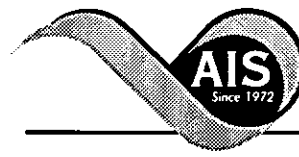




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* 0 0 B R E A K 0 0 *

ORDINANCE NO. 23-Z

AMENDING CHAPTER 23

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 property located on the easterly side of Sharon Lakes Road about 356 feet north of Sharon Road West from R-9 and R-9MF (conditional use for outdoor recreation) to B-2(CD) for the expansion of an existing outdoor recreational use; 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 September 17, 1979; 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 and R-9MF (conditional use for outdoor recreation) to B-2(CD) on the Official Zoning Map, City of Charlotte, N. C. the following described property:

BEGINNING at a point on the easterly right-of-way line of Sharon Lakes Road, said point being located 326.03 feet north of Sharon Road West; 1) thence in a northerly direction following the easterly right-of-way line of Sharon Lakes Road for a distance of 143.19 feet to a point; 2) thence N.43-13-04E. 22.41 feet; 3) thence N.66-28E. 179.17 feet; 4) thence N.14-34-10E. 137.22 feet; 5) thence N.44-13-04E. 69.77 feet; 6) thence S.75-25-50E. 245.49 feet; 7) thence S.14-34-10W. 492.57 feet; 8) thence 90° westerly for a distance of 197.49 feet; 9) thence N.68-50-53W. for a distance of 180.74 feet to the point of BEGINNING.

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 8th day of October, 1979, the reference having been made in Minute Book 72, and is recorded in full in Ordinance Book 28, at pages 220 - 221.

Ruth Armstrong,
City Clerk

PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to _____
John P. Morrell

owner(s) and successors-in-interest of the property described as tax parcel 173-241-05
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 23 of the code of Charlotte and the official zoning map. The property now has a parallel conditional use district zoning classification of B-2(CD) for expansion of existing outdoor recreational use.

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 sections 23-35, 23-35.1, and 23-96 of the code, 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 section 23-96 of the code.

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 section 23-96.

PETITIONER John P. Morrell

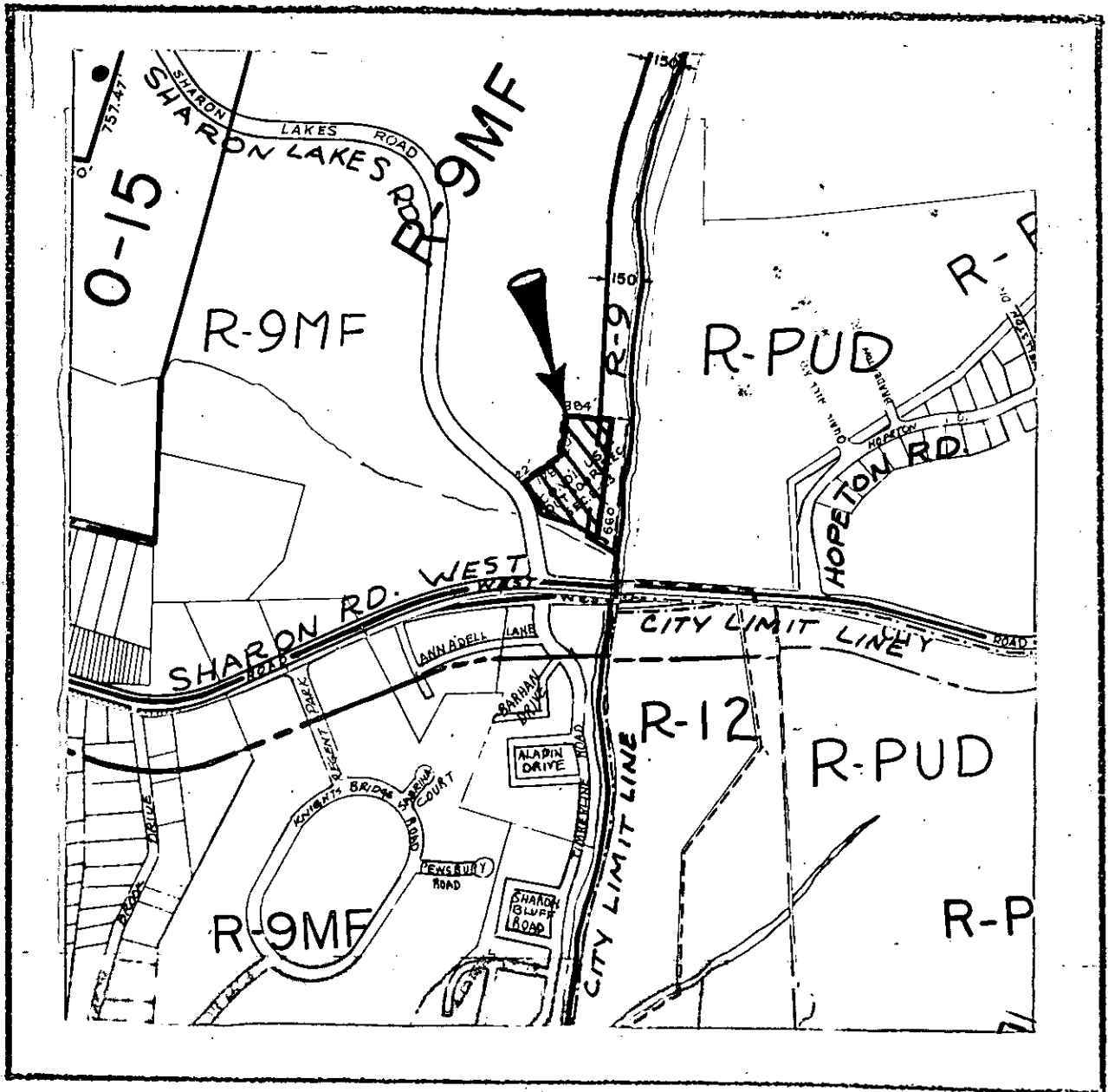
PETITION NO. 79-42

HEARING DATE 9/17

ZONING CLASSIFICATION, EXISTING R-9 and R-9MF cond: REQUESTED B-2(CD) for expansion of
use outdoor recreational tennis club

LOCATION A 3.729 acre tract fronting 143 feet on the easterly
side of Sharon Lakes Road about 356 feet north of Sharon Road West.

Acreage: 3.729



ZONING MAP NO. 33

SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE

