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# City of Charlotte – Planning Dept. Scanning Rezoning Files

Petition # 86-025 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>86-25 (c)</u>
Date Filed	<u>2.24.86</u>
Received By	<u>CL</u>
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) 4.6 Acres Street Frontage (ft.) \_\_\_\_\_

Current Land Use Single Family

## Zoning Request

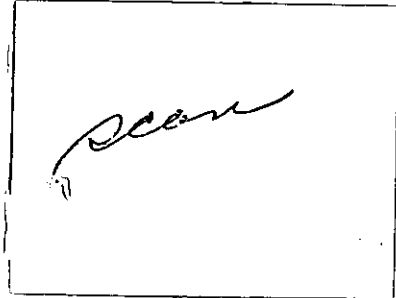
Existing Zoning B-12 Requested Zoning O-15

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 \_\_\_\_\_

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## CONVENTIONAL REZONING APPLICATION FILING REQUIREMENTS:

1. two signed official applications;
  2. two survey maps delineating the property in question;
  3. a list of all adjacent property owners, with their current mailing addresses coded to the survey map or tax map (this information is available at the Mecklenburg County Tax Office, 720 East Fourth Street);
  4. a filing fee of one hundred dollars (\$100.00) to help defray administrative expenses (checks payable to the Charlotte-Mecklenburg Planning Commission); and
  5. a written boundary description showing distances and bearings of property lines (a metes and bounds description).
- 

## CONDITIONAL DISTRICT REZONING APPLICATION FILING REQUIREMENTS:

1. two signed application forms;
  2. a filing fee of one hundred dollars (\$100.00) to help defray administrative expenses (checks payable to the Charlotte-Mecklenburg Planning Commission);
  3. ten (10) copies of a schematic site plan, drawn to scale and at a minimum size of 24" x 36," which includes the following items (ten copies are needed for interdepartmental review):
    - (a) a boundary survey showing the total acreage, present zoning classification(s), date, and north arrow;
    - (b) adjoining property lines and names, addresses, and tax parcel numbers of current adjoining property owners (this information is available at the Mecklenburg County Tax Office, 720 East Fourth Street);
    - (c) all existing easements, reservations, and rights-of-way, and all yards required for the zoning district requested (show setback, side and rear yard requirements for proposed zoning district);
    - (d) proposed use of land and structures: for residential uses this shall include the number of units and an outline of the area within which the structures will be located; for non-residential uses, this shall include approximate square footage of structures and an outline of the area within which the structures will be located;
    - (e) traffic, parking, and circulation plan, showing proposed locations and arrangement of parking spaces and entrance and exit to adjacent streets (show existing and proposed parking, what is required, and what is to be provided);
    - (f) proposed screening, including walls, fences, or planting areas, as well as treatment of any existing natural features, or a statement specifying that buffering and/or screening will conform to City/County Zoning Ordinance requirements;
    - (g) the proposed number of signs and their locations, or a statement specifying that all signs will conform to City/County Zoning Ordinance requirements;
    - (h) generalized information as to the number, height, size, or in especially critical situations, the location of structures;
    - (i) proposed phasing, if any, and approximate completion time of the project;
    - (j) delineation of areas within the regulatory floodplain as shown on the official Charlotte flood areas map;
    - (k) topography at four foot contour intervals or less (existing and proposed);
    - (l) schematic site plan must be titled with project name and proposed use;
    - (m) size of schematic site plan not to exceed 42" in width;
  4. a list of all adjacent property owners with current addresses coded to the schematic site plan; and
  5. a written boundary description showing distances and bearings of property lines (a metes and bounds description).
- 

\* fees have changed



## CHARLOTTE - MECKLENBURG PLANNING COMMISSION

August 1, 1986

Chairperson Carla DuPuy  
Members, Board of Commissioners  
Mecklenburg County  
Charlotte, North Carolina

Dear Commission Members:

Attached are recommendations of the Charlotte-Mecklenburg Planning Commission on rezoning requests which were previously heard at public hearing and referred to the Planning Commission for consideration. The recommendations as reflected herein were arrived at in a meeting of the Planning Commission held on July 24, 1986.

According to the adopted rules of procedure, these recommendations will be sent to the interested parties with a time period for the conveyance of any written statement set to elapse on August 11, 1986. This will then permit these matters to be placed on your agenda for consideration of decision on August 18, 1986.

If you have any questions or wish to discuss any aspect of these recommendations, please let me know.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert G. Young".

Robert G. Young  
Land Development Manager

RGY:oj

Attachments



## CHARLOTTE - MECKLENBURG PLANNING COMMISSION

August 1, 1986

Dear Interested Party:

There is attached a recommendation on a rezoning petition as arrived at by the Planning Commission. This is the one about which you have expressed an interest.

According to procedures announced by the County Commission, you may file a statement of rebuttal or in support of this recommendation. Such statement must be filed at the Planning Commission Office, 301 South McDowell Street, not later than the end of the day (5:00 P.M.) on Monday, the 11th day of August, 1986. Twenty (20) copies are required and will be distributed to the County Commission and the Planning Commission. Copies will be on file in the Planning Commission Office and the Commissioners' Room for anyone to examine.

Decision will be scheduled for August 18, 1986, at 9:00 o'clock A.M. in the Education Center, Fourth Floor, 701 East Second Street.

Respectfully submitted,

Robert G. Young  
Land Development Manager

RGY:oj

Attachment

*Scan  
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page  
only*

DATE: July 24, 1986  
PETITION NO.: 86-25(c)  
PETITIONER(S): Charlotte-Mecklenburg Planning Commission

REQUEST: Change from B-2 to 0-15.

LOCATION: 4.6 acres along Old Statesville Road.

ACTION: The Planning Commission recommends that the property be rezoned to B-1, rather than the 0-15 requested in the petition.

VOTE: Yeas: Curry, Lawing, Lowery, M. Smith and S. Smith.

Nays: Emory.

(Commissioners Clodfelter and Wheeler were not present when vote was taken.)

REASONS:

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 0-15.

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 0-15 would not create a non-conforming use for the site.

After several deferrals, the property owner has submitted a proposal for a B-2(CD) classification which offered to limit the potential use of the site, but there was no site plan which accompanied the proposal.

In evaluating this case, the Planning Commission concluded that the 0-15 classification was not well suited to this location. They noted the large B-2 areas which adjoin this tract and concluded that a B-1 classification would be sufficient to provide the transition between the B-2 area to the north and the residential areas to the south.

Staff Opinion

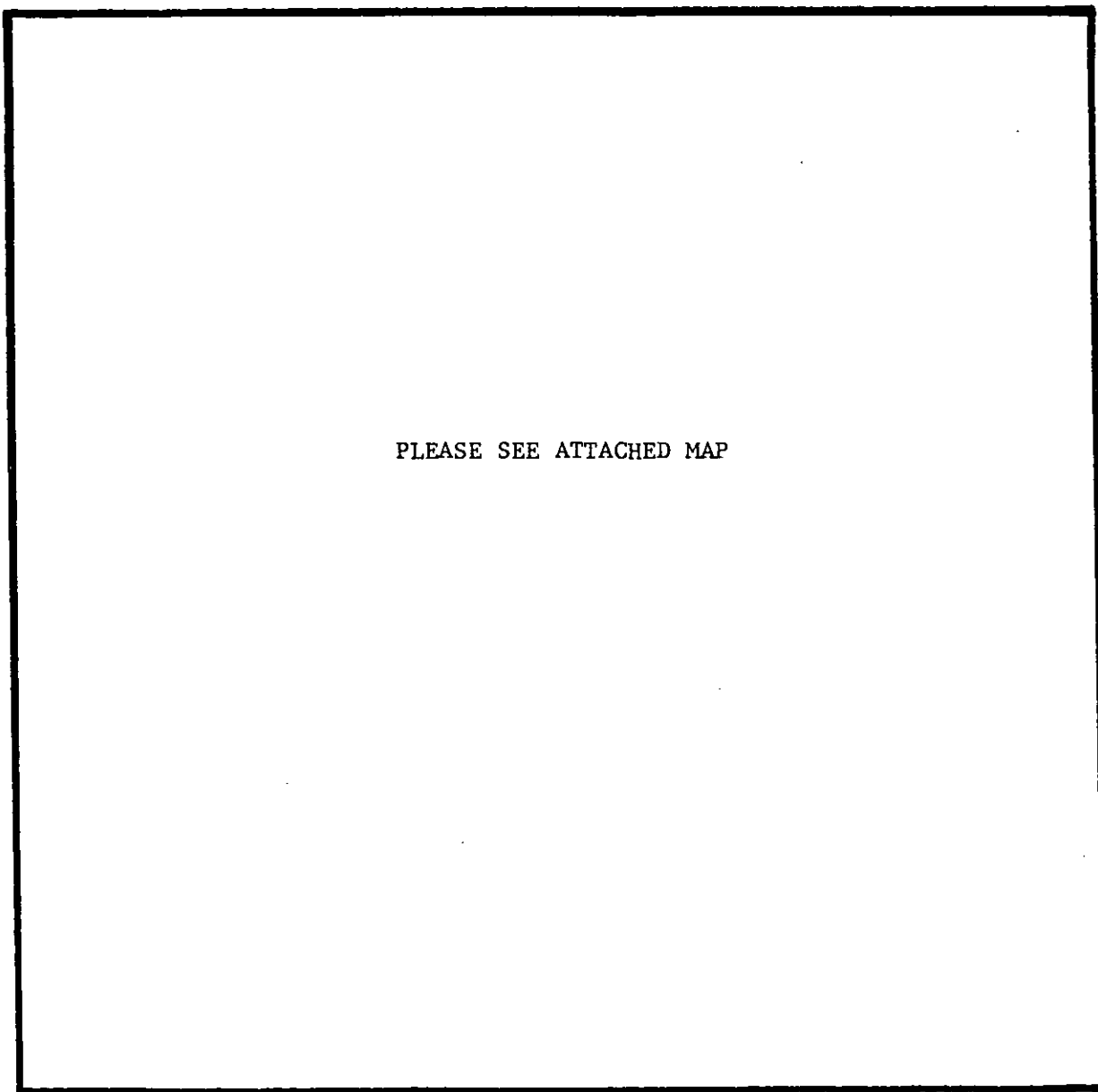
The staff supported the requested 0-15 classification in accordance with the adopted Derita Small Area Plan.

PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO. 86-25(c) HEARING DATE 4-14-86

ZONING CLASSIFICATION, EXISTING B-2 REQUESTED O-15

LOCATION A 4.6 acre site along Old Statesville Road south of Gibbon Road



ZONING MAP NO. 60

SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE



144.8 AC

I-2

R.P.L. COR.

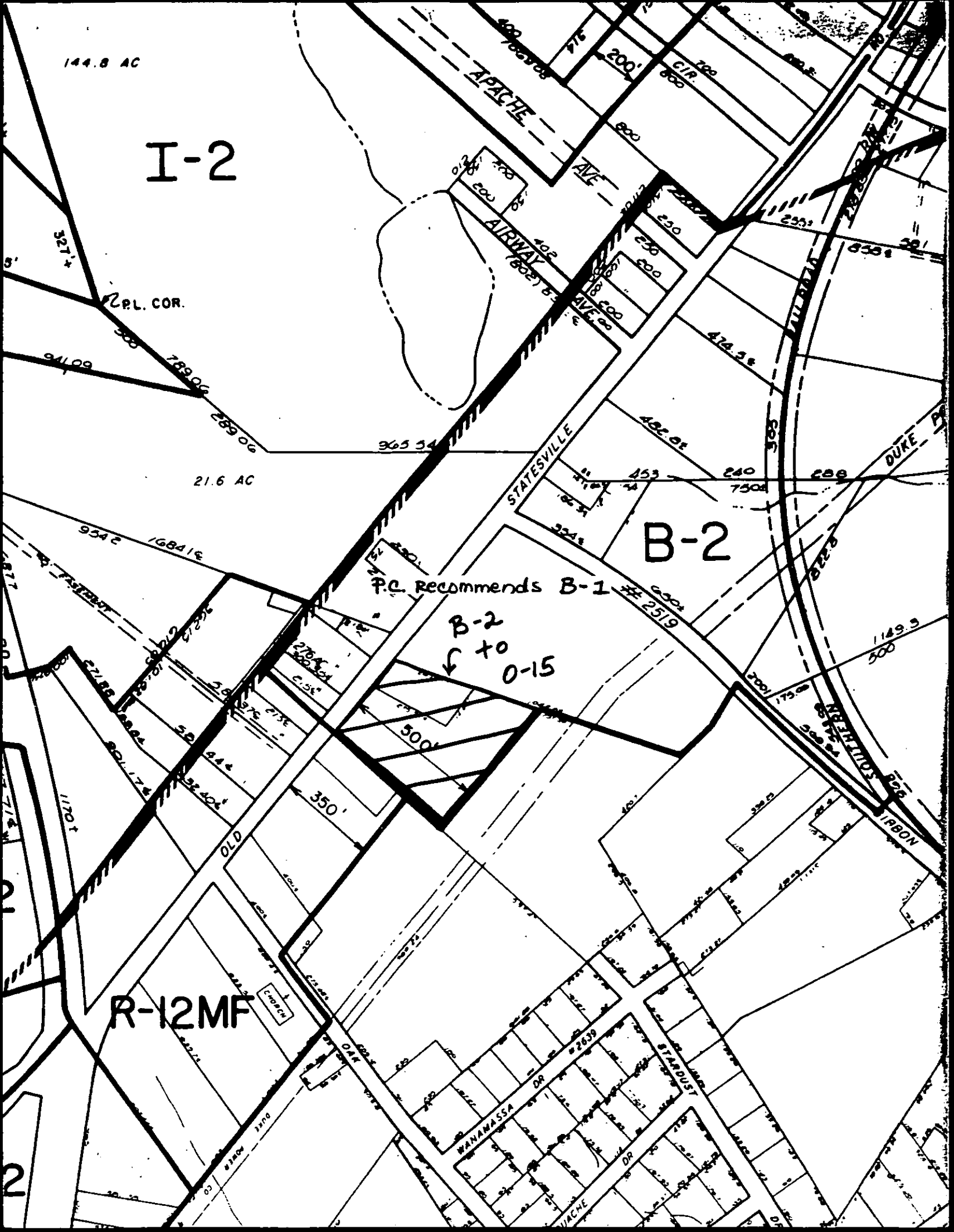
21.6 AC

P.C. recommends B-1

B-2  
↓ to  
O-15

B-2

R-12MF





Charlotte-Mecklenburg Planning Commission  
301 South McDowell Street Charlotte, N.C. 28204

W. Herbert Brown, Jr., Attorney  
for Mary W. Russell  
623 East Trade Street  
Suite 102  
Charlotte, N.C. 28202

Charlotte-Mecklenburg Planning Commission  
301 South McDowell Street Charlotte, N.C. 28204

86-25(c)  
Franklin A. Tyson  
126 Starmount Avenue  
Charlotte, N.C. 28213

APPROVED BY COUNTY COMMISSION

ZONING REGULATIONS  
MAP AMENDMENT NO. \_\_\_\_\_

498

DATE 12-1-86

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 4.6 acre site located along Old Statesville Road south of Gibbon Road from B-2 to B-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 B-2 to B-2(CD) with Site Plan Amendment on the Official Zoning Map, Mecklenburg County, North Carolina the following described property:

AS SHOWN ON 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 Charles E. Bennett and J. H. Russell

owner(s) and successors-in-interest of the property described as tax parcel \*SEE BELOW

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-2 (GD)

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.

\*045-451-04  
045-451-05

144.8 AC

I-2

R.P.L. COR.

21.6 AC

B-2

B-2  
↓  
to B-2(CD)

R-12MF

