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City of Charlotte – Planning Dept. Scanning Rezoning Files

Petition # _____

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



* 0 0 B R E A K 0 0 *

DERITA SMALL AREA PLAN REZONINGS

Petition No. 86-20(c)

This petition involves several tracts of land which total approximately 52 acres. The current zoning for the property is a combination of R-9MF, B-2, I-1 and I-2. The petition is seeking O-15, B-1 and R-15MF zoning for the property. Specifically, an area between Nevins Road and Gibbon Road which is zoned R-9MF and B-1 is requested to change to R-15MF, an area lying between Gibbon Road and the Southern Railroad right-of-way which is presently I-1 and I-2 is requested for O-15 zoning, and an area generally at the intersection of Nevins Road and Gibbon Road which is presently zoned I-2 is requested for B-1 zoning. There is also a small area which is presently zoned B-1 between Gibbon Road and the Southern Railroad which is requested for O-15. This tract is located somewhat northwest of the bulk of the area in this rezoning.

The current land use pattern for the property under consideration is a combination of a few single family homes, some multi-family development, industrial uses, businesses and vacant property. Surrounding land uses are also a mixture of other single family development, but there is a concentration of various institutional and non-residential uses in the area, particularly along and near areas of Derita Road, Gibbon Road and Mallard Creek Road near the heart of the Derita Community.

As mentioned earlier some of the property located in the petition is vacant and therefore the zoning changes would not create in those cases any non-conforming uses. However, there are a few establishments which would become non-conforming through the zone changes proposed in the plan. For example, there are several uses at the intersection of Nevins Road and Gibbon Road which are industrial or highway business usage oriented in nature, but the plan proposes B-1 zoning here. B-1 zoning is a neighborhood retail district and the uses presently located here such as Delta Unit Rebuilders (auto related), a propane gas facility, a trucking facility and Gambel and Pallet Company, all would become non-conforming in the B-1 district.

Petition No. 86-21(c)

This petition encompasses some 41 acres of property. The area of the petition is along and near the intersection of Mallard Creek Road and Derita Road extending southward to Rumble Road. The current zoning of this area is a combination of B-2 and R-9MF and the petition seeks B-1 and O-6 zoning. Specifically, a substantial portion of the rezoning area is currently zoned B-2. The B-2 area which lies along the easterly side of Derita Road from Rumble to just north of the Mallard Creek Road intersection is proposed to change from B-2 to B-1 whereas the remaining B-2 area on the westerly side of Derita Road from Gibbon Road to Nevins Road is proposed to change from B-2 to O-6. There is a small amount of R-9MF property at the intersection of Nevins Road and Derita Road and that area is proposed for O-6 zoning.

The property in this petition is used for a variety of purposes. Much of the property is associated with the town center of the Derita Community and is

therefore associated with an assortment of neighborhood support and other retail and office uses. There is an occasional residence located in the petition as well as the Derita Baptist Church. Some portions of the rezoning site are also vacant.

Because most of the rezoning in this case involves a change from either B-2 to B-1 or B-2 to O-6 there is very little affect in terms of the creation of non-conforming uses. This is simply due to the fact that most of the uses are of the type that are either office or neighborhood oriented and would normally locate in a B-1 district. There is perhaps only one or two non-conforming uses that would be created: Stallings Refigeration which is a facility along Hunter Avenue and a nearby auto repair garage which fronts on Derita Road. There are apparently a couple of existing non-conforming uses which would not be affected by the zoning change. These include a mobile home along Mallard Creek Road which would change from B-2 to B-1 and Atlantic Steel Supply Company on Nevins Road which is zoned B-2 and would change to O-6.

Petition No. 86-22(c)

The property in this petition encompasses a rather large area, approximately 127 acres of land. The area lies to the east of Derita Road and runs along Rumble Road to both the north and south for some distances. The current zoning here is all R-9MF and the petition seeks a change to R-12 and R-12MF. Specifically, the area along the northerly side of Rumble Road is proposed for the R-12 category whereas the portion of the petition on the south side of Rumble extending to Mineral Springs Road is to change to R-12MF.

Land uses within the petition are generally residential in character or relate to a residential environment. Single family homes are located in the area as is a number of vacant parcels. There is, though, one apartment complex. These are the Derity Apartments which are located just off of Rumble Road across from Ridgeview Road. It should be noted that this particular parcel, however, is not within the boundaries of the rezoning petition. A number of churches are also located in the petition boundary. Other nearby and surrounding land uses generally reflect other single family development, but there is also a large area in the general vicinity which has not been developed.

There would be no non-conforming uses created if the petition were to be approved.

Petition No. 86-23(c)

The area contained in this petition is located along the northerly side of Rockwell Church Road. Total acreage involved is 43.5 acres and the current zoning for all of the properties included is R-9MF. The petition is seeking to rezone the area to R-9 single family.

Properties included in the request are either vacant or have single family homes on them. The one exception to this pattern is the Rockwell AME Zion Church. Surrounding land uses are generally of the same character, though there is a new shopping center under construction nearby at the intersection of Mallard Creek Road and Derita Road.

The approval of the rezoning petition would not create any non-conforming uses.

Petition No. 86-24(c)

This petition is comprised of two sites which total just over 4 acres at the intersection of Statesville Road and Sunset Road. The property in the petition is zoned B-2 and the petition seeks O-15 and R-12. Specifically, an area located on the south side of Sunset Road and to the west of Statesville Road is proposed to change to O-15 whereas a site across on the easterly side of Statesville Road is proposed for R-12.

The rezoning site on the easterly side of Statesville Road represents a portion of a tax parcel, the balance of which is already zoned R-12. The parcel in question is used as a Duke Power Substation. The other site is not developed at the present time. Other land uses in the general vicinity are mostly oriented to the trucking industry on the north side of Sunset Road whereas other areas, particularly to the east of Statesville Road are generally residential in character.

It should be noted that an area lying immediately west of the rezoning site and on the south side of Sunset Road to the intersection of Milhaven Lane was recently involved in a rezoning matter which established a B-1SCD zoning in the area. That area would have been included in a small area plan petition, but since it has been approved for the shopping center, it was then decided to no longer pursue that rezoning for obvious reasons. Further, inasmuch as that area is now committed to retail activity staff has reconsidered the proposal to rezone the tract in the petition involved here to O-15. It seems illogical to expect that triangular shaped piece of property to develop for office purposes in light of the industrial activity across the way and the adjoining retail shopping center to come. Therefore, given those factors staff would recommend in this one case that this site be changed to B-1, which would compliment the adjoining retail center in lieu of the small area plan's O-15 recommendation.

Petition No. 86-25(c)

The petition in this case comprises about 4.6 acres for property located along the southerly side of Old Statesville Road. The property is zoned B-2 and the petition seeks O-15.

The petitioned property has a couple of single family homes located on it and other single family development is located along both sides of Old Statesville Road and is particularly concentrated in the Crater Park Subdivision to the southeast. There are a couple of commercial uses across from the site including a beauty salon and a general store/convenience store. Other land uses in the general vicinity are also rather sparsely developed, but do include other residences and a few other small businesses to the north. The foremost land use feature of the area, though, is the Metrolina Fairgrounds complex.

Rezoning the property from the B-2 classification to O-15 will not create a non-conforming use for the site.

Re: Tax Reference #04302620
Petition No. 86-20(C)
Derita Small Area Plan

Please review attached copies regarding this parcel. As you will note, we had it up-zoned to B-1 in 1977 for our future business purposes suitable for the community.

We respectfully request this parcel remain zoned B-1 for the following:

1. City sewer not available now for offices
2. Septic tank use limited to only two employees
3. Convenience store now under construction
4. Future plans to remove existing buildings and upgrade property
5. Not enough demand for offices on parcel this size in this area

Sincerely,

Calvin C. Brown
Earl G. Brown, Jr.
Property Owners

5416 The Plaza
Charlotte, NC 28213

Enclosures
rb



24
4/1/86
M

CHARLOTTE - MECKLENBURG PLANNING COMMISSION

March 14, 1986

Petition No. 86-20(c)
Derita Small Area Plan

Dear Property Owner:

According to tax records, you are the owner of property that has been petitioned by the Charlotte-Mecklenburg Planning Commission, to be rezoned from B-1 to O-15. This petition is being initiated by the recent adoption of the Derita Small Area Plan.

A public hearing has been scheduled for Monday, April 14, 1986 at 2:00 o'clock P.M. in the County Office Building (Fourth Floor), 720 East Fourth Street. You are encouraged at this time to express your support for or your concerns with this proposal. The hearing will be before the County Commission and the Planning Commission. After the hearing the two groups will decide whether or not your property should be rezoned.

Enclosed with this letter is a map locating the property included in this proposal. If you have any questions, please call Debra Luckadoo-Shockley at the Charlotte-Mecklenburg Planning Commission at 336-2205.

Sincerely,

Robert G. Young
Land Development Manager

RGY:oj

Enclosure

Tax Reference Number

04302620

MAR 17 REC'D
MAR 17 1985
MAR 17 REC'D

OFFICIAL REZONING APPLICATION MECKLENBURG COUNTY

Petition No. 86-20 (c)

Date Filed 2-24-86

Received By CL

OFFICE USE ONLY

Ownership Information

Property Owner See Attached List

Owner's Address See Attached List

Date Property Acquired N/A

Deed Reference See Attached List Tax Parcel Number See Attached List

Location Of Property (address or description) _____

See Attached Sheet

Description Of Property

Size (Sq. Ft.-Acres) 52 acres Street Frontage (ft.) _____

Current Land Use Retail, single family, vacant and warehousing

Zoning Request

Existing Zoning See Attached sheet Requested Zoning See Attached Sheet

Purpose of zoning change To comply with Derita Small Area Plan

Name of Agent _____

Agent's Address _____

Telephone Number _____

Charlotte-Mecklenburg Planning
Name of Petitioner(s) Commission

301 S. McDowell Street

Address of Petitioner(s)

336-2205

Telephone Number _____

Signature _____

Signature of Property Owner if Other
Than Petitioner

MAR 17 1985
MAR 17 REC'D

PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO. 86-20(c)

HEARING DATE 4-14-86

ZONING CLASSIFICATION, EXISTING B-1, I-1, I-2, R-9MF REQUESTED O-15, B-1, R-15MF

LOCATION Parcels totaling 52 acres in the area of Nevin and Gibbon Road

PLEASE SEE ATTACHED MAP

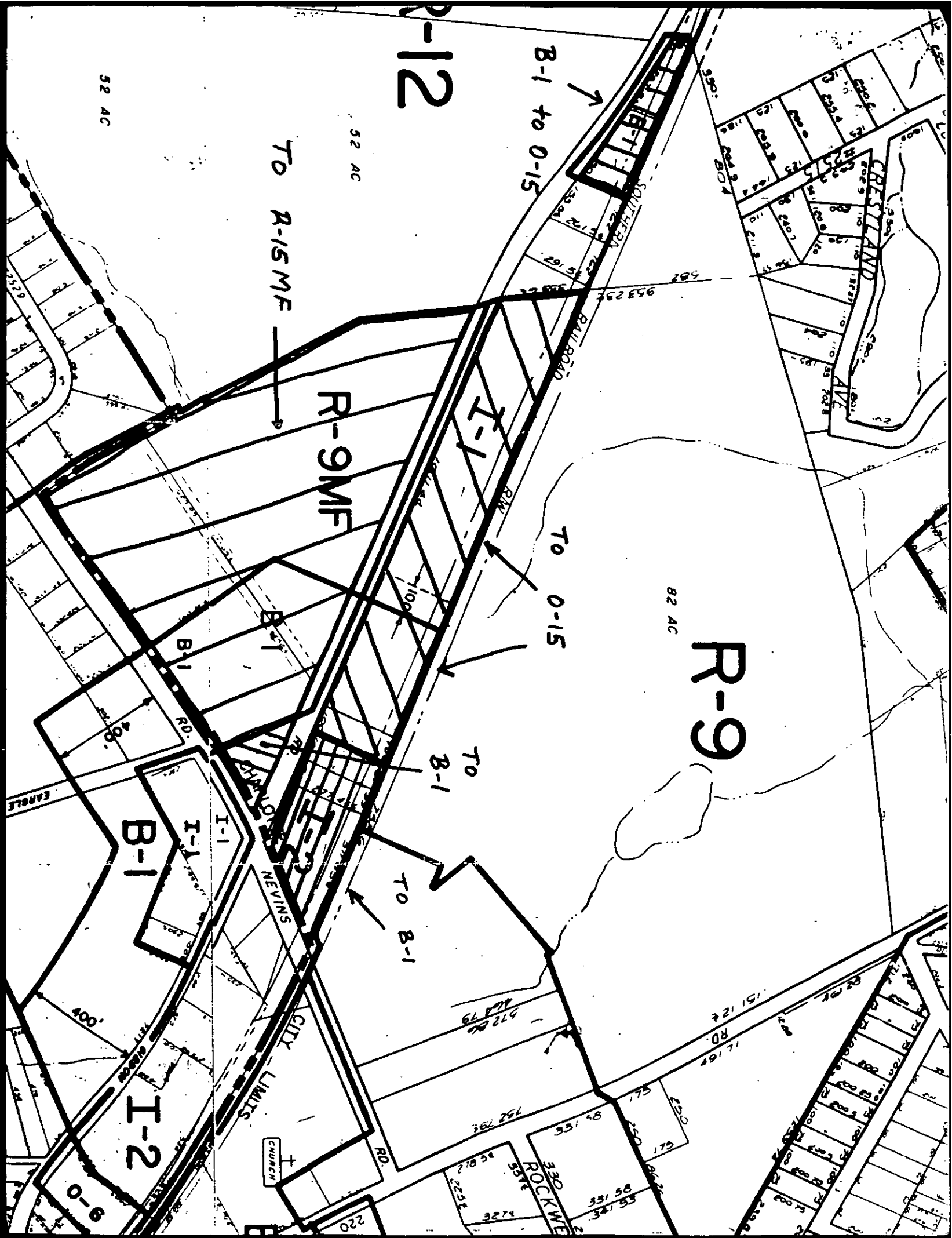
MAR 17 1986
MAR 5 1986
REC'D

ZONING MAP NO. 59, 70

SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE





R-12

B-1 to 0-15

52 AC

52 AC

TO R-15 MF

R-9MF

I-1

TO 0-15

82 AC

R-9

TO

B-1

TO B-1

B-1

I-1

I-1

I-1

CHURCH

NEVINS

CITY LIMITS

I-2

O-9

ROCKY MOUNTAIN AVENUE

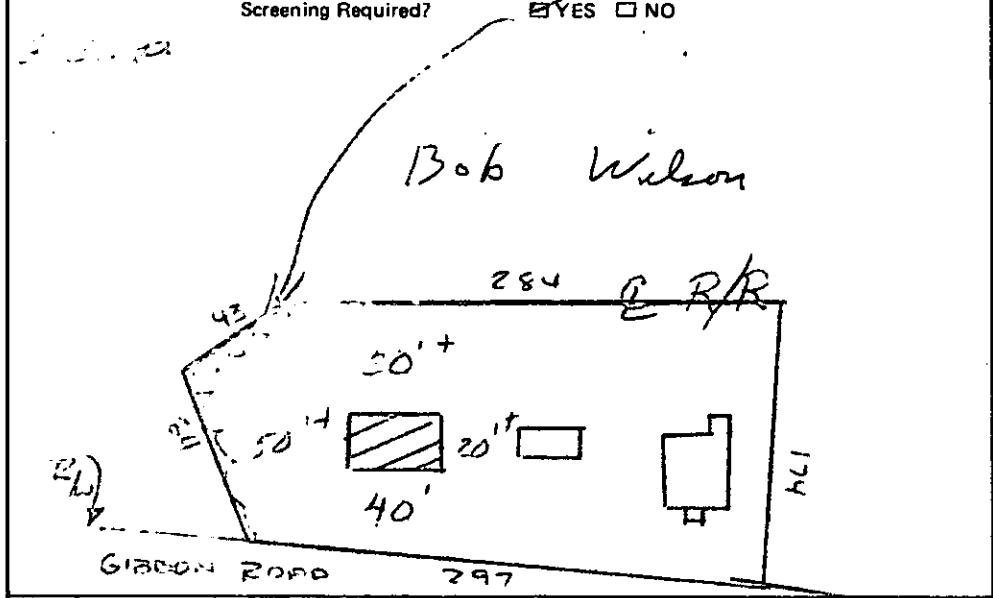
SOUTHERN RAILROAD

Parcel No.	Zoning	Map	Type Constr.
01-074-20	L-1	10-2	
Account No.	Fee	Permit No.	Approval Date
	52.70		
Code 10	Number		Street
	5540		GIBBON RD 0
Property Owner:		Lot: Block:	
CALVIN & EARL BROWN			

Address:	248E, NC 11601 ALAN A. BROWN		
Contractor:	SAME		
Address:	N.C. Lic. No.		
Arch. or Engr.:	Phone No. 875-1502		
Address:	334-9867 K		

P.C. Code	USDC	Occ	Census Tr.	Ownership	Septic Tank Permit
699	327	B	5	1 <input checked="" type="checkbox"/> Private 2 <input type="checkbox"/> Public	18789 N
					Health Dept. Letter

PLOT PLAN, DRAW PLAN ACCURATELY, FROM SURVEY IF POSSIBLE. SHOW DIMENSIONS OF LOT AND LOCATE BUILDING BY DIMENSIONS FROM PROPERTY LINES. DIMENSION BUILDING.



Name of Subdivision	Land Area	If Corner Lot Check Here
		<input type="checkbox"/>
Purpose of Bldg. (CONV. STORE)	No. Rooms Habitable: NA	Bsmt? NA No. Stories: NA
Connected to City or County System	Type Heat: H.P.	Chimney: No.
• water? YES	Fuel: ELEC	Size: NA
• sewer? NO		

TOTAL COST \$ 17,200.00	Contractor: LISC CONTR
Electrical \$ 600.00	
Mechanical \$ 1000.00	
Plumbing \$ 600.00	
Other \$	

Gen. Constr. Cost To Nearest \$100 (Incl. Fire Sprinklers) \$ 15,000.00	Floor Area Heated:	No. Baths
Dwelling • Existing 01	Floor Area Unheated:	
Units • Added 0		

Build Repair Remodel Extend Move Demolish Other

THE UNDERSIGNED HEREBY MAKES APPLICATION FOR PERMIT AND INSPECTION OF WORK DESCRIBED, AND AGREES TO COMPLY WITH ALL APPLICABLE LAWS REGULATING THE WORK. Separate permits are required for signs, electrical, plumbing, mechanical work. Forward permit supplements to sub-contractors.

CALL FOR FOOTING, FOUNDATION, FRAMING, INSULATION AND FINAL INSPECTIONS.

Remarks/Restrictions:	Approvals
	Building: R-16
	Zoning: L-1
Signature of Applicant	Fee: \$ 52.70
Date: 3-27-83	

Serial No. 8316

SIR No. 376

Date Issued 2-15-85

T. C. No. 943-107-12

Map Date 1

376-4603

MECKLENBURG COUNTY
DEPARTMENT OF ENVIRONMENTAL HEALTH

TO THE BUILDING INSPECTION DEPARTMENT

APPROVAL OF LOT FOR INSTALLATION OF AN INDIVIDUAL SEPTIC TANK
WITH SUBSURFACE, SOIL ABSORPTION, EFFLUENT DISCHARGE

NAME OF OWNER Brown, Calvin
LAST FIRST MIDDLE

ADDRESS OF OWNER 5416 The Plaza, Charlotte, NC ZIP 28211

LOCATION OF LOT 3540 Gibbon Road
STREET OR COUNTY ROAD

SUBDIVISION _____ LOT NO. 6 & 7 BLOCK NO. _____

MAP BOOK NO. _____ PAGE NO. _____

The above specified lot is approved by the Mecklenburg County Department of Environmental Health for the installation of an individual septic tank system with subsurface, soil absorption, effluent discharge based on the soil investigation, on an on-site inspection of the said lot; and upon the information supplied in the "Application for an Installation, Construction, Alteration, and/or Repair Permit", number 943-107-12. This approval is subject to the following terms and conditions:

1. That the nitrification field be installed, constructed, altered and/or repaired in the same area where the soil investigation was run.
2. That an "Installation, Construction, Alteration, and/or Repair Permit" be issued and in full force and effect when the system is installed, constructed, altered, and/or repaired and that the system be installed in accordance with same.

This approval may be revoked and the building inspection department requested to revoke any building permit (s) which have been issued to authorize construction on the said lot if at any time it is determined that any information contained in the "Application for an Installation, Construction, Alteration, and/or Repair Permit" is not correct or is untrue or that the septic-tank system is not being installed, constructed, altered and/or repaired in accordance with a valid Installation, Construction, Alteration, and/or Repair Permit.

[Signature]
Environmentalist

[Signature]
Environmental Health Director, or Authorized Section Head

EHD-5-76

4603

SEE INSTRUCTIONS ON BACK

Date Received 5-7-85

ICAR(S) Application No. 18789

T. C. No. 041-027-02

Map Date _____

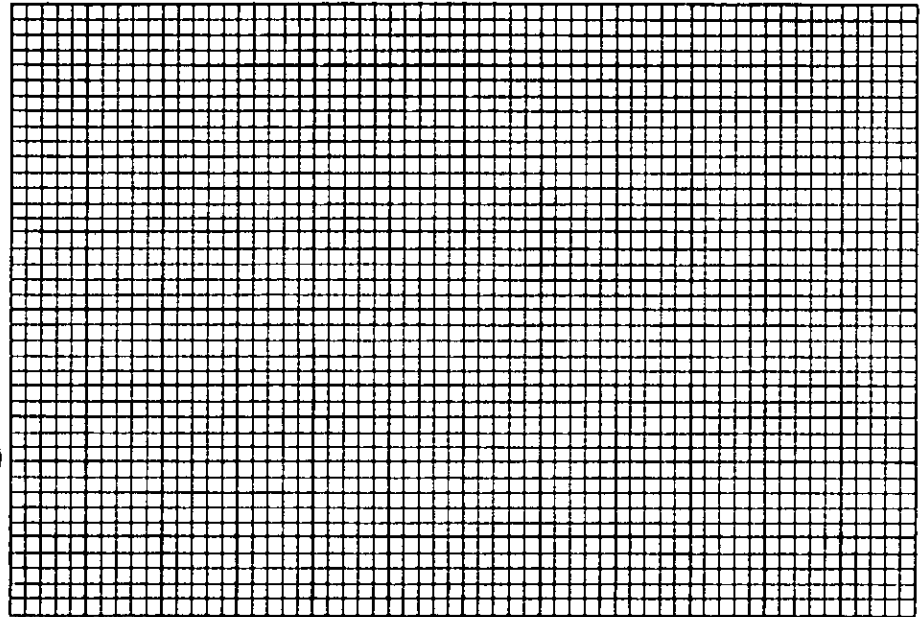
Jerry Randolph

MECKLENBURG COUNTY DEPARTMENT OF ENVIRONMENTAL HEALTH

Application for an
Installation, Construction, Alteration, and/or Repair Permit
(Individual Septic Tank System with Subsurface, Soil Absorption, Effluent Discharge)

The owner of that property described hereinafter hereby applies to the Mecklenburg County Department of Environmental Health for a permit to:

1) Install or Construct 2) Alter or Repair an individual septic tank wastewater treatment system with a subsurface, soil absorption, effluent discharge.



Mobile Home Yes No
Residence Yes No

- 4) No. of Bedrooms _____
- 5) Business Use Max No Employees _____
- 6) Washing Machine Yes No
- 7) Garbage Disposal Yes No
- 8) Dishwasher Yes No
- 9) Water Supply: City
 - A) Individual Well _____
 - B) Governmental System _____
 - C) Community System:
 - 1. Well source _____
 - 2. Governmental source _____
- 10) Sewage System:
 - House located within 200 feet of public sewer Yes No
 - House located within 200 feet of community sewer Yes No
- 11) FHA Case No. _____
- 12) VA Case No. _____

3) PLOT PLAN (ACCURATELY DIMENSIONED)

13) NAME OF OWNER Brown Colin & Earl Conledge
LAST FIRST MIDDLE

14) ADDRESS OF OWNER 5416 7th Place

15) PHONE NO. Home 5367902 Office 3379767

16) LOCATION OF SYSTEM 3540 Wilson
STREET OR COUNTY ROAD

17) SUBDIVISION _____ Lot No. 6 & 7 Block No. _____

Map Book No. _____ Page No. _____

18) DEED REFERENCE — DEED BOOK _____ AT PAGE _____

19) HAS A SOIL INVESTIGATION BEEN RUN? _____ YES _____ NO DATE RUN _____

20) PTR NUMBER (See Instructions) _____

The undersigned person hereby agrees that he has read the foregoing application and that the contents of same are true. It is understood that any permit applied for herein shall be void and of no effect if any of the above facts are not true.

DATE OF APPLICATION _____

Colin Conledge
OWNER

INSTRUCTIONS

PLEASE TYPE OR PRINT

- 1) Check block 1) if the application is for a permit to install or construct a new system.
- 2) Check block 2) if the application is for a permit to alter or repair an existing system.
- 3) Draw in and dimension the lot concerned. Draw in and name all roads adjoining the property and indicate which direction is north. Accurately diagram the house which is located or is to be located on the lot. Show the location or proposed location of all water lines and wells. If application is made to alter or repair an existing system also indicate the location of the existing system.
- 4) Indicate the number of bedrooms in the building. Include all rooms which are to be used as bedrooms or might later be furnished or converted to bedroom use and any contemplated additional bedrooms to be constructed in the future.
- 5) If building is to be used for business purposes, indicate the maximum number of employees to be employed and attach a separate sheet giving a brief description of the nature and purpose of the business.
- 6) Indicate whether a washing machine has been or ever will be installed in the building.
- 7) Indicate whether a garbage disposal has been or ever will be installed in the building.
- 8) Indicate whether a dishwasher has been or ever will be installed in the building.
- 9) Indicate what kind of water supply is serving or will serve the building.

Check A if the water supply for the building will be a well which is located on the lot described herein and if the building will be occupied by only one family or one business establishment and will not be a public place, a place of public gathering, or business which processes or manufactures any product which is used as or used in a food product.

Check B if the water supply for the building will be furnished by a City, County, Town or other governmental authority.

Check one of the blanks under C if the water supply for the building will be furnished by a private owned system other than an individual well as specified under 9A. Check 1. if the water source of the community system is a well or wells. Check 2. if the water source of the community distribution system is a city, county, town, or other governmental authority.
- 10) Indicate whether the building is located within 200 feet of a public (city or county) sewer line or within 200 feet of a privately owned sewer line.
- 11) If financing is to be provided by an FHA loan, indicate the FHA case number.
- 12) If financing is to be provided by a VA loan, indicate the VA case number.
- 13) Fill in full name of owner.
- 14) Fill in address of owner
- 15) Self explanatory.
- 16) Indicate location of property on which system is to be installed, constructed, altered, or repaired. Give street address, county road number, etc.
- 17) Name of subdivision (if applicable) in which the lot on which the system is to be built is located or name shown on recorded plot plan showing said lot. Lot and block number of lot on which application is being made to install or repair system. Book and page number where map is recorded in the Mecklenburg County Register of Deeds Office. This information is usually contained in the deed description.
- 18) Book and page number where deed to current owner is recorded in the Mecklenburg County Register of Deeds Office (see deed).
- 19) Indicate whether a soil investigation has been run by the Mecklenburg County Department of Environmental Health and if so, the approximate date it was run.
- 20) If a soil investigation was run on the lot after Sept. 1, 1970, a soil investigation report was sent to the owner indicating the results of the test. The number in the upper right hand corner of that report should be entered here.

This application must be signed by the owner of the property or by the President or Vice-President or other proper official of a corporation if the property is owned by a corporation and the corporate seal affixed. The signature on an agent of the owner will be accepted only if accompanied by a specific letter of authorization or a recorded power of attorney authorizing same.

The owner is to tear off and retain the last copy of this application (marked Owner's Copy) for his records. The original and all other copies should be sent to the Mecklenburg County Department of Environmental Health, 1200 Blythe Boulevard, Charlotte, North Carolina 28203.

- b. Change the I-1 zoning at the southeast corner of Nevins Road and Gibbon Road to B-1.
- c. Change the I-1 and B-1 zoning on the south side of Gibbon Road to the east of Nevins Road to multi-family residential (17 du/ac).
- d. Change the B-1 and R-9MF zoning east of Eargle Road to multi-family residential (6-8 du/ac).
- e. Change the I-2 zoning at the northwest corner of Nevins Road and Gibbon Road to B-1.
- f. Change the B-1 and R-9MF zoning west of Eargle Road to single family residential (R-12).
- g. Change the B-1 zoning west of the intersection of Nevins Road and Gibbon Road to multi-family residential (8-12 du/ac) adjacent to Gibbon Road and multi-family residential (6-8 du/ac) adjacent to Nevins Road.
- h. Reduce the density of the R-9MF zoning along the south side of Gibbon Road west of Nevins Road to a depth of 400 feet to multi-family residential (8-12 du/ac).
- i. Change the R-9MF zoning west of the intersection of Nevins Road and Gibbon Road and orienting toward Nevins Road to single family residential (R-12).

Change the I-2, I-1, B-1, and R-12 zoning west of Nevins Road and between Gibbon Road and the Southern Railroad track to O-15 with considerations for future conditional approvals for general business, distributive business, and light industrial uses.

3. Derita Town Center - North (Rockwell Church Road Area)

The key consideration in this area is the density of the multi-family land south of Rockwell Church Road and west of Cheshire Road. The Planning staff feels the density of the multi-family (17 du/ac) should remain as presently zoned (See Map). This would provide a transition between the office and the adjoining single family areas to the north. This notwithstanding, some concern is expressed about the lack of public recreation in the area. The setting aside of land for this purpose would be added justification for higher density.

- o Change the vacant general business zoned property fronting on Sugar Creek Road West to the south of Cole Memorial United Methodist Church to single family residential (4.84 du/ac).
- o Support the establishment of a business park in the area roughly bounded by West Sugar Creek Road, North Graham Street, Pickway Drive neighborhood, Allan Hills neighborhood, and Hewitt Drive. The only access to the business park should be by way of North Graham Street and West Sugar Creek Road. Buffering and screening should be provided between residential and non-residential areas. However, until such time a specific proposal is presented, the light industrial (I-1) and heavy industrial (I-2) sections should be changed to distributive business (B-D) and the single family area should remain as presently zoned.
- o Maintain 0-6 zoned properties on western side of Derita Avenue, which include the post office and a single family structure.
- *A minority opinion wanted the single family structure changed to single family residential zoning.
- o Change the light industrial zoning (Harris-Teeter Shopping Center) on the western side of North Graham Street at West Sugar Creek Road to general business zoning.
- o Change the neighborhood business and multi-family zoned properties surrounding the intersection of Nevins Road and Eargle Road to single family residential (3.63 du/ac).
- o Change the neighborhood business and part of the single family zoned properties on the southern side of Gibbon Road to multi-family residential (17 du/ac).
- o Change the multi-family zoning (17 du/ac) at the southwest corner of Gibbon Road and Nevins Road to single family residential (3.63 du/ac).
- o Change the neighborhood business zoning near the southwest corner of Nevins Road and Gibbon Road to multi-family (10-14 du/ac).
- o Change the neighborhood business zoning on the northern side of Gibbon Road near Perkins Road to single family zoning.
- o Change the heavy and light industrial zoning along Gibbon Road, west of the intersection of Gibbon Road and Nevins Road to general business (B-2) with the exception that existing light industrial operations will remain as presently zoned and be allowed to expand in the future.
- o Strong consideration should be given to placing a branch library in the Derita town center.
- o Extend Nevins Road from Cheshire Road to Mallard Creek Road per the 1983 Thoroughfare Plan.
- o Consideration should be given to placing a traffic signal at Mallard Creek Road and the proposed Nevins Road Extension.

Apr. 84

ZONING REGULATIONS

MAP AMENDMENT NO. 272

Resolution No. 77-376

A RESOLUTION AMENDING
THE MECKLENBURG COUNTY
ZONING REGULATIONS

BE IT RESOLVED BY THE BOARD OF 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-12 to B-1 on the Official Zoning Map, Mecklenburg County, N. C. the following described property:

BEGINNING at a point in the centerline of the right-of-way of Gibbon Road, said point being the intersection of said centerline and the easterly line of the Calvin C. Brown property described in Deed Book 3720, at Page 43 in the Mecklenburg County Registry of Deeds; thence from said point running N.22-13E. 174.2 feet plus or minus to the centerline of a railroad track; thence along said track running S.66-33E. 300.0 feet; thence S.23-50W. 231.5 feet to the centerline of Gibbon Road; thence along said centerline N.55-30W. 300.0 feet to the point of BEGINNING.

Section 2. That this resolution shall be effective upon its adoption.

Approved as to form:

County Attorney

Read, approved and adopted by the Board of County Commissioners of Mecklenburg County, North Carolina, in meeting on the 21st day of November, 1977.

Sara E. Snell
Clerk, Board of County Commissioners



NOV 21 1977

APPROVED BY COUNTY COMMISSIONERS
DATE October 20, 1986

ZONING REGULATIONS
MAP AMENDMENT NO. 490 Part 3

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 an approximately 10 acre site located between Gibbon Road and the Southern Railroad right-of-way to the east of Christenbury Road from I-1 and I-2 to I-1(CD) and I-2(CD); and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 3201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements as specified in Section 3202.1 and 3202.2; and

WHEREAS, the Board of County Commissioners has authority to amend the Zoning Ordinance by Section 1300 and a public hearing was held on April 14, 1986; and

WHEREAS, in the passage of this ordinance the Board of Commissioners of Mecklenburg County has considered the following items as required by Section 3202.3:

1. The policies and objectives of the comprehensive plan, particularly in relation to the proposed site and surrounding area.
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 I-1 and I-2 to I-1(CD) and I-2(CD) with Site Plan Amendment on the Official Zoning Map, Mecklenburg County, North Carolina the following described property:

SEE ATTACHED MAP

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
T. Bragg McLeod

owner(s) and successors-in-interest of the property described as tax parcel _____
a portion of parcel 043-026-26

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 3200 of the Mecklenburg County Zoning Ordinance and the official zoning map. The property now has a parallel conditional use district zoning classification of I-1(CD) and I-2(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 3200, 3201, 3202, 3203, 3204, and 1300 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 1300 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 1300.

R-9

82 AC

I-1 to I-1(CD)

1310 TOT

I-2 to I-2(CD)

R-9MF

I-2

CHARLOTTE NEVINS CITY LIMITS

B-1

B-1

B-1

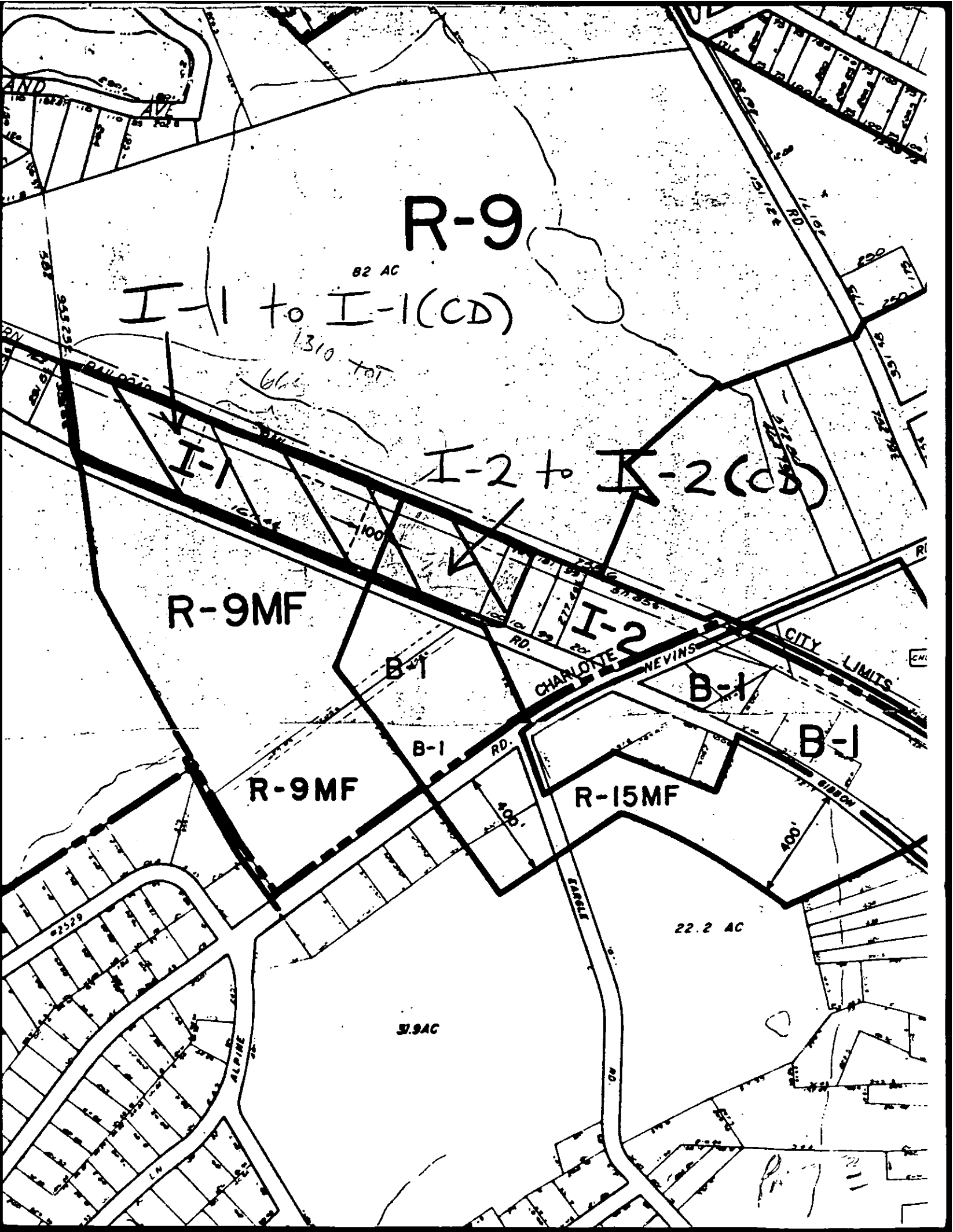
R-9MF

B-1

R-15MF

22.2 AC

31.9 AC



Petition No. 86-20(c)
Charlotte-Mecklenburg
Planning Commission

APPROVED BY COUNTY COMMISSION
DATE October 20, 1986

ZONING REGULATIONS
MAP AMENDMENT NO. 490

Part 4 *(initials)*

A RESOLUTION AMENDING
THE MECKLENBURG COUNTY
ZONING REGULATIONS

BE IT RESOLVED BY THE BOARD OF 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-9MF and B-1 to R-15MF on the Official Zoning Map, Mecklenburg County, North Carolina the following described property:

Several parcels in the vicinity of Gibbon Road and Nevins Road in the Derita Community and shown more specifically on the attached map.

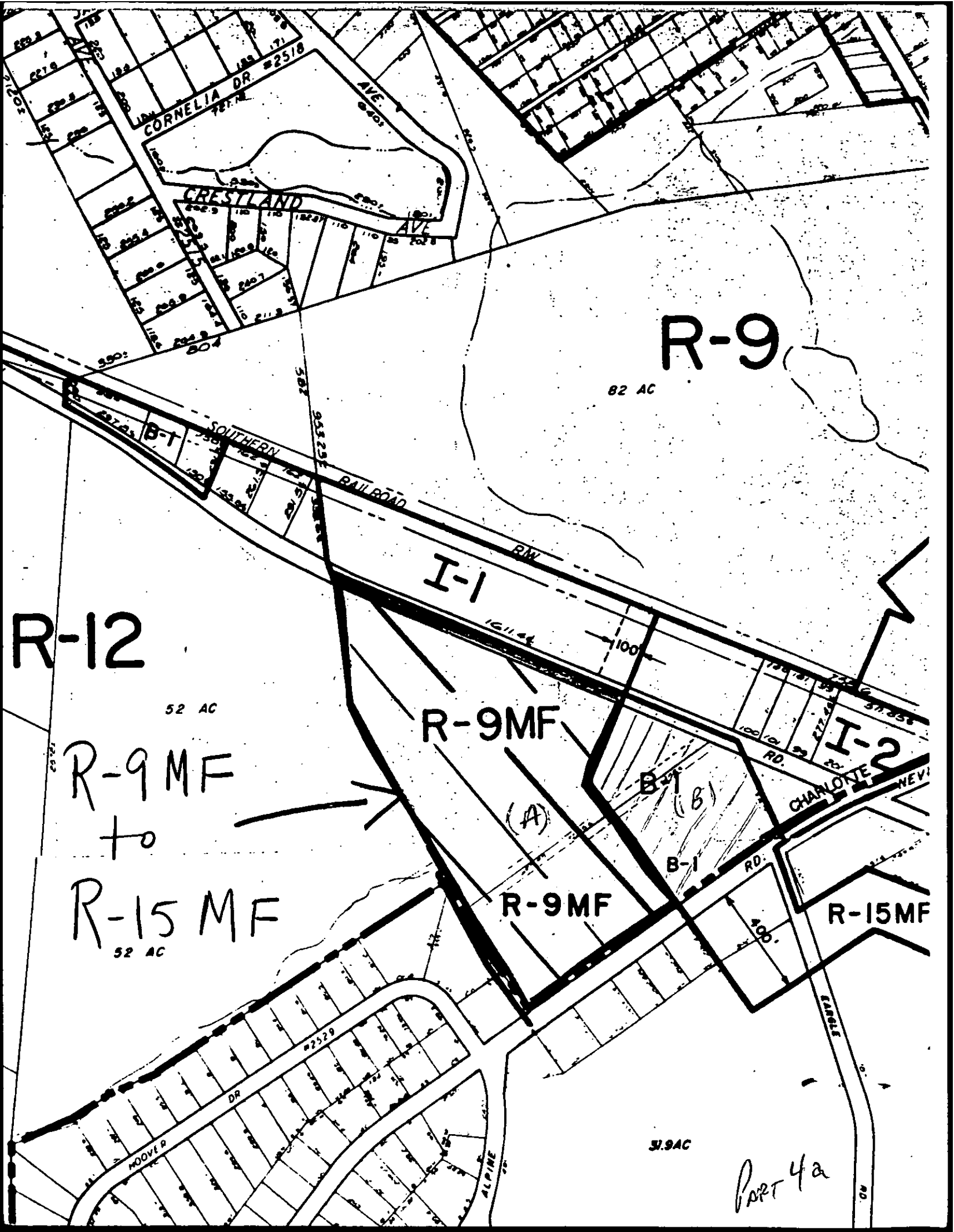
Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.

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



R-9

82 AC

R-12

52 AC

R-9MF

R-9MF

to

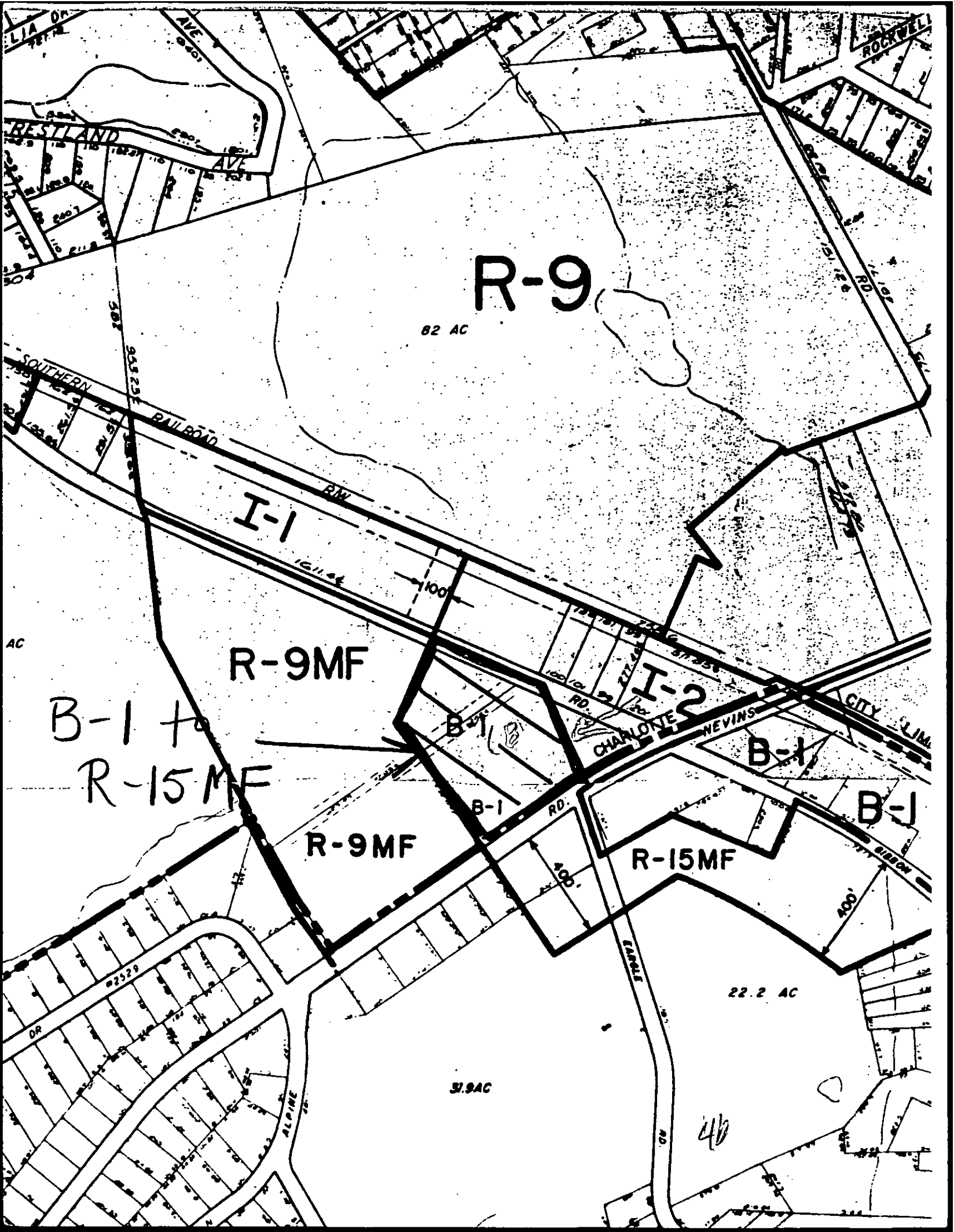
R-15MF

52 AC

R-9MF

R-15MF

PART 4a



R-9

82 AC

R-9MF

B-1 to
R-15MF

R-9MF

R-15MF

3.9 AC

22.2 AC

40

RESTLAND AVE

SOUTHERN RAILROAD

CHARLOTTE NEVINS

ALPINE

KANITE

CITY LIMIT

ROCKWELL

Petition No. 86-20(c)
Charlotte-Mecklenburg
Planning Commission

APPROVED BY COUNTY COMMISSION

DATE December 1, 1986

ZONING REGULATIONS
MAP AMENDMENT NO.

490

Part 5

A RESOLUTION AMENDING
THE MECKLENBURG COUNTY
ZONING REGULATIONS

BE IT RESOLVED BY THE BOARD OF 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 B-1 to O-15 on the Official Zoning Map, Mecklenburg County, North Carolina the following described property:

Several parcels of land located between Southern Railroad and Gibbon Road in the Derita Community and shown more specifically on the attached map.

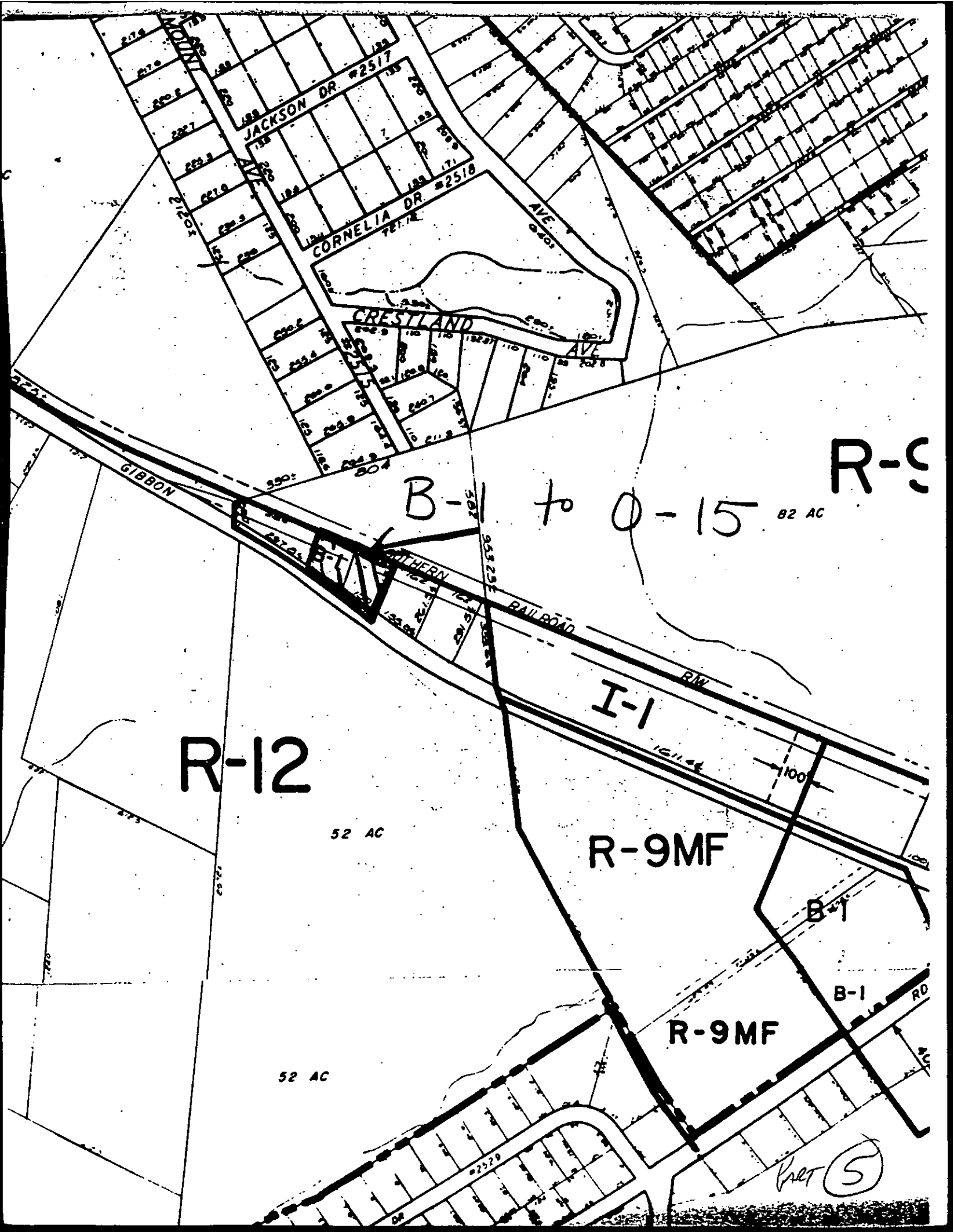
Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.

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



R-12

52 AC

52 AC

R-9MF

R-9MF

R-C

B-1 to 0-15 82 AC

I-1

B-1

B-1

KALT (S)

JACKSON DR #2517

CORNELIA DR #2518

CRESTLAND

AVE

GIBBON

SOUTHERN

RAILROAD

RW

100'

#2529

APPROVED BY COUNTY COMMISSIONERS

DATE December 1, 1986

ZONING REGULATIONS
MAP AMENDMENT NO. 490 Part 1

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 a .828 acre parcel located between Gibbon Road and the Southern Railroad right-of-way to the east of Christenbury Road from B-1 to B-1(CD); and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 3201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements as specified in Section 3202.1 and 3202.2; and

WHEREAS, the Board of County Commissioners has authority to amend the Zoning Ordinance by Section 1300 and a public hearing was held on April 14, 1986; and

WHEREAS, in the passage of this ordinance the Board of Commissioners of Mecklenburg County has considered the following items as required by Section 3202.3:

1. The policies and objectives of the comprehensive plan, particularly in relation to the proposed site and surrounding area.
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 B-1 to B-1(CD) with Site Plan Amendment on the Official Zoning Map, Mecklenburg County, North Carolina the following described property:

SEE ATTACHED MAP

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

SAVED (All)

✓

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
Calvin C. Brown and Earl G. Brown

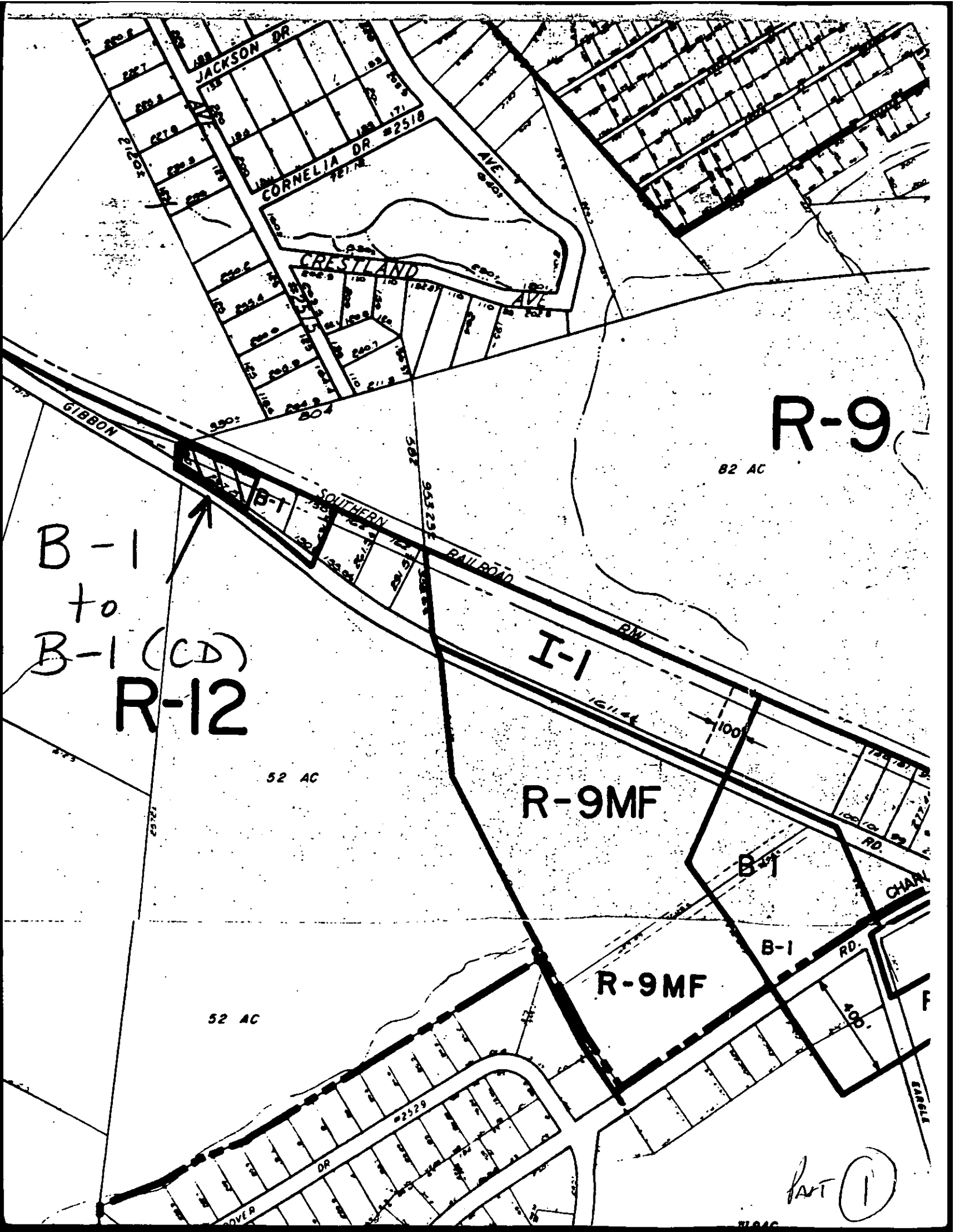
owner(s) and successors-in-interest of the property described as tax parcel 043-026-20

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 3200 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 3200, 3201, 3202, 3203, 3204, and 1300 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 1300 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 1300.



JACKSON DR

CORNELIA DR #2518

CRESTLAND AVE

GIBBON

SOUTHERN RAILROAD

R-9

82 AC

B-1
to
B-1(CD)
R-12

I-1

52 AC

R-9MF

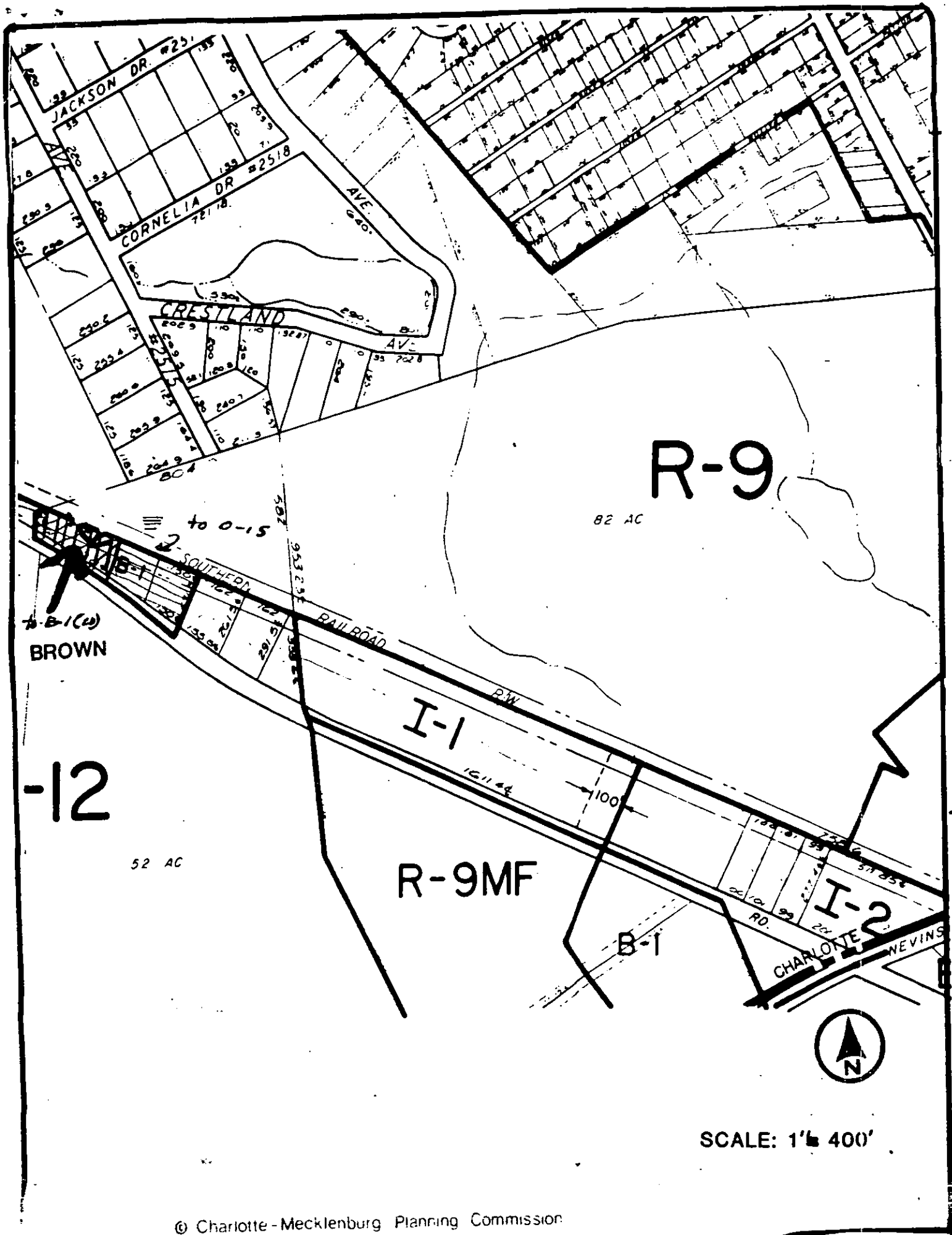
B-1

52 AC

R-9MF

B-1

PART 1



NOTES :

86-20(c)
Part 1

1. REZONING REQUEST: B-1 TO B-1(CD)
2. CONDITIONS OF REZONING:
 - A.) SIGNS SHALL BE DESIGNED AND INSTALLED IN ACCORDANCE WITH ORDINANCE REQUIREMENTS
 - B.) PARKING SHALL BE IN ACCORDANCE WITH ORDINANCE REQUIREMENTS
 - C.) ALL B-1 USES WILL BE PERMITTED EXCEPT THE FOLLOWING:
 1. AUTOMOBILE REPAIR GARAGES, INCLUDING MINOR ADJUSTMENTS SUCH AS LUBRICATION TO ANY TYPE MOTOR VEHICLES
 2. GREENHOUSES, RETAIL
 3. LAUNDRY AND DRY CLEANERS UNDER 4,500 SQ. FT.
 4. MOTELS AND HOTELS
 5. TRAILERS, UTILITY OR HAULING, NOT TO EXCEED A LOADING CAPACITY OF 500 CUBIC FEET, RETAIL SALE OR RENTAL
 6. BOATS, RETAIL SALES WITHIN ENCLOSED BUILDINGS
 7. TRAILERS, OVERNIGHT CAMPING (STORED UNOCCUPIED ON A LOT)
 8. PARKING LOTS AND PARKING STRUCTURES (COMMERCIAL)
 9. THEATER, HOUSED WITHIN AN ENCLOSED STRUCTURE
 10. AUCTION SALES
 11. FENCES AND FENCE MATERIAL, RETAIL SALES
 12. FERTILIZER, PACKAGED RETAIL SALES
 13. PAWN SHOPS AND SECOND HAND GOODS, RETAIL SALES
 14. DORMITORIES FOR THE STUDENTS OF COLLEGES, COMMERCIAL SCHOOLS, SCHOOLS PROVIDING ADULT TRAINING AND FOR THE STAFFS OF HOSPITALS

APPROVED BY COUNTY COMMISSION:

DATE 12-1-86

CONDITIONAL PLAN - BROWN PROPER Y PETITION 86 - 20(C)

100

APPROVED BY COUNTY COMMISSIONERS

DATE October 20, 1986

ZONING REGULATIONS
MAP AMENDMENT NO. 490 Part 2

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 a 5.214 acre site located at the intersection of Nevins Road and Gibbon Road from I-2 to I-2(CD); and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 3201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements as specified in Section 3202.1 and 3202.2; and

WHEREAS, the Board of County Commissioners has authority to amend the Zoning Ordinance by Section 1300 and a public hearing was held on April 14, 1986; and

WHEREAS, in the passage of this ordinance the Board of Commissioners of Mecklenburg County has considered the following items as required by Section 3202.3:

1. The policies and objectives of the comprehensive plan, particularly in relation to the proposed site and surrounding area.
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 I-2 to I-2(CD) ~~with Site Plan Amendment~~ on the Official Zoning Map, Mecklenburg County, North Carolina the following described property:

SEE ATTACHED MAP

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 Durane Gas Company, Theodore and Lillian Taylor, Greasy's Truck Repair and VMC Products, Inc.

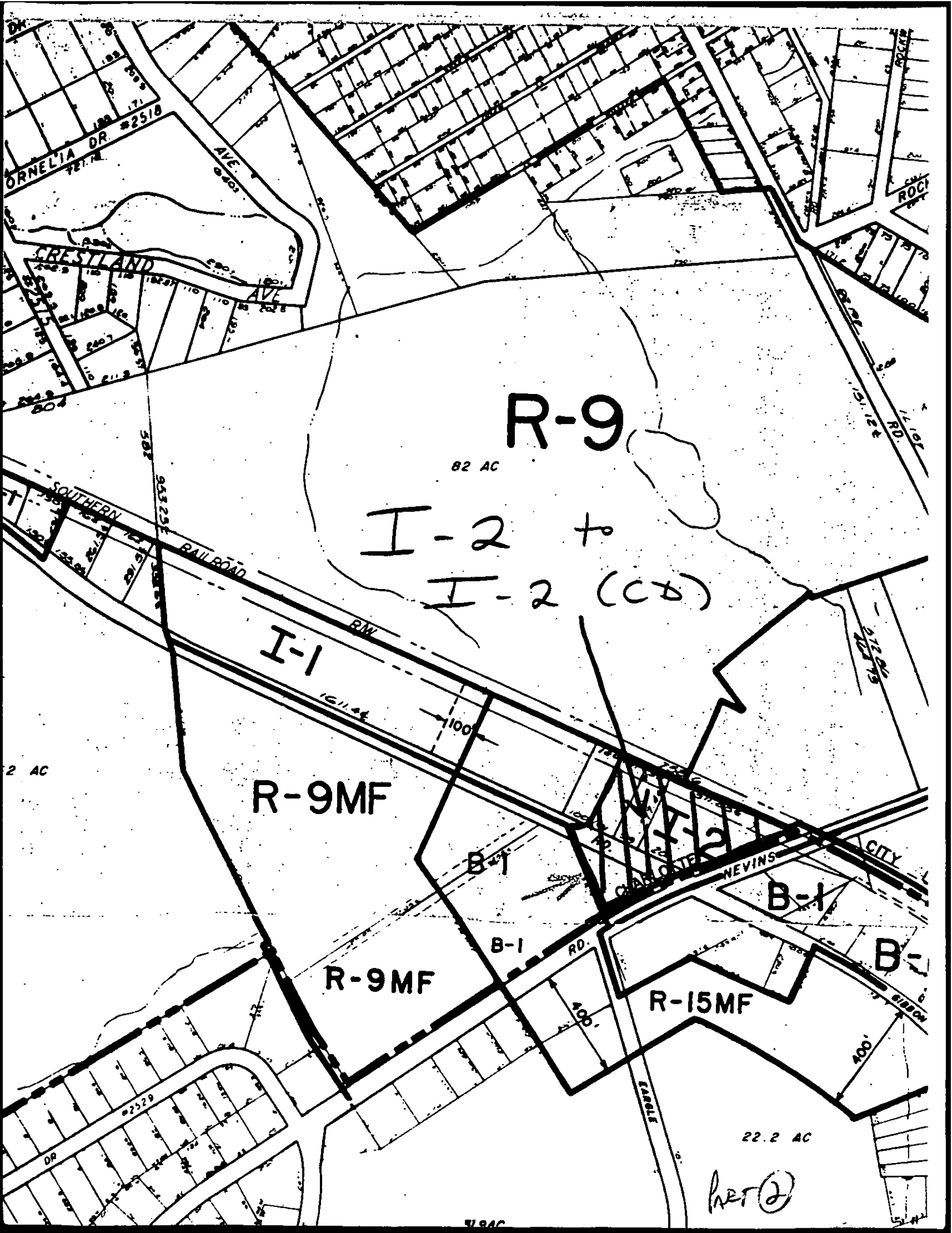
owner(s) and successors-in-interest of the property described as tax parcel 043-026-29,
043-026-2B, 043-026-27 and 045-372-20
and described in detail further in the ordinance, identified below, approved by the Board of Commissioners.

In approving this parallel conditional use permit, the Mecklenburg County Commission amended section 3200 of the Mecklenburg County Zoning Ordinance and the official zoning map. The property now has a parallel conditional use district zoning classification of I-2 (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 3200, 3201, 3202, 3203, 3204, and 1300 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 1300 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 1300.

043



R-9

82 AC

I-2 to
I-2 (CD)

R-9MF

R-9MF

R-15MF

22.2 AC

Part 2