

ORDINANCE 190

**AN ORDINANCE AMENDING CHAPTER 14, SECTION 131
OF THE CHARLOTTE CITY CODE**

WHEREAS, on May 14, 1984, the Charlotte City Council approved a policy to provide for a 25 miles per hour speed limit on non-thoroughfare residential streets; and,

WHEREAS, it has been determined, upon the basis of an engineering and traffic investigation, that a lowered speed limit on certain streets of the City of Charlotte is not inappropriate; and,

WHEREAS, G.S. 20-141 (speed restrictions) requires adoption of a speed limit ordinance to amend Chapter 14, Section 131(c) of the Charlotte City Code,

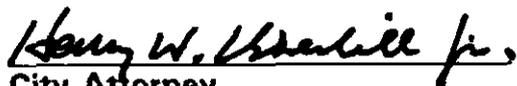
NOW THEREFORE BE IT ORDAINED by the City Council of the City of Charlotte,

SECTION 1: That Schedule X referred to in Chapter 14-131(c) of the Charlotte City Code be amended by declaring a speed limit on the following City System streets as described below:

- Hopeton Road from Sharon Road West to Quail Hill Road 25 MPH
- Rosecliff Drive from Strawberry Lane to cul de sac 25 MPH

SECTION 2: Section 1 shall become effective upon adoption by Charlotte City Council and after signs are erected giving notice of the speed limits, as required by N.C.G.S. Section 20-141.

Approved as to form:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of December, 1994, the reference having been made in Minute Book 106, and is recorded in full in Ordinance Book 46, at page(s) 124.

Brenda R. Freeze
City Clerk

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Ordinance Number 191-X

AN ORDINANCE TO AMEND ORDINANCE NO. 3890 – X, THE 1994–95 BUDGET ORDINANCE, PROVIDING A SUPPLEMENTAL APPROPRIATION FOR THE CONVENTION CENTER CAPITAL PROJECT.

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

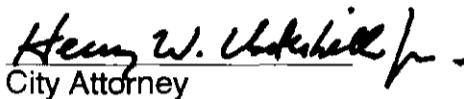
Section 1. That the sum of \$2,000,000 is hereby estimated to be available from interest earnings in the Convention Center Construction Fund (2013).

Section 2. That the sum of \$2,000,000 is hereby appropriated to the Convention Center Construction Fund 2013;371.00 – Convention Center.

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

Section 4. This ordinance shall be effective immediately.

Approved as to form:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of December, 1994, the reference having been made in Minute Book 106, and is recorded in full in Ordinance Book 46, at page(s) 125.

Brenda R. Freeze
City Clerk

ORDINANCE NUMBER : 192-X

AN ORDINANCE TO AMEND ORDINANCE NO. 3890 – X, THE 1994–95 BUDGET ORDINANCE, PROVIDING AN ADVANCE OF AIRPORT FUNDING UNTIL SUCH TIME THAT FEDERAL FUNDS ARE RECEIVED FOR LAND ACQUISITION.

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

Section 1. That the sum of \$6,189,466 is hereby estimated to be available from the Airport Excluded Centers Fund Balance. The City's Finance Director has been authorized to advance Airport Excluded Centers Balance (7404) pending receipt of future federal funding. Airport Fund Balance will be reimbursed upon receipt of federal funding.

Section 2. That the sum of \$6,189,466 is hereby appropriated to Airport Capital Project Fund (2077).

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

Section 4. This ordinance shall be effective immediately.

Approved as to form:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of December, 1994, the reference has been made in Minute Book 106, and is recorded in full in Ordinance Book 46, at page(s) 126.

Brenda R. Freeze
City Clerk

ORDINANCE NO. 193

AMENDING CHAPTER 1

AN ORDINANCE AMENDING CHAPTER 1, ENTITLED, "GENERAL PROVISIONS",
OF THE CITY CODE OF THE CITY OF CHARLOTTE.

BE IT ORDAINED by the City Council of the City of Charlotte,
NC, that:

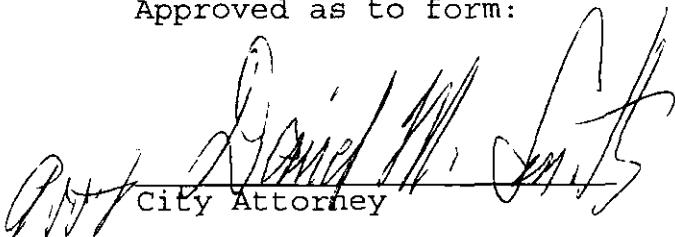
Section 1. Chapter 1 of the City Code of the City of
Charlotte shall be amended as follows:

1. Amend § 1-7, "General Penalty", by deleting subsection
(a) and substituting in lieu thereof a new subsection (a) to
read as follows:

"(a) G.S. § 14-4, 'Violation of local
ordinances misdemeanor', makes the violation
of any ordinance of a City Code a Class 3
misdemeanor. Pursuant to G.S. § 14-4, if any
person shall violate any provision of this
City Code, to which no specific fine is
affixed, then the maximum fine, for anyone
guilty of a criminal misdemeanor, is
expressly stated to be one thousand dollars
(\$1,000.00)."

Section 2. This ordinance shall become effective January
1, 1995.

Approved as to form:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North
Carolina, in regular session convened on the 12th day of December, 1994, the reference having
been made in Minute Book 106, and is recorded in full in Ordinance Book 46, at
page(s) 127.

Brenda R. Freeze
City Clerk

APPROVED BY CITY COUNCIL
DATE December 12, 1994

CITY CD

Petition No. 94-45
Rumple Associates

ORDINANCE NO. 194-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 112.5 acres located on the north side of Rumple Road north of Ridgeview Drive; and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 6.201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements as specified in Section 6.202 and 6.204, and was recommended for approval by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on May 16, 1994; and

WHEREAS, in the passage of this ordinance the City Council of the City of Charlotte has considered the promotion of the health, safety, general welfare, and public interest of the community, and the requirements in Section 6.204.

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

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-3 to R-4(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

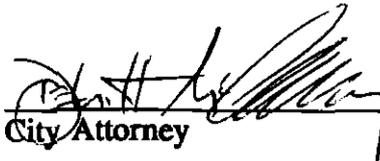
SEE ATTACHED

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

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

-continued-

APPROVED AS TO FORM:



City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of December, 1994, the reference having been made in Minute Book 106, and is recorded in full in Ordinance Book 46 at page 128-130A.



City Clerk

Petition #: 94-45

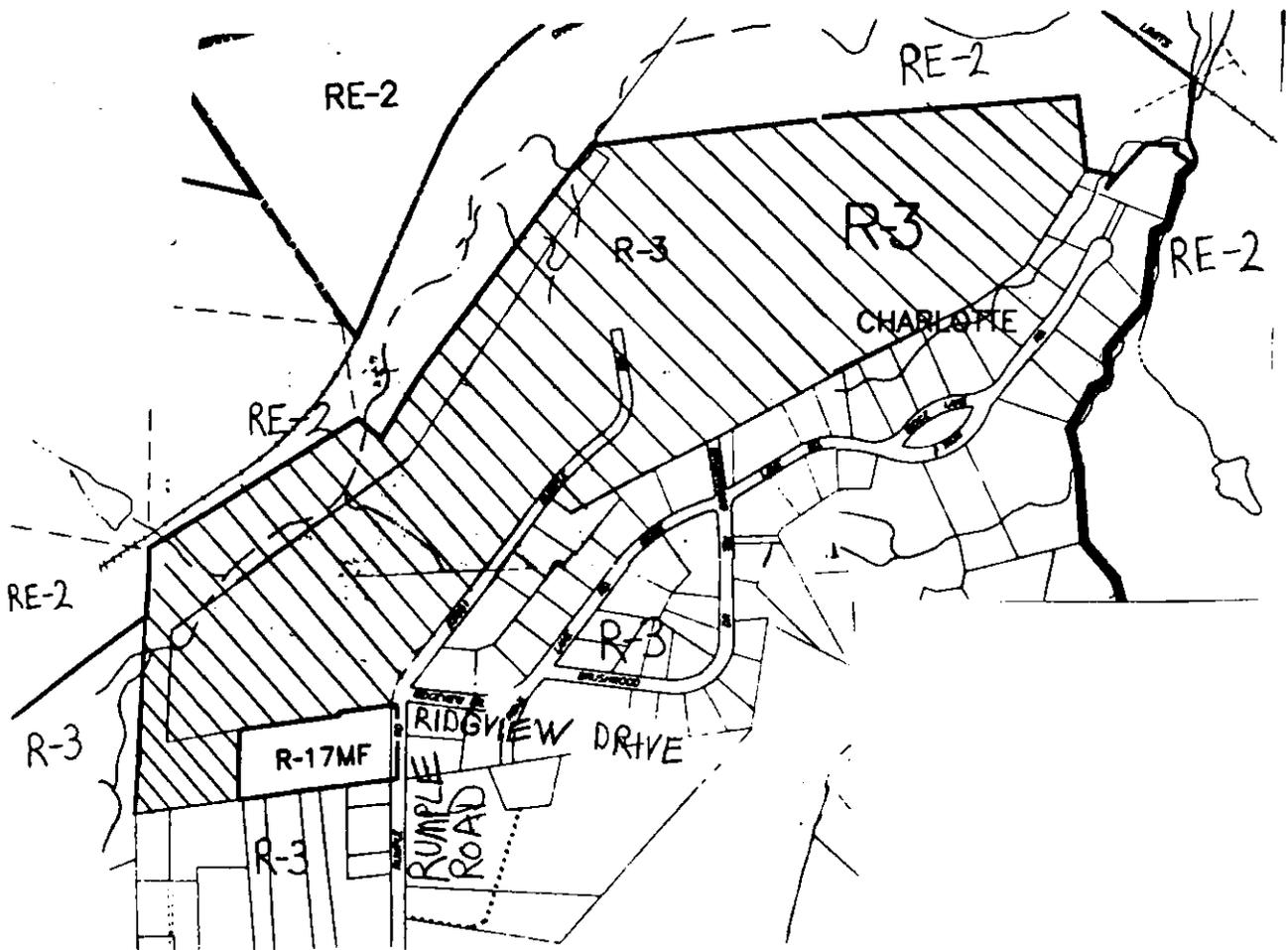
Petitioner: Rumple Associates

Hearing Date: May 16, 1994

Zoning Classification (Existing): R-3

Zoning Classification (Requested): R-4 (C)

Location: Approximately 112.538 acres located on the north side of Rumple Road north of Ridgview Drive.



Zoning Map #(s): 58,59 and 70

Not to Scale

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No. 94-45
Date Filed February 28, 1994
Received By T. Davis
OFFICE USE ONLY

Ownership Information

Property Owner Robinson Properties
Owner's Address 409 E. Trade Street, Charlotte, NC 28202, Attn: Mr. Davis Robinson
Date Property Acquired December, 1972
Tax Parcel Number 047-064-02 & 047-064-03

Location of Property (address or description) Northernmost end of Rumple Road

Description of Property

Size (Sq. Ft.-Acres) 112.538 Ac. Street Frontage (ft.) 1950' - NW side of Rumple
800' - SE side of Rumple
Current Land Use Undeveloped

Zoning Request

Existing Zoning R-3 Requested Zoning R-4
Purpose of Zoning Change Construction of single family housing

ColeJenest/Brian C. Jenest, ASLA, Partner
Name of Agent
119 E. 7th Street, Ste. 2C, Charlotte, NC 28202
Agent's Address
704/376-1555
Telephone Number

Rumple Associates
Name of Petitioner(s)
1318 Central Ave., Charlotte, NC 28205
Address of Petitioner(s)
704/375-8515
Telephone Number

[Signature]
Signature
[Signature]
Signature of Property Owner
if Other Than Petitioner

94-25

LEGAL DESCRIPTION

BEGINNING AT AN EXISTING IRON PIN IN THE WESTERLY MARGIN OF RUMPLE ROAD, THE SOUTHEAST CORNER OF THAT CERTAIN TRACT CONVEYED TO ROBINSON AND WATERS REALTY CO. BY DEED RECORDED IN DEED BOOK 3079 AT PAGE 263 IN THE OFFICE OF THE REGISTER OF DEEDS FOR MECKLENBURG COUNTY, AND RUNS THENCE WITH THE WESTERLY MARGIN OF SAID RUMPLE ROAD N. 03 02' 00" E 310.00 FEET TO AN IRON STAKE; THENCE S. 86 08' 19"W 295.00 FEET TO AN IRON STAKE THENCE N. 03 51' 41" W 10.00 FEET TO AN IRON STAKE, THENCE S. 86 08' 19" W 225.00 FEET THENCE S. 03 51' 41" E 10.00 FEET TO AN IRON STAKE; THENCE S. 86 08' 19" W 180.00 FEET TO AN IRON STAKE; THENCE S. 03 02' 00" W 310.00 FEET TO AN IRON STAKE IN THE LINE OF WALLACE S. YOUNG; THENCE S. 86 08' 19" W 457.38 FEET TO AN EXISTING IRON STAKE; THENCE N. 6 11' 36" E 1138.47 FEET TO A CONCRETE MONUMENT, THE SOUTHWEST CORNER OF IBM CORP. PROPERTY RECORDED IN DEED BOOK 3225 AT PAGE 265 IN THE MECKLENBURG COUNTY REGISTRY; THENCE WITH THE IBM LINE N. 60 54' 22" E 1080.30 FEET TO AN EXISTING IRON PIN CORNER OF SOLECTRON TECHNOLOGY, INC. PROPERTY, RECORDED IN DEED BOOK 7273 AT PAGE 0576 IN THE MECKLENBURG COUNTY REGISTRY; THENCE WITH THE LINE OF SOLECTRON TECHNOLOGY, INC. S. 49 30' 07" E 131.00 TO AN EXISTING IRON PIN; THENCE WITH ANOTHER OF SOLECTRON TECHNOLOGY'S LINES N. 33 38' 12" E 327.68 FEET AN EXISTING IRON PIN; THENCE WITH ANOTHER LINE OF SOLECTRON TECHNOLOGY N. 39 48' 54" E 1256.98 FEET TO AN EXISTING IRON PIN, CORNER OF IBM CORP. PROPERTY; THENCE WITH THE LINE OF IBM CORP. PROPERTY, N. 84 31' 25" E 2179.25 FEET TO A CONCRETE MONUMENT; THENCE S. 05 15' 23" E 325.41 FEET TO A PINE TREE; THENCE S. 33 03' 26" W 515.16 FEET TO AN EXISTING IRON PIN IN THE LINE OF LOT 11, IN BLOCK 5 OF RIDGEVIEW HOMES AS SHOWN ON PLAT RECORDED IN MAP BOOK 8 AT PAGE 107 IN THE OFFICE OF THE REGISTER OF DEEDS FOR MECKLENBURG COUNTY THENCE S. 56 25' 14" W 290.91 FEET TO AN EXISTING IRON PIN, CORNER BETWEEN LOTS 9 AND 10 IN BLOCK 5 OF RIDGEVIEW HOMES AS SHOWN ON THE AFOREMENTIONED MAP; THENCE S. 63 42' 19" W 1134.72 FEET TO AN EXISTING IRON PIN; THENCE S. 63 50' 00" W 865.47 FEET TO AN EXISTING IRON PIN; THENCE N. 54 07' 30" W 137.24 FEET TO A POINT IN RUMPLE ROAD; THENCE S. 36 04' 40" W 643.20, TO A STAKE ON THE EASTERLY SIDE OF RUMPLE ROAD; THENCE S. 57 53' 50" W 393.00 FEET TO A STAKE ON THE WESTERLY SIDE OF RUMPLE ROAD; THENCE S. 03 02' 00" W 490.86 FEET TO AN EXISTING IRON PIN IN THE CENTER LINE OF RUMPLE ROAD; THENCE S. 86 08' 19" W 30.15 FEET TO THE POINT OF BEGINNING. CONTAINING 112.538 ACRES.

IBM CORP
DEED 3225 265

APPROVED BY CITY COUNCIL

DATE December 12, 1994

CITY CD.

Petition No. 94-89
Roosevelt L. Davis

ORDINANCE NO. 195-Z

City Clerk received 4/17/98

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

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of approximately 3.18 acres located on the west side of East W. T. Harris Boulevard south of Idlewild Road; and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 6.201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements as specified in Section 6.202 and 6.204, and was recommended for approval by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on October 19, 1994; and

WHEREAS, in the passage of this ordinance the City Council of the City of Charlotte has considered the promotion of the health, safety, general welfare, and public interest of the community, and the requirements in Section 6.204.

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

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-9MF(CD) and R-4 with S.U.P. 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.

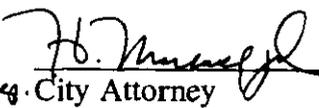
-continued-

Petition 94-89

Ordinance No. 195-Z was approved on December 12, 1994, however the revised site plan was not available for delivery to the City Clerk's Office until April 17, 1998. There had been a problem with the site plan. Evidently, the site plan was never amended according to approval and there was a matter of non-payment with the parties involved and the work was never completed. The issue was not pursued by Planning until recently.

Lynne A. Clem
Records Clerk
City Clerk's Office
April 17, 1998

APPROVED AS TO FORM:


Sr. Asst. City Attorney

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 12th day of December, 1994, the reference having been made in Minute Book 106, and recorded in full in Ordinance Book 46, Page(s) 131-133B.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of December, 1994


Brenda R. Freeze, City Clerk

Petition #: 94-89

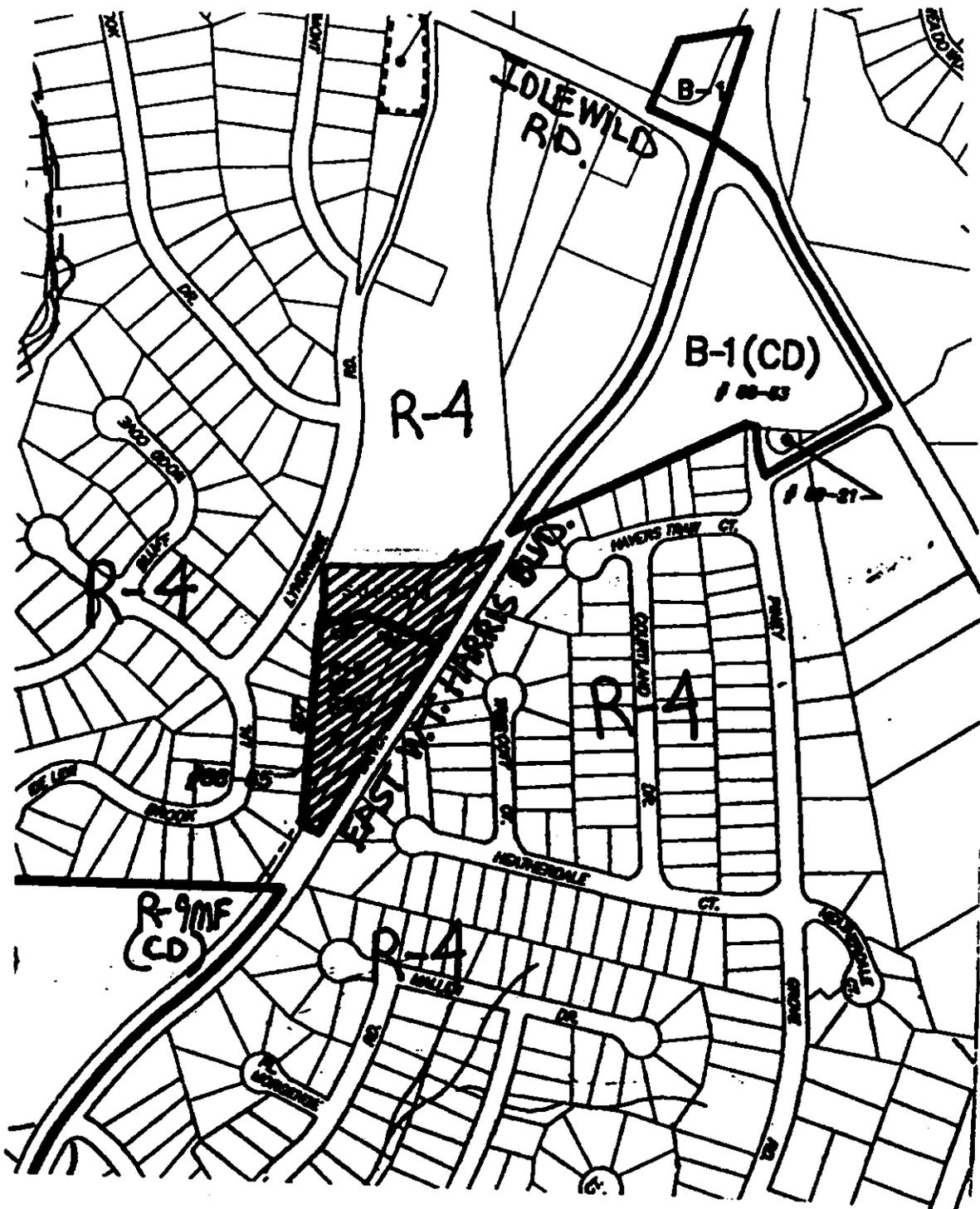
Petitioners: Roosevelt L. Davis

Hearing Date: October 19, 1994

Zoning Classification (Existing): R-9MF(CD) and R-4 with S.U.P.

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

Location: Approximately 3.18 acres located on the west side of East W.T. Harris Boulevard south of Idlewild Road.



Zoning Map #(s): 122

Scale: 1" = 400'

Roosevelt L. Davis
Petition 94-89

Tax #165-061-06

The following metes and bounds description taken in entirety from site plan prepared by Gifford Nielson Associates, Inc., and dated July 1, 1988. Conveyance to present owner is recorded at Deed Book 6163 Page 890 of the Mecklenburg Registry.

Beginning at a point at the southeasternmost corner of lands owned now or formerly by Coleman R. Williams and the western margin of East W. T. Harris Blvd., and thence running with said road South 32 degrees 08 minutes 42 seconds West 1035.77 feet to a point in aforesaid road and an eastern corner in the lands of Harry Grimmer & Co., Inc., as found at Deed Book 5388 Page 658 of the Mecklenburg Registry; thence running with the common line of the Harry Grimmer & Co., Inc. property North 04 degrees 54 minutes 31 seconds East 821.41 feet to the southwesternmost point of the Coleman R. Williams property; thence running the following two courses: North 88 degrees 39 minutes 28 seconds East 295.11 feet; and North 67 degrees 28 minutes 14 seconds East 129.99 feet to the beginning, and containing 3.18 acres, more or less.

Petition No. 94-89
Roosevelt L. Davis

- PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to Roosevelt L. Davis and successors-in-interest of the property described as tax parcel 165-061-06 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.

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