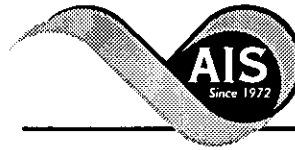




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# City of Charlotte – Planning Dept. Scanning Rezoning Files

Petition # 1980-19 C

## Document type:

- Applications
- Correspondence
- Department Comments
- Land Use Consistency
  - Mail Info
  - Mapping
  - Other
- Site Plans



\* 0 0 B R E A K 0 0 \*

# OFFICIAL REZONING APPLICATION MECKLENBURG COUNTY

|                 |                     |
|-----------------|---------------------|
| Petition No.    | <u>80-19(c)</u>     |
| Date Filed      | <u>5/8/80</u>       |
| Received By     | <u>Steve Holton</u> |
| OFFICE USE ONLY |                     |

## Ownership Information

Property Owner William B. & Margaret W. Cline

Owner's Address 9624 Mt. Holly Road, Charlotte, N. C. 28208

Date Property Acquired 11-20-79; Filed 11-29-79 page 530

Deed Reference 4257 Tax Parcel Number 031-051-45

**Location Of Property** (address or description) 7.75ac. tract on North side  
Hwy. #27 & Rhyne Road intersection. 9800 Mt. Holly Road, Charlotte, N. C.

## Description Of Property

Size (Sq. Ft.-Acres) 7.75 acres Street Frontage (ft.) 698'

Current Land Use Rental house - Farm land

## Zoning Request

Existing Zoning R12MF - R-15 Requested Zoning B - 1

Purpose of zoning change Privately owned steak house restaurant

Name of Agent \_\_\_\_\_

Agent's Address \_\_\_\_\_

Telephone Number \_\_\_\_\_

Wm. B. & Margaret W. Cline  
Name of Petitioner(s)  
9624 Mt. Holly Road, Charlotte,  
Address of Petitioner(s) N. C. 28208

Telephone Number  
392-4065 Home; 399-7801 Bus.

Signature *William B. Cline*  
*Margaret W. Cline*  
Signature of Property Owner if Other  
Than Petitioner

# 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.

There is a filing fee of \$100.00 required with each rezoning petition.

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 features 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 signed by the owner, or 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 County Board of Commissioners and the Planning Commission.

ZONING REGULATIONS

MAP AMENDMENT NO. 335

A RESOLUTION AMENDING THE MECKLENBURG COUNTY ZONING REGULATIONS

WHEREAS, a petition was presented to the Board of Commissioners of Mecklenburg County requesting the rezoning of property fronting the northerly side of Mount Holly Road across from Rhyne Road from R-12MF and R-15 to B-1(CD); and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 8-1 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements specified in Section 8 and was recommended for approval by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the Board of County Commissioners has authority to amend the zoning ordinance by Section 16 and a public hearing was held on June 9, 1980; and

WHEREAS, in the passage of this ordinance the Board of Commissioners of Mecklenburg County has considered the following items as required by Section 8:

1. The policies and objectives of the Comprehensive Plan, particularly in relation to the proposed site and surrounding area; and
2. The potential adverse impacts on the surrounding area, especially in regards but not limited to traffic, storm drainage, land values and compatibility of land use activities.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA:

Section 1. The Mecklenburg County Zoning Regulations as embodied in the Zoning Ordinance are hereby amended by changing from R-12MF and R-15 to B-1(CD) on the Official Zoning Map, Mecklenburg County, North Carolina the following described property:

BEGINNING at a point on the northerly right of way line of Mount Holly Road, said point being the southerlymost corner of the R. S. Underwood property recorded in Deed Book 1677 at page 390 in the Mecklenburg County Registry of Deeds; 1) thence N.24-10-23E. 570.0+ feet; 2) thence S.58-43-31E. 432.68 feet; 3) thence S.1-42-23W. 388.0 feet; 4) thence S.20-49-47W. 234.98 feet to a point of intersection with the northerly right of way line of Mount Holly Road; 5) thence running with the right of way of said road N.58-31-50W. 598.0 feet to the point or place of BEGINNING.

Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.

APPROVED AS TO FORM:

\_\_\_\_\_  
County Attorney

Approved and adopted by the Board of County Commissioners of Mecklenburg County,  
North Carolina, in meeting on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Clerk, Board of County Commissioners

**PARALLEL CONDITIONAL USE PERMIT**

This is a parallel conditional use permit approved by the Mecklenburg County Commission to William B. and Margaret W. Cline

owner(s) and successors-in-interest of the property described as tax parcel 031-051-45

and described in detail further in the ordinance, identified below, approved by the Board of Commissioners.

In approving this parallel conditional use permit, the Mecklenburg County Commission amended section 8. of the Mecklenburg County Zoning Ordinance and the official zoning map. The property now has a parallel conditional use district zoning classification of B-1(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 8., 8.1, and 16. of the Mecklenburg County Zoning Ordinance, 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 Board of Commissioners under section 16. of the Mecklenburg County Zoning Ordinance.

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 Board of Commissioners which may recommend that action be initiated to remove the parallel conditional use district in accordance with section 8.

Petition No. 80-196

property fronting the westerly side of Mount Holly Road across from Rhye Road; and

June 9, 1980

BEGINNING at a point on the westerly right of way line of Mount Holly Road, said point being the southerly most corner of the R. S. Underwood property recorded in Deed Book 1677 at Page 390 in the Mecklenburg County Registry of Deeds;

1) thence N. 24-10-23 E. 570.0 ± feet;

2) thence S. 58-43-31 E. 432.68 feet;

3) thence S. 1-42-23<sup>W</sup> 388.0 feet;

4) thence S. 20-49-47 W. 264.98 feet to a point of intersection with the westerly right of way line of Mount Holly Road;

5) thence according with the right of way of said road N. 58-31-50 W. 598.0 feet to the point or place of BEGINNING.

