

ORDINANCE NO. 2795-X

Ordinance – William L. and Laura A. McConnell Farm

Ordinance designating as a Historic Landmark a property known as the “William L. and Laura A. McConnell Farm” (listed under Tax Parcel Number 03923120 as of September 1, 2004, and including the interior and the exterior of the house, the outbuildings, and the parcel of land listed under Tax Parcel Number 03923120 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of September 1, 2004). The property is owned by John C. Walker and Marianne K. Walker and is located at 4009 Beatties Ford Road in Mecklenburg County, North Carolina.

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Chapter 160A, Article 19, as amended, of the General Statutes of North Carolina have been met; and

WHEREAS, the members of the City Council of Charlotte, North Carolina, have taken into full consideration all statements and information presented at a joint public hearing held with the Charlotte-Mecklenburg Historic Landmarks Commission on the 15th day of November, 2004, on the question of designating a property known as the William L. and Laura A. McConnell Farm as a historic landmark; and

WHEREAS, the William L. and Laura A. McConnell Farm is a physical reminder of the rural landscape of Mecklenburg County in the late nineteenth and early twentieth centuries, and with its simple two-story farmhouse and modest collection of outbuildings the McConnell Farm represents the many small farmsteads that flourished in the county in the decades after the Civil War; and

Ordinance – William L. and Laura A. McConnell Farm

WHEREAS, the William L. and Laura A. McConnell Farm is an excellent and well-preserved example of the Folk Victorian style used in many farmhouses throughout Mecklenburg County in the late 1800s; and

WHEREAS, the alterations made to the William L. and Laura A. McConnell Farm—first around 1897 and again in 1936—serve as a record of the McConnell Family’s changing circumstances during their time in the house; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has demonstrated that the property known as the William L. and Laura A. McConnell Farm possesses special significance in terms of its history, architecture, and/or cultural importance; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has jurisdiction over portions of the property known as the William L. and Laura A. McConnell Farm, because consent for interior design review has been given by the Owner; and

WHEREAS, the property known as the William L. and Laura A. McConnell Farm is owned by John C. Walker and Marianne K. Walker.

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

1. That the property known as the “William L. and Laura A. McConnell Farm” (listed under Tax Parcel Number 03923120 as of September 1, 2004, and including the interior and the exterior of the house, the outbuildings, and the parcel of land listed under Tax Parcel Number 03923120 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of September 1, 2004) is hereby

Ordinance – William L. and Laura A. McConnell Farm

designated as a historic landmark pursuant to Chapter 160A, Article 19, as amended, of the General Statutes of North Carolina. The location of said landmark is noted as being situated at 4009 Beatties Ford Road in Mecklenburg County, North Carolina. Interior and exterior features are more completely described in the *Survey and Research Report on the William L. and Laura A. McConnell Farm (2004)*.

2. That said exterior and interior are more specifically defined as the historic and structural fabric, especially including all original exterior and interior architectural features and the original contours of landscaping.

3. That said designated historic landmark may be materially altered, restored, moved or demolished only following issuance of a Certificate of Appropriateness by the Charlotte-Mecklenburg Historic Landmarks Commission. An application for a Certificate of Appropriateness authorizing the demolition of said landmark may not be denied, except if such landmark is judged to be of State-wide significance by duly authorized officials of the North Carolina Division of Archives and History. However, the effective date of such Certificate may be delayed in accordance with Chapter 160A, Article 19, and amendments thereto, and hereinafter adopted.

4. Nothing in this ordinance shall be construed to prevent or delay ordinary maintenance or repair of any architectural feature in or on said landmark that does not involve a change in design, material or outer appearance thereof, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition or removal of any such feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the owner of the historic landmark from

Ordinance – William L. and Laura A. McConnell Farm

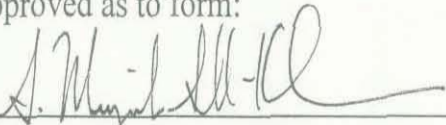
making any use of the historic landmark not prohibited by other statutes, ordinances or regulations. Owners of locally designated historic landmarks are expected to be familiar with and to follow *The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*, the guidelines used by the Charlotte-Mecklenburg Historic Landmarks Commission to evaluate proposed alterations or additions.

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

6. That the owners of the historic landmark known as the "William L. and Laura A. McConnell Farm" be given notice of this ordinance as required by applicable law and that copies of this ordinance be filed and indexed in the offices of the City Clerk, Building Standards Department, Mecklenburg County Register of Deeds, and the Tax Supervisor, as required by applicable law.

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

Approved as to form:


Assistant 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 15th day of November, 2004, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page(s) 136-140.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of November, 2004.



Brenda R. Freeze, CMC, City Clerk



ORDINANCE NO. 2796-X

Ordinance – Builders Building

Ordinance designating as a Historic Landmark a property known as the, “Builders Building” (listed under Tax Parcel Number 07801613 as of September 1, 2004, and including only the exterior of the building listed under Tax Parcel Number 07801613 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of September 1, 2004). The building is owned by The Peace Building Inc. and is located at 312 West Trade Street in Charlotte, North Carolina.

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Chapter 160A, Article 19, as amended, of the General Statutes of North Carolina have been met; and

WHEREAS, the members of the City Council of Charlotte, North Carolina, have taken into full consideration all statements and information presented at a joint public hearing held with the Charlotte-Mecklenburg Historic Landmarks Commission on the 15th day of November, 2004, on the question of designating a property known as the Builders Building as a historic landmark; and

WHEREAS, the Builders Building, erected in 1926-27, marked an important milestone in the history of the construction industry in Charlotte, because it represented the first effort of contractors, architects, and components manufactures to create a builders exchange in this community; and

Ordinance – Builders Building

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WHEREAS, Charles E. Lambeth, the financier of the Builders Building, was an important figure in New South Charlotte, serving as Mayor from 1931 until 1933; and

WHEREAS, M. R. “Steve” Marsh, the architect for the Builders Building, was a leading architect in Charlotte and its environs from 1922 until 1964; and

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

WHEREAS, the property known as the Builders Building is owned by The Peace Building Inc.

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

North Carolina:

1. That the property known as the “Builders Building” (listed under Tax Parcel Number 07801613 as of September 1, 2004, and including only the exterior of the building listed under Tax Parcel Number 07801613 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of September 1, 2004) is hereby designated as a historic landmark pursuant to Chapter 160A, Article 19, as amended, of the General Statutes of North Carolina. The location of said landmark is noted as being situated at 312 West Trade Street in Charlotte, North Carolina. Exterior features are more completely described in the *Survey and Research Report on the Builders Building (2004)*.

2. That said exterior is specifically defined as the historic and structural fabric, especially including all original exterior architectural features.

Ordinance – Builders Building

3. That said designated historic landmark may be materially altered, restored, moved or demolished only following issuance of a Certificate of Appropriateness by the Charlotte-Mecklenburg Historic Landmarks Commission. An application for a Certificate of Appropriateness authorizing the demolition of said landmark may not be denied, except if such landmark is judged to be of State-wide significance by duly authorized officials of the North Carolina Division of Archives and History. However, the effective date of such Certificate may be delayed in accordance with Chapter 160A, Article 19, and amendments thereto, and hereinafter adopted.

4. Nothing in this ordinance shall be construed to prevent or delay ordinary maintenance or repair of any architectural feature in or on said landmark that does not involve a change in design, material or outer appearance thereof, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition or removal of any such feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the owner of the historic landmark from making any use of the historic landmark not prohibited by other statutes, ordinances or regulations. Owners of locally designated historic landmarks are expected to be familiar with and to follow *The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*, the guidelines used by the Charlotte-Mecklenburg Historic Landmarks Commission to evaluate proposed alterations or additions.

Ordinance – Builders Building

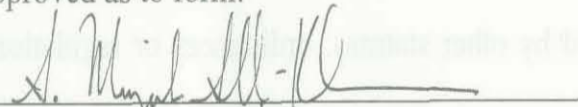
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5. That a suitable sign may be posted indicating that said property has been designated as a historic landmark and containing any other appropriate information. If the owner consents, the sign may be placed on said historic landmark.

6. That the owners of the historic landmark known as the “Builders Building” be given notice of this ordinance as required by applicable law and that copies of this ordinance be filed and indexed in the offices of the City Clerk, Building Standards Department, Mecklenburg County Register of Deeds, and the Tax Supervisor, as required by applicable law.

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

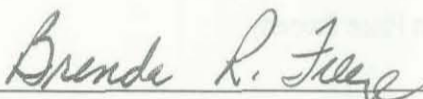
Approved as to form:


Assistant 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 15th day of November, 2004, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page(s) 141-145.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of November, 2004.



Brenda R. Freeze, CMC, City Clerk

Ordinance designating as a Historic Landmark a property known as the "Harrington Place Property" listed under Tax Parcel Numbers 2311401 and 2311402 as of September 1, 2004, and including the boundaries and the parcels of land listed under Tax Parcel Numbers 2311401 and 2311402 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of September 1, 2004. The property is owned by Peter B. Snow and Betty B. Snow and is located at 2503 Third Morris Road in Mecklenburg County, North Carolina.

WITNESS, all of the proceedings in the adoption of the ordinance prescribed in Chapter 15A, Article 19, as amended, of the General Statutes of North Carolina have been met; and

WITNESS, the members of the City Council of Charlotte, North Carolina, have taken into full consideration all statements and information presented at a non-public hearing held with the Charlotte-Mecklenburg Historic Landmarks Commission on the 15th day of November, 2004, on the question of designating a property known as the Harrington Place Property as a historic landmark; and

WITNESS, the Harrington Place, which possesses architectural significance as a historic site, is a structure that is beyond repair because it is one of the few elements of the architectural historic environment which survives in the southern portion of Mecklenburg County; and

ORDINANCE NO. 2797-X

Ordinance – Hennigan Place Property

Ordinance designating as a Historic Landmark a property known as the “Hennigan Place Property” (listed under Tax Parcel Numbers 23111403 and 23111402 as of September 1, 2004, and including the landscaping and the parcels of land listed under Tax Parcel Numbers 23111403 and 23111402 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of September 1, 2004). The property is owned by Peter D. Snow and Betty B. Snow and is located at 3503 Tilley Morris Road in Mecklenburg County, North Carolina.

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Chapter 160A, Article 19, as amended, of the General Statutes of North Carolina have been met; and

WHEREAS, the members of the City Council of Charlotte, North Carolina, have taken into full consideration all statements and information presented at a joint public hearing held with the Charlotte-Mecklenburg Historic Landmarks Commission on the 15th day of November, 2004, on the question of designating a property known as the Hennigan Place Property as a historic landmark; and

WHEREAS, the Hennigan Place, which possesses architectural significance as a fine example of a vernacular Greek Revival style farmhouse, is one of the few elements of the antebellum historic built environment which survives in the southern portion of Mecklenburg County; and

Ordinance – Hennigan Place Property

WHEREAS, the open and rural nature of the Hennigan Place Property is important for the preservation of the historic context of the Hennigan Place; and

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

WHEREAS, the property known as the Hennigan Place Property is owned by Peter D. Snow and Betty B. Snow.

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

1. That the property known as the “Hennigan Place Property” (listed under Tax Parcel Numbers 23111403 and 23111402 as of September 1, 2004, and including the landscaping and the parcels of land listed under Tax Parcel Numbers 23111403 and 23111402 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of September 1, 2004) is hereby designated as a historic landmark pursuant to Chapter 160A, Article 19, as amended, of the General Statutes of North Carolina. The location of said landmark is noted as being situated at 3503 Tilley Morris Road in Mecklenburg County, North Carolina. Landscape features are more completely described in the *Survey and Research Report on the Hennigan Place (1979)*.

2. That said designated historic landmark may be materially altered only following issuance of a Certificate of Appropriateness by the Charlotte-Mecklenburg Historic Landmarks Commission. An application for a Certificate of Appropriateness authorizing the demolition of said landmark may not be

Ordinance – Hennigan Place Property

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denied, except if such landmark is judged to be of State-wide significance by duly authorized officials of the North Carolina Division of Archives and History. However, the effective date of such Certificate may be delayed in accordance with Chapter 160A, Article 19, and amendments thereto, and hereinafter adopted.

3. Nothing in this ordinance shall be construed to prevent or delay ordinary maintenance or repair of any architectural feature in or on said landmark that does not involve a change in design, material or outer appearance thereof, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition or removal of any such feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the owner of the historic landmark from making any use of the historic landmark not prohibited by other statutes, ordinances or regulations. Owners of locally designated historic landmarks are expected to be familiar with and to follow *The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*, the guidelines used by the Charlotte-Mecklenburg Historic Landmarks Commission to evaluate proposed alterations or additions.

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

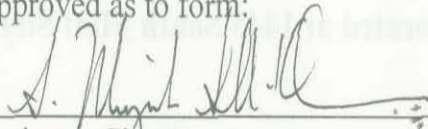
5. That the owners of the historic landmark known as the "Hennigan Place Property" be given notice of this ordinance as required by applicable law and that copies of this ordinance be filed and

Ordinance – Hennigan Place Property

indexed in the offices of the City Clerk, Building Standards Department, Mecklenburg County Register of Deeds, and the Tax Supervisor, as required by applicable law.

6. That which is designated as a historic landmark shall be subject to Chapter 160A, Article 19, of the General Statutes of North Carolina as amended, and any amendments to it and any amendments hereinafter adopted.

Approved as to form:




Assistant 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 15th day of November, 2004, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page(s) 146-149.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of November, 2004.


Brenda R. Freeze, CMC, City Clerk

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ORDINANCE NO. 2798-X

Ordinance – Joseph Sykes Brothers Building

Ordinance designating as a Historic Landmark a property known as the “Joseph Sykes Brothers Building” (listed under Tax Parcel Number 07310103 as of September 1, 2004, and including the interior and exterior of the building, and the parcel of land listed under Tax Parcel Number 07310103 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of September 1, 2004). The building is owned by Petra Properties, LLC and is located at 1445 South Mint Street in Charlotte, North Carolina.

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Chapter 160A, Article 19, as amended, of the General Statutes of North Carolina have been met; and

WHEREAS, the members of the City Council of Charlotte, North Carolina, have taken into full consideration all statements and information presented at a joint public hearing held with the Charlotte-Mecklenburg Historic Landmarks Commission on the 15th day of November, 2004, on the question of designating a property known as the Joseph Sykes Brothers Building as a historic landmark; and

WHEREAS, the Joseph Sykes Brothers Company Building is representative of the diverse manufacturing and distribution operations that made Charlotte the leading manufacturing and distribution center of the Carolinas; and



Ordinance – Joseph Sykes Brothers Building

WHEREAS, the Joseph Sykes Brothers Company was an international corporation, and the company opened its first plant in the United States in Charlotte, in 1899; and

WHEREAS, the Joseph Sykes Brothers Company building is one of only six factories to survive in the South Mint Street industrial district from the boom years of the early twentieth century; and

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

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has jurisdiction over portions of the property known as the Joseph Sykes Brothers Building, because consent for interior design review has been given by the Owner; and

WHEREAS, the property known as the Joseph Sykes Brothers Building is owned by Petra Properties, LLC.

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

1. That the property known as the “Joseph Sykes Brothers Building” (listed under Tax Parcel Number 07310103 as of September 1, 2004, and including the interior and exterior of the building, and the parcel of land listed under Tax Parcel Number 07310103 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of September 1, 2004) is hereby designated as a historic landmark pursuant to Chapter 160A, Article 19, as amended, of the General Statutes of North Carolina. The

Ordinance – Joseph Sykes Brothers Building

Ordinance – Joseph Sykes Brothers Building

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location of said landmark is noted as being situated at 1445 South Mint Street in Charlotte, North Carolina. Interior and exterior features are more completely described in the *Survey and Research Report on the Joseph Sykes Brothers Building (2004)*.

2. That said interior and exterior are specifically defined as the historic and structural fabric, especially including all original interior and exterior architectural features and the original contours of landscaping.

3. That said designated historic landmark may be materially altered, restored, moved or demolished only following issuance of a Certificate of Appropriateness by the Charlotte-Mecklenburg Historic Landmarks Commission. An application for a Certificate of Appropriateness authorizing the demolition of said landmark may not be denied, except if such landmark is judged to be of State-wide significance by duly authorized officials of the North Carolina Division of Archives and History. However, the effective date of such Certificate may be delayed in accordance with Chapter 160A, Article 19, and amendments thereto, and hereinafter adopted.

4. Nothing in this ordinance shall be construed to prevent or delay ordinary maintenance or repair of any architectural feature in or on said landmark that does not involve a change in design, material or outer appearance thereof, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition or removal of any such feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the owner of the historic landmark from making any use of the historic landmark not prohibited by other statutes, ordinances or regulations.

Ordinance – Joseph Sykes Brothers Building

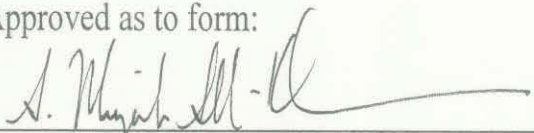
Owners of locally designated historic landmarks are expected to be familiar with and to follow *The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*, the guidelines used by the Charlotte-Mecklenburg Historic Landmarks Commission to evaluate proposed alterations or additions.

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

6. That the owners of the historic landmark known as the "Joseph Sykes Brothers Building" be given notice of this ordinance as required by applicable law and that copies of this ordinance be filed and indexed in the offices of the City Clerk, Building Standards Department, Mecklenburg County Register of Deeds, and the Tax Supervisor, as required by applicable law.

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

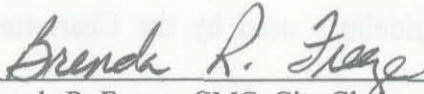
Approved as to form:


Assistant 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 15th day of November, 2004, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page(s) 150-154.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of November, 2004.



Brenda R. Freeze, CMC, City Clerk



Assistant City Attorney

Petition No. 2004-055
Petitioner: Daniel Levine

ORDINANCE NO. 2799-Z

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

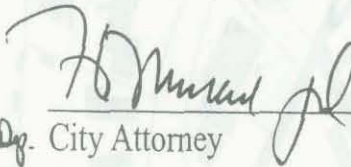
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That the Official Zoning Maps referenced in Section 1.104 of the City of Charlotte Zoning Ordinance are hereby amended by changing the zoning of the property described on the attached map from I-1 to B-1(CD), B-2(CD) and O-1(CD).

Section 2. The development and use of the property hereby rezoned shall be governed by the predetermined ordinance requirements applicable to such district category, the approved site plan for the district, and any additional approved rules, regulations, and conditions, all of which shall constitute the zoning regulations for the approved district and are binding on the property as an amendment to the regulations and to the Zoning Maps.

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


APPROVED AS TO FORM:


City Attorney

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 15th day of November, 2004, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page(s) 155-156.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 17th day of December, 2004.


Brenda R. Freeze, CMC, City Clerk

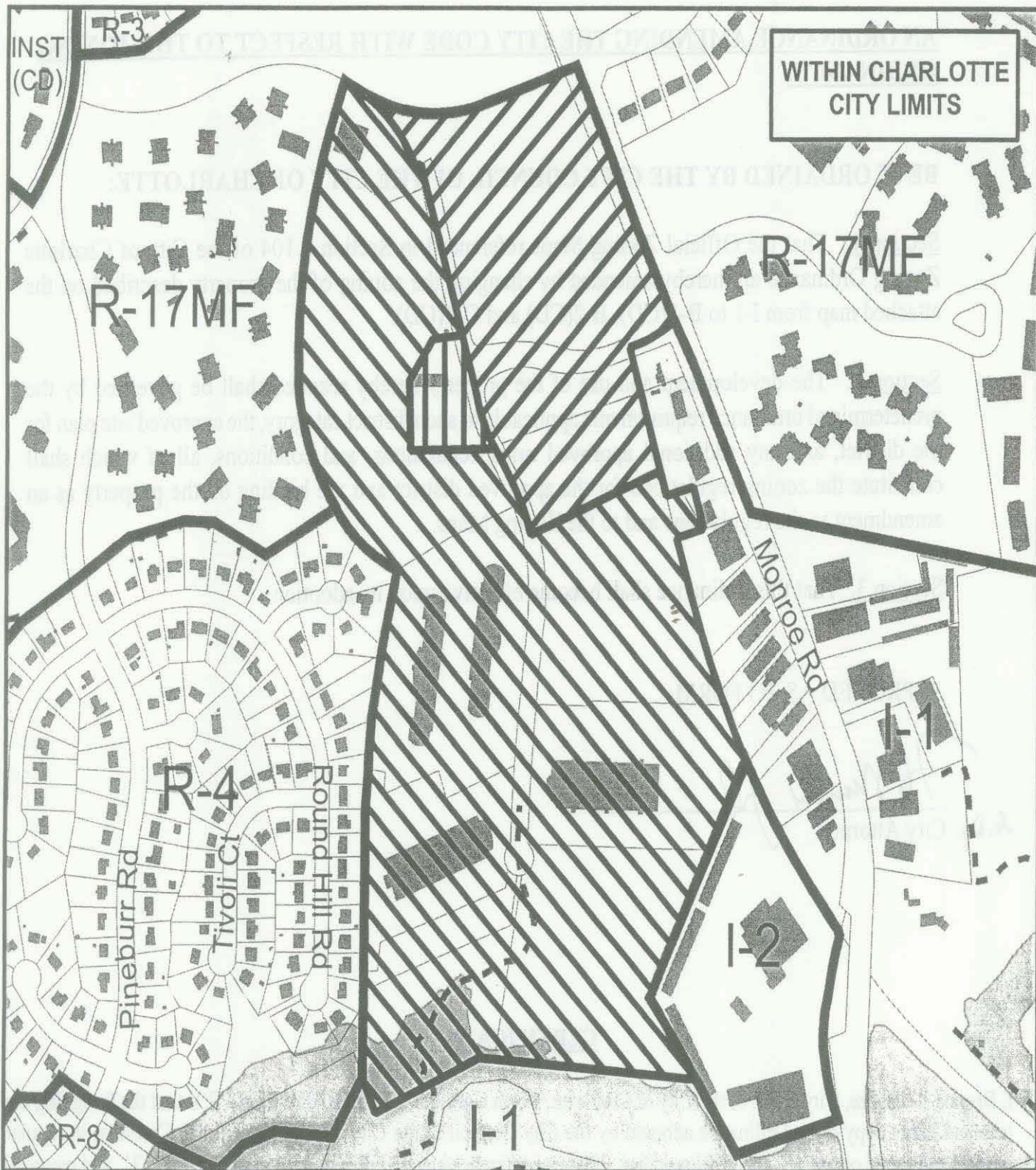
Petition #: **2004-055**

Petitioner: Daniel Levine

Zoning Classification (Existing): I-1
 (Light Industrial)

Zoning Classification (Requested): B-1(CD) (Neighborhood Business, Conditional)
B-2(CD) (General Business, Conditional) and O-1(CD) (Office, Conditional)

Acreeage & Location : Approximately 76.4 acres located west of Monroe Road
 on both sides of McAlpine Park Road



Zoning Map #(s) **137**

Map Produced by the
 Charlotte-Mecklenburg Planning Commission
 12-10-2004



	Requested B-1(CD) from I-1		Requested O-1(CD) from I-1
	Existing Building Footprints		Requested B-2(CD) from I-1
	Existing Zoning Boundaries		Fema Flood Plain
	Charlotte City Limits		Creeks and Streams

Petition No. 2004-083
Petitioner: Donald Green

ORDINANCE NO. 2800

**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:

A. CHAPTER 2: DEFINITIONS AND RULES OF CONSTRUCTION

1. PART 2: DEFINITIONS

- a. Amend Section 2.201, "Definitions" by adding the following definitions in alphabetical order:

Cemetery.

Land used or dedicated to the burial of human or animal dead, including crematoriums, mausoleums for crypt or vault internments, a columbarium for cinerary internments, and maintenance facilities.

Columbarium.

A structure or building substantially exposed above ground intended to be used for the internment of the cremated remains of deceased persons or animals.

Mausoleum.

A building containing above ground crypts or vaults for internments of deceased persons or animals.

Crematorium.

A location or building containing properly installed, certified apparatus intended for use in the act of cremation of the remains of deceased persons or animals.

Funeral home.

A building or part thereof used for the preparation of the deceased for burial and display of the deceased and rituals connected therewith before burial or cremation. Such building may contain space and facilities for embalming (and the performance of other services used in the preparation of the dead for burial), the storage of caskets, funeral urns, and other related funeral supplies, the storage of funeral vehicles, and facilities for cremation. Where a funeral home is permitted, a funeral chapel shall also be permitted.

B. CHAPTER 12: DEVELOPMENT STANDARDS OF GENERAL APPLICABILITY

1. PART 5: SPECIAL REQUIREMENTS FOR CERTAIN USES

a. Amend Section 12.508, "Cemeteries, public and private" by adding "columbariums" into the first sentence of subsection (1). The rest of the text remains unchanged. The revised section shall read as follows:

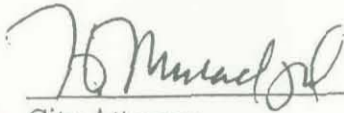
(1) Tombstones, crypts, monuments, **columbariums**, and mausoleums must be located at least 25 feet from any side or rear lot line which adjoins the lots in a residential district and at least 10 feet from any side or rear lot line which adjoins lots in non-residential districts. In any case, they must be at least 40 feet from any street right-of-way.

b. Amend Section 12.508, "Cemeteries, public and private" by adding a new subsection (4) to allow funeral homes as an accessory use to a large cemetery. The new subsection (4) shall read as follows:

(4) A funeral home shall be allowed to be an accessory use to a cemetery of seventy-five (75) acres or larger in all zoning districts where cemeteries are allowed, only if the primary access to the funeral home is from a major or minor thoroughfare (Class III or IV street). A Class B buffer shall be provided that meets the requirements of Section 12.302, and Table 12.302(b) when the funeral home is adjacent to residentially zoned or used property.

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

Approved as to form:



J. D. [unclear] City Attorney

THIS PAGE WAS NOT USED

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 15th day of November, 2004, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page(s) 157-159.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 5th day of February, 2005.



Brenda R. Freeze, CMC, City Clerk

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

Approved as to form



City Attorney

THIS PAGE WAS NOT USED

CERTIFICATION

I, Brian R. Jones, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and correct copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 15th day of November, 2004. The reference herein is made to Ordinance Book 53, and recorded in full in Ordinance Book 53, Page(s) 157-159.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 15th day of November, 2004.


Brian R. Jones, City Clerk

Petition No. 2004-087
Petitioner: Charlotte-Mecklenburg Housing Partnership, Inc.

ORDINANCE NO. 2801-Z

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

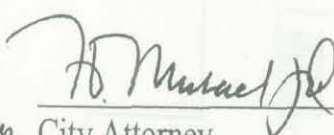
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That the Official Zoning Maps referenced in Section 1.104 of the City of Charlotte Zoning Ordinance are hereby amended by changing the zoning of the property described on the attached map from B-2, R-22MF, and R-8 to R-12MF(CD).

Section 2. The development and use of the property hereby rezoned shall be governed by the predetermined ordinance requirements applicable to such district category, the approved site plan for the district, and any additional approved rules, regulations, and conditions, all of which shall constitute the zoning regulations for the approved district and are binding on the property as an amendment to the regulations and to the Zoning Maps.

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

APPROVED AS TO FORM:

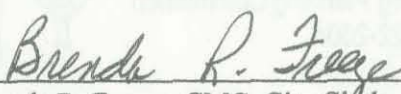


Sr. Asst. City Attorney

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 15th day of November, 2004, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page(s) 161-162.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of May, 2005.



Brenda R. Freeze, CMC, City Clerk

Petition #: **2004-087**

Petitioner: The Charlotte-Mecklenburg Housing Partnership Inc.

Zoning Classification (Existing): B-2 (General Business)

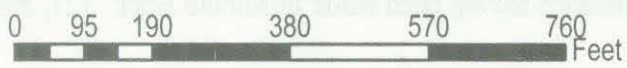
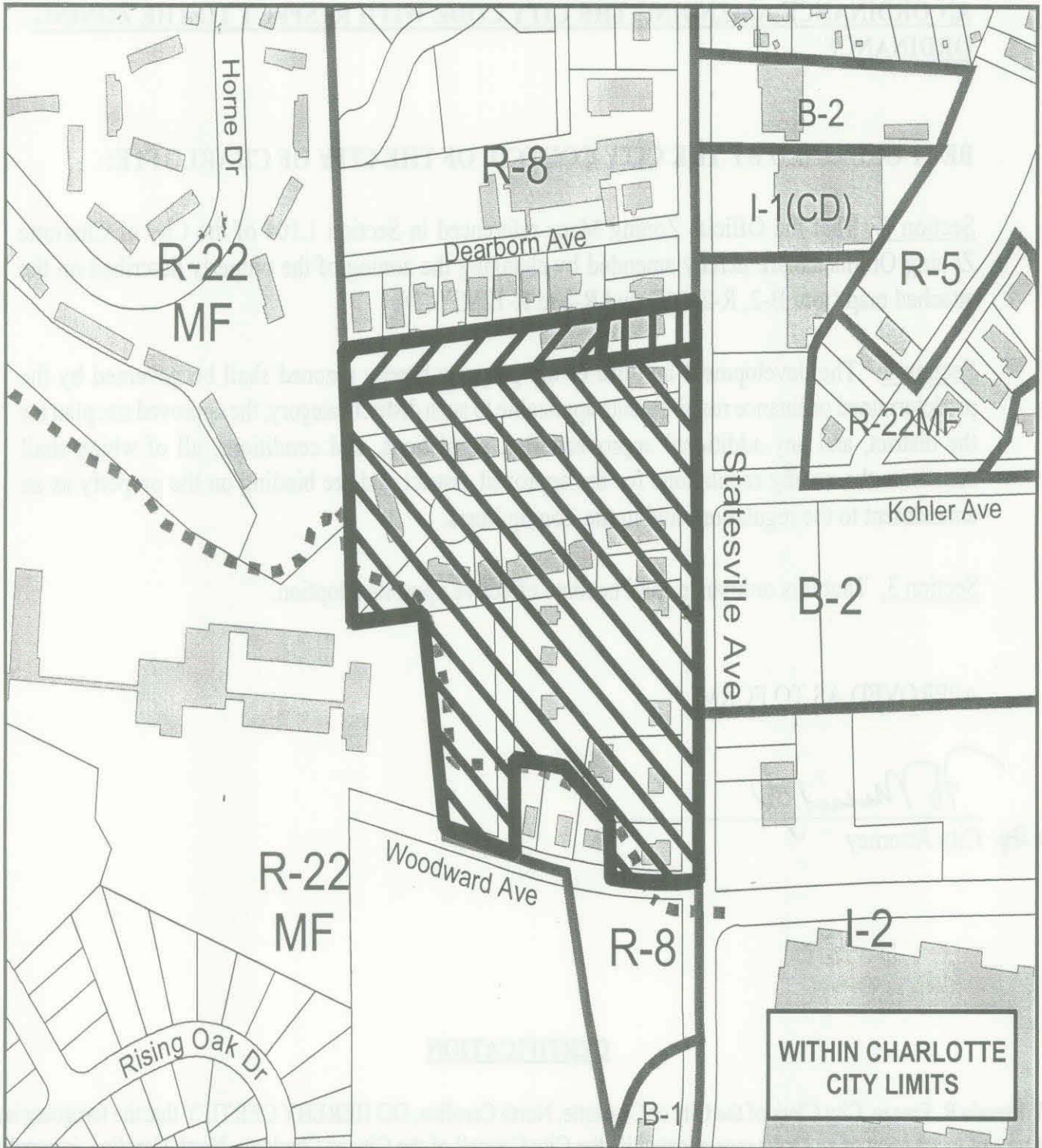
R-22MF (Multi-family Residential, up to 22 dwelling units per acre)

and R-8 (Single-family Residential, up to 8 dwelling units per acre)

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

(Multi-family Residential, up to 12 dwelling units per acre, Conditional)

Acreage & Location : Approximately 8.81 acres located west of Statesville Avenue north of Woodward Avenue



Zoning Map #(s) **88**

Map Produced by the
 Charlotte-Mecklenburg Planning Commission
 09-22-2004



	Requested R-12MF(CD) from B-2		Requested R-12MF(CD) from R-22MF
	Existing Building Footprints		Requested R-12MF(CD) from R-8
	Existing Zoning Boundaries		Lakes and Ponds
	Charlotte City Limits		Creeks and Streams

CITY ZONE CHANGE

Petition No. 2004-098

Petitioner: City of Charlotte,
Charlotte Area Transit System

ORDINANCE NO. 2802-Z

ZONING REGULATIONS

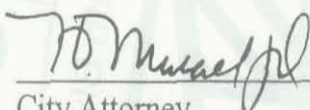
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing the property identified on the attached map from B-1 and R-4 to TOD-M on the Official Zoning Map, City of Charlotte, N.C.

SEE ATTACHED MAP

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

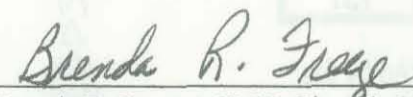
APPROVED AS TO FORM:


J. Dep. 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 15th day of November, 2004, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page(s) 163-164.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 5th day of February, 2005.


Brenda R. Freeze, CMC, City Clerk

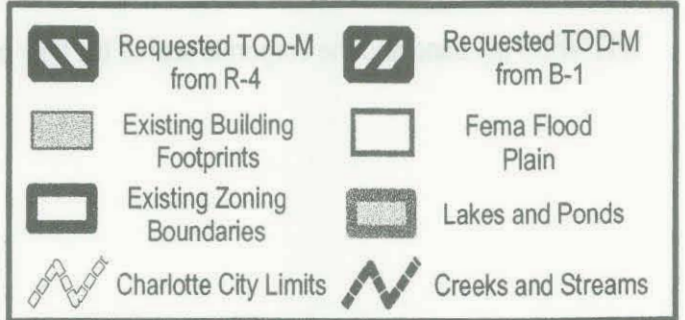
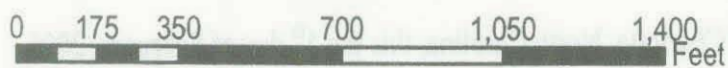
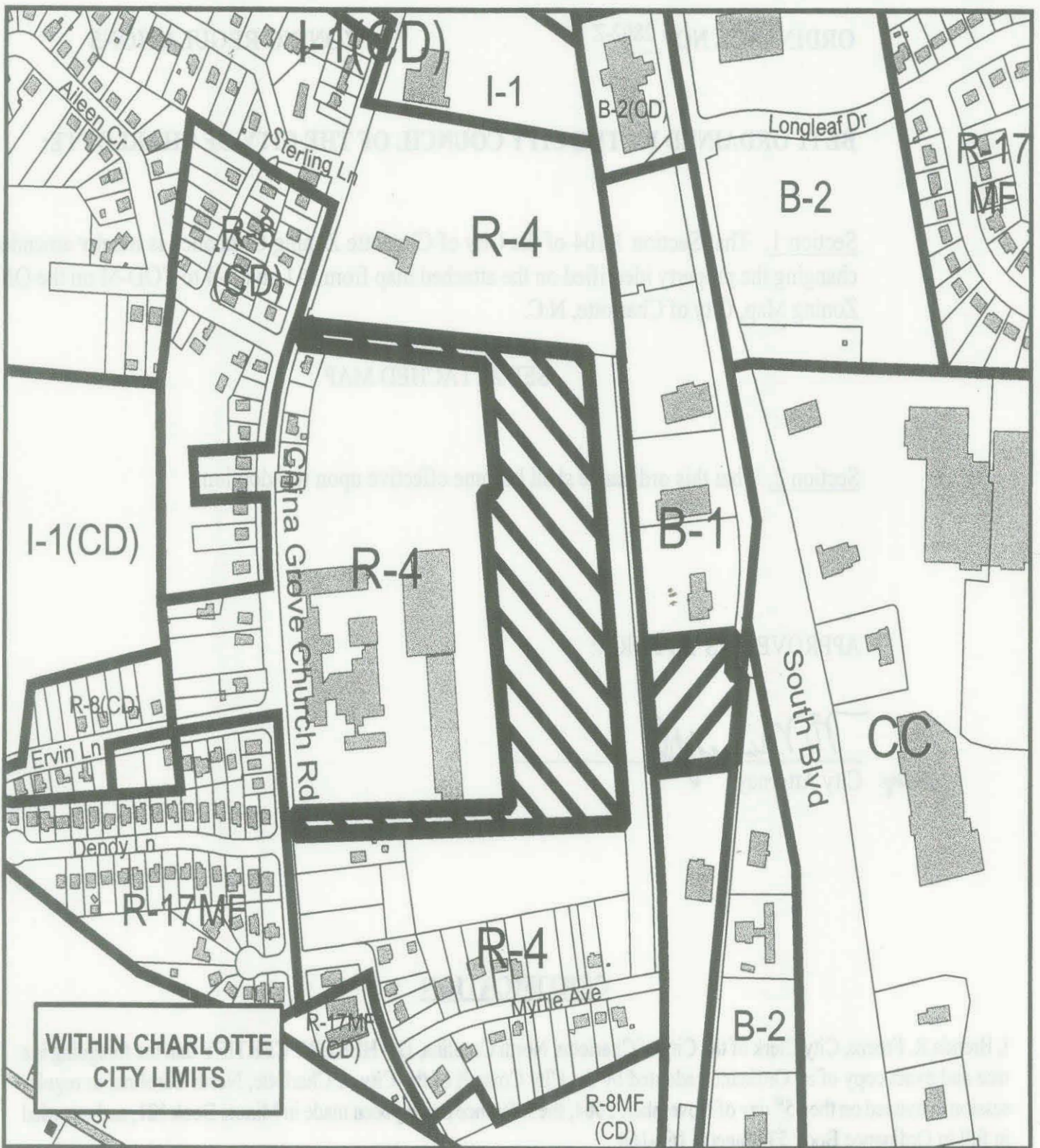
Petition #: **2004-98**

Petitioner: The City of Charlotte, The Charlotte Area Transit System

Zoning Classification (Existing): B-1 (Neighborhood Business) and R-4 (Single-family Residential, up to 4 dwelling units per acre)

Zoning Classification (Requested): TOD-M
(Transit Oriented Development, Mixed-Use)

Acreage & Location : Approximately 12.749 acres located between China Grove Church Road and South Boulevard, north of Interstate 485



Zoning Map #(s) **157**



CITY ZONE CHANGE

Petition No. 2004-101

Petitioner: City of Charlotte,
Charlotte Area Transit System

ORDINANCE NO. 2803-Z

ZONING REGULATIONS

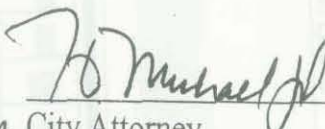
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing the property identified on the attached map from I-2, O-1, B-D and B-2 to TOD-M on the Official Zoning Map, City of Charlotte, N.C.

SEE ATTACHED MAP

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

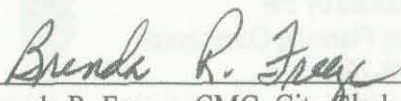
APPROVED AS TO FORM:


H. Michael
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 15th day of November, 2004, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page(s) 165-166.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 5th day of February, 2005.


Brenda R. Freeze, CMC, City Clerk

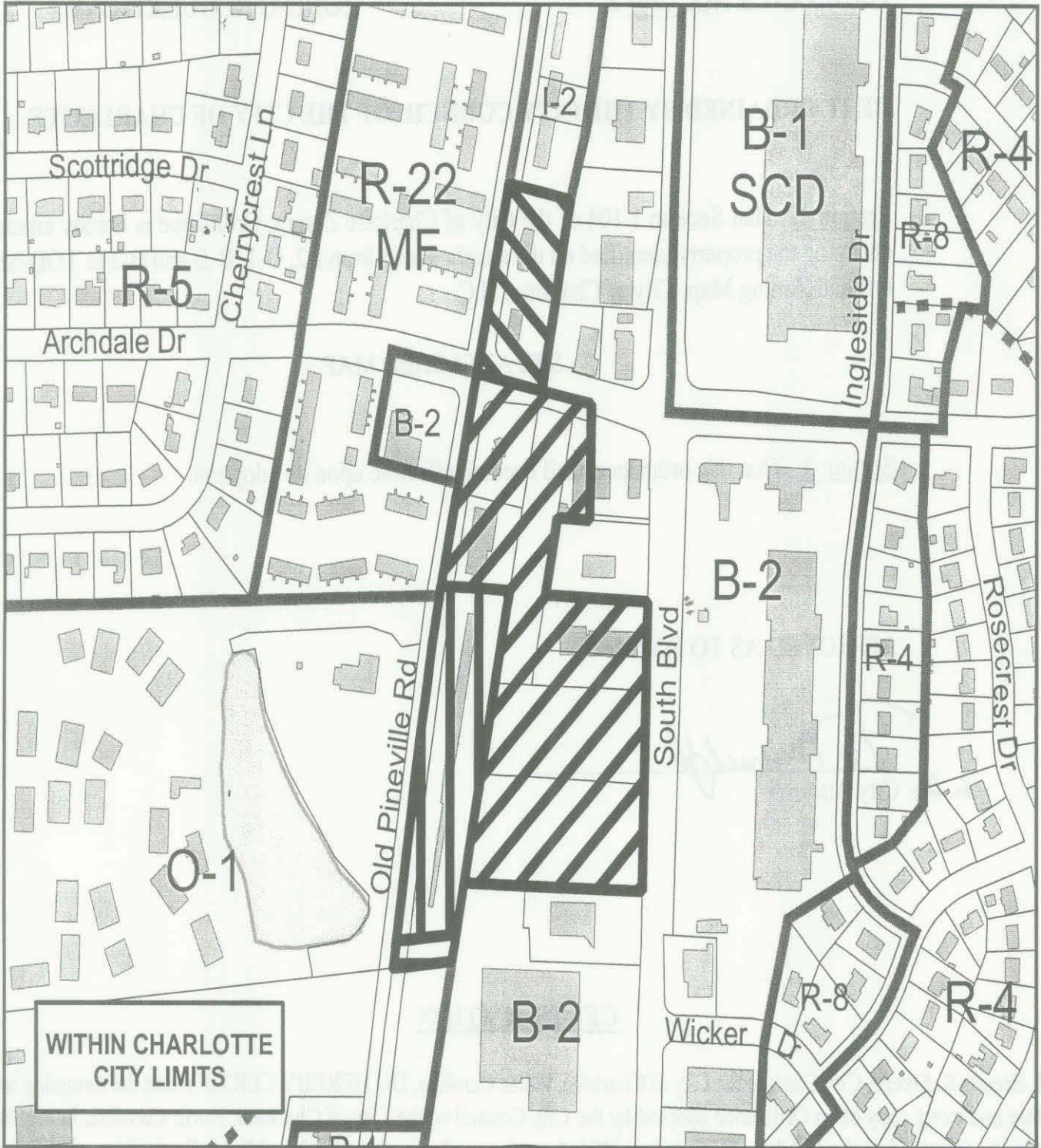
Petition #: **2004-101**

Petitioner: The City of Charlotte, The Charlotte Area Transit System

Zoning Classification (Existing): I-2 (General Industrial) O-1 (Office)
B-D (Distributive Business) and B-2 (General Business)

Zoning Classification (Requested): TOD-M
 (Transit Oriented Development, Mixed-Use)

Acreeage & Location : Approximately 10.514 acres located between Old Pineville Road and South Blvd on both sides of Archdale Drive



Zoning Map #(s) **134**

Map Produced by the
 Charlotte-Mecklenburg Planning Commission
 07-28-2004



	Requested TOD-M from I-2		Requested TOD-M from B-2
	Requested TOD-M from B-D		Requested TOD-M from O-1
	Existing Building Footprints		Lakes and Ponds
	Existing Zoning Boundaries		Creeks and Streams

CITY ZONE CHANGE

Petition No. 2004-102

Petitioner: City of Charlotte,
Charlotte Area Transit System

ORDINANCE NO. 2804-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 on the attached map from R-4 to TOD-M 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:

[Signature]
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 15th day of November, 2004, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page(s) 167-168.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 5th day of February, 2005.

[Signature]
Brenda R. Freeze, CMC, City Clerk

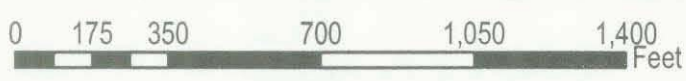
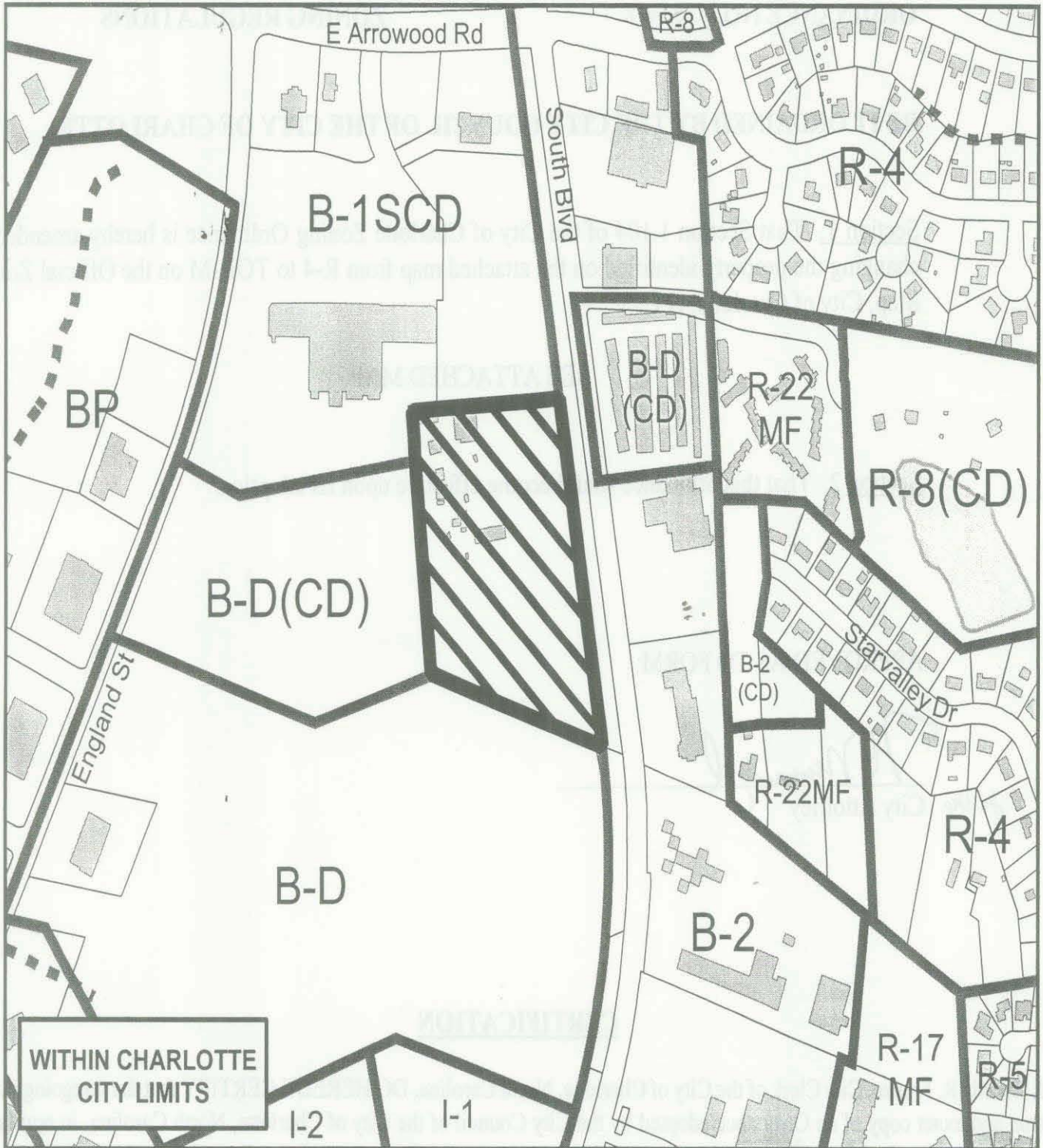
Petition #: **2004-102**

Petitioner: The City of Charlotte, The Charlotte Area Transit System

Zoning Classification (Existing): R-4
(Single-family Residential, up to 4 dwelling units per acre)

Zoning Classification (Requested): TOD-M
(Transit Oriented Development, Mixed-Use)

Acreage & Location : Approximately 7.932 acres located on the west side of South Blvd south of E Arrowood Road



Zoning Map #(s) **148**

Map Produced by the
Charlotte-Mecklenburg Planning Commission
07-28-2004



	Requested TOD-M from R-4		Fema Flood Plain
	Existing Building Footprints		Lakes and Ponds
	Existing Zoning Boundaries		Creeks and Streams
	Charlotte City Limits		

CITY ZONE CHANGE

Petition No. 2004-103

Petitioner: City of Charlotte,
Charlotte Area Transit System

ORDINANCE NO. 2805-Z

ZONING REGULATIONS

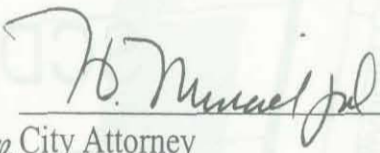
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing the property identified on the attached map from I-2 to TOD-M 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:

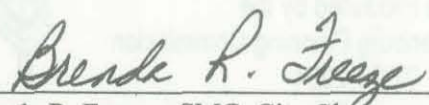


H. Manuel
City Attorney

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 15th day of November, 2004, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page(s) 169-170.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 5th day of February, 2005.



Brenda R. Freeze, CMC, City Clerk

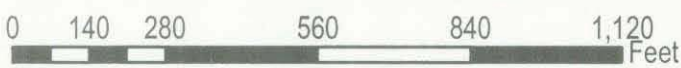
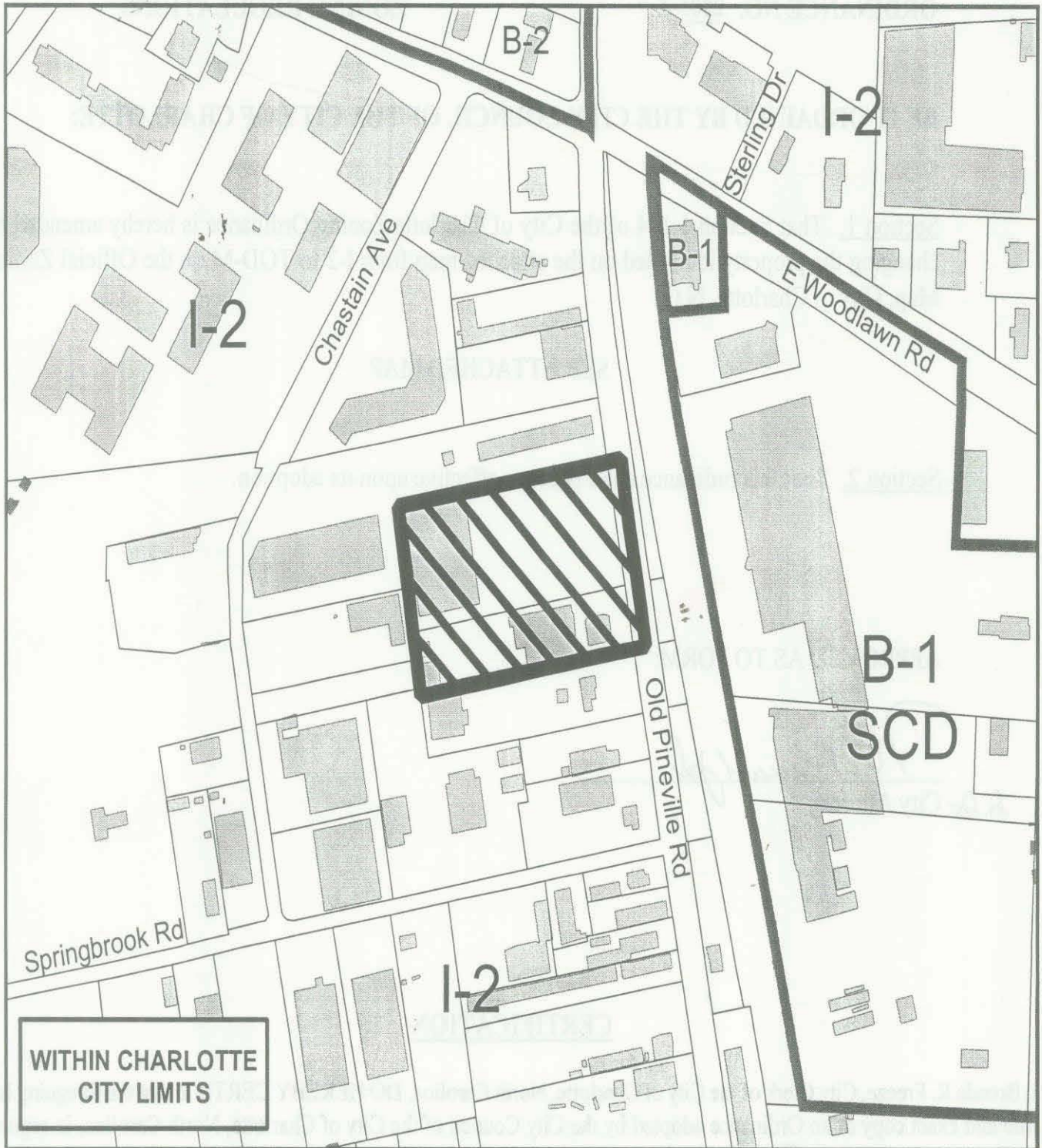
Petition #: **2004-103**

Petitioner: The City of Charlotte, The Charlotte Area Transit System

Zoning Classification (Existing): I-2
(General Industrial)

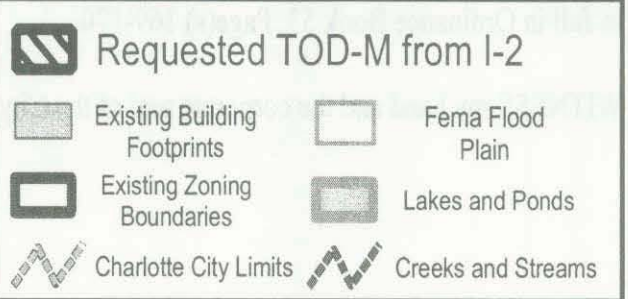
Zoning Classification (Requested): TOD-M
(Transit Oriented Development, Mixed-Use)

Acreage & Location : Approximately 5.24 acres located on the west side of Old Pineville Road south of E Woodlawn Road



Zoning Map #(s) **126**

Map Produced by the
Charlotte-Mecklenburg Planning Commission
07-28-2004



CITY ZONE CHANGE

Petition No. 2004-104

Petitioner: City of Charlotte,
Charlotte Area Transit System

ORDINANCE NO. 2806-Z

ZONING REGULATIONS

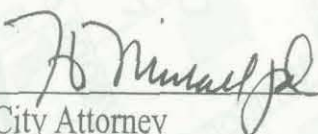
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing the property identified on the attached map from B-2 and R-5 to TOD-M on the Official Zoning Map, City of Charlotte, N.C.

SEE ATTACHED MAP

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

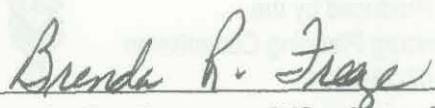
APPROVED AS TO FORM:


City Attorney

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 15th day of November, 2004, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page(s) 171-172.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 5th day of February, 2005.


Brenda R. Freeze, CMC, City Clerk

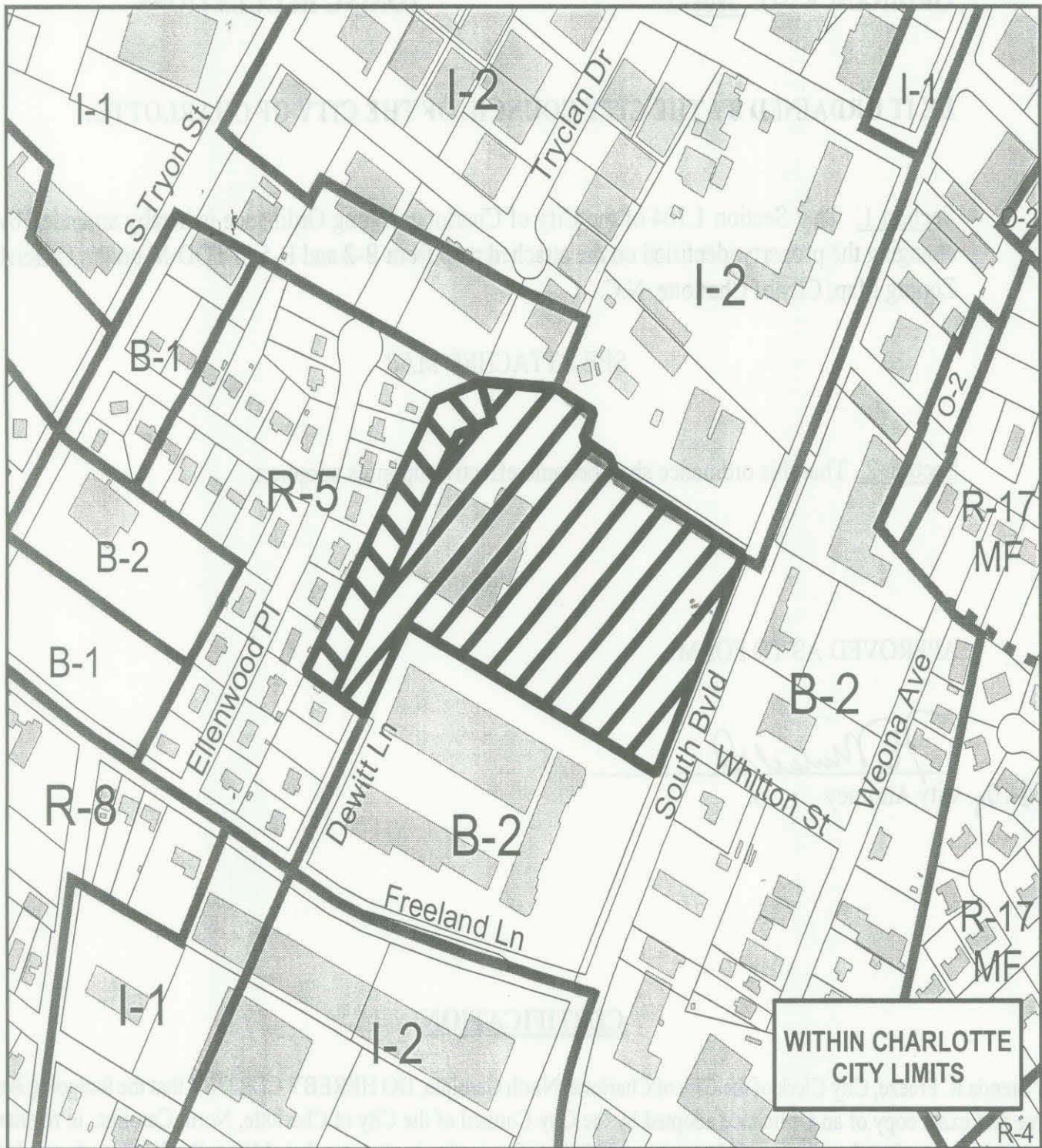
Petition #: **2004-104**

Petitioner: The City of Charlotte, The Charlotte Area Transit System

Zoning Classification (Existing): B-2 (General Business) and R-5 (Single-family Residential, up to 5 dwelling units per acre)

Zoning Classification (Requested): TOD-M
(Transit Oriented Development, Mixed-Use)

Acreage & Location : Approximately 9.89 acres located on the west side of South Blvd north of Freeland Lane



Zoning Map #(s) **110**

Map Produced by the
Charlotte-Mecklenburg Planning Commission
07-28-2004



	Requested TOD-M from R-5		Requested TOD-M from B-2
	Existing Building Footprints		Fema Flood Plain
	Existing Zoning Boundaries		Lakes and Ponds
	Charlotte City Limits		Creeks and Streams

CITY ZONE CHANGE

Petition No. 2004-105
Petitioner: Charlotte-Mecklenburg
Planning Commission

ORDINANCE NO. 2807-Z

ZONING REGULATIONS

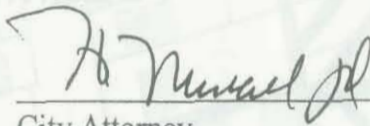
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing the property identified on the attached map from B-1 and R-22MF to R-8 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:

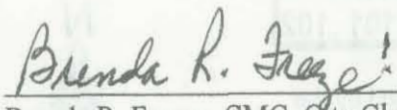


City Attorney

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 15th day of November, 2004, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page(s) 173-174.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 5th day of February, 2005.



Brenda R. Freeze, CMC, City Clerk

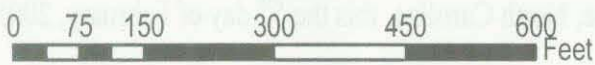
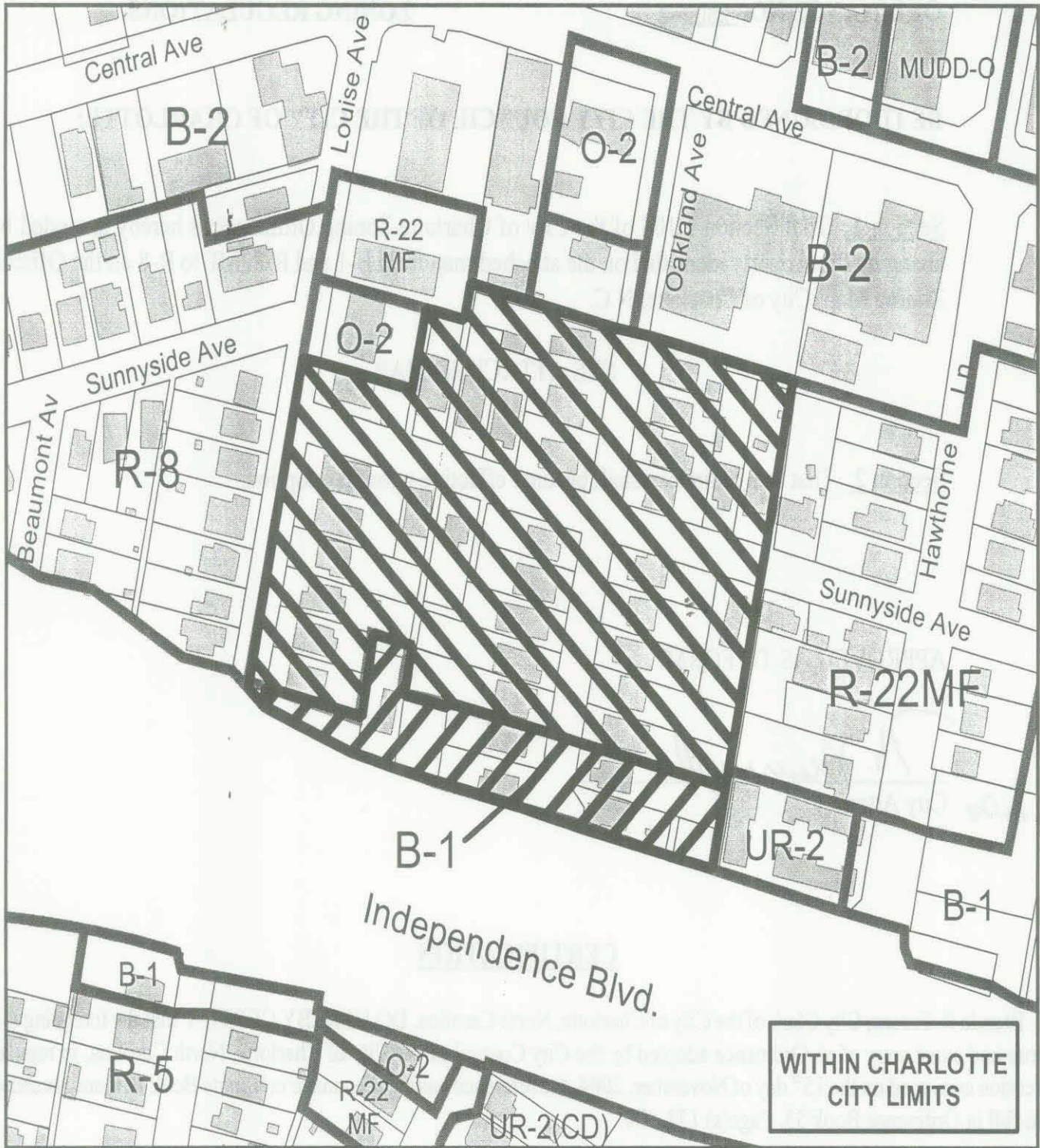
Petition #: **2004-105**

Petitioner: The Charlotte-Mecklenburg Planning Commission

Zoning Classification (Existing): B-1 (Neighborhood Business) and R-22MF (Multi-family Residential, up to 22 dwelling units per acre)

Zoning Classification (Requested): R-8
(Single-family Residential, up to 8 dwelling units per acre)

Acreage & Location : Approximately 9.2 acres located on both sides of Sunnyside Ave, on the east side of Louise Ave, and on both sides Oakland Ave



Zoning Map #(s) **101,102**

Map Produced by the
Charlotte-Mecklenburg Planning Commission
07-29-2004



	Requested R-8 from R-22MF		Requested R-8 from B-1
	Existing Building Footprints		Fema Flood Plain
	Existing Zoning Boundaries		Lakes and Ponds
	Charlotte City Limits		Creeks and Streams

APPROVED BY CITY COUNCIL

DATE 11/15/04

CITY ZONE CHANGE

Petition No. 2004-107
Petitioner: Charlotte-Mecklenburg
Planning Commission

ORDINANCE NO. 2808-Z

ZONING REGULATIONS

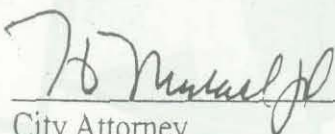
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing the property identified on the attached map to establish the Sunnyside Pedestrian Overlay District for the existing B-1, R-22MF, UR-2, and I-2 Districts 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

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 15th day of November, 2005, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page(s) 175-176.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 19th day of October, 2005.


Brenda R. Freeze, CMC, City Clerk

Petition #: **2004-107**

Petitioner: The Charlotte-Mecklenburg Planning Commission

Zoning Classification (Existing): B-1 (Neighborhood Business)

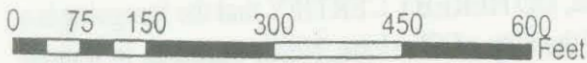
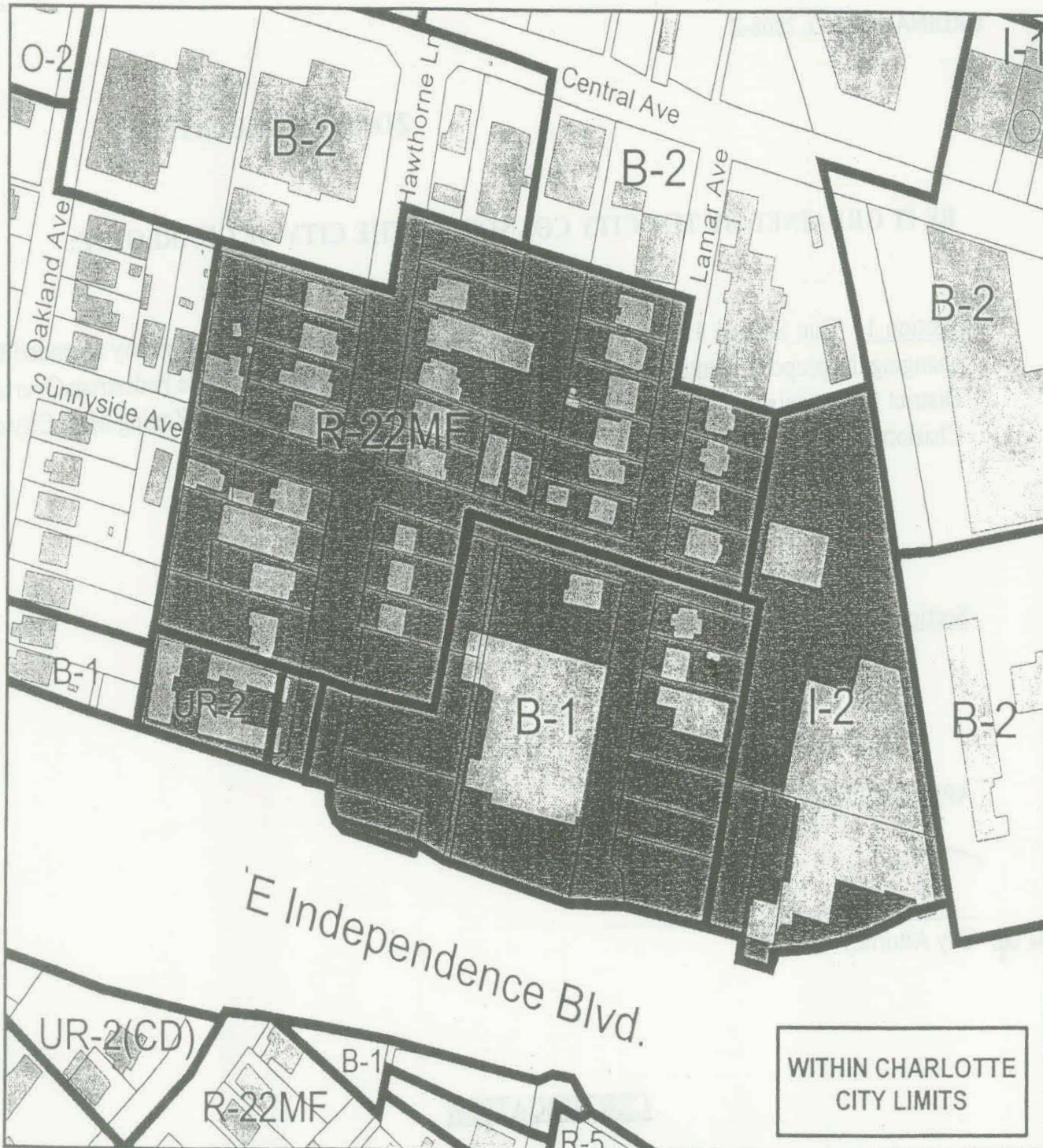
R-22MF (Multi-family Residential, up to 22 dwelling units per acre)

UR-2 (Urban Residential) and I-2 (General Industrial)

Zoning Classification (Requested): Sunnyside Pedestrian Overlay District

(Application of Pedestrian Overlay District to Existing Zoning)

Acreeage & Location : Approximately 17.3 acres located on both sides of Sunnyside Ave, north of Independence Blvd.



Zoning Map #(s) **101**

Map Produced by the
Charlotte-Mecklenburg Planning Commission
07-29-2004



	Area contained within the Sunnyside Pedestrian Overlay District		Fema Flood Plain
	Existing Building Footprints		Lakes and Ponds
	Existing Zoning Boundaries		Creeks and Streams
	Charlotte City Limits		

Petition No. 2004-110

Petitioner: Beacon Homes of Charlotte, Inc.

ORDINANCE NO. 2809-Z

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

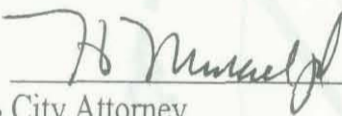
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That the Official Zoning Maps referenced in Section 1.104 of the City of Charlotte Zoning Ordinance are hereby amended by changing the zoning of the property described on the attached map from R-3 to R-8MF(CD).

Section 2. The development and use of the property hereby rezoned shall be governed by the predetermined ordinance requirements applicable to such district category, the approved site plan for the district, and any additional approved rules, regulations, and conditions, all of which shall constitute the zoning regulations for the approved district and are binding on the property as an amendment to the regulations and to the Zoning Maps.

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

APPROVED AS TO FORM:



City Attorney

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 15th day of November, 2004, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page(s) 177-178.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 5th day of February, 2005.



Brenda R. Freeze, CMC, City Clerk

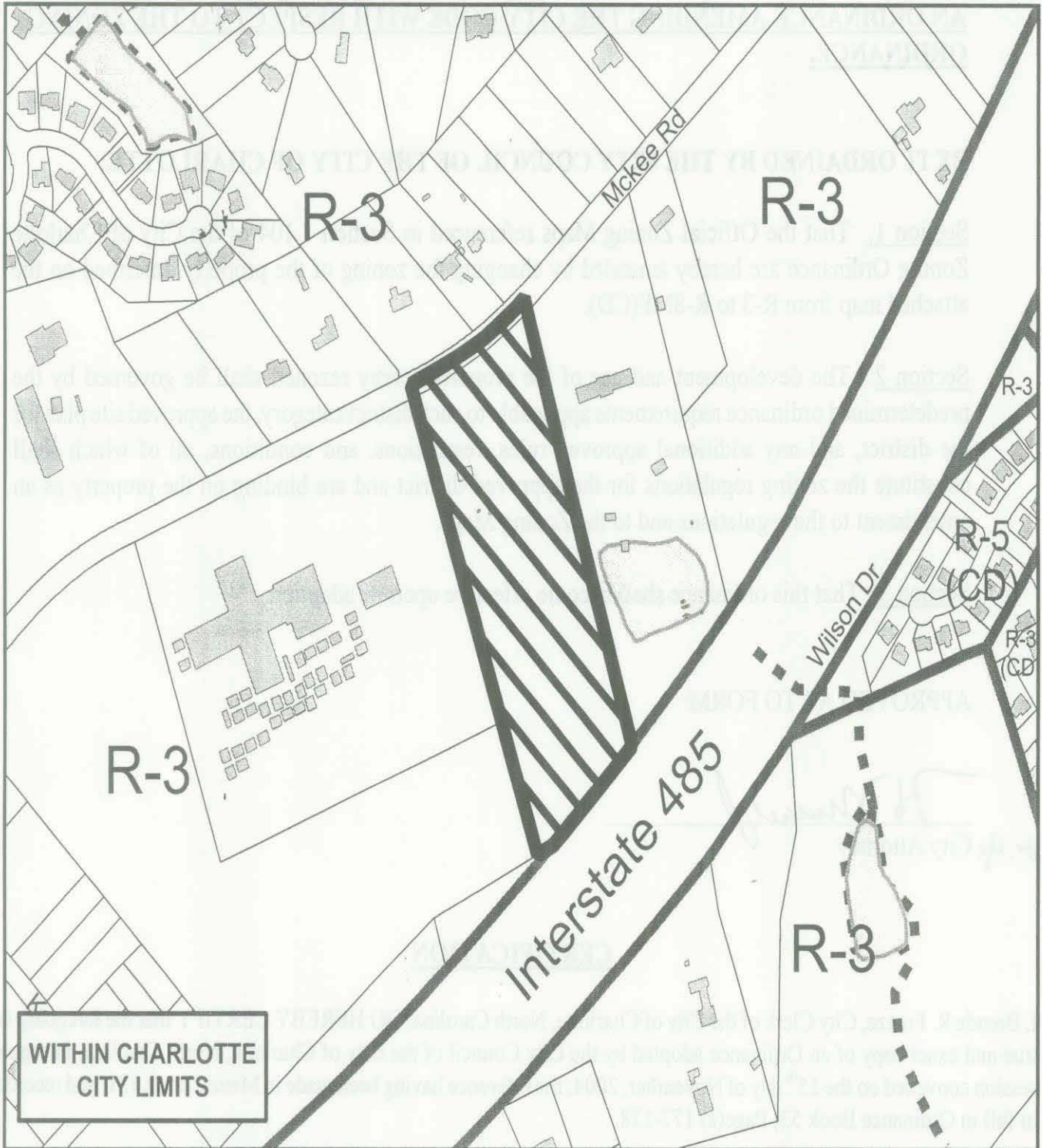
Petition #: **2004-110**

Petitioner: Beacon Homes of Charlotte, Inc.

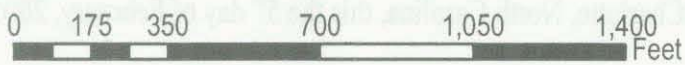
Zoning Classification (Existing): R-3
(Single-family Residential, up to 3 dwelling units per acre)

Zoning Classification (Requested): R-8MF(CD)
(Multi-family Residential, up to 8 dwelling units per acre, Conditional)

Acreage & Location : Approximately 9.2 acres located to the south of Mckee Road,
north of Interstate-485



WITHIN CHARLOTTE CITY LIMITS



Zoning Map #(s) **178**

Map Produced by the
Charlotte-Mecklenburg Planning Commission
07-29-2004



	Requested R-8MF(CD) from R-3		Fema Flood Plain
	Existing Building Footprints		Lakes and Ponds
	Existing Zoning Boundaries		Creeks and Streams
	Charlotte City Limits		

Petition No. 2004-111
Petitioner: Open Space Properties, LLC

ORDINANCE NO. 2810-Z

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

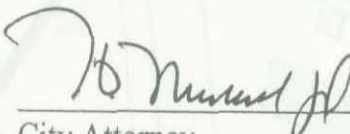
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That the Official Zoning Maps referenced in Section 1.104 of the City of Charlotte Zoning Ordinance are hereby amended by changing the zoning of the property described on the attached map from I-2(CD) to I-2(CD)..

Section 2. The development and use of the property hereby rezoned shall be governed by the predetermined ordinance requirements applicable to such district category, the approved site plan for the district, and any additional approved rules, regulations, and conditions, all of which shall constitute the zoning regulations for the approved district and are binding on the property as an amendment to the regulations and to the Zoning Maps.

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

APPROVED AS TO FORM:




in Op 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 15th day of November, 2004, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page(s) 179-180.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 21st day of February, 2005.



Brenda R. Freeze, CMC, City Clerk

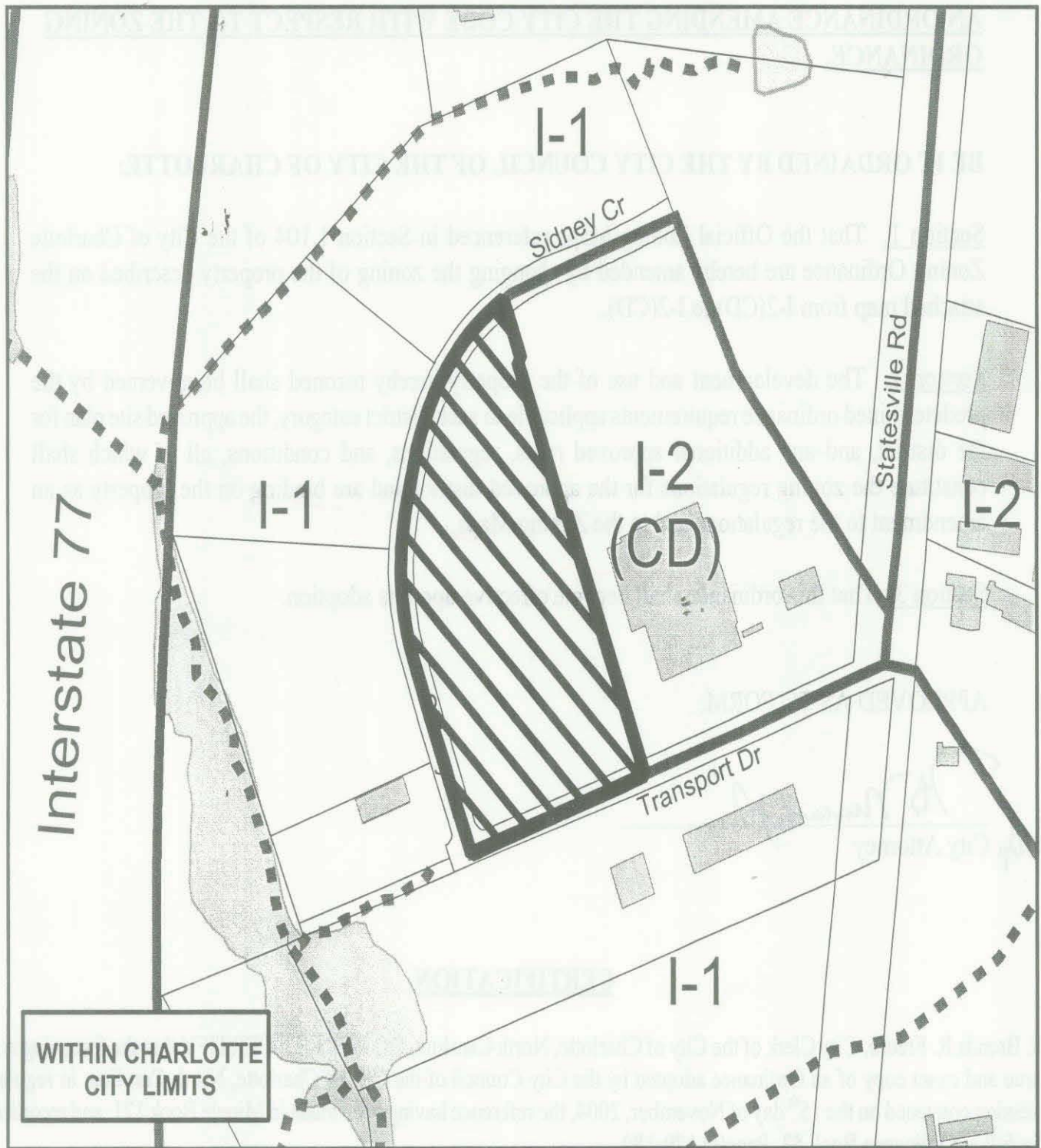
Petition #: **2004-111**

Petitioner: Open Space Properties

Zoning Classification (Existing): I-2(CD)
 (General Industrial, Conditional)

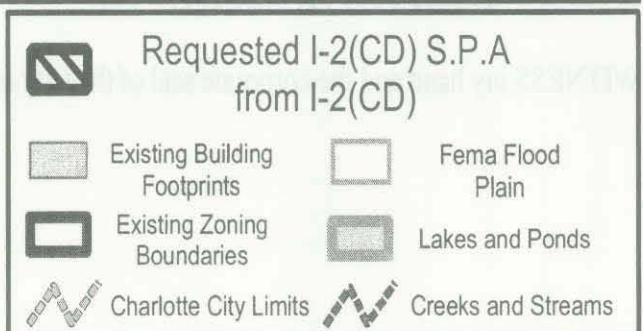
Zoning Classification (Requested): I-2(CD) S.P.A.
 (General Industrial, Conditional, Site Plan Amendment)

Acreage & Location : Approximately 7.19 acres located on the northeast corner of the intersection of Transport Drive and Sidney Circle



Zoning Map #(s) **51**

Map Produced by the
 Charlotte-Mecklenburg Planning Commission
 07-29-2004



Petition # 2004-112
Petitioner: Charlotte Area Transit System

**AN ORDINANCE AMENDING APPENDIX A OF THE
CITY CODE – ZONING ORDINANCE**

ORDINANCE NO. 2811

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:

A. **CHAPTER 2: DEFINITIONS AND RULES OF CONSTRUCTION.**

1. **PART 2: DEFINITIONS**

- a. Amend Section 2.201 by adding the following definition in alphabetical order:

Information Pillar

A free-standing, permanent pillar or column upon which neighborhood or public information and/or posters, notices, announcements and/or off-premise advertising are posted under locking weatherproof materials. Information pillars have a clearly defined base, an information shaft or panels, and a decorative cap.

B. **CHAPTER 9: GENERAL DISTRICTS**

1. **PART 8.5: MIXED-USE DEVELOPMENT DISTRICT**

- a. Amend Section 9.8504, “Mixed Use Development District; Accessory Uses”, by adding the following item in alphabetical order:

Information Pillars, subject to the regulations of Section 12.416.

2. PART 9: UPTOWN MIXED USE DISTRICT

a. Amend Section 9.904, "Uptown Mixed Use District; Accessory Uses" by adding the following item in alphabetical order and renumbering the items accordingly:

- (2) Information pillars, subject to the regulations of Section 12.416.

3. PART 12: TRANSIT ORIENTED DEVELOPMENT DISTRICTS

a. Amend Section 9.1207, "Accessory Uses" by adding the following item in alphabetical order and renumbering the items accordingly:

- (2) Information pillars, subject to the regulations of Section 12.416.

C. CHAPTER 12: DEVELOPMENT STANDARDS OF GENERAL APPLICABILITY.

1. PART 4: ACCESSORY USES AND STRUCTURES

a. Add a new Section 12.416 to Chapter 12, Part 4 to read as follows:

Section 12.416. Information Pillars

Information pillars shall be permitted as an accessory use to a rapid transit station or trolley stop, or as an accessory use to urban open space in the MUDD, UMUD, and TOD zoning districts, in accordance with the following requirements:

- (1) Information pillars at rapid transit stations or at trolley stations shall be located on the rapid transit station site.
- (2) Up to two information pillars may be located in an urban open space having a minimum area of 2,000 square feet, excluding rapid transit station areas.
- (3) Up to three information pillars are permitted per combined rapid transit/trolley platform
- (4) Up to two information pillars are permitted per rapid transit only platform.
- (5) One information pillar is permitted per trolley station/platform only.

- (6) A minimum of 1/3 of the information pillar shall be permanently available for public information, public service messages, community-wide or neighborhood events, immediate neighborhood maps, and transit information. The remaining 2/3 may be used for off-premise advertising.
- (7) Information pillars shall have a clearly defined base, a shaft or panels, and a decorative cap. The cap shall be compatible with the architectural style of the principal structure(s) on the property. The information shaft or panels shall be constructed of a combination of durable, weatherproof materials such as metal, glass, Plexiglas, and brick. Unacceptable materials include concrete and wood.
- (8) The shaft or panels shall provide a locking, transparent enclosure made of materials such as Plexiglas or glass. The enclosure will allow for the placement of interchangeable messages, information, maps, and off-premise signs.
- (9) The maximum height of the information pillar shall not exceed 12'. The maximum height of the information shaft shall be 10' measured from the top of the base element to the bottom of the cap element.
- (10) The information shaft shall not be greater than 3.5 feet in diameter.
- (11) Information pillars or panels may be illuminated, but shall not cause glare.
- (12) Messages shall not be audible beyond 4'.
- (13) Video signs capable of displaying moving images similar to television images are permitted.
- (14) No signs shall be posted on the exterior surface of the information pillar.
- (15) Information pillars shall not be located in any public street right-of-way.

D. CHAPTER 13: SIGN REGULATIONS

1. Section 13.105, "Prohibited Signs". Amend item (7) to read as follows:

(7) Off-premise signs other than those permitted in Section 13.111 and Section 13.108(b) of these regulations.

2. Add a new Section 13.108(b), "Specifications for off-premise signs on Information Pillars requiring a permit" to read as follows:

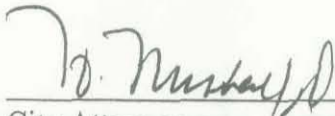
Section 13.108(b) Specifications for off-premise signs located on information pillars requiring a permit.

The following specifications are applicable in the MUDD, UMUD, and all TOD districts.

- (1) Off-premise signs shall only be allowed on an approved Information Pillar.
- (2) Up to two-thirds (2/3) of the total available area on the information pillar shaft may be used for off-premise signs.
- (3) If the information pillar is located less than 50' from a public street right-of-way, a permit is required for each sign posted on the pillar. Distances shall be measured from the street right-of-way line to the nearest edge of the information pillar.
- (4) The procedures and application processes of Section 13.103 shall be followed for each off-premise sign within 50' of a public street right-of-way.
- (5) All portions of the off-premise sign shall be placed under a locking, transparent enclosure. No signs are permitted on the exterior of the structure.

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

Approved as to form:

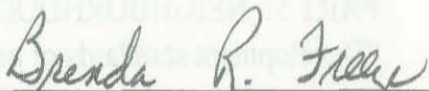


In Op. City Attorney

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 15th day of November, 2004, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page(s) 181-182D.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 5th day of February, 2005.



Brenda R. Freeze, CMC, City Clerk

Petition # 2004-113
Petitioner: Charlotte Mecklenburg Planning Commission
City of Charlotte

**AN ORDINANCE AMENDING APPENDIX A OF THE
CITY CODE – ZONING ORDINANCE**

ORDINANCE NO. 2812

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:

A. CHAPTER 11: CONDITIONAL ZONING DISTRICTS.

**1. PART 5: NEIGHBORHOOD SERVICES DISTRICT, Section 11.508
"Development standards of general applicability"**

- a. Amend Section 11.508 by deleting the last sentence and replacing it with a reference to a new section. The current text reads as follows:

Section 11.508. Development standards of general applicability.

Except as otherwise provided in this Part, all uses and structures permitted in the NS district shall meet the applicable standards set out in Chapter 12 of these regulations. Signs shall be permitted in the NS district in accordance with Chapter 13.

The text shall read as follows:

Section 11.508. Development standards of general applicability.

Except as otherwise provided in this Part, all uses and structures permitted in the NS district shall meet the applicable standards set out in Chapter 12 of these regulations. Signs shall be permitted in the NS district in accordance with **Section 11.509.**

- b. Add a new Section 11.509 to read as follows:

Section 11.509. Sign requirements in NS.

- (1) Detached signs and wall signs within the NS zoning district are permitted in accordance with Chapter 13 as modified by the following provisions, which shall take precedence:
 - (a) Wall signs are permitted in accordance with Section 13.108(1), with the following exception. Signs may be located on any building wall of a nonresidential structure so long as the maximum sign surface area of all signs on one wall does not exceed 5% of the area of the building wall to which the sign is attached, up to a maximum of 100 square feet.
 - (b) Detached identification signs **for free-standing businesses are permitted in accordance with Section 13.109(4), with the exception that the maximum sign surface area shall not exceed 32 square feet and the maximum height shall not exceed 7 feet.**
 - (c) Detached identification signs for shopping centers and other multi-tenant buildings are permitted and shall not exceed 64 square feet, and the maximum height shall not exceed 16 feet. Detached identification signs for outparcel lots within shopping centers are permitted and shall not exceed 32 square feet and the maximum height shall not exceed 4 feet.
 - (d) Conditional district approvals made prior to the effective date of Section 11.509, with specific sign specifications shall take precedence over this section.

B. CHAPTER 13: SIGNS.

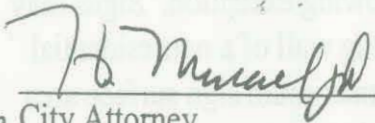
1. Section 13.109, "District regulations for permanent on-premise signs".
 - a. Add a new Section 13.109(9) to read as follows:

(9) Neighborhood Services District (NS)

Signs in the Neighborhood Services District shall be permitted in accordance with Section 11.509.

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

Approved as to form:



City Attorney

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 15th day of November, 2004, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page(s) 183-184B.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 5th day of February, 2005.



Brenda R. Freeze, CMC, City Clerk

Petition No. 2004-115
Petitioner: The Cunnane Group

ORDINANCE NO. 2813-Z

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

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

Section 1. That the Official Zoning Maps referenced in Section 1.104 of the City of Charlotte Zoning Ordinance are hereby amended by changing the zoning of the property described on the attached map from R-3 to MX-2.

Section 2. The development and use of the property hereby rezoned shall be governed by the predetermined ordinance requirements applicable to such district category, the approved site plan for the district, and any additional approved rules, regulations, and conditions, all of which shall constitute the zoning regulations for the approved district and are binding on the property as an amendment to the regulations and to the Zoning Maps.

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

APPROVED AS TO FORM:

J. D. [Name], 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 15th day of November, 2004, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page(s) 185-186.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of May, 2005.

Brenda R. Freeze, CMC, City Clerk

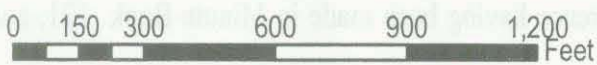
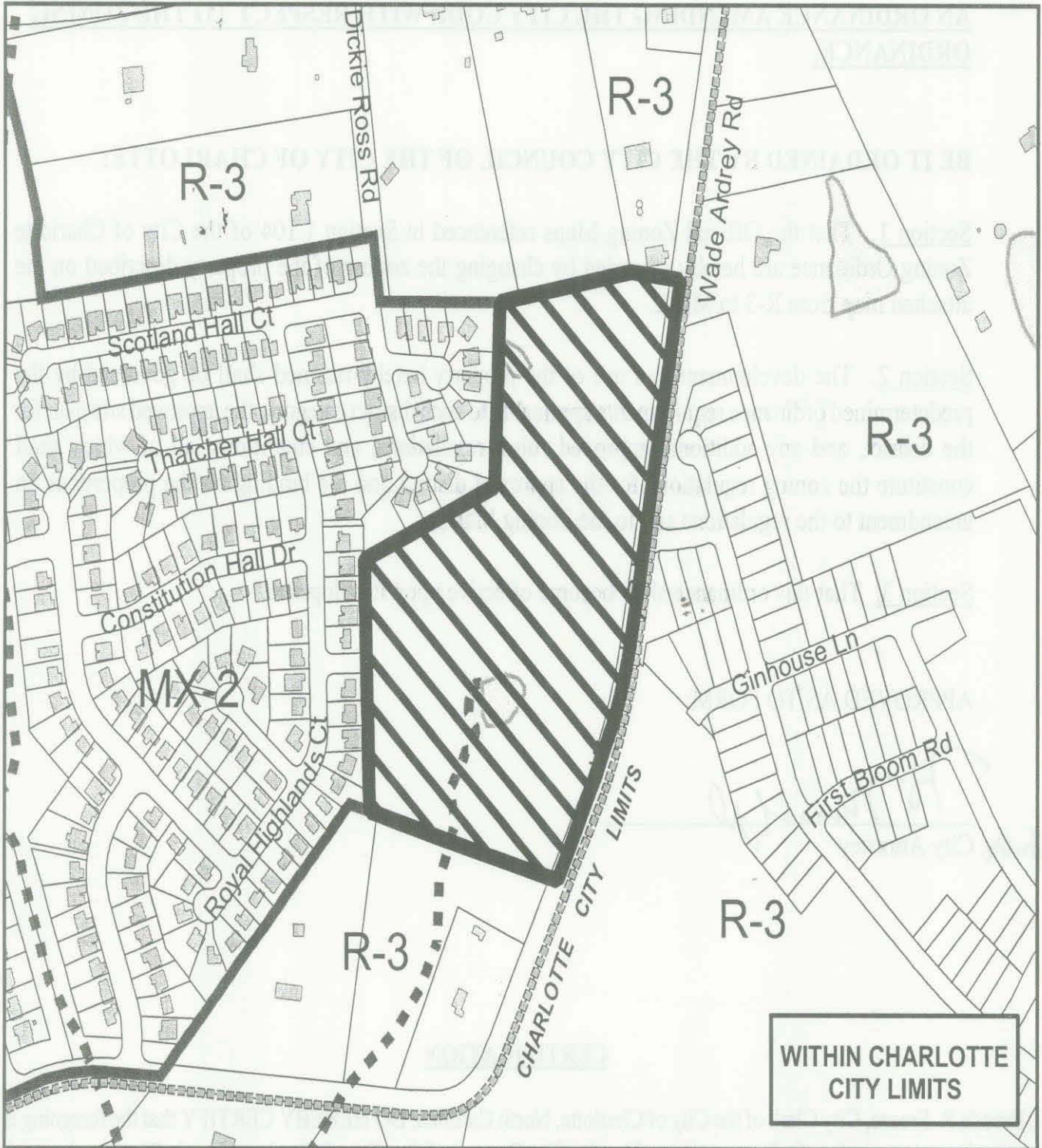
Petition #: **2004-115**

Petitioner: The Cunnane Group

Zoning Classification (Existing): R-3
(Single-family Residential, up to 3 dwelling units per acre)

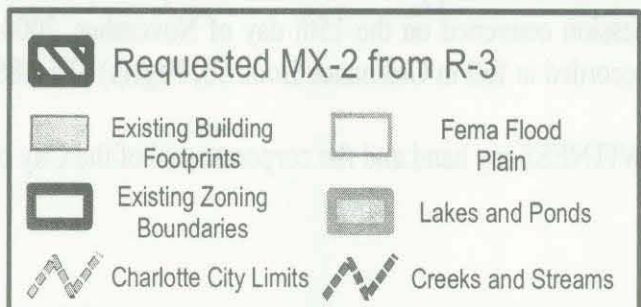
Zoning Classification (Requested): MX-2
(Mixed-Use Residential / Retail, Conditional)

Acreage & Location : Approximately 18.71 acre located on the west side of Wade Ardrey Road



Zoning Map #(s) **185**

Map Produced by the
Charlotte-Mecklenburg Planning Commission
07-29-2004



APPROVED BY CITY COUNCIL

DATE 11/15/04

Petition No. 2004-117
Petitioner: Espy Holdings, LLC
c/o the Providence Group

ORDINANCE NO. 2814-Z

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

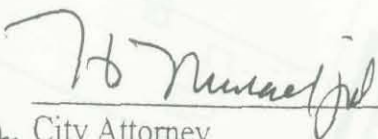
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That the Official Zoning Maps referenced in Section 1.104 of the City of Charlotte Zoning Ordinance are hereby amended by changing the zoning of the property described on the attached map from B-1 and R-4 to B-1(CD).

Section 2. The development and use of the property hereby rezoned shall be governed by the predetermined ordinance requirements applicable to such district category, the approved site plan for the district, and any additional approved rules, regulations, and conditions, all of which shall constitute the zoning regulations for the approved district and are binding on the property as an amendment to the regulations and to the Zoning Maps.

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


APPROVED AS TO FORM:


City Attorney

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 15th day of November, 2005, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page(s) 187-188.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 19th day of October, 2005.


Brenda R. Freeze, CMC, City Clerk

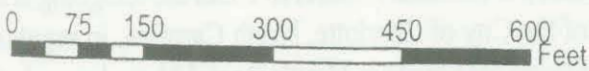
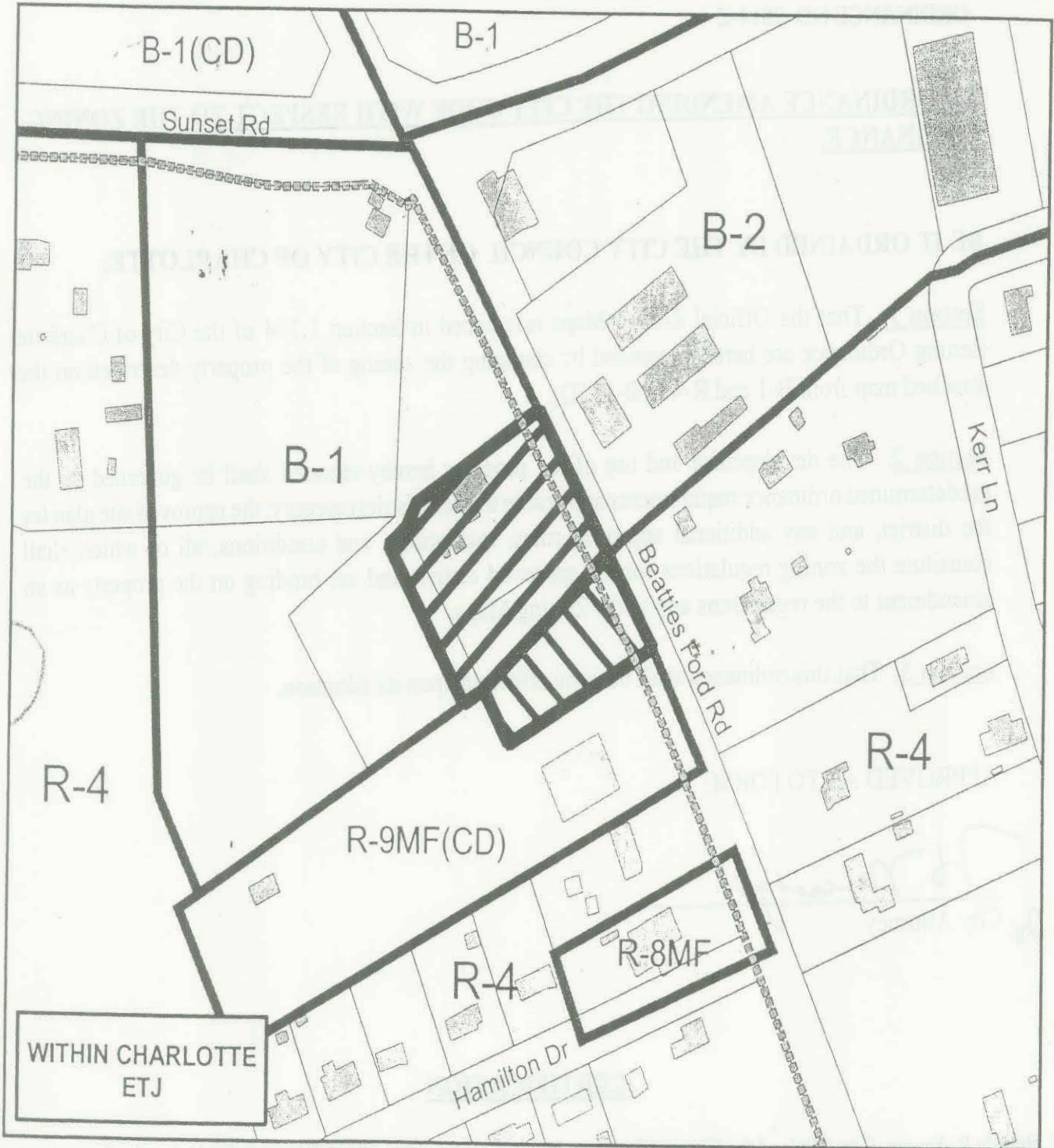
Petition #: **2004-117**

Petitioner: Espy Holdings LLC c/o The Providence Group

Zoning Classification (Existing): B-1 (Neighborhood Business) and R-4 (Single-family Residential, up to 4 dwelling units per acre)

Zoning Classification (Requested): B-1(CD)
(Neighborhood Business, Conditional)

Acreage & Location : Approximately 1.78 acre located on the west side of Beatties Ford Road, south of Sunset Road



Zoning Map #(s) **60**

Map Produced by the
Charlotte-Mecklenburg Planning Commission
09-19-2004

