

ORDINANCE NO. 3355

AN ORDINANCE DESIGNATING AS AN HISTORIC LANDMARK BOTH THE INTERIOR AND THE EXTERIOR OF A PHYSICAL PIECE OF PROPERTY KNOWN AS THE "CHARLOTTE STREETCAR NO. 85." THE PROPERTY, OWNED BY THE CHARLOTTE-MECKLENBURG HISTORIC LANDMARKS COMMISSION, IS A PIECE OF MOVABLE EQUIPMENT CURRENTLY HOUSED AT THE FORMER CHARLOTTE TRANSIT FACILITY ON NORTH BREVARD STREET, CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA.

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Chapter 160A, Article 19, as amended, of the General Statutes of North Carolina have been met; and

WHEREAS, the Members of City Council of the City of Charlotte, North Carolina, have taken into full consideration all statements and information presented at a joint public hearing held with the Charlotte-Mecklenburg Historic Landmarks Commission on the 20th day of July, 1992, on the question of designating a property known as the "Charlotte Streetcar No. 85" as a historic landmark; and

WHEREAS, the "Charlotte Streetcar No. 85" is the only restorable, known remnant of Charlotte's streetcar fleet; and

WHEREAS, the body of the "Charlotte Streetcar No. 85" was constructed by the Perley Thomas Car Company of High Point, North Carolina, most likely in the late 1910's; and

WHEREAS, the fleet of streetcars that served Charlotte played a decisive role in the physical evolution of this community; and

WHEREAS, the "Charlotte Streetcar No. 85," when fully restored and placed in service, will enhance the historic image of Uptown Charlotte; and

WHEREAS, the current owner, the Charlotte-Mecklenburg Historic Landmarks Commission, has faithfully restored the "Charlotte Streetcar No. 85" and has thereby made a substantial contribution to the cultural richness of Charlotte and Mecklenburg County; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has demonstrated that the property known as the "Charlotte Streetcar No. 85" possesses a structure having integrity of design, setting, workmanship, materials, and/or association; and

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BK: 06981 PG: 0860/0862 #:0029 0.00
REGISTERED AUG/21/1992 09:22AM ANNE A. POWERS REGISTER OF DEEDS MECK. CO. N.C.

ORDINANCE -- CHARLOTTE STREETCAR NO. 85

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has demonstrated that the property known as the "Charlotte Streetcar No. 85" possesses special significance in terms of its history, architecture, and/or cultural importance; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has jurisdiction over the interior of the "Charlotte Streetcar No. 85" because written consent for interior design review has been given by the owner; and

WHEREAS, the property known as the "Charlotte Streetcar No. 85" is owned by the Charlotte-Mecklenburg Historic Landmarks Commission,

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

1. That the property known as the "Charlotte Streetcar No. 85" (including the interior and exterior) is hereby designated as historic landmark pursuant to Chapter 160A, Article 19, as amended, of the General Statutes of North Carolina. For purposes of description only, the location of said landmark is noted as being situated at the former Charlotte Transit facility at North Brevard Street in Charlotte, North Carolina, but as a piece of movable equipment, said location is subject to change.

2. That said interior is more specifically defined as the historic fabric of the "Charlotte Streetcar No. 85" to include the hardwood floors, the sash windows, the wooden walls, the laminate ceiling, the flip-over seats, the conductors' seats, the controllers, the wooden doors, the metal railings, the air brake and hand brake equipment, and the glass globes.

3. That said designated landmark may be materially altered, restored, moved or demolished only following the issuance of a Certificate of Appropriateness by the Charlotte-Mecklenburg Historic Landmarks Commission. An application for a Certificate of Appropriateness authorizing the demolition of said landmark may not be denied. However, the effective date of such a Certificate may be delayed in accordance with Chapter 160A, Article 19, and amendments thereto, and hereinafter adopted.

4. 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 landmark that does not involve a change of design, material, or outer appearance thereof, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition or

ORDINANCE -- CHARLOTTE STREETCAR NO. 85

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 landmark owner from making any use of this landmark not prohibited by other statutes, ordinances, or regulations.

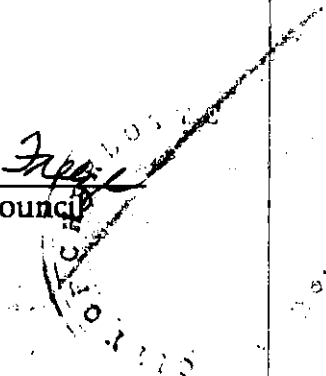
5. That a suitable sign may be posted indicating that said property has been designated as historic landmark and containing any other appropriate information. If the owner consents, the sign may be placed on said landmark.

6. That the owners and occupants of the landmark known as the "Charlotte Streetcar No. 85" 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.

7. That which is designated as historic landmark shall be subject to Chapter 160A, Article 19, and any amendments to it and any amendments hereinafter adopted.

Adopted the 20th day of July 1992 by the Members of City Council of the City of Charlotte, Mecklenburg County, North Carolina.

Brenda R. Fiegel
Clerk to the City Council



Approved as to form:

Henry W. Underhill Jr.
City Attorney

ORDINANCE NO. 3356

AN ORDINANCE DESIGNATING AS AN HISTORIC LANDMARK THE PROPERTY KNOWN AS THE "JOHN W. SHEPPARD HOUSE" TO INCLUDE THE FOLLOWING: BOTH THE INTERIOR AND EXTERIOR OF THE BUILDING AND THE PARCEL OF LAND UPON WHICH IT IS LOCATED, LISTED UNDER TAX PARCEL NUMBER 078-031-06. THE PROPERTY, OWNED BY MR. JOSEPH ASHLEY PARLIER, IS LOCATED AT 601 NORTH POPLAR STREET, CHARLOTTE, MECKLENBURG COUNTY NORTH CAROLINA.

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Chapter 160A, Article 19, as amended, of the General Statutes of North Carolina have been met; and

WHEREAS, the Members of City Council of the City of Charlotte, North Carolina, have taken into full consideration all statements and information presented at a joint public hearing held with the Charlotte-Mecklenburg Historic Landmarks Commission on the 20th day of July, 1992, on the question of designating a property known as the "John W. Sheppard House" as a historic landmark; and

WHEREAS, construction of the "John W. Sheppard House" was completed by 1899; and

WHEREAS, John W. Sheppard was one of the first university-trained professional pharmacists in the United States; and

WHEREAS, John W. Sheppard joined with J. P. Woodall to open the Woodall and Sheppard Drugstore in 1896 at the corner of Trade and Tryon Streets; and

WHEREAS, the "John W. Sheppard House" was owned and maintained by the family of Edith Sheppard Shaw until 1961; and

WHEREAS, the "John W. Sheppard House" has survived through the years with most interior appointments, such as wood paneling, stained moldings, and wooden pocket doors, intact and in very good condition; and

WHEREAS, the "John W. Sheppard House" has many exterior appointments, such as original front doors and full facade porch, intact and in very good condition; and

WHEREAS, the "John W. Sheppard House" is architecturally significant as one of the best examples of the Free Classic, Queen Anne style house in Charlotte and Mecklenburg County; and

WHEREAS, the "John W. Sheppard House" is one of only a few houses that is original to site and orientation in Fourth Ward; and

BK: 06981 PG: 0863/0868 #:0030 0.00
REGISTERED AUG/21/1992 09:22AM ANNE A. POWERS REGISTER OF DEEDS MECK. CO. N.C.

ORDINANCE -- John W. Sheppard House

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has jurisdiction over the interior because consent for interior review has been given by the owner; and

WHEREAS, the current owner, Mr. Joseph Ashley Parlier, has faithfully maintained the "John W. Sheppard House" and has thereby made a substantial contribution to the cultural richness of Charlotte and Mecklenburg County; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has demonstrated that the property known as the "John W. Sheppard House" possesses a structure having integrity of design, setting, workmanship, materials, and/or association; and

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

WHEREAS, the property known as the "John W. Sheppard House" is owned by Mr. Joseph Ashley Parlier,

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

1. That the property known as the "John W. Sheppard House" (including the interior and exterior of the building and the parcel of land upon which it is located, listed under Tax Parcel Number 078-031-06, with the following two roadway right-of-way exceptions: 1) with the exception of a strip of land for a local residential street right-of-way adjacent to Poplar Street measured 25 feet from the centerline of Poplar Street, and 2) with the exception of a strip of land for a local residential street right-of-way adjacent to Ninth Street measured 25 feet from the centerline of Ninth Street) is hereby designated as historic landmark pursuant to Chapter 160A, Article 19, as amended, of the General Statutes of North Carolina. The location of said landmark is noted as being situated at 601 North Poplar Street, Charlotte, Mecklenburg County, N. C.

2. That said interior is more specifically defined as the historic and structural fabric of the "John W. Sheppard House" to include the hardwood floors (both the tiger

ORDINANCE -- John W. Sheppard House

oak on the first floor and the pine on the second floor), the windows with both leaded glass and stained glass, the wooden paneling, the woodwork and moldings, the balustrades of the two stairways, the plaster walls, the gas sconces, the fire surrounds and fire tiles, the wooden pocket doors, the wood paneled doors, the entry hall window seat, the cast iron fireplace inserts, the dining room plate rail, the dining room corner cupboard, the radiator with warming section, the pine wainscot, the built-in pie safe with pass-through door, the tongue-and-groove flooring and beaded board ceiling of the enclosed back porch, the wood conduit on the back porch, the rounded plaster corner on the second floor landing, the hardware and the fixtures, the volume and shapes of the interior spaces provided by the Free Classic, Queen Anne style plan, and other interior features that are part of the original historic fabric of the building.

3. That said designated landmark may be materially altered, restored, moved or demolished only following the issuance of a Certificate of Appropriateness by the Charlotte-Mecklenburg Historic Landmarks Commission. An application for a Certificate of Appropriateness authorizing the demolition of said landmark may not be denied. However, the effective date of such a Certificate may be delayed in accordance with Chapter 160A, Article 19, and amendments thereto, and hereinafter adopted.

4. That nothing in this ordinance shall be construed to prevent or delay ordinary maintenance or repair of any architectural feature in or on said landmark that does not involve a change of design, material, or outer appearance thereof, 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 landmark owners from making any use of this landmark not prohibited by other statutes, ordinances, or regulations.

5. That a suitable sign may be posted indicating that said property has been designated as historic landmark and containing any other appropriate information. If the owner consents, the sign may be placed on said landmark.

6. That the owners and occupants of the landmark known as the "John W. Sheppard 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,

ORDINANCE -- John W. Sheppard House

Building Standards Department, Mecklenburg County Register of Deeds, and the Tax Supervisor, as required by applicable law.

7. That which is designated as historic landmark shall be subject to Chapter 160A, Article 19, and any amendments to it and any amendments hereinafter adopted.

Adopted the 20th day of July 1992 by the Members of City Council of the City of Charlotte, Mecklenburg County, North Carolina.

Brenda L. Innes
Clerk to the City Council



Approved as to form:

David M. Smith
City Attorney

ORDINANCE NO. 3357

AN ORDINANCE DESIGNATING AS AN HISTORIC LANDMARK THE PROPERTY KNOWN AS THE "THRIFT MILL" TO INCLUDE THE FOLLOWING: BOTH THE INTERIOR AND EXTERIOR OF THE BUILDING AND THE PARCEL OF LAND UPON WHICH IT IS LOCATED, LISTED UNDER TAX PARCEL NUMBER 055-011-03. THE PROPERTY, OWNED BY WAREHOUSE INVESTORS, INC., IS LOCATED AT 8300 MOORE'S CHAPEL ROAD, CHARLOTTE, MECKLENBURG COUNTY NORTH CAROLINA.

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Chapter 160A, Article 19, as amended, of the General Statutes of North Carolina have been met; and

WHEREAS, the Members of City Council of the City of Charlotte, North Carolina, have taken into full consideration all statements and information presented at a joint public hearing held with the Charlotte-Mecklenburg Historic Landmarks Commission on the 20th day of July, 1992, on the question of designating a property known as the "Thrift Mill" as a historic landmark; and

WHEREAS, the "Thrift Mill" is one of the last big textile mills that was built in Charlotte-Mecklenburg during the mill-building period which lasted from 1881 to ca. 1913; and

WHEREAS, the "Thrift Mill" is architecturally significant as an intact example of industrial architecture constructed at the turn of the century; and

WHEREAS, the "Thrift Mill" is unusual in that it was situated in a rural area and was miles away from an urban workforce when it was originally built; and

WHEREAS, the "Thrift Mill" is significant as a tangible reminder of the importance of the diversification and the survival of the textile industry in North Carolina during the post-World War I slump in the industry; and

WHEREAS, the "Thrift Mill" became the centerpiece of the village of Thrift, site of an important railroad terminal for commuter service between Thrift and Charlotte; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has jurisdiction over the interior because consent for interior review has been given by the owners; and

WHEREAS, the current owner, Warehouse Investors, Inc., has faithfully maintained the "Thrift Mill" and has thereby made a substantial contribution to the cultural richness of Charlotte and Mecklenburg County; and

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BK: 06981 PG: 0865
REGISTERED AUG/21/1992 09:22AM ANNE A. POWERS REGISTER OF DEEDS MECK. CO. N.C.
#: 0031 0.00

ORDINANCE -- Thrift Mill

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has demonstrated that the property known as the "Thrift Mill" possesses a structure having integrity of design, setting, workmanship, materials, and/or association; and

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

WHEREAS, the property known as the "Thrift Mill" is owned by Warehouse Investors, Inc.,

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

1. That the property known as the "Thrift Mill" (including the interior and exterior of the building and the parcel of land upon which it is located, listed under Tax Parcel Number 055-011-03) is hereby designated as historic landmark pursuant to Chapter 160A, Article 19, as amended, of the General Statutes of North Carolina. The location of said landmark is noted as being situated at 8300 Moore's Chapel Road, Charlotte, Mecklenburg County, N. C.

2. That said interior is more specifically defined as the historic fabric of the "Thrift Mill" to include the hardwood floors, the industrial windows, the brick and plaster walls, the wooden ceiling, the dye-pits, the wooden and metal doors, the hardware and fixtures, and the monitors.

3. That said designated landmark may be materially altered, restored, moved or demolished only following the issuance of a Certificate of Appropriateness by the Charlotte-Mecklenburg Historic Landmarks Commission. An application for a Certificate of Appropriateness authorizing the demolition of said landmark may not be denied. However, the effective date of such a Certificate may be delayed in accordance with Chapter 160A, Article 19, and amendments thereto, and hereinafter adopted.

4. That nothing in this ordinance shall be construed to prevent or delay ordinary maintenance or repair of any architectural feature in or on said landmark that does not involve a change of design, material, or outer appearance thereof, 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

ORDINANCE -- Thrift Mill

herein shall be construed to prevent the landmark owners from making any use of this landmark not prohibited by other statutes, ordinances, or regulations.

5. That a suitable sign may be posted indicating that said property has been designated as historic landmark and containing any other appropriate information. If the owner consents, the sign may be placed on said landmark.

6. That the owners and occupants of the landmark known as the "Thrift Mill" 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.

7. That which is designated as historic landmark shall be subject to Chapter 160A, Article 19, and any amendments to it and any amendments hereinafter adopted.

Adopted the 20th day of July 1992 by the Members of City Council of the City of Charlotte, Mecklenburg County, North Carolina.

Brenda R. Freese
Clerk to the City Council

CH. R.

Approved as to form

ANT David M. Smith
City Attorney

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COUNCIL

7/20/92

Petition No. 92-55
Petitioner: Charlotte-Mecklenburg Board of Education

JUL 23 1992

ORDINANCE NO. 3358 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. Amend Chapter 9 by:

(A) Adding the following to Part 2: SINGLE FAMILY, Section 9.203. Uses permitted under prescribed conditions. (7) Elementary and secondary schools:

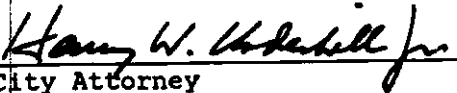
(d) Subsections 7(b) and 7(c) of this Section shall not apply to the addition of mobile classrooms to any school that is nonconforming with respect to these provisions which was constructed, or where a building permit for the school was issued, prior to July 1, 1992. However, for such a nonconforming school the number of additional mobile classrooms may not constitute more than fifty percent of the school's total existing classrooms, not including any existing mobile classrooms.

(B) Adding the following to Part 3: MULTI-FAMILY DISTRICTS, Section 9.303. Uses permitted under prescribed conditions. (10) Elementary and secondary schools:

(d) Subsections 10(b) and 10(c) of this Section shall not apply to the addition of mobile classrooms to any school that is nonconforming with respect to these provisions which was constructed, or where a building permit for the school was issued, prior to July 1, 1992. However, for such a nonconforming school the number of additional mobile classrooms may not constitute more than fifty percent of the school's total existing classrooms, not including any existing mobile classrooms.

Section 2. That this ordinance shall become effective upon its adoption and shall expire January 1, 1993.

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 20th day of July, 1992, the reference having been made in Minute Book 99, and recorded in full in Ordinance Book 41, at page 37-38.

Brenda R. Freeze
City Clerk

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APPROVED BY CITY COUNCIL

DATE 7/20/92

CITY CD

Petition No. 92-5
Realfin, Inc.

ORDINANCE NO. 3360-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 16.2 acres located on the east side of U.S. 29 at McCullough Drive; and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 6.201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements as specified in Section 6.202 and 6.204, and was recommended for approval by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on February 17, 1992; 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 the requirements in Section 6.204.

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

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from Institutional(CD) to O-1(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

All that certain parcel of land being in the Crab Orchard Township, Mecklenburg County, North Carolina and being more particularly described as follows:

Beginning at an existing concrete monument on the eastern right-of-way of U.S. Highway 29, (120- right-of-way), said point having NCGS grid coordinates North 569107.237 East, 1477093.190 NAD 83 (combined factor 0.99983867), said concrete monument being a southwestern property corner of that certain parcel conveyed to Charlotte Lakeside Hotel Limited Partnership in Deed Book 6080, Page 767 of the Mecklenburg County Registry. Thence, departing

U.S. Highway 29 and with the southern property line of said Charlotte Lakeside Hotel Limited Partnership, S.55-39-43.E. 758.03 feet to a found 1" pipe, said iron pipe marking the southeastern property corner of said Charlotte Lakeside Hotel Limited Partnership, said iron pin also being in the western property line of that certain parcel conveyed to M.C. Wallace and wife Dorothy C. Wallace in Deed Book 3726, Page 438 of the Mecklenburg County Registry. Thence, departing the Charlotte Lakeside Hotel Limited Partnership parcel and with the western property line of the Wallace tract, James H. Cochrane and wife Emma P. Cochrane tract as recorded in Deed Book 2078, Page 395, and the Jimmy Flowe tract as recorded in Deed Book 4511, Page 94 all of the Mecklenburg County Registry, S. 13-59-47W. 414.71 feet to a found 1-1/2" iron pipe bent; thence, with the western property lines of the Marie Louise et. al. tract as recorded in Deed Book 1983, Page 243 and the Alexander Rusak tract as recorded in Deed Book 5388, Page 416 all of the Mecklenburg County Registry, S.12-08-40W. 410.95 feet to a found 1-1/2" iron pipe in concrete, said iron pin marking a southwestern property corner of the Rusak tract, said iron pipe also marking a northern property corner of the New Hampton Presbyterian Church as recorded in Deed Book 980, Page 308 and Deed Book 983, Page 8 all of the Mecklenburg County Registry. Thence, departing said Rusak property and with the New Hampton Presbyterian Church property, S.13-04-29W. 29.90 feet to a found 1-1/2" iron pin in concrete; thence, with a northern line of Hampton Park Subdivision as recorded in Map Book 6, Page 543 and Page 773 of the Mecklenburg County Registry, N.57-27-51.W. 947.04 feet to an existing concrete monument on the eastern right-of-way of U.S. Highway 29, 120' right-of-way; thence, with the eastern right-of-way of U.S. Highway 29, the following 2 courses and distances: (1) Along an arc of a curve to the right having a radius of 2,804.79 feet, an arc distance of 562.53 feet and a chord of N.24-04-40E. 562.53 feet to a point; (2) N.29-49-24.E 275.25 feet to the Point of Beginning. Being all that certain property as shown on the unrecorded map by E.S.P. Associates, P.A. entitled "Boundary Survey for Ron Curry Interests, Inc." being 16.1993 acres total, dated October 23, 1991 and revised July 27, 1992.

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 20th day of July, 19 92, the reference having been made in Minute Book 99, and is recorded in full in Ordinance Book 41, at page 41-43.

City Clerk

APPROVED BY CITY COUNCIL

DATE

7/20/92

JUL 28 1992

CITY CD

Petition No. 92-27
Clayton Properties

OFFICE OF CITY CLERK

ORDINANCE NO. 3361-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 .88 acres located on the southeast corner of Park Road and Princeton Avenue; and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 6.201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements as specified in Section 6.202 and 6.204, and was recommended for approval by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on May 18, 1992; 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 the requirements in Section 6.204.

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

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-4 to R-8(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

A parcel of land situated in the City of Charlotte, Mecklenburg County, North Carolina and more particularly described as follows:

BEGINNING at a chip mark on the east curb of Park Road, also being the east right-of-way of Park Road at its intersection with the south right-of-way of Princeton Avenue; and runs thence with the south right-of-way of Princeton Avenue S.79-25-15E. 218.93 to an old iron, said old iron being a common corner with lot 1, Block 1 as shown on recorded map, (Map Book 3, Page 515, Mecklenburg County Register of Deeds); thence leaving the right-of-way and running with the line of lot 1, S.10-34-45W. 94.97 feet to an old iron corner of lot 1, rear corner of lot 38, and that unnumbered

lot all shown on MB 3-515, thence running with the side line of lot 1 and the rear lines of lots 38, and 37 S.01-45-50E. 75.73 feet to an old iron, rear corner of lots 36 and 37; thence with the line of lots 36 and 37 S.88-14-11W. 193.57 feet to a new iron set on the right-of-way of Park Road; thence with the right-of-way of Park Road N.01-45-50W. 215.30 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:

Harry W. Chadwell Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 20th day of July, 19 92, the reference having been made in Minute Book 99, and is recorded in full in Ordinance Book 41, at page 44-45.

Brenda R. Freeze
City Clerk

APPROVED BY CITY COUNCIL

DATE

7/20/92

JUL 28 1992

CITY CD OFFICE OF CITY CLERK

Petition No. 92-28
Juliet A. WilliamsORDINANCE NO. 3362-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 an 18,601 square foot parcel located at the northeast corner of Shamrock Drive and The Plaza; and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 6.201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements as specified in Section 6.202 and 6.204, and was recommended for approval by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on May 18, 1992; 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 the requirements in Section 6.204.

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

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from B-1 to B-2(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

Being Lots 1 and 2 in Block 6 as shown on map of Davis Park recorded in the Office of the Register of Deeds for Mecklenburg County, North Carolina, in Map Book 3, Page 293.

BEGIN THE SAME PROPERTY CONVEYED to Shell Oil Company, by deed from Melvin H. Ezell and Margaret Hazel Ezell, his wife, dated April 3, 1953, filed for record April 3, 1953, in Book 1611, Page 115, Office of Register of Deeds, Mecklenburg County, North Carolina.

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:

Harry 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 20th day of July, 19 92, the reference having been made in Minute Book 99, and is recorded in full in Ordinance Book 41, at page 46-47.

Brenda R. Freeze
City Clerk

APPROVED BY CITY COUNCIL

DATE 7/20/92CITY CD

JUL 28 1992

Petition No. 92-33Ruth P. FloweORDINANCE NO. 3363-ZOFFICE OF CITY CLERKAN 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 .317 acre site located on the south side of Wilkinson Boulevard; east of Remount Road; and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 6.201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements as specified in Section 6.202 and 6.204, and was recommended for approval by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on June 15, 1992; 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 the requirements in Section 6.204.

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

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from I-2 to I-2 on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

BEGINNING at a point, said point being the edge of the Wilkinson Boulevard right-of-way and the northeasterly corner of Janet R. Weir property, Deed Book 4625-089 as listed in the Mecklenburg County Register of Deeds, running thence S.07-05-00W. 135.00 feet, thence S.83-36-48E. 102.36 feet, thence N.07-05-00E. 135.00 feet, thence N.83-36-48W. 102.36 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:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 20th day of July, 19 92, the reference having been made in Minute Book 99, and is recorded in full in Ordinance Book 41, at page 48-49.

Brenda R. Freeze
City Clerk

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APPROVED BY CITY COUNCIL
DATE 7/20/92

JUL 23 1992

OFFICE OF CITY CLERK AN ORDINANCE AMENDING APPENDIX A
ORDINANCE NO. 3364 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. Amend Chapter 14: Reserved, by adding the following:

CHAPTER 14:

SPECIAL USE PERMITS

PART 1: RESERVED

PART 2: RESERVED

PART 3: CANCELLATION BY SURRENDER
AND TERMINATION OF SPECIAL
USE PERMITS

Section 14.301. Cancellation by surrender of a special use permit.

- (1) Any special use permit which has been previously approved may be offered for surrender by the property owner or his agent by submitting a written application to the Planning Director.
- (2) The Planning Director will accept the offer of surrender and cancel the special use permit if all the following conditions are met: (i) there are no existing zoning violations of the special use permit; and (ii) the property is undeveloped or the existing use is permitted in the underlying zoning district.
- (3) Approval of the application will result in the special use permit being cancelled and the property becoming subject to the existing underlying zoning district. Upon the cancellation of a special use permit, any expansion of an existing use or any new development must conform to all the requirements of the underlying zoning district.

- (4) Following the cancellation, the designation of the previously approved special use permit will be removed from the Official Zoning Map and the property will be shown to be in the appropriate underlying zoning district.

Section 14.302. Termination of a special use permit.

Any special use permit which does not meet the conditions for cancellation established by Section 14.301 can be terminated by a reclassification of the property in accordance with the procedures set forth in Chapter 6. The granting of a zoning reclassification petition will terminate the previously approved special use permit.

Section 2. This ordinance 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 20th day of July, 1992, the reference having been made in Minute Book 99, and recorded in full in Ordinance Book 41, at page 51-52.

Brenda R. Freeze
City Clerk