

(SEE FILING INSTRUCTIONS ON REVERSE SIDE)

Petition No. 66-22

Date Filed Jan 12 19 66

To Charlotte-Mecklenburg Planning Commission
Charlotte, North Carolina

Gentlemen:

Your consideration of a recommendation to the City Council for a change in the zoning classification of the property hereinafter described is requested.

Title to the property was acquired Sept. 30 19 57, and is in the name of

Gus & Helen Pappamihiel, whose address is 3626 Eastway Drive

Charlotte, North Carolina, and the deed is recorded in Book 1931,

at Page 192, in the office of the Register of Deeds for Mecklenburg County.

Location of Property: **Morning Star Township, just east of McAlpine Creek on Independence Boulevard (U. S. Highway #74 East). See shaded area of attached surveys**

Present Zoning Classification: **R-9**

Requested Zoning Classification: **B-2**

Reasons why the zoning classification should be changed:

**Existing building on property used for restaurant (non-conforming use)
Petitioners and tenant desire to build new building or remodel old building;
land not suitable for housing in that cost to fill large gulley and regrade
prohibited whereas business could afford said regrading**

Nick J. Miller, Attorney
Name of Agent, (if any)

x Gus Pappamihiel
Signature of Owner
x Helen Pappamihiel

819 Law Building, Charlotte
Agent's Address

N.C. 3626 Eastway
Owner's Address

375-5751
Telephone Number

5371673
Telephone Number

INSTRUCTIONS FOR FILING A PETITION FOR A CHANGE IN A ZONING CLASSIFICATION.

A petitioner for a zoning change must complete and file in duplicate the application form on the reverse side of this sheet. All information requested must be given.

No application shall be considered filed until it has been discussed with and accepted by a member of the staff of the Planning Commission.

The application must be accompanied by two copies of a map, drawn to scale, of the property to be considered for a change in zoning.

If the area proposed to be changed is part of a SUBDIVISION recorded in the plat books in the Mecklenburg County Register of Deeds Office, then the map must include the following information:

- 1) A copy of that portion of the recorded map that shows the property to be considered for the proposed zoning change, plus sufficient additional area to show the location of the property in reference to the nearest street intersection.
- 2) The lot and block number (s) of the property proposed to be changed.
- 3) The name of the subdivision, and the plat book and page number at which the map is recorded.
- 4) Dimensions and compass bearings of all lines bounding the property proposed to be changed.

If the area proposed to be changed is ACREAGE or PROPERTY NOT LOCATED IN A RECORDED SUBDIVISION then the map must include the following information:

- 1) The exact dimensions and compass bearings of all lines bounding the property to be considered for the proposed zoning change.
- 2) The location of the property in reference to a street intersection, railroad, creek, or other feature easily identified on the ground. Adequate information (distances, compass bearings) must be given to show the exact location of the property with respect to the reference point.

If the petitioner is not the owner of the property, the application must be accompanied by a letter signed by the owner signifying his approval of the proposed change. (This does not apply when the petitioner is a group of neighborhood property owners seeking a general change in the zoning of lands or properties within the neighborhood.)

Petitions which have been completed and filed with the Planning Commission will be heard at the earliest feasible scheduled date.

All petitions are considered at a public hearing held jointly by the City Council and the Planning Commission.

Ordinance No. 457-2

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. That, Chapter 23, Section 23-8, of the Code of the City of Charlotte is hereby amended by changing from R-9 to B-2 on the Official Zoning Map, City of Charlotte. N. C. and Perimeter Area the following described property:

BEGINNING at a point in the centerline of Independence Boulevard, said point being located S-41-40 E. 312.25 feet from the centerline intersection of Independence Boulevard and McAlpine Creek and running thence N. 48-20 E. 100.0 feet to the northeasterly margin of Independence Boulevard; thence N. 48-20 E. 300.0 feet; thence S. 41-40 E. 300.0 feet; thence S. 48-20 W. 300.0 feet to the northeasterly margin of Independence Boulevard; thence S. 48-20 W. 100.0 feet to the centerline of Independence Boulevard; thence S. 48-20 W. N. 41 - 40 W. 300 feet to the BEGINNING.

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 meeting on the 18th day of April, 1966, the reference having been made in Minute Book 47, and recorded in full in Ordinance Book 14, at Page 306.

**Lillian R. Hoffman
City Clerk**

Petition 66-22 -

Protest Petition

NES 280 of 657 Hetc

RECEIVED

February 10, 1966

FEB 16 1966

Filed by
E. D. Clark
Rt 4 Box 209
Matthews, N.C.
on
Jarlton
Drive
Filed 2/16/66
11:45 AM

TO WHOM IT MAY CONCERN:

OFFICE OF CITY CLERK

We, the undersigned, are home owners and residents of the subdivision shown on tax map 10-A of Morning Star Township, Mecklenburg County, N.C.

We are convinced that a change in the present restrictions would decrease the value of our property; increase the hazards to our children; and make the whole area much less desirable as an area in which to live.

We earnestly oppose any change in the present restrictions.

NAME

ADDRESS

- Charles E. Stewart Rt 4 Jarlton Drive, Matthews, N.C.
- Mrs. Charles E. Stewart Rt. 4 Jarlton Drive, Matthews, N.C.
- James M. Roie Rt 4 Box 205 Jarlton Drive Matthews, N.C.
- Mrs. Julius B. Walthall Rt. 4 Box 208 Jarlton Drive, Matthews, N.C.
- Jerry H. Parnell Rt. 4 Box 200 Jarlton Drive, Matthews, N.C.
- Mrs. Jerry H. Parnell Route 4, Box 200 Jarlton Drive, Matthews, N.C.
- Mrs. James M. Roie Rt. #4, Box 205, Jarlton Drive, Matthews, N.C.
- Mrs. Kyle O. Miles Rt #4 Box 208 Jarlton Drive Matthews, N.C.
- Edna H. Clark Rt 4 Box 209 Jarlton Dr. Matthews, N.C.
- Ed. D. Clark Rt 4 Box 209 Jarlton Dr. Matthews, N.C.
- Eugene W. Lindley Rt 4 Box 210 Matthews N.C.
- Mrs. Eugene W. Lindley Rt 4 Box 210 Matthews, N.C.
- Marvin Bryant Rt #4 Box 212 Matthews, N.C.
- Mrs. Marvin Bryant Rt #4 Box 212 Matthews, N.C.
- Mrs. William T. Shannon Rt #4 Box 183 A Matthews N.C.