

**APPROVED BY CITY COUNCIL**

**DATE** January 20, 1999

CITY CD

Petition No.98-85  
Llewellyn and Linda Scott

ORDINANCE NO. 1179-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 .792 acres located on the north side of Little Rock Road between Manderly Lane and Tuckaseegee 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 September 23, 1998; 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:

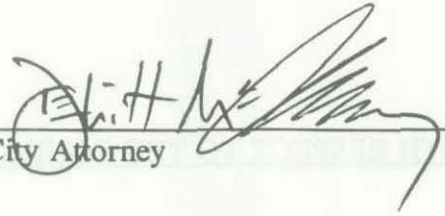
SEE ATTACHED

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.

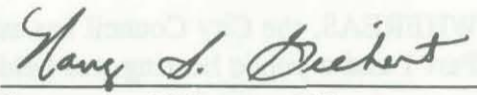
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APPROVED AS TO FORM:

  
\_\_\_\_\_  
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 20th day of January, 1999, the reference having been made in Minute Book 113, and recorded in full in Ordinance Book 49, Page(s) 154-156A.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 18th day of February, 1999.

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

**Petition #: 98-85**

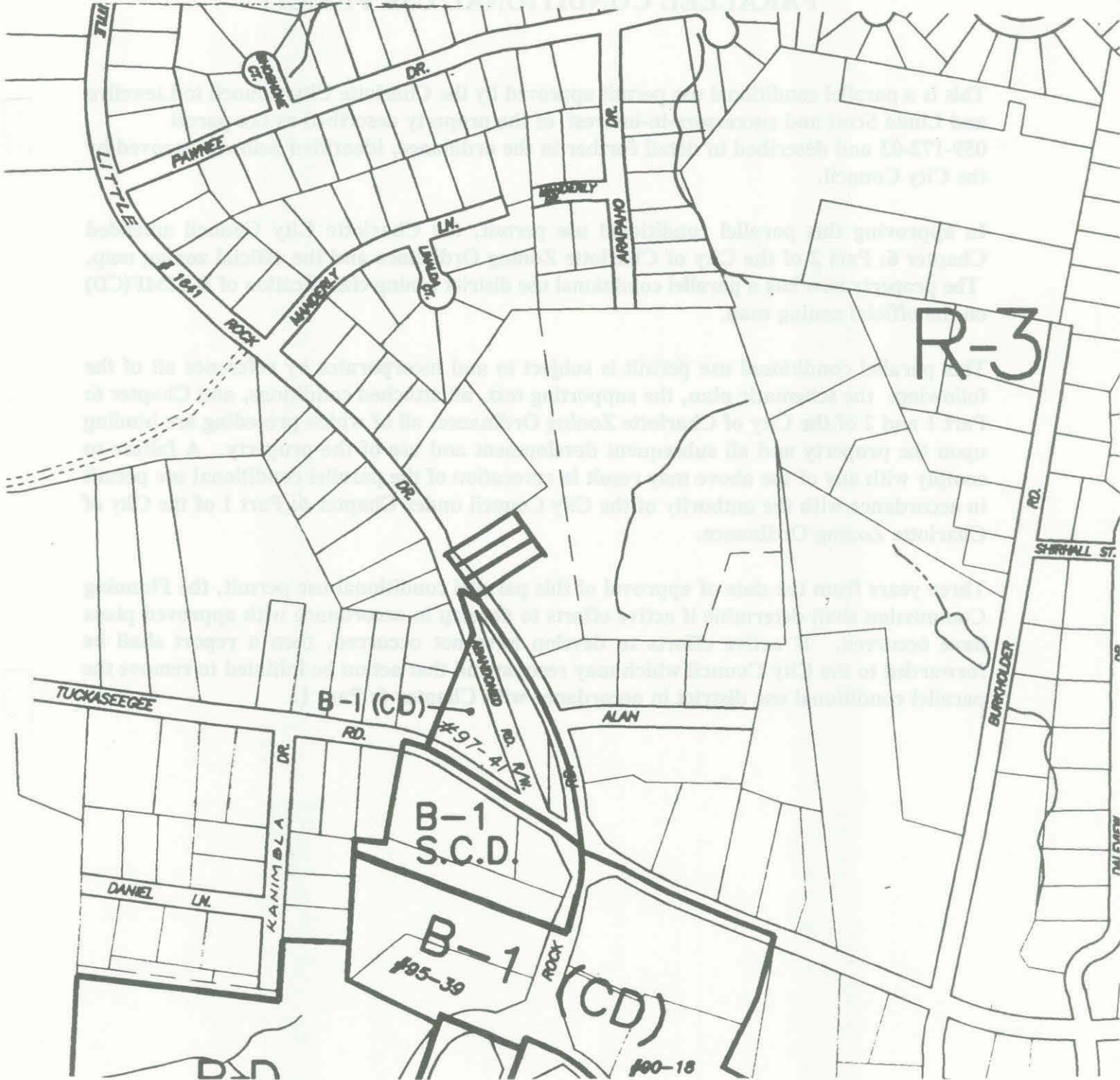
**Petitioner: Llewellyn and Linda Scott**

**Hearing Date: September 23, 1998**

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

**Zoning Classification (Requested): R-8MF(CD) R-12MF(CD)**

**Location:** Approximately .792 acres located on the north side of Little Rock Road between Manderly Lane and Tuckasegee Road.



Zoning Map #(s): 86

Scale: 1" = 400'

Petition No. 98-85  
Llewellyn and Linda Scott

## PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to Llewellyn and Linda Scott and successors-in-interest of the property described as tax parcel 059-172-03 and described in detail further in the ordinance, identified below, approved by the City Council.

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

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

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

**APPROVED BY CITY COUNCIL**

CITY CD ~~DATE~~ January 20, 1999 Petition No. 98-94  
Providence Court, LLC

ORDINANCE NO. 1180-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 7.3 acres located on the west side of Providence Road north of N.C. 51.

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 December 21, 1998; 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-8MF(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.

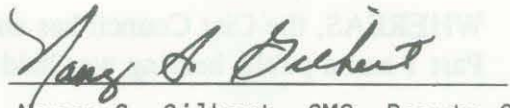
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APPROVED AS TO FORM:

  
\_\_\_\_\_  
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 20th day of January, 1999, the reference having been made in Minute Book 113, and recorded in full in Ordinance Book 49, Page(s) 157-159A.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 18th day of February, 1999.

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

Nancy S. Gilbert, CMC, Deputy City Clerk

SEE ATTACHED

Petition No. 98-94  
Providence Court LLC

**PARALLEL CONDITIONAL USE PERMIT**

This is a parallel conditional use permit approved by the Charlotte City Council to Providence Court LLC and successors-in-interest of the property described as tax parcels 211-643-01 and 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-8MF(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 #:** 98-94

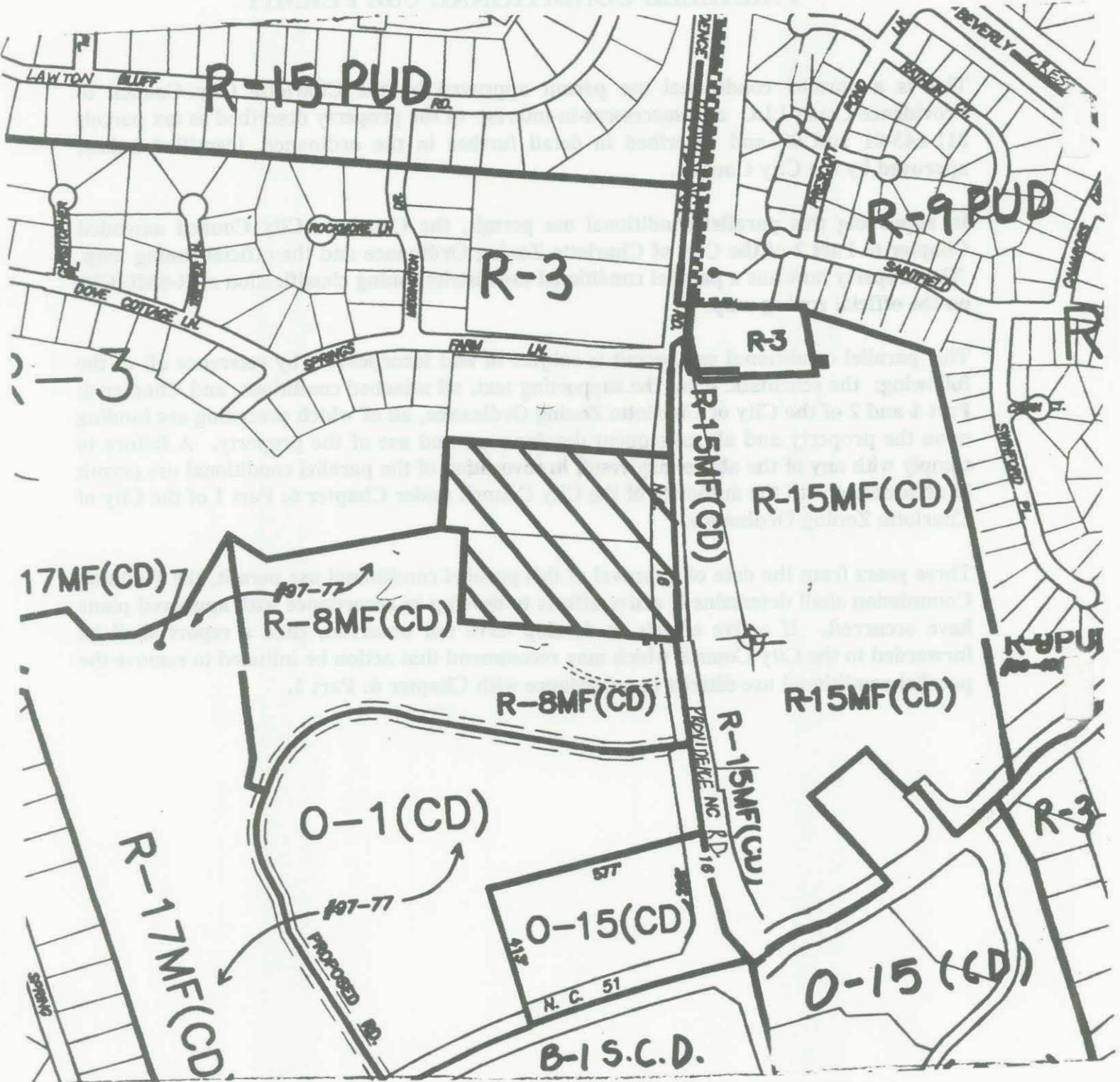
**Petitioner:** Providence Court LLC

**Hearing Date:** October 21, 1998

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

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

**Location:** Approximately 7.32 acres located on the west side of Providence Road north of N. C. 51.



Zoning Map #(s): 159 (160, 166)

Scale: 1" = 400'



**APPROVED BY CITY COUNCIL**

DATE January 20, 1999

Revised: 11/18/98

Revised: 1/20/99

Petition No. 98-112

Petitioner: Charlotte-Mecklenburg Planning Commission

**ORDINANCE NO. 1181 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 9: GENERAL DISTRICTS, PART 9: UPTOWN MIXED USE DISTRICT as follows:

A. Section 9.905. Uptown Mixed Use District; area, yard and height regulations, as follows:

(3) Minimum side and rear yards, by adding the phrase, "is residentially zoned or" following the word "lot" in the first line, and remove the wording "the existing" in front of "residential uses" at the end of the sentence.

The revised subsection (3) will read thusly as amended:

(3) Minimum side and rear yards: None required. However, if the adjoining lot is residentially zoned or contains an existing residential structure, a building separation of at least eight (8) feet must be maintained to assure the adequate provision of light and air to residential uses. Otherwise, if lot spaces remain in a side or rear yard that are less than eight (8) feet, those spaces must be closed off from any public street by a wing wall or other architectural extensions of the building facade.

If a space of greater than eight (8) feet is left in a side or rear yard, then it may either be closed off by a wing wall or other architectural extension or must be maintained and well lighted.

(4) Maximum height, by deleting the existing language which reads as follows:

(4) Maximum height: No structure, fixture or other objects on a lot abutting residentially zoned land may be situated so that it casts a shadow at a distance greater than 20 feet across any property line on either time of solstice between the hours of 9:00 a.m. and 3:00 p.m. Eastern Standard Time. This restriction does not apply to utility wires and similar objects which obstruct little light and which are needed and situated for the reasonable use of the property.

Replaced the deleted item (4) with the following:

(4) Maximum height: None, except no structure, fixture or other objects over 60 feet in height on a lot abutting residentially zoned land which has a residential structure of 40 feet or less in height may be situated so that it casts a shadow at a distance greater than 20 feet across any property line on either time of solstice between the hours of 9:00 a.m. and 3:00 p.m. Eastern Standard Time.

B. Section 9.906(4) Urban Open Spaces, (a) Urban open space sizes, by adding the following sentence at the end of the existing paragraph (a):

If any existing buildings are reused as part of a larger development, all the required urban open space may be provided on an enclosed ground floor level.

The revised paragraph will read as follows:

A maximum of 30 percent of this required urban open space may be provided on an enclosed ground floor level provided the enclosed space meets all other requirements of these provisions. If a property line of the site is within 200 feet of the property line of a publicly owned and useable open space, then up to 50% of the required urban open space may be provided on an enclosed ground floor level provided the enclosed space meets all the requirements. The 200 feet shall be measured along the public right-of-way line. If any existing buildings are reused as part of a larger development, all the required urban open space may be provided on an enclosed ground floor level.

2. Amend CHAPTER 13: SIGNS, Section 13.108a. Specifications for permanent

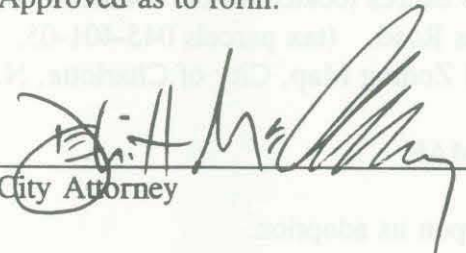
signs in Uptown Mixed Use District requiring a permit, (2) Projecting Signs, (e),  
by omitting this subsection (e) and redesignating the subsections that follow as (e),  
(f), and (g).

The subsection (e) which is being omitted reads:

(e) There can be only one projecting sign per building wall.

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 20th  
day of January, 1999, the reference having been made in Minute Book 113,  
and recorded in full in Ordinance Book 49, Page(s) 160-162.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the  
18th day of February, 1999

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

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**APPROVED BY CITY COUNCIL**

**DATE** January 20, 1999

**CITY ZONE CHANGE**

Petition No. 98-115

Cecil N. Roberts

ORDINANCE NO. 1182-Z

**ZONING REGULATIONS**

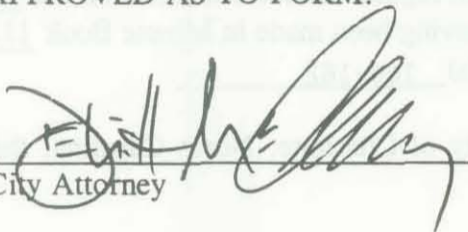
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing the property identified as approximately 44.8 acres located on the southeast corner of Gibbon Road and Horace Mann Road west of Perkins Road. (tax parcels 045-401-05, 045-402-04, 09 and 10) from R-3 to R-4 on the Official Zoning Map, City of Charlotte, N.C.

SEE ATTACHED MAP

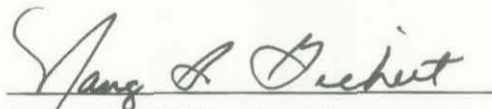
Section 2. That this ordinance shall become effective upon its adoption.

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 20th day of January, 1999, the reference having been made in Minute Book 113, and recorded in full in Ordinance Book 49, Page(s) 163-164.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 18th day of February, 1999.

  
Nancy S. Gilbert, CMC, Deputy City Clerk

Petition #: 98-115

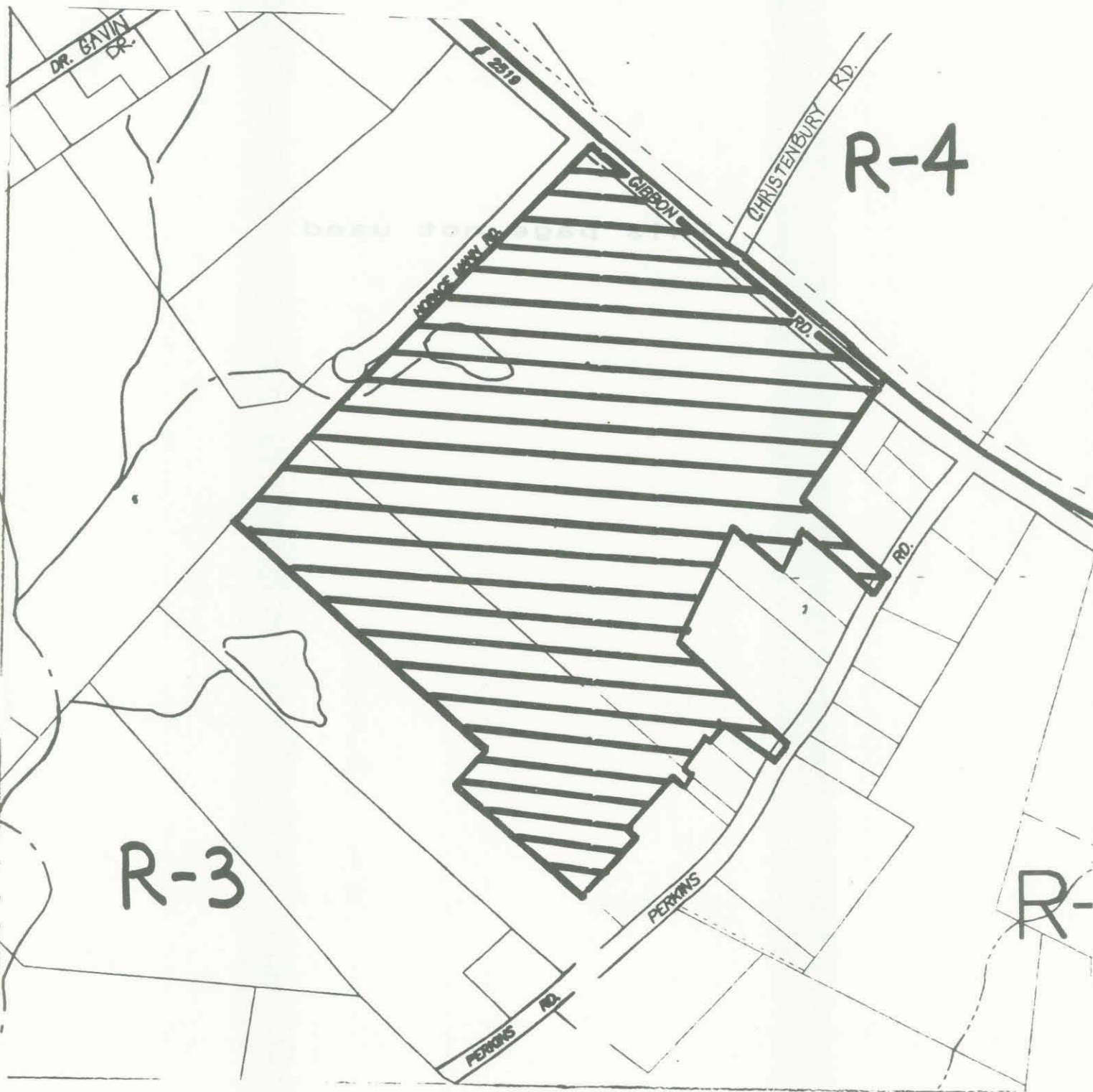
Petitioner: Cecil N. Roberts

Hearing Date: December 21, 1998

Classification (Existing): R-3

Zoning Classification (Requested): R-4

Location: Approximately 44.8 acres located on the southeast corner of Gibbon Road and Horace Mann Road west of Perkins Road.



Zoning Map #(s): 59 & 60

Scale: 1" = 400'

January 20, 1999  
Ordinance Book 49, Page 165  
Ordinance No. 98-112  
Ordinance: Cash for Streets  
Hearing Date: December 11, 1998  
Classification: R-4  
Zoning Classification (Proposed): R-4  
Location: Approximately 4.8 acres located on the southeast corner of Golden Road and  
Thrace Main Road west of Frisco Road.

R-4

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Scale 1" = 400'

Zoning Map No. 29 & 30

**APPROVED BY CITY COUNCIL**

**DATE** January 20, 1999

CITY ZONE CHANGE

Petition No. 98-118  
CODEVCO, LLC

ORDINANCE NO. 1183-Z

ZONING REGULATIONS

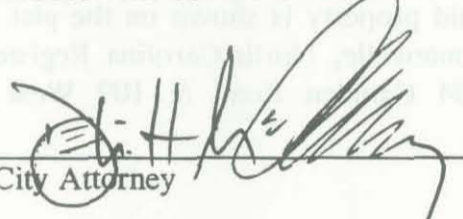
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing the property identified as approximately .32 acres located on the southwest corner of W. Kingston Avenue and Camden Road. (tax parcels 123-063-12, 14, and 15) from B-1 to MUDD on the Official Zoning Map, City of Charlotte, N.C.

SEE ATTACHED MAP

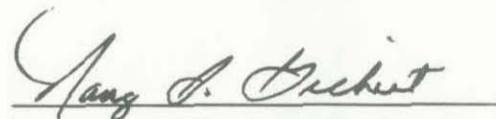
Section 2. That this ordinance shall become effective upon its adoption.

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 20th day of January, 1999, the reference having been made in Minute Book 113, and recorded in full in Ordinance Book 49, Page(s) 166-168.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 18th day of February, 1999.

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

98-118

EXHIBIT A

LYING AND BEING in the City of Charlotte, Mecklenburg County, North Carolina, and beginning at an iron pipe located on the intersection of the southwesterly margin of the 60' right of way of West Kingston Avenue with the northwesterly margin of the 60' right of way of Camden Road, and running thence with the northwesterly margin of the right of way of Camden Road two calls and distances as follows: (1) South 34 degrees 56 minutes 28 seconds West 57.66 feet to an iron pin and (2) South 34 degrees 56 minutes 37 seconds West 46.5 feet to an iron pin located in the property, now or formerly, of Richard Staszak as described in the deed recorded in Book 5931 at page 356 in the Mecklenburg County Registry; thence with the northeasterly line of the said property, now or formerly, of Richard Staszak North 59 degrees 37 minutes 45 seconds West 130.88 feet to an iron pipe located in the southeasterly line of Lot 3 in Block 3 of the subdivision known as WILMOORE, Section 1, as shown on the map recorded in Map Book 332 at page 96 in the Mecklenburg County Registry, also being a line of the property, now or formerly, of F. A. Blackwelder as described in the deed recorded in Book 2726 at page 33 in the Mecklenburg County Registry; thence with the line of said Lot 3 and the line of the property, now or formerly, of Blackwelder, North 30 degrees 24 minutes 54 seconds East 104.01 feet to an iron pipe in the southwesterly margin of the right of way of West Kingston Avenue; thence with the southwesterly margin of the right of way of West Kingston Avenue two calls and distances as follows: (1) South 59 degrees 35 minutes 21 seconds East 50.05 feet to an iron pin and (2) South 59 degrees 32 minutes 5 seconds East 89.05 feet to the point and place of beginning. Said property is shown on the plat of survey dated March 24, 1998 prepared by Andrew G. Zoutewelle, North Carolina Registered Land Surveyor, entitled "Physical Survey of 1700-1704 Camden Road & 109 West Kingston Avenue, Charlotte, Mecklenburg County, N.C."

I, \_\_\_\_\_, 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 \_\_\_\_\_ day of January, 1999, the reference having been made to Ordinance Book \_\_\_\_\_ and recorded in full in Ordinance Book \_\_\_\_\_.

WITNESSE my hand and the corporate seal of the City of Charlotte, North Carolina, this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

*[Signature]*  
\_\_\_\_\_  
City Clerk



Petition #: 98-118

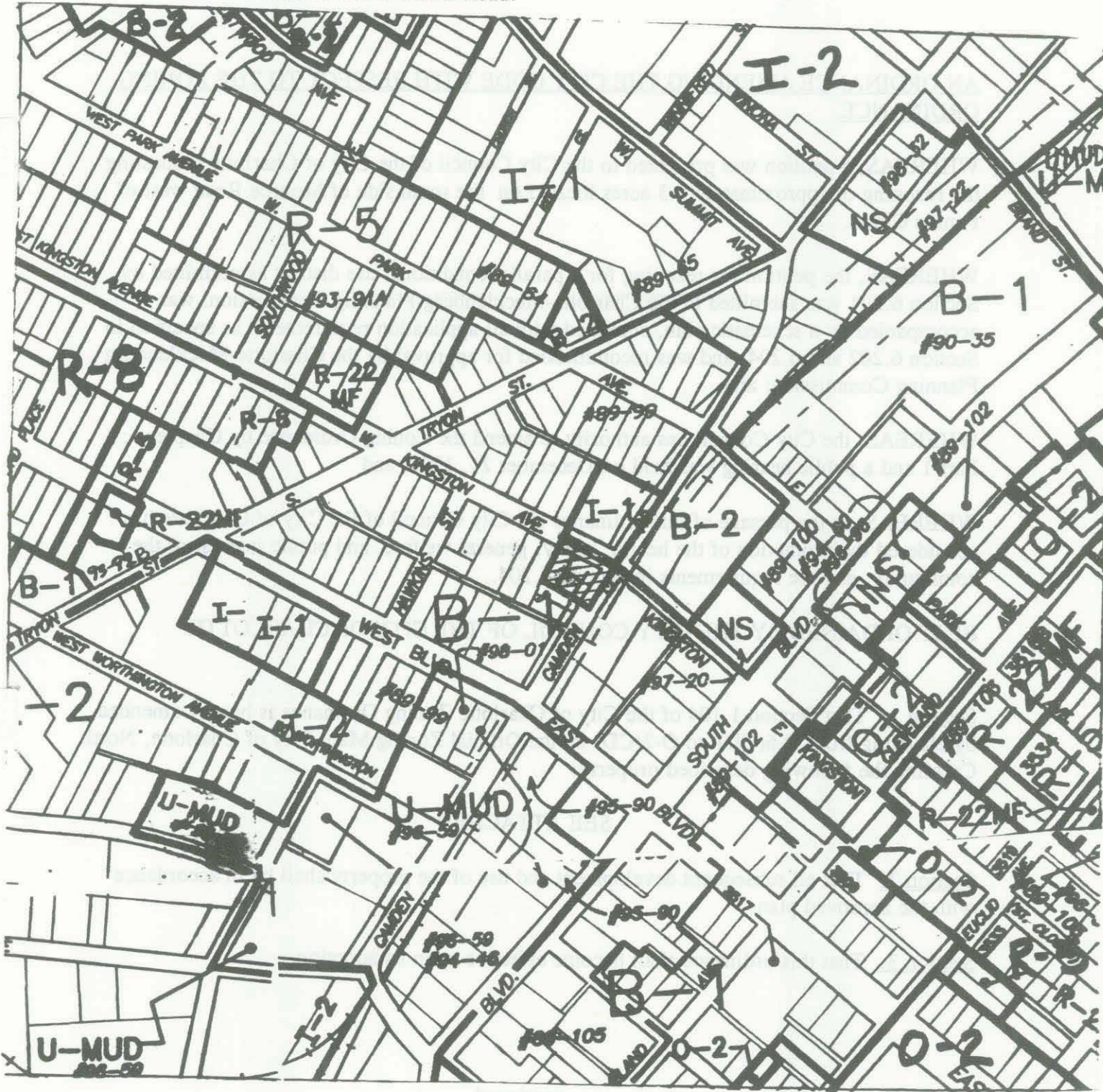
Petitioner: CODEVCO, LLC

Hearing Date: December 21, 1998

Classification (Existing): B-1

Zoning Classification (Requested): MUDD

Location: Approximately .32 acres located on the southwest corner of W. Kingston Avenue and Camden Road.



Zoning Map #(s): 102

Scale: 1" = 400'

**APPROVED BY CITY COUNCIL**

**DATE** *January 20, 1999*

CITY CD

Petition No.98-121  
Dr. John Skiouris

ORDINANCE NO. 1184-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 5.3 acres located on the south side of Monroe Road west of Fannie Circle.

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 December 21, 1998; 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-6(CD) to O-2(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

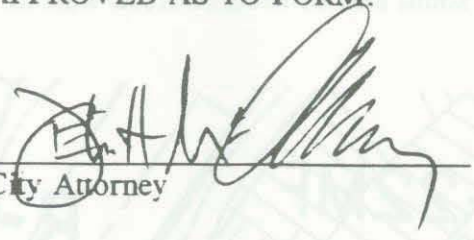
SEE ATTACHED

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.

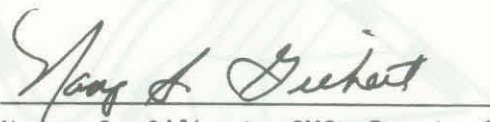
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APPROVED AS TO FORM:

  
\_\_\_\_\_  
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 20th day of January, 1999, the reference having been made in Minute Book 113, and recorded in full in Ordinance Book 49, Page(s)169-171B.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 18th day of February, 1999.

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

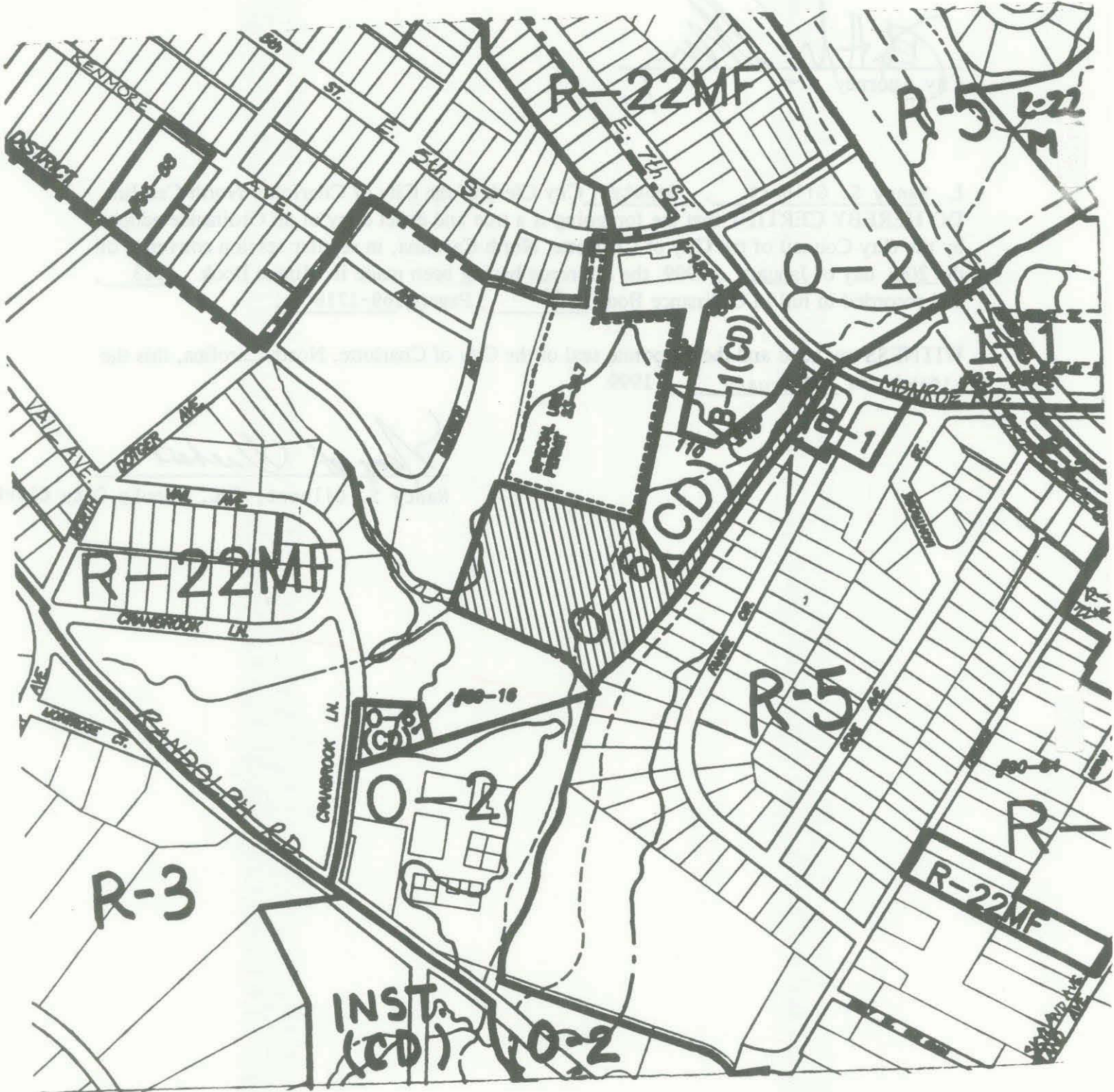
Petitioner: Dr. John Skiouris

Hearing Date: December 21, 1998

Classification (Existing): O-6(CD)

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

Location: Approximately 5.3 acres located on the south side of Monroe Road west of Fannie Circle.



Zoning Map #(s): 112

Scale: 1" = 400'

Petition No. 98-121  
Dr. John Skiouris

## PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to Dr. John Skiouris and successors-in-interest of the property described as tax parcel 127-121-74 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-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 20, 1999

Ordinance Book 49, Page 171B

98-121

**Legal Description**

**BEGINNING** at a point at the intersection of Briar Creek and the southwesterly margin of Monroe Road, said point being the northwest corner of the S.F. Lundberg property as described in Deed Book 4966, Page 297 of the Mecklenburg County Public Registry and runs thence with the centerline of Briar Creek and the northwesterly lines of the S.F. Lundberg property and lots 28, 27, 26, 25, 24, 23, 22, 21, 20, 19, 18, 17, 16 and 15, Grier Heights as shown in Map Book 6, Page 363 of said Registry in three (3) courses and distances as follows: 1) S. 36-52-00 W. 902.31 feet to a point; 2) S. 51-12-00 W. 192.00 feet to a point; 3) S. 15-33-15 W. 37.20 feet to a point, said point being the northeast corner of the Brithaven, Inc. property as described in Deed Book 5997, Page 960 of of said Registry; thence with the northerly lines of the Brithaven, Inc. property in two (2) courses and distances as follows: 1) N. 45-09-50 W. 151.00 feet to a new iron pin; 2) N. 60-56-50 W. 347.51 feet to a new iron pin, said point being the southeast corner of the Martha Washington Homes, Inc. property as described in Deed Book 1482, Page 419 of said Registry; thence with the easterly line of the Martha Washington Homes, Inc. property N. 20-29-52 E. 379.49 feet to an existing iron pin, said point being the southwest corner of the B & W General North Carolina Partnership property as described in Deed Book 4281, Page 406 and furthermore shown in Map Book 19, Page 197 of said Registry; thence with the northerly line of the B & W property S. 69-30-00 E. 420.24 feet to an existing iron pin, said point being the southwest corner of the Eastover Medical Park Condominium Common Space as shown in Unit Ownership File No. 341 of said Registry; thence with the southerly and easterly line of the Condominium Open Space in two (2) courses and distances as follows: 1) S. 33-25-00 E. 211.73 feet to a point; 2) N. 36-52-00 E. 740.86 feet to a point in the southwesterly margin of Monroe Road; thence with the southwesterly margin of Monroe Road with the arc of a circular curve to the left having a radius of 777.71 feet, an arc distance of 10.00 feet (chord: S. 55-49-15 E. 10.00 feet) to the point and place of **BEGINNING**; containing 5.324 acres or 231,930 square feet of land as shown on a survey prepared by R.B. Pharr & Associates, P.A. dated February 26, 1997.

APPROVED BY CITY COUNCIL

DATE January 20, 1999

CITY CD

Petition No.98-124  
Walker Real Estate Group

ORDINANCE NO. 1185-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 .55 acres located on the east side of Park Drive at the intersection with Clement Avenue.

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 December 21, 1998; 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-43MF and O-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-





Petition #: 98-124

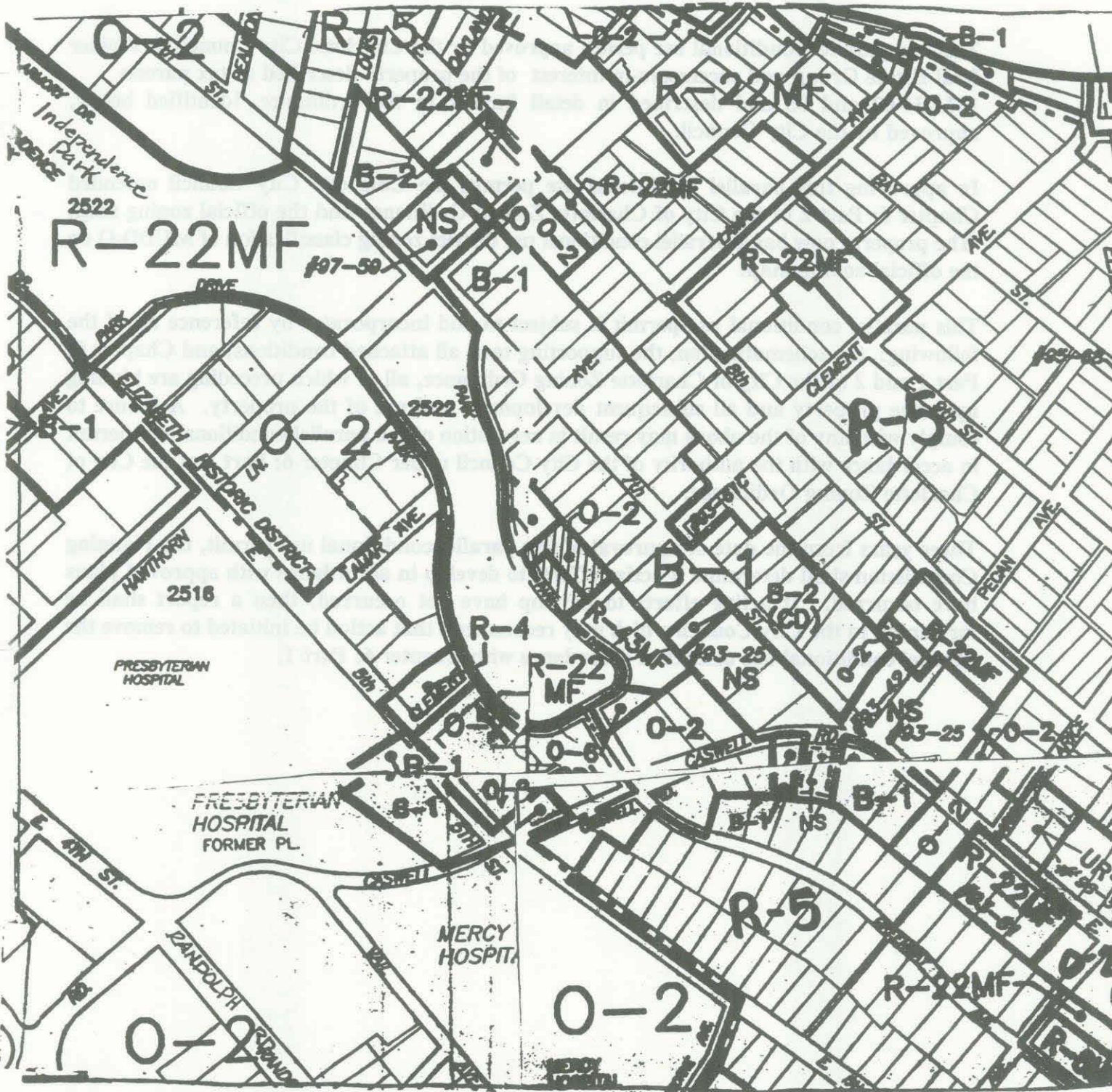
Petitioner: Walker Real Estate Group

Hearing Date: December 21, 1998

Classification (Existing): R-43MF and O-2

Zoning Classification (Requested): ~~MUDD-0~~ MUDD-0

Location: Approximately .55 acres located on the east side of Park Drive at the intersection with Clement Avenue.



Zoning Map #(s): 101 & 102, (111 & 112)

Scale: 1" = 400'

Petition No. 98-124  
Walker Real Estate Group

## PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to Walker Real Estate Group and successors-in-interest of the property described as tax parcels 127-034-02 and 03 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.

APPROVED BY CITY COUNCIL

DATE January 20, 1999

CITY CD

Petition No.98-125  
CK LakePointe Center, LLC

ORDINANCE NO. 1186-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 150 acres located on the northeast and southeast corners of the interchange of Billy Graham Parkway and West Tyvola 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 December 21, 1998; 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, B-1 and I-1(CD) to I-1(CD) and I-1(CD) S.P.A. on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

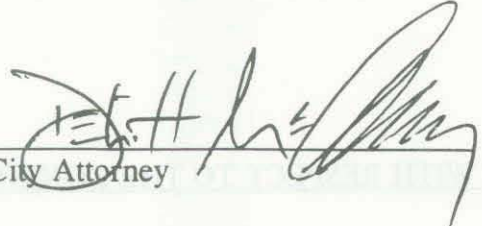
SEE ATTACHED

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.

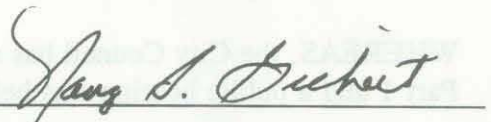
-continued-

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 20th day of January, 1999, the reference having been made in Minute Book 113, and recorded in full in Ordinance Book 49, Page(s) 175-177A.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 18th day of February, 1999.

  
\_\_\_\_\_

Nancy S. Gilbert, CMC, Deputy City Clerk

**Petition #:** 98-125

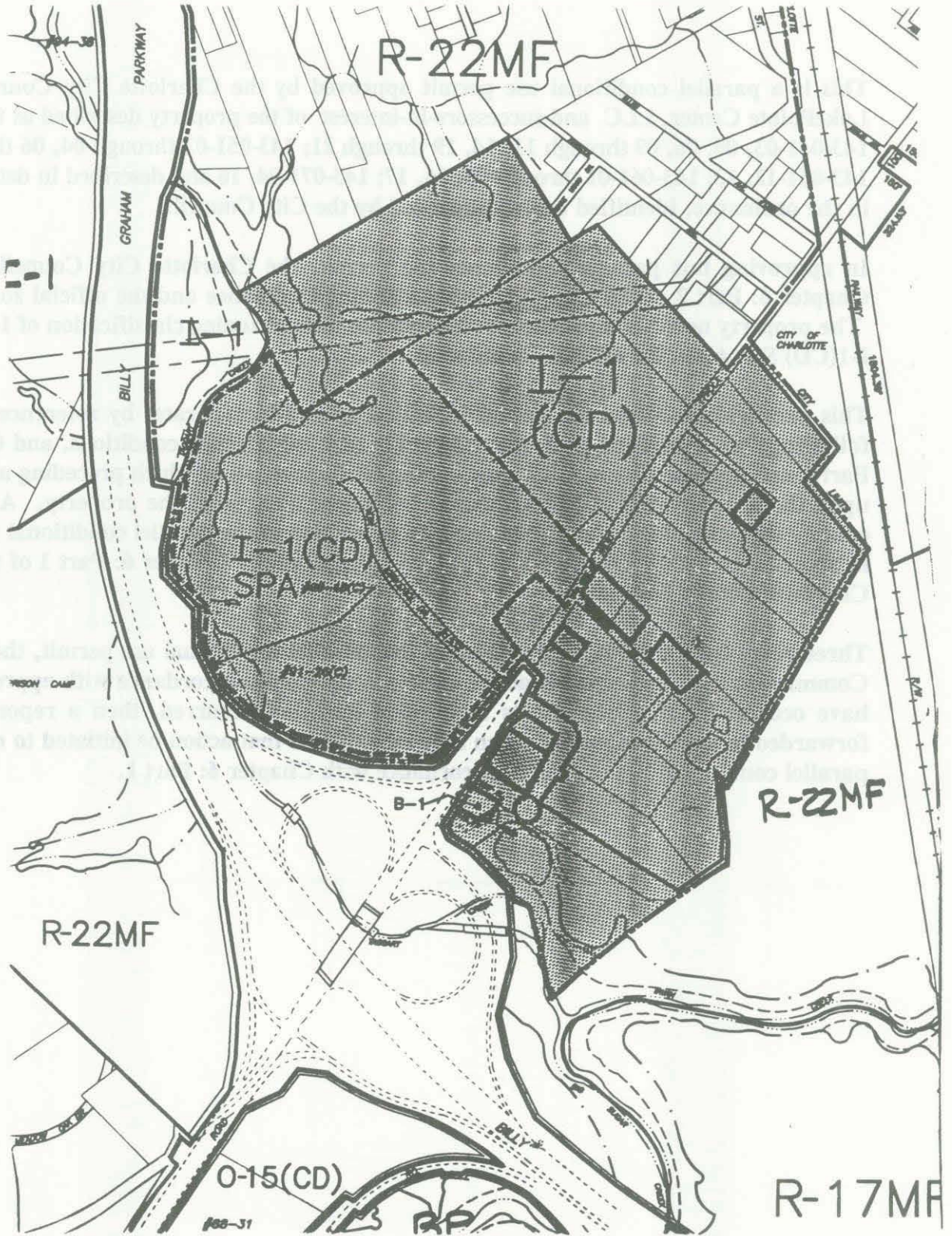
**Petitioner:** CK LakePointe Corporate Center, LLC

**Hearing Date:** December 21, 1998

**Classification (Existing):** R-22MF, B-1 and I-1(CD)

**Zoning Classification (Requested):** I-1(CD) and I-1(CD) S.P.A.

**Location:** Approximately 150 acres located on the northeast and southeast corners of the interchange of Billy Graham Parkway and West Tyvola Road.



**Zoning Map #(s):** 109

**Scale:** No Scale

Petition No. 98-125  
CK LakePointe Center, LLC

## PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to CK LakePointe Center, LLC and successors-in-interest of the property described as tax parcels 143-041-03, 05, 06, 09 through 11, 14, 19 through 21; 143-051-02 through 04, 06 through 10; 143-051-12, 13; 143-061-01 through 03, 16, 17; 143-071-04, 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 I-1(CD) and I-1(CD) S.P.A. 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 January 20, 1999

CITY CD

Petition No.98-126  
Kelly Dunbar

ORDINANCE NO. 1187-Z

AN ORDINANCE AMENDING THE CITY CODE WITH RESPECT TO THE ZONING ORDINANCE.

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of approximately 6.5 acres located on the south side of Mt. Holly-Huntersville Road east of Rozzelles Ferry 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 December 21, 1998; 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-17MF(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

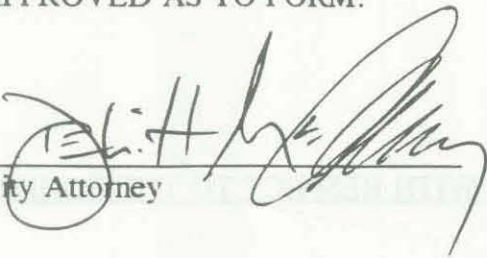
SEE ATTACHED

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-

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 20th day of January, 1999, the reference having been made in Minute Book 113, and recorded in full in Ordinance Book 49, Page(s) 178-179B.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 18th day of February, 1999.

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

Nancy S. Gilbert, CMC, Deputy City Clerk



Petition No. 98-126  
Kelly Dunbar

### **PARALLEL CONDITIONAL USE PERMIT**

This is a parallel conditional use permit approved by the Charlotte City Council to Kelly Dunbar and successors-in-interest of the property described as tax parcels 033-012-01, 10, 11 portion of, and 23 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-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.

Petition #: 98-126

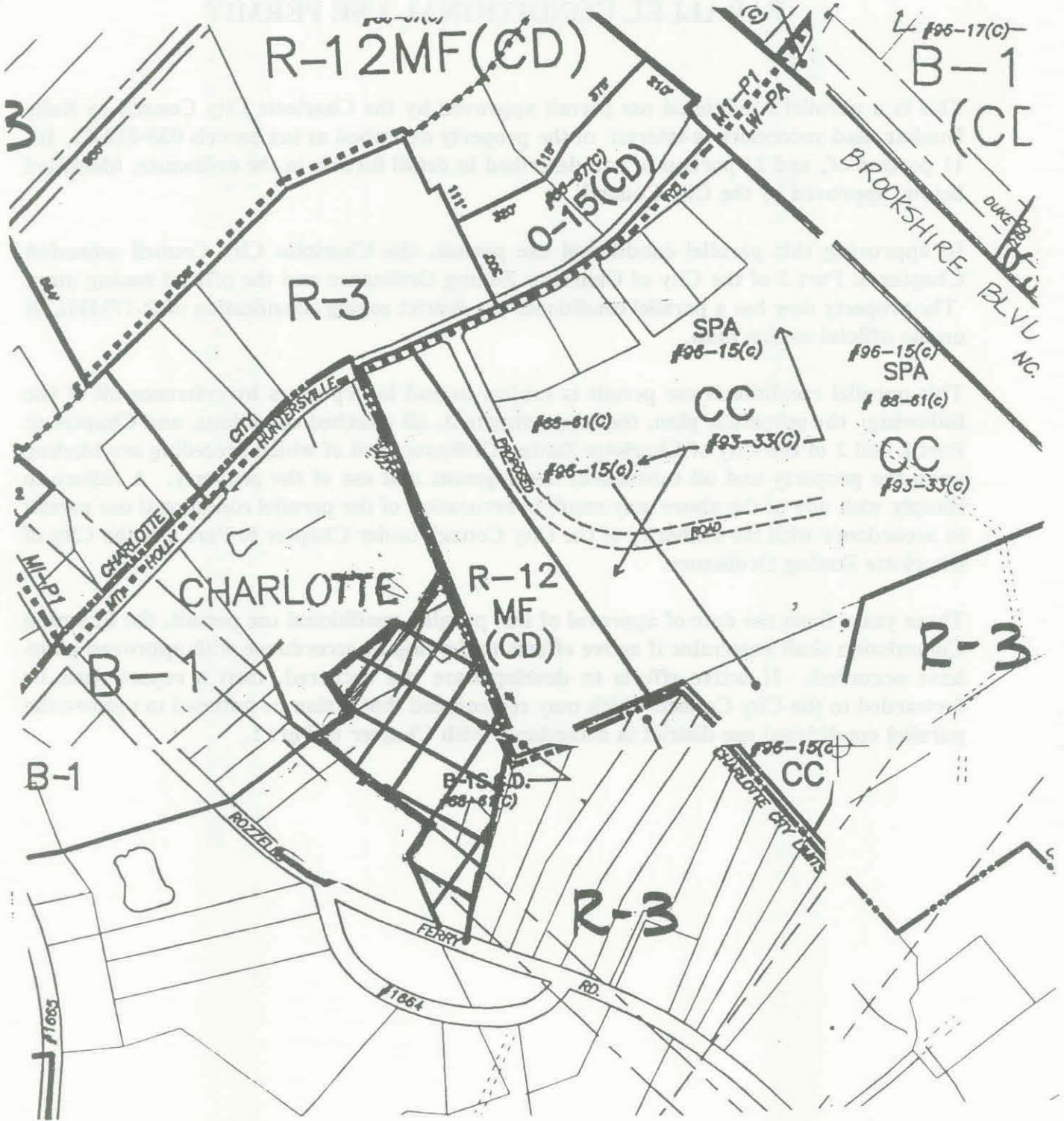
Petitioner: Kelly Dunbar

Hearing Date: December 21, 1998

Classification (Existing): R-3

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

Location: Approximately 9.6 acres located on the south side of Mt. Holly-Huntersville Road east of Rozzelles Ferry Road.



Zoning Map #(s): 48, 63

Scale: No Scale