ORDINANCE NO. 1342-X

AN ORDINANCE DESIGNATING THE PROPERTY KNOWN AS THE "JAKE NEWELL HOUSE" (INCLUDING THE INTERIOR, EXTERIOR AND THE LAND ASSOCIATED THERewith) AS HISTORIC PROPERTY AT 819 SUNNYSIDE AVENUE, CHARLOTTE, NORTH CAROLINA, AND RECORDED ON TAX PARCEL NUMBER 080-212-05 IN THE MECKLENBURG COUNTY TAX OFFICE.

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Part 3B, Article 19, Chapter 160A, as amended, of the General Statutes of North Carolina have been met; and

WHEREAS, the City Council of Charlotte, North Carolina, has taken into full consideration all statements and information presented at a joint public hearing held with the Charlotte-Mecklenburg Historic Properties Commission on the 16th day of May, 1983, on the question of designating the property known as the "Jake Newell House" (including the interior, exterior and the land associated therewith); and

WHEREAS, the "Jake Newell House" was erected in 1911-12, and is one of the oldest houses remaining in Piedmont Park, one of Charlotte's first streetcar suburbs; and

WHEREAS, the "Jake Newell House" is one of the best-preserved local examples of the Four Square style; and

WHEREAS, the initial owner and long-time resident, Jake Newell, an attorney, was a prominent figure in the North Carolina Republican party, and, in addition to serving as State chairman, he ran for the United States Senate and the United States House of Representatives; and

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has demonstrated that the "Jake Newell House" possesses special significance in terms of its history, architecture, and/or cultural importance; and

WHEREAS, the "Jake Newell House" possesses integrity of design, setting, workmanship, materials, feeling and/or association; and

WHEREAS, the property known as the "Jake Newell House" is vested in fee simple to the following names and persons listed: Mr. John J. Emerson and wife, Helen M.
Emerson of 819 Sunnyside Avenue, Charlotte, North Carolina.

NOW, THEREFORE BE IT ORDAINED by the City Council of Charlotte, North Carolina:

1. That the property known as the "Jake Newell House" (including the interior, exterior and the land associated therewith) is hereby designated as historic property pursuant to Part 3B, Article 19, Chapter 160A, of the General Statutes of North Carolina. For purposes of description only, the location of said property is noted as being situated on a tract of property at 819 Sunnyside Avenue, Charlotte, North Carolina, as recorded on Parcel Number 080-212-05 in the Tax Office of Mecklenburg County, North Carolina.

2. That said designated property may be materially altered, restored, moved, or demolished only following the issuance of a Certificate of Appropriateness by the Charlotte-Mecklenburg Historic Properties Commission. An Application for a Certificate of Appropriateness authorizing the demolition of said property may not be denied. However, the effective date of such a Certificate may be delayed in accordance with Chapter 160A, Article 19, Part 3B, and amendments thereto and hereinafter adopted.

3. That nothing in this ordinance shall be construed to prevent or delay the ordinary maintenance or repair of any architectural feature in or on said property that does not involve a change of design, material, or outer appearance thereof, nor to prevent or delay the making of emergency repairs, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition, or removal of any such feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the property owner from making any use of this property not prohibited by other statutes, ordinances, or regulations.
4. That a suitable sign may be posted indicating that said property has been designated as historic property and containing any other appropriate information. If the owner consents, the sign shall be placed on said property.

5. That the owners and occupants of the property known as the "Jake Newell House" be given the notice of this ordinance as required by applicable law and that copies of this ordinance be filed and indexed in the offices of the City Clerk, Building Inspection Department, Mecklenburg County Register of Deeds, and the Tax Supervisor, as required by applicable law.

6. That which is designated as historic property shall be subject to Chapter 160A, Article 19, Part 3B, and any amendments to it and any amendments hereinafter adopted.

Approved as to form:

[Signature]
City Attorney

CERTIFICATION

I, Pat Sharkey, 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 16th day of May, 1983, the reference having been made in Minute Book 80 and is recorded in full in Ordinance Book 32 at Pages 36-38.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 19th day of May, 1983.

[Signature]
Pat Sharkey, City Clerk
ORDINANCE NO. 1343-Z

An Ordinance Amending Chapter 23 of the City Code - Zoning Ordinance

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

Section 1. That Chapter 23, Section 23-8 of the Code of the City of Charlotte is hereby amended by changing from R-6MF to I-II on the Official Zoning Map, City of Charlotte, N.C. the following described property:

BEGINNING at a point, said point being the northwest corner of the intersection of Pressley Road and Stuart Andrew Boulevard; 1) thence N.52-00-00W. 310 feet; 2) thence N.60-33-00E. 465.54 feet; 3) thence S.54-42-00E. 131.61 feet; 4) thence S.38-00-00W. 436.15 feet to the point or place of BEGINNING.

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

Approved as to form:

[Signature]
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina in regular session convened on the 16th day of May, 1983, the reference having been made in Minute Book 80, and recorded in full in Ordinance Book 32, page 39.

City Clerk
May 16, 1983
Ordinance Book 32 - Page 40

Petition No. 83-12
City of Charlotte - Community Development Department

ORDINANCE NO. 1344-7

An Ordinance Amending Chapter 23 of the City Code - Zoning Ordinance

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

Section 1. That Chapter 23, Section 23-8 of the Code of the City of Charlotte is hereby amended by changing from R-6MF to I-3 on the Official Zoning Map, City of Charlotte, N.C. the following described property:

BEGINNING at a point of intersection of the present southeasterly right-of-way margin of North Alexander Street with the center line of the Seaboard Coast Line Railroad, and running thence with the center line of the Seaboard Coast Line Railroad; 1) thence S.42-24-20E. 200.24 feet; 2) thence S.50-30-13W. 100.13 feet to a point in the southerly right-of-way margin of the Seaboard Coast Line Railroad; 3) thence S.42-24-20E. 175.15 feet to an iron pin in the northwesterly right-of-way margin of North Myers Street; 4) thence S.30-17-25W. 184.23 feet; 5) thence N.42-56-48W. 143.23 feet; 6) thence N.46-14-52W. 31.62 feet; 7) thence N.43-48-31W. 251.09 feet to an iron pin in the southeasterly right-of-way margin of North Alexander Street; thence with the present southeasterly right-of-way margin of North Alexander Street in two (2) courses as follows: 1) thence N.50-14-52E. 7.13 feet; 2) thence N.50-31-20E. 253.12 feet to the point or place of BEGINNING. Containing 2.023 acres all as shown on a map prepared by the City of Charlotte Engineering Department, dated December 6, 1982, to which reference is hereby made.

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

Approved as to form:

[Signature]
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina in regular session convened on the 16th day of May, 1983, the reference having been made in Minute Book 80, and recorded in full in Ordinance Book 32, page 40.

City Clerk
May 16, 1983
Ordinance Book 32 - Page 41

Petition No. 83-14
Mrs. Eva T. Waggoner

ORDINANCE NO. 1345-Z

An Ordinance Amending Chapter 23 of the City Code - Zoning Ordinance

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

Section 1. That Chapter 23, Section 23-8 of the Code of the City of Charlotte is hereby amended by changing from B-2(CD) to B-1 on the Official Zoning Map, City of Charlotte, N.C. the following described property:

BEGINNING at the point formed by the intersection of the northwesterly margin of South Tryon Street with the northeasterly margin of Shuman Avenue (now Remount Road) and runs thence from said beginning point with the northeasterly margin of Shuman Avenue (now Remount Road); 1) thence N.44-05-30W. 100.0 feet; 2) thence N.36-17-4SE. 77.68 feet; 3) thence S.55-50-45E. 95.0 feet to a point in the northwesterly margin of South Tryon Street; 4) thence S.34-09-15W. 98.0 feet to the point or place of BEGINNING.

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

Approved as to form:

[Signature]
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina in regular session convened on the 16th day of May, 1983, the reference having been made in Minute Book 80, and recorded in full in Ordinance Book 32, page 41.

City Clerk
ORDINANCE NO. 1346-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 a 15,000 square foot lot at 1020 Arosa Avenue from R-9 to R-6MF(CD); and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 23-35.1 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all the application requirements as specified in Section 23-35(b), 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 23-96 and a public hearing was held on April 18, 1983; 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 23-35(d);

1. The policies and objectives of the Comprehensive Plan of the City, and particularly in relation to the proposed site and surrounding area.

2. The potential adverse impacts of the establishment of the conditional district upon 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 Chapter 23, Section 23-8 of the Code of the City of Charlotte is hereby amended by changing from R-9 to R-6MF(CD) on the Official Zoning Map, City of Charlotte, N. C. the following described property:

BEGINNING at a point, said point being the most easterly corner of the Covenant Presbyterian Church property, tax parcel 123-101-01; 1) thence N.22-5S-03W. 193.0 feet; 2) thence N.53-21-30E. 52.2 feet; 3) thence S.36-41-24E. 200.0 feet; 4) thence R=391.38 feet ARC.=99.21 feet to the point or place of BEGINNING.
May 16, 1983
Ordnance Book 32 - Page 43

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. Kliner
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 16th day of May, 1983, the reference having been made in Minute Book 80, and is recorded in full in Ordinance Book 32, at page 42-43.

City Clerk
May 16, 1983
Ordinance Book 32 - Page 44

Petition No. 83-23
Charlotte-Mecklenburg Planning Commission

AN ORDINANCE AMENDING CHAPTER 23
OF THE CITY CODE - ZONING ORDINANCE

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

Section 1. Chapter 23, "Zoning" of the Code of the City of Charlotte is hereby amended as follows:

1. Amend Article II, Division 1, Section 23-4.3(a) by changing the period at the end of the sentence to a comma and by adding the following to the end of the first sentence:

   . . . , and is designed to facilitate stated City policies to prevent non-residential strip zoning and development along thoroughfares.

2. Amend Article III, Division 5, Section 23-40. Urban Development Center-Village (UDC-V). part (B). Applicability, by deleting the second sentence of the first paragraph in its entirety and replacing it with the following:

   It is highly desirable that UDC-V sites have direct access to two thoroughfares, but such sites must have direct access to at least one thoroughfare.

3. Amend Article III, Division 5, Section 23-40. Urban Development Center-Village (UDC-V). part (B). Applicability, by deleting the last sentence of the second paragraph in its entirety and replacing it with the following:

   Except where unusual circumstances are present, UDC-V sites should be located so that there is a minimum of 2.5 miles between the borders of any two sites whether within a municipality or within the unincorporated areas of Mecklenburg County.

4. Amend Article III, Division 5, Section 23-40. Urban Development Center-Village (UDC-V). part (D) Development Standards, item 2. Application, by adding the following after the last sentence:

   Adjoining or nearby property owners are encouraged to join together in proposing one Concept Plan rather than competing for the creation of separate UDC-V districts under these provisions.
May 16, 1983
Ordinance Book 32 - Page 45

5. Amend Article III, Division 5, Section 23-40. Urban Development Center-Village (UDC-V). part (D) Development Standards, item 7. Hotel size permitted, by changing the period at the end of the sentence to a comma and by adding the following at the end of the sentence:

... or their equivalent.

6. Amend Article III, Division 5, Section 23-40. Urban Development Center-Village (UDC-V). part (D) Development Standards, item 18. Development standards exemptions. by deleting the third sentence in the first paragraph, beginning "Finally it should be emphasized ... ", in its entirety and by deleting the sixth sentence in the first paragraph, beginning "No development standard established ..." in its entirety. The sixth sentence in the first paragraph should then be replaced by the following:

No Development Standards established under this subsection (D) may be modified.

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

Approved as to form:

[Signature]
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 16th day of May, 1983, Ordinance Book 32, at page 44-45.

Pat Sharkey
City Clerk
May 16, 1983
Ordinance Book 32 - Page 46

Petition No. 83-24
Charlotte-Mecklenburg
Planning Commission

Ordinance No. 1348

An Ordinance Amending Chapter 23 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. Chapter 23, "Zoning" of the Code of the City of Charlotte is hereby amended as follows:

1. Amend Article IV, Division 1A., Section 23-46.2. All Uses in Research Districts. by changing the second unnumbered item to read as follows:

Minimum lot width. 400 feet. Lots having any part of their frontage on the circular portion of a cul-de-sac right-of-way may use 200 feet as the minimum lot width.

Section 2. 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 16th day of May, 1983, the reference having been made in Minute Book 80, and recorded in full in Ordinance Book 32, at page 46.

Pat Sharkey
City Clerk
May 16, 1983

Ordinance Book 32 - Page 47

Petition No. 83-25

Charlotte-Mecklenburg

Planning Commission

Ordinance No. 1349

An Ordinance Amending Chapter 23
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. Chapter 23, "Zoning" of the Code of the City of Charlotte is hereby amended as follows:

1. Amend Article III, Division 3, Section 23-35.3(f) Innovative Development by changing the period after item 4, in subsection (3), to a semicolon and by adding the following:
   5. Street widths.

2. Amend Article III, Division 3, Section 23-35.4(j) Innovative Development by changing the period after item 4 to a semicolon, in subsection (3), and by adding the following:
   5. Street widths.

3. Amend Article III, Division 3, Section 23-35.3(f) Innovative Development, by changing 3 references in subsection (4) from "... fifty (50) acres ..." to "... seventy-five (75) acres ...".

4. Amend Article III, Division 3, Section 23-35.4(j) Innovative Development by changing 3 references in subsection (4) from "... thirty-six (36) acres ..." to "... seventy-five (75) acres ...".

Section 2. 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 16th day of May, 1983, the reference having been made in Minute Book 80, and recorded in full in Ordinance Book 32 at Page 47.

Pat Sharkey,

City Clerk
ORDINANCE NO. 1350

AMENDING CHAPTER 18
ARTICLE II

AN ORDINANCE AMENDING CHAPTER 18, ARTICLE II, SECTION 26, (SUBDIVISION REGULATIONS) OF THE CODE OF THE CITY OF CHARLOTTE:

BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina:

Section 1. Chapter 18, Article I is hereby amended as follows:

1. Amend Article I In General, Section 18-4.1. Modifications of Development Standards by adding the following:
   e) street pavement width

Section 2. This ordinance shall become effective upon adoption.

Approved as to form:

[Signature]
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 16th day of May 1983, the reference having been made in Minute Book 80, and recorded in full in Ordinance Book 32, beginning on Page 48.

City Clerk
ORDINANCE NO. 1351-Z

An Ordinance Amending Chapter 23 of the City Code - Zoning Ordinance

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

Section 1. That Chapter 23, Section 23-8 of the Code of the City of Charlotte is hereby amended by changing from R-6MF to R-6 on the Official Zoning Map, City of Charlotte, N. C. the following described property:

BEING various tracts of land located in the Dilworth area of the City of Charlotte and more specifically shown on the attached map.

Section 2. 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 16th day of May, 1983, the reference having been made in Minute Book 80, and recorded in full in Ordinance Book 32, page 49-50.

City Clerk
ORDINANCE NO. 1352-Z

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

Section 1. That Chapter 23, Section 23-8 of the Code of the City of Charlotte is hereby amended by changing from R-6MF to R-6 on the Official Zoning Map, City of Charlotte, N. C. the following described property:

BEING various tracts of land located in the Dilworth area of the City of Charlotte and more specifically shown on the attached map.

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

APPROVED AS TO FORM:

Henry W. Lancaster, Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina in regular session convened on the 16th day of May, 1983, the reference having been made in Minute Book 80, and recorded in full in Ordinance Book 32, page 51-52.

Pat Sharkey
City Clerk
May 16, 1983
Ordinance Book 32 - Page 53

Petition No. 82-83
Charlotte-Mecklenburg Planning Commission

ORDINANCE NO. 1353-Z

An Ordinance Amending Chapter 23 of the City Code - Zoning Ordinance

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

Section 1. That Chapter 23, Section 23-8 of the Code of the City of Charlotte is hereby amended by changing from R-6MF and O-6 to R-6 on the Official Zoning Map, City of Charlotte, N. C. the following described property:

BEING various tracts of land located in the Dilworth area of the City of Charlotte and more specifically shown on the attached map.

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

APPROVED AS TO FORM:

[Signature]
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina in regular session convened on the 16th day of May, 1983, the reference having been made in Minute Book 80, and recorded in full in Ordinance Book 32, page 53-54.

Pat Sharkey
City Clerk
Ordinance Book 32 - Page 55

ORDINANCE NO. 1354-Z

An Ordinance Amending Chapter 23 of the City Code - Zoning Ordinance

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

Section 1. That Chapter 23, Section 23-8 of the Code of the City of Charlotte is hereby amended by changing from R-6MF to R-9 on the Official Zoning Map, City of Charlotte, N. C. the following described property:

BEING various tracts of land located in the Dilworth area of the City of Charlotte and more specifically shown on the attached map.

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

APPROVED AS TO FORM:

Henry W. Chandler, Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina in regular session convened on the 16th day of May, 1983, the reference having been made in Minute Book 80, and recorded in full in Ordinance Book 32, pages 55-56.

Pat Sharkey
City Clerk
May 16, 1983  
Ordinance Book 32 - Page 57  

Petition No. 82-87  
Charlotte-Mecklenburg Planning Commission

ORDINANCE NO. 1355-Z  

An Ordinance Amending Chapter 23 of the City Code - Zoning Ordinance

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

Section 1. That Chapter 23, Section 23-8 of the Code of the City of Charlotte is hereby amended by changing from R-6MF to R-6 on the Official Zoning Map, City of Charlotte, N. C. the following described property:

BEING various tracts of land located in the Dilworth area of the City of Charlotte and more specifically shown on the attached map.

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

APPROVED AS TO FORM:

Henry W. Kadlecik Jr.  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina in regular session convened on the 16th day of May, 1983, the reference having been made in Minute Book 80, and recorded in full in Ordinance Book 32, pages 57-58.

Pat Sharkey  
City Clerk
ORDINANCE NO. 1356-Z

An Ordinance Amending Chapter 23 of the City Code - Zoning Ordinance

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

Section 1. That Chapter 23, Section 23-8 of the Code of the City of Charlotte is hereby amended by changing from R-6MF to R-6 on the Official Zoning Map, City of Charlotte, N. C. the following described property:

BEING various tracts of land located in the Dilworth area of the City of Charlotte and more specifically shown on the attached map.

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

APPROVED AS TO FORM:

[Signature]
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina in regular session convened on the 16th day of May, 1983, the reference having been made in Minute Book 80, and recorded in full in Ordinance Book 32, page 59-60.

Pat Sharkey
City Clerk
May 16, 1983
Ordinance Book 32 - Page 61

Petition No. 82-89
Charlotte-Mecklenburg Planning
Commission

ORDINANCE NO. 1357-Z

An Ordinance Amending Chapter 23 of the City Code - Zoning Ordinance

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

Section 1. That Chapter 23, Section 23-8 of the Code of the City of Charlotte is hereby amended by changing from R-6MF to R-6 on the Official Zoning Map, City of Charlotte, N. C. the following described property:

BEING various tracts of land located in the Dilworth area of the City of Charlotte and more specifically shown on the attached map.

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

APPROVED AS TO FORM:

[Signature]
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina in regular session convened on the 16th day of May, 1983, the reference having been made in Minute Book 80, and recorded in full in Ordinance Book 32, pages 61-62.

Pat Sharkey
City Clerk