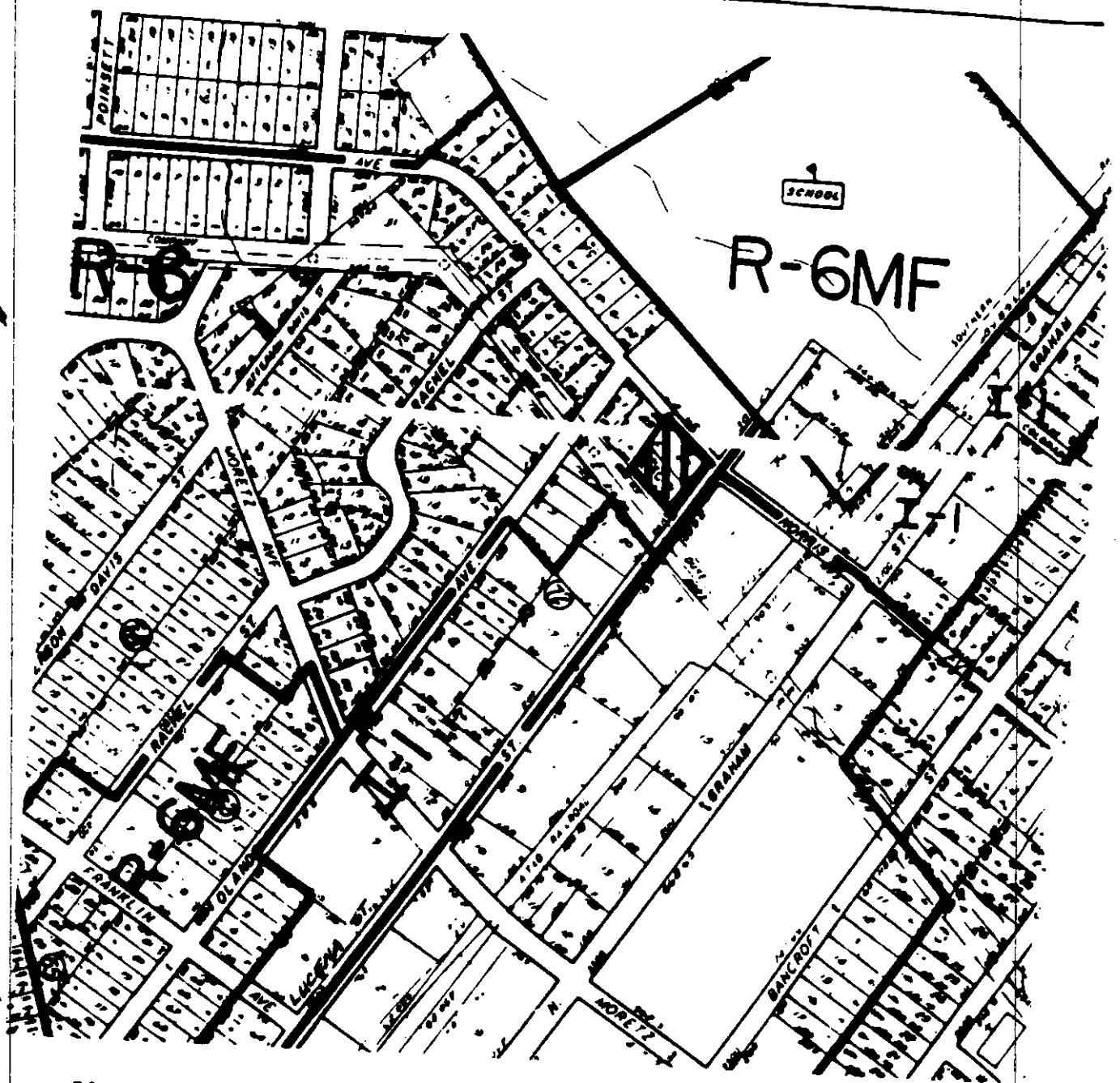
PETITION NO. 90-49

HEARING DATE June 18, 1990

ZONING CLASSIFICATION, EXISTING R-6

REQUESTED I-1

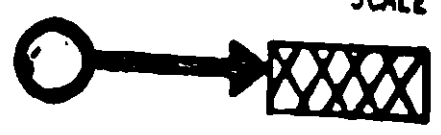
LOCATION Approximately .489 acres located on the southwesterly corner of the intersection of Norris Avenue and Lucena Street.



ZONING MAP NO. 79 & 88

PROPERTY PROPOSED FOR CHANGE

SCALE 1" = 400'



CITY CD

Petition No. 90-50
Salvation Army

ORDINANCE NO. 2966-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 approximately 2.6 acres bounded by Statesville Avenue, Oliver Street, and Spratt Street, changing from R-9MF to O-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 June 18, 1990; 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 O-6(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

This description was prepared by Murphy Yelle Associates.
Liability for any damages resulting from changes of alteration to
this description flows to the party responsible for such changes
or alterations.

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

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

APPROVED AS TO FORM:

Henry W. Underhill, Jr.
City Attorney

Read, approved and adopted by the City Council of the City of
Charlotte, North Carolina, in regular session convened on the 16th
day of July, 19 90, the reference having been made in
Minute Book 96, and is recorded in full in Ordinance
Book 39, at page 128-129A.

Pat Sharkey
City Clerk

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not used

EXHIBIT "A"

BEING all of that Lot 2, Block 18, Greenville Urban Renewal Area, situated in the City of Charlotte, Mecklenburg County, North Carolina, per plat recorded in Map Book 21, Page 189, Mecklenburg County Registry of Deeds, more particularly described by metes and bounds as follows:

BEGINNING at a found 3/4" rebar in the westerly margin of Statesville Avenue (100' right-of-way), the southeast corner of the tract herein described and the northeast corner of Lot 4, Block 18, Greenville Urban Renewal Area;

THENCE, departing Statesville Avenue and with the common line between Lot 2 and Lot 4, N.67-01-32W., a distance of 333.12 feet to a 1/2" pipe set this survey in the easterly margin of Spratt Street (50' right-of-way), the southwest corner of the tract herein described;

THENCE, with the easterly margin of Spratt Street, N.18-19-33E., a distance of 232.97 feet to a point of curvature;

THENCE, with a curve to the left having a radius of 311.48 feet, a central angle of 23-23-13" and a chord of 126.26 feet bearing N.06-37-56E., for an arc distance of 127.14 feet to a 1/2" pipe set this survey, a point of reverse curvature;

THENCE, with a curve to the right having a radius of 20.00 feet, a central angle of 87-07-51" and a chord of 26.01 feet bearing N.35-30-15E., for an arc distance of 28.32 feet to a 1/2" pipe set this survey, a point of compound curvature in the southerly margin of Oliver Street (90' right-of-way);

THENCE, with the southerly margin of Oliver Street and a curve to the right having a radius of 671.20 feet, a central angle of 15-11-08" and a chord of 177.37 feet bearing N.83-39-49E, for an arc distance of 177.89 feet to a 1/2" pipe set this survey, a point of compound curvature;

THENCE, with a curve to the right having a radius of 22.00 feet, a central angle of 88-03-12 and a chord of 30.58 feet bearing S.44-42-53E., for an arc distance of 33.81 feet to a 1/2" pipe set this survey in the westerly margin of Statesville Avenue, a point of tangency;

THENCE, with the westerly margin of Statesville Avenue, S.00-41-17E., a distance of 495.65 feet to the POINT OF BEGINNING; containing 2.601 acres all according to that map entitled "Boundary Survey of Lot 2, Block 18, Greenville Urban Renewal Area" prepared by Murphy Yelle Associates, dated January 25, 1990 and signed by Michael C. Sawhill, RLS #3223, to which reference for all purposes is hereby made .

APPROVED BY CITY COUNCIL
DATE 7/16/90

CITY ZONE CHANGE

Petition No. 90-54
Charlotte-Mecklenburg
Planning Commission

ZONING REGULATIONS
MAP AMENDMENT NO. 2967-2

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

SEE ATTACHED MAP

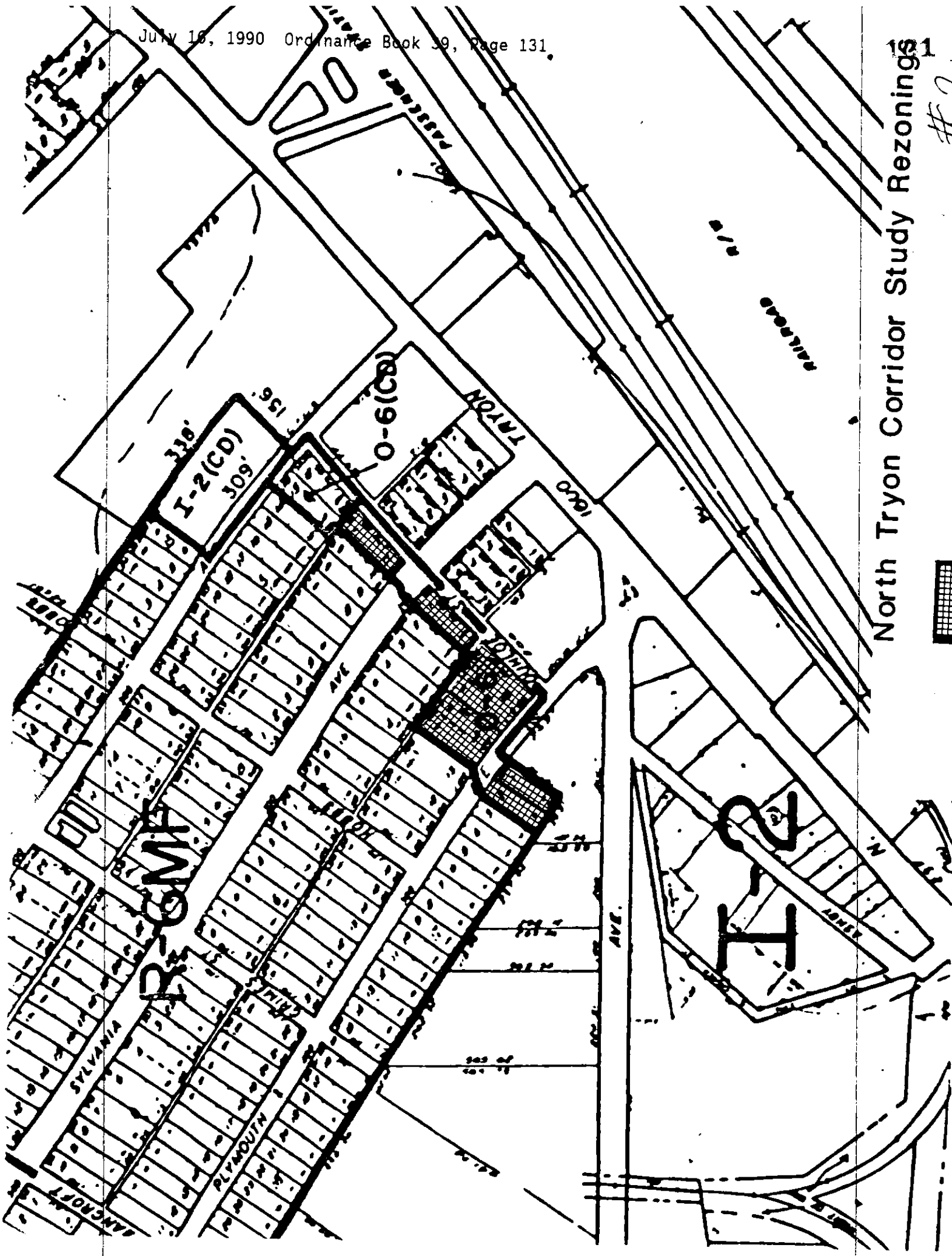
Section 2. That this ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

Henry W. Underhill Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 16th day of July, 1990, the reference having been made in Minute Book 96, and is recorded in full in Ordinance Book 39, at page(s) 130-131.

Pat Sharkey,
City Clerk



North Tryon Corridor Study Rezoning # 1

1

APPROVED BY CITY COUNCIL
DATE 7/16/90

CITY ZONE CHANGE

Petition No. 90-55
Charlotte-Mecklenburg
Planning Commission

ZONING REGULATIONS
MAP AMENDMENT NO. 2968-Z

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 change from O-6 & I-1 to R-6MF on the Official Zoning Map, City of Charlotte, N.C. the following described property:

SEE ATTACHED MAP

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

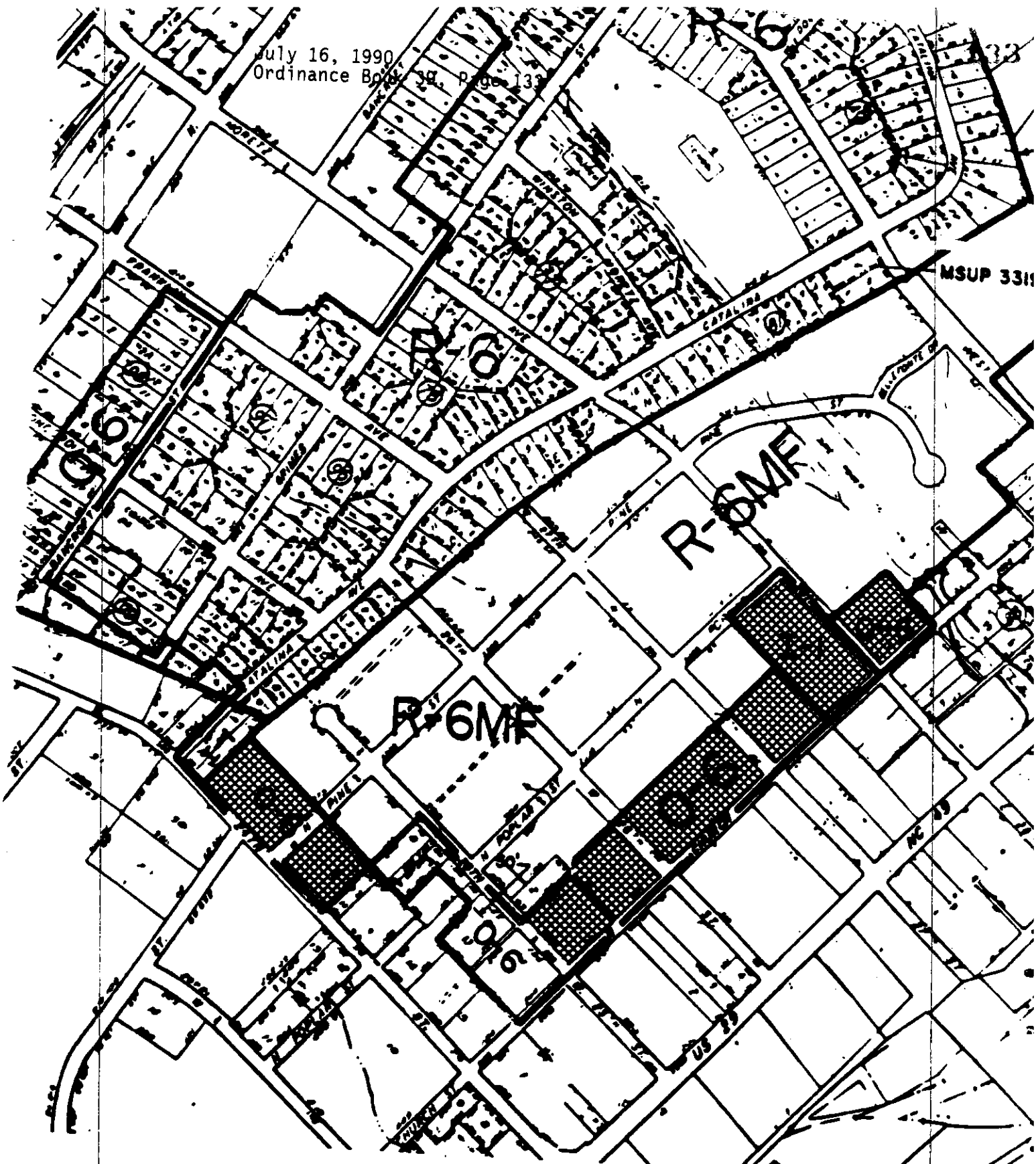
APPROVED AS TO FORM:

Henry W. Underhill, Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 16th day of July, 1990, the reference having been made in Minute Book 96, and is recorded in full in Ordinance Book 39, at page(s) 132-133.


Pat Sharkey,
City Clerk

MSUP 331



PETITION #3

North Tryon Corridor Study Rezoning

 O-6 AND I-1 TO R-6MF