

APPROVED BY CITY COUNCIL  
DATE November 20, 1995

OVERLAY DISTRICT

Petition No. 95-68  
Elizabeth Community Association

Ordinance No. 407-Z

ZONING REGULATIONS

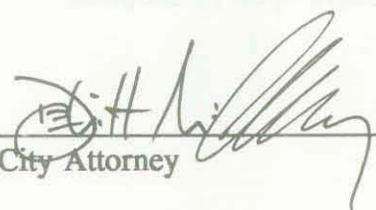
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by designating the Historic District Overlay 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:

  
City Attorney

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 20th day of November, 1995, the reference having been made in Minute Book 109, and recorded in full in Ordinance Book 47, Page(s) 116-117.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 7th day of December, 1995.

  
Brenda R. Freeze, City Clerk

ELIZABETH LOCAL HISTORIC DISTRICT

REZONING PETITION 95-68

NOTE: SHADED AREAS WERE

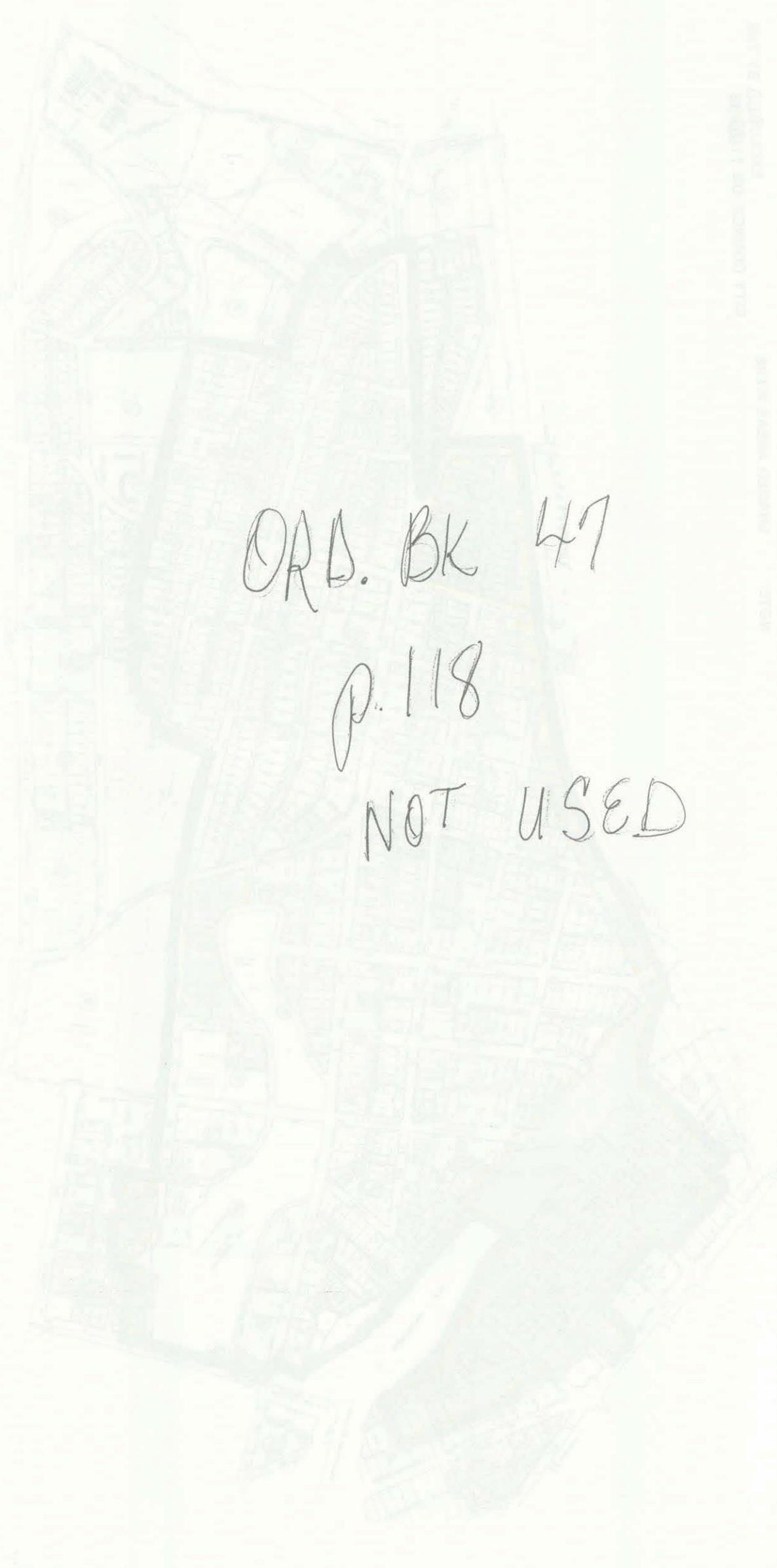
EXCLUDED BY THE  
CITY COUNCIL ON 11/20/95



ORD. BK 47

p. 118

NOT USED



ALL RIGHTS RESERVED  
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NOTE: REVISED VERSION OF THE  
STANDARD OF LAYOUT BOOKS  
REVISIONS FOR THE REVISIONS OF THE

Petition No. 95-13

Petitioner:

BP OIL + EXPLORATION INC. AND  
SERVICE STATION HOLDINGS, INC.

APPROVED BY CITY COUNCIL

DATE November 20, 1995

Ordinance No. 408

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

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

Section 1. Appendix A, "Zoning" of the Code of the City of Charlotte is hereby amended as follows:

1. Amend Section 12.413 Drive-in service windows to read as follows:

**Section 12.413. Drive-in service windows.**

A drive-in service window shall be permitted only as an accessory use in the MX-2, MX-3, INST, RE-1, RE-2, O-1, O-2, O-3, B-1, B-2, BP, CC, I-1, and I-2 districts. Approval will be granted if it is determined that the drive-in window and its associated operational characteristics will not create a traffic hazard either with respect to traffic congestion, the adequacy and safety of entry and exit points, and the on-site vehicular circulation pattern. Facilities must be developed in accordance with the following requirements:

- (1) A plan for a proposed drive-in facility must be approved by the Charlotte Department of Transportation.
- (2) The amount of stacking distance provided on the lot shall be in accordance with the minimum vehicle storage requirements in Table 12.413 below. No portion of the required vehicle stacking distance is permitted within public rights-of-way.
- (3) A separate circulation drive must be established for the drive-in service window. The drive-through lane must be distinctly marked by special striping, pavement markings, or traffic islands.
- (4) Menu boards and other signage associated with drive-in service windows will be governed by Chapter 13.

*[Handwritten signature]*

**Table 12.413**  
**MINIMUM VEHICLE STORAGE REQUIREMENTS\***

<i>TYPE OF FACILITY</i>	<i>VEHICLE STORAGE</i>
Bank	6 spaces per window <sup>1</sup>
Restaurant	8 spaces per window <sup>2</sup>
Single Vehicle Automatic Accessory Use Car Wash	4 spaces per wash line
Automatic Car Wash	10 spaces per wash line
Self-service Car Wash	3 spaces per wash line
Drive-in Theater	15% of the total parking capacity
Service Stations	4 spaces per service position
Dry Cleaners	3 spaces per window <sup>2</sup>
Other Uses	5 spaces per window

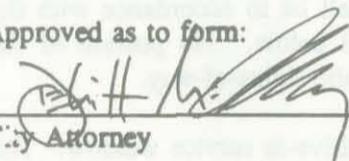
\* (1 vehicle space equals 20 feet)

**FOOTNOTES TO TABLE:**

- <sup>1</sup> This requirement will be reduced to 3 spaces per window for savings and loan institutions and credit unions. For banks with more than 5 drive-up windows, the storage requirements shall not exceed a total of 20 vehicles.
- <sup>2</sup> As measured from the pick-up window.

Section 2. This ordinance shall become effective upon adoption.

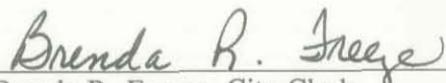
Approved as to form:

  
 \_\_\_\_\_  
 City Attorney

**CERTIFICATION**

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 20th day of November, 1995, the reference having been made in Minute Book 109, and recorded in full in Ordinance Book 47, Page(s) 119-120.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of November, 1995.

  
 \_\_\_\_\_  
 Brenda R. Freeze, City Clerk

CITY CD

Petition No. 95-76  
James Rice

ORDINANCE NO. 409-Z

APPROVED BY CITY COUNCIL  
DATE November 20, 1995

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 acres located on the south side of West Arrowood Road east of Bramblewood Drive; and

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

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on October 16, 1995; 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:

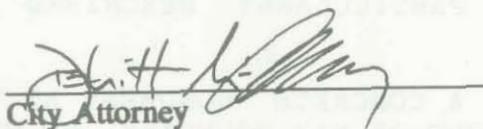
Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-3 to B-D(CD) and O-2(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

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.

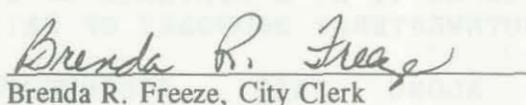
APPROVED AS TO FORM:

  
City Attorney

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 20th day of November, 1995, the reference having been made in Minute Book 109, and recorded in full in Ordinance Book 47, Page(s) 121-123A.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of November, 1995.

  
Brenda R. Freeze, City Clerk

95-76

PORTION TO BE REZONED O-2(CD)

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE CITY OF CHARLOTTE, COUNTY OF MECKLENBURG AND STATE OF NORTH CAROLINA BEING PART OF LANDS CONVEYED TO HIGH POINT REALTY ASSOCIATES, INC. & SOUTHEASTERN GUIDE DOGS, INC. AND DESCRIBED IN A DEED RECORDED IN THE MECKLENBURG COUNTY REGISTRY OFFICE IN DEED BOOK 8110 AT PAGE 289 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT MARKED BY AN IRON PIN MONUMENT IN THE SOUTHWESTERLY RIGHT-OF-WAY BOUNDARY OF WEST ARROWOOD ROAD (a.k.a. S.R. 1138), SAID POINT ALSO BEING THE NORTHEASTERLY CORNER OF LANDS CONVEYED TO EMOLYN S. CROW AND DESCRIBED IN A DEED RECORDED IN SAID REGISTRY OFFICE IN DEED BOOK 1464 AT PAGE 37; RUNNING THENCE ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY BOUNDARY S.51°54'14"E. A DISTANCE OF 214.78 FEET TO A POINT; THENCE THROUGH SAID LANDS OF "HIGH POINT REALTY ET AL" THE FOLLOWING TWO (2) COURSES:

- 1.) S.48°05'41"W. A DISTANCE OF 203.08 FEET TO A POINT;
- 2.) N.51°54'14"W. A DISTANCE OF 208.48 FEET TO A POINT IN THE LINE OF SAID LANDS CONVEYED TO EMOLYN S. CROW;

THENCE ALONG THE COMMON BOUNDARY BETWEEN SAID LANDS OF "CROW" , ON THE NORTH, AND SAID LANDS OF "HIGH POINT REALTY ET AL", ON THE SOUTH, N.46°20'10"E. A DISTANCE OF 202.09 FEET TO THE POINT OF BEGINNING, CONTAINING 0.972 ACRES OR 42,326 SQUARE FEET OF LAND, MORE OR LESS,

NOVEMBER 28, 1995  
FILE NO. 346.001  
Page 1 of 2

BOUNDARY DESCRIPTION - REZONING PETITION NO 95-76

PORTION TO BE REZONED TO B-D(CD)

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE CITY OF CHARLOTTE, COUNTY OF MECKLENBURG AND STATE OF NORTH CAROLINA BEING PART OF LANDS CONVEYED TO HIGH POINT REALTY ASSOCIATES, INC. & SOUTHEASTERN GUIDE DOGS, INC. AND DESCRIBED IN A DEED RECORDED IN THE MECKLENBURG COUNTY REGISTRY OFFICE IN DEED BOOK 8110 AT PAGE 289 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT MARKED BY A CONCRETE MONUMENT AT THE INTERSECTION OF THE SOUTHWESTERLY RIGHT-OF-WAY BOUNDARY OF WEST ARROWOOD ROAD (a.k.a. S.R. 1138) WITH THE WESTERLY RIGHT-OF-WAY BOUNDARY OF HANSON ROAD (a.k.a. S.R. 1139); RUNNING THENCE ALONG THE WESTERLY AND NORTHWESTERLY RIGHT-OF-WAY BOUNDARIES OF SAID HANSON ROAD THE FOLLOWING TWO (2) COURSES:

- 1.) S.06°39'50"E. A DISTANCE OF 31.06 FEET TO A POINT MARKED BY A CONCRETE MONUMENT;
- 2.) S.48°05'41"W. A DISTANCE OF 180.69 FEET TO A POINT;

THENCE THROUGH SAID LANDS OF "HIGH POINT REALTY ET AL" THE FOLLOWING TWO (2) COURSES:

- 1.) N.51°54'14"W. A DISTANCE OF 233.67 FEET TO A POINT;
- 2.) N.48°05'41"E. A DISTANCE OF 203.08 FEET TO A POINT IN THE SOUTHWESTERLY BOUNDARY OF SAID WEST ARROWOOD ROAD;

THENCE ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY BOUNDARY S.51°54'14"E. A DISTANCE OF 207.91 FEET TO THE POINT OF BEGINNING CONTAINING 1.066 ACRES OR 46,449 SQUARE FEET OF LAND, MORE OR LESS.

Petition #: 95-76

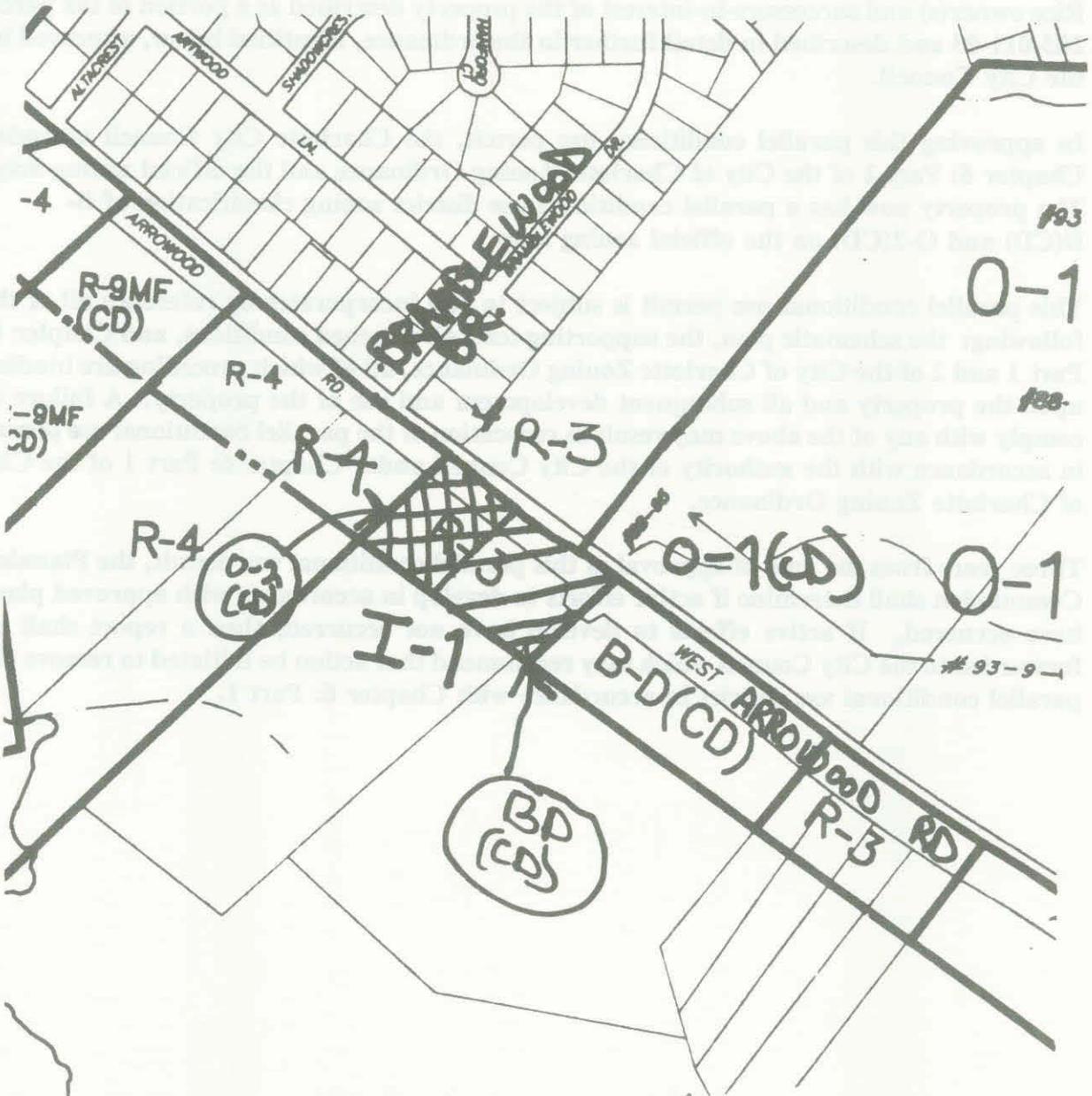
Petitioner: James Rice

Hearing Date: October 16, 1995

Zoning Classification (Existing): R-3

Zoning Classification (Requested): B-D(CD) + O-2(CD)

Location: Approximately 2 acres located on the south side of West Arrowood Road east of Bramblewood Drive.



Zoning Map #(s): 149

Scale: 1" = 400'

**Petition No. 95-76**  
**James Rice**

## **PARALLEL CONDITIONAL USE PERMIT**

**This is a parallel conditional use permit approved by the Charlotte City Council to James Rice owner(s) and successors-in-interest of the property described as a portion of tax parcel 203-011-03 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-D(CD) and O-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.**

CITY CD

Petition No. 95-79  
Mountasia/Malibu of Charlotte

ORDINANCE NO. 410-Z

APPROVED BY CITY COUNCIL

DATE November 20, 1995

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 8.6 acres located on the north side of Interstate 85 east of West Sugar Creek Road; and

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

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on October 16, 1995; 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:

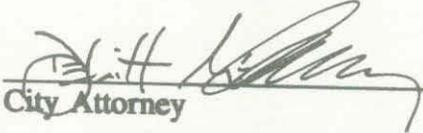
Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from BP to B-2(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

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.

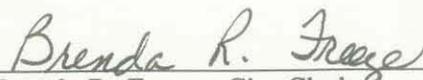
APPROVED AS TO FORM:

  
City Attorney

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 20th day of November, 1995, the reference having been made in Minute Book 109, and recorded in full in Ordinance Book 47, Page(s) 124-126.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of November, 1995.

  
Brenda R. Freeze, City Clerk

Petition #: 95-79

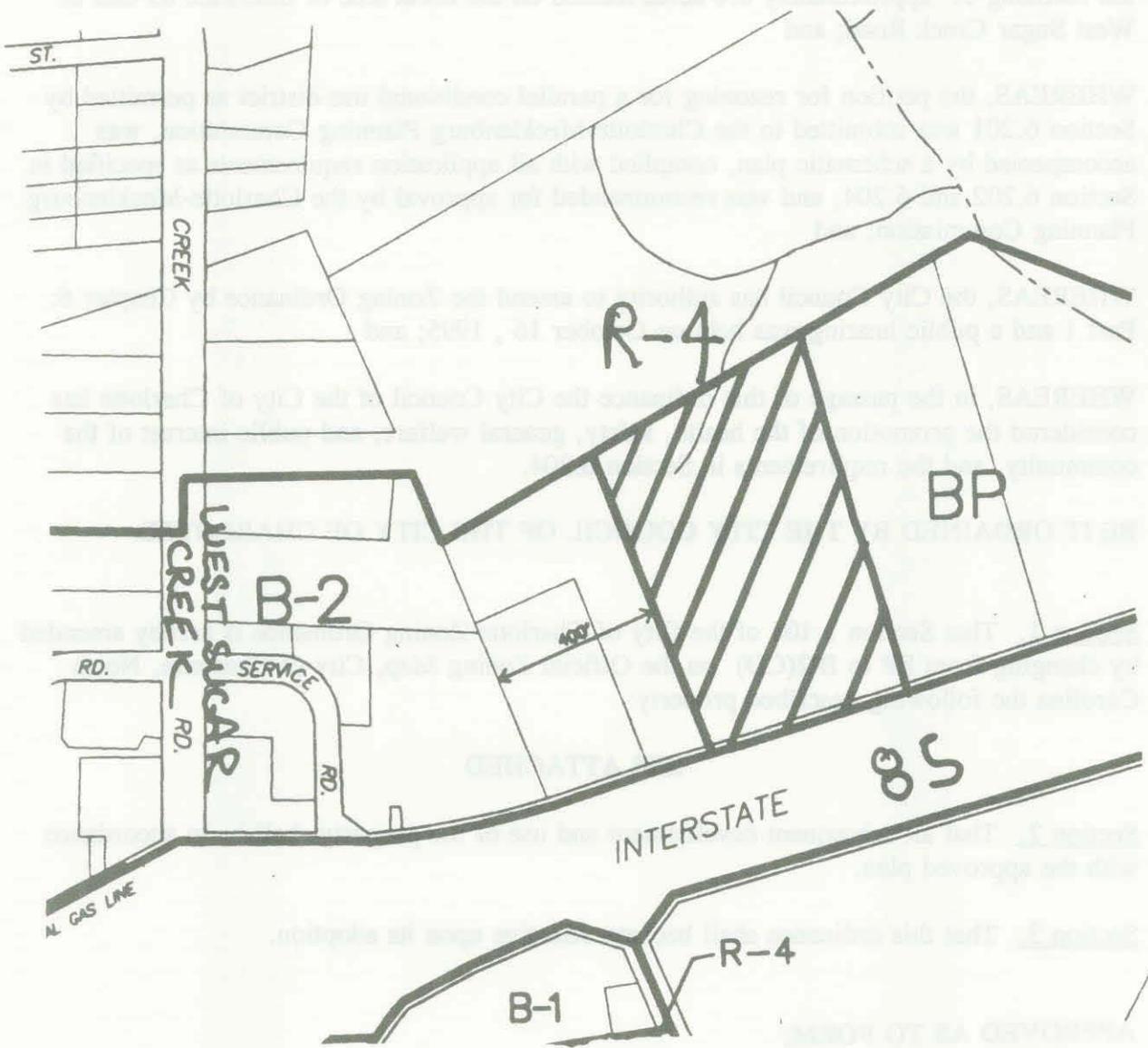
Petitioner: Mountasia/Malibu of Charlotte

Hearing Date: October 16, 1995

Zoning Classification (Existing): BP

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

Location: Approximately 8.6 acres located on the north side of Interstate 85 east of West Sugar Creek Road.



Zoning Map #(s): 70

Scale: 1" = 400'

*[Signature]*

95-79

**MOUNTASIA  
8.696 ACRE**

**DESCRIPTION:**

**BEGINNING** at a point in the northerly margin of the North Interstate Highway #85 right-of-way, said point being the southwest corner of the Melba Investors Southeast, Inc. property as described in Deed Book 5176, Page 909 of the Mecklenburg County Public Registry and runs thence with the northerly margin of said Highway S.75-16-10W. 449.19 feet to a point, said point being the southeast corner of the Lee Family Trust property as described in Deed Book 6600, Page 564 of said registry; thence with the easterly line of the Lee Family Trust property N.19-59-57W. 727.96 feet to a point in the line of the Northside Baptist Church of Charlotte, N.C., Inc. property as described in Deed Book 3452, Page 446 of said registry; thence with the line of Northside Baptist N.62-58-52E. 528.08 feet to a point, said point being the northwest corner of the aforesaid Melba Investors property; thence with the westerly line of Melba Investors S.14-43-50E. 837.28 feet to the point and place of **BEGINNING**. Containing 8.696 acres of land as shown on a survey by R.B. Pharr & Associates, P.A. dated March 25, 1983.

**Petition No. 95-79  
Mountasia/Malibu of Charlotte**

**PARALLEL CONDITIONAL USE PERMIT**

**This is a parallel conditional use permit approved by the Charlotte City Council to Mountasia/Malibu of Charlotte owner(s) and successors-in-interest of the property described as tax parcel 047-011-32 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.**

CITY CD

Petition No. 95-80  
Pavilion Partners

ORDINANCE NO. 411-Z

APPROVED BY CITY COUNCIL

DATE November 20, 1995

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 23.30 acres located on the west side of Blockbuster Boulevard at Harris Houston Road; and

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

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on October 16, 1995; 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:

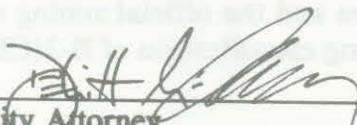
Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-3 to O-1(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

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.

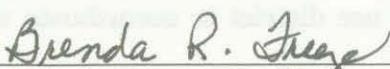
APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 20th day of November, 1995, the reference having been made in Minute Book 109, and recorded in full in Ordinance Book 47, Page(s) 127-129.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of November, 1995.

  
\_\_\_\_\_  
Brenda R. Freeze, City Clerk

Petition #: 95-80

November 20, 1995

Ordinance Book 47, Page 128

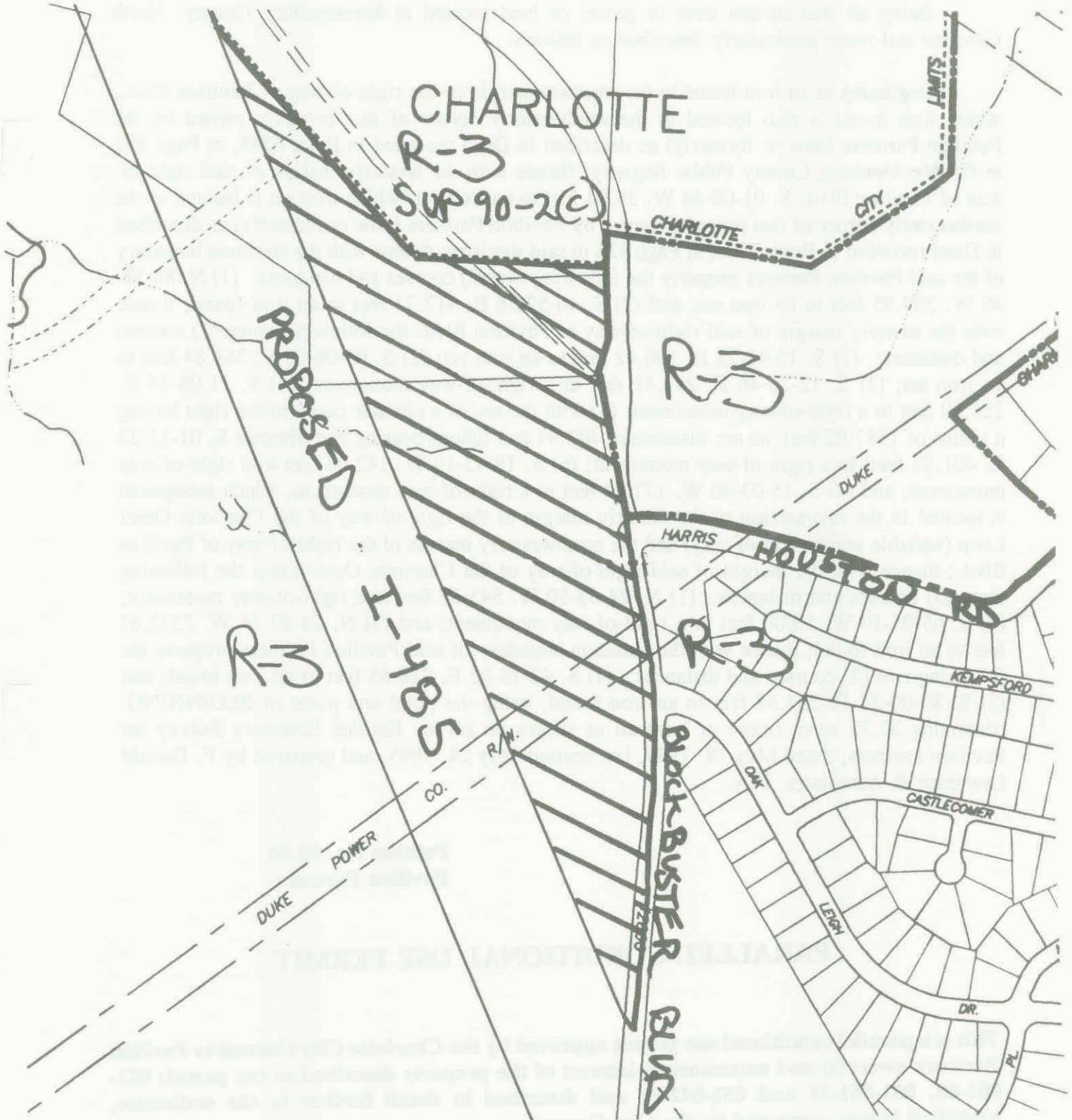
Petitioner: Pavilion Partners

Hearing Date: October 16, 1995

Zoning Classification (Existing): R-3

Zoning Classification (Requested): O-1(CD)

Location: Approximately 23.30 acres located on the west side of Blockbuster Boulevard at Harris Houston Road.



Zoning Map #(s): 54,57

Scale: 1" = 400'

95-80

## TRACT I

Being all that certain tract or parcel of land located in Mecklenburg County, North Carolina and more particularly described as follows:

Beginning at an iron found in the westerly margin of the right-of-way of Pavilion Blvd., which iron found is also located in the southeasterly corner of that property owned by the Pavilion Partners (now or formerly) as described in Deed recorded in Book 6745, at Page 601 in the Mecklenburg County Public Registry; thence with the westerly margin of said right-of-way of Pavilion Blvd. S. 01-00-44 W. 34.94 feet to an iron set, which iron set is located in the northeasterly corner of that property owned by Pavilion Partners (now or formerly) as described in Deed recorded in Book 7736, at Page 426 in said Registry; thence with the common boundary of the said Pavilion Partners property the following two (2) courses and distances: (1) N. 88-58-40 W. 309.95 feet to an iron set; and (2) S. 46-52-56 E. 417.71 feet to an iron found; thence with the easterly margin of said right-of-way of Pavilion Blvd. the following seven (7) courses and distances: (1) S. 15-48-22 E. 106.42 feet to an iron set; (2) S. 05-06-00 E. 341.84 feet to an iron set; (3) S. 12-23-46 E. 242.41 feet to a right-of-way monument; (4) S. 11-06-44 E. 221.50 feet to a right-of-way monument; (5) with the arc of a circular curve to the right having a radius of 1587.02 feet, an arc distance of 402.91 feet (chord bearing and distance S. 01-11-23 E. 401.83 feet) to a right-of-way monument; (6) S. 18-45-19 W. 142.04 feet to a right-of-way monument; and (7) S. 15-03-40 W. 177.84 feet to a right-of-way monument, which monument is located in the intersection of the easterly margin of the right-of-way of the Charlotte Outer Loop (variable width right-of-way) and the northwesterly margin of the right-of-way of Pavilion Blvd.; thence with the margin of said right-of-way of the Charlotte Outer Loop the following three (3) courses and distances: (1) N. 24-53-50 W. 545.37 feet to a right-of-way monument; (2) S. 65-06-10 W. 10.00 feet to a right-of-way monument; and (3) N. 24-52-44 W. 2332.61 feet to an iron found; thence with the common boundary of said Pavilion Partners property the following two (2) courses and distances: (1) S. 42-29-02 E. 918.65 feet to an iron found; and (2) S. 89-00-24 E. 534.68 feet to an iron found, being the point and place of BEGINNING, containing 22.25 acres (more or less) all as shown on survey Entitled Boundary Survey for Pavilion Partners, dated May 18, 1995, last revised May 24, 1995, and prepared by F. Donald Lawrence & Associates, P.A.

**Petition No. 95-80  
Pavilion Partners**

## PARALLEL CONDITIONAL USE PERMIT

**This is a parallel conditional use permit approved by the Charlotte City Council to Pavilion Partners owner(s) and successors-in-interest of the property described as tax parcels 051-061-05, 051-061-21 and 051-042-01 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) 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.**

CITY CD

Petition No. 95-81  
Donald W. Wilburn

ORDINANCE NO. 412-Z

**APPROVED BY CITY COUNCIL**  
DATE November 20, 1995

**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 1.5 acres located on the west side of Independence Boulevard north of Irvin Creek; and

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

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on October 16, 1995; 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:**

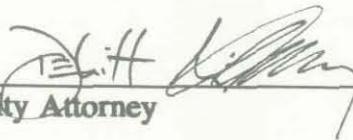
**Section 1.** That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from B-D to B-2(CD) and B-2 on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

**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

**CERTIFICATION**

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 20th day of November, 199 5, the reference having been made in Minute Book 109, and recorded in full in Ordinance Book 47, Page(s) 130-132A.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of November, 199 5.

  
\_\_\_\_\_  
Brenda R. Freeze, City Clerk

**Petition #:** 95-81

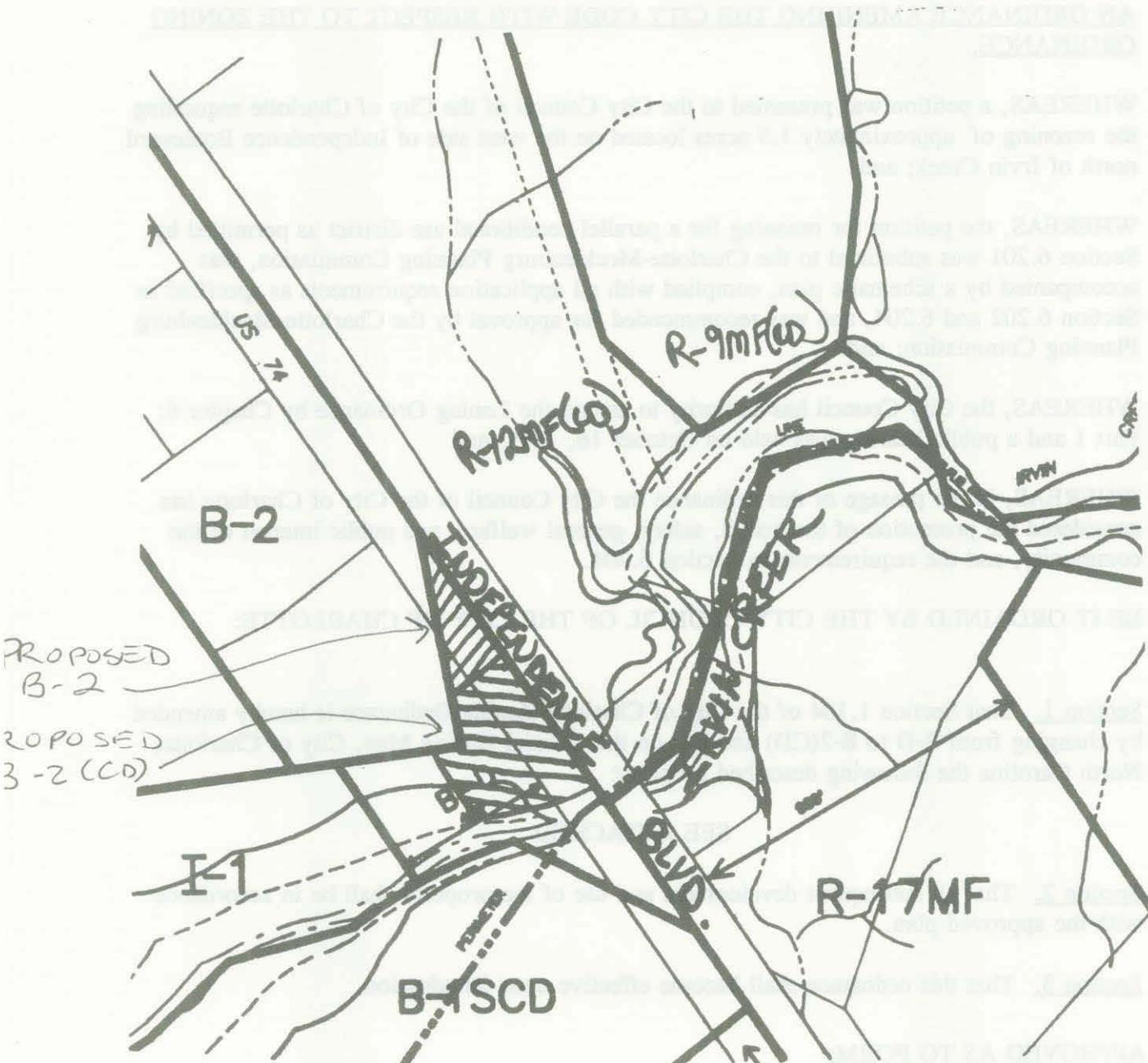
**Petitioner:** Donald W. Wilburn

**Hearing Date:** October 16, 1995

**Zoning Classification (Existing):** B-D

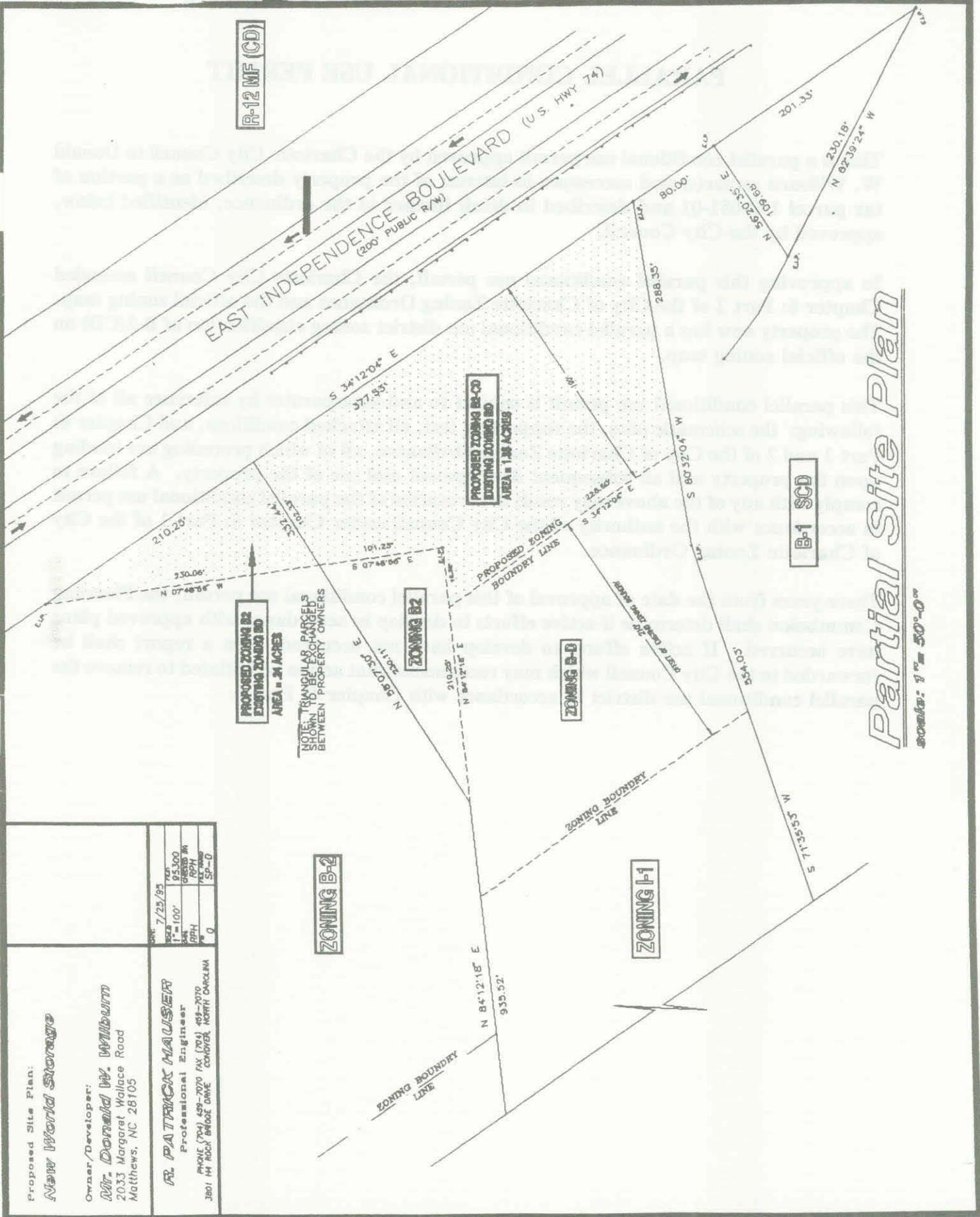
**Zoning Classification (Requested):** B-2(CD) AND B-2

**Location:** Approximately 1.5 acres located on the west side of Independence Boulevard north of Irvin Creek.



Zoning Map #(s): 138

Scale: 1" = 400'



**Partial Site Plan**

Scale: 1" = 50'-0"

Proposed Site Plan:  
**New World Storage**  
Owner/Developer:  
**Mr. Donald W. Wilburn**  
2033 Margaret Wallace Road  
Matthews, NC 28105

DATE: 7/25/95	7/25
SCALE: 1"=100'	85,500
DATE: 08/05/94	08/05
BY: RPH	RPH
CHK: RPH	RPH
APP: Q	SP-D

**R. PATRICK HAUSER**  
Professional Engineer  
PHONE (704) 459-7070 FAX (704) 493-7070  
3801 H H ROCK BAYVIEW DRIVE CHARLOTTE, NORTH CAROLINA

Petition No. 95-81  
Donald W. Wilburn

## PARALLEL CONDITIONAL USE PERMIT

**This is a parallel conditional use permit approved by the Charlotte City Council to Donald W. Wilburn owner(s) and successors-in-interest of the property described as a portion of tax parcel 193-081-01 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 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.**

CITY CD

Petition No. 95-82  
Randolph Goers, Inc.

ORDINANCE NO. 413-2

APPROVED BY CITY COUNCIL  
DATE November 20, 1995

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 16,997 square feet located on the south side of Margaret Wallace Road west of Whitfield Drive; and

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

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on October 16, 1995; 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:

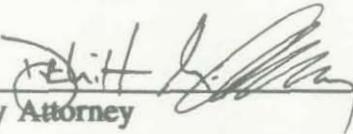
Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-4 to R-8(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

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

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 20th day of November, 1995, the reference having been made in Minute Book 109, and recorded in full in Ordinance Book 47, Page(s) 133-135.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of November, 1995.

  
Brenda R. Freeze, City Clerk

**Petition #:** 95-82

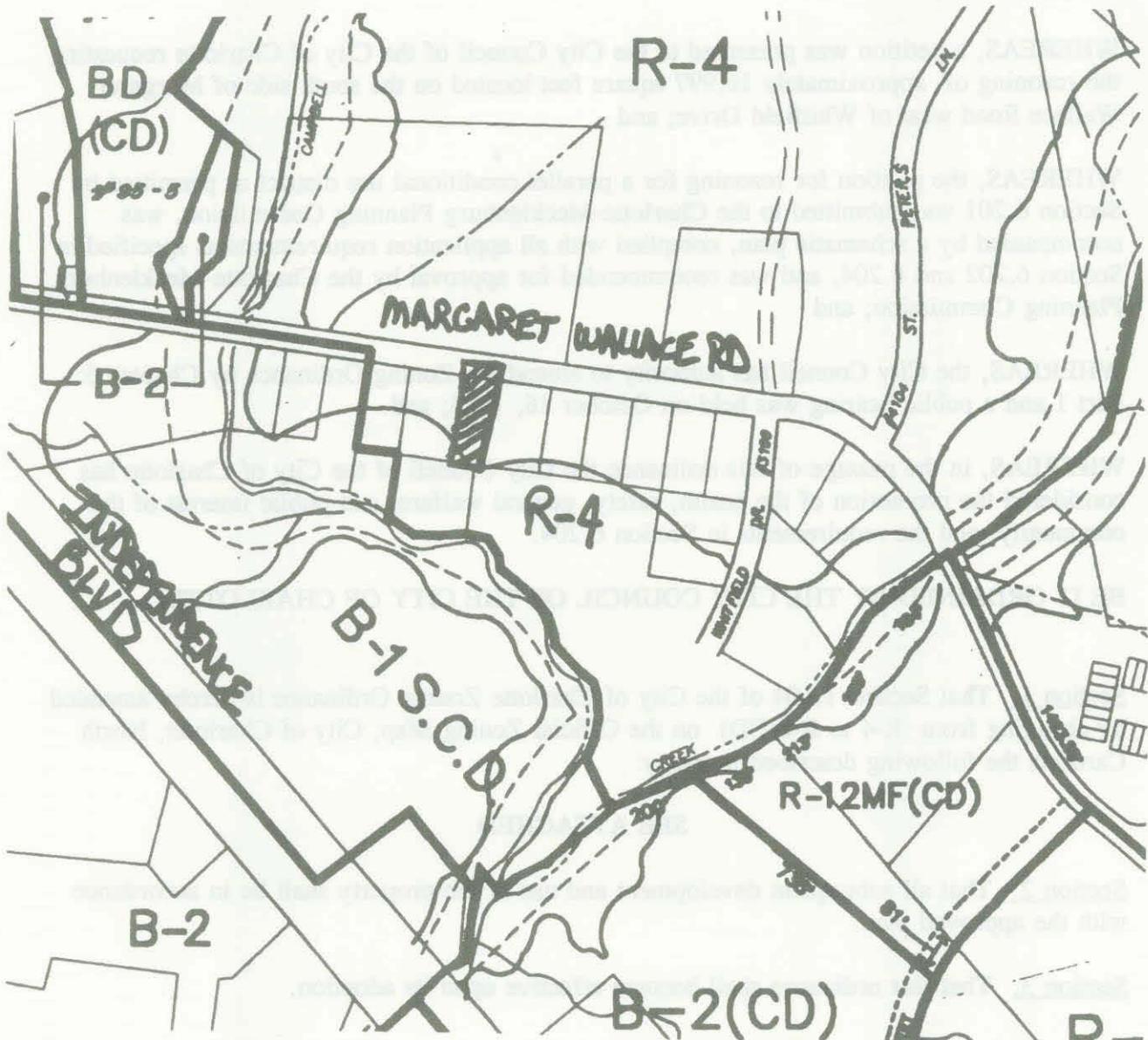
**Petitioner:** Randolph Goers Inc.

**Hearing Date:** October 16, 1995

**Zoning Classification (Existing):** R-4

**Zoning Classification (Requested):** R-8(CD)

**Location:** Approximately 16,997 square feet located on the south side of Margaret Wallace Road west of Whitfield Drive.



Zoning Map #(s): 138

Scale: 1" = 400'

*[Handwritten signature]*

95 82

Legal Description

Beginning at an existing iron pin, said pin being located on the south side of the right-of-way for Margaret Wallace Road, said pin also being the northeast corner of the Gene A. Lowry property; thence with the right-of-way of Margaret Wallace Road S 82-55-30 E, 89.50 feet to a new corner; thence along a new line S 10-20-19 W, 190.21 feet to a new corner; thence N 83-02-00 W, 80.00 feet to an existing iron pin; thence N 07-28-33 E, 190.06 feet to the point of beginning and containing 16,997 square feet.

Petition No. 95-82  
Randolph Goers Inc.

**PARALLEL CONDITIONAL USE PERMIT**

This is a parallel conditional use permit approved by the Charlotte City Council to Randolph Goers Inc. owner(s) and successors-in-interest of the property described as a portion of tax parcel 165-161-012 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-8(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.

CITY CD

Petition No. 95-83  
Carolina Evangelistic Association

ORDINANCE NO. 414-Z

APPROVED BY CITY COUNCIL  
DATE November 20, 1995

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 25 acres located at the end of Pebblestone Drive south of Lumarka Drive; and

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

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on October 16, 1995; 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:

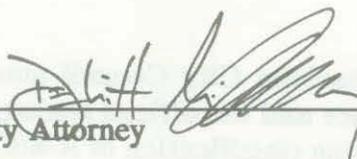
Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-20MF. to R-8MF(CD) and R-3 on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

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.

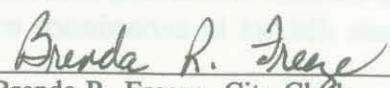
APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 20th day of November, 1995, the reference having been made in Minute Book 109, and recorded in full in Ordinance Book 47, Page(s) 136-138.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of November, 1995.

  
\_\_\_\_\_  
Brenda R. Freeze, City Clerk

**Petition #:** 95-83

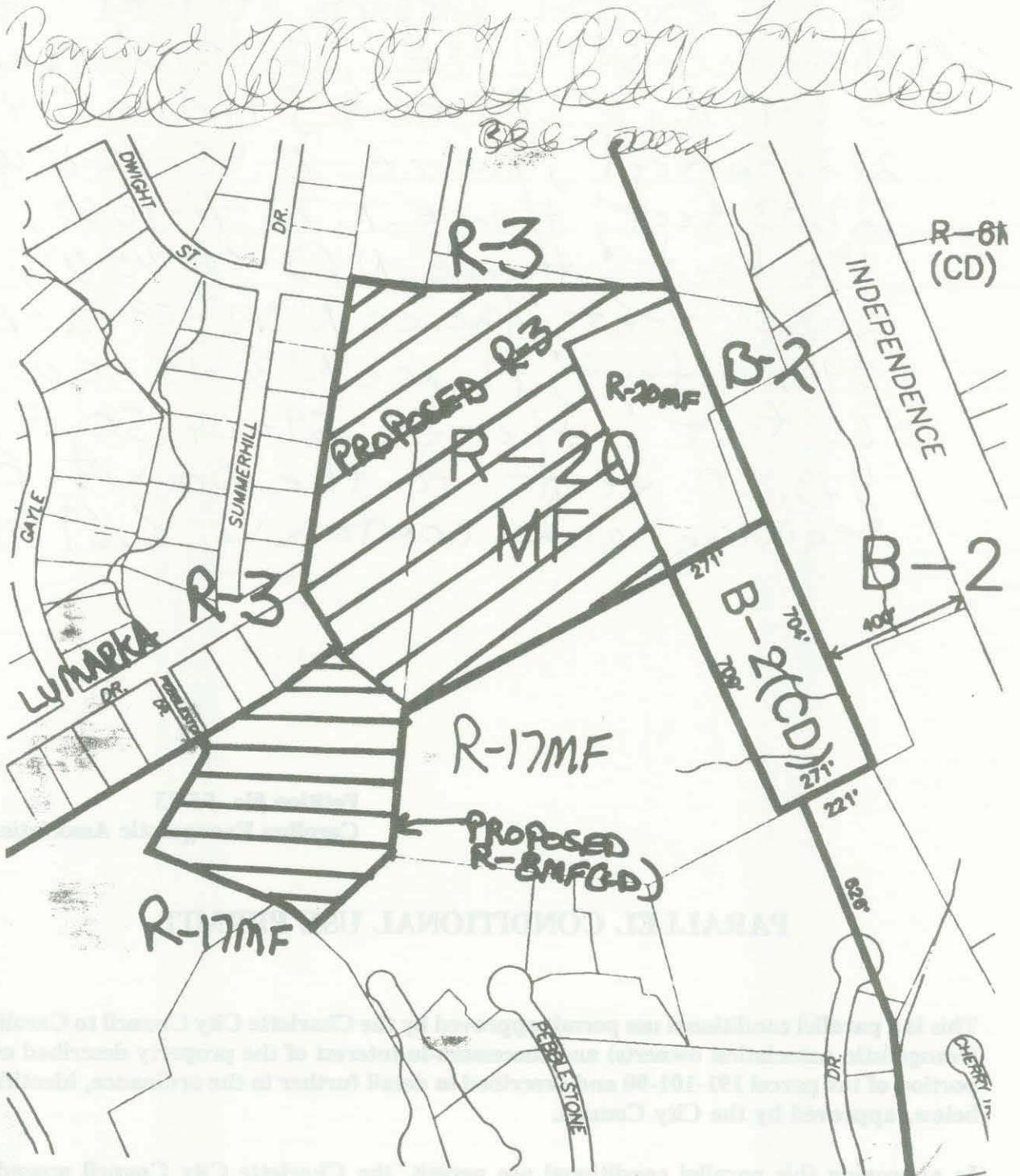
**Petitioner:** Carolina Evangelistic Association

**Hearing Date:** October 16, 1995

**Zoning Classification (Existing):** R-20MF

**Zoning Classification (Requested):** R-8MF(CD) AND R-3

**Location:** Approximately 2.5± acres located at the end of Pebblestone Drive south of Lumarka Drive.



Zoning Map #(s): 137

Scale: 1" = 400'

95-83  
LEGAL DESCRIPTION  
R-8MF(CD)

Beginning at an existing iron pin said corner being the southeast corner of the property of Peter Sherman; thence S 58-41-19 E, 230.16'; thence S 6-15 W, 399.84 feet; thence S 44-57-10 W, 272.56 feet; thence N 45-02-15 W, 129.83 feet; thence N 73-11-40 W, 170 feet; thence N 63-06-40 W, 240.00 feet; thence N 33-58-20 E, 240.00 feet; thence N 30-10-10 W, 60 feet; thence N 59-04-50 E, 444.30 feet to the point of beginning and containing 6.69 acres.

Petition No. 95-83  
Carolina Evangelistic Association

**PARALLEL CONDITIONAL USE PERMIT**

**This is a parallel conditional use permit approved by the Charlotte City Council to Carolina Evangelistic Association owner(s) and successors-in-interest of the property described as a portion of tax parcel 191-101-90 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-8MF(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.**