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PETITIONER R. D. Kennerly and W. P. Berry

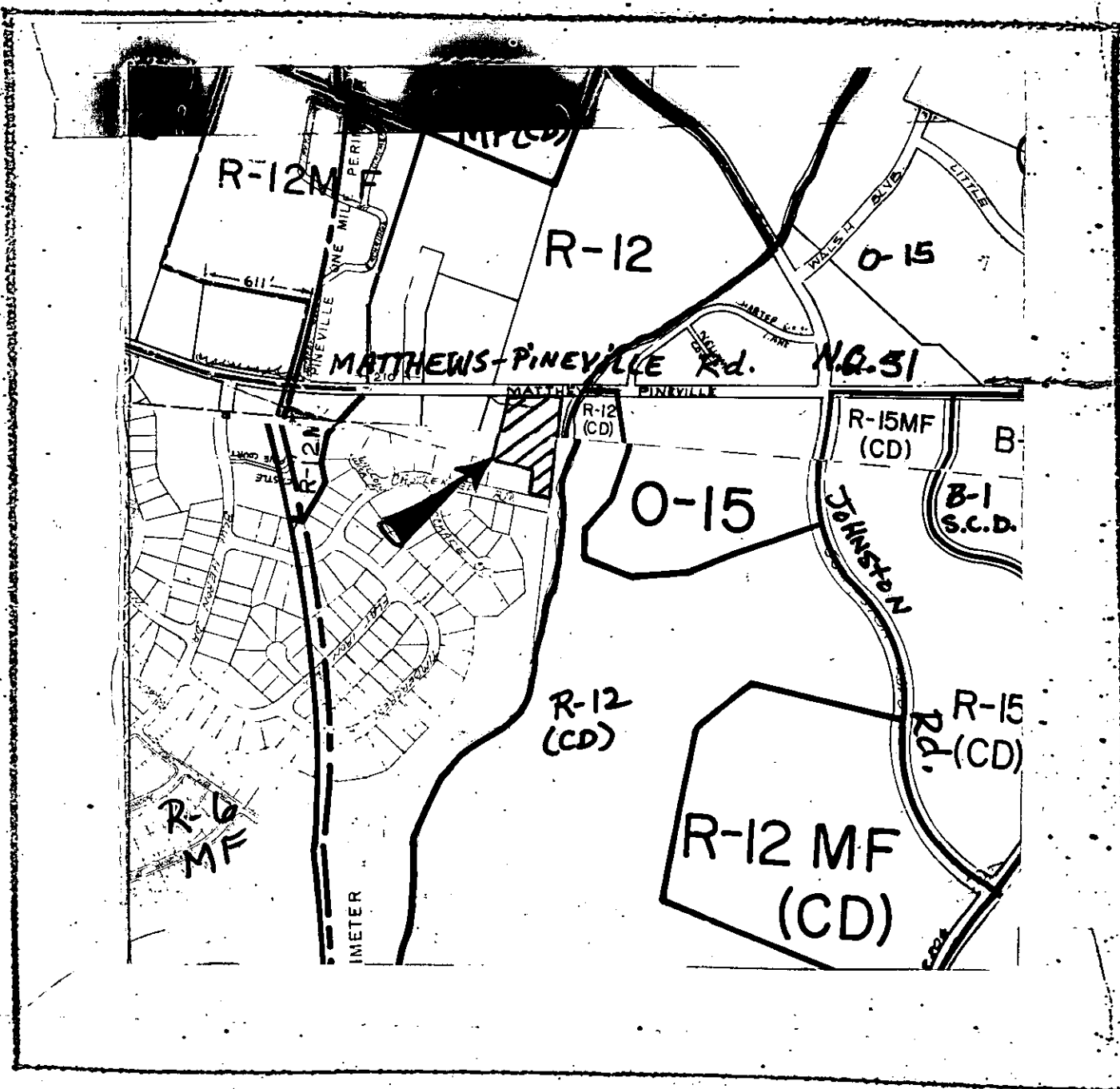
PETITION NO. 80-17(c)

HEARING DATE 5/12/80

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

LOCATION A 3.056 acre tract fronting 300 feet on the southerly side of N. C. Hwy. 51 and adjacent to the west side of McMullen Creek.

Acreage: 3.056



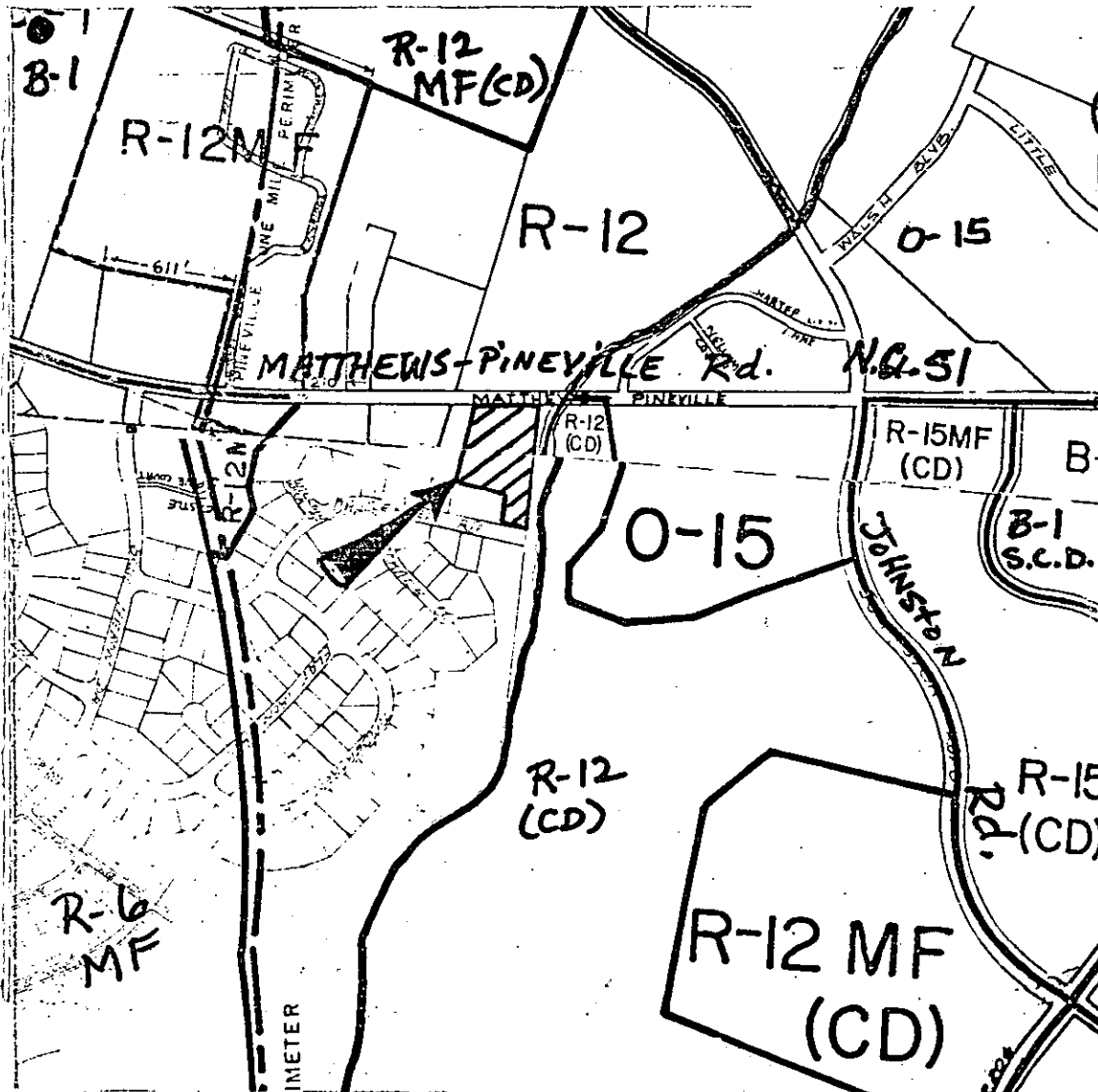
ZONING MAP NO. 169

SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE



Petition No.: 80-17(c)
Petitioner: R. D. Kennerly and W. P. Berry
Request: R-12 to R-12MF(CD)



PROPERTY INFORMATION

Property Owner: R. David Kennerly and William P. Berry
Date Acquired: March 31, 1980
Deed Reference: 4291-948
Tax Parcel No.: 221-181-04 (part of)
Current Tax Value: \$9,095.
Size: 3.056 acres+
Street Frontage: 300 feet

ZONING HISTORY

Present Zoning: R-12
Date Established: August, 1968
Past zoning changes on property or within area: The original zoning placed on this property was R-12 which was established on August 5, 1968. In September, 1970 this property was changed to R-PUD. It became part of the development scheme for the "Walden" Planned Unit Development. In September, 1971 a modification to the "Walden" P. U. D. was approved which removed this property from the P. U. D. and took it back to the original R-12 zoning. Also in 1971, the subject property was petitioned for a change from R-12 to R-12MF which also included a parcel south of N. C. 51 and 1,500 feet to the west. The subject property was denied the change to R-12MF while the parcel west of the subject property was approved R-12MF. About the same time a tract on the north side of N. C. 51 and about 1,500 feet west of the subject property was petitioned and rezoned from R-12 to R-12MF. Other rezonings have occurred to the east along Johnston Road Extension and Carmel Road Extension. Changes to occur here have been from R-12 to B-1SCD, R-12 and R-15 to O-15, O-15 to B-1 and B-1SCD to R-15MF(CD). The "Walden" PUD was last amended in June 1976, at which time the P. U. D. was collapsed and zoned R-12(CD), R-12MF(CD) and O-15. Presently there is a pending petition.

NEIGHBORHOOD FEATURES/CHARACTERISTICS

Defined neighborhood of which property is a part: Pineville.

Transportation Facilities:

<u>Arterials</u>	<u>Physical Features</u>	<u>Traffic Volumes</u>
N. C. Hwy. 51	2 lane thoroughfare	6,083 ADT 12 hr. on November 28, 1979

Transit Service Within Area: Express service is provided for this area via Route 45X Carmel Road Express with two morning and two afternoon buses.

Public Schools Serving Area:

	<u>Designed Capacity</u>	<u>Present Enrollment</u>
Elementary School(s) - Pineville K-3	850	777
- Sterling 4-6	525	692
Jr. High School(s) - Quail Hollow	1,200	1,179
High School(s) - South Mecklenburg	1,800	2,188
- Olympic	1,300	1,471

PUBLIC PLANS AND PROGRAMS IN THIS AREA

Comprehensive Plan 1995: The Plan Map suggests that this property should be developed residential with 0 - 6 dwelling units per acre.

The "N. C. 51 Policies for Future Development" report states: "The rezoning of land in the N. C. 51 study area should not increase the existing supply of residential development potential unless mitigated by exceptional design, provision of open space, or other special considerations".

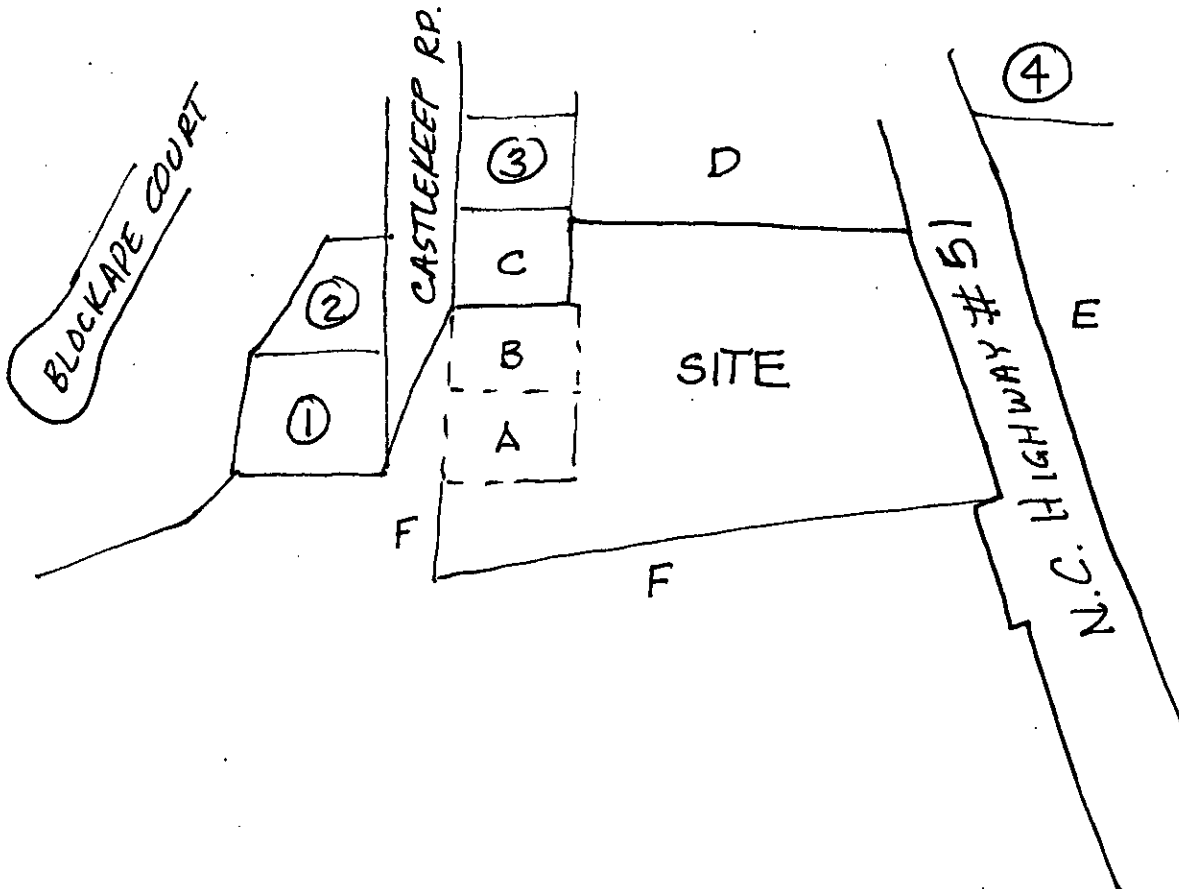
SIGNIFICANT ZONING DISTINCTIONS

	<u>Present Zoning</u>	<u>Proposed Zoning</u>
Use:	Single Family Residential	Multi-Family Residential (CD)
Density:	3.6 units per acre	Maximum number of dwelling units permitted for this tract with R-12MF zoning is 41. 24 units are proposed.
<u>Development Standards:</u>		
Lot Size:	12,000 sq. ft.	12,000 sq. ft. required for first unit, 3,000 sq. ft. for each additional unit
Setback:	35 ft. (subdivision ordinance requires 50 ft. on major thoroughfare)	Minimum 35 ft. (subdivision ordinance requires 50 ft. on major thoroughfare)
Rear Yard:	50 ft.	Minimum 25 ft. to 40 ft. depending upon building orientation.

KENNERLY/BERRY PROPERTY
HIGHWAY 51 AT McMULLEN CREEK

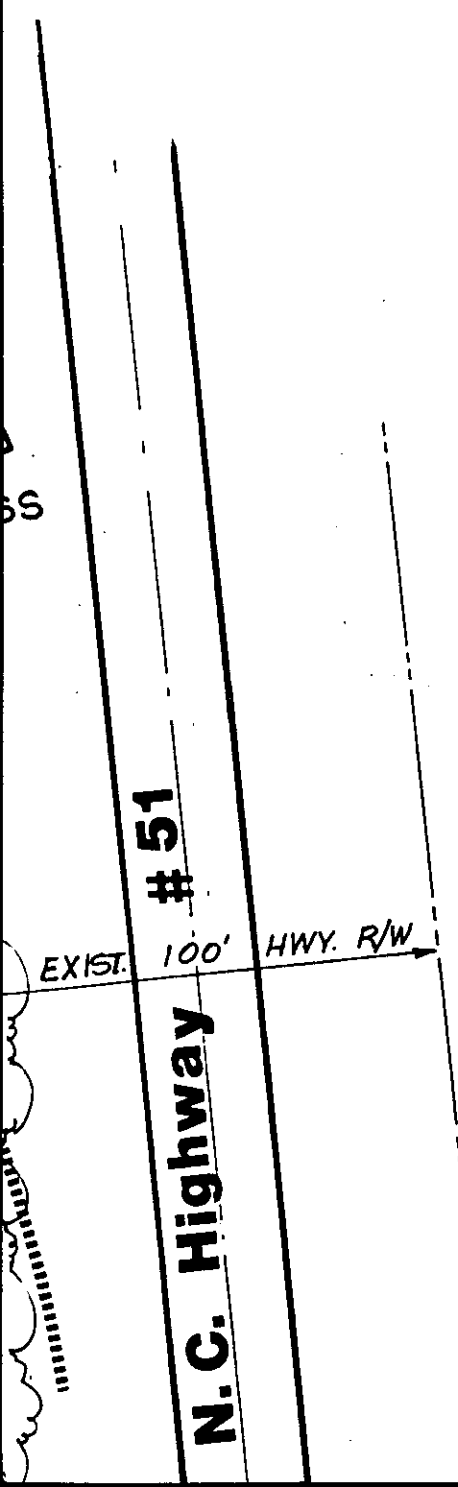
LISTING OF NEARBY PROPERTY OWNERS
BOUNDARIES NOT CONTIGUOUS WITH SUBJECT PROPERTY

1. Robert D. Groux - Parcel # 221-224-44
8217 Castlekeep Road
Pineville, N.C. 28134
2. Rabon K. Parker - Parcel # 221-224-43
8311 Castlekeep Road
Pineville, N.C. 28134
3. Donald D. Yelton - Parcel # 221-221-18
8312 Castlekeep Road
Pineville, N.C. 28134
4. Lawrence R. Smith, Jr. - Parcel # 221-191-08
R.F.D. 1 - Box 450
Pineville, N.C. 28134



Legend of adjacent Property Owners

- (A)** Ronald D. Kennerly - Parcel # 221-181-04
1515 Mockingbird Lane
Charlotte, N.C. 28209
- (B)** William P. Berry - Parcel # 221-181-04
3133 Lauren Glen
Charlotte, N.C. 28211
- (C)** Martin D. Jenkins - Parcel # 221-221-19
8304 Castlekeep Road
Pineville, N.C. 28134
- (D)** Herman E. Jackson - Parcel # 221-181-05
Route 2, Box 451
Pineville, N.C. 28134
- (E)** W.G. Johnston Estate - Parcel # 221-191-11
Post Office Box 94
Pineville, N.C. 28134
- (F)** Carolina-Connecticut Properties - Parcel #221-181-04
4300 Six Forks Rd.
Raleigh, N.C. 27609
attention: William Lockrow



Notes

1. EXISTING ZONING IS R-12.
2. PROPOSED ZONING R-12 MF(CD).
3. TOTAL SITE AREA = 3.056 ACRES.
4. THE MAXIMUM NUMBER OF DWELLING UNITS IS TO BE 24 - WITH AT LEAST THE REQUIRED