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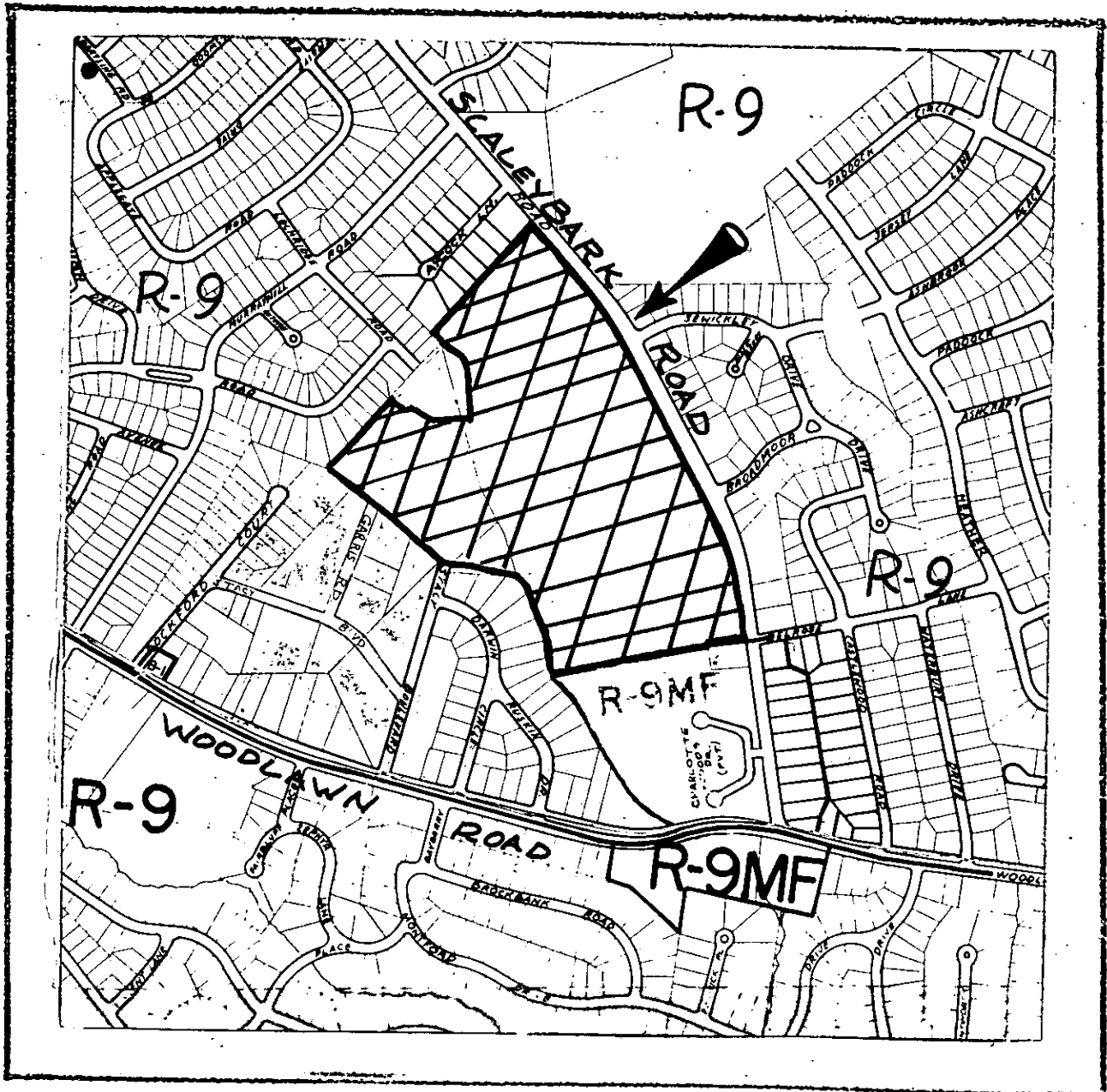
PETITIONER Charles J. Henderson et al

PETITION NO. 79-45 HEARING DATE 9/17

ZONING CLASSIFICATION, EXISTING R-9 REQUESTED R-12MF(CD)

LOCATION Approximately 52 acres fronting 2,258 feet on the westerly side of Scaleybark Road about 900 feet worth of Woodlawn Road.

Acreeage: 52



ZONING MAP NO. 10

SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE



CMPC

ORDINANCE NO. _____

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 westerly side of Scaleybark Road from R-9 to R-12MF(CD) for the establishment of a multi-family project; 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 to R-12MF(CD) on the Official Zoning Map, City of Charlotte, N. C. the following described property:

BEGINNING at a point in the westerly right of way line of Scaleybark Road, said point being the northeasterly corner of the B. F. Gathings property recorded in Deed Book 1625 at page 285 in the Mecklenburg County Registry of Deeds; 1) thence S.81-00W. 185.0 feet; 2) thence S.73-30W. 788.0 feet; 3) thence N.32-41-10W. 26.14 feet; 4) thence N.17-00-10W. 58.17 feet; 5) thence N.05-12-10W. 126.48 feet; 6) thence N.19-41-00W. 247.0 feet; 7) thence N.31-52-50W. 85.24 feet; 8) thence N.86-00W. 11.89 feet; 9) thence N.79-52-29W. 319.93 feet; 10) thence S.16-44-40W. 35.0 feet to a point on the easterly right of way line of Stacy Boulevard at its terminus; 11) thence running in a westerly direction along the terminus of Stacy Boulevard for a distance of 60.0 feet to a point on the westerly right of way line of said street; 12) thence N.50-38-15W. 752.0 feet; 13) thence N.41-01E. 465 feet; 14) thence S.45-00E. 45.0 feet; 15) thence S.88-30E. 70.0 feet; 16) thence S.58-30E. 95.0 feet; 17) thence S.89-31W.

NE?

177.0 feet; 18) thence N.07-30W. 255.0 feet; 19) thence N.58-00W. 100.0 feet; 20) thence N.45-46-50W. 88.0 feet; 21) thence N.42-09-10E. 770.0 feet to a point in the centerline of Scaleybark Road; 22) thence running with the centerline of said road S.41-37E. 320.0 feet; 23) thence continuing with the centerline of said road S.38-30E. 230.0 feet; 24) thence continuing with the centerline of said road S.33-21E. 208.0 feet; 25) thence continuing with the centerline of said road S.29-20E. 775.0 feet; 26) thence S.62-20W. 30.0 feet; 27) thence S.28-30E. 140.0 feet; 28) thence S.23-00E. 140.0 feet; 29) thence S.16-30E. 160.0 feet; 30) thence S.10-30E. 285.0 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:

City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the _____ day of _____, 19____, the reference having been made in Minute Book _____, and is recorded in full in Ordinance Book _____, at page _____.

Ruth Armstrong,
City Clerk

PARALLEL CONDITIONAL USE PERMIT

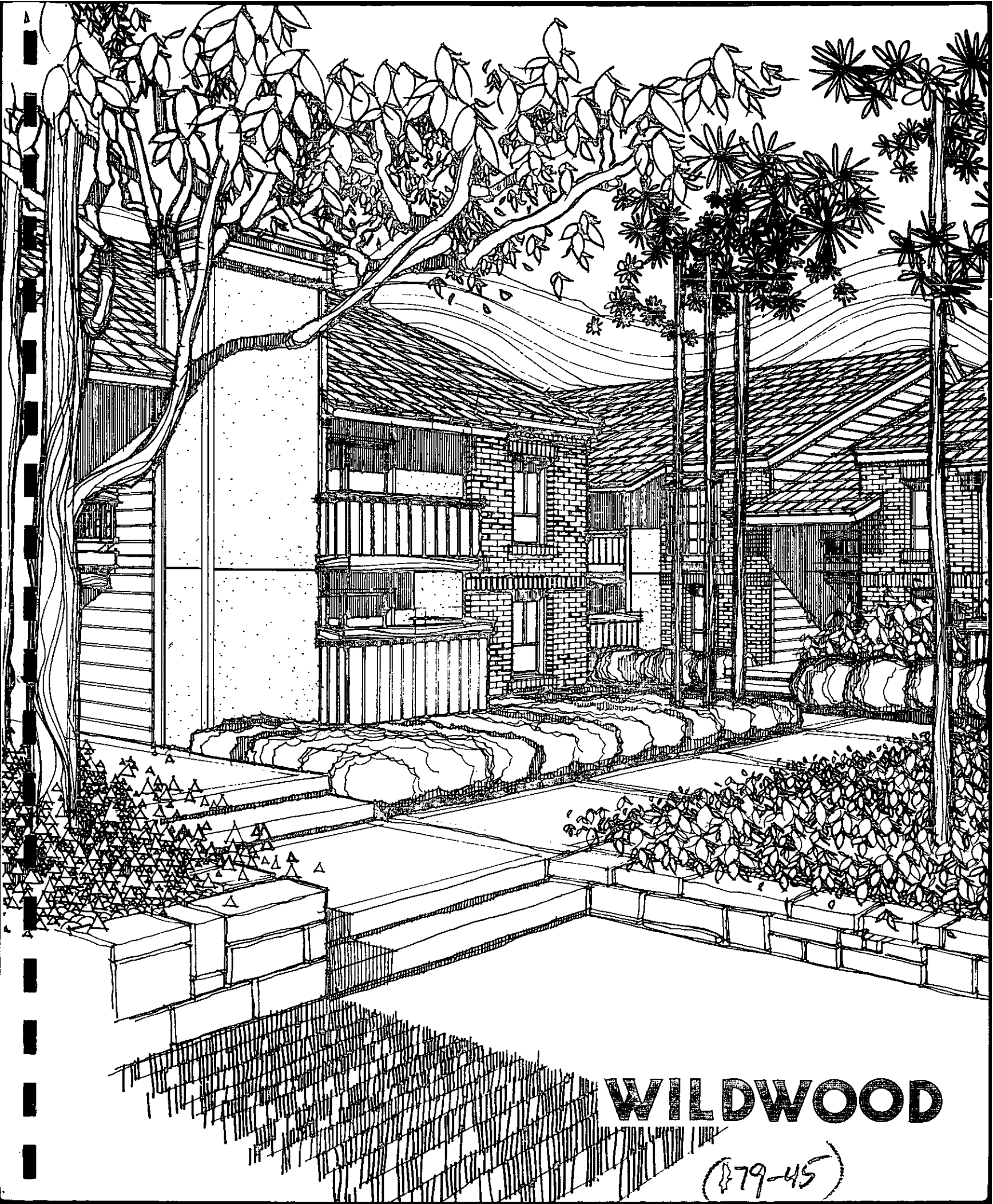
This is a parallel conditional use permit approved by the Charlotte City Council to J. Wesley,
Charles J., David H. Henderson and Martha Henderson Honess
owner(s) and successors-in-interest of the property described as tax parcel *
and described in detail further in the ordinance, identified below, approved 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 R-12MF(CD)

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.

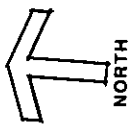
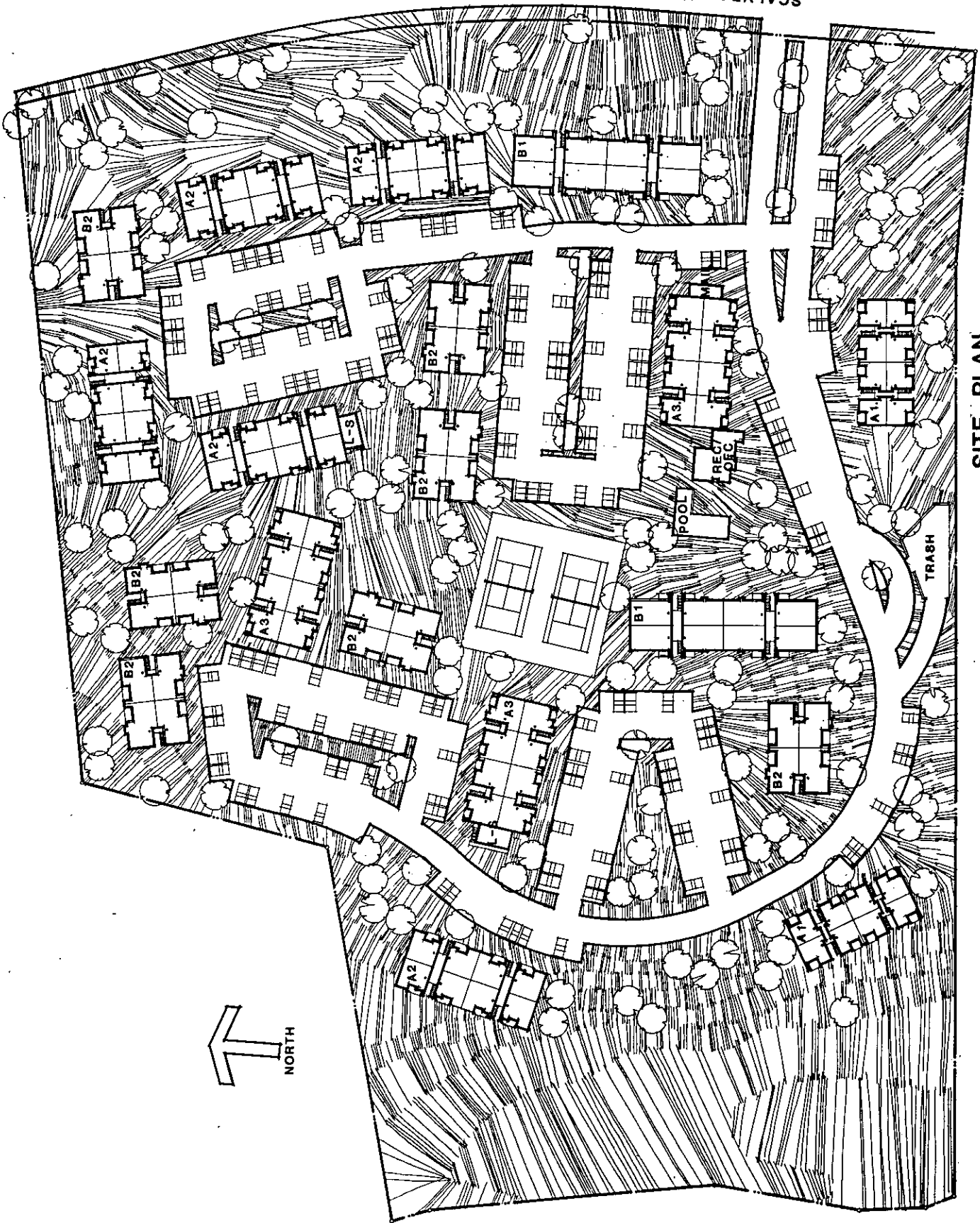
*149-171-02, 03, 04, 05, and 07
149-163-01 and 05



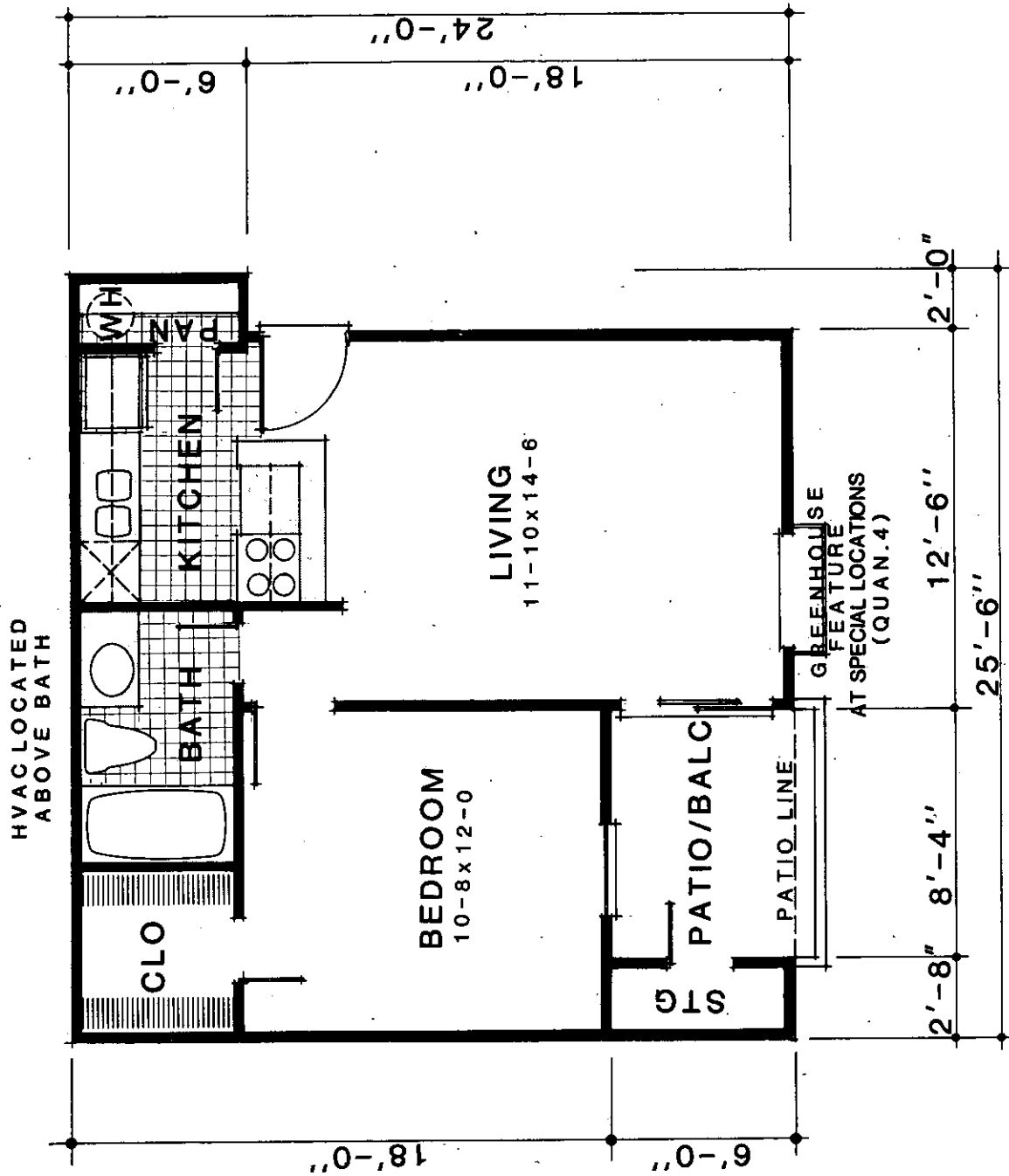
WILDWOOD

(879-45)

SCALYBARK ROAD

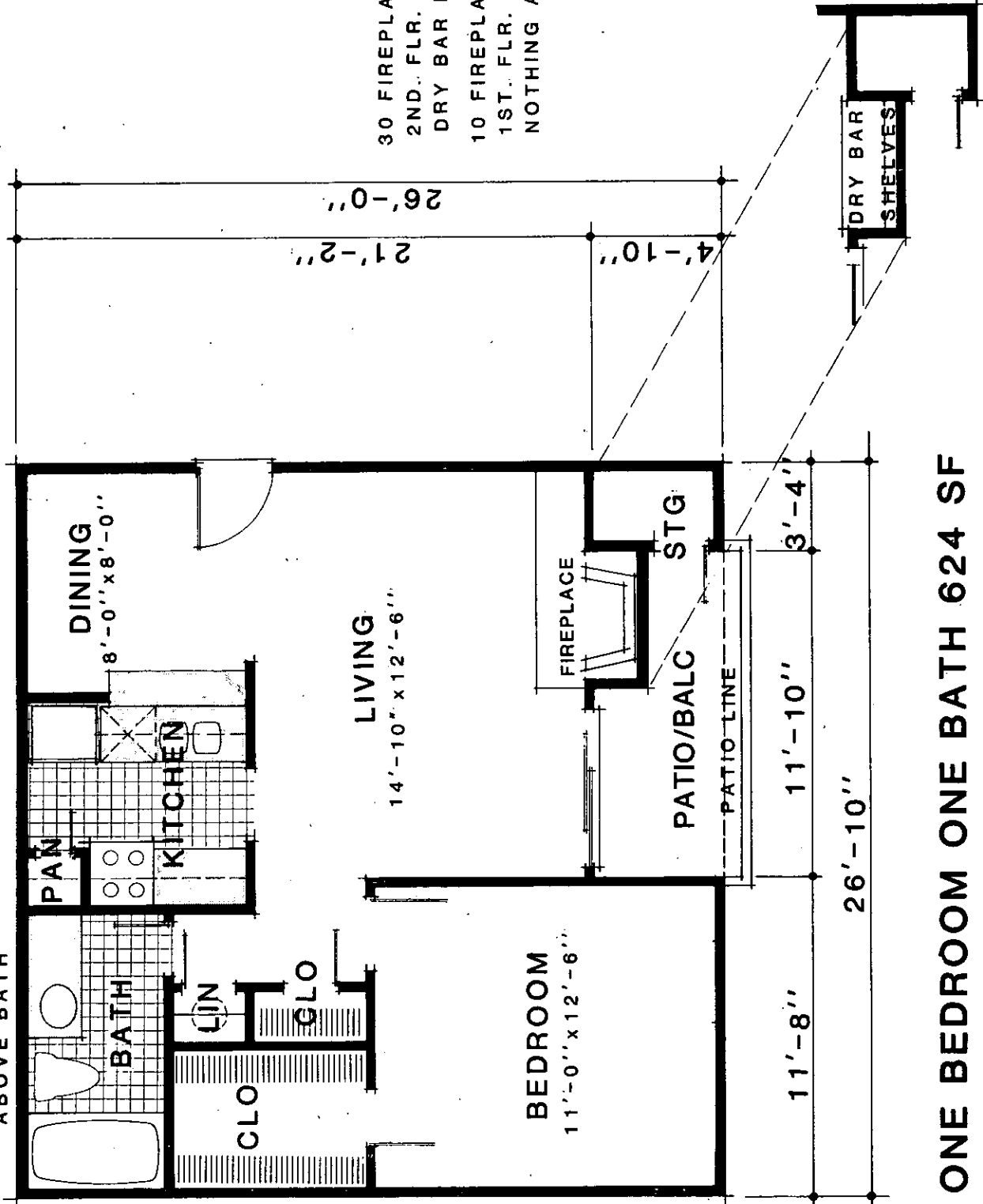


SITE PLAN



A1 ONE BEDROOM ONE BATH 510SF

HVAC LOCATED ABOVE BATH



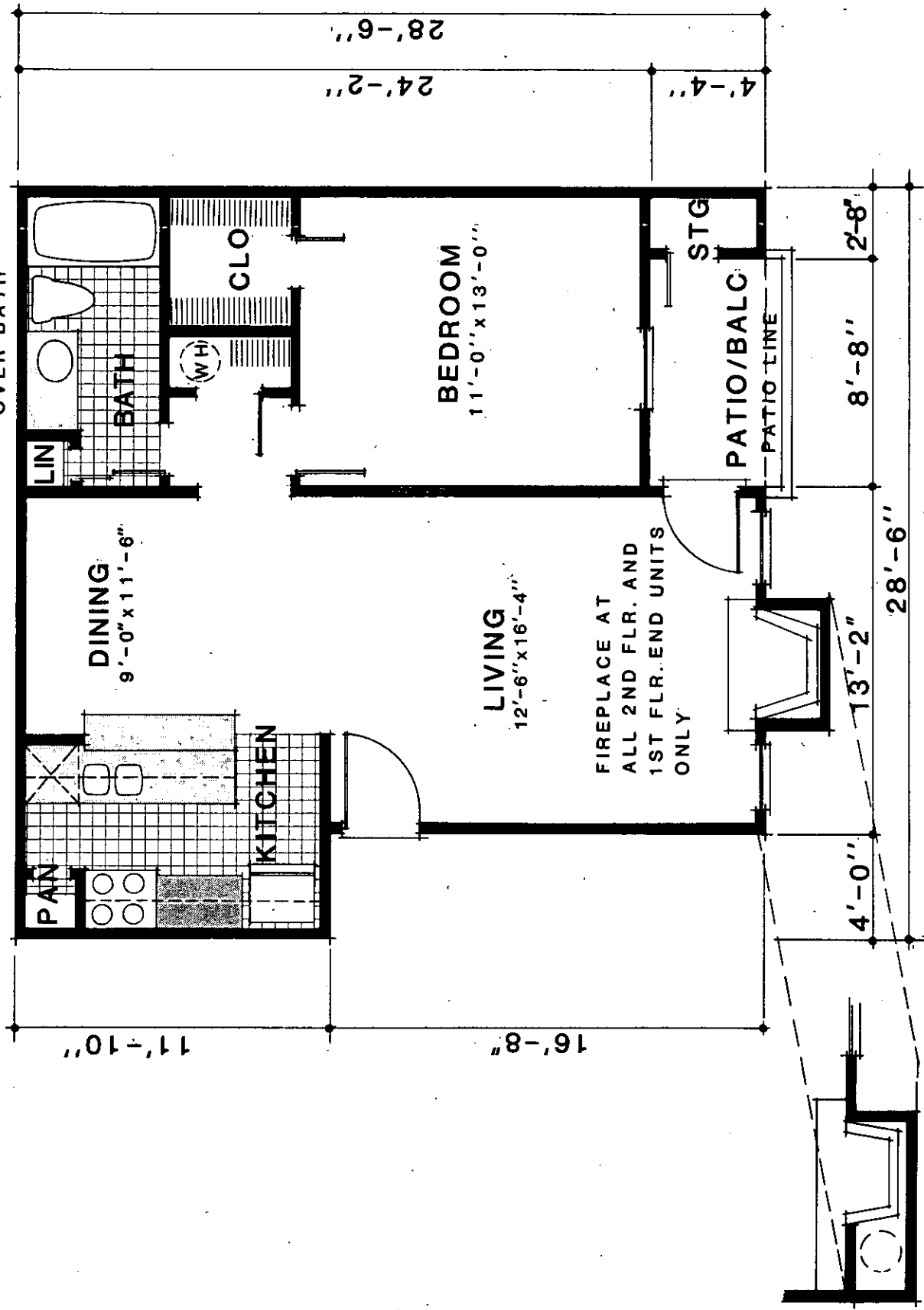
30 FIREPLACES AT
2ND. FLR. 14 WITH
DRY BAR BELOW

10 FIREPLACES AT
1ST. FLR. WITH
NOTHING ABOVE

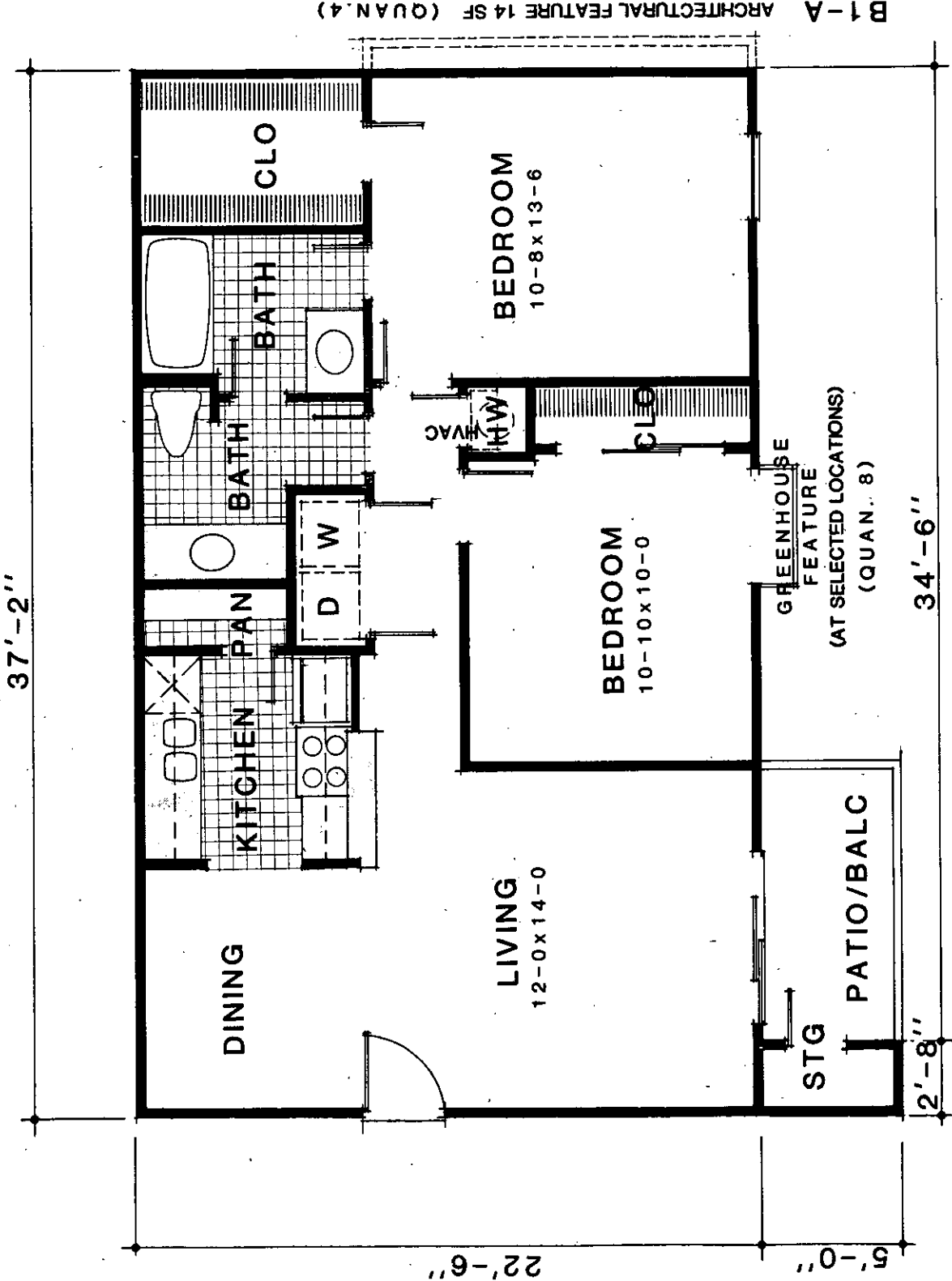
ONE BEDROOM ONE BATH 624 SF

A2

HVAC LOCATED
OVER BATH

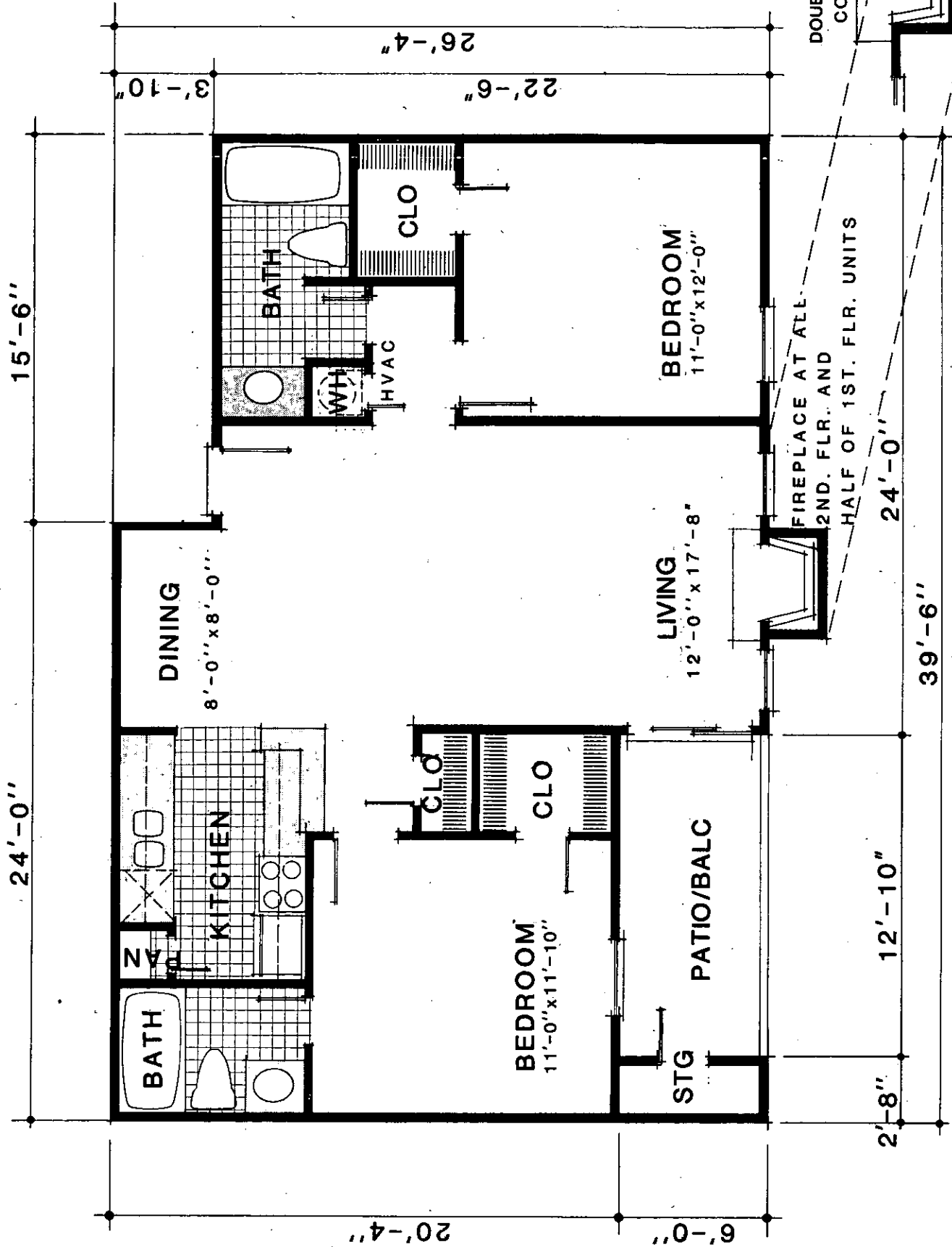


ONE BEDROOM ONE BATH 696 SF
A3

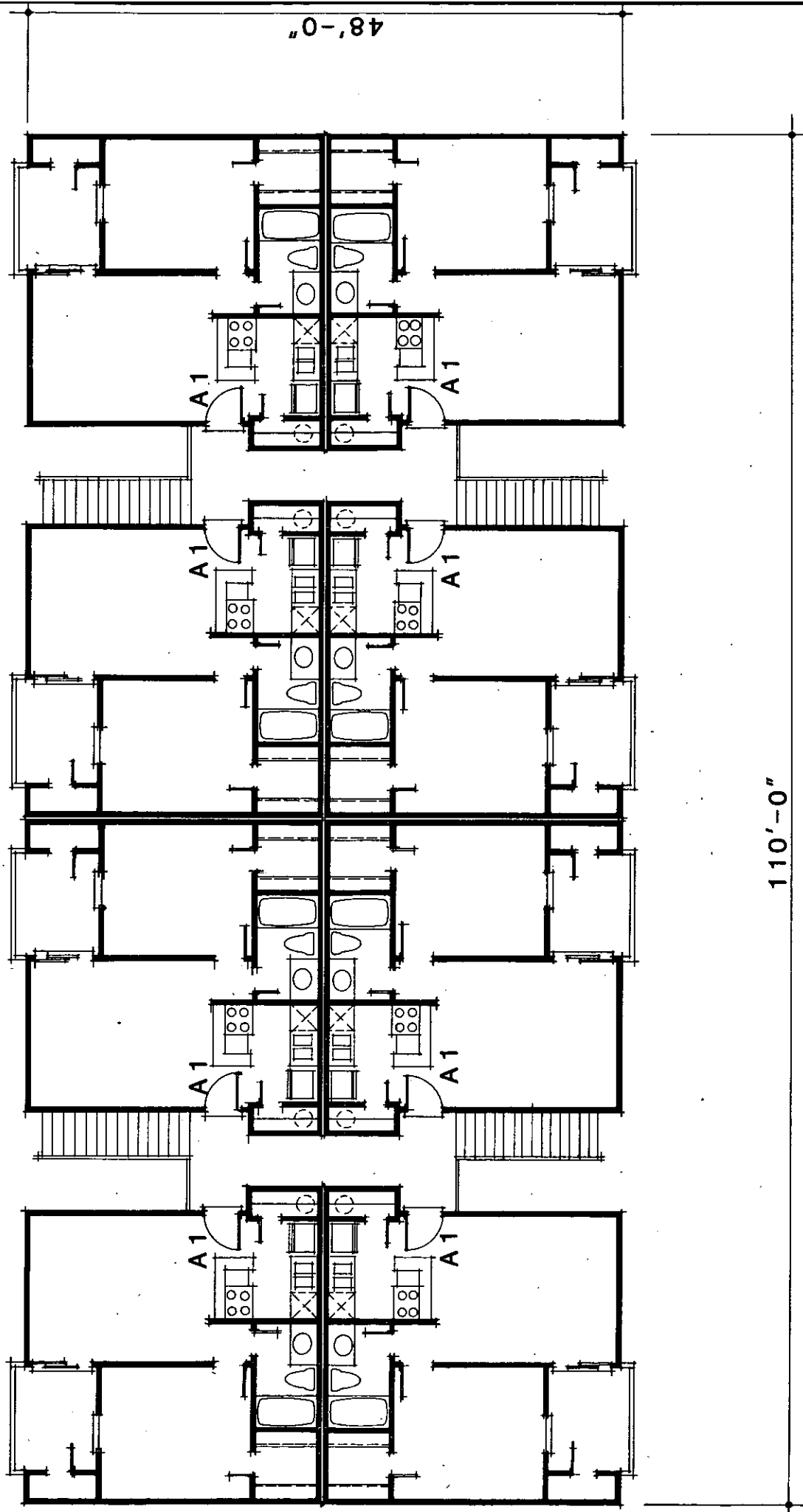


B 1 - A ARCHITECTURAL FEATURE 14 SF (QUAN. 4)

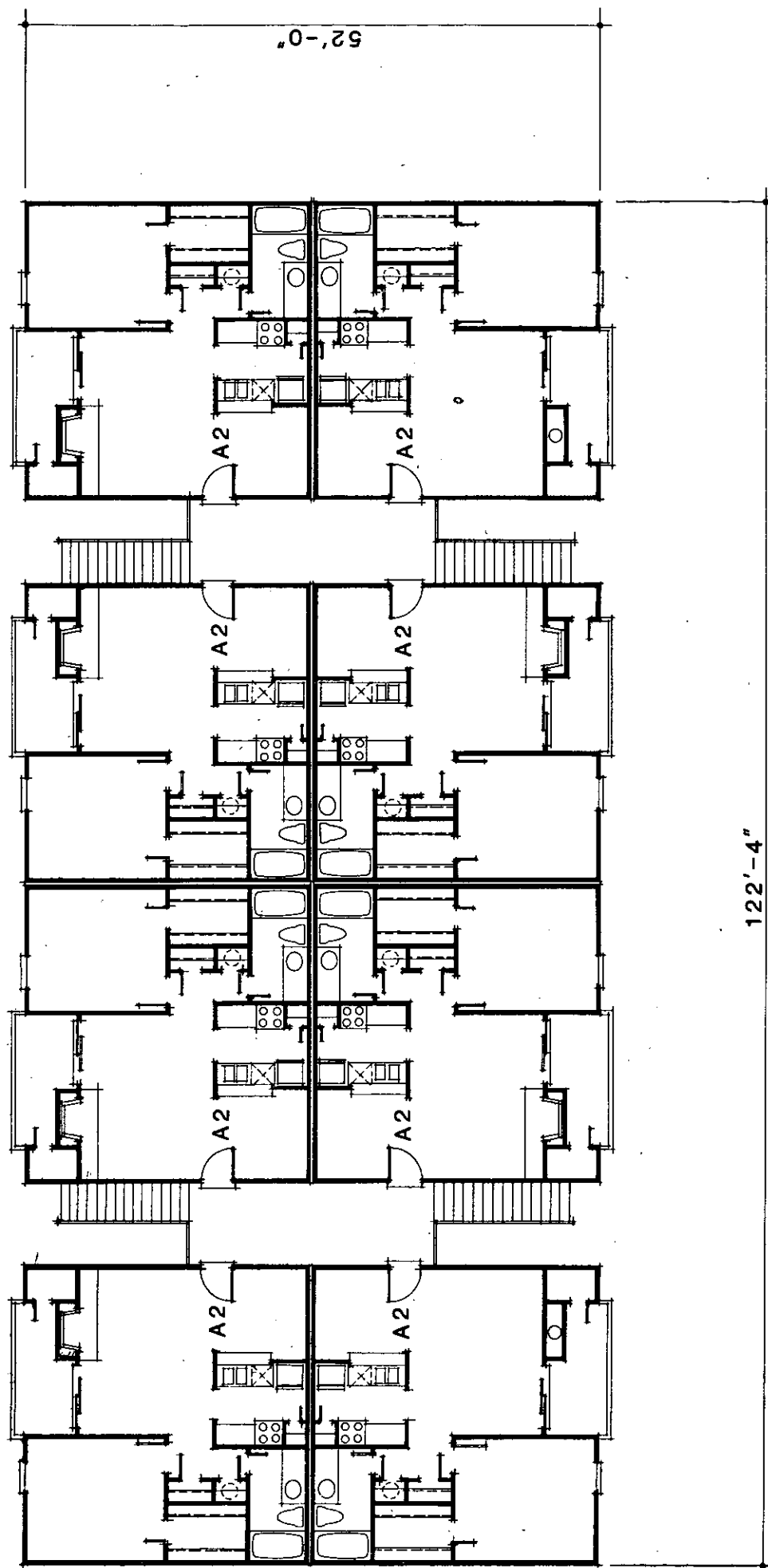
B1 TWO BEDROOM 1 1/4 BATH 836 SF



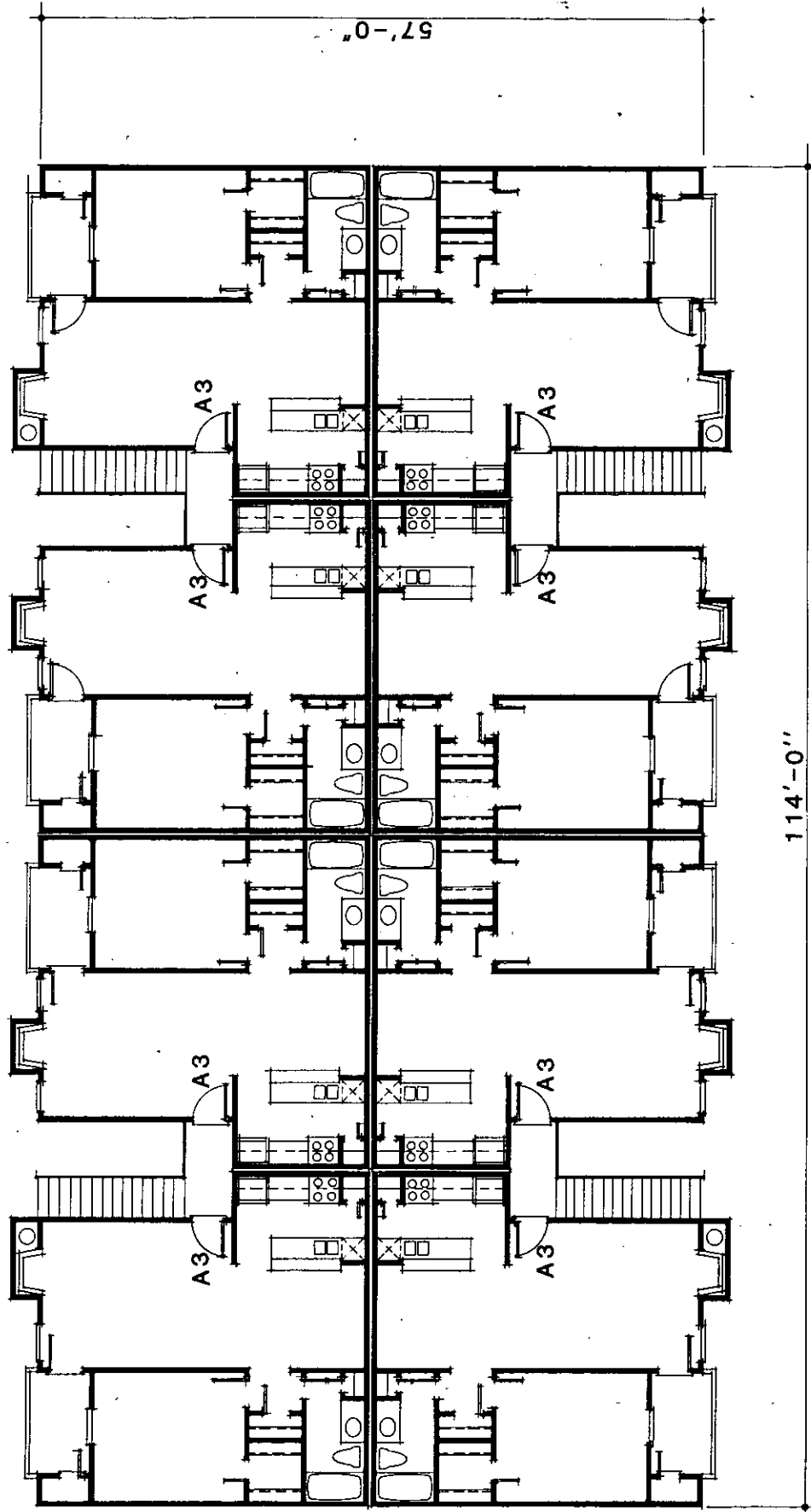
B2 TWO BEDROOM TWO BATH 888 SF



A1 TYPICAL BUILDING PLAN



A2 TYPICAL BUILDING PLAN

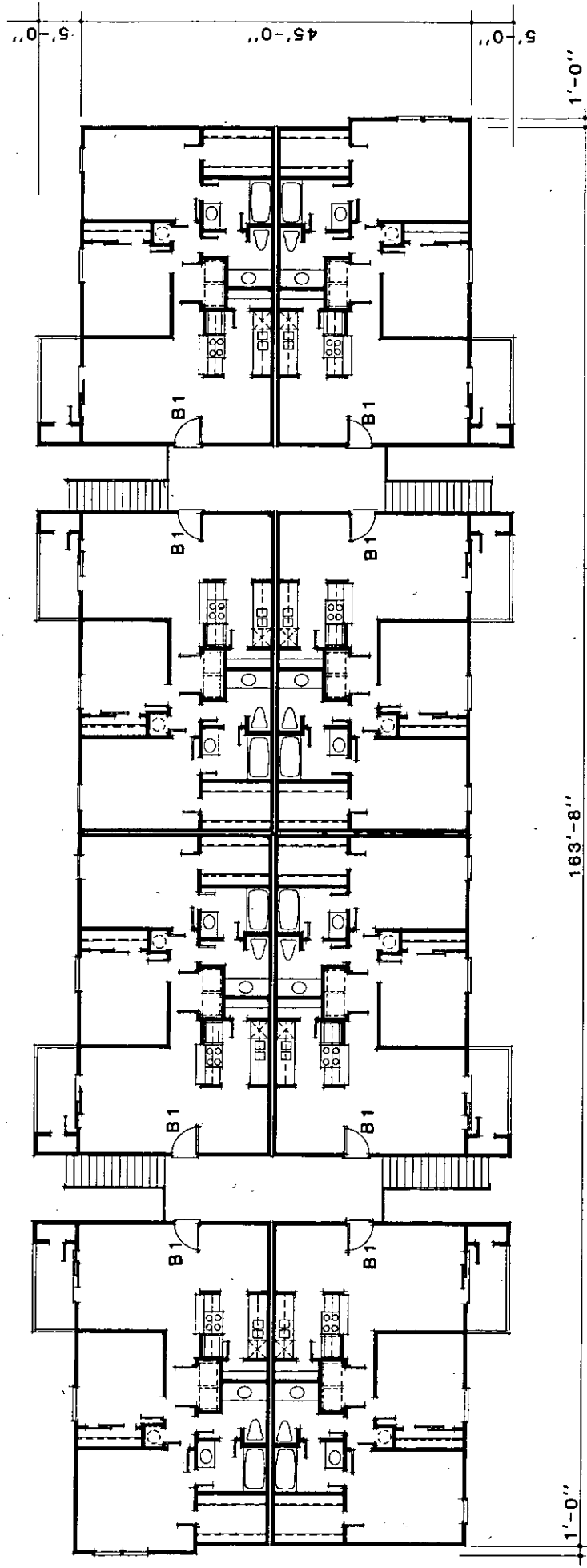


114'-0"

57'-0"

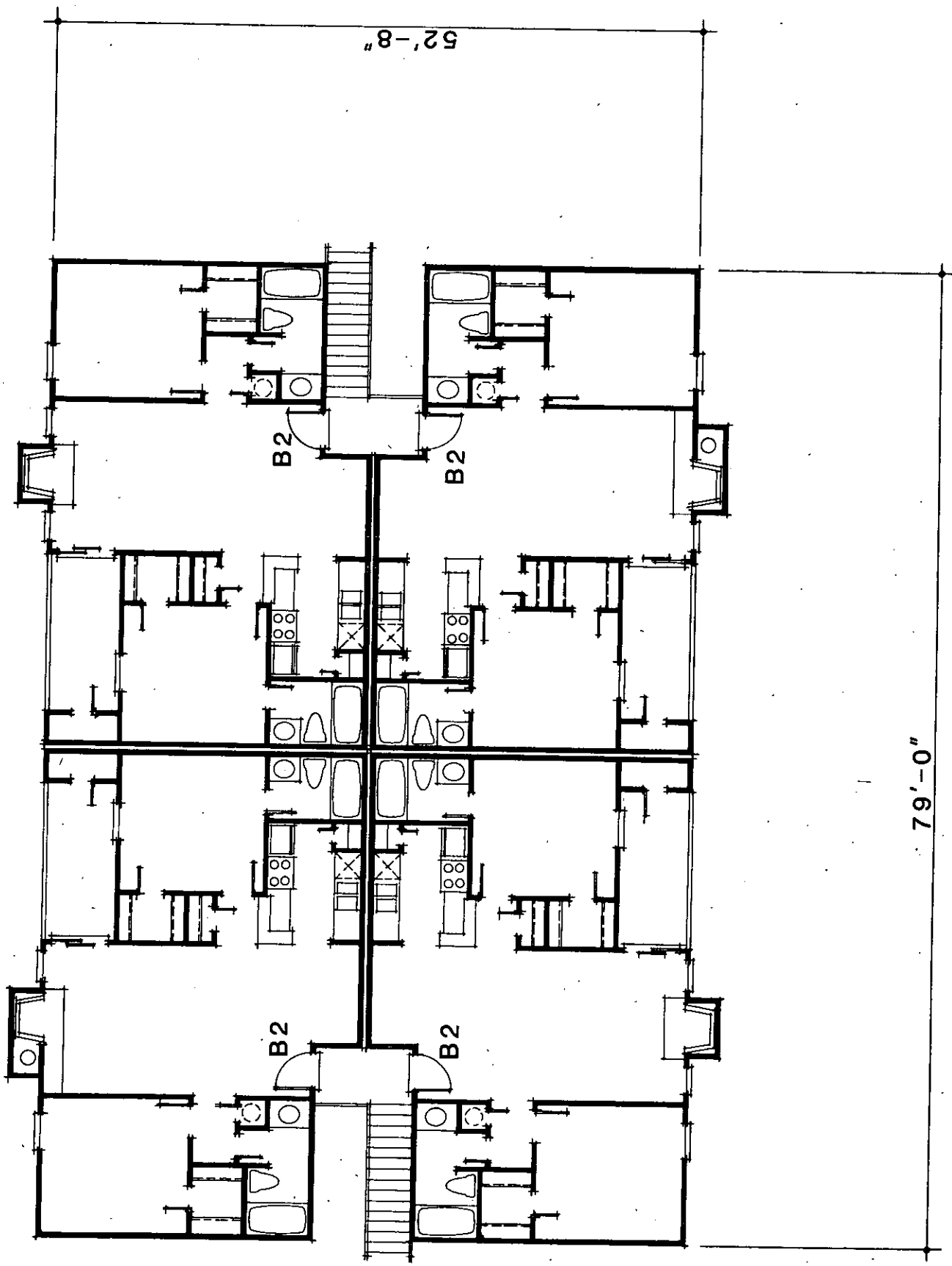
TYPICAL BUILDING PLAN

A3



TYPICAL BUILDING PLAN

B1



B2 TYPICAL BUILDING PLAN

