

CITY CD

Petition No.99-08  
The Mathisen Company

ORDINANCE NO. 1248-Z

APPROVED BY CITY COUNCIL  
DATE April 19, 1999

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 5 acres located on the east side of Faires Farm Road across from Jeffrey Bryan 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 March 15, 1999; 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-12(CD) to R-4(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

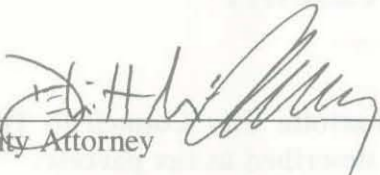
SEE ATTACHED

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.

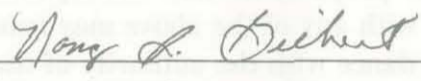
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APPROVED AS TO FORM:

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

I, Nancy S. Gilbert, Deputy 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 19th day of April, 1999, the reference having been made in Minute Book 113, and recorded in full in Ordinance Book 49, Page(s) 333-335A.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10th day of June, 1999.

  
\_\_\_\_\_  
Nancy S. Gilbert, CMC, Deputy City Clerk

Petition No. 99-08  
The Mathisen Company

## PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to The Mathisen Company and successors-in-interest of the property described as tax parcels 051-372-01 portion of 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-4(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 April 19, 1999

CITY CD

Petition No.99-10  
Triven Properties, LLC

ORDINANCE NO. 1249-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 10 acres located on the north side of Tom Hunter Road, south of Interstate 85; 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 March 15, 1999; 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:

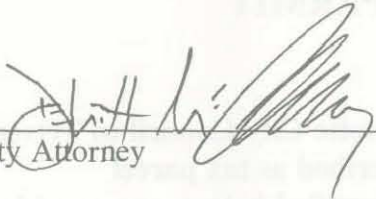
SEE ATTACHED

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.

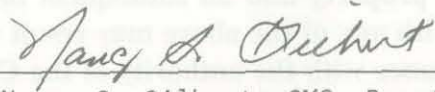
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APPROVED AS TO FORM:

  
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City Attorney

I, Nancy S. Gilbert, Deputy 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 19th day of April, 1999, the reference having been made in Minute Book 113, and recorded in full in Ordinance Book 49, Page(s) 336-338A.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10th day of June, 1999.

  
\_\_\_\_\_  
Nancy S. Gilbert, CMC, Deputy City Clerk



**Petition No. 99-10  
Triven Properties, LLC**

## **PARALLEL CONDITIONAL USE PERMIT**

**This is a parallel conditional use permit approved by the Charlotte City Council to Triven Properties, LLC and successors-in-interest of the property described as tax parcel 089-161-10 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-8(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.**

Petition #: 99-10

Petitioner: Triven Properties, LLC

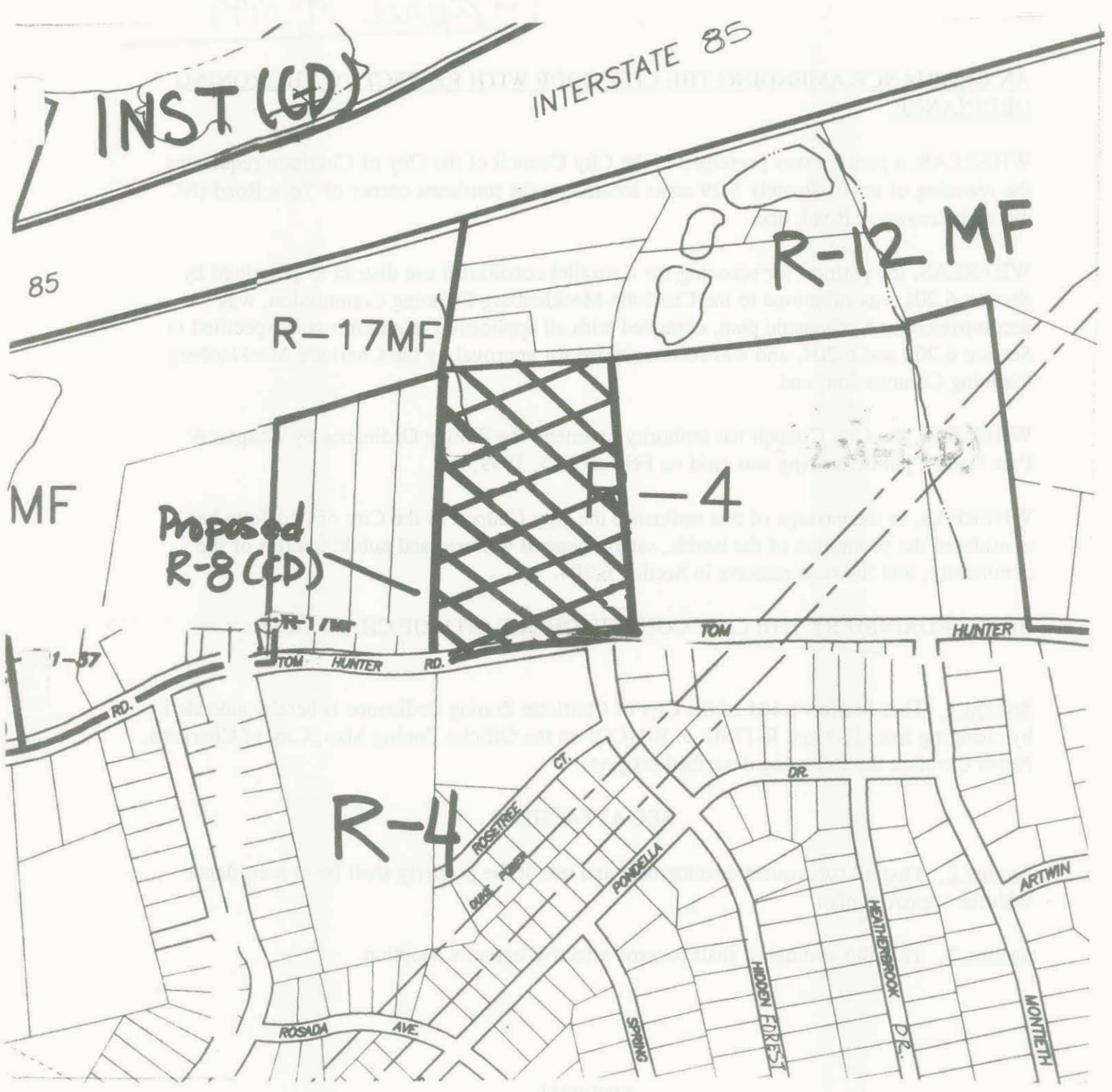
Hearing Date: January 19, 1999

Classification (Existing): R-4

Zoning Classification (Requested): R-8(CD)

Location: Approximately 10 acres located on the north side of Tom Hunter Road south of Interstate 85.

March 15, 1999



Zoning Map #(s): 71 & 77

Scale: 1" = 400'



CITY CD

Petition No.99-19  
Childress Klein Properties, Inc.

ORDINANCE NO. 1250-Z

**APPROVED BY CITY COUNCIL**  
*DATE April 19, 1999*

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 5.29 acres located on the southeast corner of York Road (NC 49) and Arrowood 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 February 15, 1999; 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 R-17MF to B-1(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

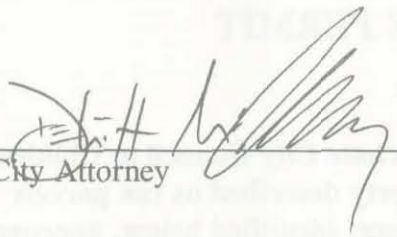
SEE ATTACHED

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.

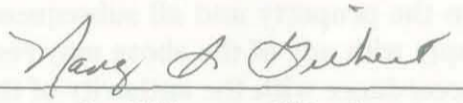
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APPROVED AS TO FORM:

  
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City Attorney

I, Nancy S. Gilbert, Deputy 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 19th day of April, 1999, the reference having been made in Minute Book 113, and recorded in full in Ordinance Book 49, Page(s) 339-341A.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10th day of June, 1999.

  
\_\_\_\_\_  
Nancy S. Gilbert, CMC, Deputy City Clerk



Petition No. 99-19  
Childress Klein Properties, Inc.

## PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to Childress Klein Properties, Inc. and successors-in-interest of the property described as tax parcels 201-011-07 & 08 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.

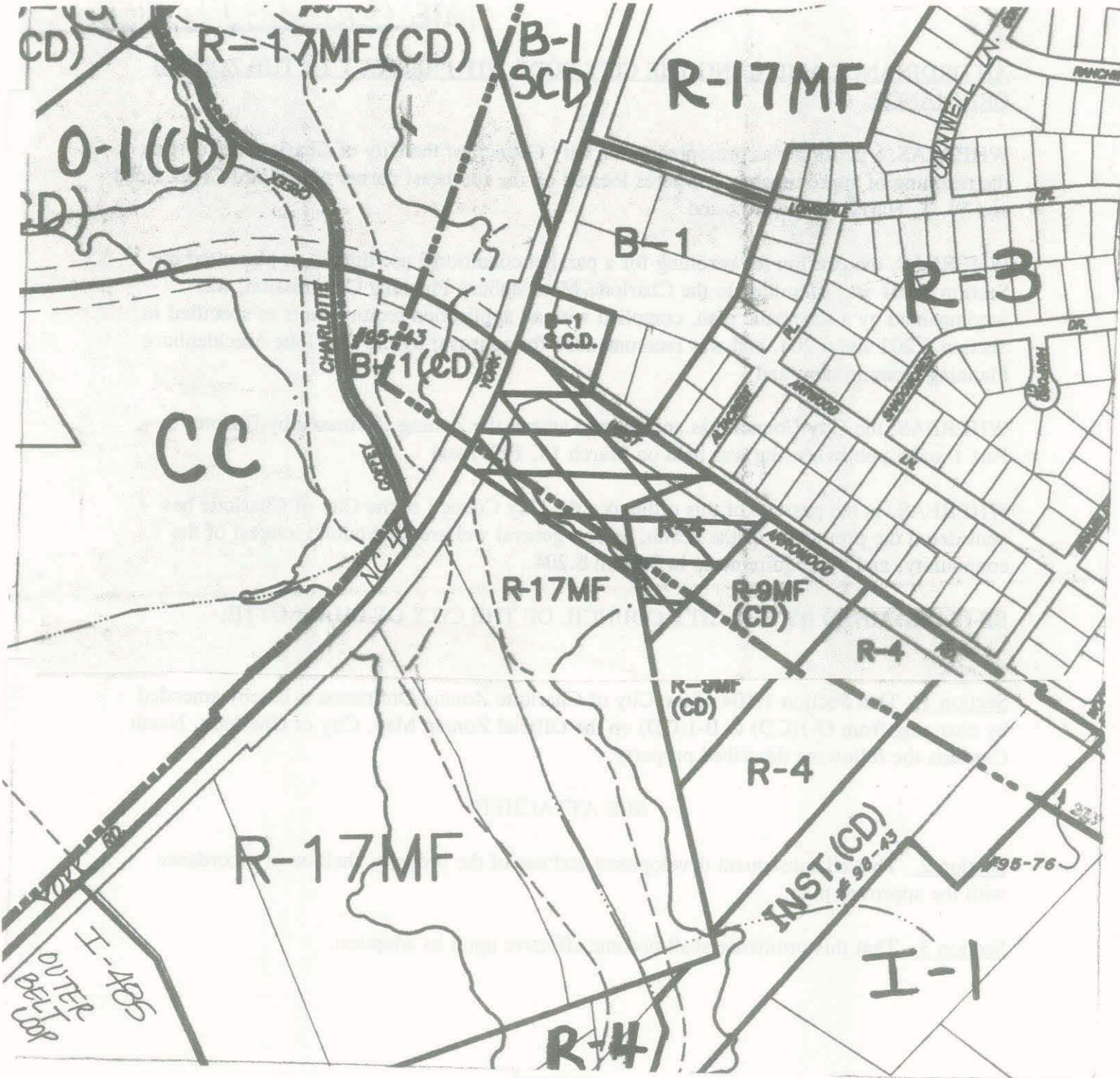
Petitioner: Childress Klein Properties, Inc.

Hearing Date: February 15, 1999

Classification (Existing): R-3 and R-17MF

Zoning Classification (Requested): B-1(CD)

Location: Approximately 5.3 acres located on the southeast corner of York Road (NC 49) and Arrowood Road.



Zoning Map #(s): 133 (149)

Scale: 1" = 400'



CITY CD

Petition No.99-22  
Tribek Properties

ORDINANCE NO. 1251-Z

APPROVED BY CITY COUNCIL

DATE April 19, 1999

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 southeast corner of Mallard Creek Road and W. T. Harris Boulevard.; 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 March 15, 1999; 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(CD) to B-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.

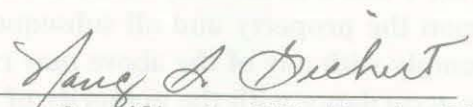
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APPROVED AS TO FORM:

  
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City Attorney

I, Nancy S. Gilbert, Deputy 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 19th day of April, 1999, the reference having been made in Minute Book 113, and recorded in full in Ordinance Book 49, Page(s) 342-344A.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10th day of June, 1999.

  
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Nancy S. Gilbert, CMC, Deputy City Clerk

Petition No. 99-22  
Tribek Properties

**PARALLEL CONDITIONAL USE PERMIT**

This is a parallel conditional use permit approved by the Charlotte City Council to Tribek Properties and City of Charlotte and successors-in-interest of the property described as tax parcels 027-034-02 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 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.



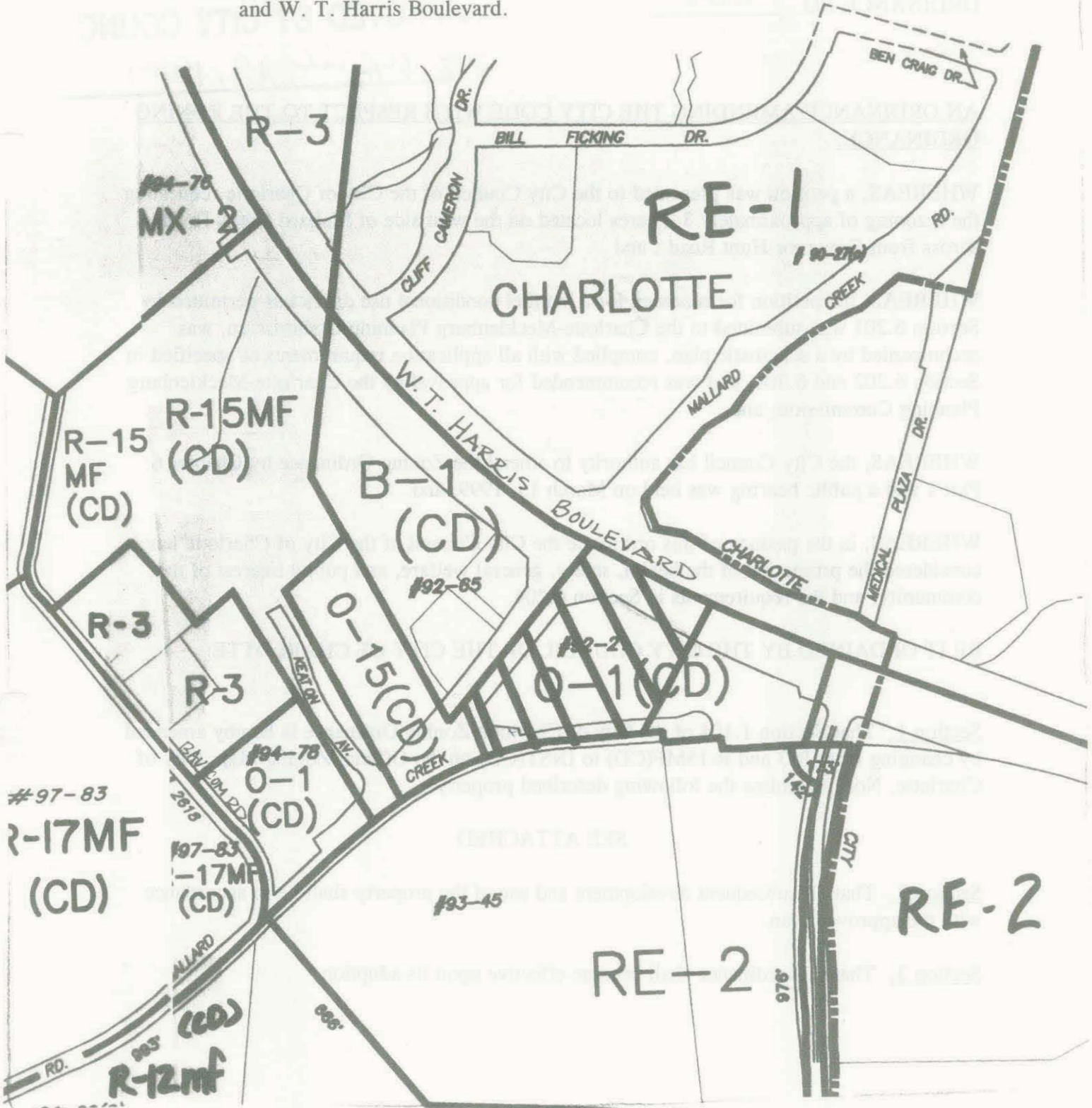
Petitioner: Tribek Properties

Hearing Date: February 15, 1999

Classification (Existing): O-1(CD)

Zoning Classification (Requested): B-1(CD)

Location: Approximately 3.7 acres located on the southeast corner of Mallard Creek Road and W. T. Harris Boulevard.



Zoning Map #(s): 58

Scale: 1" = 400'

CITY CD

Petition No.99-28  
J. Michael and Dianna J. Horney

ORDINANCE NO. 1253-Z

APPROVED BY CITY COUNCIL  
DATE April 19, 1999

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 3.2 acres located on the west side of Mallard Creek Road, across from Governor Hunt 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 March 15, 1999; 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 R-15MF(CD) to INST(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

SEE ATTACHED

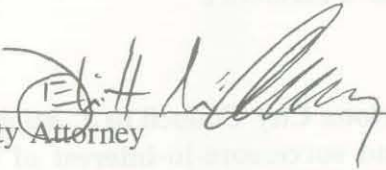
Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.

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

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APPROVED AS TO FORM:

  
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City Attorney

I, Nancy S. Gilbert, Deputy 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 19th day of April, 1999, the reference having been made in Minute Book 113, and recorded in full in Ordinance Book 49, Page(s) 348-350A.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10th day of June, 1999.



Nancy S. Gilbert, CMC, Deputy City Clerk



Petition No. 99-28  
J. Michael and Dianna J. Horney

## **PARALLEL CONDITIONAL USE PERMIT**

**This is a parallel conditional use permit approved by the Charlotte City Council to J. Michael and Dianna J. Horney Properties and City of Charlotte and successors-in-interest of the property described as tax parcels 027-251-57 & 58 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 INST(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.**

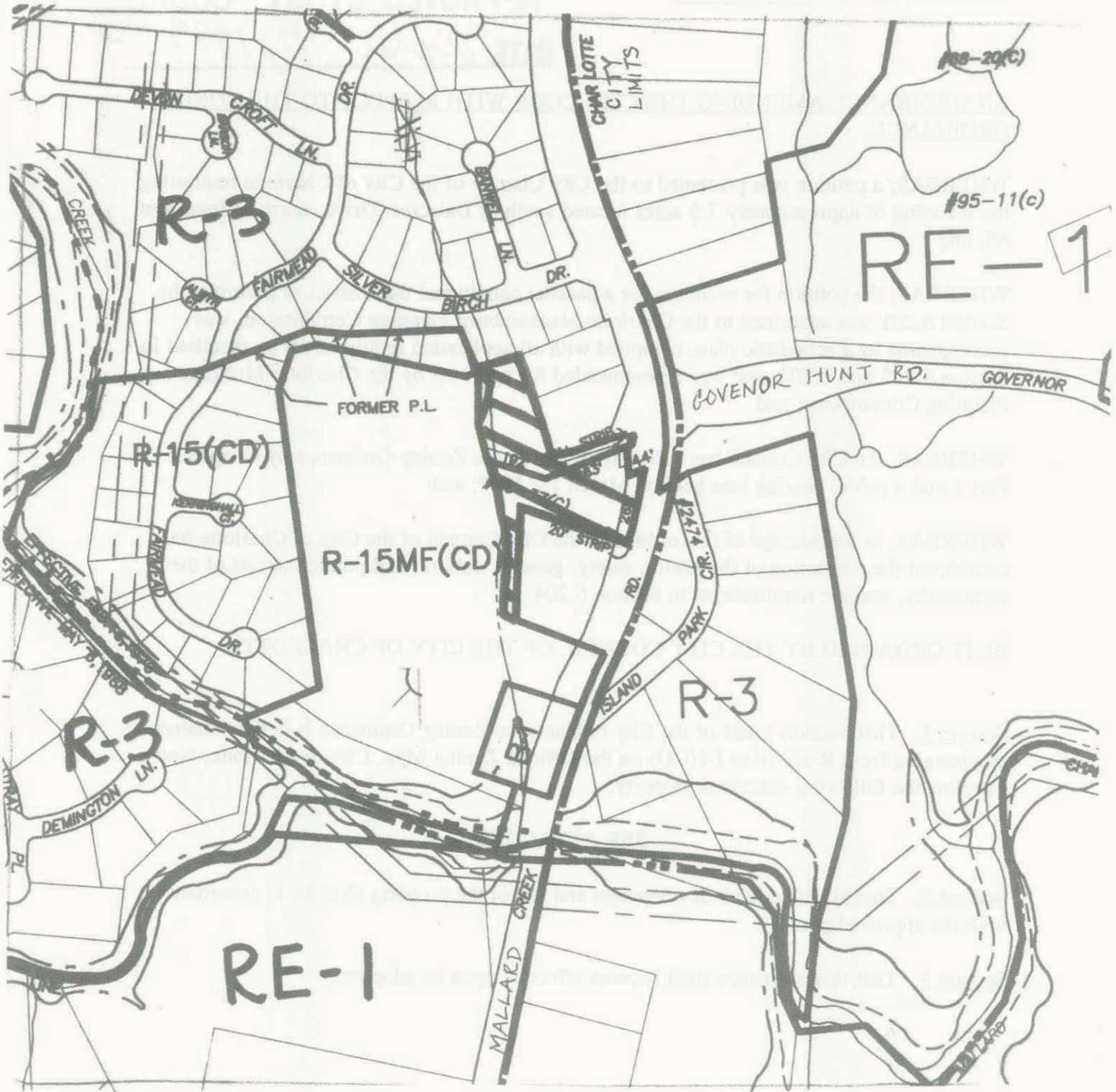
**Petitioner:** J. Michael and Diana J. Horney

**Hearing Date:** March 15, 1999

**Classification (Existing):** R-3 and R-15MF(CD)

**Zoning Classification (Requested):** INST(CD)

**Location:** Approximately 3.2 acres located on the west side of Mallard Creek Road across from Governor Hunt Road.



Zoning Map #(s): 53

Scale: 1" = 400'



CITY CD

Petition No.99-29  
Edwin R. McCoy, III.et. al and Quick  
Fuel Inc.

ORDINANCE NO. 1254-Z

**APPROVED BY CITY COUNCIL**  
**DATE** *April 19, 1999*

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 7.5 acres located south of Dalecrest Drive, north of Interstate 85; 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 March 15, 1999; 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-12MF to I-1(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

SEE ATTACHED

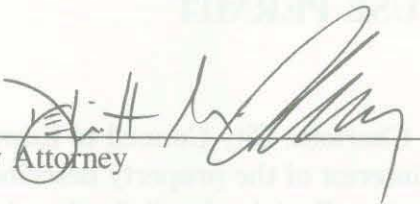
Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.

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



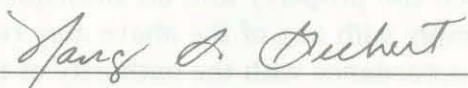
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APPROVED AS TO FORM:

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

I, Nancy S. Gilbert, Deputy 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 19th day of April, 1999, the reference having been made in Minute Book 113, and recorded in full in Ordinance Book 49, Page(s) 351-353B.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10th day of June, 1999.

  
\_\_\_\_\_  
Nancy S. Gilbert, CMC, Deputy City Clerk

Petition No. 99-29

Edwin R. McCoy, III et. al and Quick Fuel  
Inc.

## PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to Edwin R. McCoy, III et. al, and Quick Fuel Inc and successors-in-interest of the property described as tax parcel 045-041-22, 23 and 045-041-21 and 31 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 I-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.



99-29

EXHIBIT A

Lying and being within the City of Charlotte, Mecklenburg County, North Carolina and further described as:

From an existing iron pin in the northwesterly margin of the right-of-way of I-85, said point being the southeast corner of the property owned by Vivian Johnson as recorded in Deed Book 9014 Page 779. From the aforesaid point and running along the Johnson property N 16-44-07 W 732.43 feet to a point in the center of a creek, said point also being on the zoning line and being the Point of Beginning. Thence from the point of beginning following the center of the creek, and aforesaid zoning line for seven courses and distances as follows: (1) N 89-01-21 E. 222.17 feet to a point in the creek; (2) S 63-22-43 E. 38.41 feet to a point in the creek; (3) S 57-56-07 E. 94.76' to a point in the creek; (4) S 56-05-06 E. 70.33 feet to a point in the creek; (5) S 47-50-47 E. 44.04 feet to a point in the creek; (6) S 41-44-45 E. 46.26 feet to a point in the creek; (7) S 45-25-47 E. 79.40 feet to a point in the creek. Thence, an arc of a curve to the left having a radius of 3298.33 feet and length of 571.68 feet (subtended by a chord N 78-05-21 E. 570.97 feet) to a point in the southerly line of Lot 2A in Block 6 of Dalecrest as shown in Map Book 13 Page 11. Thence along the southerly line of a portion of Lot 2A and Lots 3A, 4A, 5A, 6A, and 7A of Block 6 N 62-28-25 W 413.62 feet to an iron pin, said point being in the Southerly line of Lot 7A. Thence continuing along the southerly line of the aforesaid subdivision plat and Lots 7A, 8A, 9A, and 10A of block 6 of Dalecrest, N 62-21-38 W 209.50 feet to an iron pin in the southerly line of Lot 10A. Thence continuing along the southerly line of Lots 10A, 11A, 12A of Block 6 of Dalecrest N 62-43-42 W 251.80 feet to an iron pin being the Southwest corner of the right-of-way of Kenmont Drive as recorded in Map Book 13 Page 11. Thence continuing from the aforesaid iron, also being the southeast corner of Lot 1, along the southerly line of Lots 1, 2, 3, 4, 5 of Block 6 of Dalecrest, N 62-43-42 W 355.10 feet to an iron pin in the southerly line of Lot 5. Thence running with the easterly boundary of the property of Winchester Associates, as recorded in Deed Book 4248 Page 497, S 7-38-01 W. 280.33 feet to an iron pin. Thence running along the aforesaid Johnson property S 16-44-07 W 191.79 feet to a point and the place of beginning, and containing 7.27 acres more or less according to a site plan by Mansour Edlin Consulting, and based on a survey by R.B. Pharr and Assoc. PA, dated Jan. 13, 1997.



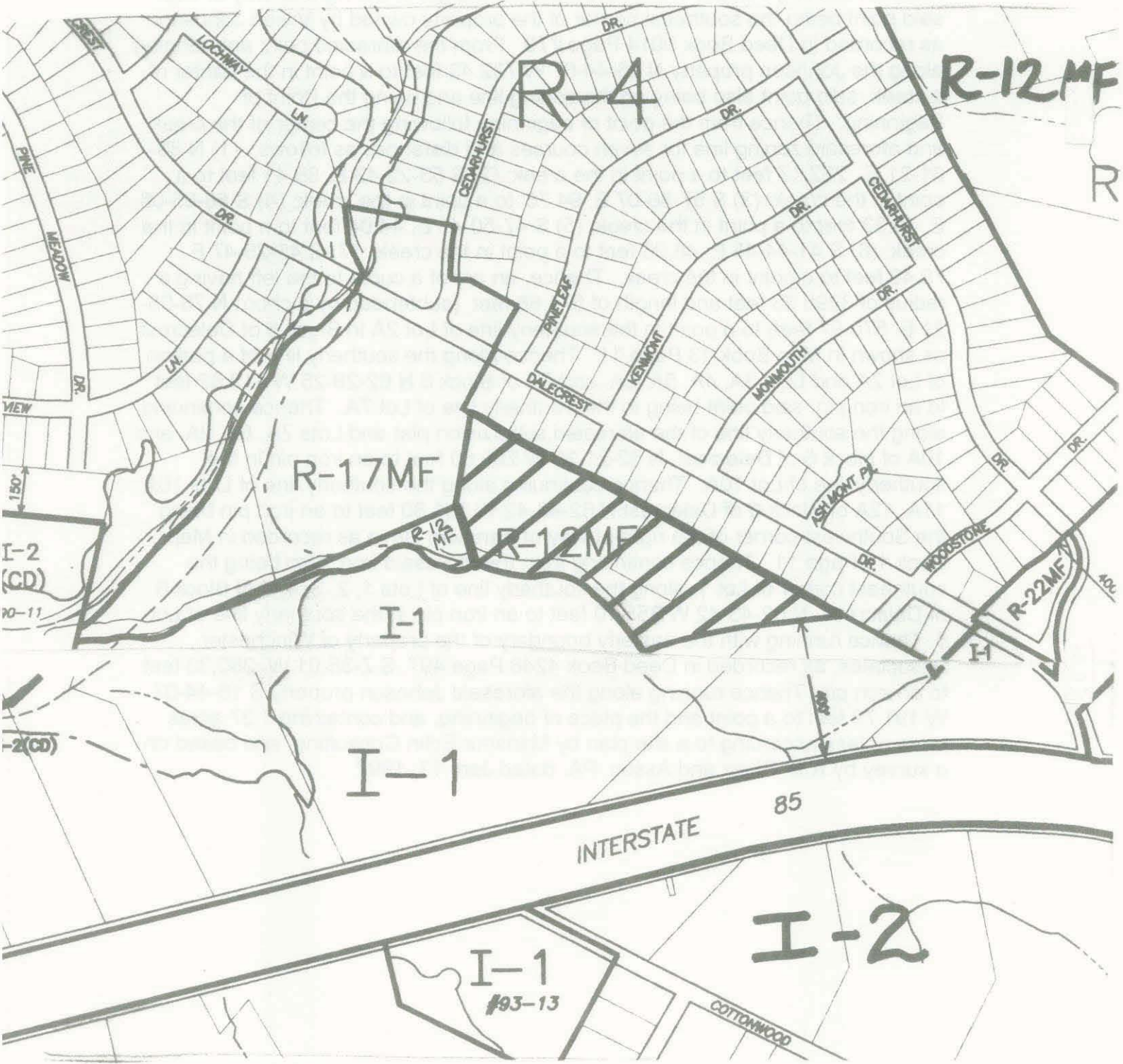
Petitioner: Edwin R. McCoy, III et. al, and Quick Fuel Inc.

Hearing Date: March 15, 1999

Classification (Existing): R-12MF

Zoning Classification (Requested): I-1CD

Location: Approximately 7.5 acres located south of Dalecrest Drive north of Interstate 85.



Zoning Map #(s): 70, (78)

Scale: 1" = 400'

CITY CD

Petition No.99-30  
East End Development, LLC

ORDINANCE NO. 1255-Z

**APPROVED BY CITY COUNCIL**

**DATE** April 6, 1999

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 3.45 acres located between Park Drive and Elizabeth Avenue, south of E. Independence Boulevard; 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 March 15, 1999; 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, B-1 and B-2 to MUDD-O on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

SEE ATTACHED

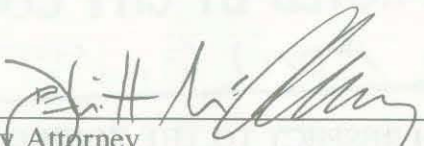
Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.

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

-continued-



APPROVED AS TO FORM:

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

I, Nancy S. Gilbert, Deputy 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 6th day of April, 1999, the reference having been made in Minute Book 113, and recorded in full in Ordinance Book 49, Page(s) 354-356A.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10th day of June, 1999.

  
\_\_\_\_\_  
Nancy S. Gilbert, CMC, Deputy City Clerk

Petition No. 99-30  
East End Development, LLC

## PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to East End Development, LLC and successors-in-interest of the property described as tax parcels 080-196-06, 08, 09, 13, 16, 17, 18 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 MUDD-O 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.



Petition #: 99-30

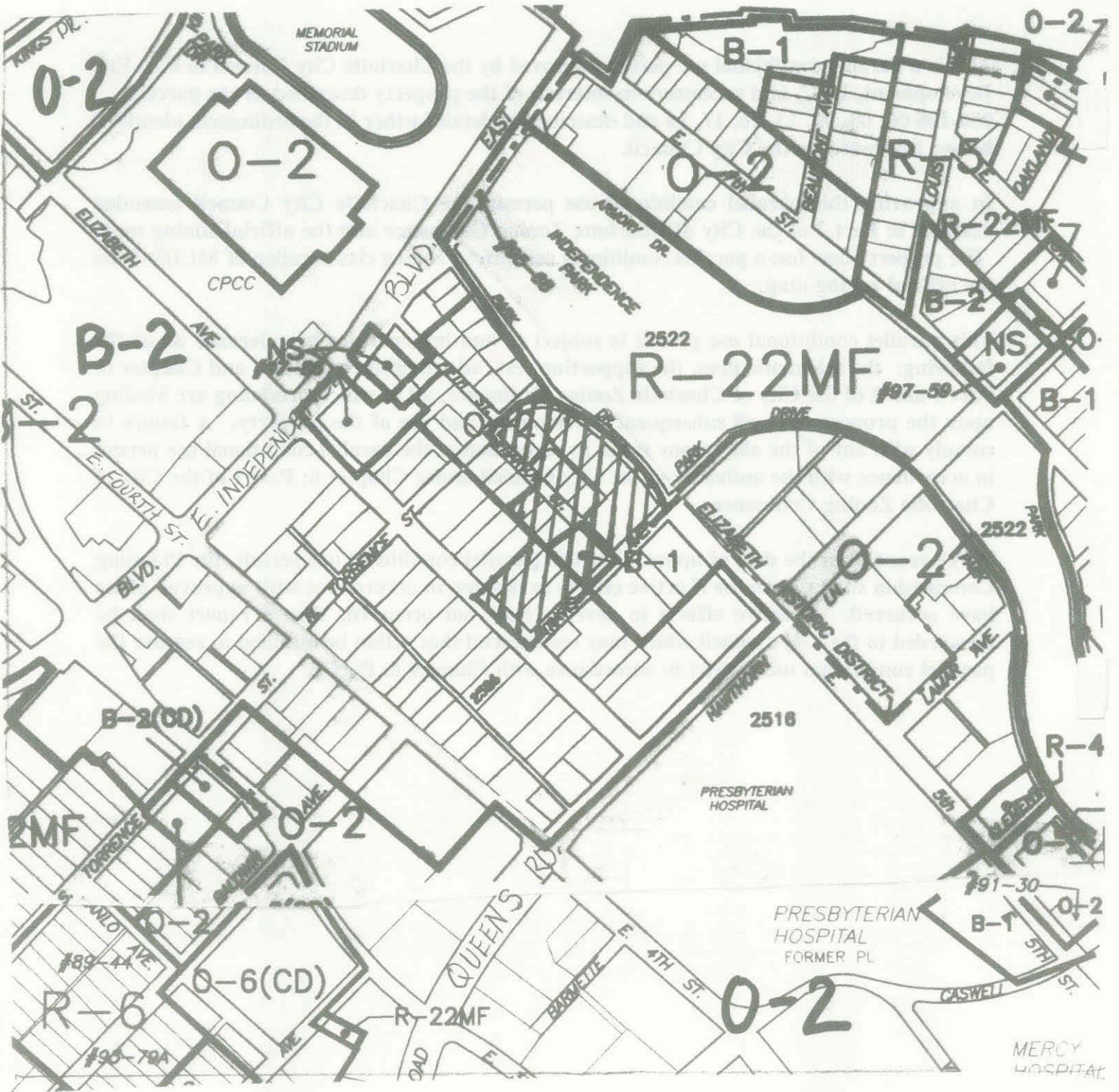
Petitioner: East End Development, LLC

Hearing Date: March 15, 1999

Classification (Existing): O-2, B-1, B-2

Zoning Classification (Requested): MUDD-O

Location: Approximately 3.4 acres located between Park Drive and Elizabeth Avenue south of E. Independence Boulevard.



Zoning Map #(s): 102, (111)

Scale: 1" = 400'



CITY CD

Petition No.99-31  
School Worker's Federal Credit Union

ORDINANCE NO. 1256-Z

APPROVED BY CITY COUNCIL

April 19, 1999

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 0.29 acres located on the southwest corner of French Street and Campus Street, west of Beatties Ford 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 March 15, 1999; 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 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

I, Nancy S. Gilbert, Deputy 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 12th day of April, 1999, the reference having been made in Minute Book 113, and recorded in full in Ordinance Book 49, Page(s) 357-359A.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10th day of June, 1999.

  
Nancy S. Gilbert, CMC, Deputy City Clerk



Petition No. 99-31  
School Worker's Federal Credit Union

## PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to School Worker's Federal Credit Union and successors-in-interest of the property described as tax parcels 069-011-01, 02 and 99 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 O-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.

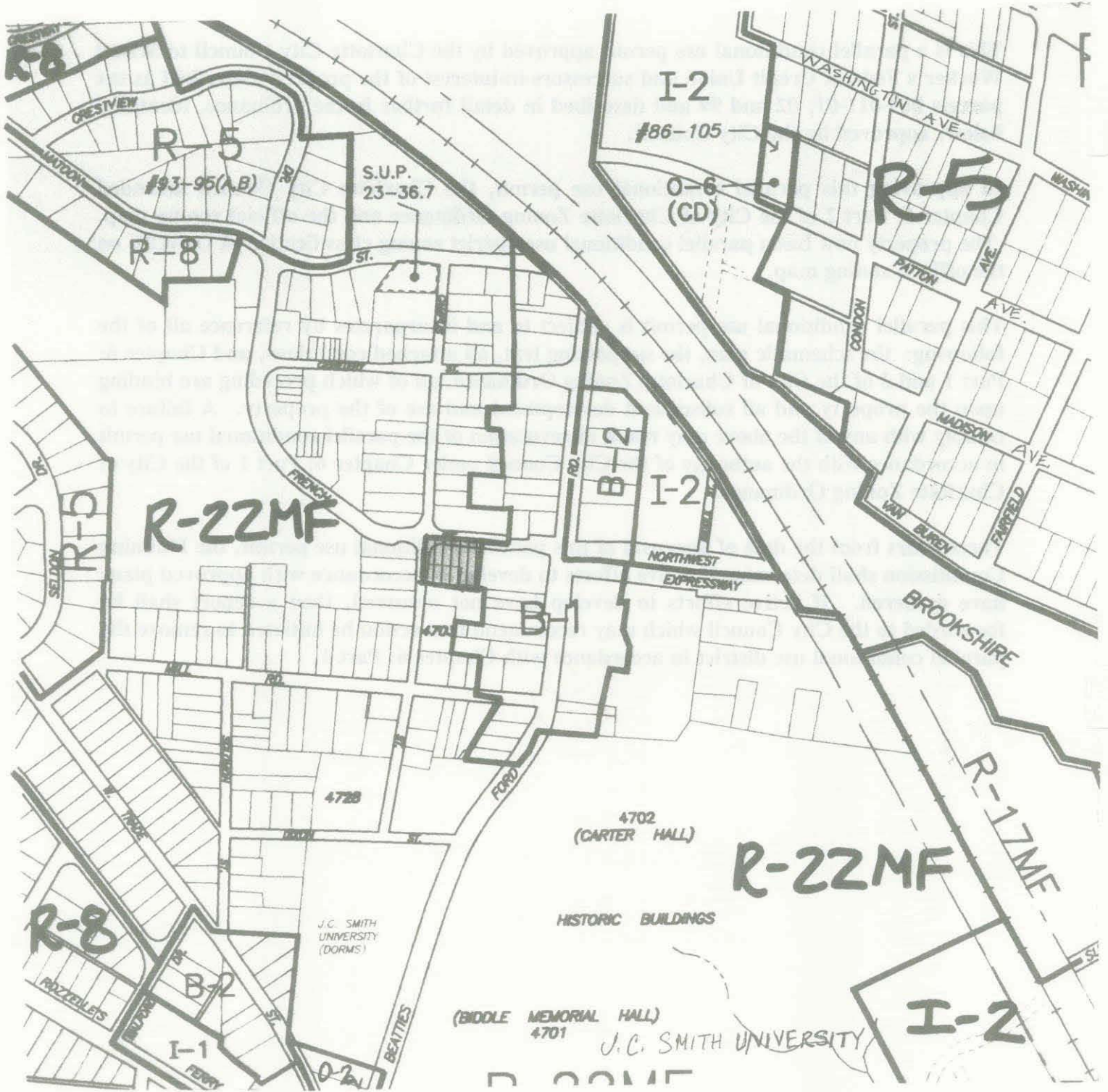
Petitioner: School Workers Federal Credit Union

Hearing Date: March 15, 1999

Classification (Existing): R-22MF *0-1(CD)*

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

Location: Approximately 0.3 acres located on the southeast corner of French Street and Campus Street west of Beatties Ford Road.



Zoning Map #(s): 88

Scale: 1" = 400'



CITY CD

Petition No.99-32  
Patrick Pham

ORDINANCE NO. 1257-Z

APPROVED BY CITY COUNCIL  
DATE April 19, 1999

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 .42 acres located on the east side of North Sharon Amity Road, south of Central 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 March 15, 1999; 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-17MF to O-1(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

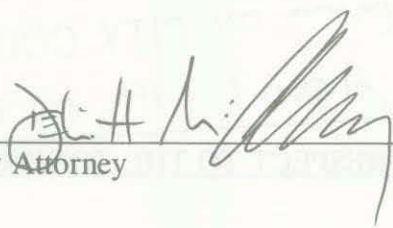
SEE ATTACHED

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.

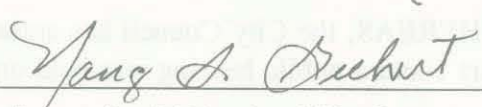
-continued-

APPROVED AS TO FORM:

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

I, Nancy S. Gilbert, Deputy 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 12th day of April, 1999, the reference having been made in Minute Book 113, and recorded in full in Ordinance Book 49, Page(s) 360-362A.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10th day of June, 1999.

  
\_\_\_\_\_  
Nancy S. Gilbert, CMC, Deputy City Clerk



Petition No. 99-32  
Patrick Pham

## PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to Patrick Pham and successors-in-interest of the property described as tax parcel 103-011-12 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 O-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.

Petition #: 99-32

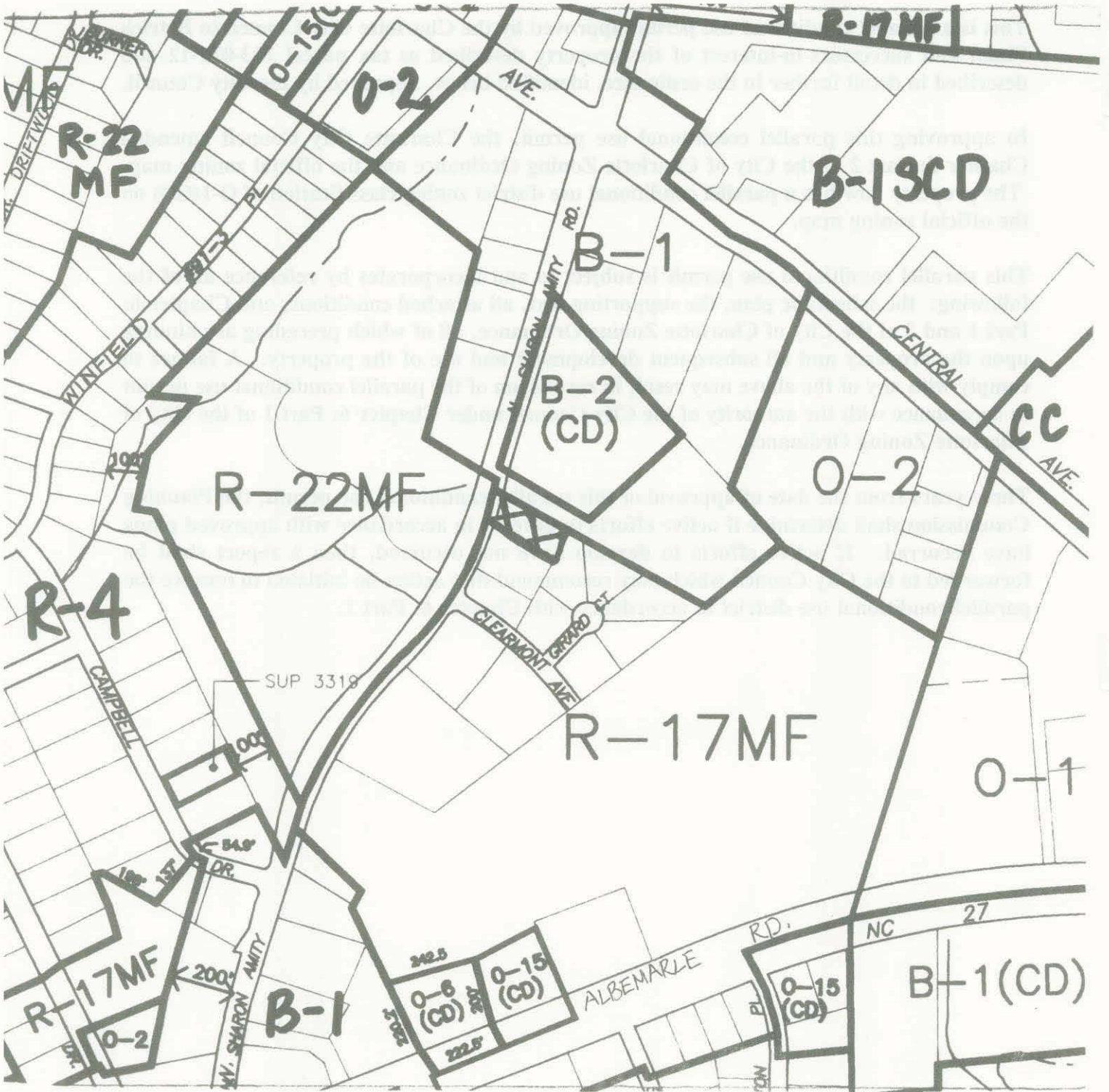
Petitioner: Patrick Pham

Hearing Date: March 15, 1999

Classification (Existing): R-17MF

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

Location: Approximately .42 acres located on the east side of North Sharon Amity Road south of Central Avenue.



Zoning Map #(s): 113

Scale: 1" = 400'



CITY CD

Petition No. 99-33  
Centex Homes

ORDINANCE NO. 1258-Z

**APPROVED BY CITY COUNCIL**

**DATE** April 19, 1999

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 48 acres located along I-485, south of McKee Road.

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 March 15, 1999; 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-3(CD) and R-5(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

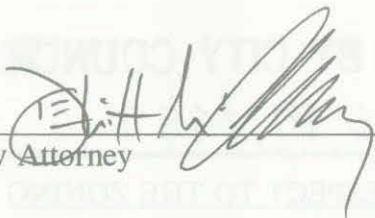
SEE ATTACHED

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

I, Nancy S. Gilbert, Deputy 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 19th day of April, 1999, the reference having been made in Minute Book 113, and recorded in full in Ordinance Book 49, Page(s) 363-365C.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10th day of June, 1999.



\_\_\_\_\_  
Nancy S. Gilbert, CMC, Deputy City Clerk



Petition No. 99-33  
Centex Homes

## PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to Centex Homes and successors-in-interest of the property described as tax parcel 231-044-09-14, 21, 22, 26, 27, 29-31 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-3(CD) and R-5(CD).

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.

April 19, 1999  
Ordinance Book 49, Page 365A  
Petition #: 99-33

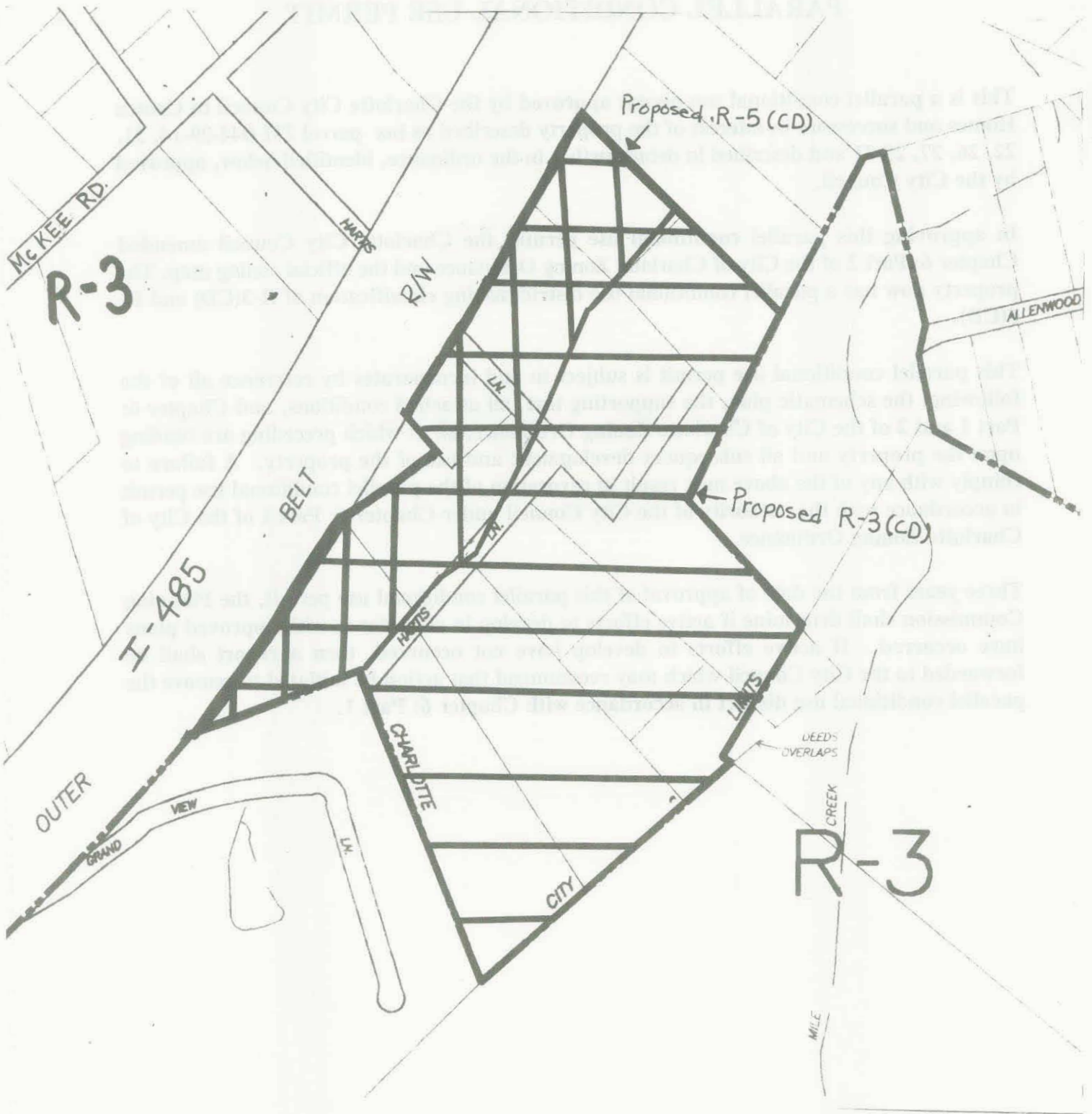
Petitioner: Centex Homes

Hearing Date: March 15, 1999

Classification (Existing): R-3

Zoning Classification (Requested): R-3(CD), and R-5(CD)

Location: Approximately 48 acres located along I-485 south of McKee Road.



Zoning Map #(s): 178

Scale: 1" = 400'



### Legal Description

#### Proposed R-5(CD) Tract

**BEGINNING** at a new iron rebar in the southeasterly margin of Interstate Highway #485 (variable width public right-of-way), said point being the northwest corner of the Estate of N.C. Grier property as described in Deed Book 4184, Page 577 of the Mecklenburg County Public Registry and runs thence with the westerly line of the Estate of N.C. Grier property S. 44-36-53 E. 411.81 feet to an existing concrete monument, said point being the northeast corner of the M.G. Hartis property (now or formerly) as described in Deed Book 3708, Page 211 of said Registry; thence with five (5) new courses and distances as follows: 1) S. 39-19-33 W. 291.12 feet to a point; 2) S. 48-22-06 W. 157.16 feet to a point; 3) S. 28-10-18 W. 731.55 feet to a point; 4) S. 56-46-13 W. 130.41 feet to a point; 5) S. 36-36-30 W. 346.37 feet to an existing iron rebar, said point being the northerly most corner of the R.E. Kunkleman property as described in Deed Book 2851, Page 87 of said Registry; thence with the northerly line of the R.E. Kunkleman property S. 71-30-12 W. 625.20 feet to an existing iron rebar in the southeasterly margin of Interstate Highway #485; thence with the southeasterly margin of Interstate Highway #485 with the arc of a circular curve to the left having a radius of 7,819.92 feet, an arc distance of 781.59 feet (chord: N. 38-51-22 E. 781.28 feet) to a new iron rebar at the corner of the Department of Transportation (now or formerly) property as described in Deed Book 7140, Page 500 of said Registry; thence with the line of the Department of Transportation the following two (2) courses and distances: 1.) N. 56-49-07 E. 419.98 feet to an existing iron rod; 2.) N. 40-01-45 W. 166.22 feet to a new iron rod on the southeasterly margin of Interstate Highway #485; thence with the southeasterly margin of Interstate Highway #485 the following five (5) courses and distances: 1.) with the arc of a circular curve to the left having a radius of 7,819.92 feet, an arc distance of 113.03 feet to a new iron rod (chord: N. 32-24-23 E. 113.03 feet) to a new iron rod; 2.) N. 31-59-32 E. 475.10 feet to a new iron rebar; 3.) N. 48-22-06 E. 115.09 feet to an existing iron rebar; 4.) N. 44-22-55 W. 33.39 feet to a new iron rebar; 5.) N. 31-59-23 E. 296.25 feet to the point and place of **BEGINNING**. Containing 14.4771 acres or 630,622 square feet of land as shown on a survey prepared by R.B. Pharr & Associates, P.A. dated April 13, 1998 and last revised December 18, 1998 bearing file no. W-2213.

### Legal Description

#### Proposed R-3(CD) Tract

**BEGINNING** at an existing concrete monument in the westerly line of the Estate of N.C. Grier property as described in Deed Book 4184, Page 577 of the Mecklenburg County Public Registry, said point being the southeast corner of the R.L. Hartis property (now or formerly) as described in Deed Book 6919, Page 275 of said Registry; and, furthermore said point being located from a new iron rebar in the southeasterly margin of Interstate Highway #485 along the common dividing line between the aforesaid parties S. 44-36-53 E. 411.81 feet to the true point and place of **BEGINNING** and runs thence with the westerly line of the N.C. Grier Estate property S. 44-27-24 E. 407.83 feet to an existing iron rebar in the northwesterly line of the W.E. Simmons, Jr. property as described in Deed Book 4364, Page 466 of said Registry; thence with the Simmons lines in two (2) courses and distances as follows: 1) S. 28-10-18 W. 610.87 feet to a new iron rebar near a stone; 2) S. 39-56-25 E. 507.60 feet to a new iron rebar in the northwesterly line of the Mecklenburg County property as described in Deed Book 6080, Page 695 of said Registry; thence with the lines of the Mecklenburg County property in four (4) courses and distances as follows: 1) S. 30-23-20 W. 447.55 feet to an existing iron rebar; 2) S. 53-31-10 W. 171.46 feet to an existing iron rebar; 3) S. 49-39-48 W. 380.37 feet to an existing iron rebar; 4) S. 49-25-04 W. 415.88 feet to a 15 inch post oak, said point being the southeast corner of the R.E. Kunkleman property as described in Deed Book 2851, Page 87 of said Registry; thence with the easterly line of the Kunkleman property N. 19-21-26 W. 953.45 feet to an existing iron rebar, said point being the southwest corner of the R.L. Hartis property (now or formerly) as described in Deed Book 3708, Page 215 and Deed Book 7147, Page 625 of said Registry; thence with five (5) new courses and distances as follows: 1) N. 36-36-30 E. 346.37 feet to a point; 2) N. 56-46-13 E. 130.41 feet to a point; 3) N. 28-10-18 E. 731.55 feet to a point; 4) N. 48-22-06 E. 157.16 feet to a point; 5) N. 39-19-33 E. 291.12 feet to the point and place of **BEGINNING**. Containing 33.3188 acres or 1,451,367 square feet of land as shown on a survey prepared by R.B. Pharr & Associates, P.A. dated April 13, 1998, last revised December 18, 1998 bearing file no. W-2213.



CITY CD

Petition No.99-37  
Tom Waters- Provident Development  
Group, Inc.

ORDINANCE NO. 1259-Z

APPROVED BY CITY COUNCIL

APR 19 1999

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 18.6 acres located between Valleydale Road and Bellhaven Boulevard, south of McClure 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 March 15, 1999; 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 LW/PA to R-8MF(CD) LW/PA on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

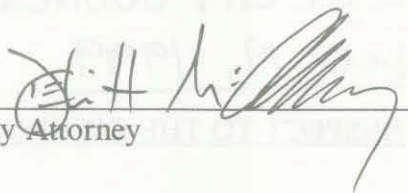
SEE ATTACHED

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

I, Nancy S. Gilbert, Deputy 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 19th day of April, 1999, the reference having been made in Minute Book 113, and recorded in full in Ordinance Book 49, Page(s) 366-368C.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10th day of June, 1999.

  
\_\_\_\_\_  
Nancy S. Gilbert, CMC, Deputy City Clerk



Petition No. 99-37  
Tom Waters- Provident Development  
Group, Inc.

## PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to Tom Waters- Provident Development Group and successors-in-interest of the property described as tax parcels 035-146-18 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-8MF(CD) LW/PA 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.

Petition #: 99-37

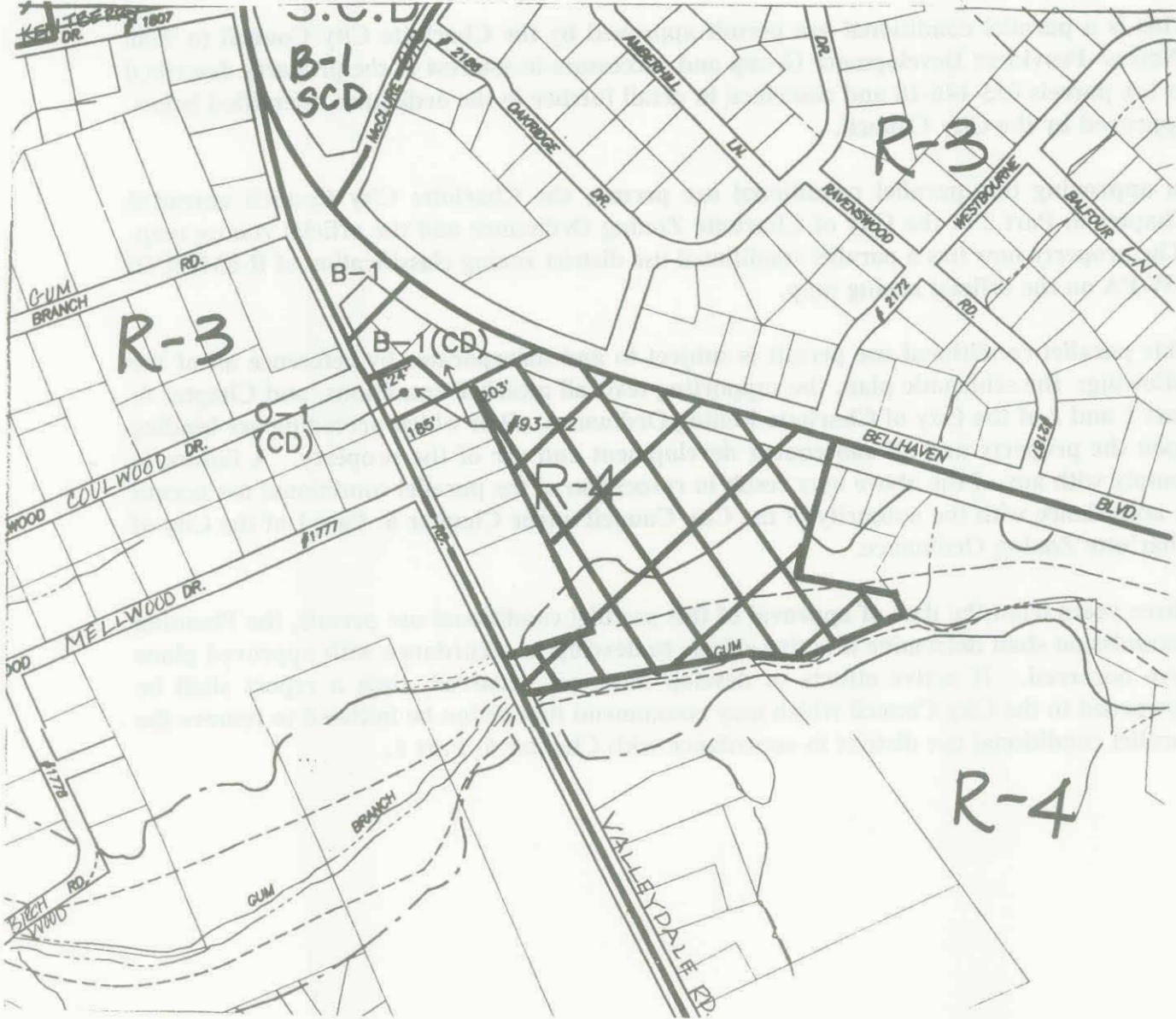
Petitioner: Provident Development Group, Inc., Tom Waters

Hearing Date: March 15, 1999

Classification (Existing): R-4 LW/PA

Zoning Classification (Requested): R-8MF(CD) LW/PA

Location: Approximately 18.6 acres located between Valleydale Road and Bellhaven Boulevard south of McClure Circle.



Zoning Map #(s): 62, (67)

Scale: 1" = 400'



99-37

BEGINNING at an existing iron pin being the easterly most corner of the property now or formerly of Mildred H. Bennett and husband (DB 6396 Pg 489) and a corner of the property of Unity Presbyterian Church (DB 5446 Pg 927); thence by the property now or formerly of Unity Presbyterian Church, N 70° 04' 25" E 339.83 feet to an existing iron pin; thence by the property now or formerly of Unity Presbyterian Church N 25° 13' 01" E 325.49 feet to an existing iron pin; thence by the property now or formerly of Unity Presbyterian Church, N 25° 13' 01" E 91.86 feet to an existing iron pin within Belhaven Blvd. 150' R/W; thence by the property now or formerly of Unity Presbyterian Church and within said road, S 73° 42' 05" E 378.56 feet to a point within said road; thence by the property now or formerly of Unity Presbyterian Church and Faye K. Davis and David M. McCord (DB 7923 Pg 362), the following four (4) courses: (1) S 14° 25' 42" W 382.84 feet to an existing iron pin; (2) S 07° 18' 08" W 99.33 feet to an existing iron pin; (3) S 82° 17' 18" E 327.05 feet to an existing iron pin; (4) S 40° 36' 09" E 34.27 feet to a calculated point at the center line of Gum Branch; thence by the center line of Gum Branch the property now or formerly of Unity Presbyterian Church and Lawings, Incorporated (DB 4906 Pg 524), S 68° 35' 00" W to a point in center of said branch; thence by the center of said branch, property now or formerly of Unity Presbyterian Church and Joel J. Ostrow and Cynthia E. Ostrow (DB 4647 Pg 603), the following three (3) courses: (1) S 88° 21' 30" W 200.61 feet; (2) S 80° 35' 00" W 426.00 feet; (3) S 77° 05' 00" W 200.00 feet to a point in the center of Valleydale Road 60' R/W; thence by the property now or formerly of Unity Presbyterian Church and the center of said road, N 26° 30' 00" W 120.00 feet to a point; thence by the property now or formerly of Unity Presbyterian Church the following two (2) courses: (1) N 62° 24' 00" E 264.77 feet to a point; (2) N 26° 03' 20" W 209.48 feet to an existing iron pin; said point also being the point and place of BEGINNING, containing approximately 11.71 acres.

99-37

BEGINNING at an existing iron pin being the easterly most corner of the property now or formerly of Mildred H. Bennett and husband (DB 6396 Pg 489) and a corner of the property of Unity Presbyterian Church (DB 5446 Pg 927); thence by the property now or formerly of Unity Presbyterian Church (DB 5446 Pg 927), Mildred H. Bennett and husband (DB 6396 Pg 489), Buford Thompson and Wife (DB 8571 Pg 627), Joe Lee Morton and wife (DB 8779 Pg 141) and Roger Steve Lee (DB 5862 Pg 274), N 26° 03' 20" W 581.32 feet to a found PK in the stone; thence by the property now or formerly of Unity Presbyterian Church and by the property now or formerly of McClure Real Estate & Investments, Inc. (DB 6197 Pg 927), N 64° 40' 01" E 283.29 feet to a new iron pin within Belhaven Blvd. 150' R/W; thence by the property now or formerly of Unity Presbyterian Church and within Belhaven Blvd. 150' R/W, S 72° 27' 00" E 217.47 feet to a point; thence by the property now or formerly of Unity Presbyterian Church and within Belhaven Blvd. 150' R/W, S 73° 43' 00" E 301.33 feet to an existing iron pin; thence by the property now or formerly of Unity Presbyterian Church S 25° 13' 01" W 91.86 feet to an existing iron pin; thence by the property now or formerly of Unity Presbyterian Church S 25° 13' 01" W 325.49 feet to an existing iron pin; thence by the property now or formerly of Unity Presbyterian Church S 70° 04' 25" W 339.83 feet to an existing iron pin; said point also being the point and place of BEGINNING, containing approximately 6.69 acres.



**APPROVED BY CITY COUNCIL**

Petition No. 99-50 ~~DATE~~ April 19, 1999 REVISED 03/18/99  
Petitioner: Lee R. McLaren 04/08/99

ORDINANCE NO. 1260 AN ORDINANCE AMENDING APPENDIX A  
OF THE CITY CODE - 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 2, PART 2: DEFINITIONS, Section 2.201 Definitions as follows:

To the definition of Dwelling, attached, delete the following wording:

“which are subject to the regulations of subsection 9.303(19)”,

The revised definition will read thusly:

Dwelling, attached.

Any duplex, triplex, quadraplex or multi-family dwelling developed side by side where land is sold with each dwelling unit.

2. Amend CHAPTER 9: GENERAL DISTRICTS, PART 1: TABLE OF USES AND HIERARCHY OF DISTRICTS, Section 9.101 Table of uses, RESIDENTIAL USES, as follows:

- A. Add the use, “Dwelling, attached (duplex only)” in proper alphabetical order with the symbol “PC” under the R-3, R-4, R-5, R-6 districts, and the symbol “X” in the R-8, R-8MF, R-12MF, R-17MF, R-22MF, R-43MF, UR-1, UR-2, UR-3, UR-C, O-1, O-2, O-3, B-1, B-2, and UMUD districts.
- B. Add the use, “Dwelling, attached (triplex and quadraplex only)” in proper alphabetical order with the symbol “X” in the R-8, R-8MF, R-12MF, R-17MF, R-22MF, R-43MF, UR-2, UR-3, UR-C, O-1, O-2, O-3, B-1, B-2, and UMUD.

3. Amend CHAPTER 9: GENERAL DISTRICTS, PART 2: SINGLE FAMILY, as follows:

A. Section 9.202. Uses permitted by right, by adding the following in place of  
(1) RESERVED;

(1) Dwellings, attached (duplex, triplex or quadraplex only)(R-8 only).

B. Section 9.203. Uses permitted under prescribed conditions, by adding the following;

(5.1) Dwellings, attached (duplex only)(R-3, R-4, R-5 and R-6 only), provided that:

(a) The dwelling will be located on a corner lot;

(b) If more than one entrance, the entrances to each unit in the structure will face different streets; and

(c) The minimum setback requirement must be applied to each of the two different streets.

C. Section 9.205. Development standards for single family districts, (1) Area, yard and bulk regulations as follows:

(1) Add two \* symbols after the minimum lot area (c) in all the single family districts (R-3, R-4, R-5, R-6 and R-8) permitting duplex dwellings, and in the R-8 district for triplex and quadraplex dwellings.

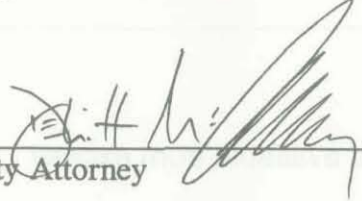
(2) Add the following at the end of the table after “\*Also, see Section 9.205(2)”;

\*\* If land is sold with an attached dwelling, the minimum subplot size must be sufficient to accommodate the dwelling unit and 400 square feet of private open space.



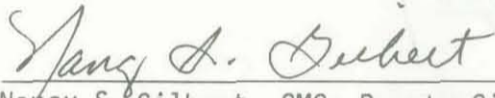
Section 2. That this ordinance shall become effective upon its adoption.

Approved as to form:

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

I, Nancy S. Gilbert, Deputy 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 19th  
day of April, 19 99, the reference having been made in Minute Book 113,  
and recorded in full in Ordinance Book 49, Page(s) 369-371.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the  
10th day of June, 1999.

  
\_\_\_\_\_  
Nancy S. Gilbert, CMC, Deputy City Clerk

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ORDINANCE NUMBER: 1261-X

0-50

AN ORDINANCE TO AMEND ORDINANCE NUMBER 1059-X, THE 1998-1999 BUDGET ORDINANCE, PROVIDING A SUPPLEMENTAL APPROPRIATION FOR THE PARK IT! PROGRAM.

BE IT ORDAINED, by the City Council of the City of Charlotte;

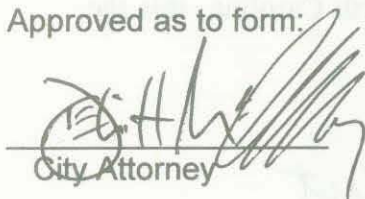
Section 1. That the sum of \$709,765.26 is hereby estimated to be available from excess revenues (over budget) for the Park It! Program.

Section 2. That the sum of \$709,765.26 is hereby transferred and appropriated to the General Fund 0101; 522.01 - Park It! Program.

Section 3. All ordinances in conflict with this ordinance are hereby repealed.

Section 4. This ordinance shall be effective immediately.

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 26th day of April, 1999, the reference having been made in Minute Book 113, and recorded in full in Ordinance Book 49, Page(s) 372.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of April, 1999.

  
for Brenda R. Freeze, CMC, City Clerk