

CONDITIONS

The following conditions shall only control the use of the property as a hotel/motel/inn under the B-1(CD) zoning classification; otherwise the use of the property shall be as permitted under the existing O-6 zoning classification:

1. **Use of Building A.** Building A, as shown on the site plan, may be used as a motel, hotel and/or inn, and only as presently constructed, without any addition to its gross square foot area or material changes to its exterior; provided that an awning over the Berkeley Avenue entrance, additional windows and a sign may be added to Building A. The use of Building A shall be conducted in the style of a bed and breakfast country inn which shall offer temporary overnight lodging and a breakfast meal to its patrons. There are currently ten (10) guest rooms planned within Building A; provided that there shall be a maximum of fourteen (14) guest rooms.

Building A and the grounds of the property may also be used for receptions, meetings, functions and other social gatherings, provided that the number of guests in attendance shall not exceed one hundred fifty (150) persons.

No amplified music shall be allowed outside of Building A or on the grounds of the property.

2. **Use of Building B.** Building B, as shown on the site plan, may not be used as a residential dwelling nor as a restaurant or food preparation facility. Building B may be used for storage, as one guest room associated with the use of Building A, or for uses incidental to the use and enjoyment of Building A and the grounds by the patrons and guests of Building A.

3. **Use of Building C.** Building C, as shown on the site plan, may be used only as a residential dwelling, including any permitted uses associated therewith; provided that there shall be a maximum of two (2) rooms used as lodging for hire and/or room renting to roomers or boarders. No signs, other than a mailbox and/or an identification of the owner and street address, shall be allowed on the grounds associated with Building C.

4. **Screening.** The screening provided by the trees, plants and shrubbery shall remain as it presently exists and shall be so maintained within the designated areas shown on the site plan. Additional planting shall be provided and maintained within the area encircled by the driveway to the Berkeley Avenue entrance.

5. **Food Preparation.** On-site food preparation in connection with the use of Building A shall consist only of the preparation of breakfast and occasional additional meals upon request in advance for the registered guests of Building A, and not for the public at large, provided that food preparation and service in connection with meetings, receptions and social gatherings may be supplied by caterers.

6. **Signs.** One sign identifying the use of Building A may be located near the corner of East Morehead Street and Berkeley Avenue. Such sign shall be constructed principally of wood, shall be no larger than five (5) feet by seven (7) feet in area and may be illuminated by ground spotlights on both sides.

One sign identifying the use of Building A may be attached to Building A at the Berkeley Avenue entrance. Such sign shall be constructed principally of wood, shall be no larger than six (6) square feet in area and may be illuminated by a spotlight.

Both signs referred to herein shall be removed by the owner within ten (10) days of the last day Building A is used as a bed and breakfast country inn.

7. **Parking.** Off-street parking for the property, as required by the City of Charlotte Zoning Ordinance, shall be located only within the areas designated as parking areas on the site plan. Provided that such on-site parking is and remains available, off-site parking spaces in nearby off-street parking lots may be designated for use by the overnight guests and employees of Building A.

Off-street parking shall be provided for those persons attending any reception, meeting, function or social gathering in Building A. The term "off-street parking" shall be defined as parking spaces for which written contracts for the use of said spaces have been signed and are in possession of the owner of Building A, and which parking spaces are located on any of the property identified by the following 1984 tax parcel identification numbers: 123-102-9; 123-102-10; 123-103-31; 123-103-32; 123-103-29; 125-201-12 (daytime parking only); 125-201-13 (daytime parking only); 125-201-14; 125-201-15; 125-201-16; 125-201-59 to 83; 125-203-2; 125-203-3; and 125-203-4.

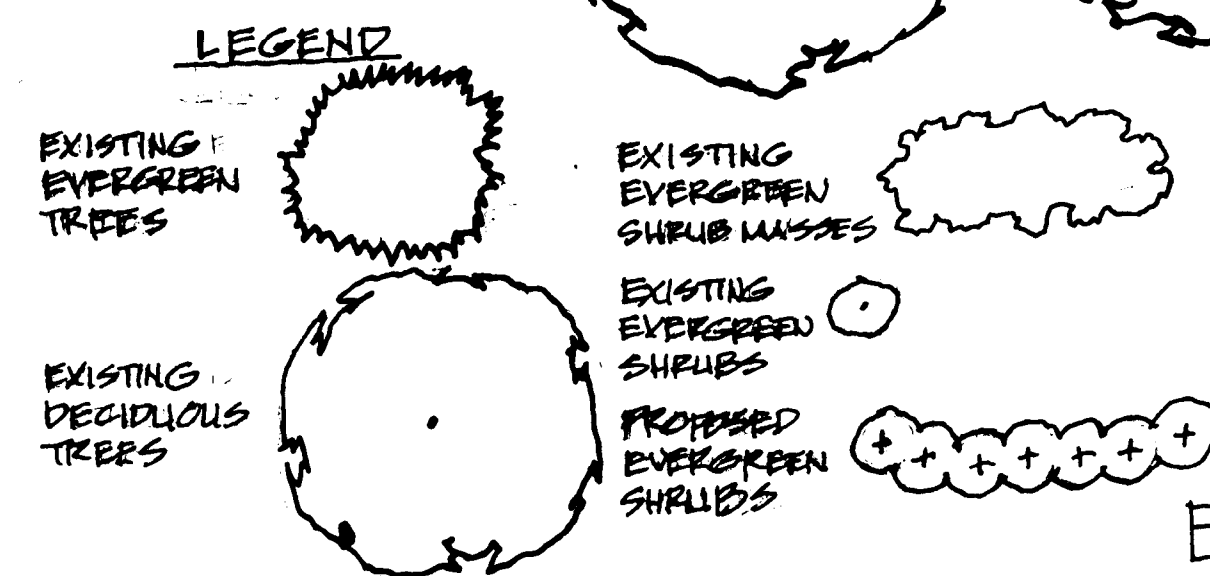
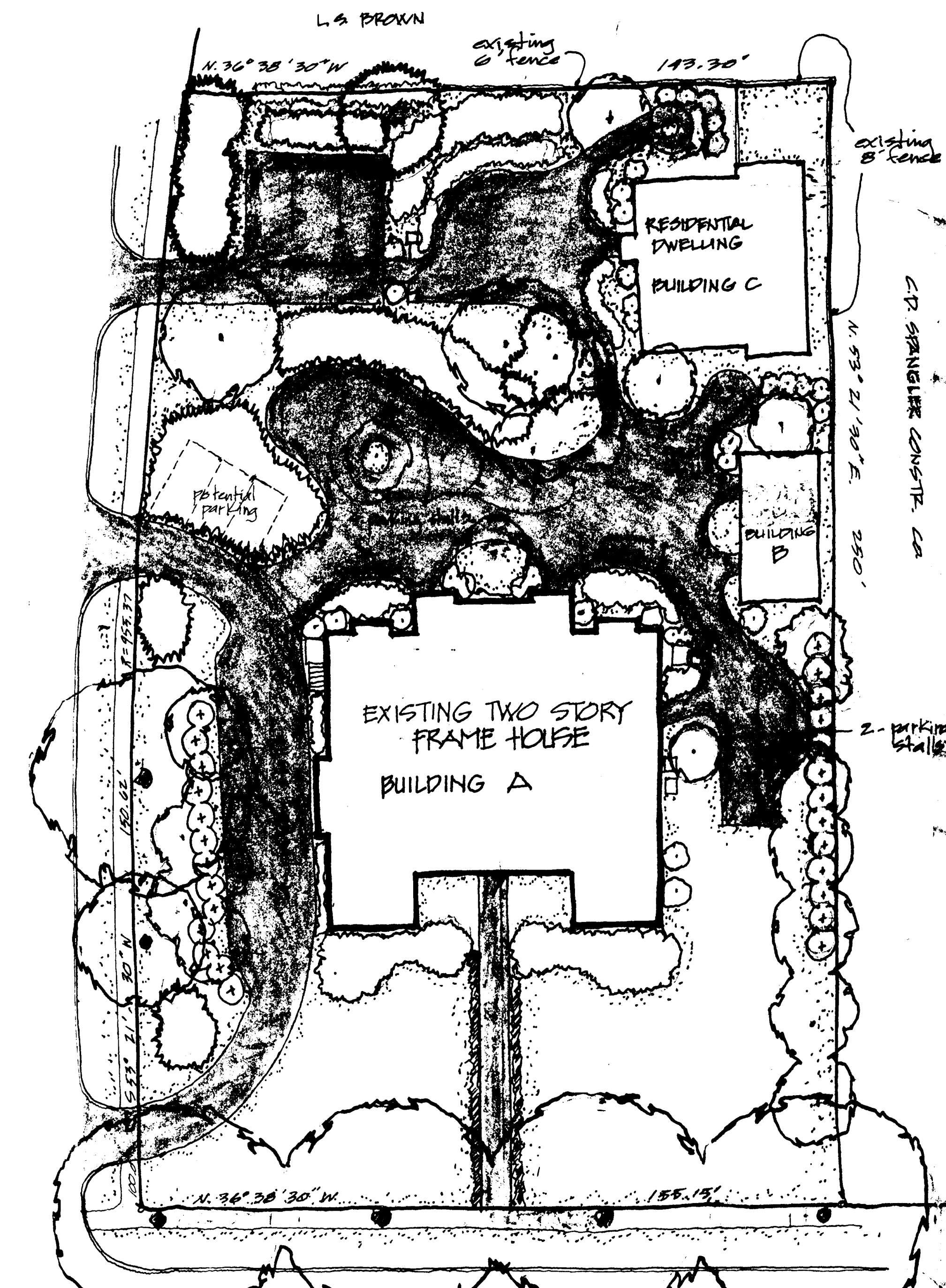
The maximum number of persons in attendance at any such reception, meeting, function or social gathering in Building A shall be limited to the lesser of one hundred fifty (150) persons or two (2) persons per off-street parking space available.

The sponsors of any such reception, meeting, function or social gathering shall be provided with maps showing the location of such off-street parking and shall be required to inform their guests of the location of such off-street parking by, for example, including small maps of the off-street parking areas with their invitations. For any reception, meeting, function or social gathering for which more than twenty (20) guests are scheduled, a parking attendant shall be provided, who shall be located outside Building A, at or near the Berkeley Avenue entrance, to direct guests to the provided off-street parking, and there shall be an A-frame directional sign in the street parking lane near the Berkeley Avenue entrance indicating the location of off-street parking. For any reception, meeting, function or social gathering of seventy-five (75) to one hundred fifty (150) guests, two (2) additional parking attendants shall be provided, who may be off-duty uniformed patrolmen and who will be stationed on Berkeley Avenue and Belgrave Place to direct guests to the off-street parking areas.

It is acknowledged that any on-street parking by any employee, guest or invitee of, or anyone associated with the use of Building A or Building B, is inconsistent with and detrimental to the residential character of affected streets and unsafe to the residents on such affected streets. The term "affected streets" is defined to specifically include Belgrave Place, Arosa Avenue and the portion of Berkeley Avenue located to the southwest of East Morehead Street. No on-street parking on the affected streets shall be allowed by anyone associated with or present within Building A or Building B, and any such parking is a material violation of this agreement and this zoning ordinance amendment.

84-18

Approved
4/16/84



PETITION NO. 84-18
MS. NANCY BERGMANN
 1122 E. MOREHEAD ST.
 EXISTING ZONING - O-6
 PROPOSED ZONING B-1 (CD)
 REQUIRED PARKING - 18
 PROPOSED PARKING - 18

1 SPACE / ROOM	14
1 SPACE / 2 EMPLOYEES	2
2 SPACES / RESIDENCE	2
	18

E. MOREHEAD ST.