

APPROVED BY CITY COUNCIL
DATE March 21, 1994

CITY ZONE CHANGE

Petition No. 93-62-A
Charlotte-Mecklenburg Planning
Commission

ORDINANCE NO. 3807-Z

ZONING REGULATIONS

MAP AMENDMENT NO. _____

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 change from I-2 to I-1 on the Official Zoning Map, City of Charlotte, N.C. the following described property:

SEE ATTACHED MAP

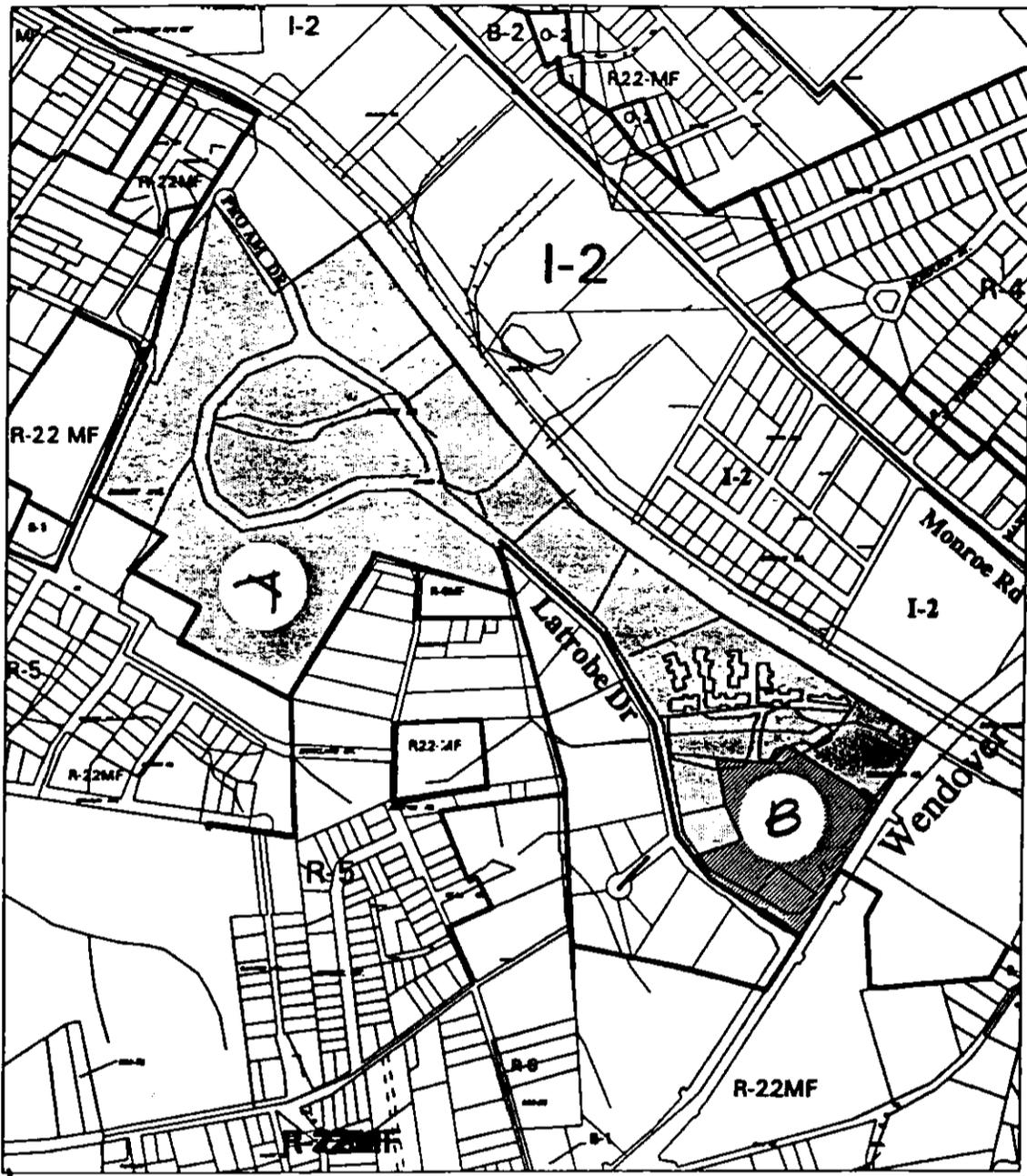
Section 2. That this ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

Henry W. Chadwell Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 21st day of March, 19 94, the reference having been made in Minute Book 103, at page ~~XXXXXXXXXX~~ and recorded in full in Ordinance Book 45, Pages 196-197.

Nancy S. Gilbert
Deputy City Clerk



- I-2 to I-1
- I-2 to B-1

93-62

APPROVED
DATE March 21, 1994

CITY CD

Petition No. 94-1
John K. and Patricia B. Moore

ORDINANCE NO. 3808-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 3.8 acres located at the southwest corner of the intersection of Providence Road and Colonial Avenue; 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 January 18, 1994; and

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

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

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from O-2, R-43MF and R-22MF to O-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.

Page 2 of 2

APPROVED AS TO FORM:

Henry W. Chadwell Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 21st day of March, 1994, the reference having been made in Minute Book 103, and is recorded in full in Ordinance Book 45 at page 199-201.

Nancy S. Gilbert
Deputy City Clerk

94-1

**JOHN K. MOORE
BOUNDARY DESCRIPTION**

BEGINNING at a point in the southerly right-of-way line of Colonial Avenue said point being the southwesterly corner of a lot described in Deed Book 3753, Page 653 of the Mecklenburg Public Registry and running thence with said right-of-way four (4) courses as follows: (1) with the arc of a circular curve to the right having a radius of 1,116.28 feet an arc distance of 323.17 feet; (2) with the arc of a circular curve to the left having a radius of 324.89 feet an arc distance of 325.40 feet; (3) N. ~~58~~-44-30 E. 5.87 feet; (4) with the arc of a circular curve to the right having a radius of 20.00 feet an arc distance of 34.85 feet to a point in the right-of-way line of Providence Road; thence with said right-of-way two (2) courses as follows: (1) with the arc of a circular curve to the right having a radius of 640.94 feet an arc distance of 159.12 feet; (2) S. 10-59-54 W. 83.40 feet; thence N. 75-06-13 W. 75.93 feet; thence N. 88-35-53 W. 509.42 feet; thence N. 17-51-20 E. 162-56 feet; thence N. 70-50-20 W. 79.99 feet; thence N. 71-46-55 W. 39.85 feet; thence N. 02-23-25 E. 217.89 feet to the point of BEGINNING and containing 3.8 acres.

CITY CD

Petition No. 94-2
The Keith Corporation

ORDINANCE NO. 3809-7

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 4.82 acres located on the north side of the intersection of Morrison Boulevard, Policy Place and Barclay Downs Roads; 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 January 18, 1994; and

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

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

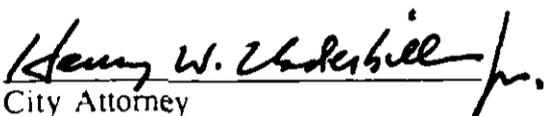
Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from B-1SCD, O-1 and O-15(CD) to O-2(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

SEE ATTACHED

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

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

APPROVED AS TO FORM:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 21st day of March 1994, the reference having been made in Minute Book 103, and is recorded in full in Ordinance Book 45, at page(s) 202-203.

Nancy S. Gilbert
Deputy City Clerk

94-2

**LEGAL BOUNDARY DESCRIPTION
THE KEITH CORPORATION**

BEGINNING at a point in the easterly right-of-way line on Barclay Downs Drive said point being at the intersection of the northerly right-of-way line of Morrison Boulevard and Barclay Downs Drive and running thence with said right-of-way of Barclay Downs Drive two (2) courses as follows: (1) with the arc of a circular curve to the left having a radius of 622.96 feet an arc distance of 241.01 feet; (2) N. 48-54-00 W. 343.55 feet; thence S. 85-41-19 E. 530.74 feet; thence S. 57-15-33 E. 89.86 feet; thence S. 77-14-00 E. 208.72 feet; thence N. 12-46-00 E. 73.00 feet; thence S. 77-14-00 E. 147.25 feet to a point in the westerly right-of-way line of Policy Place; thence with said right-of-way line of Policy Place two (2) courses as follows: (1) with the arc of a circular curve to the left having a radius of 1,743.85 feet an arc distance of 86.65 feet; (2) S. 07-45-19 W. 80.80 feet to a point in the northerly right-of-way line of Morrison Boulevard; thence with said right-of-way of Morrison Boulevard four (4) courses as follows; (1) with the arc of a circular curve to the right having a radius of 30.00 feet an arc distance of 44.16 feet; (2) with the arc of a circular curve to the left having a radius of 578.34 feet an arc distance of 236.89 feet; (3) S. 68-37-20 W. 268.22 feet; (4) with the arc of a circular curve to the right having a radius of 20.00 feet an arc distance of 29.55 feet to the BEGINNING and containing 4.823 acres.

APPROVED BY _____
DATE March 21, 1994

CITY ZONE CHANGE

Petition No. 94-6
Housing Authority of the City of Charlotte

ORDINANCE NO. 3810-Z

ZONING REGULATIONS

MAP AMENDMENT NO. _____

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 change from UR-2 to UMUD on the Official Zoning Map, City of Charlotte, N.C. the following described property:

SEE ATTACHED MAP

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

APPROVED AS TO FORM:

Kenny W. Underhill Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 21st day of March, 19 94, the reference having been made in Minute Book 103 ~~XXXXXX~~ and recorded in full in Ordinance Book 45, Pages 205-204.

Deputy Nancy S. Gilbert
City Clerk

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

ORDINANCE NO. 3811

AN ORDINANCE AMENDMENT OF 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 Section 12.516 Open Space Recreational Uses by deleting in its entirety paragraph (7) which reads as follows:

- (7) These provisions shall be effective for a period of three years from the date of adoption unless measures are taken otherwise to permanently adopt and regulate the uses in this Section.

Section 2. This ordinance shall become effective upon adoption.

Approved as to form:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 21st day of March 1994, the reference having been made in Minute Book 103, and is recorded in full in Ordinance Book 45, at page(s) 208.

Nancy S. Gilbert
Deputy City Clerk

APPROVED BY CITY COUNCIL
DATE March 21, 1994

CITY CD

Petition No. 94-8
First Union National Bank of NC

ORDINANCE NO. 3812-7

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

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of approximately 6.03 acres located off Glenwater Drive to the north of Carley Boulevard within University 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 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 21, 1994; and

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

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

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from B-1 SCD to R-22MF (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.

APPROVED AS TO FORM:

Henry W. Underhill Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 21st day of March 1994, the reference having been made in Minute Book 103, and is recorded in full in Ordinance Book 45, at page(s) 211-212
Nancy S. Gilbert
Deputy City Clerk

Petition #: 94-8

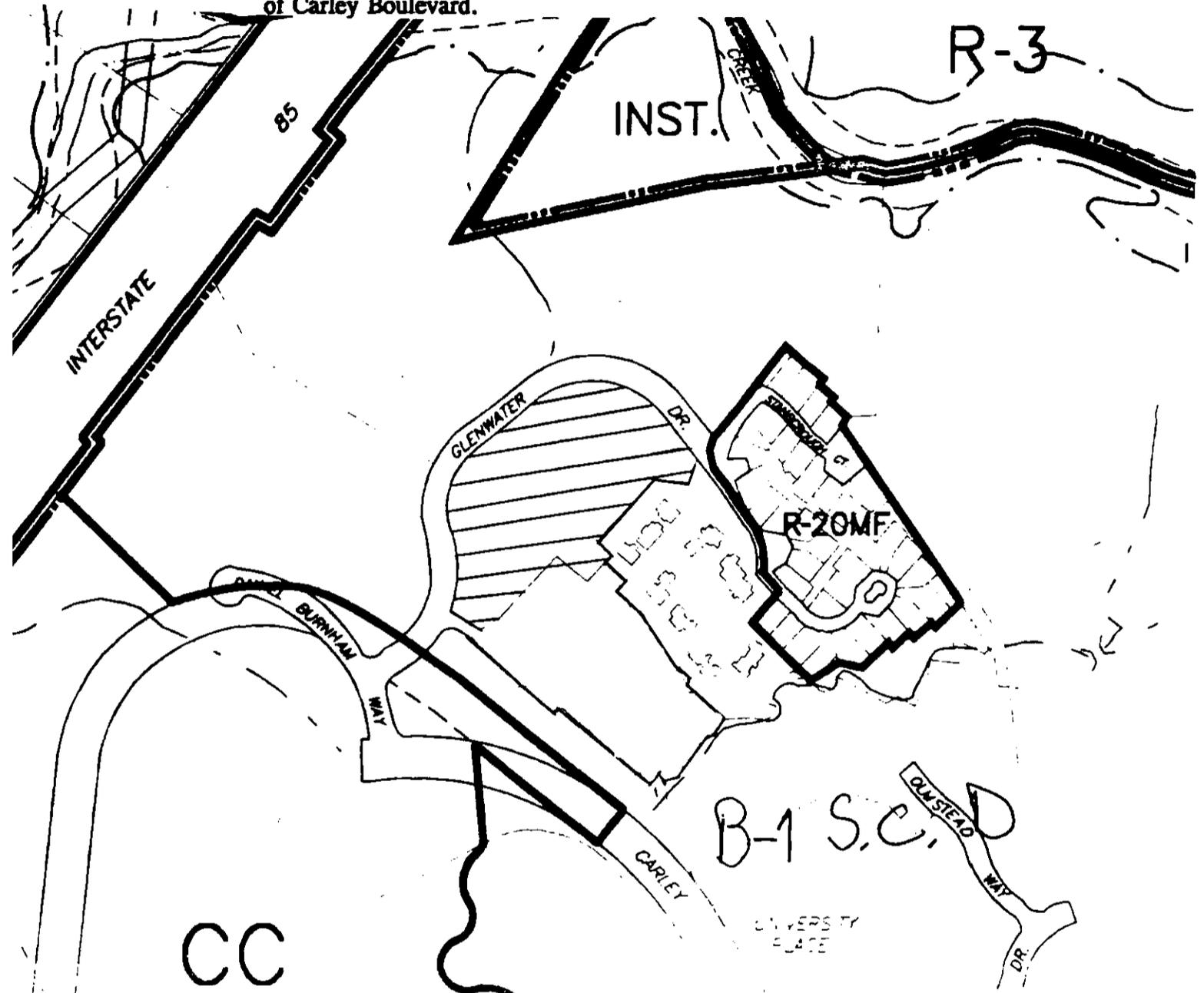
Petitioner: First Union National Bank Of North Carolina

Hearing Date: February 21, 1994

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

Zoning Classification (Requested): R-22MF (CD)

Location: Approximately 10.50 acres located on the south side of Glenwater Drive north of Carley Boulevard.



Zoning Map #(s): 58

Scale: 1" = 400'

APPROVED BY CITY COUNCIL
DATE March 21, 1994

CITY ZONE CHANGE

Petition No. 94-9 A,B,C and D
Charlotte-Mecklenburg Planning
Commission

ORDINANCE NO. 3813-Z

ZONING REGULATIONS

MAP AMENDMENT NO. _____

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 change from R-17MF, O-2 and R-22MF to R-4 and R-8 on the Official Zoning Map, City of Charlotte, N.C. the following described property:

SEE ATTACHED MAP

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

APPROVED AS TO FORM:

Henry W. Underhill Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 21st day of March, 19 94, the reference having been made in Minute Book 103 ~~XXXXXX~~ and recorded in full in Ordinance Book 45, Pages 214-215.

Nancy S. Gilbert
Deputy City Clerk

ADDITIONAL USE -
OUTDOOR AMUSEMENT
DER. SEC. 23-40.02

**A REZONE
R-17MF TO R-4**

B-2

B REZONE O-2 TO R-8

B-1 S.C.D.

C REZONE R-22MF TO R-8

D REZONE R-22MF TO R-4

C R-22MF TO R-8



300'

44-9

APPROVED BY CITY COUNCIL
DATE March 21, 1994

CITY ZONE CHANGE

Petition No. 94-10
Charlotte-Mecklenburg Planning
Commission

ORDINANCE NO. 3814-Z

ZONING REGULATIONS

MAP AMENDMENT NO. _____

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 change from R-17MF to R-8 on the Official Zoning Map, City of Charlotte, N.C. the following described property:

SEE ATTACHED MAP

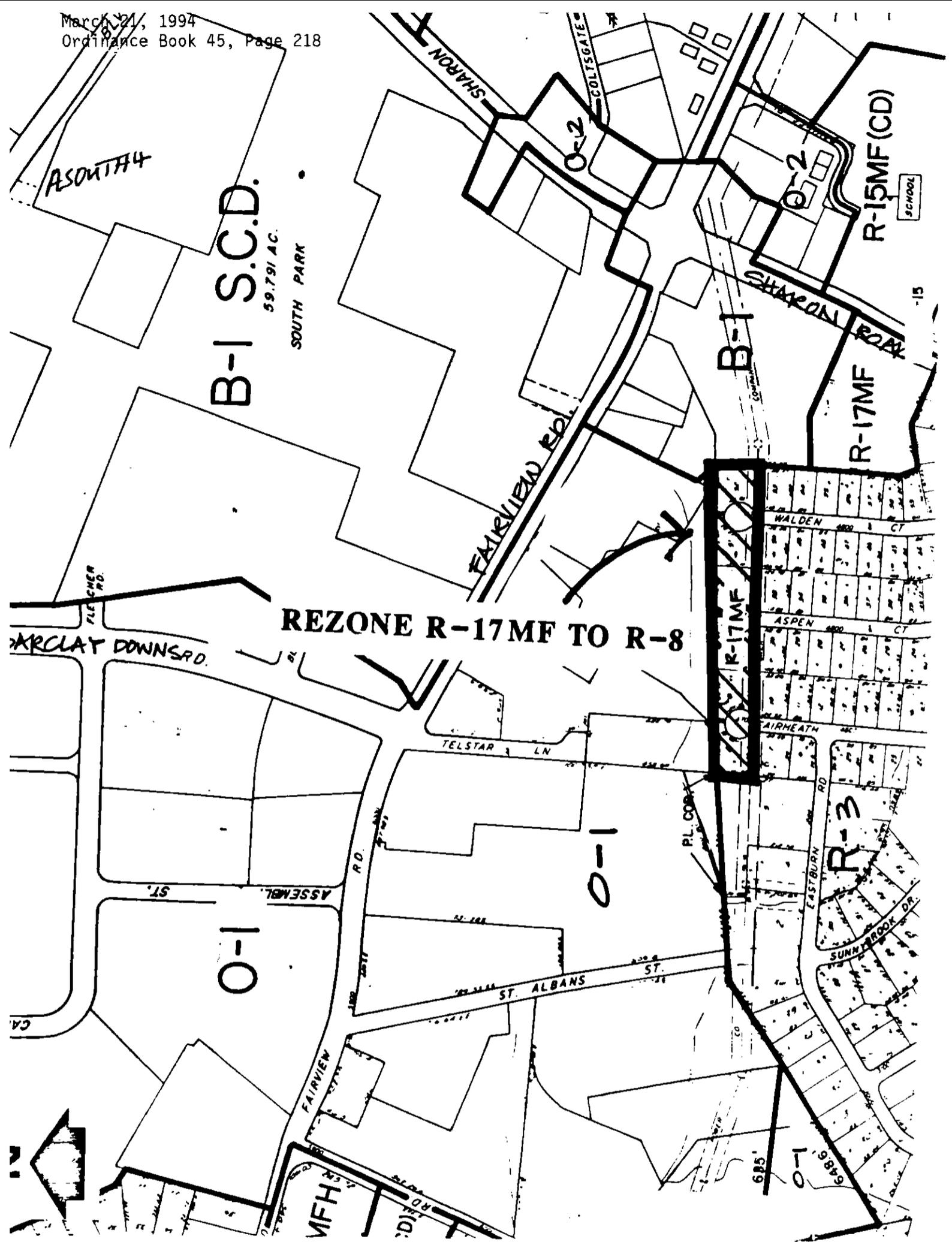
Section 2. That this ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

Kenny W. Underhill Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 21st day of March, 19 94, the reference having been made in Minute Book 103 ~~XXXXXX~~ and recorded in full in Ordinance Book 45, Pages 217-218.

Nancy S. Gilbert
Deputy City Clerk



APPROVED BY CITY COUNCIL

DATE March 21, 1994

CITY ZONE CHANGE

Petition No. 94-11 A and B
Charlotte-Mecklenburg Planning
Commission

ORDINANCE NO. 3815-Z

ZONING REGULATIONS

MAP AMENDMENT NO. _____

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 change from O-1 and O-2 to R-17MF on the Official Zoning Map, City of Charlotte, N.C. the following described property:

SEE ATTACHED MAP

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

APPROVED AS TO FORM:

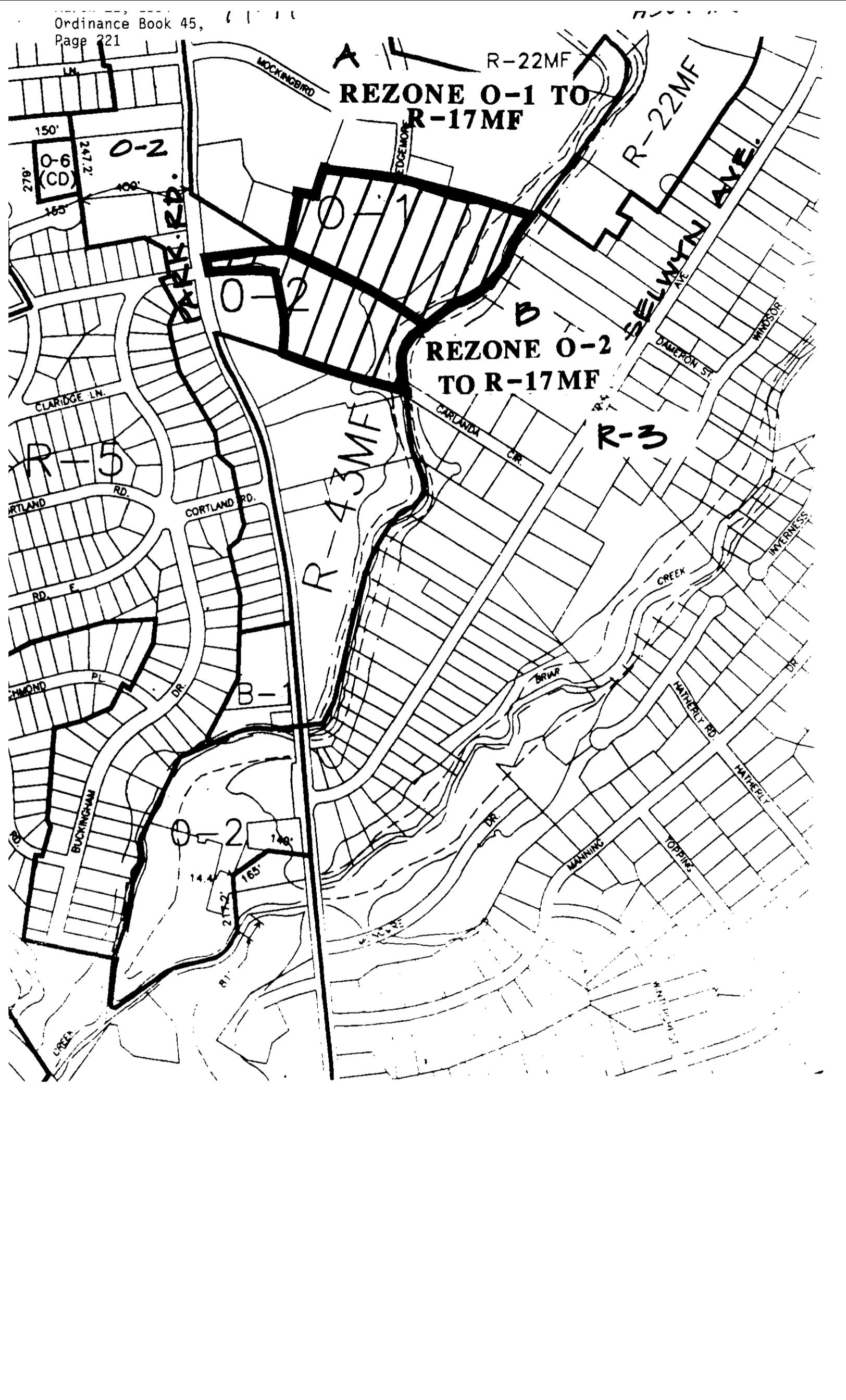
Henry W. Clodish Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 21st day of March, 19 94, the reference having been made in Minute Book 103, ~~at page XXXXXXXX~~ and recorded in full in Ordinance Book 45, Pages 220-221.

Nancy S. Gilbert
Deputy City Clerk

A R-22MF
**REZONE O-1 TO
R-17MF**

B
**REZONE O-2
TO R-17MF**



DATE March 21, 1994

CITY ZONE CHANGE

Petition No. 94-17 A
Charlotte-Mecklenburg Planning
Commission

ORDINANCE NO. 3816-Z

ZONING REGULATIONS

MAP AMENDMENT NO. _____

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 change from R-22MF to R-8 on the Official Zoning Map, City of Charlotte, N.C. the following described property:

SEE ATTACHED MAP

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

APPROVED AS TO FORM:

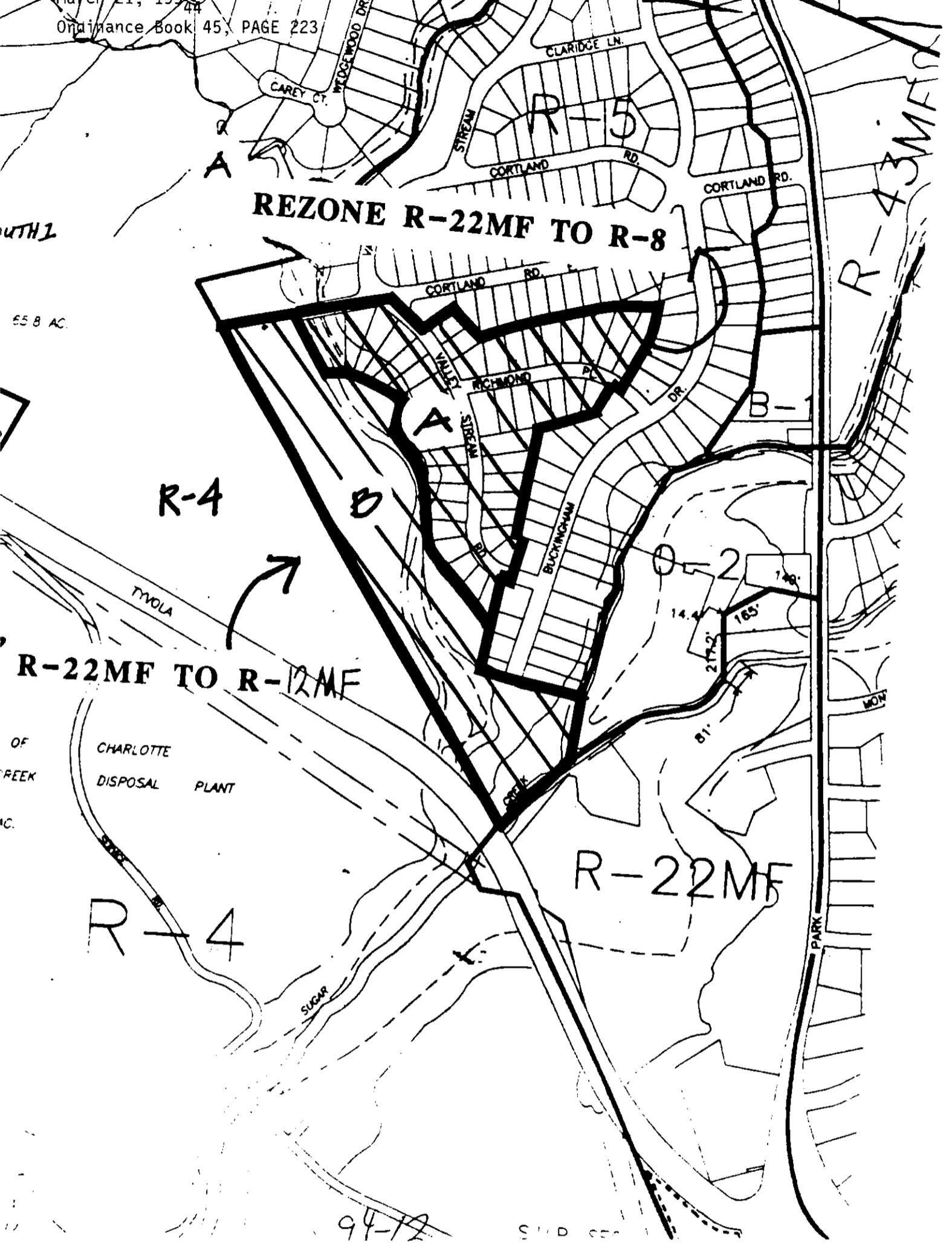
Henry W. Underhill Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 21st day of March, 19 94, the reference having been made in Minute Book 103, ~~at page XXXXXXX~~ and recorded in full in Ordinance Book 45, Pages 222-225.

Deputy Nancy S. Gilbert
City Clerk

REZONE R-22MF TO R-8

WITH
65.8 AC.



94-12

SLIP 550

APPROVED BY CITY COUNCIL

DATE

March 26, 1994

Petition No. 94-12 B

Charlotte-Mecklenburg Planning
Commission

CITY ZONE CHANGE

ZONING REGULATIONS

MAP AMENDMENT NO. _____

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 change from R-22MF to R-12MF on the Official Zoning Map, City of Charlotte, N.C. the following described property:

SEE ATTACHED MAP

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

APPROVED AS TO FORM:

Henry W. Chadwell Jr.
City Attorney

REZONE R-22MF TO R-8

SOUTH 1

55.8 AC

316'

R-4

B

R-22MF TO R-12MF

Y OF
CREEK

CHARLOTTE
DISPOSAL PLANT

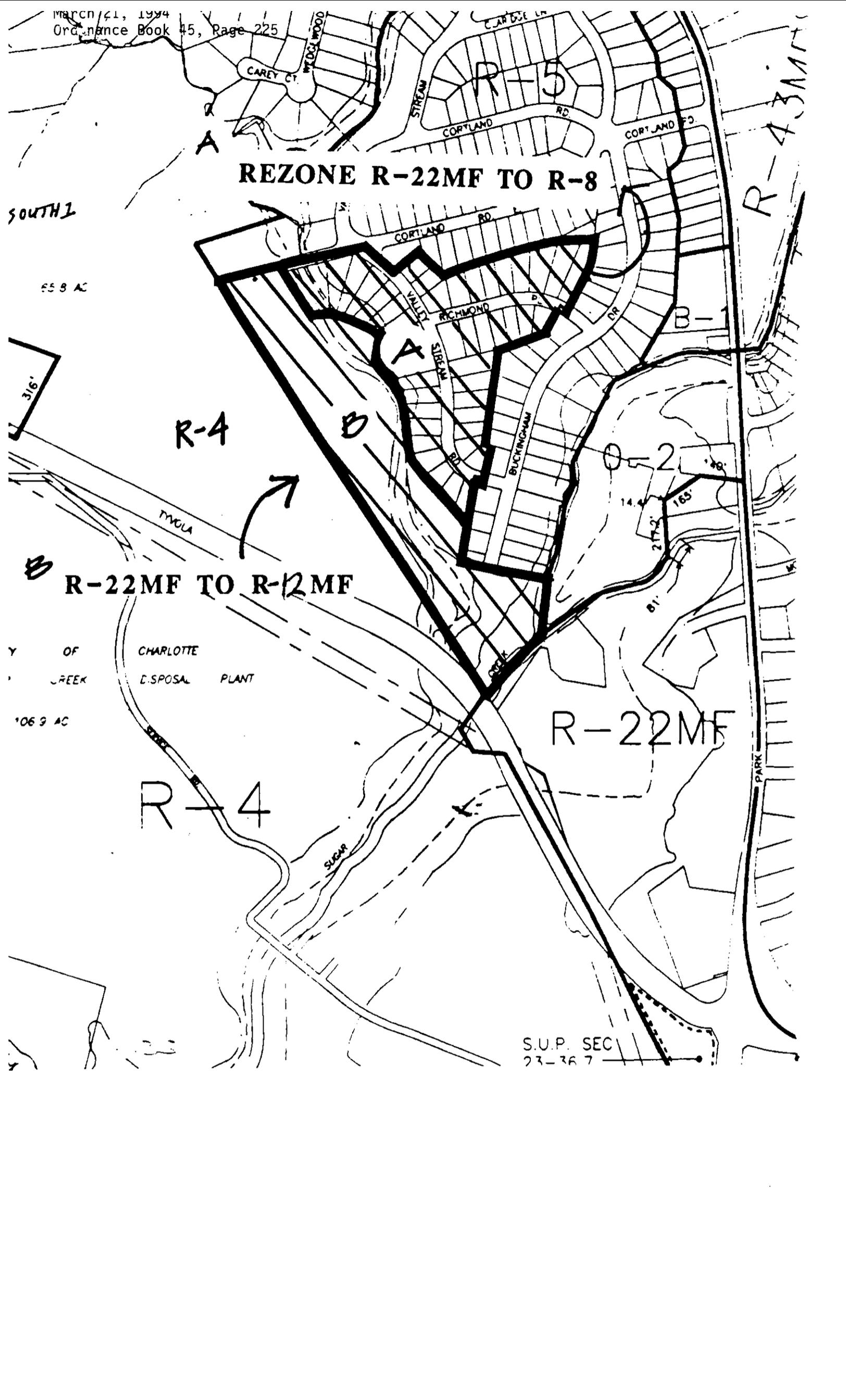
106.9 AC

R-4

SUGAR

R-22MF

S.U.P. SEC
23-367



APPROVED BY CITY COUNCIL
DATE March 21, 1994

CITY ZONE CHANGE

Petition No. 94-13 A and B
Charlotte-Mecklenburg Planning
Commission

ORDINANCE NO. 3817-Z

ZONING REGULATIONS

MAP AMENDMENT NO. _____

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 change from R-22MF to R-8 and R-4 on the Official Zoning Map, City of Charlotte, N.C. the following described property:

SEE ATTACHED MAP

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

APPROVED AS TO FORM:

Henry W. Underhill Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 21st day of March, 19 94, the reference having been made in Minute Book 103, at page ~~XXXXXXX~~ and recorded in full in Ordinance Book 45, Pages 226-227.

Deputy Nancy S. Gilbert
City Clerk

OUTHS

RCHDALE RD.

#89-24

B-2

REZONE R-22MFTO R-8

A

R-4

-I.S.C.D.

ARRWOOD RD.

SOUTH HWY 28

STAR BROOK CR.

B REZONE R-22MF TO R-4

#90-71

96 AC

B-D (CD)

R-22MF

B REZONE R-22MF TO R-4

R-4

B-2

B-2(CD)

#90-26

R-4

CONDITIONAL USE
OUTDOOR RECREATION
C. 8-23

N



ENGLAND ST.

1234'

323'

305'

497'

589.8'

369'

U.S. HWY 28 (PINEVILLE RD.)

650'

WOODSTOCK

APPROVED BY CITY COUNCIL

DATE March 21, 1994

CITY ZONE CHANGE

Petition No. 94-14 B
Charlotte-Mecklenburg Planning
Commission

ORDINANCE NO. 3818-Z

ZONING REGULATIONS

MAP AMENDMENT NO. _____

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 change from R-17MF to R-4 on the Official Zoning Map, City of Charlotte, N.C. the following described property:

SEE ATTACHED MAP

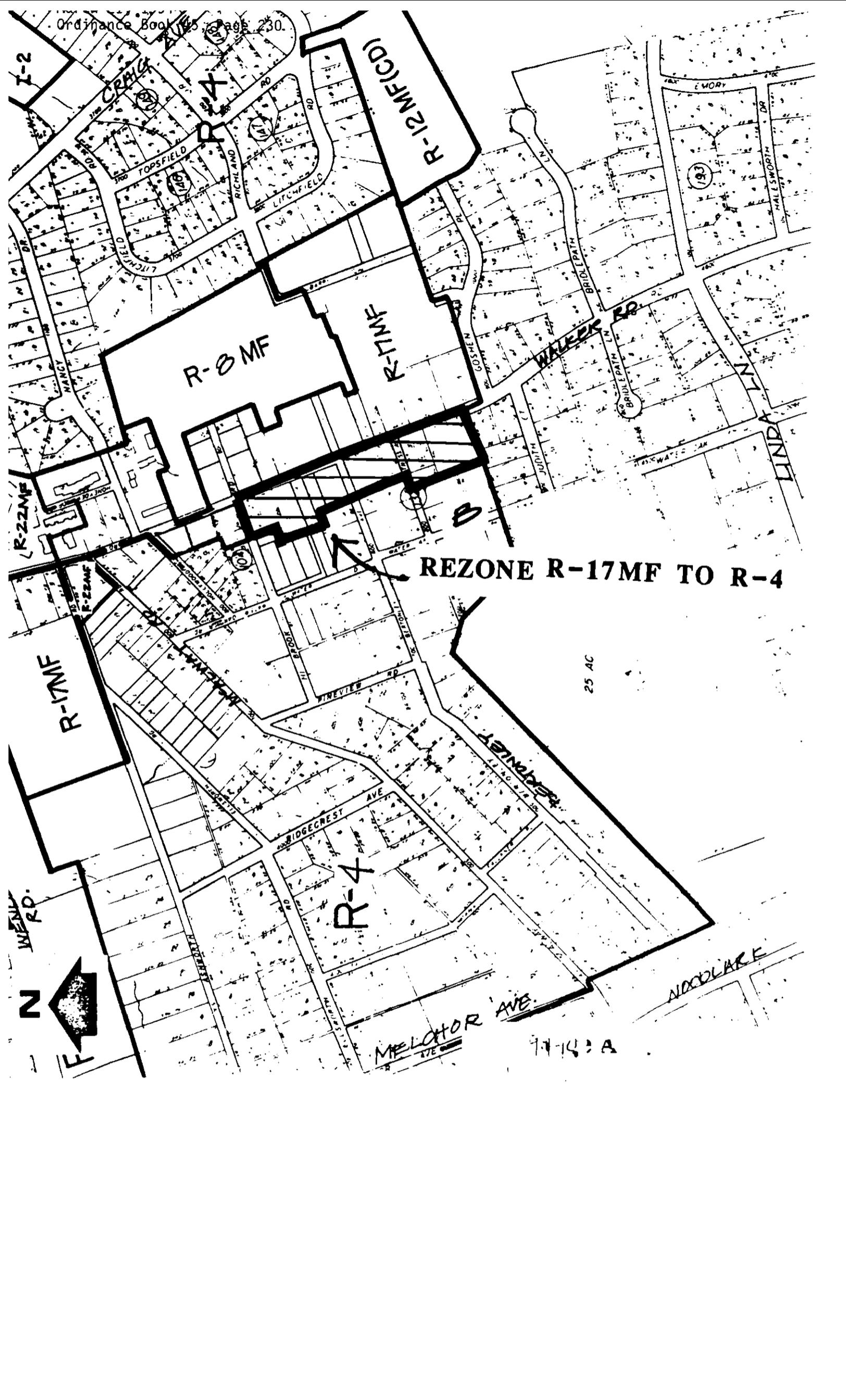
Section 2. That this ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

Henry W. Underhill Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 21st day of March, 19 94, the reference having been made in Minute Book 103, at page ~~XXXXXXX~~ and recorded in full in Ordinance Book 45, Pages 229-230.

Deputy Nancy S. Gilbert
City Clerk



REZONE R-17MF TO R-4

25 AC



MELCHOR AVE
S7E

17-143A

WOODLARK

APPROVED BY CITY COUNCIL
DATE March 21, 1994

Petition No. 94-25
Petitioner: CMPC

ORDINANCE NO. 3819

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 Section 10.602 General Definitions by adding the following definitions:

State Standard

A quality standard for an applicable WS classification as established by the North Carolina Environmental Management Commission.

Variance, Local Watershed

A variance from the requirements of this part which would not result in the relaxation of any State Standard.

Variance, Major Watershed

A variance from the requirements of this part that would result in the relaxation of a State Standard and any one or more of the following:

- (1) the relaxation, by a factor of more than ten (10%) percent, of any State Standard that takes the form of a numerical standard.
- (2) the complete waiver of a State Standard.
- (3) any request to increase the maximum density or built-upon area as specified in a State Standard.
- (4) the relaxation of any State Standard that applies to a development proposal intended to qualify under the high density option.

Variance, Minor Watershed

A variance from the requirements of this part which would result in the relaxation, by a factor of ten (10%) percent or less, of a State Standard that takes the form of a numerical standard. **However, any request to increase the maximum density or built-upon area shall be considered a major variance request.**

2. Amend Section 10.610 Appeals and Variances as follows:

Delete in its entirety and replace with the following new section:

- A. Any appeal to reverse or modify the order, decision, determination, or interpretation of the Zoning Administrator shall be subject to Chapter 5, Appeals and Variances, of these regulations.
- B. A petition for a local watershed variance, as defined in this part, shall comply with all the procedures and standards of Chapter 5, Appeals and Variances, of these regulations. The Board of Adjustment shall have the authority to grant or to deny a local watershed variance based upon § 5.108, "Standards for granting a variance". Any appeal of the Board's decision shall be pursuant to Chapter 5 and G.S. § 160A-388(e).
- C. A petition for a minor watershed variance or a major watershed variance, as defined in this part, shall comply with all the procedures and standards of Chapter 5, Appeals and Variances, of these regulations, with the following additions:
 - 1. In addition to the notification requirement of Chapter 5, the Zoning Administrator shall mail a written notice to each local government having jurisdiction in the watershed where the subject property is located and/or any entity utilizing the receiving waters of the watershed as a water supply at least ten (10) working days prior to the public hearing. The applicant for the variance shall provide a list of those local governments and/or entities that must be notified. The notice shall include a description of the variance being requested. Recipients of the notice of the variance request may submit comments at least three (3) working days prior to the scheduled hearing date by the Board of Adjustment. Such comments, properly filed, shall become part of the record of proceedings.
 - 2. The Board of Adjustment shall have the authority to grant or deny a minor watershed variance based upon § 5.108 "Standards for granting a variance". Any appeal of the Board's decision shall be pursuant to Chapter 5 and G.S. § 160A-388(e).

3. The Board of Adjustment shall make a recommendation to grant or a decision to deny a major watershed variance based upon § 5.108, "Standards for granting a variance" of these regulations and the standard provided for in 15A NCAC 2B .0104(r), which states that a major watershed variance is to be determined on a case-by-case basis, when necessary to accommodate important social and economic development.
 - a. If the Board of Adjustment recommends that the major variance be granted, the Zoning Administrator shall within thirty (30) working days forward a preliminary record of the Board's hearing, findings, and conclusions, including any conditions and stipulations imposed by the Board, to the North Carolina Environmental Management Commission ("EMC") for final decision.
 1. When the EMC approves or denies the variance, the EMC will prepare an EMC decision and send it to the Board. The EMC decision shall constitute the final decision on the major variance request and the applicant shall be notified of the decision by the Zoning Administrator.
 2. Any further appeal of the EMC's decision of a major watershed variance shall be pursuant to the authority and enabling legislation of the EMC.
 - b. If the Board of Adjustment makes a decision to deny the major variance, then the record of the Board's hearing, findings, and conclusions shall not be forwarded to the North Carolina Environmental Management Commission. Any appeal of the Board's denial of a major watershed variance shall be pursuant to Chapter 5 and G.S. § 160A-388(e).
3. The Zoning Administrator shall keep a record, including a description of each project receiving a variance and any reasons stated for granting the variance, of all approved major and minor watershed variances. The Zoning Administrator shall submit a record of the variances granted during the previous calendar year to the North Carolina Division of Environmental Management on or before January 1st of the following year.

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

Approved as to form:

Henry W. Underhill Jr.
City Attorney

Read, approved, and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 21st day of March, 1994, the reference having been made in Minute Book 104, and recorded in full in Ordinance Book 45, at Page 232-234.

Brenda R. Freeze
Brenda Freeze, City Clerk