

CITY CD

Petition No. 96-70  
NIAVAM Development, Inc.

ORDINANCE NO. 717-Z

APPROVED BY CITY COUNCIL

DATE JANUARY 21, 1997

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 7.2 acres located on the north side of the future Ballantyne Commons Parkway, east of Rea 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 September 16, 1996; 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 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.

-continued-

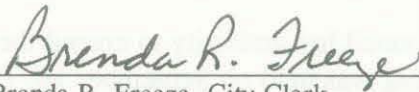
APPROVED AS TO FORM:

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

**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 21st day of January, 1997, the reference having been made in Minute Book 110, page \_\_\_\_\_ and recorded in full in Ordinance Book 47, Page(s) 659-661B.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 7th day of February, 1997.

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

**Petition No. 96-70  
NIAVAM Development, Inc.**

### **PARALLEL CONDITIONAL USE PERMIT**

**This is a parallel conditional use permit approved by the Charlotte City Council to NIAVAM Development, Inc. owner(s) and successors-in-interest of the property described as tax parcel 225-044-36 and a portion of tax parcel 225-044-35 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.**



**LEGAL DESCRIPTION**  
**NIAVAM DEVELOPMENT INCORPORATED**

BEGINNING at a point which is the northwest corner of property described in Deed Book 5652, page 0584 of the Mecklenburg Public Registry, and being also a corner of property described in Deed Book 6953, page 0858, and running thence S. 55-45-29 E. 67.64 feet to a point in a new right-of-way line for Ballantyne Commons Parkway; thence with said right-of-way line S. 75-05-11 W. 463.24 feet; thence N. 54-01-22 W. 334.07 feet; thence N. 38-26-53 E. 341.75 feet; thence N. 53-47-04 E. 315.04 feet; thence S. 59-19-19 E. 439.62 feet; thence S. 34-11-28 W. 324.98 feet to the point of BEGINNING and containing 7.24 acres.

Petition #: 96-70

Petitioner: NIAVAM Development Incorporated

Hearing Date: September 16, 1996

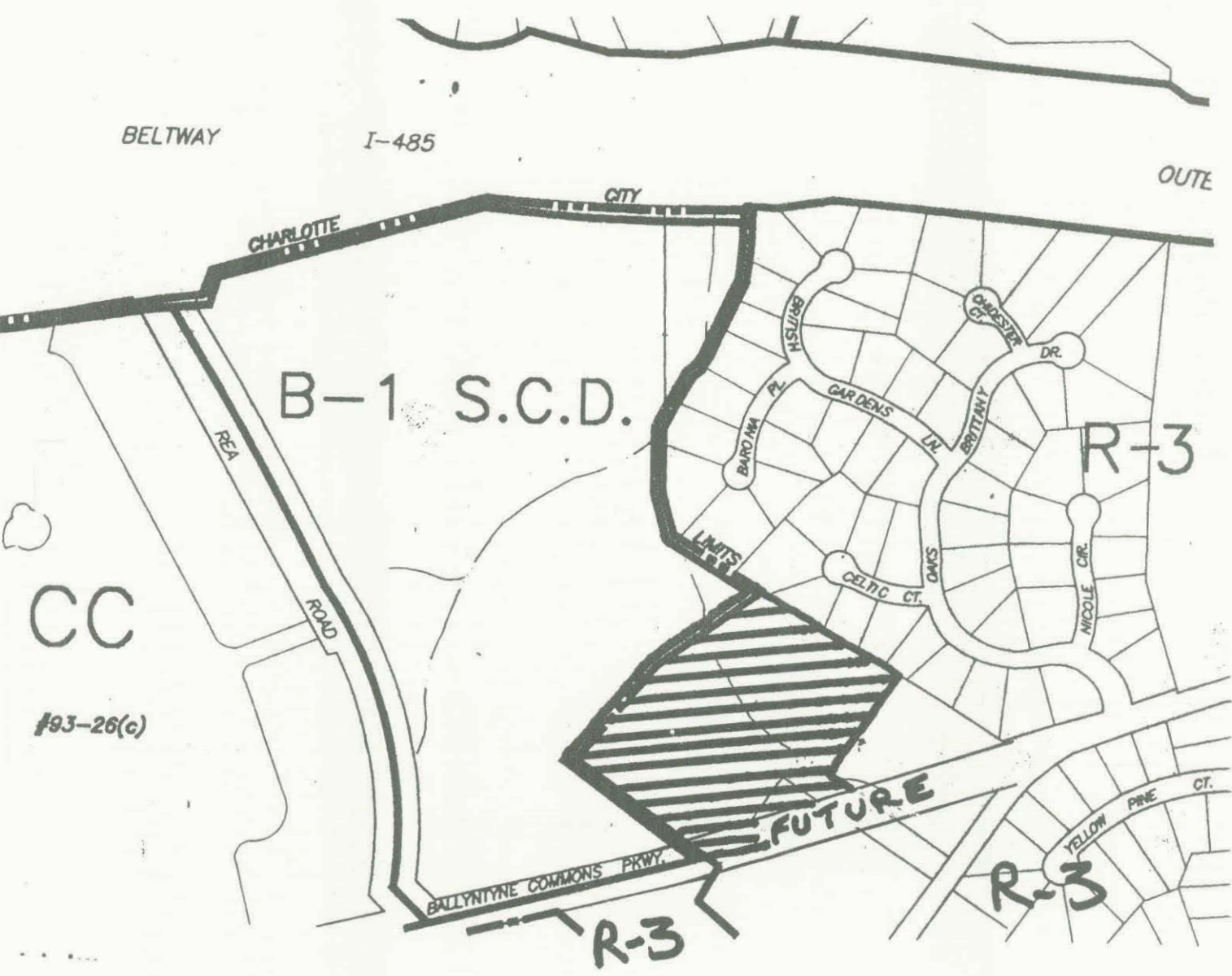
Zoning Classification (Existing): R-3

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

Location: Approximately 7.24 acres located on the north side of the future Ballyntyne Commons Parkway east of Rea Road.

January 21, 1997

Ordinance Book 47, Page 661B



Zoning Map #(s): 177

Scale: 1" = 400'



CITY CD

Petition No. 96-75  
Sam Johnson

ORDINANCE NO. 718-Z

APPROVED BY CITY COUNCIL

DATE JANUARY 21, 1997

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 0.61 acres located on the east side of South Boulevard north of Hill 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 October 21, 1996; 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-22MF to B-2(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

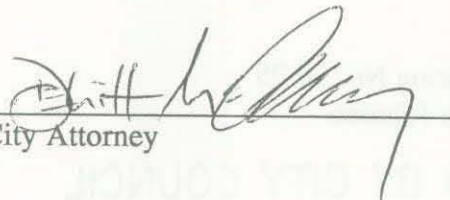
SEE ATTACHED

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.



APPROVED AS TO FORM:

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

**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 21st day of January, 1997, the reference having been made in Minute Book 110, page \_\_\_\_\_ and recorded in full in Ordinance Book 47, Page(s) 662-664B.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24th day of February, 1997.

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



January 21, 1997

Ordinance Book 47, Page 664

**Petition No. 96-75**

**Sam Johnson**

## **PARALLEL CONDITIONAL USE PERMIT**

**This is a parallel conditional use permit approved by the Charlotte City Council to Sam Johnson owner(s) and successors-in-interest of the property described as portion of tax parcel 173-162-82 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 B-2(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.**

January 21, 1997  
Ordinance Book 47, Page 664A  
EXHIBIT "A"

96-75

THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING IN THE CITY OF CHARLOTTE, CHARLOTTE TOWNSHIP, MECKLENBURG COUNTY, NORTH CAROLINA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN EXISTING IRON PIN, SAID PIN BEING THE COMMON CORNER OF THE PROPERTIES OF SAM JOHNSON AS SHOWN IN DEED RECORDED IN BOOK 5363, PAGE 496 (NOW OR FORMERLY), THE PROPERTIES OF ERNEST WILSON, JR., AS SHOWN IN DEED RECORDED IN BOOK 2008, PAGE 61, AND THE PROPERTIES OF JUNE SMITH (NOW OR FORMERLY) AS SHOWN IN DEED RECORDED IN BOOK 1677, PAGE 296, SAID BEGINNING POINT BEING LOCATED N.07-21-33 W. 107.12 FEET FROM AN EXISTING CONCRETE MONUMENT, AND COMMENCING THENCE FROM SAID BEGINNING POINT, N. 07-79-57 W. 31.24 FEET TO AN EXISTING IRON PIN; THENCE WITH THE EASTERLY MARGIN OF THE PROPERTIES OF SAM JOHNSON, (NOW OR FORMERLY) AS SHOWN IN DEED RECORDED IN BOOK 5363, PAGE 496, N. 03-03-30 W. 192.47 FEET TO AN EXISTING CONCRETE BLOCK; THENCE WITH THE LINES OF LOTS 13, 12, 11, AND 10 OF STARMOUNT #11 SUBDIVISION, BLOCK 47, AS THE SAME IS SHOWN ON A MAP THEREOF RECORDED IN MAP BOOK 12, AT PAGE OF THE MECKLENBURG COUNTY PUBLIC REGISTRY, S. 53-22-30 E. 227.20 FEET TO A NEW IRON PIN; THENCE WITH THE LINE OF ANEITA F. WILSON (NOW OR FORMERLY) AS SHOWN IN DEED RECORDED IN BOOK 6303, PAGE 468 OF THE MECKLENBURG COUNTY PUBLIC REGISTRY, S. 02-54-44 E. 81.76 FEET TO A NEW IRON PIN; THENCE A NEW LINE OF THE PROPERTY OF ERNEST WILSON, JR., N. 88-01-02 E. 172.34 FEET TO THE POINT OR PLACE OF BEGINNING, AND CONTAINING .61 ACRES, AS SHOWN ON SURVEY BY SAMUEL P. MALONE, JR., NCRLS, DATED SEPTEMBER 12, 1995. BEING IN ALL RESPECTS A PORTION OF THE LANDS OF ERNEST (NMI) WILSON AND WIFE BESSIE H. WILSON AS SHOWN IN DEEDS RECORDED IN BOOK 2008, AT PAGE 61, AND BOOK 2136, PAGE 88, LESS AND EXCEPTING THOSE PORTIONS PREVIOUSLY CONVEYED BY DEEDS RECORDED IN BOOK 2779 AT PAGE 366, AND BOOK 2918, AT PAGE 149 OF THE MECKLENBURG COUNTY PUBLIC REGISTRY. BEING A PORTION OF TAX PARCEL NO. 173-162-82.

Petition #: 96-75

January 21, 1997

Petitioner: Sam Johnson

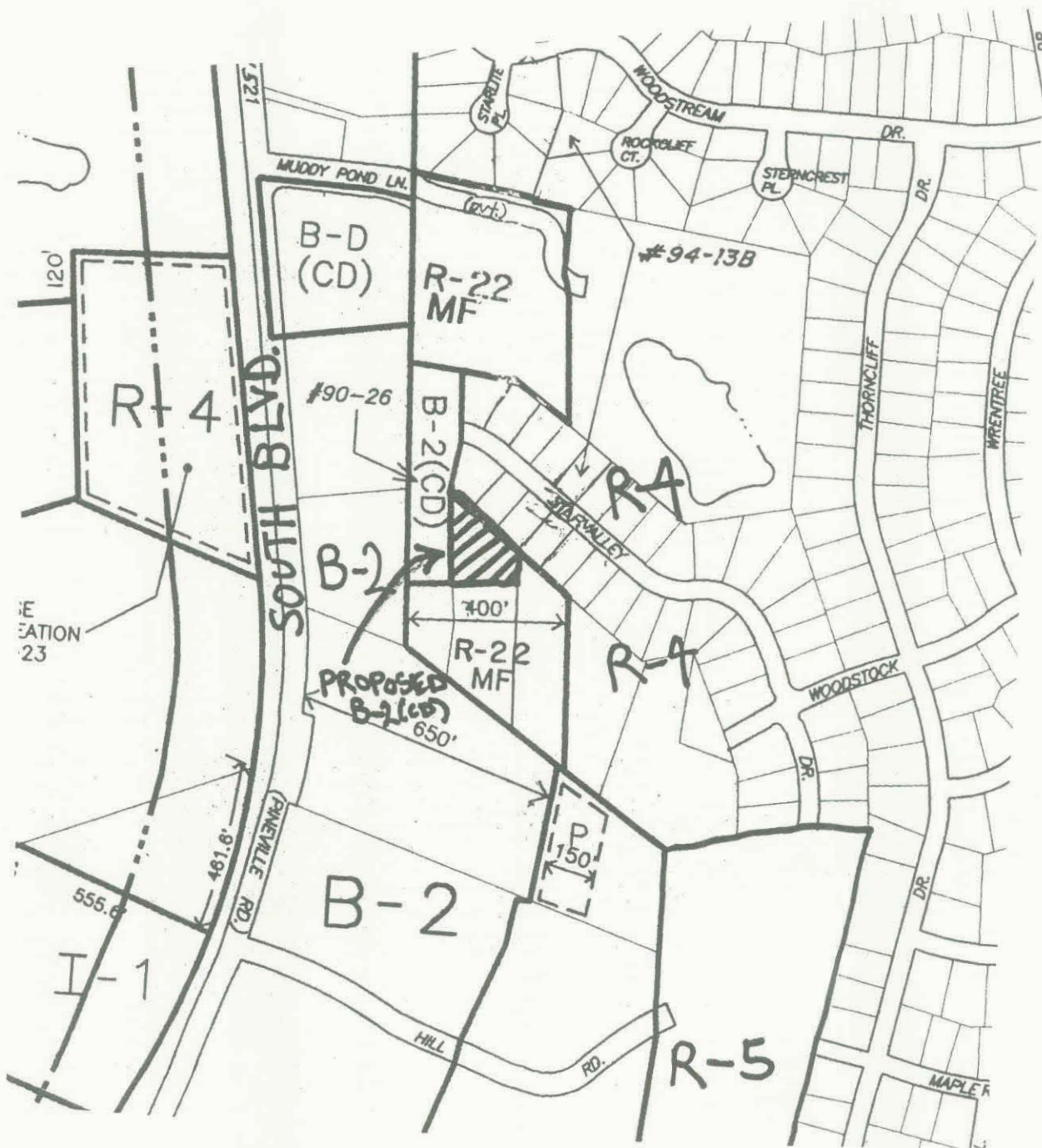
Ordinance Book 47, Page 664B

Hearing Date: October 21, 1996

Zoning Classification (Existing): R-22MF

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

Location: Approximately 0.61 acres located on the east side of South Boulevard north of Hill Road.



Zoning Map #(s): 148

Scale: 1" = 400'







CITY CD

Petition No. 96-79  
Park Selwyn, LLC

ORDINANCE NO. 719-Z

APPROVED BY CITY COUNCIL

DATE JANUARY 21 1997

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 1.5 acres located on the south side of Woodlawn Road, west of Selwyn 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 October 21, 1996; 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-5 to R-17MF(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-

January 21, 1997  
Ordinance Book 47, Page 666

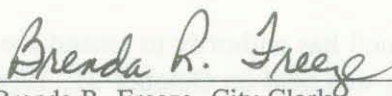
APPROVED AS TO FORM:

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

**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 21st day of January, 1997, the reference having been made in Minute Book 110, page \_\_\_\_\_ and recorded in full in Ordinance Book 47, Page(s) 665-667 B.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 4th day of February, 1997.

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

Petition No. 96-79  
Park Selwyn, LLC

### **PARALLEL CONDITIONAL USE PERMIT**

This is a parallel conditional use permit approved by the Charlotte City Council to Park Selwyn, LLC owner(s) and successors-in-interest of the property described as tax parcels 175-134-01 and 175-134-02 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-17MF(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.



96-79

**METES AND BOUNDS DESCRIPTION  
CONDITIONAL REZONING REQUEST  
PARK SELWYN, LLC**

BEGINNING at a point on the westerly right-of-way of Pinehurst Place, thence proceeding S. 08-48-35 W. 68.10 feet to a point, thence proceeding N. 79-30-25 W. 130 feet to an existing iron pin, thence proceeding S. 08-48-35 W. 85.01 feet to an existing iron pin, thence proceeding N. 79-20-31 W. 70.06 feet to an existing iron pin, thence proceeding N. 79-27-59 W. 580.46 feet to a point, thence proceeding N. 28-52-35 E. 54.65 feet along the centerline of Briar Creek to a point on the southerly right-of-way of Woodlawn Road, thence proceeding along the arc of a circular curve to the left having a radius of 643.57 feet, an arc length of 272.57 feet and a chord bearing and distance of S. 80-58-52 E. 270.53 feet to a point, thence proceeding along the southerly right-of-way of Woodlawn Road N. 86-57-27 E. 38.18 feet to a point, thence proceeding along the southerly right-of-way of Woodlawn Road N. 83-30-23 E. 39.11 feet to a point, thence proceeding along the southerly right-of-way of Woodlawn Road N. 82-04-33 E. 142.90 feet to a point, thence proceeding along the southerly right-of-way of Woodlawn Road along the arc of a circular curve to the left having a radius of 1728.66 feet, an arc length of 239.79 feet and a chord bearing and distance of N. 85-05-37 E. 132.73 feet to a point, thence proceeding along the southerly right-of-way of Woodlawn Road along the arc of a circular curve to the left having a radius of 1728.66 feet, an arc length of 106.75 feet and a chord bearing and distance of N. 89-03-46 E. 106.73 feet to the point, thence S. 47-42-55 E. 53.72 feet to a point and place of BEGINNING as shown on a Boundary and Topographic survey by Don Allen & Associates, William M. Allen, NCRLS and dated 5/31/96.



January 21, 1997  
Ordinance Book 47, Page 667B

**Petition #:** 96-79

**Petitioner:** Park Selwyn LLC

**Hearing Date:** October 21, 1996

**Zoning Classification (Existing):** R-5

**Zoning Classification (Requested):** R-17MF(CD)

**Location:** Approximately 1.49 acres located on the south side of Woodlawn Road west of Selwyn Avenue.





January 21, 1997  
Ordinance Book 47, Page 668

ORDINANCE NO. 720-Z

CITY ZONE CHANGE

Petition No. 96-95  
William L. Wallace, Jr. and  
Margaret A. Wallace

APPROVED BY CITY COUNCIL

DATE JANUARY 21, 1997

ZONING REGULATIONS

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

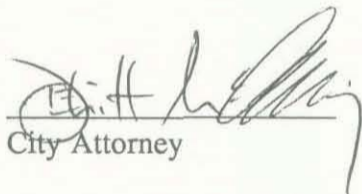
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from I-2 to B-2 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.

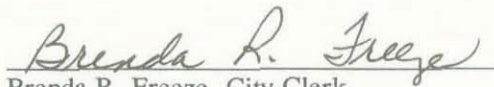
APPROVED AS TO FORM:

  
City Attorney

**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 21st day of January, 1997, the reference having been made in Minute Book 110, page \_\_\_\_\_ and recorded in full in Ordinance Book 47, Page(s) 668-670.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 4th day of February, 1997.

  
Brenda R. Freeze, City Clerk

**Case # 96-95 Boundary Description**

The tract of land described as Tax Parcel # 089-111-03 and deed #6872 0545 in the Mecklenburg County Public Registry combined with the I-2 zoned portion of the tract of land described as Tax Parcel #089-111-04 and deed #6872 0545 in the Mecklenburg County Public Registry, which is currently split by the I-2 and B-2 zoning classifications, make up the boundary description for the property being proposed for rezoning by William L. Wallace Jr. and Margaret A. Wallace.





January 21, 1997  
Ordinance Book 47, Page 670

**Petition #:** 96-95

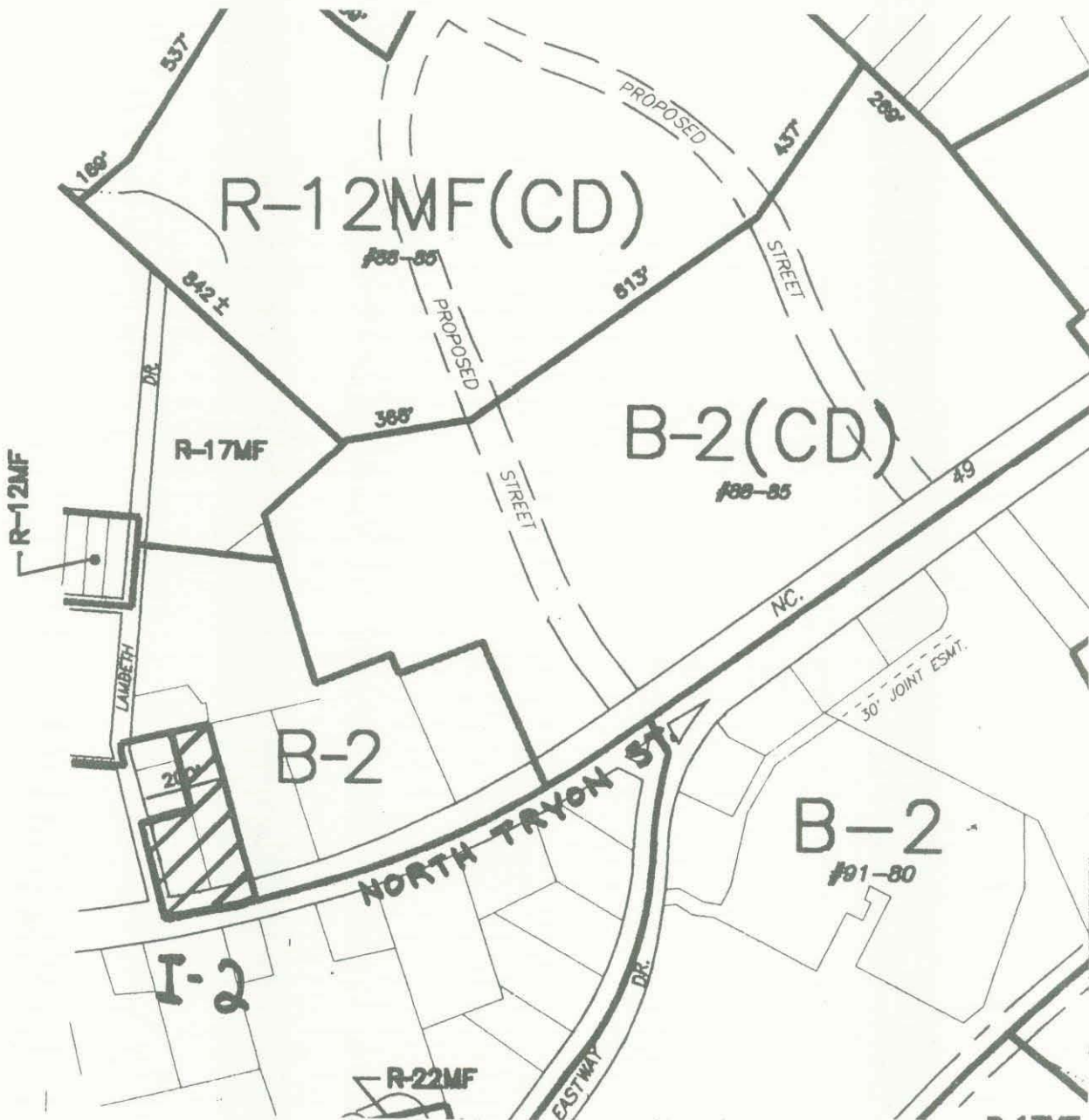
**Petitioner:** Mr. and Mrs. William L. Wallace Jr.

**Hearing Date:** December 16, 1996

**Zoning Classification (Existing):** I-2

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

**Location:** Approximately 1.57 acres located on the northeast corner of North Tryon Street and Lambeth Drive.



Zoning Map #(s): 77

Scale: 1"=400'



CITY NS DISTRICT

Petition No. 96-96  
Miller H. Newton

ORDINANCE NO. 721-Z

APPROVED BY CITY COUNCIL

DATE JANUARY 21, 1997

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 a conditional district for approximately 0.5 acres located on the southerly corner of the intersection of South Boulevard and East Park Avenue; and

WHEREAS, the petition for a conditional 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 December 16, 1996; 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 NS 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.

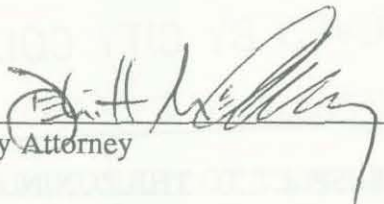
Section 3. That this ordinance shall become effective upon its adoption.

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January 21, 1997  
Ordinance Book 47, Page 672

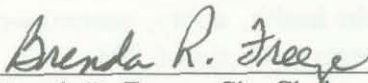
APPROVED AS TO FORM:

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

**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 21st day of January, 1997, the reference having been made in Minute Book 110, page \_\_\_\_\_ and recorded in full in Ordinance Book 47, Page(s) 671-673.

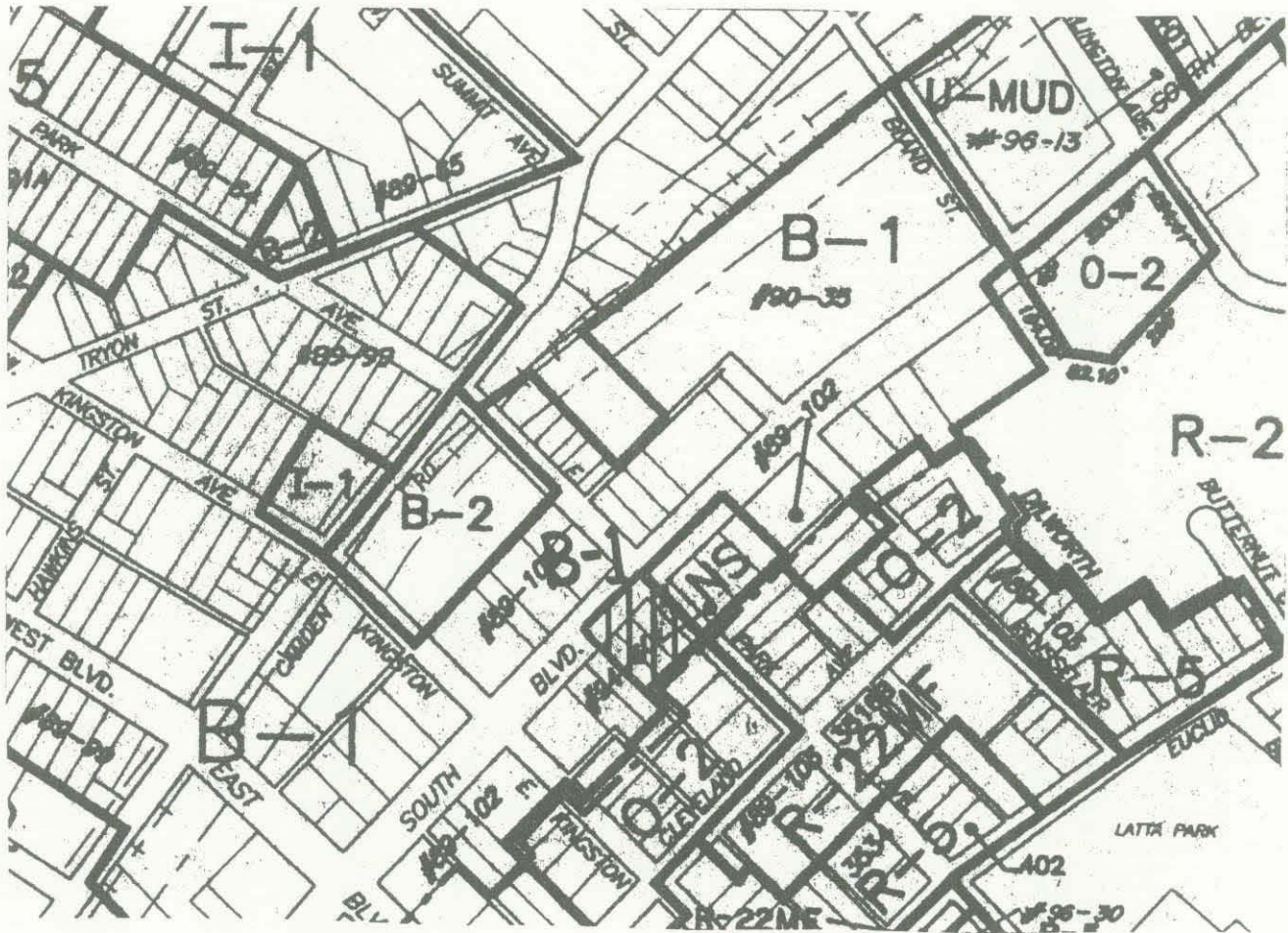
WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 4th day of February, 1997.

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

**Case # 96-96 Boundary Description**

The tract of land depicted as the combination of properties described as Tax Parcel # 123-073-12 and deed #4376 0480 in the Mecklenburg County Public Registry, Tax Parcel #123-073-13 and deed #4397 0225 in the Mecklenburg County Public Registry, and Tax Parcel #123-073-14 and deed #4541 0422 in the Mecklenburg County Public Registry make up the boundary description for the property being proposed for rezoning by Miller H. Newton and wife Jill S. Newton.

**Petition #:** 96-96  
**Petitioner:** Miller and Jill Newton  
**Hearing Date:** December 16, 1996  
**Zoning Classification (Existing):** B-1  
**Zoning Classification (Requested):** NS  
**Location:** Approximately .482 acres located on the southerly corner of the intersection of South Boulevard and E. Park Avenue.







CITY CD & CD SITE PLAN AMENDMENT

Petition No. 96-98  
J.S. Group, LLC

ORDINANCE NO. 722-Z

APPROVED BY CITY COUNCIL

DATE JANUARY 21, 1997

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 1.46 acres located on the southeast corner of the intersection of East W.T. Harris Boulevard and Pence Road; and

WHEREAS, the petition for rezoning for a parallel conditional use district and a site plan amendment 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 December 16, 1996; 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-1(CD) and by amending the B-1(CD) site plan on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

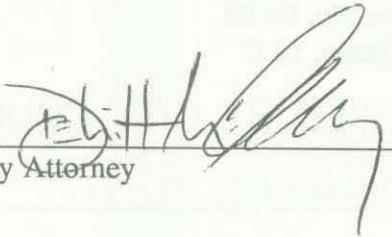
SEE ATTACHED

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-

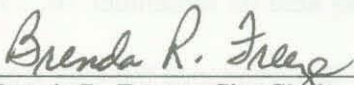
APPROVED AS TO FORM:

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

**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 21st day of January, 1997, the reference having been made in Minute Book 110, page \_\_\_\_\_ and recorded in full in Ordinance Book 47, Page(s) 674-676B.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 4th day of February, 1997.

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

**Petition No. 96-98  
J.S. Group, LLC**

## **PARALLEL CONDITIONAL USE PERMIT**

**This is a parallel conditional use permit approved by the Charlotte City Council to the J.S. Group, LLC owner(s) and successors-in-interest of the property described as tax parcels 109-011-(13, 14, 15, and 16) 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 B-1(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.**



96-98

**BOUNDARY DESCRIPTION**  
**J.S. GROUP, LLC**

BEGINNING at a point in the easterly right-of-way line of East Harris Boulevard, said point being the intersection of said right-of-way with the southerly right-of-way line of Hickory Grove Road and running thence with said Hickory Grove Road right-of-way three courses as follows: (1) N. 18-25-38 E. 103.10 feet; (2) N. 61-12-40 E. 80.00 feet; (3) N. 60-19-13 E. 131.78 feet; thence S. 22-07-21 E. 219.28 feet; thence S. 52-15-38 W. 140.86 feet; thence S. 52-44-27 W. 46.63 feet; thence S. 61-48-11 W. 98.76 feet to the easterly right-of-way line of East Harris Boulevard; thence with said right-of-way N. 20-57-23 W. 175.34 feet to the point of BEGINNING and containing 1.46 acres, more or less.

**Petition #:** 96-98

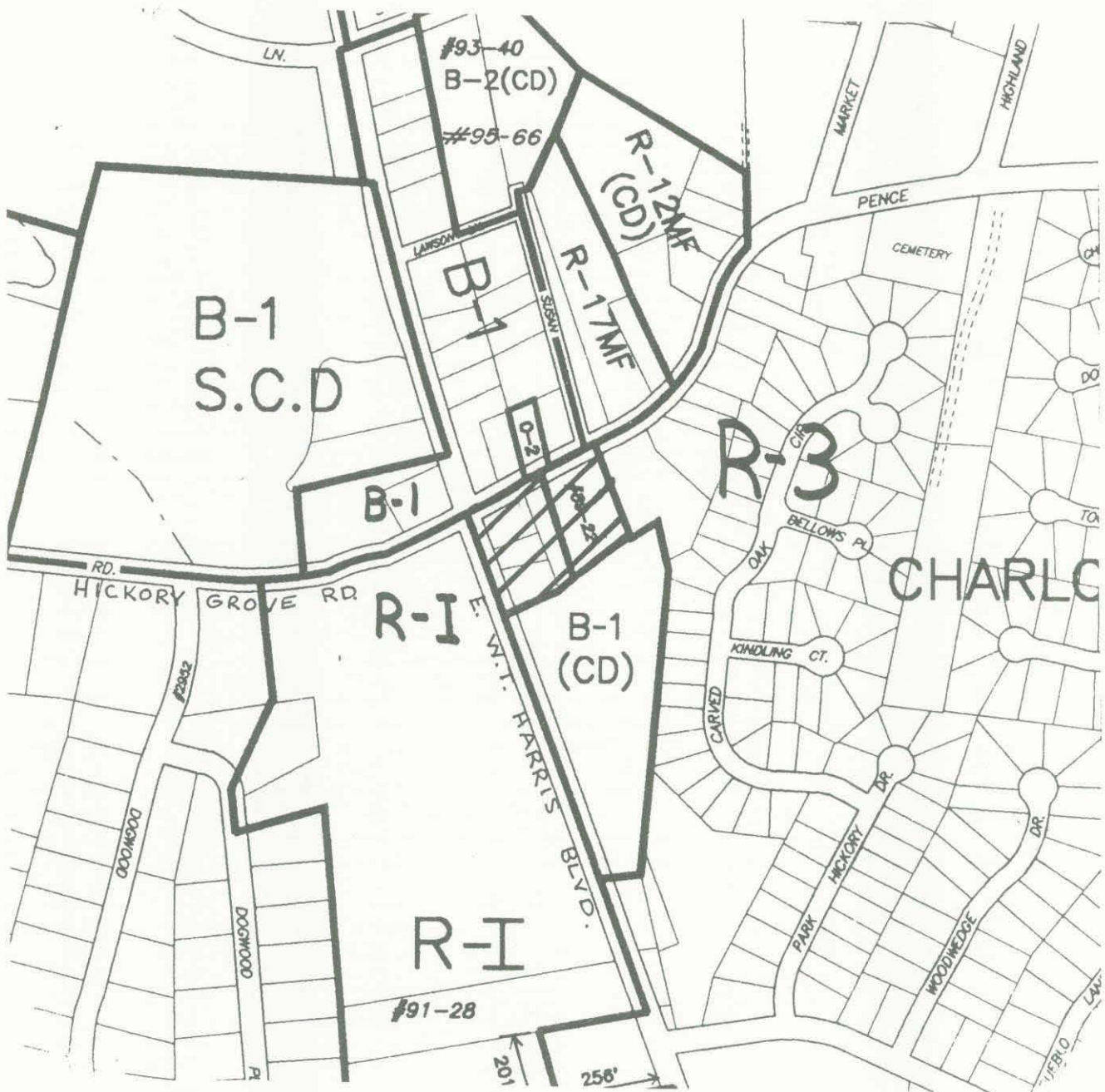
**Petitioner:** JS Group, LLC

**Hearing Date:** December 16, 1996

**Zoning Classification (Existing):** B-1 and B-1(CD)

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

**Location:** Approximately 1.45 acres located on the southeast corner of the intersection of East W.T. Harris Boulevard and Hickory Grove Road.







ORDINANCE NO. 723-Z

**CITY ZONE CHANGE  
OVERLAY DISTRICT**

Petition No. 96-104  
Akram and Lubna Karam

**APPROVED BY CITY COUNCIL**

DATE JANUARY 21, 1997

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 changing from R-3 to MH-O 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.

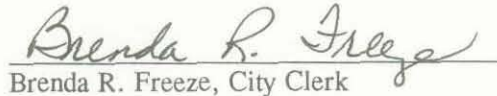
APPROVED AS TO FORM:

  
City Attorney

**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 21st day of January, 1997, the reference having been made in Minute Book 110, page \_\_\_\_\_ and recorded in full in Ordinance Book 47, Page(s) 677-679.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 4th day of February, 1997.

  
Brenda R. Freeze, City Clerk

*[Handwritten signature]*

**RESOLUTION**

*[Handwritten signature]*

*[Faint text]*

*[Faint text]*

**RESOLUTION**

*[Faint text]*

*[Faint text]*

The tract of land depicted as the property described as Tax Parcel # 107-111-03 and deed #5764 0096 in the Mecklenburg County Public Registry is the boundary description for the property being proposed for rezoning by Akram & Lubna Karam.

**Case # 96-104 Boundary Description**

*[Faint text]*

*[Faint text]*

*[Faint text]*

*[Faint text]*

January 21, 1997  
Ordinance Book 47, Page 679

**Petition #:** 96-104

**Petitioner:** Akram & Lubna Karam

**Hearing Date:** December 16, 1996

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

**Zoning Classification (Requested):** R-3 MH-O

**Location:** Approximately 6.2 acres located on the west side of James Road approximately .6 mile south of the Plaza Road Extension and James Road intersection.

