

APPROVED BY CITY COUNCIL
DATE May 18, 1992

CITY CD

Petition No. 91-76
Michael D. Herndon

ORDINANCE NO. 3319-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 approximately .32 acres bounded by Matheson Avenue, Charles Avenue, and Yadkin 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 April 20, 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 O-2 to I-2(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

BEGINNING at a point formed by the intersection of the southerly margin of the right-of-way of Charles Avenue (45' R/W) with the westerly margin of the right-of-way of Yadkin Avenue (45' R/W), and running thence with the westerly margin of the aforesaid right-of-way of Yadkin Avenue S.14-13-00W. 140.00 feet to a point; thence N.75-47-00W. 100.00 feet to a point; thence N.14-13-00E. 140.00 feet to a point in the southerly margin of the right-of-way of Charles Avenue; thence with the southerly margin of the aforesaid right-of-way of Charles Avenue S.75-47-00E. 100.00 feet to a point, the point or place of beginning, containing 0.321 acres, all as shown on Rezoning Plan prepared by DPR Associates, Inc., dated February 25, 1992 and last revised on March 26, 1992, reference to which Rezoning Plan is hereby made for a more particular description of the property.

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 18th day of May, 19 92, the reference having been made in Minute Book 99, and is recorded in full in Ordinance Book 40, at page 418-419.

Brenda R. Freeze
City Clerk

DATE May 18, 1992

May 18, 1992
Ordinance Book 40, Page 421

ORDINANCE NO. 3320 AN ORDINANCE AMENDING APPENDIX A
OF THE CITY CODE - ZONING ORDINANCE

AN ORDINANCE AMENDMENTS 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 9.803. Uses permitted under prescribed conditions, (4) by deleting the following wording:
 - (4) Building material sales, retail (B-2 only), provided that:
 - (a) All portions of the business including the storage of all materials must be housed within a completely enclosed building; and
 - (b) Only retail sales of building materials will be permitted. For the purpose of this section this means the only sales to the ultimate consumer with sales to a contractor or other intermediate user being prohibited.

and replacing it with the following:

- (4) Building material sales, (B-2 only), provided that:
 - (a) No outside storage shall be located within the required setback or within any required side yard.
 - (b) Any outside storage shall be screened from abutting properties and from public view along a public street in accordance with the standards of Section 12.303.
 - (c) Within any outside storage area material shall be stacked no higher than the height of the screening.

Section 2. This ordinance shall become effective upon adoption.

Approved as to form:

Henry 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 18th day of May, 1992, the reference having been made in Minute Book 99, and is recorded in full in Ordinance Book 40, at page(s) 421.

Brenda R. Freeze
City Clerk

APPROVED BY CITY COUNCIL

DATE May 18, 1992

CITY CD

Petition No. 92-20
YMCA of Charlotte

ORDINANCE NO. 3321-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 approximately 15.815 acres located on the westerly side of Democracy Drive at Regal Oaks Drive (adjacent to Albemarle Road Junior High School); 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 April 20, 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-9MF with special use permit to O-1(CD) with termination of special use permit on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

BEGINNING at an existing iron rebar at the westerly right-of-way intersection of Democracy Drive, said right-of-way being 60 feet wide and Regal Oaks Drive, said right-of-way being 60 feet wide, said beginning point also being the northerly corner of the YMCA of Charlotte and Mecklenburg property recorded in Deed Book 4313 at Page 155 in the Mecklenburg County Register of Deeds Office: Thence from said beginning point and with the westerly right-of-way of the aforesaid Democracy Drive the following two (2) calls: (1) S.22-57-20E. 119.99 feet to a point, (2) with the arc of a circular curve to the left having a radius of 302.75 feet, an arc length of 40.13 feet and a chord bearing and distance of S.26-45-09E. 40.10 feet to a new iron rebar: Thence with a new line out of the aforementioned YMCA of Charlotte and Mecklenburg Property, S.67-02-40W. 212.66 feet to a new iron rebar in the common line of the aforesaid YMCA of Charlotte and Mecklenburg property and the Freeman Diversified Real Estate property recorded in deedbook 5237 at Page 484; thence with the easterly lines of the aforesaid Freeman Diversified Real Estate Property the following three (3) calls: (1) N.22-03-01E. 14.14 feet to a new iron rebar, (2) N.22-57-20W. 150.00 feet to an existing iron pipe, (3) N.67-02-40E. 200.00 feet to the point and place of BEGINNING, containing 0.737 acres more or less according to a boundary survey prepared by Sam Malone and Associates dated December 23, 1991.

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 18th day of May, 19 92, the reference having been made in Minute Book 99, and is recorded in full in Ordinance Book 40, at page 423-424.

Brenda R. Freeze
City Clerk

DATE May 18, 1992

ORDINANCE NO. 3322-Z

CITY ZONE CHANGE

Petition No. 92-21
University Research Park

MAP AMENDMENT NO. _____

ZONING REGULATIONS

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 change from RE-2 and O-15(CD) to O-1(CD) on the Official Zoning Map, City of Charlotte, N.C. the following described property:

BEGINNING at the intersection of the southwesterly right-of-way line of W. T. Harris Boulevard West and the southeasterly right-of-way line of Mallard Creek Road and running thence with said right-of-way line of W. T. Harris Boulevard West four (4) courses as follows: (1) S.55-16-40E. 104.16 feet; (2) S.67-42-09E. 104.07 feet; (3) S.62-54-00E. 412.51 feet; (4) S.27-05-22E. 97.92 feet; thence S.15-56-19W. 93.44 feet to a point in the southerly right-of-way line of Old Mallard Creek Road; thence with said right-of-way four (4) courses as follows: (1) with the arc of a circular curve to the right having a radius of 2,796.79 feet an arc distance of 78.17 feet; (2) S.86-16-00W. 179.48 feet; (3) N.04-19-30W. 37.96 feet; (4) S.85-36-33W. 172.05 feet; thence N.05-38-21W. 48.30 feet to a point in the northerly right-of-way line of Old Mallard Creek Road; thence with said right-of-way line of Old Mallard Creek Road four (4) courses as follows: (1) S.86-10-12W. 397.05 feet; (2) N.04-18-06W. 9.95 feet; (3) N.77-54-39W. 88.71 feet; (4) N.22-13-57W. 77.78 feet to a point in the southeasterly right-of-way line of Mallard Creek Road; thence with said right-of-way line of Mallard Creek Road three (3) courses as follows: (1) N.38-45-27E. 150.07 feet; (2) N.43-21-01E. 250.80 feet; (3) N.76-13-42E. 137.22 feet to the point of BEGINNING and containing 6.623 acres.

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 18th day of May, 19 92, the reference having been made in Minute Book 99, at page . and recorded in full in Ordinance Book 40 at pages 425-426.

Brenda R. Freeze
City Clerk

