

CITY CD

Petition No.98-42
Ms. Pat Pollard, 2112 East 7th Street,
LLC

ORDINANCE NO. 1168-Z

APPROVED BY CITY COUNCIL

DATE December 21, 1998

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

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of approximately 0.4 acres located on the south side of East 7th Street between Clarice Avenue and Ridgeway Avenue.

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

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on November 16, 1998; and

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

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

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-22MF to NS on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

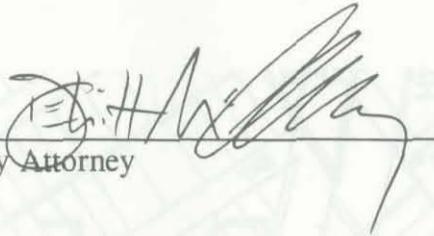
SEE ATTACHED

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

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

-continued-

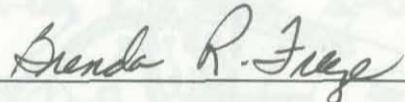
APPROVED AS TO FORM:



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 21st day of December, 1998, the reference having been made in Minute Book 113, and recorded in full in Ordinance Book 49, Page(s) 126-128B.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 5th day of February, 1999.



Brenda R. Freeze, CMC, City Clerk

Petition #: 98-42

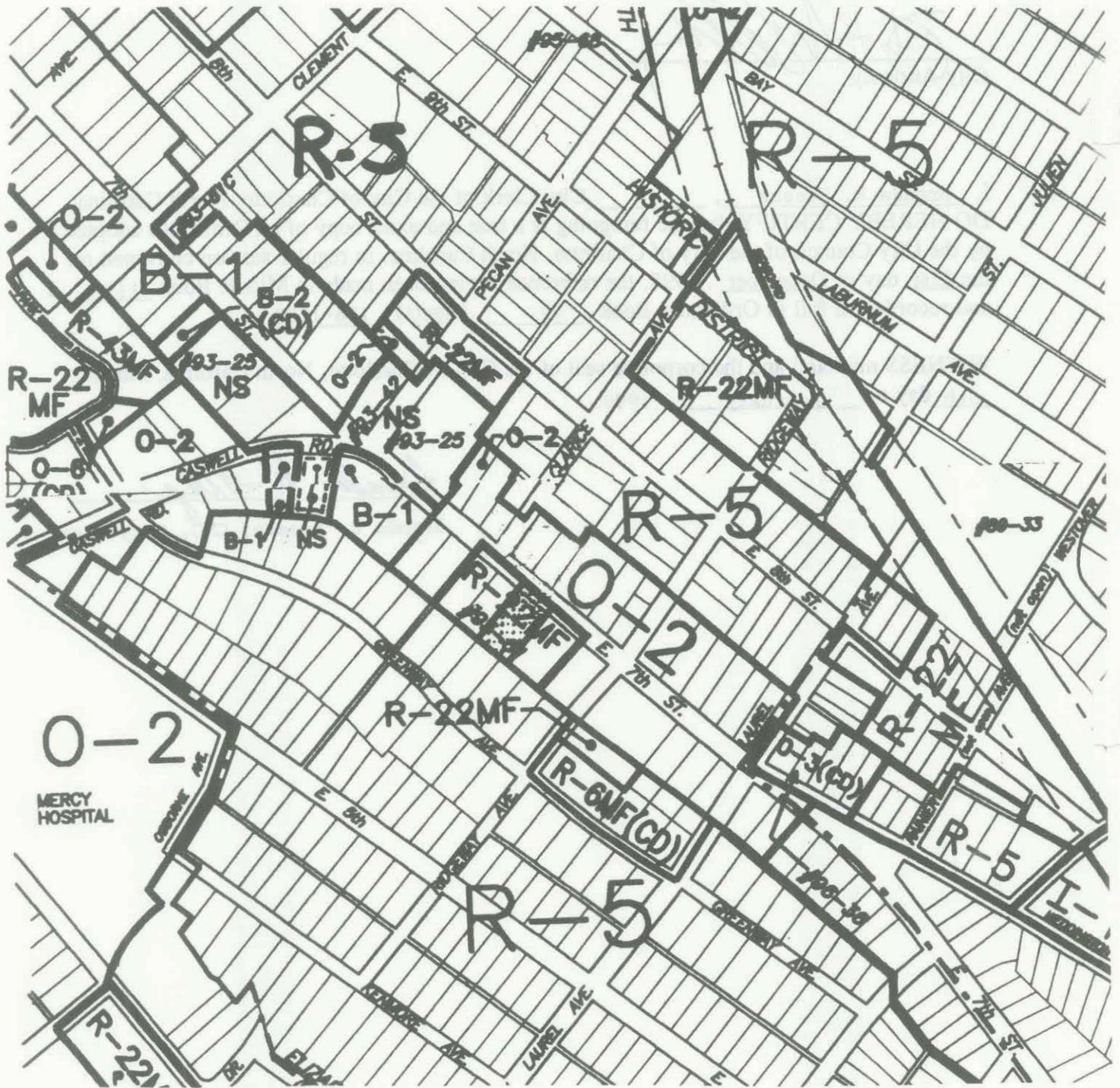
Petitioner: 2112 East 7th Street, LLC

Hearing Date: May 18, 1998

Zoning Classification (Existing): R-22MF

Zoning Classification (Requested): NS

Location: Approximately 0.4 acres located on the south side of East 7th Street between Clarice Avenue and Ridgeway Avenue.



Zoning Map #(s): 112 & (101)

Scale: 1" = 400'

Petition No. 98-42
Pat Pollard, 2112 East 7th Street, LLC

PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to Pat Pollard, 2112 East 7th Street, LLC and successors-in-interest of the property described as tax parcels 127-046-29 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 NS 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.

December 21, 1998
Ordinance Book 49, Page 128B

98-42

EXHIBIT "A"

Legal Description

BEING all of Lot 13 and a part of Lot 14 in Block 1 of ROSEMONT, as shown on map thereof, recorded in Map Book 332, Page 230, Mecklenburg County Public Registry, and being more particularly described as follows:

BEGINNING at an old iron located in the southwesterly margin of the 60' right-of-way of East 7th Street, the common front or northeasterly corner of Lots 12 and 13 in Block 1 of ROSEMONT, as shown on the above map; thence with said southwesterly margin of East 7th Street S. 49-04-00 E. 100.0 feet to a nail in an asphalt drive, a common corner with the property of Carson Insurance Agency, Inc. (Book 4167, Page 364, Mecklenburg County Public Registry); thence with the northwesterly line of the Carson property, S. 40-49-26 W. (passing an iron line at 170.08 feet) a total distance of 174.94 feet to an iron; thence N. 49-04-00 W. 99.98 feet to an iron, the common rear corner of Lots 12 and 13 in said Block 1; thence with the common line between said Lots 12 and 13, N. 40-49-00 E. 174.94 feet to the point of Beginning, as shown on a survey prepared by James P. Cameron, N.C.R.L.S., dated September 23, 1997.

State of North Carolina, County of Mecklenburg

The foregoing certificate(s) of

Paul H. Efird, III

Notary(ics) Public is/are certified to be correct.

This 8th day of

December, 19 97.

JUDITH A. GIBSON, REGISTER OF DEEDS

By:

Mary A. P. [Signature]

Deputy Register of Deeds
RD101

611000 005600

APPROVED BY CITY COUNCIL

DATE December 21, 1998

CITY CD

Petition No.98-89
719, LLC (Maura Leahy-Tucker)

ORDINANCE NO. 1169-Z

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

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of approximately 7.3 acres located on the southeast corner of Sardis Road and Boyce Road.

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

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on October 21, 1998; and

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

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

Section 1. That Section 1.104^{R-8MF} of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-3 to ~~INST~~(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

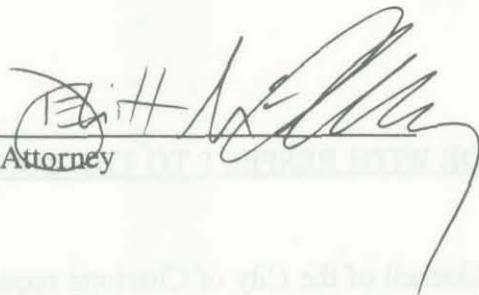
SEE ATTACHED

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

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

-continued-

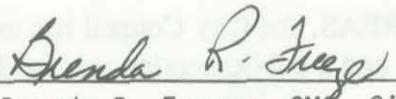
APPROVED AS TO FORM:



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 21st day of December, 1998, the reference having been made in Minute Book 113, and recorded in full in Ordinance Book 49, Page(s) 129-131A.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 5th day of February, 1999.



Brenda R. Freeze, CMC, City Clerk

Petition #: 98-89

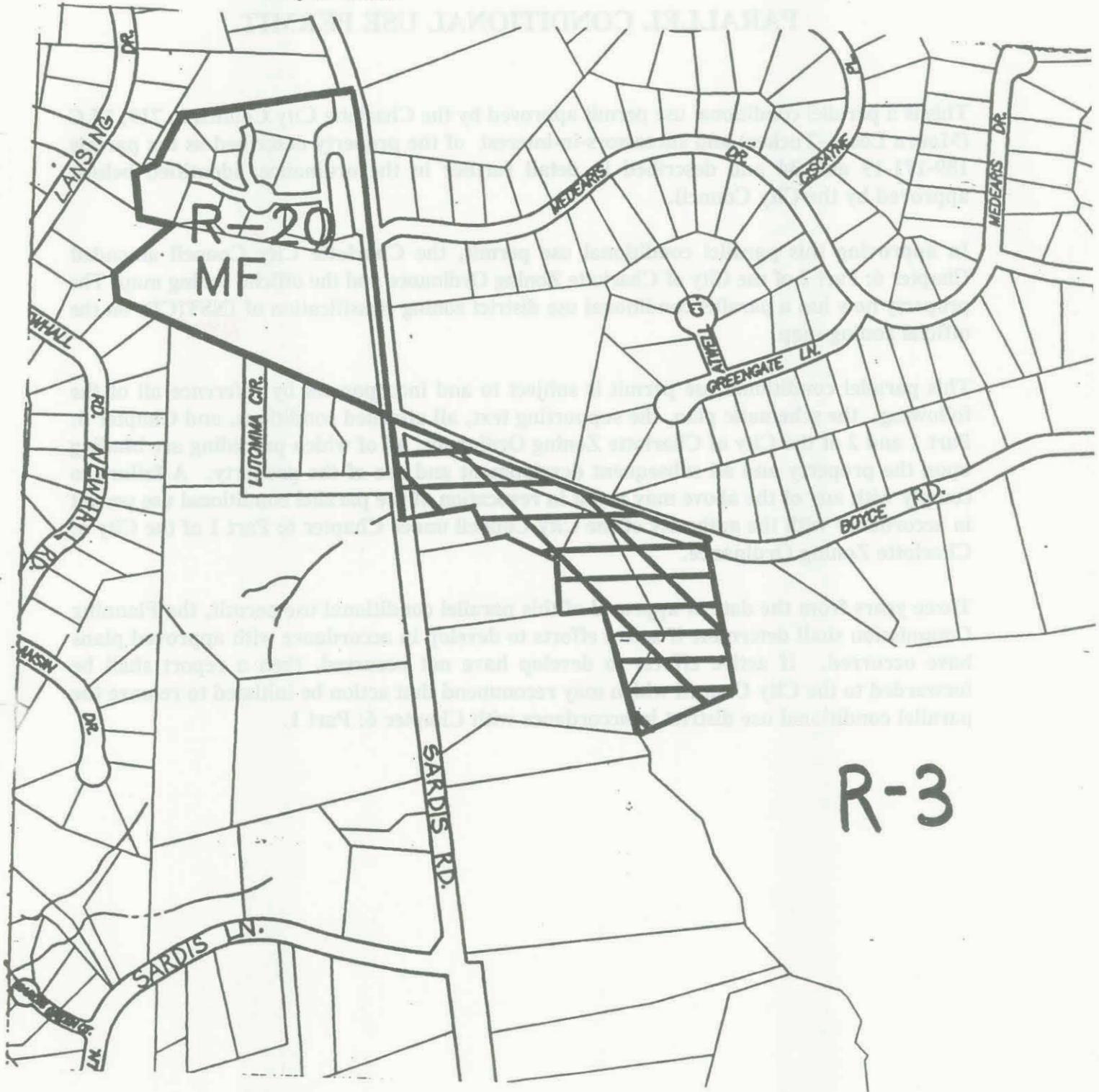
Petitioner: 719, LLC (Maura Leahy-Tucker)

Hearing Date: October 21, 1998

Zoning Classification (Existing): R-3

Zoning Classification (Requested): ~~R-3~~ R-BMF(CD)

Location: Approximately 7.3 acres located on the southeast corner of Sardis Road and Boyce Road.



Zoning Map #(s): 137 & 145

Scale: 1" = 400'

Petition No. 98-89
719, LLC (Maura Leahy-Tucker)

PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to 719, LLC (Maura Leahy-Tucker) and successors-in-interest of the property described as tax parcels 189-171-19 and 34 and described in detail further in the ordinance, identified below, approved by the City Council.

In approving this parallel conditional use permit, the Charlotte City Council amended Chapter 6: Part 2 of the City of Charlotte Zoning Ordinance and the official zoning map. The property now has a parallel conditional use district zoning classification of INST(CD) on the official zoning map. R-8MF

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

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

APPROVED BY CITY COUNCIL

CITY CD DATE December 21, 1998

Petition No. 98-90
Diamond Oak Development, Inc.

ORDINANCE NO. 1170-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 18.4 acres located on the east side of Kilborne Drive and north of Downing Street.

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

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on October 21, 1998; and

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

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

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-4 to R-5(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

SEE ATTACHED

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

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

-continued-

Petition #: 98-90

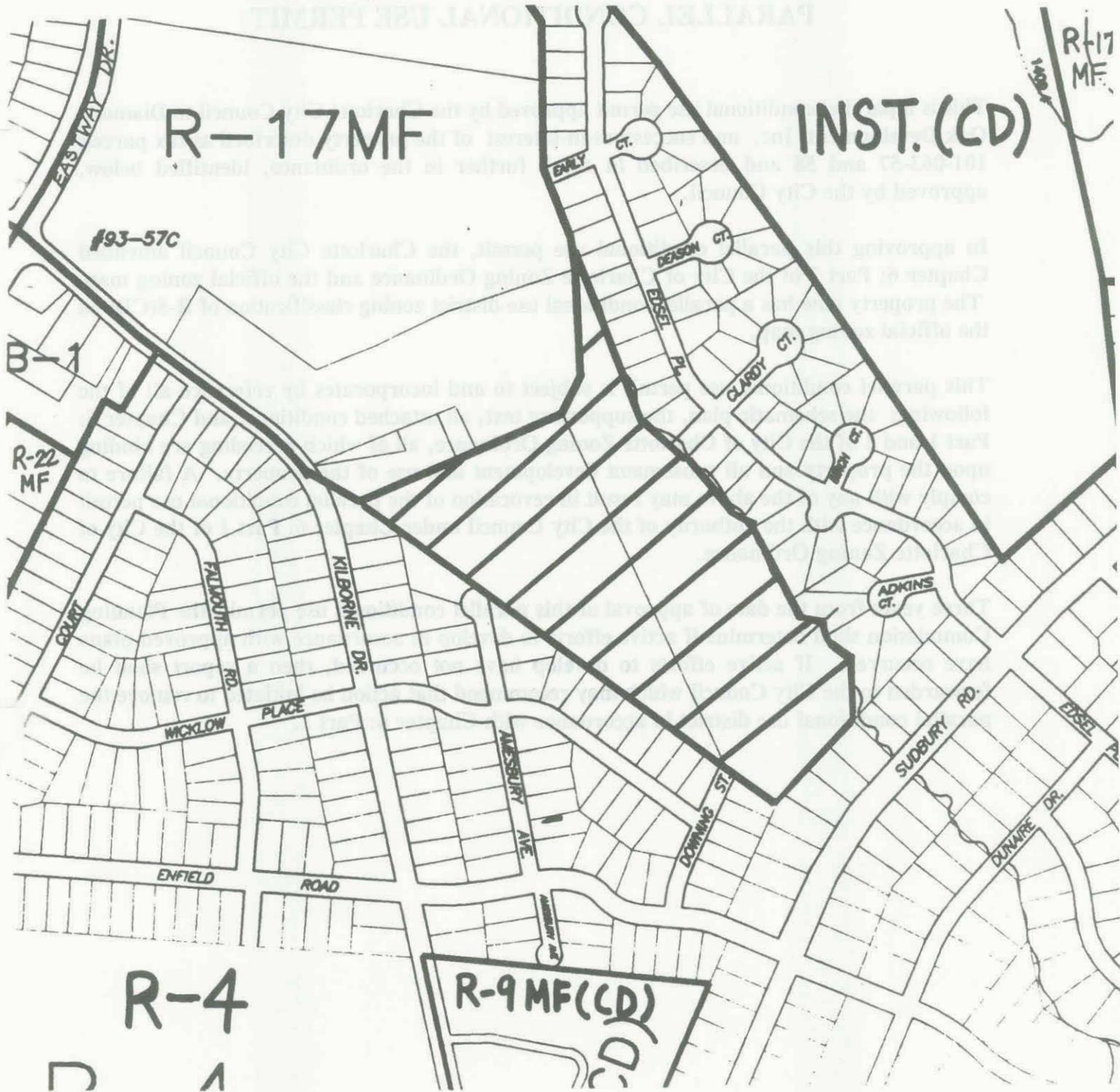
Petitioner: Diamond Oak Development, Inc.

Hearing Date: October 21, 1998

Zoning Classification (Existing): R-4

Zoning Classification (Requested): R-5 (CD)

Location: Approximately 18.4 acres located on the east side of Kilborne Drive and north of Downing Street.



Zoning Map #(s): 100

Scale: 1" = 400'

Petition No. 98-90
Diamond Oak Development, Inc.

PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to Diamond Oak Development, Inc. and successors-in-interest of the property described as tax parcels 101-063-57 and 58 and described in detail further in the ordinance, identified below, approved by the City Council.

In approving this parallel conditional use permit, the Charlotte City Council amended Chapter 6: Part 2 of the City of Charlotte Zoning Ordinance and the official zoning map.

The property now has a parallel conditional use district zoning classification of R-5(CD) on the official zoning map.

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

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

APPROVED BY CITY COUNCIL
DATE December 24, 1998

CITY CD

Petition No.98-97
Childress Klein Properties, Inc.

ORDINANCE NO. 1171-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 2.8 acres located on the northwest corner of South Boulevard and West Park Avenue.

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

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on October 21, 1998; and

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

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

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from B-1 and I-2 to MUDD(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 BY CITY COUNCIL
DATE December 21, 1998

APPROVED AS TO FORM:

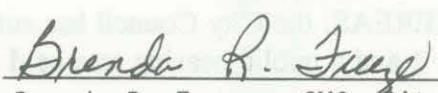


City Attorney

ORDINANCE NO. 1371-3

I, Brenda R. Freeze, _____ City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 21st day of December, 1998, the reference having been made in Minute Book 113, and recorded in full in Ordinance Book 49, Page(s) 135-137B.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 5th day of February, 1999.



Brenda R. Freeze, CMC, City Clerk

SEE ATTACHED

-continued-

Petition No. 98-97
Childress Klein Properties, Inc.

PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to Childress Klein Properties, Inc. and successors-in-interest of the property described as tax parcels 123-041-14, 15, 16, 17, 18, 19 21, and 123-041-23 and described in detail further in the ordinance, identified below, approved by the City Council.

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

98-97

Property Description

South Boulevard/East Park Avenue Site

Beginning at a point at the northerly corner of the intersection of South Boulevard and East Park Avenue, and thence **N50 0' 08"W along the right-of way of East Park Avenue** for a distance of approximately **446.83'** to a point, said point being the centerline of the Southern Railroad right-of-way, and thence **N45 04' 51"E** following the centerline of the Southern Railroad right-of-way along an arc with a radius of **2,285.30'** for a distance of approximately **254.37'** to a point, and thence **S50 0' 0"E** for a distance of approximately **274.15'** to a point, and thence **S39 57' 47"W** for a distance of approximately **90.38'** to a point, and thence **S50 0' 0"E** for a distance of approximately **10.03'** to a point, and thence **N40 3' 16"E** for a distance of approximately **189.36'** to a point, and thence **S49 55' 7"E** for a distance of approximately **149.89'** to a point, and thence **S40 0' 0"W** for a distance of approximately **352.06'** to the point of beginning, being all of those parcels shown on the Mecklenburg County Tax Maps as lots 123-041-14,15,16,17,18,19,20,21,22,and 23.

SEE ATTACHED

CITY CD

Petition No.98-100
Flautt, Inc.

ORDINANCE NO. 1172-Z

APPROVED BY CITY COUNCIL

DATE December 21, 1998

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 11.6 acres located on the east side of U.S. 29 and south of Mallard Creek Church Road.

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

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on November 16, 1998; and

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

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

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

SEE ATTACHED

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

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

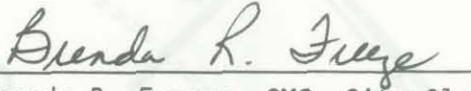
-continued-

APPROVED AS TO FORM:


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 21st day of December, 1998, the reference having been made in Minute Book 113, and recorded in full in Ordinance Book 49, Page(s) 138-140C.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 5th day of February, 1999.


Brenda R. Freeze, CMC, City Clerk

Petition #: 98-100

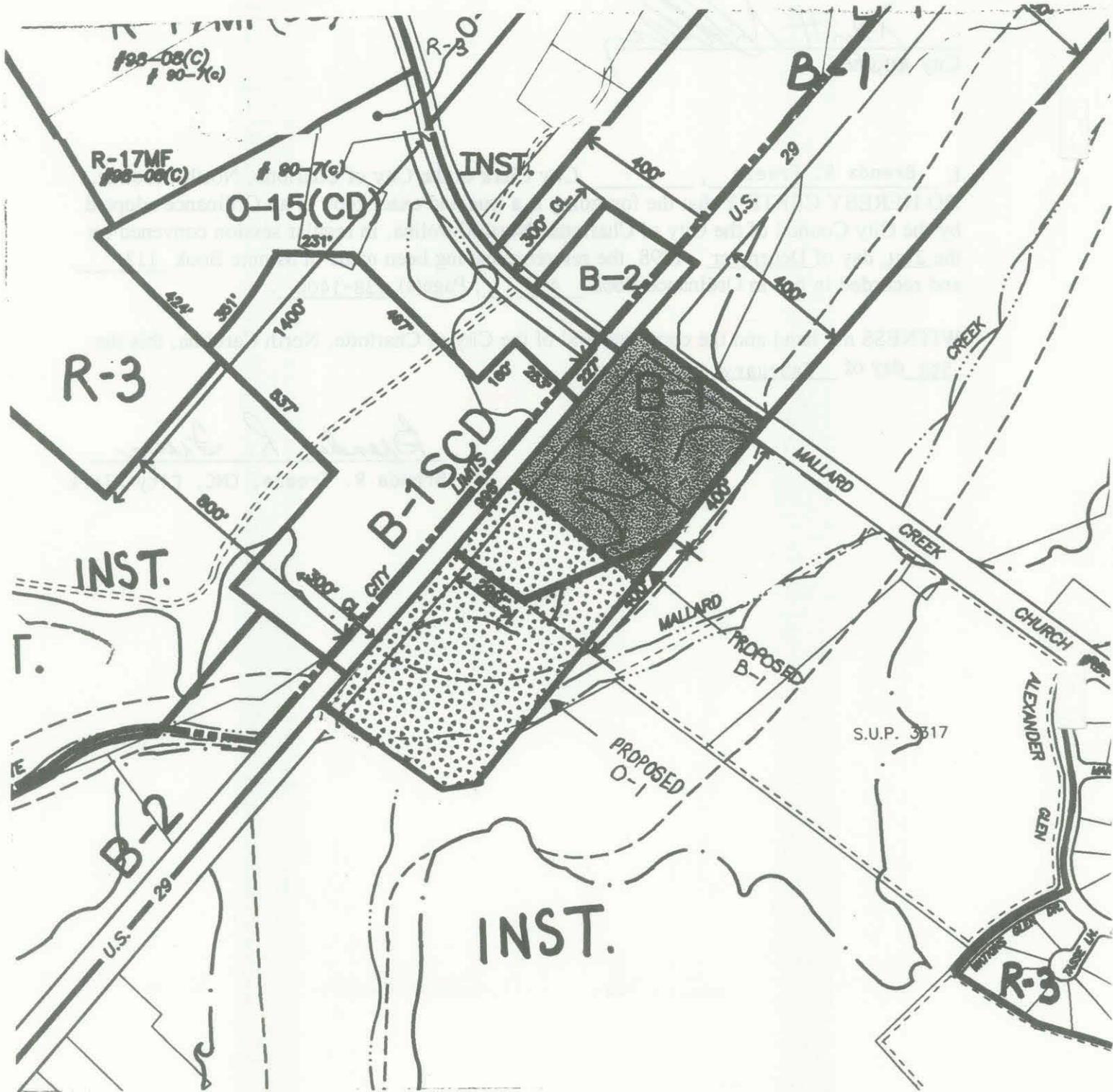
Petitioner: Flautt, Inc.

Hearing Date: ~~October 21, 1998~~ November 16, 1998

Classification (Existing): B-1 and INST

Zoning Classification (Requested): O-1^(CD) and B-1^(CD)

Location: Approximately 11.6 acres located on the east side of U.S. 29 and south of Mallard Creek Church Road.



Zoning Map #(s): 57

Scale: 1" = 400'

Petition No. 98-100
Flautt, Inc.

PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to Flautt, Inc. and successors-in-interest of the property described as tax parcel 049-311-01 and described in detail further in the ordinance, identified below, approved by the City Council.

In approving this parallel conditional use permit, the Charlotte City Council amended Chapter 6: Part 2 of the City of Charlotte Zoning Ordinance and the official zoning map. The property now has a parallel conditional use district zoning classification of O-1(CD) and B-1(CD) on the official zoning map.

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

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

*Planning
from letter
8/30/98*

P E A S E

Architecture Engineering Planning Interiors

48-100

LANDS TO BE REZONED B-1(CD)
FLAUTT, INC.

All that tract or parcel of land situate in the City of Charlotte, Mecklenburg County, North Carolina, conveyed to Lydia A. McNeary, et. al., and recorded in the Mecklenburg County Registry Office in Deed Books 3022 at page 0471, 3022 at page 0537, and 3906 at page 0569; and being more particularly described as follows:

BEGINNING at a point at the intersection of the southeast boundary of U.S. Highway 29 (North Tryon Street) and the southwest boundary of Mallard Creek Church Road; thence running along said boundary of Mallard Creek Church Road S 53-30'-41"E, a distance of 358.74 feet to a point at the common boundary line between lands of Lydia McNeary, et al. on the northwest and lands of Mecklenburg County on the southeast; running along said common boundary line S41-34'-26"W, a distance of 465.00 feet to a point; thence N48-25'-34"W, a distance of 400.00 feet to a point in the southeast boundary of U.S. Highway 29 (North Tryon Street); thence N41-34'-26"E along said boundary line, a distance of 295.68 feet to a point; thence S48-25'-34"E, a distance of 12.00 feet to a point; thence N41-34"-26"E, a distance of 110.00 feet to a point; thence N89-40"-45"E, a distance of 41.21 feet to a point, said point being the POINT OF BEGINNING; containing 4.06 acres, more or less.

new legal. received from Keith 9-30-98

P E A S E

Architecture Engineering Planning Interiors

LANDS TO BE REZONED O-1(CD)
FLAUTT, INC.

All that tract or parcel of land situate in the City of Charlotte, Mecklenburg County, North Carolina, conveyed to Lydia A. McNeary, et. al., and recorded in the Mecklenburg County Registry Office in Deed Books 3022 at page 0471, 3022 at page 0537, and 3906 at page 0569; and being more particularly described as follows:

BEGINNING at a point in the common boundary line between said lands of Lydia McNeary, et al., on the northwest, and lands of Mecklenburg County, on the southeast, said point being located 465.00 feet southwest of the southwest boundary line of Mallard Creek Church Road; running thence southwesterly along said common boundary line S41°-34'-26"W, a distance of 590.00 feet to a point in the centerline of Mallard Creek and being the common boundary between lands owned by the State of North Carolina, on the south, and said lands of McNeary et. al, on the north; thence in a westerly direction along the centerline of Mallard Creek the following two (2) courses;

1. S69°-09'-00"W, a distance of 176.61 feet;
2. N86°-13'-00"W, a distance of 402.71 feet to a point located in the aforementioned southeasterly highway boundary of U.S. Highway 29;

thence northeasterly along said highway boundary N41°-34'-26"E, a distance of 993.32 feet to a point; Thence S 48°-25'-34"E, a distance of 400.00 feet to a point in the common boundary between said lands of Lydia McNeary and Mecklenburg County, said point being the POINT OF BEGINNING; containing 7.61 acres, more or less.

[Handwritten signature]

James B. Pease, Inc. City Clerk

CITY ZONE CHANGE

APPROVED BY CITY COUNCIL

DATE December 21, 1998

Petition No. 98-102
James G. Gerrard, Thomas M. Gerrard and
Mary Anne G. Pittmon

ZONING REGULATIONS

ORDINANCE NO. 1173-Z

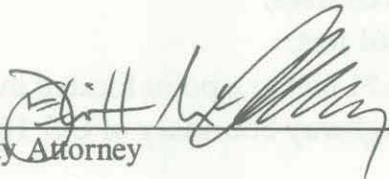
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing the property identified as approximately 1.2 acres located on the northeast corner of Johnson Street and Seaboard Street (tax parcel 078-424-01) from I-1 to I-2 on the Official Zoning Map, City of Charlotte, N.C.

SEE ATTACHED MAP

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

APPROVED AS TO FORM:



City Attorney

I, Brenda R. Freeze, _____ City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 21st day of December, 1998, the reference having been made in Minute Book 113, and recorded in full in Ordinance Book 49, Page(s) 141-143B.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 5th day of February, 1998.



Brenda R. Freeze, CMC, City Clerk

Petition #: 98-102

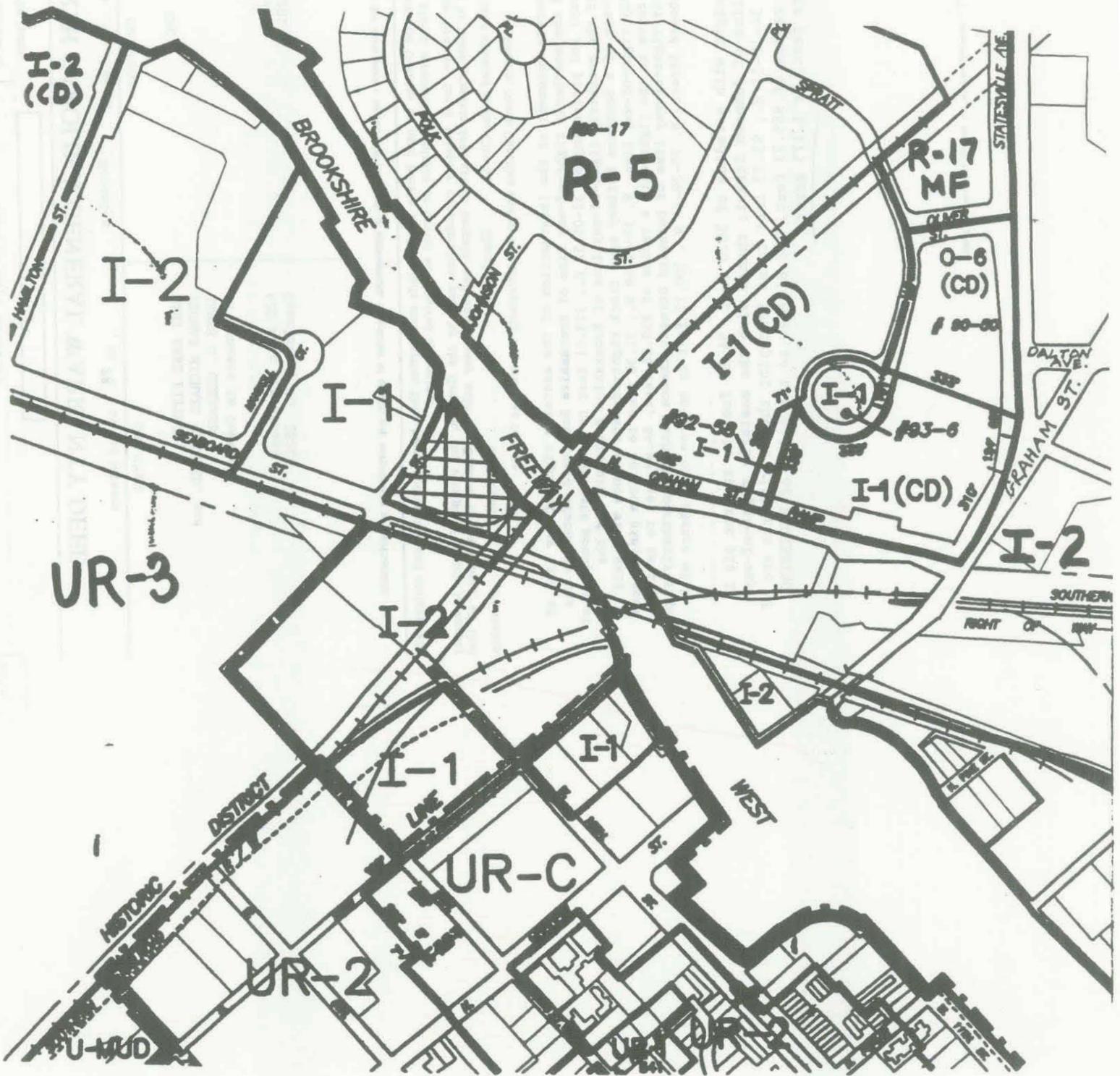
Petitioner: James G. Gerrard, Thomas M. Gerrard, and Mary Anne G. Pittmon

Hearing Date: November 16, 1998

Classification (Existing): I-1

Zoning Classification (Requested): I-2

Location: Approximately 1.18 acres located on the northeast corner of Johnson Street and Seaboard Street.



Zoning Map #(s): 88

Scale: 1" = 400'

This instrument was prepared by

John F. Ray, Attorney

Brief description for the Index

[Empty box for brief description]

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 7 day of November, 19 88, by and between

GRANTOR

GRANTEE

GERRARD TIRE CO., INC.

MARY ANNE PITTMON,
THOMAS MICHAEL GERRARD, and
JAMES G. GERRARD
As Tenants in Common

420 West 6th Street
Charlotte, NC 28202

420 West 6th Street
Charlotte, NC 28202

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of Charlotte, Charlotte Township, Mecklenburg County, North Carolina and more particularly described as follows:

BEGINNING at a concrete monument at the intersection of the easterly right-of-way line of Johnson Street and the southerly right-of-way line of Brookshire Boulevard (formerly the Northwest Expressway) and proceeding S. 32-05-52 E., 318.41 feet to a concrete monument at the intersection of the southerly right-of-way line of Brookshire Boulevard and the northerly right-of-way of a Southern Railway spur track right-of-way; thence with said spur track northerly right-of-way line, S. 37-41-49 W., 31.30 feet to an iron pin; thence with the arc of a curve to the right with a radius of 339.26 feet, 84.49 feet to an iron pin in the northerly right-of-way line of Seaboard Street; thence with the northerly right-of-way line of Seaboard Street, N. 70-29-11 W., 200.12 feet to an iron pin; thence with

the arc of a curve to the right with a radius of 30.0 feet, 54.80 feet to an iron pin in the easterly right-of-way line of Johnson Street; thence with the easterly right-of-way line of Johnson Street, N. 34-10-51 E., 93.73 feet to an iron pin; thence with the arc of a curve to the left with a radius of 989.93 feet, 158.81 feet to the point of BEGINNING, and containing 51,180 square feet, or 1.175 acres.

December 21, 1998
Ordinance Book 49, Page 143

98-102

DEED BOOK PAGE
5944 0808



PRESENTED & REGISTERED
89 JAN 17 PM 1:55
REGISTRATION OF DEEDS
MECKLENBURG CO., N.C.

813

Excise Tax \$166.00

Recording Time, Book and Page

Tax Lot No. 078-424-01	Parcel Identifier No.	STAMPS	166.00
Verified by	County on the	FEE	19 8.00
by	day of	<>	174.00
		CASH	174.00

Mail after recording to John F. Ray, Attorney (Box 80) 9:37 #7450 000 1/17/89

This instrument was prepared by John F. Ray, Attorney

Brief description for the Index

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 7 day of November, 19 88, by and between

GRANTOR	GRANTEE
GERRARD TIRE CO., INC.	MARY ANNE PITTMON, THOMAS MICHAEL GERRARD, and JAMES G. GERRARD As Tenants in Common
420 West 6th Street Charlotte, NC 28202	420 West 6th Street Charlotte, NC 28202

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of Charlotte, Charlotte Township, Mecklenburg County, North Carolina and more particularly described as follows:

BEGINNING at a concrete monument at the intersection of the easterly right-of-way line of Johnson Street and the southerly right-of-way line of Brookshire Boulevard (formerly the Northwest Expressway) and proceeding S. 32-05-52 E., 318.41 feet to a concrete monument at the intersection of the southerly right-of-way line of Brookshire Boulevard and the northerly right-of-way of a Southern Railway spur track right-of-way; thence with said spur track northerly right-of-way line, S. 37-41-49 W., 31.30 feet to an iron pin; thence with the arc of a curve to the right with a radius of 339.26 feet, 84.49 feet to an iron pin in the northerly right-of-way line of Seaboard Street; thence with the northerly right-of-way line of Seaboard Street, N. 70-29-11 W., 200.12 feet to an iron pin; thence with

arc of a curve to the right with a radius of 30.0 feet, 54.80 feet to an iron pin in the easterly right-of-way line of Johnson Street; thence with the easterly right-of-way line of Johnson Street, N. 34-10-51 E., 93.73 feet to an iron pin; thence with the arc of a curve to the left with a radius of 989.93 feet, 158.81 feet to the point of BEGINNING, and containing 51,180 square feet, or 1.175 acres.

DEED BOOK PAGE
5944 0809

Handwritten notes: $\frac{5.00}{8.00}$ and 166.00

The property hereinabove described was acquired by Grantor by instrument recorded in Book 5706 at Page 180 in the Mecklenburg Public Registry

A map showing the above described property is recorded in Plat Book _____ page _____

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated. Title to the property hereinabove described is subject to the following exceptions:

- 1. Restrictions, reservations and easements of record.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

Gerrard Tire Co., Inc. (Corporate Name)

BY: *[Signature]* President

ATTEST: *[Signature]* Secretary (Corporate Seal)

USE BLACK INK ONLY

(SEAL) _____
(SEAL) _____
(SEAL) _____
(SEAL) _____

SEAL-STAMP

NORTH CAROLINA, _____ County.

I, a Notary Public of the County and State aforesaid, certify that _____ Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this _____ day of _____, 19____

My commission expires: _____ Notary Public



NORTH CAROLINA, Mecklenburg County.

I, a Notary Public of the County and State aforesaid, certify that Mary Anne H. Pittman, personally came before me this day and acknowledged that she is _____ Secretary of Gerrard Tire Co., Inc. a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its _____ President, sealed with its corporate seal and attested by her as its _____ Secretary. Witness my hand and official stamp or seal, this 3 day of November, 1988.

My commission expires: 10/16/89 Betsy Jill Ray Notary Public

The foregoing Certificate(s) of _____

State of North Carolina, County of Mecklenburg

The foregoing certificate(s) of Betsy Jill Ray _____

_____ on the

_____ COUNTY

a Notar(y) (ies) Public (is) (are) certified to be correct.

This 17th day of January 19 89.

Anne A. Powers, Register of Deeds

By: Amy R. Privett Deputy

APPROVED BY CITY COUNCIL

CITY CD ~~DATE~~ December 21, 1998 Petition No. 98-106

City of Charlotte (Kent Winslow) and
Charlotte Housing Authority

ORDINANCE NO. 1174-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 4.3 acres located on the east side of North Davidson Street between East Fifth Street and East Sixth Street.

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 November 16, 1998; and

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

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

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from UR-2 to MUDD on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

SEE ATTACHED

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

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

-continued-

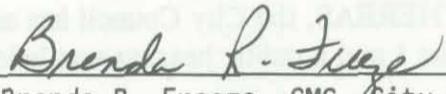
APPROVED AS TO FORM:



City Attorney

I, Brenda R. Freeze, _____ City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 21st day of December, 1998, the reference having been made in Minute Book 113, and recorded in full in Ordinance Book 49, Page(s) 144-146C.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 5th day of February, 1999.



Brenda R. Freeze, CMC, City Clerk

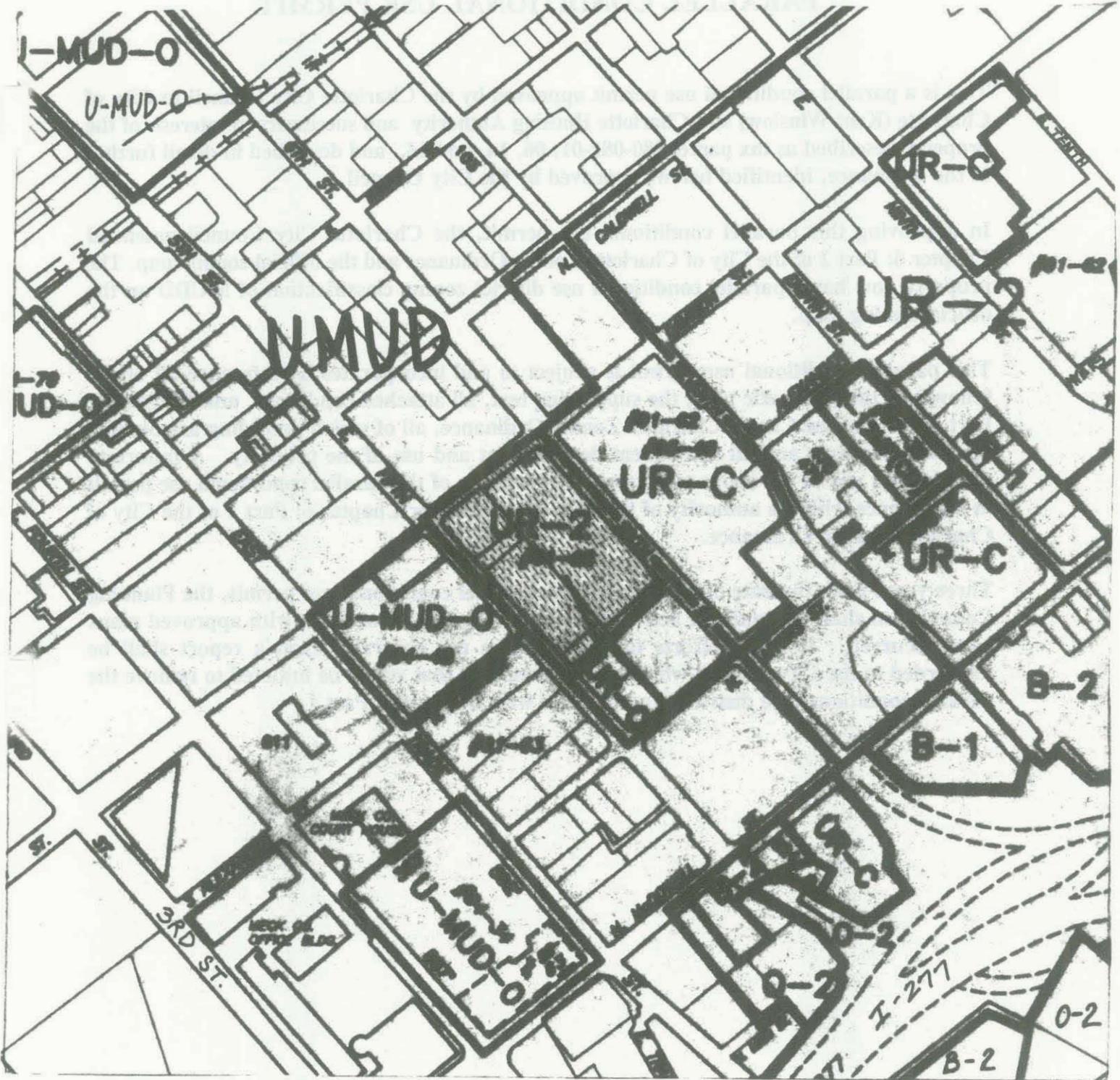
Petitioner: City of Charlotte (Kent G. Winslow), and Charlotte Housing Authority

Hearing Date: November 16, 1998

Classification (Existing): UR-2

Zoning Classification (Requested): MUDD

Location: Approximately 4 acres located on the east side of North Davidson Street between E. Fifth Street and East Sixth Street.



Zoning Map #(s): 102

Scale: 1" = 400'

Petition No. 98-106

City of Charlotte (Kent Winslow) and
Charlotte Housing Authority

PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to City of Charlotte (Kent Winslow) and Charlotte Housing Authority and successors-in-interest of the property described as tax parcel 080-082-01, 06, 14, and 15, and described in detail further in the ordinance, identified below, approved by the City Council.

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

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

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

LEGAL DESCRIPTION
Property of City of Charlotte
E. 5th St/Davidson St. to Alexander St.

98-106

Being all that portion of property located on the northerly side of East 5th Street between North Davidson Street and North Alexander Street and bounded on the northerly side by property of the Charlotte Housing Authority and more particularly described as follows: Beginning at an iron pin set on the northerly right-of-way and at the end of the radius on East 5th Street from North Davidson Street, said iron having North Carolina NAD Grid Co-ordinates of N 541,404.54 and E 1,451,514.72 and being further located N 50-45-43 E, a ground distance of 2,561.59 feet from monument MO55, having NAD Co-ordinates of N 539,784.43 and E 1,449,530.96; thence from said beginning point with a circular curve to the right having a radius of 20.00 feet, an arc length of 32.78 feet, a chord of N 3-14-27 E, 29.23 feet to an iron pin set on the southeasterly right-of-way of North Davidson Street; thence with the southeasterly right-of-way of North Davidson Street, N 50-11-39 E, 127.88 feet to an iron pin set in the line of the property of the Charlotte Housing Authority as shown on Map Book 12 Page 201 in the Mecklenburg County Register of Deeds Office; thence with the Charlotte Housing Authority property line, S 42-50-41 E, 521.25 feet to an iron pin set in the northwesterly right-of-way of North Alexander Street; thence with the northwesterly right-of-way of North Alexander Street, S 44-37-06 W, 120.52 feet to an iron pin set at the beginning of the radius to East 5th Street; thence with a circular curve to the right having a radius of 20.00 feet, an arc length of 32.00 feet, a chord of N 89-32-50 W, 28.69 feet to an iron pin set on the northerly right-of-way of East 5th Street; thence with the northerly right-of-way of East 5th Street, N 43-42-46 W, 493.47 feet to the point and place of beginning, containing 1.755 Acres, all as shown on a map prepared by the City of Charlotte Engineering Department dated March 27, 1998.

98-106
21-280-090

080-082-01, 06, 14

201-89

LEGAL DESCRIPTION
Property of Charlotte Housing Authority
East 6th Street/ Davidson St. to Alexander St.

Being all the property located on the southwesterly side of East 6th Street between North Davidson Street and North Alexander Street and on the southerly side by property of the City of Charlotte and also being shown on Map Book 12 Page 201 in the Mecklenburg County Register of Deeds Office, and more particularly described as follows: Beginning at a point formed by the intersection of the southerly right-of-way of East 6th Street and the southeasterly right-of-way of North Davidson Street and thence with the southerly right-of-way of East 6th Street, S 44- 13-00 E, 518.91 to the intersection of the northwesterly right-of-way of North Alexander Street; thence with the northwesterly right-of-way of North Alexander Street, S 43-35-00 W, 206.03 feet to a point in the line of the property of the City of Charlotte; thence with the property of the City of Charlotte, N 43-54-20 W, 538.89 feet to a point on the southeasterly right-of-way of North Davidson Street; thence with the southeasterly right-of-way of North Davidson Street, N 49-11-30 E, 203.25 feet to the point and place of beginning, all as shown on the above referenced map for the Housing Authority of the City of Charlotte, dated May 11, 1965.

The intersections of the streets described above are subject to a radius of 20.00 feet.

98-106

14, 10, 10-200-000 080-082-15

DATE December 21, 1998

CITY CD

Petition No.98-107

Sharon Towers (The Presbyterian Home
at Charlotte, Inc.)

ORDINANCE NO. 1175-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 0.55 acres located on the west side of Sharon Road at the intersection with Sharon View Road.

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

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on November 16, 1998; and

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

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

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

SEE ATTACHED

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

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

-continued-

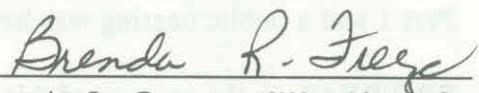
APPROVED AS TO FORM:



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 21st day of December, 1998,
the reference having been made in Minute Book 113, and recorded in full in Ordinance
Book 49, Page(s) 147-149A.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the
5th day of February, 1999.



Brenda R. Freeze, CMC, City Clerk

SEE ATTACHED

Petition #: 98-107

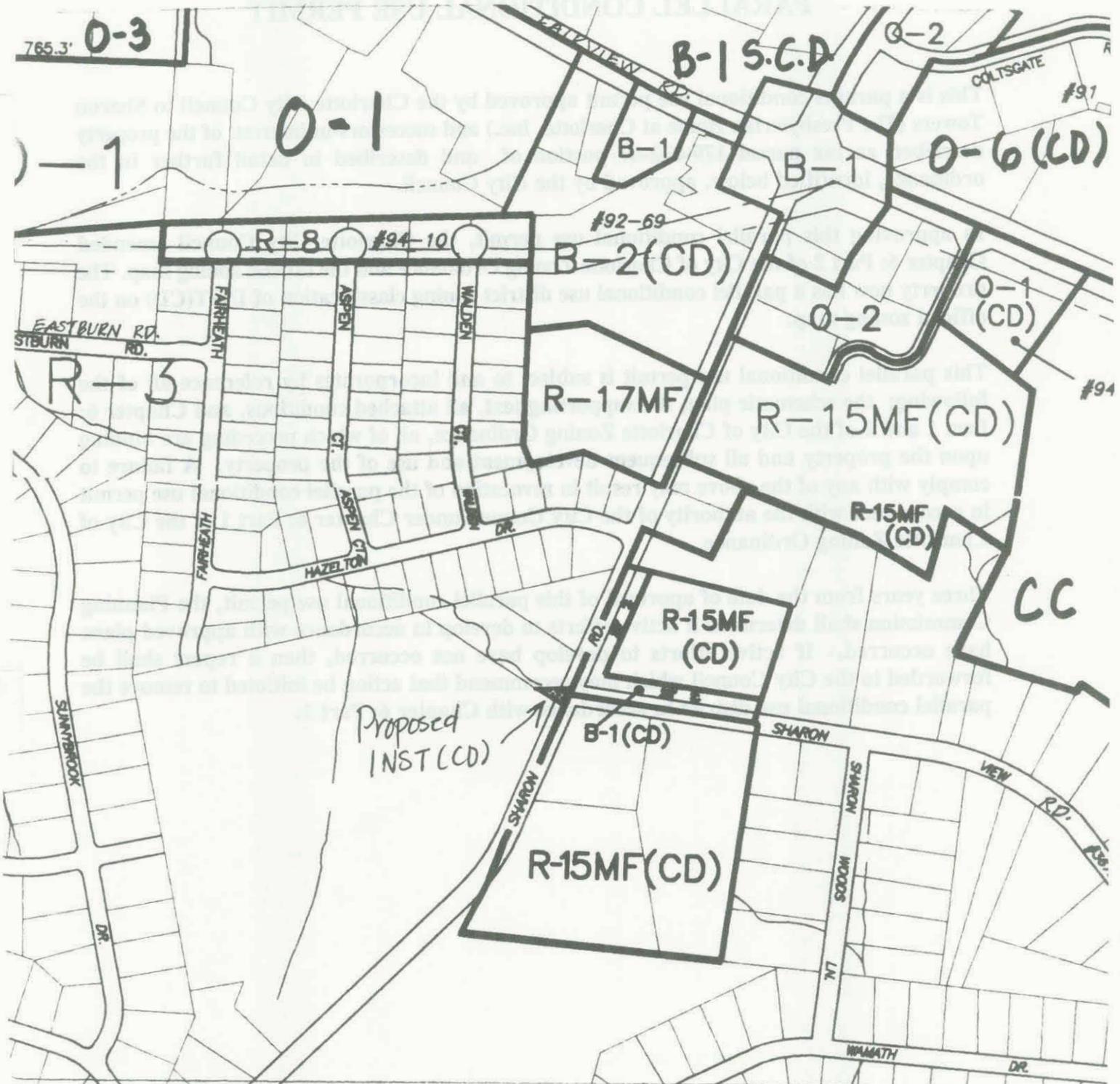
Petitioner: Sharon Towers (The Presbyterian Home at Charlotte, Inc.)

Hearing Date: November 16, 1998

Classification (Existing): R-3

Zoning Classification (Requested): INST(CD)

Location: Approximately .055 acres located on the west side of Sharon Road at the intersection with Sharon View Road.



Zoning Map #(s): 147

Scale: 1" = 400'

Petition No. 98-107
Sharon Towers (The Presbyterian Home at
Charlotte, Inc.)

PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to Sharon Towers (The Presbyterian Home at Charlotte, Inc.) and successors-in-interest of the property described as tax parcel 179-032-47 portion of and described in detail further in the ordinance, identified below, approved by the City Council.

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

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

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