

APPROVED BY CITY COUNCIL

96-66

DATE MARCH 17, 1997

5/21/96, 8/20/96, 12/10/96

ORDINANCE NO. 772

AN ORDINANCE AMENDING APPENDIX A
OF THE CITY CODE - ZONING ORDINANCE

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. Appendix A, "Zoning" of the Code of the City of Charlotte is hereby amended as follows:

1. Amend CHAPTER 2, PART 2: DEFINITIONS as follows:

A. Add the following new definitions in proper alphabetical order:

Beneficial fill site.

A beneficial fill site is operated to recontour land for the purpose of improving land use potential or for other beneficial reuse as defined by the North Carolina Solid Waste Management Rules, 15A NCAC 13B and by Chapter 130A of the North Carolina General Statutes; involves no excavation and accepts only fill material consisting of inert debris or used asphalt or a combination of inert debris and used asphalt. Provided, however, that excavation, grading and fill activity ~~which is confined within the boundaries of a parcel of property or development project and involves soil, gravel or rock originating on such property or development project;~~ shall not be considered a beneficial fill site within this definition if such activity (1) is confined within the boundaries of a parcel of property or development project and involves uncontaminated soil, gravel or rock originating on such property or development project, or (2) is conducted pursuant to a valid preliminary subdivision plan or final subdivision plat, a residential building permit, a commercial building permit, or any preliminary permit issued pursuant to a pending application for such a plan or permit, and involves only uncontaminated soil, gravel or rock.

EDITOR'S NOTE: Wording that is ~~crossed thru~~ has been deleted and that which is underlined has been added since the 8/20/96 revision.

Construction and demolition debris.

Solid waste resulting solely from construction, remodeling, repair or demolition operations on pavement, buildings or other structures; but does not include inert debris, land clearing debris or yard trash.

Construction and demolition landfill (C & D).

A facility for the land disposal of construction and demolition debris, designed to meet minimum standards of the State of North Carolina, by utilizing acceptable landfill engineering technology.

Inert debris.

Solid waste consisting solely of material that is virtually inert, that is likely to retain its physical and chemical structure under expected conditions of disposal, and that will not pose a threat to groundwater standards. Inert debris includes material such as concrete, brick, concrete block, uncontaminated soil, rock and gravel.

Land clearing debris.

Solid waste generated solely from land clearing activities such as stumps, trees, limbs, brush, grass and other naturally occurring vegetative material.

Used asphalt.

Used asphalt or used asphalt mixed with dirt, sand, gravel, rock, concrete or similar nonhazardous material.

Yard trash.

Solid waste consisting solely of vegetative material resulting from landscaping and yard maintenance such as brush, grass, tree limbs.

- B. Delete the existing definition of Demolition landfill, which reads as follows:

Demolition landfill.

A sanitary landfill that is limited to receiving stumps, limbs, leaves, concrete, brick, wood, uncontaminated earth or other solid wastes meeting the standards of the State of North Carolina. A clean fill operation which is conducted to improve or recontour land using only soil or a fill operation, as defined by N.C.G.S. 130A-294(m), which consists of used asphalt or used asphalt mixed with dirt, sand, gravel, rock, concrete or similar nonhazardous materials is not construed to be such a landfill.

and replace it with the following in proper alphabetical order;

Land clearing and inert debris landfill (LCID): off-site.

A facility for the land disposal of inert debris, land clearing debris, yard trash and untreated and unpainted wood. The facility is designed to meet minimum standards of the State of North Carolina by utilizing acceptable landfill engineering technology.

- C. Delete the existing definition of Demolition landfill - onsite, which reads as follows:

Demolition landfill-onsite.

A demolition landfill which is located within the confines of property being developed or in use, and used only for the disposal of acceptable materials which are generated on the property being developed or used as an accessory use to the development activity.

and replaced it with the following in proper alphabetical order;

Land clearing and inert debris landfill (LCID): on-site.

A facility for the land disposal of inert debris, land clearing debris, yard trash and untreated and unpainted wood. The facility is designed to meet minimum standards of the State of North Carolina by utilizing acceptable landfill engineering technology.

The facility is located within the confines of the property being developed or in use, and used only for the disposal of acceptable waste as described above, which are generated on the property being developed or used as an accessory to the development activity.

- D. Delete the existing definition of Sanitary landfill which reads as follows:

Sanitary landfill.

A solid waste disposal facility designed to meet the minimum standards of the State of North Carolina wherein refuse as defined by State standards is disposed of by utilizing acceptable landfill engineering technology.

and replace it with the following:

Sanitary landfill (Municipal Solid Waste Landfill).

A solid waste disposal facility designed to meet the minimum standards of the State of North Carolina wherein "solid waste" as defined by State standards is disposed of by utilizing acceptable landfill engineering technology.

2. Amend **CHAPTER 12, PART 4: ACCESSORY USES AND STRUCTURES** as follows:

- A. Delete in its entirety **Section 12.405. On-site demolition landfills** which reads:

Section 12.405. On-site demolition landfills.

On-site demolition landfill shall be permitted as an accessory use in any zoning district in accordance with the following requirements:

- (1) Any on-site demolition landfill site must obtain a permit from and comply with the standards of the Mecklenburg County Environmental Protection Department and the State of North Carolina.
- (2) Any such site may not be operated for more than 24 months, after which time it must be closed in an approved fashion; provided, however, operation of such site may be extended an additional 6 months if it remains in active use at the end of the 12 month period and such site is at least 300 feet from an occupied dwelling.

- (3) The location of any such site must be indicated on any required final subdivision plat. Further, any parcel or lot which contains any part of any such site must have notification of the existence and extent of the site recorded as part of the deed for the lot or parcel, even if no subdivision plan is required for development of the property.
- (4) No portion of any such site may be located within 15 feet of any exterior property lines. This includes structures, equipment storage, parking areas and fill areas, except that access drives may cross this area.
- (5) Any on-site demolition landfill site which is located in an industrial zoning district is exempted from the 24 month requirement, provided that no portion of the landfill is located within 100 feet of any adjoining residentially zoned or used property.

and replace it with the following:

Section 12.405. Land clearing and inert debris landfill (LCID): on-site.

On-site LCID landfills shall be permitted as an accessory use in any zoning district in accordance with the following requirements:

- (1) Any on-site LCID landfill must obtain approval and comply with the size, siting, operational standards and notice by recordation requirements of the State of North Carolina.
- (2) Any such site may not be operated for more than 12 months, after which time it must be closed in an approved fashion; provided, however, operation of such site may be extended an additional 6 months if it remains in active use at the end of the 12 month period and such site is at least 300 feet from an occupied dwelling.
- (3) The location of any such site must be indicated on any required final subdivision plat. Further, any parcel or lot which contains any part of any such site must have notification of the existence and extent of the site recorded as part of the deed for the lot or parcel, even if no subdivision plan is required for development of the property.
- (4) No portion of any such site may be located within 15 feet of any exterior property lines. This includes structures, equipment storage, parking areas and fill areas, except that access drives may cross this area.

- (5) Any on-site (LCID) landfill site which is located in an industrial zoning district is exempted from the 12 month requirement, provided that no portion of the landfill is located within 100 feet of any adjoining residentially zoned or used property.

B. Add a new section as follows:

Section 12.522. Beneficial fill sites.

Beneficial fill sites with an operational area (i.e. planned disposal area) of one-fourth acre or more in size are permitted in all zoning districts in accordance with the requirements listed below:

- (1) The "Operational Guidelines for Beneficial Fill Sites" approved by the Board of County Commissioners must be followed.
- (2) Any such site may not be operated for more than 12 months, after which time it must be closed in an approved fashion.
- (3) Vehicular access to the site must be paved and will be provided from any Class II, III, III-C, IV or V-C street. ~~or from any other street that is not part of a residential local or residential collector street~~ Access from any other street classification will require a variance from the Zoning Board of Adjustment. The Zoning Administrator will cause the site to be posted with a notice at least 14 calendar days prior to the hearing stating the proposed use, date of hearing and where additional information can be obtained.
- (4) The site may be operated only between the hours of 8:00 a.m. and 6:00 p.m. Monday through Saturday.
- (5) Final fill elevations must match or compliment adjacent surrounding topography. The final contours and drainage patterns of the fill area may not adversely affect adjacent properties.
- (6) No fill which includes used asphalt may be placed in any portion of a regulatory flood plain, including both the floodway and floodway fringe area.

- (7) No portion of any such site may be located within 15 feet of any exterior property lines. This includes structures, equipment storage, parking areas and fill areas, however, during closure of the site, the buffer area may be filled if necessary to match or compliment adjacent surrounding topography.
- (8) The location of any such site must be indicated on any required final subdivision plat. Further, any parcel or lot which contains any part of any such site must have notification of the existence and extent of the site recorded as part of the deed for the lot or parcel, even if no subdivision plan is required for the development of the property.
- (9) Fill activity is not exempt from and must comply with, all other applicable Federal, State, and local laws, ordinances, rules, and regulations, including, but not limited to, other zoning restrictions, flood plain restrictions, wetland restrictions, mining regulations, sedimentation and erosion control regulations.

~~Beneficial fill sites equal to or greater than one-fourth acre and which are operated for no more than 4 months do not require a zoning permit or site approval and are exempt from this section, except for condition (8), if it contains material such as concrete, concrete block, brick or used asphalt, and condition (9), above.~~

~~Beneficial fill sites of less than one-fourth acre on one parcel do not require a zoning permit or site approval and are exempt from this section, except for condition (8) (4), (5), (6), (7) and (9) above. In addition condition (8) is required, if it contains material such as concrete, concrete block, brick or used asphalt, and condition (9), above.~~

C. Amend Section 12.503. Demolition landfills as follows:

- (1) Delete the title, Demolition landfills, and replace it with, Land clearing and inert debris landfill (LCID): off-site.
- (2) Wherever the term "demolition landfill(s)" appears, delete it and replace it with, off-site LCID.

D. Add a new section as follows:

Section 12.523. Construction and demolition (C & D) landfill.

Construction and demolition (C & D) landfills are permitted in the General Industrial (I-2) district in the City of Charlotte subject to the same provisions of **Section 12.507. Sanitary landfill**, except that the minimum acreage requirement is not applicable.

3. Amend **CHAPTER 9: GENERAL DISTRICTS**, as follows:

A. Amend **PART 1: TABLE OF USES AND HIERARCHY OF DISTRICTS**, **TABLE 9.101. PERMITTED USES BY DISTRICT**,

(1) **OTHER USES:**

- (a) Change the use "Demolition landfills" to "Land clearing and inert debris landfill (LCID): off-site," and place in proper alphabetical order and insert the letters "PC" under every zoning district except the Research districts."
- (b) Add the use "Beneficial fill site" in proper alphabetical order and insert the letters "PC" under every zoning district.
- (c) Add the use "Construction and demolition (C & D) landfill" in proper alphabetical order and insert the letters "PC" in the General Industrial (I-2) district.

(2) **ACCESSORY USES AND STRUCTURES:**

Change the use "On-site demolition landfills" to "Land clearing and inert landfill (LCID): on-site," and place in proper alphabetical order.

- B. Add the use "Beneficial fill sites, subject to the regulations of Section 12.522" under Uses permitted under prescribed conditions to all districts.
- C. Add the use "Construction and demolition (C & D) landfills, subject to the regulations of Section 12.523" under Uses permitted under prescribed conditions to the General Industrial (I-2) district.

D. Uses permitted under prescribed conditions, various districts:

- (1) Wherever the use "Demolition landfills, subject to the regulations of Section 12.503" appears, delete and replace with "(RESERVED)". Add the use "Land clearing and inert debris landfills (LCID): off-site, subject to the regulations of Section 12.503" at the end of these sections in proper numerical order for all districts, except the Research districts.
- (2) Add the use "Beneficial fill sites, subject to the regulations of Section 12.522" at the end of these sections in proper numerical order for all districts.
- (3) Add the use "Construction and demolition (C & D) landfills, subject to the regulations of Section 12.523" at the end of the section in proper numerical order to the General Industrial (I-2) district.

E. Permitted accessory uses and structures, all districts:

- (1) Wherever the use "On-site demolition landfills, subject to regulations of 12.405" appears delete and replace with "(RESERVED)".
- (2) Add the use "Land clearing and inert landfill (LCID): on-site, subject to the regulations of Section 12.405" at the end of these sections in proper numerical order for all districts.

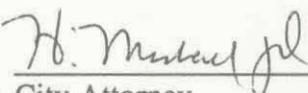
4. Amend **CHAPTER 11: CONDITIONAL DISTRICTS**, as follows:

- A. Amend **PART 2: MIXED USE DISTRICTS (MX-1, MX-2, and MX-3)**, Section 11.204(10) by replacing the use "On-site demolition landfills" with "Land clearing and inert landfills (LCID): on-site."
- B. Amend **PART 4: COMMERCIAL CENTER DISTRICT**, Section 11.404(4) by replacing the use "On-site demolition landfills" with "Land clearing and inert landfills (LCID): on-site."

March 17, 1997
Ordinance Book 47, page 817

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

Approved as to form:


Sr. Dep. City Attorney

I, _____, _____ City Clerk of the City of Charlotte, North Carolina,
DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted
by the City Council of the City of Charlotte, North Carolina, in regular session convened on
the 17 day of MARCH, 1997, the reference having been made in Minute
Book 110, and recorded in full in Ordinance Book 47, Page(s) 808-817.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the
3rd day of April, 1997.


Nancy S. Gilbert, Deputy City Clerk

Pages 818-900

not used

[Faint signature]

JAMES L. ...

March 17, 1997
Ordinance Book 47, Page 901

CITY ZONE CHANGE

Petition No. 96-89
Charlotte-Mecklenburg
Planning Commission

APPROVED BY CITY COUNCIL

DATE MARCH 17, 1997

ZONING REGULATIONS

MAP AMENDMENT NO. _____

ORDINANCE NO. 773-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 32 acres on the north side of Mount Holly Road from Stoney Ridge Road to one lot north of Pine Island Drive and from Long Creek to Mount Holly-Huntersville Road from R-17MF to R-3 on the Official Zoning Map, City of Charlotte, N.C.

SEE ATTACHED MAP

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

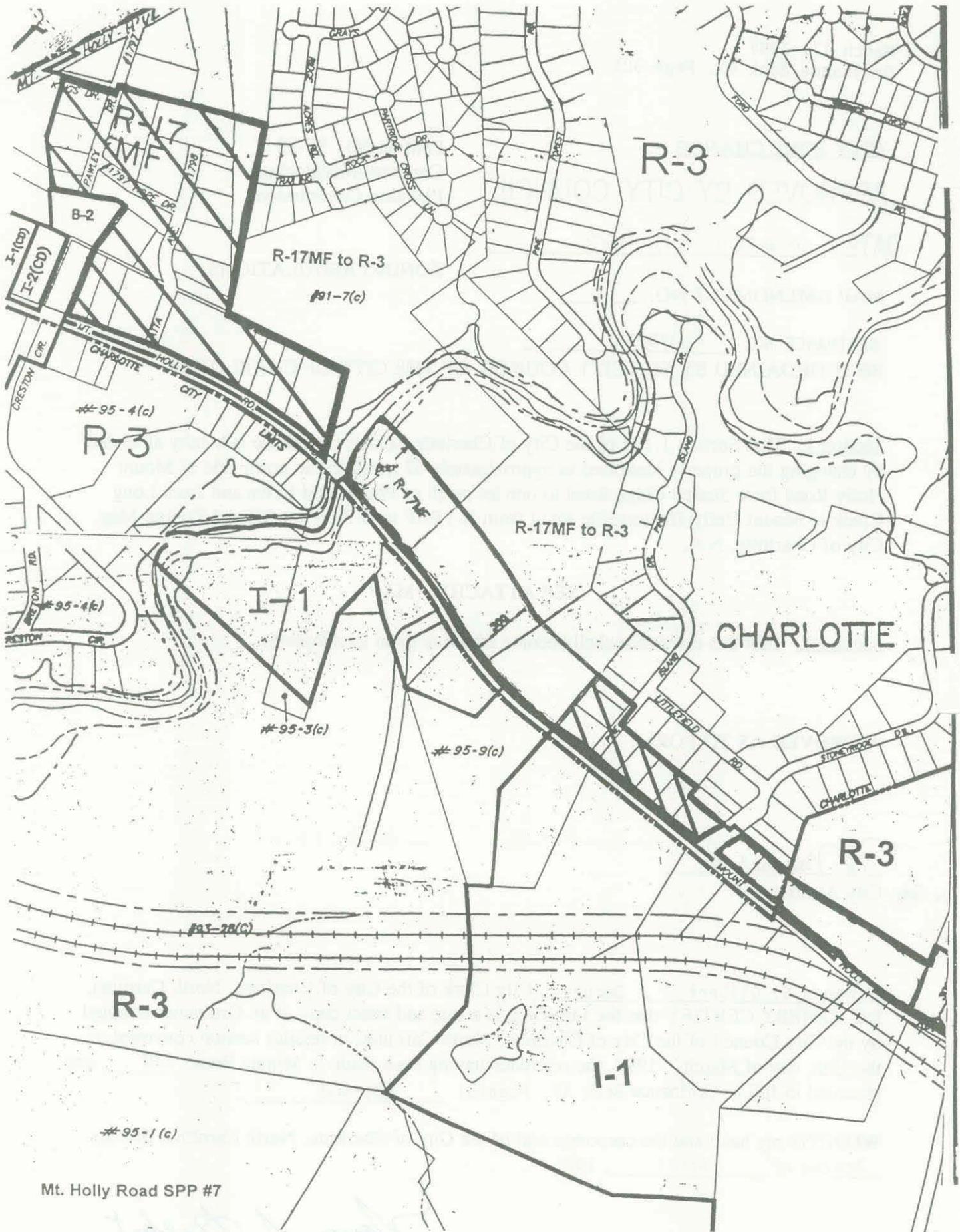
APPROVED AS TO FORM:

H. M. M. J.
Sr. Dep. City Attorney

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 17th day of March, 1997, the reference having been made in Minute Book 110 and recorded in full in Ordinance Book 47, Page(s) 901-902.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of April, 1997.

Nancy S. Gilbert
Nancy S. Gilbert, Deputy City Clerk



96-89

March 17, 1997
Ordinance Book 47, Page 903

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March 17, 1997
Ordinance Book 47, Page 904

CITY ZONE CHANGE

APPROVED BY CITY COUNCIL

DATE MARCH 17 1997

Petition No. 96-90
Charlotte-Mecklenburg
Planning Commission

ZONING REGULATIONS

MAP AMENDMENT NO. _____

ORDINANCE NO. 774-Z

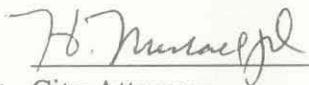
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing the property identified as approximately 49 acres bounded by Mount Holly Road and CSX Railroad right-of-way extending from east of Lee Street to Lee Drive from R-22MF to R-5 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:


Sr. Dep. City Attorney

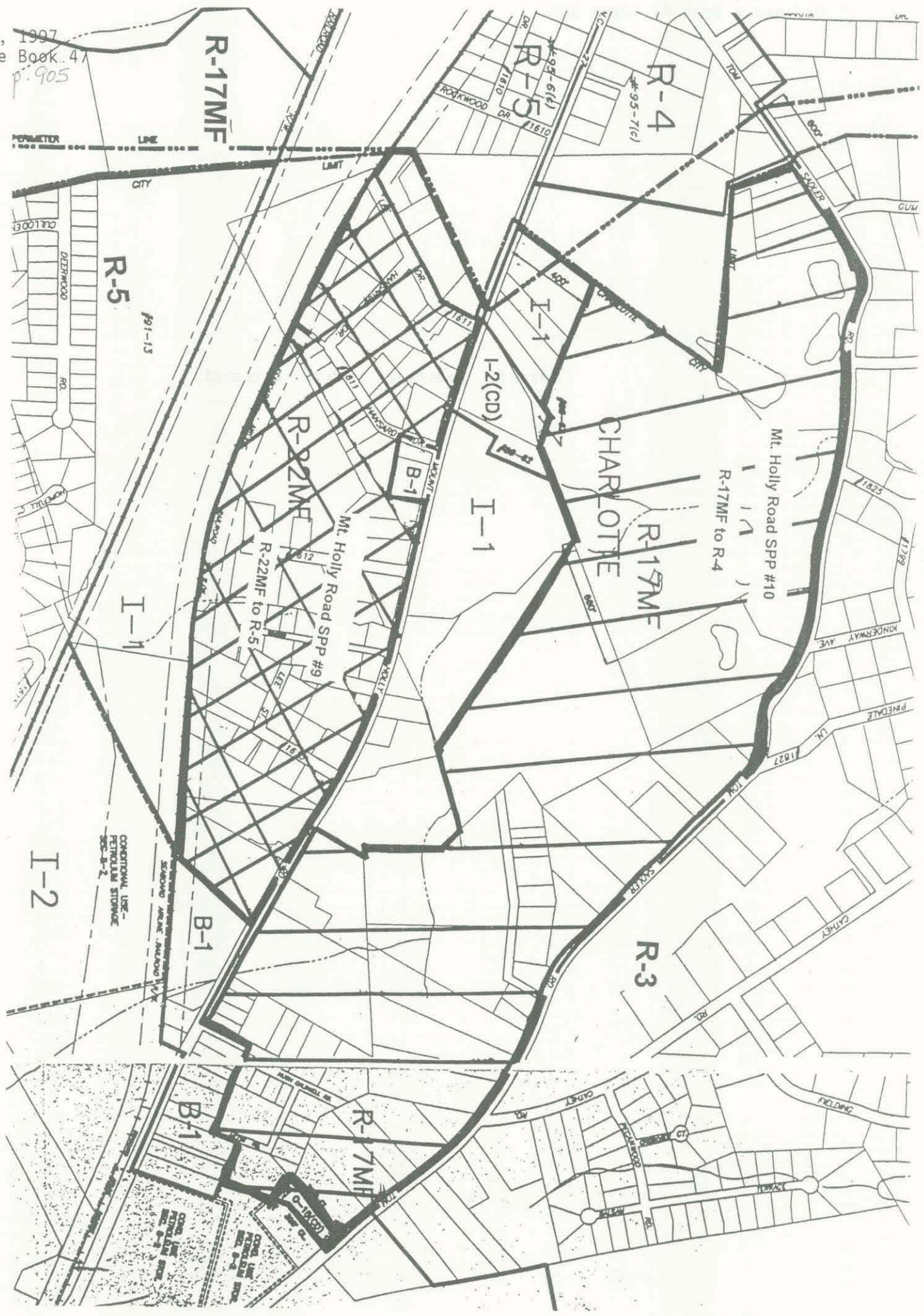
I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 17th day of March, 1997, the reference having been made in Minute Book 110 and recorded in full in Ordinance Book 47, Page(s) 904-905.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of April, 1997.


Nancy S. Gilbert, Deputy City Clerk

March 17, 1997
Ordinance Book 4
page 905

96-90



March 17, 1997
Ordinance Book 47, Page 906

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CITY ZONE CHANGE

APPROVED BY CITY COUNCIL

DATE MARCH 17, 1997

MAP AMENDMENT NO. _____

ORDINANCE NO. 775-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 161.7 acres bounded by Tom Sadler Road and Mount Holly Road, east of Cathey Road from R-17MF to R-12MF, R-6, and R-4 on the Official Zoning Map, City of Charlotte, N.C.

SEE ATTACHED MAP

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

APPROVED AS TO FORM:

H. Munsal jr
Sr. Dep. City Attorney

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 17th day of March, 1997, the reference having been made in Minute Book 110 and recorded in full in Ordinance Book 47, Page(s) 907-908.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of April, 1997.

Nancy S. Gilbert
Nancy S. Gilbert, Deputy City Clerk

March 17, 1997
Ordinance Book 47, Page 909

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CITY ZONE CHANGE

Petition No. 96-92
Charlotte-Mecklenburg
Planning Commission

APPROVED BY CITY COUNCIL

DATE MARCH 17, 1997

ZONING REGULATIONS

MAP AMENDMENT NO. _____

ORDINANCE NO. 776-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 178 acres north of Mount Holly Road and west of Valleydale Road from R-17MF to R-8, R-6, and R-4 on the Official Zoning Map, City of Charlotte, N.C.

SEE ATTACHED MAP

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

APPROVED AS TO FORM:

H. Marshall, Jr.
City Attorney

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 17th day of March, 1997, the reference having been made in Minute Book 110 and recorded in full in Ordinance Book 47, Page(s) 910-911.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of April, 1997.

Nancy S. Gilbert
Nancy S. Gilbert, Deputy City Clerk



96-92

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March 17, 1997
Ordinance Book 47, Page 913

CITY ZONE CHANGE

APPROVED BY CITY COUNCIL

DATE MARCH 17, 1997

MAP AMENDMENT NO. _____

ORDINANCE NO. 777-Z

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

Petition No. 96-93
Charlotte-Mecklenburg
Planning Commission

ZONING REGULATIONS

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing the property identified as approximately 16.6 acres located east of Valleydale Road and north of the proposed Northwest Circumferential Road from I-2 to R-4 on the Official Zoning Map, City of Charlotte, N.C.

SEE ATTACHED MAP

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

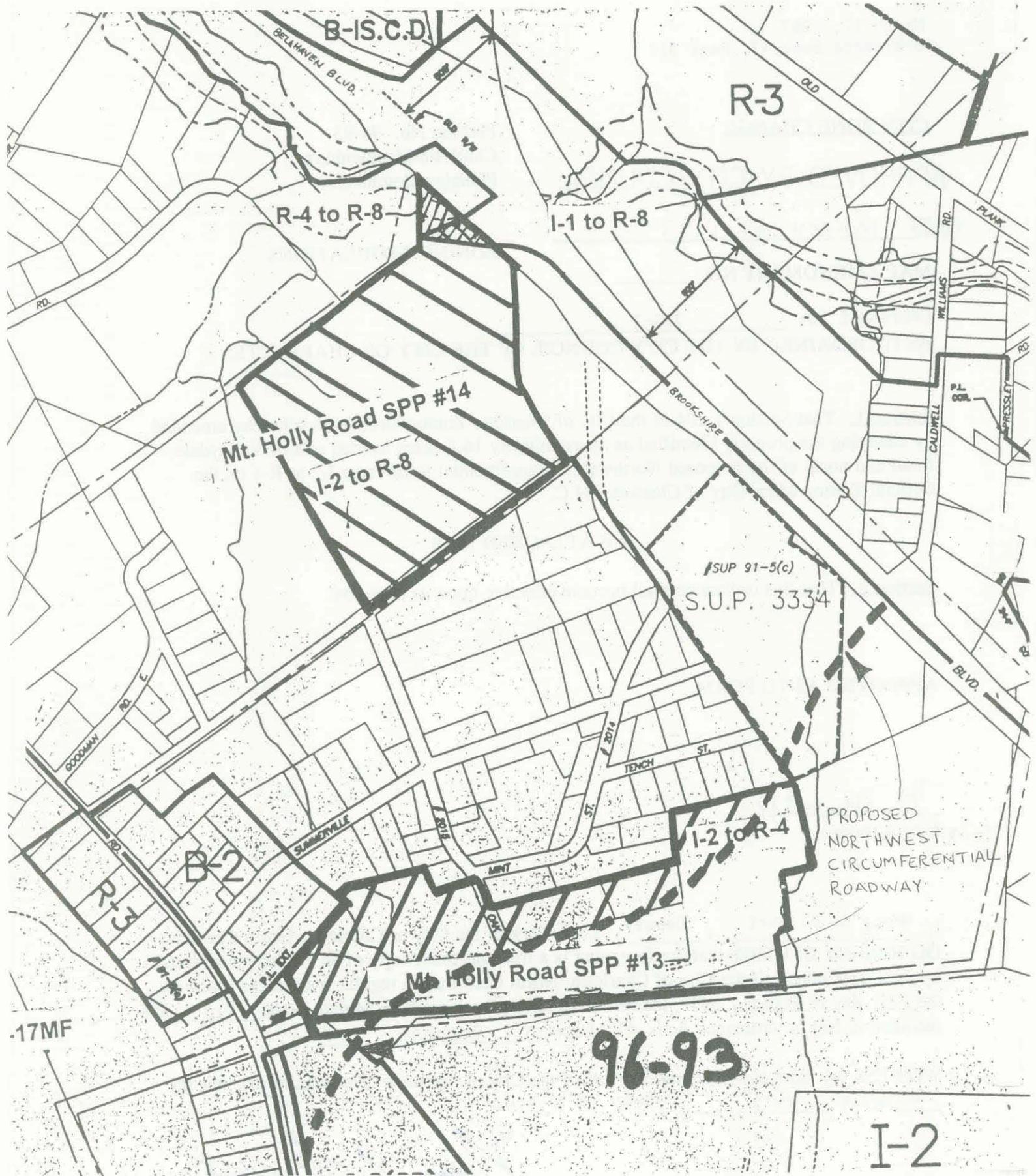
APPROVED AS TO FORM:

H. Munnell Jr.
Sr. Dep. City Attorney

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 17th day of March, 1997, the reference having been made in Minute Book 110 and recorded in full in Ordinance Book 47, Page(s) 913-914.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of April, 1997.

Nancy S. Gilbert
Nancy S. Gilbert, Deputy City Clerk



CITY ZONE CHANGE

APPROVED BY CITY COUNCIL

DATE MARCH 17, 1997

Petition No. 96-94
Charlotte-Mecklenburg
Planning Commission

ZONING REGULATIONS

MAP AMENDMENT NO. _____

ORDINANCE NO. 778-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 30.6 acres located southwest of the intersection of Belhaven Boulevard and Brookshire Boulevard from I-2, I-1, and R-4 to R-MH on the Official Zoning Map, City of Charlotte, N.C.

SEE ATTACHED MAP

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

APPROVED AS TO FORM:

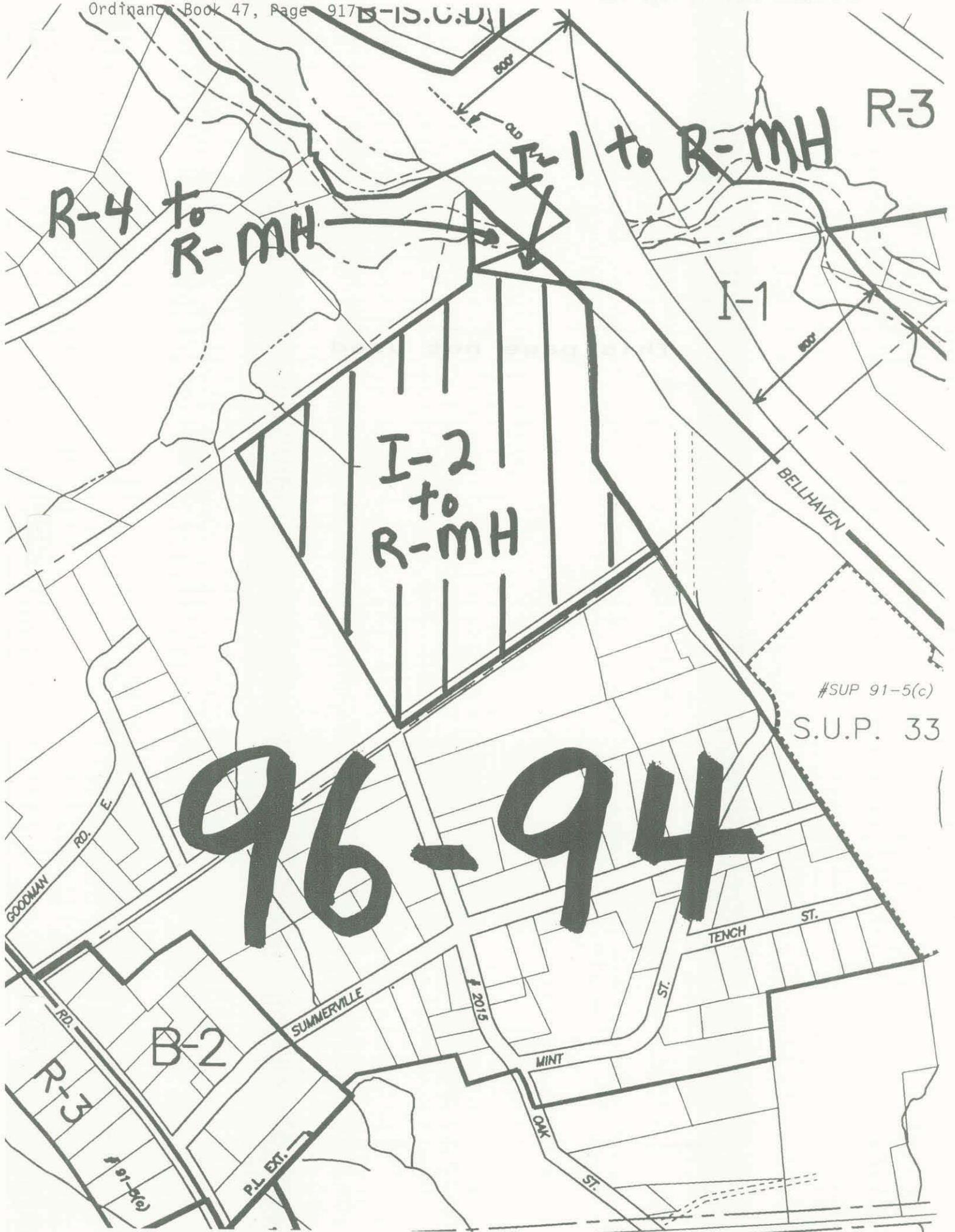
City Attorney

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 17th day of March, 1997, the reference having been made in Minute Book 110 and recorded in full in Ordinance Book 47, Page(s) 916-917.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of April, 1997.



Nancy S. Gilbert, Deputy City Clerk



R-4 to R-MH

I-1 to R-MH

I-2 to R-MH

96-94

R-3

I-1

B-2

R-3

B-15.C.U.I.

#SUP 91-5(c)

S.U.P. 33

RD. E

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March 17, 1997
Ordinance Book 47, Page 918

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March 17, 1997
Ordinance Book 47, page 919

CITY CD

Petition No. 97-13
Copsis Enterprises

ORDINANCE NO. 779-Z

APPROVED BY CITY COUNCIL

DATE MARCH 17, 1997

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 1.1 acres located on the southeast corner of the intersection of Albemarle Road and Dwightware Boulevard; and

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

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on February 17, 1997; and

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

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

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from O-1 and B-1 to B-2(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

SEE ATTACHED

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

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

-continued-

March 17, 1997
Ordinance Book 47, Page 920

APPROVED AS TO FORM:

H. Muncy, Jr.
Sr. Dg. City Attorney

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 17th day of March, 1997, the reference having been made in Minute Book 110 and recorded in full in Ordinance Book 47, Page(s) 919-921B.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of April, 1997.

Nancy S. Gilbert
Nancy S. Gilbert, Deputy City Clerk

Petition No. 97-13
Copsis Enterprises

PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to the Copsis Enterprises owner(s) and successors-in-interest of the property described as portions of tax parcels 109-414-(02&03) and described in detail further in the ordinance, identified below, approved by the City Council.

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

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

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

#97-13

BOUNDARY DESCRIPTION
COPSIS ENTERPRISES

BEGINNING at a point in the southerly right-of-way line of Albemarle Road, said point being the intersection with the easterly right-of-way line of Dwightware Boulevard, and running thence with said right-of-way of Dwightware Boulevard two courses as follows:
(1) N. 42-36-55 E. 55.90 feet; (2) N. 05-29-13 W. 130.17 feet; thence N. 87-40-43 W. 298.92 feet; thence S. 06-10-42 E. 155.70 feet to a point in the southerly right-of-way line of Albemarle Road; thence with said right-of-way line with the arc of a circular curve to the left, having a radius of 5,676.58 feet, an arc distance of 257.50 feet to the point of **BEGINNING** and containing approximately 1.107 acres.

March 17, 1997
Ordinance Book 47, Page 921B

Petition #: 97-13

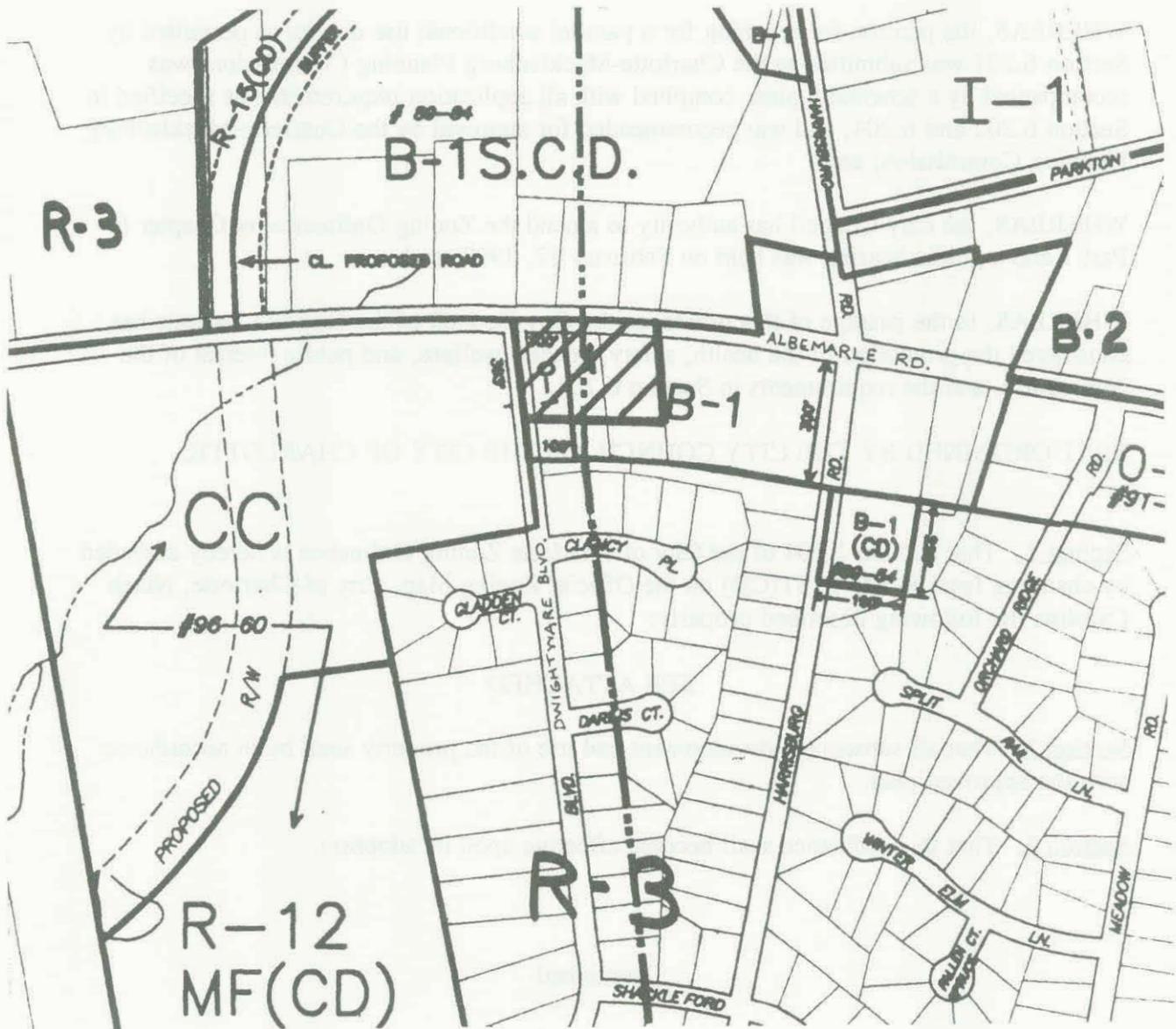
Petitioner: Copsis Enterprises

Hearing Date: February 17, 1997

Zoning Classification (Existing): O-1 and B-1

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

Location: Approximately 1.107 acres located on the southeast corner of the intersection of Albemarle Road and Dwightware Boulevard.



Zoning Map #(s): 115

Scale: 1" = 400'

CITY CD

Petition No. 97-14
H.C. Bissell

ORDINANCE NO. 780-Z

APPROVED BY CITY COUNCIL

DATE MARCH 17, 1997

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

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of approximately 10.32 acres located on the west side of Runnymede Lane between Sagamore Road and Michael Baker Place; and

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

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on February 17, 1997; 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-

March 17, 1997
Ordinance Book 47, Page 923

APPROVED AS TO FORM:

76. Munnich
Sr. Asst. City Attorney

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 17th day of March, 1997, the reference having been made in Minute Book 110 and recorded in full in Ordinance Book 47, Page(s) 922-924B.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of April, 1997.

Nancy S. Gilbert
Nancy S. Gilbert, Deputy City Clerk

Petition No. 97-14
H.C. Bissell

PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to H.C. Bissell owner(s) and successors-in-interest of the property described as tax parcel 175-102-30 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.

March 17, 1997
Ordinance Book 47, Page 924A

97-14

Property Description.
Proposed Institutional (CD) Zoning

Beginning at a point which forms the southwest corner of the Parcel as it adjoins Sagamore Road right of way at the intersection of Henshaw Road, and running thence S 88°01'06" E 324.01 feet to a corner; thence N 23°51'46" E 291.21 feet to a point; thence N 26°47'37" E 307.18 feet to a corner; thence N 1°12'26" E 478.7 feet to a corner; thence S 78°36'55" E 74.80 feet to a point; thence along a radius of 300.86 feet and a curve length of 318.61 feet to a point; thence S 17°56' 20" E 208.04 feet to a point; thence along a radius of 1371.63 feet and a curve length of 283.38 feet to a point; thence S 17°56'20" E 112.98 feet to a point; thence along a radius of 816.45 feet and a curve length of 148.10 feet to a point; thence along a radius of 20.0 feet and a curve length of 33.35 feet to a point; thence N 87°59'45" E 137.56 feet to a point; thence along a radius of 862.84 feet and a curve length of 326.0 feet to the point of beginning at the southwest corner as recorded in the Mecklenburg County Registry.



March 17, 1997
Ordinance Book 47, page 924B

Petition #: 97-14

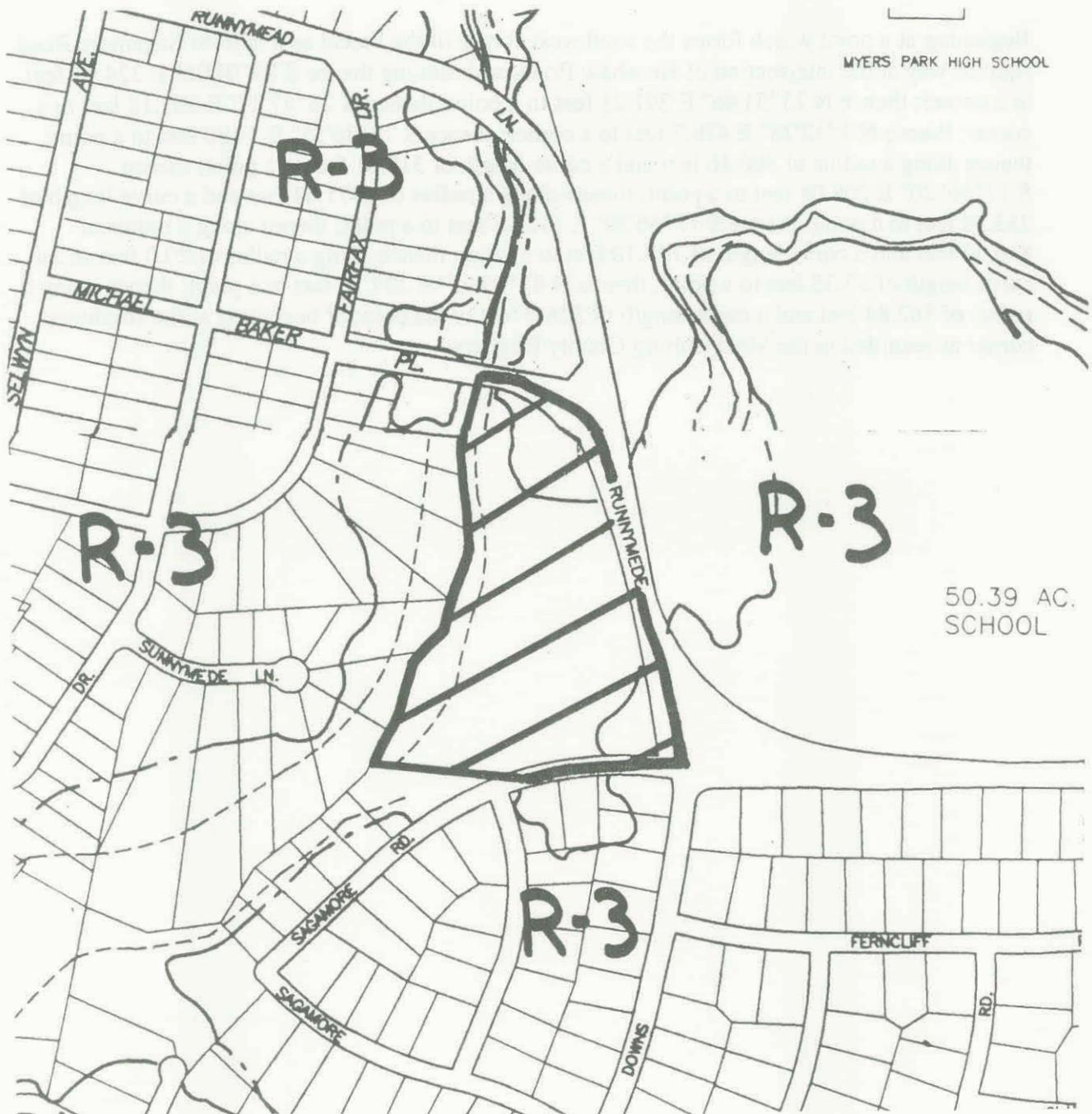
Petitioner: H.C. Bissell

Hearing Date: February 17, 1997

Zoning Classification (Existing): R-3

Zoning Classification (Requested): INST(CD)

Location: Approximately 10.32 acres located on the west side of Runnymede Lane between Sagamore Road and Michael Baker Place.



Zoning Map #(s): 135 and 125

Scale: 1" = 400'

CITY CC DISTRICT

Petition No. 97-15
Feld Development Corporation (NC)

ORDINANCE NO. 781-Z

APPROVED BY CITY COUNCIL

DATE MARCH 17, 1997

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 a conditional district for approximately 22 acres bounded by I-77 to the east, Nations Ford Road to the west and Tyvola Road to the south; and

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

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on February 17, 1997; 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 S.C.D. to CC on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

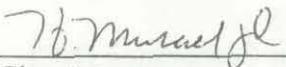
SEE ATTACHED

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.

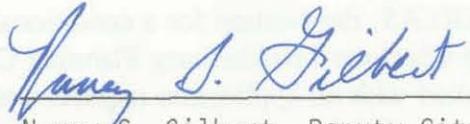
-continued-

APPROVED AS TO FORM:


Sr. Dep. City Attorney

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 17th day of March, 1997, the reference having been made in Minute Book 110 and recorded in full in Ordinance Book 47, Page(s) 925-927A.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of April, 1997.



Nancy S. Gilbert, Deputy City Clerk

March 17, 1997
Ordinance Book 47, Page 927

November 26, 1996
FELD DEVELOPMENT CORPORATION (NC)
Proposed Rezoning - Conditional Site Plan

DESCRIPTION OF SUBJECT PROPERTY: Those certain lands lying and being in the city of Charlotte, Mecklenburg County, North Carolina and being more particularly described as follows:

Beginning at a point located near the northeast intersection of the rights of way of Nations Ford Road and Tyvola Road; thence N 36-35-15 W 94.16 feet to a point; thence with the eastern margin of Nations Ford Road R/W, N 32-10-49 E 47.40 feet to a point on Tyvola Road R/W to be abandoned; thence N 32-10-49 E 60.01 feet to a point on Tyvola Road R/W to be abandoned; thence N 32-10-49 E 667.28 feet to a point; thence with a curved line to the right having a radius of 6,642.55 feet, an arc length of 202.34 feet to a point; thence S 64-28-51 E 219.52 feet to a point; thence N 25-31-09 E 30.00 feet to a point; thence S 64-28-51 E 811.20 feet to a point; thence S 16-45-35 W 479.74 feet to a point on the R/W of Interstate 77; thence with said R/W S 29-22-50 W 122.90 feet to a point; thence N 60-36-22 W 65.84 feet to a point; thence S50-50-20W 55.01 feet to a point; thence with calls to be determined by NCDOT & Petitioner, the following: (1) S 25-38-57 W 99.80 feet to a point; thence S 83-27-50 W 157.52 feet to a point; thence N 69-47-00 W 284.89 feet to a point; thence N 72-13-01 W 343.94 feet to a point; thence S 87-26-42 W 311.81 feet to the point and place of Beginning containing 22.25 acres, more or less.

Note: Right of way description along Tyvola Road is approximate pending finalization of plans and right of way documents by NCDOT.

March 17, 1997

Ordinance Book 47, Page 927A

Petition #: 97-15

Petitioner: Feld Development Corporation (NC)

Hearing Date: February 17, 1997

Zoning Classification (Existing): B-1 S.C.D.

Zoning Classification (Requested): CC

Location: Approximately 22.25 acres bounded by I-77 to the east, Nations Ford Road to the west and Tyvola Road to the south.



Zoning Map #(s): 134

Scale: 1" = 400'

CITY CD

Petition No. 97-18
Southeastern Freight Lines, Inc.

ORDINANCE NO. 782-Z

APPROVED BY CITY COUNCIL

DATE MARCH 17, 1997

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 19.5 acres located south of the existing Southeastern Freight Lines site, west of Sugar Creek Road, east of Graham Street and south of I-85; and

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

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on February 17, 1997; 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 and R-9(CD) to I-2(CD) and 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-

March 17, 1997
Ordinance Book 47, Page 929

APPROVED AS TO FORM:

Dr. Dg
H. Marshall
City Attorney

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 17th day of March, 1997, the reference having been made in Minute Book 110 and recorded in full in Ordinance Book 47, Page(s) 928-930C.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of April, 1997.

Nancy S. Gilbert

Nancy S. Gilbert, Deputy City Clerk

Petition No. 97-18
Southeastern Freight Lines, Inc.

PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to the Southeastern Freight Lines, Inc. owner(s) and successors-in-interest of the property described as part of tax parcel 087-061-03 and described in detail further in the ordinance, identified below, approved by the City Council.

In approving this parallel conditional use permit, the Charlotte City Council amended Chapter 6: Part 2 of the City of Charlotte Zoning Ordinance and the official zoning map. The property now has parallel conditional use district zoning classifications of I-2(CD) and R-4(CD) on the official zoning map.

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

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

PARCEL A AND B: I-2 (CD)

LYING AND BEING LOCATED IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT N.C.G.S. MONUMENT DERITA 2(N: 567,350.86 E: 1,463,632.89); THENCE S 08 DEGREES 41 MINUTES 20 SECONDS W 7,981.74 FEET GROUND DISTANCE(7980.45 FEET GRID DISTANCE, COMBINED GRID FACTOR 0.999839) TO A POINT (SAID POINT BEING S 82 DEGREES 44 MINUTES 00 SECONDS E 0.48 FEET FROM AN EXISTING NUMBER 3 REBAR).

THENCE WITH THE LINE OF SHIRLEY L JOHNSON AND VIRGINIA L . HERRIN S 82 DEGREES 44 MINUTES 00 SECONDS E 124.45 FEET TO AN EXISTING NUMBER 4 REBAR. A COMMON CORNER WITH THE CHARLOTTE PARK AND RECREATION COMMISSION IN THE LINE OF SHIRLEY L JOHNSON AND VIRGINIA L . HERRIN.

THENCE WITH THE LINE OF THE CHARLOTTE PARK AND RECREATION COMMISSION TWO CALLS AS FOLLOWS

1. S 21 DEGREES 16 MINUTES 37 SECONDS E 168.39 FEET TO A POINT.
2. S 21 DEGREES 16 MINUTES 37 SECONDS E 264.60 FEET TO A SET NUMBER 5 REBAR.

THENCE WITH THE LINE OF PARCEL C TWO CALLS AS FOLLOWS:

1. S 22 DEGREES 19 MINUTES 33 SECONDS W 510.79 FEET TO A SET NUMBER 5 REBAR.
2. S 38 DEGREES 07 MINUTES 45 SECONDS W 565.00 FEET TO A SET NUMBER 5 REBAR IN THE LINE OF MILLARD BRADY THOMAS JR. AND WIFE KATHLEEN T. THOMAS.

THENCE WITH THE LINE OF MILLARD BRADY THOMAS, JR. AND WIFE KATHLEEN T. THOMAS TWO CALLS AS FOLLOWS:

1. N 38 DEGREES 01 MINUTES 39 SECONDS W 349.87 FEET TO A POINT.
2. N 38 DEGREES 01 MINUTES 39 SECONDS W 103.66 FEET TO A POINT A CORNER OF W. T. CASSELS IN THE LINE OF MILLARD BRADY THOMAS, JR. AND WIFE KATHLEEN T. THOMAS SAID POINT BEING S 38 DEGREES 01 MINUTES 39 SECONDS E 55.10 FEET FROM AN EXISTING NUMBER 4 REBAR.

THENCE WITH THE LINE OF W. T. CASSELS TWO CALLS AS FOLLOWS:

1. N 36 DEGREES 43 MINUTES 25 SECONDS E 815.22 FEET TO A POINT.
2. N 09 DEGREES 27 MINUTES 40 SECONDS E 329.98 TO THE POINT AND PLACE OF BEGINNING.

CONTAINING 10.957 ACRES AS SHOWN ON A PLAT ENTITLED "REZONING PLAN FOR SOUTHEASTERN FREIGHT, INC." DATED 08/08/96. BY CONCORD ENGINEERING AND SURVEYING, INC. (CESI JOB NO. 960808).

March 17, 1997
Ordinance Book 47, Page 930B

PARCEL C: R-4(CD)

LYING AND BEING LOCATED IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT N.C.G.S. MONUMENT DERITA 2(N: 567,350.86 E: 1,463,632.89); THENCE S 08 DEGREES 41 MINUTES 20 SECONDS W 7,981.74 FEET GROUND DISTANCE(7980.45 FEET GRID DISTANCE, COMBINED GRID FACTOR 0.999839) TO A POINT (SAID POINT BEING S 82 DEGREES 44 MINUTES 00 SECONDS E 0.48 FEET FROM AN EXISTING NUMBER 3 REBAR).

THENCE WITH THE LINE OF SHIRLEY L JOHNSON AND VIRGINIA L . HERRIN S 82 DEGREES 44 MINUTES 00 SECONDS E 124.45 FEET TO AN EXISTING NUMBER 4 REBAR. A COMMON CORNER WITH THE CHARLOTTE PARK AND RECREATION COMMISSION IN THE LINE OF SHIRLEY L JOHNSON AND VIRGINIA L . HERRIN.

THENCE WITH THE LINE OF THE CHARLOTTE PARK AND RECREATION COMMISSION S 21 DEGREES 16 MINUTES 37 SECONDS E 432.99 FEET TO THE POINT AND PLACE OF BEGINNING.

THENCE WITH THE LINE OF THE CHARLOTTE PARK AND RECREATION COMMISSION S 21 DEGREES 16 MINUTES 37 SECONDS E 825.00 FEET TO AN EXISTING 4 INCH AXLE, A CORNER OF THE HOMEWOOD SUBDIVISION BLOCK "F".

THENCE WITH THE LINE OF HOMEWOOD SUBDIVISION BLOCK "F" S 69 DEGREES 07 MINUTES 16 SECONDS W 789.86 FEET TO AN EXISTING 1 INCH PIPE, A CORNER OF MILLARD BRADY THOMAS JR. AND WIFE KATHLEEN T. THOMAS.

THENCE WITH THE LINE OF MILLARD BRADY THOMAS, JR. AND WIFE KATHLEEN T. THOMAS N 38 DEGREES 01 MINUTES W 169.25 FEET TO A POINT A CORNER OF PARCEL B IN THE LINE OF MILLARD BRADY THOMAS, JR. AND WIFE KATHLEEN T. THOMAS.

THENCE WITH THE LINE OF PARCEL B TWO CALLS AS FOLLOWS:

1. N 38 DEGREES 07 MINUTES 45 SECONDS E 565.00 FEET TO A SET NUMBER 5 REBAR.
2. S 22 DEGREES 19 MINUTES 33 SECONDS W 510.79 FEET TO A SET NUMBER 5 REBAR THE POINT AND PLACE OF BEGINNING.

CONTAINING 8.505 ACRES AS SHOWN ON A PLAT ENTITLED "REZONING PLAN FOR SOUTHEASTERN FREIGHT, INC." DATED 08/08/96. BY CONCORD ENGINEERING AND SURVEYING, INC. (CESI JOB NO. 960808).

March 17, 1997
Ordinance Book 47, page 931

CITY NS DISTRICT

Petition No. 97-20
Browder Harris Company

ORDINANCE NO. 783-Z

APPROVED BY CITY COUNCIL

DATE MARCH 17, 1997

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 a conditional district for approximately 0.65 acres on the northerly corner of South Boulevard and Kingston Avenue; and

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

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on February 17, 1997; 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 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:

St. Dep. H. Munnell
City Attorney

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 17th day of March, 1997, the reference having been made in Minute Book 110 and recorded in full in Ordinance Book 47, Page(s) 931-933A.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of April, 1997.

Nancy S. Gilbert

Nancy S. Gilbert, Deputy City Clerk

March 17, 1997
Ordinance Book 47, Page 933

97-20
EXHIBIT "A"

BEING all of Lots 1, 2 and 3, in Block 5 of DILWORTH as shown on map thereof recorded in Map Book 230, Page 60 of the Mecklenburg County Public Registry, and more particularly described as follows:

BEGINNING at a point, the northwesterly intersection of South Boulevard and Kingston Avenue, and running thence along the westerly margin of South Boulevard N 42-55-41 E 150 feet to a point; thence N 47-04-19 W 190 feet to a point in the easterly line of a 10-foot alley; thence S 42-55-41 W 150 feet to a point in the northerly margin of Kingston Avenue; thence along the northerly margin of Kingston Avenue S 47-04-19 W 190 feet to the point or place of BEGINNING; together with the right to use the 10-foot alley in the rear, along with the other adjacent property owners, all as shown on survey prepared by Leo J. Zoutewelle, R.S., dated February 25, 1986.

State of North Carolina, County of Mecklenburg
The foregoing Certificate(s) of Connie R. Hunt

Notary(ies) Public is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

ANNE A. POWERS, REGISTER OF DEEDS

By Karen Ayers Deputy - Register of Deeds

March 17, 1997
Ordinance Book 47, Page 933A
Petition #: 97-20

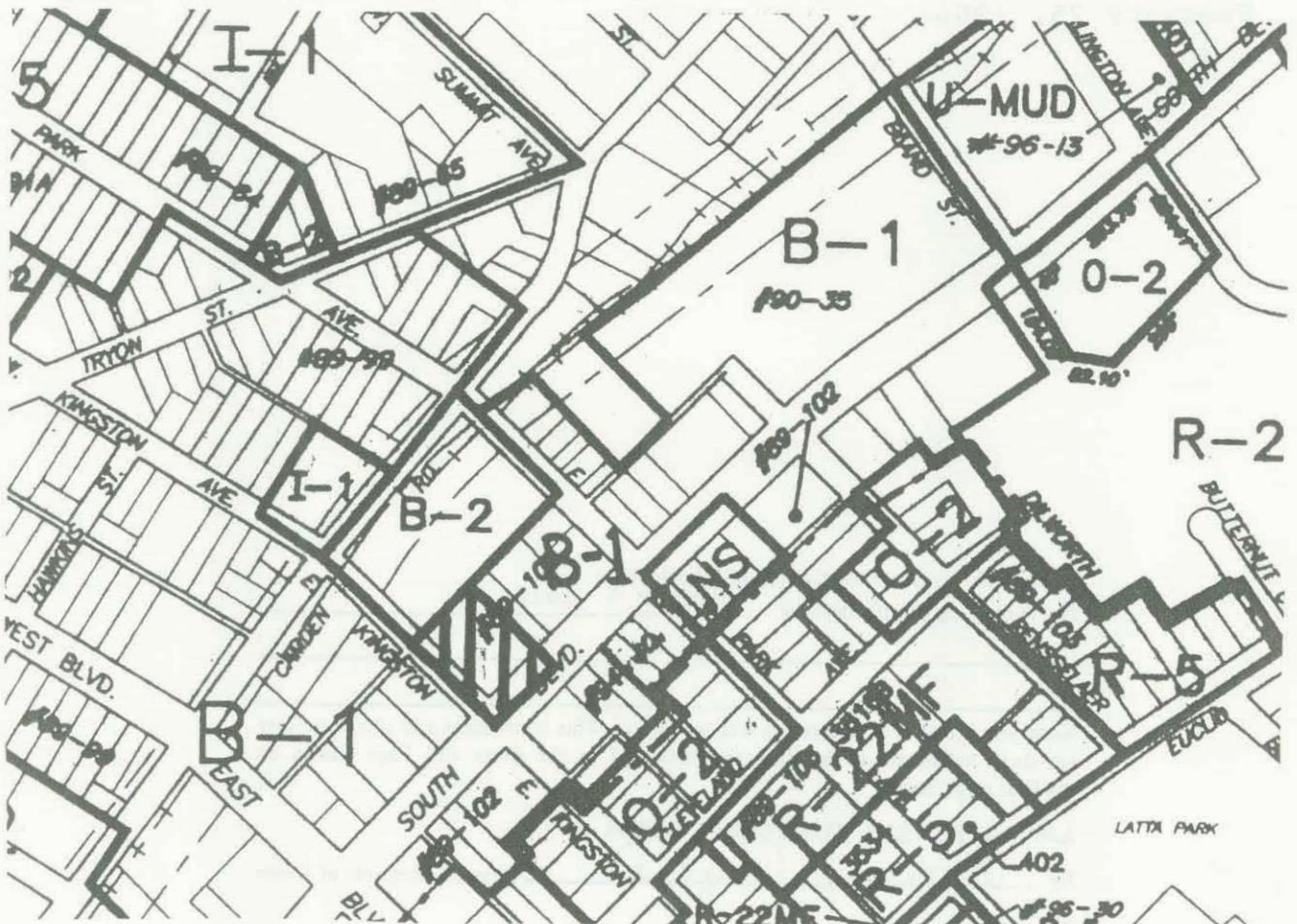
Petitioner: Browder Harris Company

Hearing Date: February 17, 1997

Zoning Classification (Existing): B-1

Zoning Classification (Requested): NS

Location: Approximately 0.65 acres located on the northern corner of the intersection between South Boulevard and Kingston Avenue.



Zoning Map #(s): 102

Scale: 1" = 400'

March 17, 1997
Ordinance Book 47, Page 934

CITY NS DISTRICT

Petition No. 97-22
Browder Harris Company

ORDINANCE NO. 784-Z

APPROVED BY CITY COUNCIL

DATE MARCH 17, 1997

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 a conditional district for approximately 2.14 acres located on the southerly side of South Tryon Street at the intersection of South College Street and East Bland Street; and

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

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on February 17, 1997; 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 I-2 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-

March 17, 1997
Ordinance Book 47, Page 935

APPROVED AS TO FORM:

H. Marshall
City Attorney

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 17th day of March, 1997, the reference having been made in Minute Book 110 and recorded in full in Ordinance Book 47, Page(s) 934-936A.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of April, 1997.

Nancy S. Gilbert
Nancy S. Gilbert, Deputy City Clerk

March 17, 1997
Ordinance Book 47, Page 936

97-22

LEGAL DESCRIPTION

Description:

BEGINNING at a point located at the southwest intersection of East Bland Street (36-foot public dedicated right-of-way) and South College Street (30-foot public dedicated right-of-way) and runs thence with the westerly margin of East Bland Street S. 35-33-00 E. 178.47 feet to a point in the centerline of the Southern Railway right-of-way, said point being the northeast corner of the Duke Power Company property; thence with the centerline of said Southern Railway right-of-way and said northerly line of the Duke Power Company property S. 54-09-00 W. 423.32 feet to a point, said point being the easterly most corner of the W.M. Fowler, Sr. property as described in Deed Book 5148, Page 64 of the Mecklenburg County Public Registry; thence with the northerly line of the W.M. Fowler, Sr. line N. 55-56-17 W. 292.39 feet to a point in the southeasterly margin of South Tryon Street (variable public dedicated right-of-way); thence with the southeasterly margin of South Tryon Street N. 44-45-00 E. 233.36 feet to a point, said point being the northwest corner of the P.J. Staub property as described in Deed Book 8026, Page 141 of said Registry; thence with the northerly line of the P.J. Staub property S. 46-03-52 E. passing a point on the northwesterly margin of South College Street at 150.75 feet, a total distance of 179.84 feet to a point in the southeasterly margin of South College Street; thence with the northwesterly line of South College Street N. 44-54-12 E. 266.02 feet to the point and place of **BEGINNING**. Containing 2.140 acres of land including a portion of South College Street as shown on a "Rezoning Plan: Browder-Harris Company" prepared by R.B. Pharr & Associates, P.A. dated November 18, 1996. (File No. XX-2099)

