

ORDINANCE NO. 184-X

**Ordinance designating as a Historic Landmark a property known as the "Elizabeth Trolley Walk" (the entire 10-foot wide corridor which extends from East Fifth St. to East Seventh St. in the Elizabeth neighborhood of Charlotte, N. C. and which constitutes a portion of Tax Parcel Numbers 127-047-16, 127-047-17, 127-047-30, 127-047-31, 127-046-15, 127-046-16, 127-046-25, and 127-046-26) as an Historic Landmark. The parcel of land to be designated is listed under Tax Parcel Numbers 127-047-16, 127-047-17, 127-047-30, 127-047-31, 127-046-15, 127-046-16, 127-046-25, and 127-046-26 in the Mecklenburg County Tax Office, Charlotte, North Carolina. The property is owned by DPR Associates, K & C Investments, Jacqueline G. Levister, Howard G. Webb and Louise K. Webb, Ellen Rubenstein and Michael Evans, Baxter T. McCrae, Jr., William G. Staton, Lynn Andrew Teague and William Henry Curtis and is located between East Fifth St. and East Seventh St. in the Elizabeth neighborhood of Charlotte, Mecklenburg County, North Carolina.**

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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 the City Council 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 5th day of December, 1994, on the question of designating a property known as the Elizabeth Trolley Walk as a historic landmark; and

WHEREAS, the Elizabeth Trolley Walk was designed ca. 1913 and is one of the original features of the Rosemont subdivision of the Elizabeth neighborhood; and

WHEREAS, the Elizabeth Trolley Walk is one of the few remnants of the streetcar system which spurred suburban development in Charlotte during the early twentieth century; and

WHEREAS, the Elizabeth Trolley Walk, with the surrounding early twentieth century housing, clearly illustrate such residential development in the early streetcar suburbs of Charlotte; and

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

WHEREAS, the property known as the Elizabeth Trolley Walk is owned by DPR Associates, K & C Investments, Jacqueline G. Levister, Howard G. Webb and Louise K. Webb, Ellen Rubenstein and Michael Evans, Baxter T. McCrae, Jr., William G. Staton, Lynn Andrew Teague and William Henry Curtis.

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

1. That the property known as the Elizabeth Trolley Walk (the entire 10-foot wide corridor which extends from East Fifth St. to East Seventh St. in the Elizabeth neighborhood of Charlotte, N. C. and which constitutes a portion of Tax Parcel Numbers 127-047-16, 127-047-17, 127-047-30, 127-047-31, 127-046-15, 127-046-16, 127-046-25, and 127-046-26) is hereby designated as a 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 between East Fifth St. and East Seventh St. in the Elizabeth neighborhood of Charlotte, N.C. Features of the Elizabeth Trolley Walk are

more completely described in the *Survey and Research Report on the Elizabeth Trolley Walk* (10 January 1993).

2. That said features of the Elizabeth Trolley Walk are more specifically defined as the pavement and steps and defining vegetation.

3. That said designated historic landmark may be materially altered, restored, moved or demolished only following 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, except if such landmark is judged to be of State-wide significance by duly authorized officials of the North Carolina Division of Archives and History. However, the effective date of such Certificate may be delayed in accordance with Chapter 160A, Article 19, and amendments thereto, and hereinafter adopted.

4. 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 in 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 owner of the historic landmark from making any use of the this historic landmark not prohibited by other statutes, ordinances or regulations. Owners of locally designated historic landmarks are expected to be familiar with and to

follow *The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*, the guidelines used by the Charlotte-Mecklenburg Historic Landmarks Commission to evaluate proposed alterations or additions.

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


6. That the owners and occupants of the historic landmark known as the Elizabeth Trolley Walk 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.

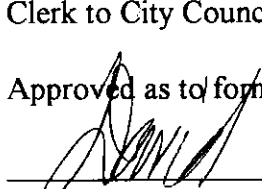
7. That which is designated as a historic landmark shall be subject to Chapter 160A, Article 19, as amended, and any amendments to it and any amendments hereinafter adopted.

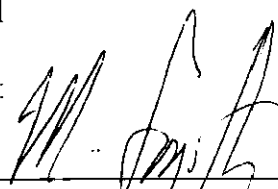
Adopted the 5th day of December, 1994, by the members of the City Council of the City of Charlotte, Mecklenburg County, North Carolina.

\_\_\_\_\_  
Clerk to City Council

Approved as to form:

 \_\_\_\_\_  
City Attorney

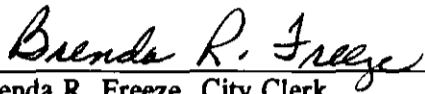
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**CERTIFICATION**

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 5th day of December, 1994, the reference having been made in Minute Book 106, and recorded in full in Ordinance Book 46, at Page(s) 104-108.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of December, 19 94

  
\_\_\_\_\_  
Brenda R. Freeze, City Clerk

**APPROVED BY CITY COUNCIL**  
**DATE** December 5, 1994

CITY CD

Petition No. 94-78  
Thomas Arkle, III

ORDINANCE NO. 185-7

**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 3.7 acres located on the northwesterly corner of the intersection of Mallard Creek Road and Baucom 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 denial 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 September 19, 1994; 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-3 to O-1(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

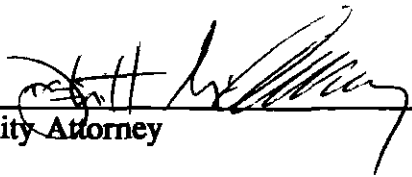
SEE ATTACHED

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.

-continued-

**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 5th day of December, 1994, the reference having been made in Minute Book 106, and is recorded in full in Ordinance Book 46 at page 109-111A.

  
\_\_\_\_\_  
City Clerk





**Petition #:** 94-78

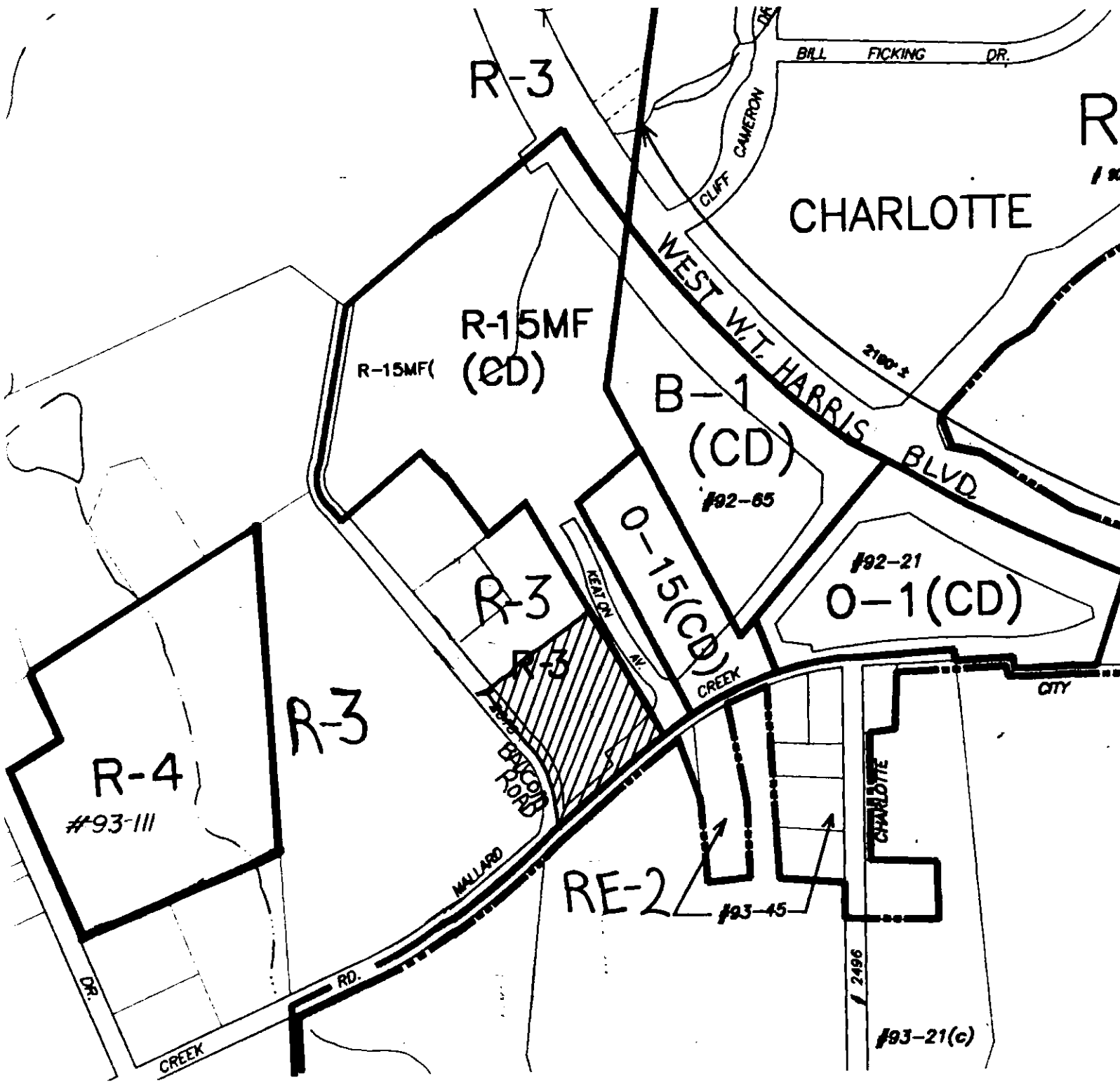
**Petitioner:** Thomas Arkle, III

**Hearing Date:** September 19, 1994

**Zoning Classification (Existing):** R-3

**Zoning Classification (Requested):** O-1(CD)

**Location:** Approximately 3.7 acres located on the northeast corner of the intersection between Mallard Creek Road and Baucom Road.



Zoning Map #(s): 58

Scale: 1" = 400'

OFFICIAL REZONING APPLICATION  
CITY OF CHARLOTTE

Petition #: 94-78  
Date Filed: July 5, 1994  
Received By: TOP  
OFFICE USE ONLY

OWNERSHIP INFORMATION:

Property Owner: Theodore W. Taylor, Jr & Yvonne A. Taylor  
Owner's Address: 4817 Johnston Oehler Rd - Charlotte NC 28269  
Date Property Acquired: February 27, 1991  
Tax Parcel Number(s): 027-031-03

LOCATION OF PROPERTY (Address or Description): LOCATED AT THE NORTH CORNER OF MALLARD CREEK RD. AND BAUCOM ROAD.

Size (Sq.Ft. or Acres): 3.7 Street Frontage (Ft.): MALLARD CREEK 451.56'  
Current Land Use: TWO SINGLE FAMILY RESIDENCES

ZONING REQUEST:

Existing Zoning: R-3 Proposed Zoning: 01-CD  
Purpose of Zoning Change: FOR THE CONSTRUCTION OF A MEDICAL OFFICE COMPLEX. APPROXIMATE S.F 25,000

ROBERT JOHNSON  
Name of Agent  
227 W. TRADE ST. SUITE 2360  
Agent's Address  
342.1058 / FAX 342.3043  
Telephone Number  
Theodore W. Taylor  
Yvonne A. Taylor  
Signature of Property Owner  
if other than Petitioner

THOMAS ARKLE, III  
Name of Petitioner(s)  
6800 DEMOCRACY DRIVE  
Address of Petitioner(s)  
CHARLOTTE, NC 28212  
704.547.8888  
Telephone Number  
Thomas Arkle III  
Signature

December 5, 1994 13.  
Ordinance Book 46, Page 111A

DEVELOPER/FOUNDATION  
WAY FROM CENTERLINE OF MALLARD CREEK ROAD.

94-78

**LEGAL DESCRIPTION: PROPERTY LOCATED 7911 MALLARD CREEK ROAD,  
CHARLOTTE, NC**

BEGINNING AT AN IRON PIN LOCATED AT THE NORTHEASTERLY INTERSECTION OF MALLARD CREEK ROAD AND BAUCOM ROAD AND RUNS THENCE WITH THE EASTERLY MARGIN OF BAUCOM ROAD AS FOLLOWS: 1) WITH THE ARC OF A CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 431.31 FEET, A DISTANCE OF 183.62 FEET (CHORD N. 26-03-19 W., 182.24 FEET) TO AN IRON PIN; 2) N. 38-15-22 W., 195.91 FEET TO AN IRON PIN, N. 41-41-23 W., 48.53 FEET TO AN IRON PIN LOCATED ON THE SOUTHERLY LINE OF THE STEVEN D. TERRY PROPERTY AS DESCRIBED IN DEED BOOK 4574, PAGE 770 OF THE MECKLENBURG COUNTY REGISTRY; THENCE WITH SAID LINE N. 51-43-18 E., 366.07 FEET TO AN EXISTING IRON PIN LOCATED ON THE WESTERLY LINE OF THE PHOENIX MUTUAL LIFE INSURANCE COMPANY PROPERTY AS DESCRIBED IN DEED BOOK 6025, PAGE 697 OF THE MECKLENBURG COUNTY REGISTRY; THENCE WITH SAID LINE S. 30-20-40 E., 365.72 FEET TO AN IRON PIN LOCATED ON THE NORTHERLY MARGIN OF MALLARD CREEK ROAD; THENCE WITH SAID MARGIN OF MALLARD CREEK ROAD AS FOLLOWS: 1) S. 46-37-10 W., 159.22 FEET TO A CONCRETE MONUMENT; 2) S. 40-14-21 E., 30.26 FEET TO A CONCRETE MONUMENT; 3) S. 47-02-50 W., 194.46 FEET TO THE POINT AND PLACE OF BEGINNING. CONTAINING 136,059 SQUARE FEET OR 3.123 ACRES AS SHOWN ON A MAP PREPARED BY R.B. PHARR AND ASSOCIATES, P.A. DATED NOVEMBER 21, 1990. (FILE NO. XX-1320).

UP TO 30,000 SF

3 PER 200 SF

STATION 6.1.90

APPROVED BY CITY COUNCIL

DATE December 5, 1994

CITY CD

Petition No. 94-83  
First Union National Bank

ORDINANCE NO. 186-7

**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 1 acre located on the southwesterly corner of the intersection of Milton Road and Sharon Amity 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 October 19, 1994; 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-1 to B-2(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

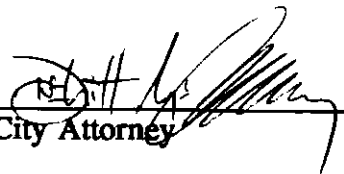
SEE ATTACHED

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

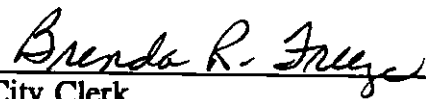
Section 3. That this ordinance shall become effective upon its adoption.

-continued-

**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 5th day of December, 1994, the reference having been made in Minute Book 106, and is recorded in full in Ordinance Book 46 at page 112-114.

  
\_\_\_\_\_  
City Clerk

**GNA DESIGN ASSOCIATES, INC.**



**METES AND BOUNDS DESCRIPTION  
FOR CONDITIONAL DISTRICT REZONING REQUEST  
FOR TIRE KINGDOM (THE MIDTOWN NIKI GROUP)  
CORNER OF N. SHARON AMITY ROAD AND MILTON ROAD**

BEGINNING at an existing iron pin on the existing right-of-way of N. Sharon Amity Road thence proceeding N. 12-18-48 E., 15.10 feet to an existing iron pin on the existing right-of-way of N. Sharon Amity Road, thence proceeding N. 14-13-20 E., 171.81 feet on an existing iron pin on the right-of-way of N. Sharon Amity Road, thence proceeding along a curve along the southwest right-of-way of the intersection of N. Sharon Amity Road and Milton Road with a radius of 37.50 feet and an arc length of 63.79 feet to an existing iron pin, thence proceeding N. 83-14-53 W., 157.51 feet along the existing right-of-way of Milton Road to an existing iron pin, thence proceeding S. 14-04-26 W., 229.09 feet along a common property boundary of subject parcel and parcel owned now or formerly by Miller Newton as recorded in Deed Book 5148, Page 37 with the Mecklenburg County Register of Deeds office to a point, thence proceeding S. 83-05-50 E., 200 feet along a common property boundary of subject parcel and parcel owned now or formerly by Miller Newton as recorded in Deed Book 5148, Page 37 with the Mecklenburg County Register of Deeds office, to the point and place of beginning as surveyed by R. B Pharr & Associates for First Union National Bank dated October 5, 1987.



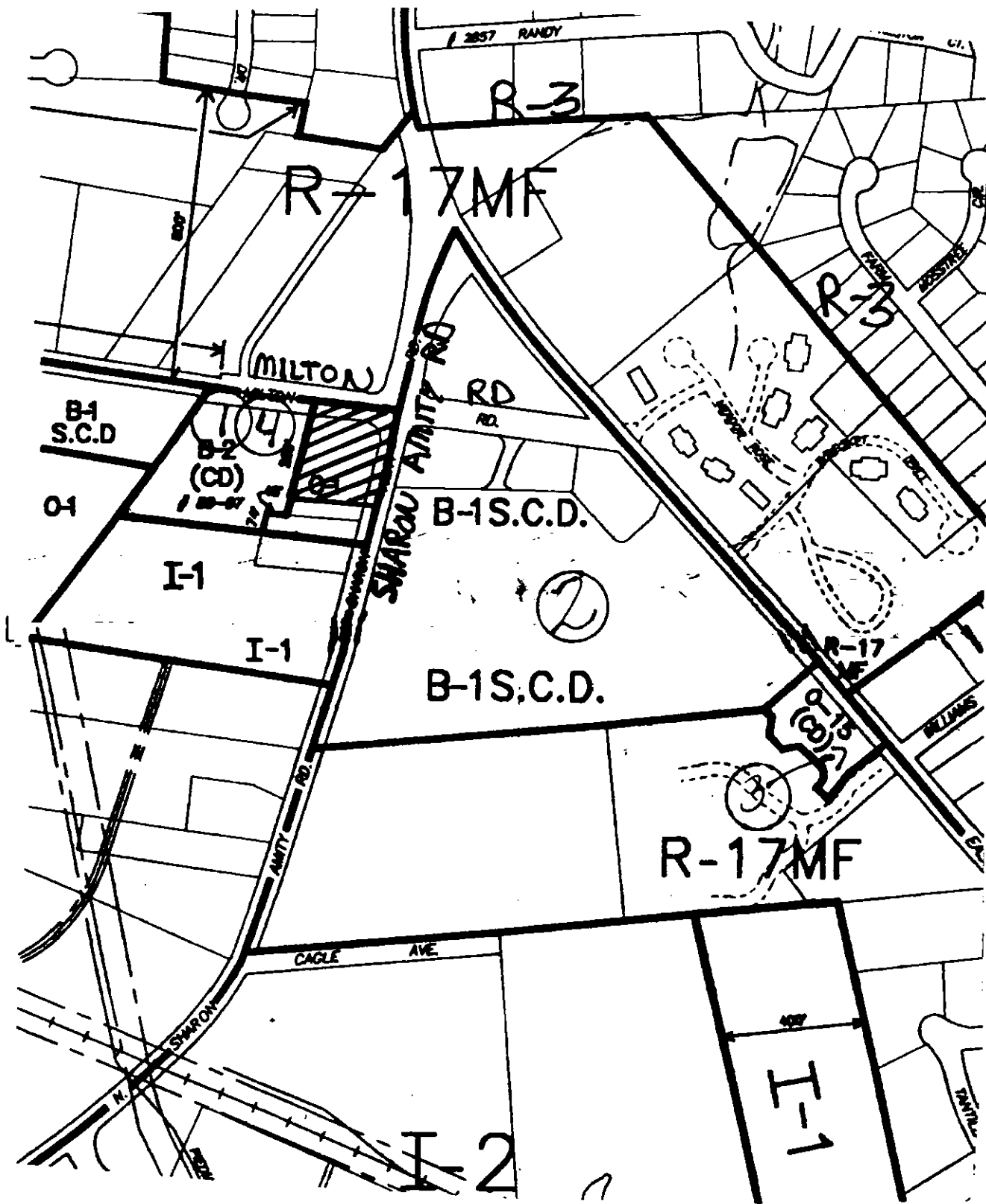
Petitioner: First Union National Bank

Hearing Date: October 19, 1994

Zoning Classification (Existing): O-1

Zoning Classification (Requested): B-2(CD)

Location: Approximately 1.0 acres located on the southwest corner of the intersection between Milton Road and Sharon Amity Road.



Zoning Map #(s): 91

Scale: 1" = 400'

OFFICIAL REZONING APPLICATION  
CITY OF CHARLOTTE

Petition No.	94-83
Date Filed	August 1, 1994
Received By	T. Mares
OFFICE USE ONLY	

Ownership Information

Property Owner First Union National Bank  
Owner's Address First Union Plaza - Corporate Real Estate Division  
Charlotte, N.C. 28288  
Date Property Acquired \_\_\_\_\_  
Tax Parcel Number 099-221-11

Location of Property (address or description) southwesterly corner of Milton Road and  
N. Sharon Amity Road

Description of Property  
Size (Sq. Ft.-Acres) 1.0 ± acres Street Frontage (ft.) 157' ± Milton Road  
187' ± Sharon Amity Road  
Current Land Use vacant

Zoning Request

Existing Zoning 0-1 Requested Zoning B-2(CD)  
Purpose of Zoning Change to permit the development of a tire store

Robert G. Young  
Name of Agent  
301 S. McDowell St. #606  
Agent's Address Charlotte, N.C. 28204  
334-9157  
Telephone Number

First Union National Bank  
Name of Petitioner(s) Corporate Real Estate  
Two First Union Plaza  
Address of Petitioner(s) Charlotte, N.C. 28288  
374-6631  
Telephone Number

Charles H. Owen VP  
Signature  
Signature of Property Owner  
if Other Than Petitioner



**APPROVED BY CITY COUNCIL**

**DATE** December 5, 1994

CITY CD

Petition No. 94-85  
Carmel Retail, Inc.

ORDINANCE NO. 187-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 1.05 acres located on the easterly side of Carmel Road across from Carmel Forest 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 October 19, 1994; 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-3 and B-1(CD) to B-1(CD) and a site plan amendment on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

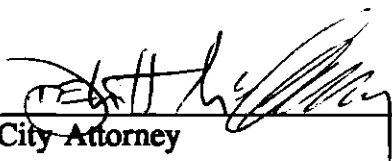
SEE ATTACHED

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.

-continued-

**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 5th day of December, 1994, the reference having been made in Minute Book 106, and is recorded in full in Ordinance Book 46 at page 115-117.

\_\_\_\_\_  
City Clerk

JUL-20-1994 13:51 FROM GNA DESIGN ASSOCIATES, IN TO 3332905 P.02

*gna*

**BLANCHARD'S STORE AND DELI REZONING REQUEST**

**METES AND BOUNDS DESCRIPTION**

BEGINNING at an existing point on the centerline of Carmel Road, said point being an old nail on the centerline of Carmel Road near the intersection of Carmel Forest Drive, and thence proceeding N. 41-18-00 E., 165 feet to a point on the centerline of Carmel Road, thence proceeding S. 43-26-32 E., 182.77 feet to a point, thence proceeding N. 41-18-00 E., 13.29 feet to a point, thence proceeding S. 47-36-40 E., 105.88 feet to a point, thence proceeding S. 40-33-40 W., 165.05 feet to a point, thence proceeding N. 47-36-40 W. 290.04 feet to the point and place of beginning on the centerline of Carmel Road for a total of 1.05 acres.

December 5, 1994

Ordinance Book 46, Page 117

Petition #: 94-85

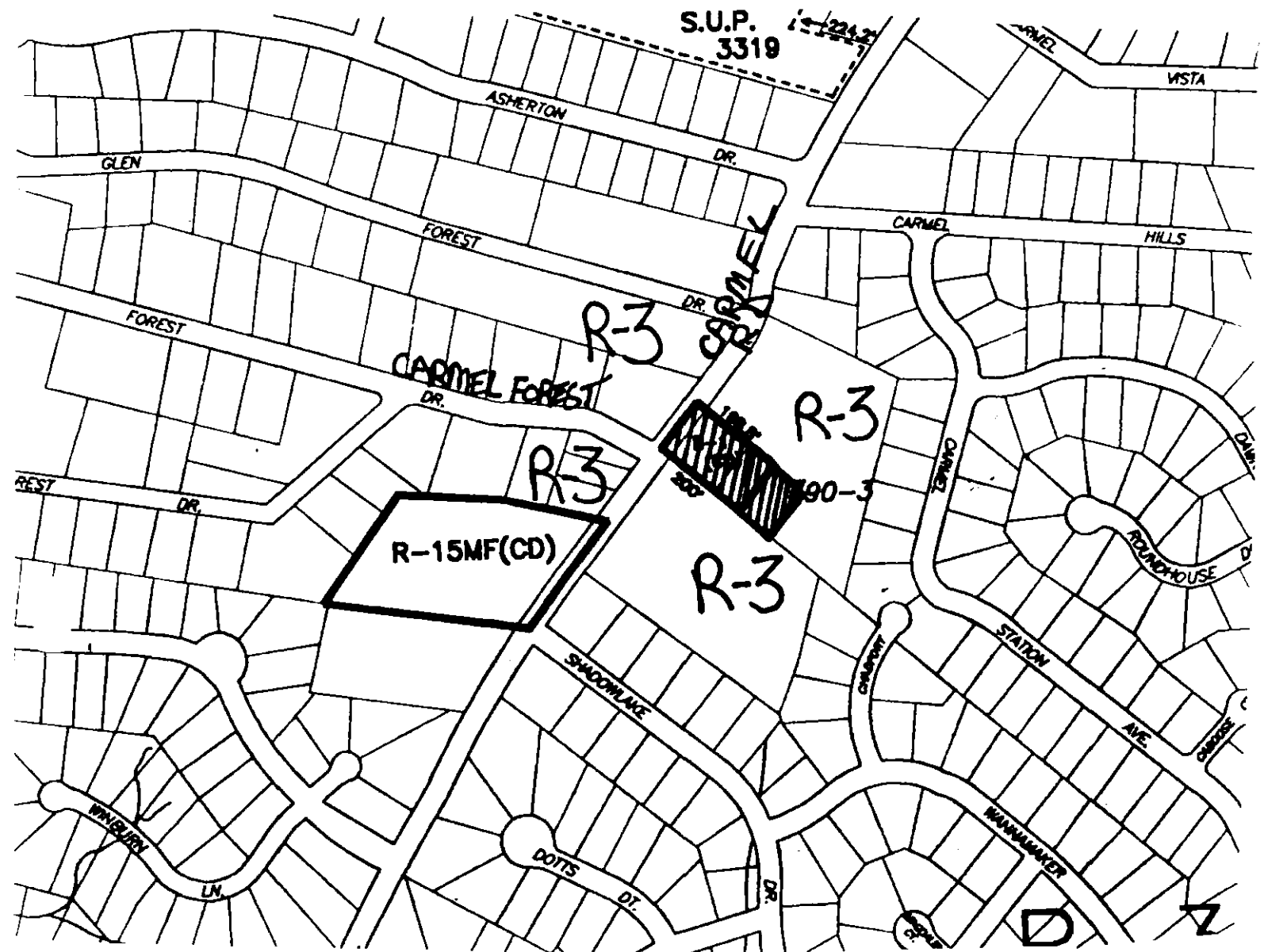
Petitioners: Carmel Retail, Inc.

Hearing Date: October 19, 1994

Zoning Classification (Existing): R-3 and B-1(CD)

Zoning Classification (Requested): B-1(CD) and Site Plan Amendment

Location: Approximately 1.05 acres located on the east side of Carmel Road at Carmel Forest Drive.



Zoning Map #(s): 167

Scale: 1" = 400'

OFFICIAL REZONING APPLICATION  
CITY OF CHARLOTTE

RECEIVED

AUG 10 1994

CHARLES T. EMMERTH  
BUILDING STANDARDS DEPT.

Petition No.	94-85
Date Filed	August 1, 1994
Received By	T. Jones
OFFICE USE ONLY	

Ownership Information

Property Owner A.J. Blanchard, Sr. Carmel Retail, Inc.  
 Owner's Address 5615 Carmel Rd Charlotte, N.C. 28226 5721 Carmel Rd Charlotte, N.C. 28226

Date Property Acquired \_\_\_\_\_  
 Tax Parcel Number 211-411-15 and a portion of 211-411-14

Location of Property (address or description) Carmel Road, opposite the intersection of Carmel Forest Drive

Description of Property  
 Size (Sq. Ft.-Acres) 1.05 acres Street Frontage (ft.) 150 ft. Carmel Road  
 Current Land Use convenience store/deli

*SHAUSS FOR SURFACING SHOULD BE 3' HIGH SPACED NOT DETENTION SHOULD NOT OCCUR IN BUFFER CARMEL IS A MAJOR THOROUGHFARE 50' FROM E OF R/W*

Zoning Request  
 Existing Zoning B-1(CD), R-3 Requested Zoning B-1(CD) and Site Plan Amendment

Purpose of Zoning Change to permit an expansion of the parking lot in the rear of the building

Name of Agent Robert G. Young  
 301 S. McDowell St. #606  
 Charlotte, N.C. 28204  
 Agent's Address  
 334-9157  
 Telephone Number

Name of Petitioner(s) Carmel Retail, Inc.  
 5721 Carmel Rd  
 Charlotte, NC 28226  
 Address of Petitioner(s)  
 542-3213  
 Telephone Number

A.J. Blanchard Sr.  
 Signature  
A.J. Blanchard Sr.  
 Signature of Property Owner  
 if Other Than Petitioner

APPROVED BY CITY COUNCIL  
DATE December 5, 1994

CITY CD

Petition No. 94-90  
Joseph M. Brantley, III

ORDINANCE NO. 188-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 6.018 acres located on the easterly side of East W. T. Harris Boulevard along Tantilla Circle; 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 October 19, 1994; 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:

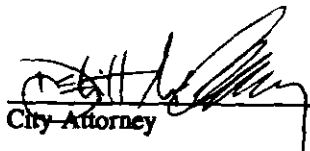
Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-9MF(CD) to R-12MF(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

SEE ATTACHED

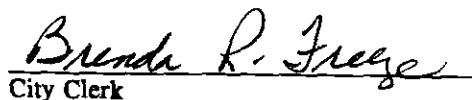
Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.

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 5th day of December, 1994, the reference having been made in Minute Book 106, and is recorded in full in Ordinance Book 46 at page 118-120A.

  
City Clerk

Petition #: 94-90

Petitioners: Joseph M. Brantley, III

Hearing Date: October 19, 1994

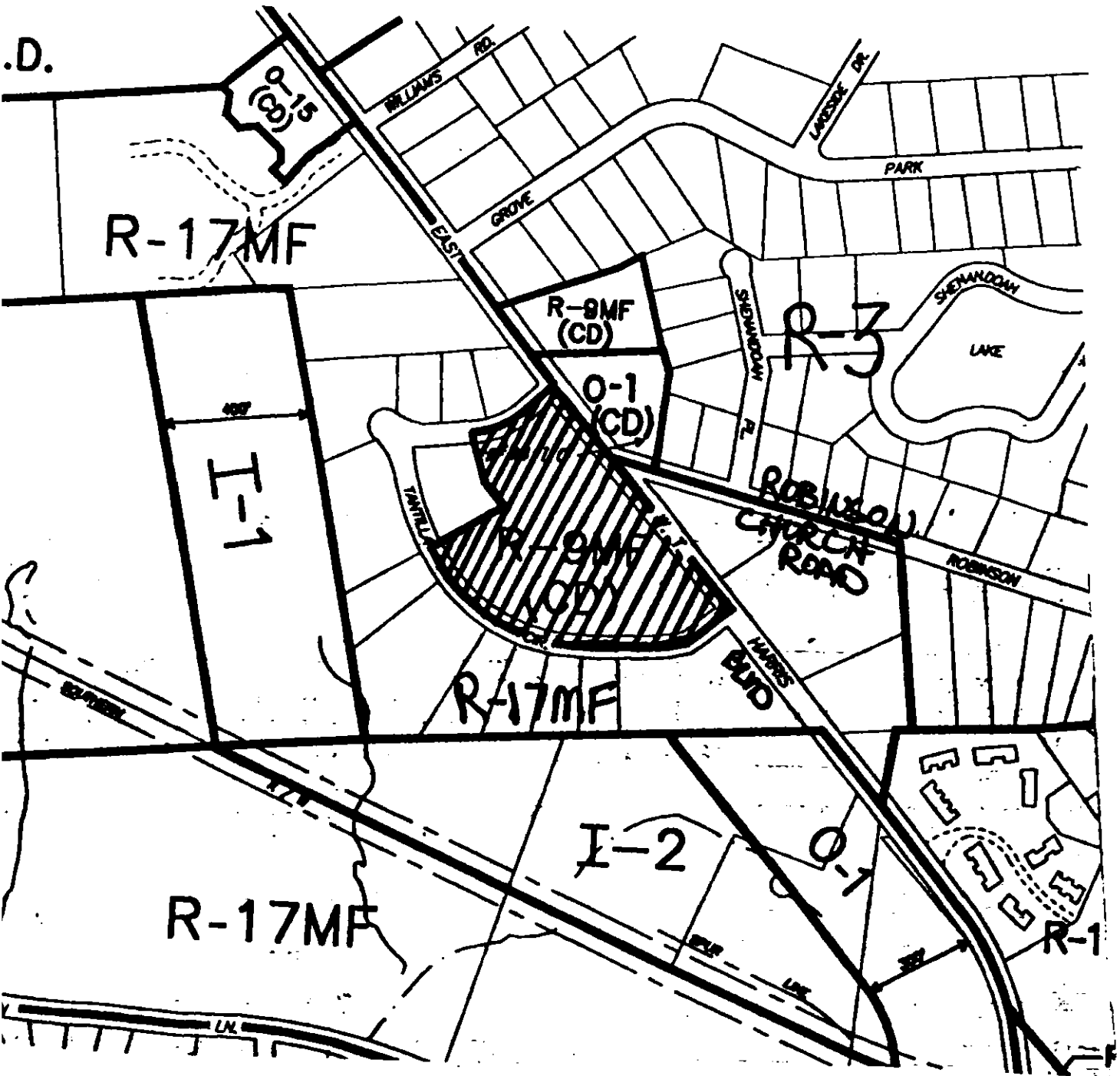
Zoning Classification (Existing): R-9MF(CD)

Zoning Classification (Requested): R-12MF(CD)

Location: Approximately 6.018 acres located on the east side of East Harris Boulevard north and south of Tantilla Circle.

December 5, 1994

Ordinance Book 46, Page 119



Zoning Map #(s): 99

Scale: 1" = 400'

94-90 ✓

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

BEGINNING at a point in the northeasterly margin of the right-of-way of Tantilla Circle, said point marking the southernmost corner of the property of Gary W. and Catherine Simmons (now or formerly)(Tax Parcel No. 099-291-02), and running thence from said Point or Place of Beginning North 59-50-48 East 207.00 feet to a point; thence North 42-24-10 West 84.73 feet to a point; thence North 17-49-35 West 108.46 feet to a point in the southerly margin of Tantilla Circle, and running thence with said margin of Tantilla Circle with the arc of a circular curve to the left having a radius of 220.53 feet, an arc distance of 133.17 feet to a point; thence North 48-40-00 East 62.63 feet to a point; thence South 86-38-23 East 35.69 feet to a point in the southwesterly margin of East W. T. Harris Boulevard (formerly Newell-Hickory Grove Road) and running thence with said margin of East W. T. Harris Boulevard South 41-20-00 East 652.07 feet to a point; thence leaving said margin South 06-02-45 West 55.86 feet to a point in the northerly margin of Tantilla Circle and running thence with said margin of Tantilla Circle, the following four (4) courses and distances: (1) South 48-40-00 West 16.89 feet to a point; (2) with the arc of circular curve to the right having a radius of 93.00 feet, an arc distance of 60.44 feet to a point; (3) South 85-54-00 West 210.60 feet to a point; and (4) with the arc of a circular curve to the right having a radius of 468.22 feet an arc distance of 522.57 feet to the Point and Place of Beginning, all as shown on Plat entitled "Tantilla Villas" prepared by DPR Associates, Inc. dated July 11, 1994 to which Plat reference is hereby made for a more particular description of the property.

**Petition No. 94-90  
Joseph M. Brantley, III**

## **PARALLEL CONDITIONAL USE PERMIT**

**This is a parallel conditional use permit approved by the Charlotte City Council to Joseph M. Brantley, III owner(s) and successors-in-interest of the property described as tax parcel 099-291-01 and described in detail further in the ordinance, identified below, approved by the City Council.**

**In approving this parallel conditional use permit, the Charlotte City Council amended Chapter 6: Part 2 of the City of Charlotte Zoning Ordinance and the official zoning map. The property now has a parallel conditional use district zoning classification of R-12MF(CD) on the official zoning map.**

**This parallel conditional use permit is subject to and incorporates by reference all of the following: the schematic plan, the supporting text, all attached conditions, and Chapter 6: Part 1 and 2 of the City of Charlotte Zoning Ordinance, all of which preceding are binding upon the property and all subsequent development and use of the property. A failure to comply with any of the above may result in revocation of the parallel conditional use permit in accordance with the authority of the City Council under Chapter 6: Part 1 of the City of Charlotte Zoning Ordinance.**

**Three years from the date of approval of this parallel conditional use permit, the Planning Commission shall determine if active efforts to develop in accordance with approved plans have occurred. If active efforts to develop have not occurred, then a report shall be forwarded to the City Council which may recommend that action be initiated to remove the parallel conditional use district in accordance with Chapter 6: Part 1.**



APPROVED BY CITY COUNCIL  
DATE December 5, 1994

**CITY ZONE CHANGE**

Petition No. 94-81  
City of Charlotte, University Research  
Park Annexation

ORDINANCE NO. 189-Z

**ZONING REGULATIONS**

MAP AMENDMENT NO. \_\_\_\_\_

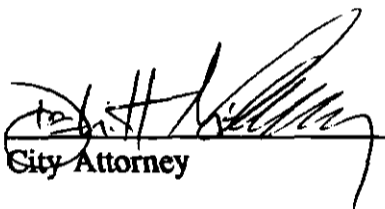
**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:**

**Section 1.** That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by change from RE-2, R-12MF(CD), R-4 and Institutional to Same on the Official Zoning Map, City of Charlotte, N.C. the following described property:

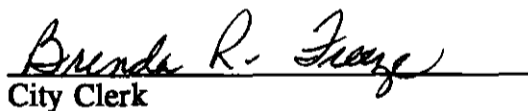
**SEE ATTACHED MAP**

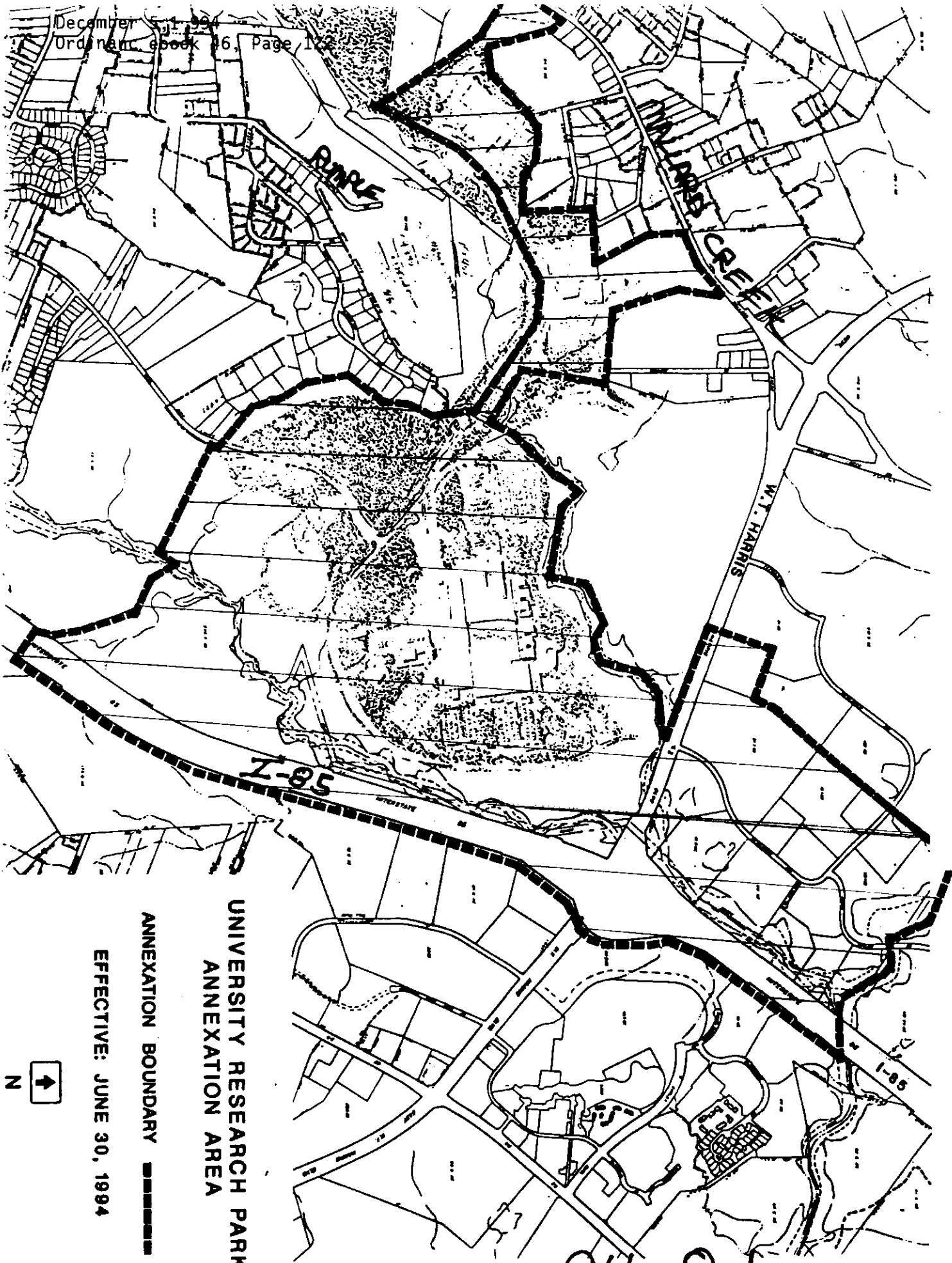
**Section 2.** That this ordinance shall become effective upon its adoption.

**APPROVED AS TO FORM:**

  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 5th day of December, 19 94, the reference having been made in Minute Book 106 ~~XXXXXX~~ page ~~XXXXXXXXXX~~ and recorded in full in Ordinance Book 46, Pages 121-122.

  
City Clerk



UNIVERSITY RESEARCH PARK  
ANNEXATION AREA

ANNEXATION BOUNDARY

EFFECTIVE: JUNE 30, 1994



94-81