

APPROVED BY CITY COUNCIL

DATE October 21, 1991

CITY CD

Petition No. 91-57
Realty Buyers Group

ORDINANCE NO. 3240-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 28.82 acres located on the south side of Byrum Drive and west of Wilmount Road; and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 3201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements as specified in Section 3202.1 and 3202.2, and was recommended for approval by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Section 1300 and a public hearing was held on September 30, 1991; 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 each of the following which are required by Section 3202.3:

1. The policies and objectives of the comprehensive plan, particularly in relation to the proposed site and surrounding area.
2. The potential adverse impacts on the surrounding area, especially in regards but not limited to traffic, storm drainage, land values and compatibility of land use activities.

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

Section 1. That Section 1005 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-15 to I-1(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

REZONING PETITION NO. 91-57
EXHIBIT A
LEGAL DESCRIPTION

BEGINNING at a point formed by the intersection of the southerly margin of the right-of-way of Byrum Drive (60' right-of-way) with the southwesterly margin of the right-of-way of Wilmount Road (60' right-of-way) and running thence with the southwesterly margin of the right-of-way of Wilmount Road S.38-36-12E. 250.15 feet to a point; thence S.51-11-02W. 252.10 feet to a point; thence S.21-29-56E. 79.75 feet to a point; thence N.68-17-44E. 287.99 feet to a point in the southwesterly margin of the right-of-way of Wilmount Road; thence with the southwesterly margin of said right-of-way S.38-36-12E. 175.62 feet to a point; thence S.69-32-26W. 230.20 feet to a point; thence S.38-49-02E. 174.63 feet to a point; thence N.72-52-07E. 12.15 feet to a point; thence S.26-41-06E. 147.06 feet to a point; thence N.72-08-27E. 31.26 feet to a point; thence N.68-09-30E. 80.00 feet to a point; thence N.68-09-30E. 138.92 feet to a point in the southwesterly margin of the right-of-way of Wilmount Road; thence with the southwesterly margin of said right-of-way S.39-09-30E. 626.04 feet to a point; thence S.50-30-59W. 297.13 feet to a point; thence N.33-42-00W. 280.89 feet to a point; thence S.68-20-59W. 332.90 feet to a point; thence S.64-22-17W. 270.17 feet to a point; thence S.82-53-59W. 453.75 feet to a point in the easterly margin of the right-of-way of Whippoorwill drive; thence with the easterly margin of the aforesaid right-of-way N.04-43-45W. 199.99 feet to a point; thence N.04-35-45W. 481.99 feet to a point; thence N.68-07-43E. 131.66 feet to a point; thence N.04-49-35W. 343.41 feet to a point; thence S.67-36-47W. 70.25 feet to a point; thence N.00-51-55W. 538.88 feet to a point in the southerly margin of the right-of-way of Byrum Drive; thence with the southerly margin of the aforesaid right-of-way N.87-31-28E. 336.28 feet to a point, the point or place of beginning, containing 28.82 acres, more or less, all as shown on Rezoning Plan prepared by DPR Associates, Inc., dated May 31, 1991, as amended on July 12, 1991 and last revised on August 13, 1991, reference to which Rezoning Plan is hereby made for a more complete description.

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.

October 21, 1991

Ordinance Book 40, Page 274

APPROVED AS TO FORM:

Henry W. Woodhill 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 October, 19 91, the reference having been made in
Minute Book 99, and is recorded in full in Ordinance
Book 40, at page 272-274.

Pat Sharkey
City Clerk