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# City of Charlotte – Planning Dept. Scanning Rezoning Files

Petition # \_\_\_\_\_

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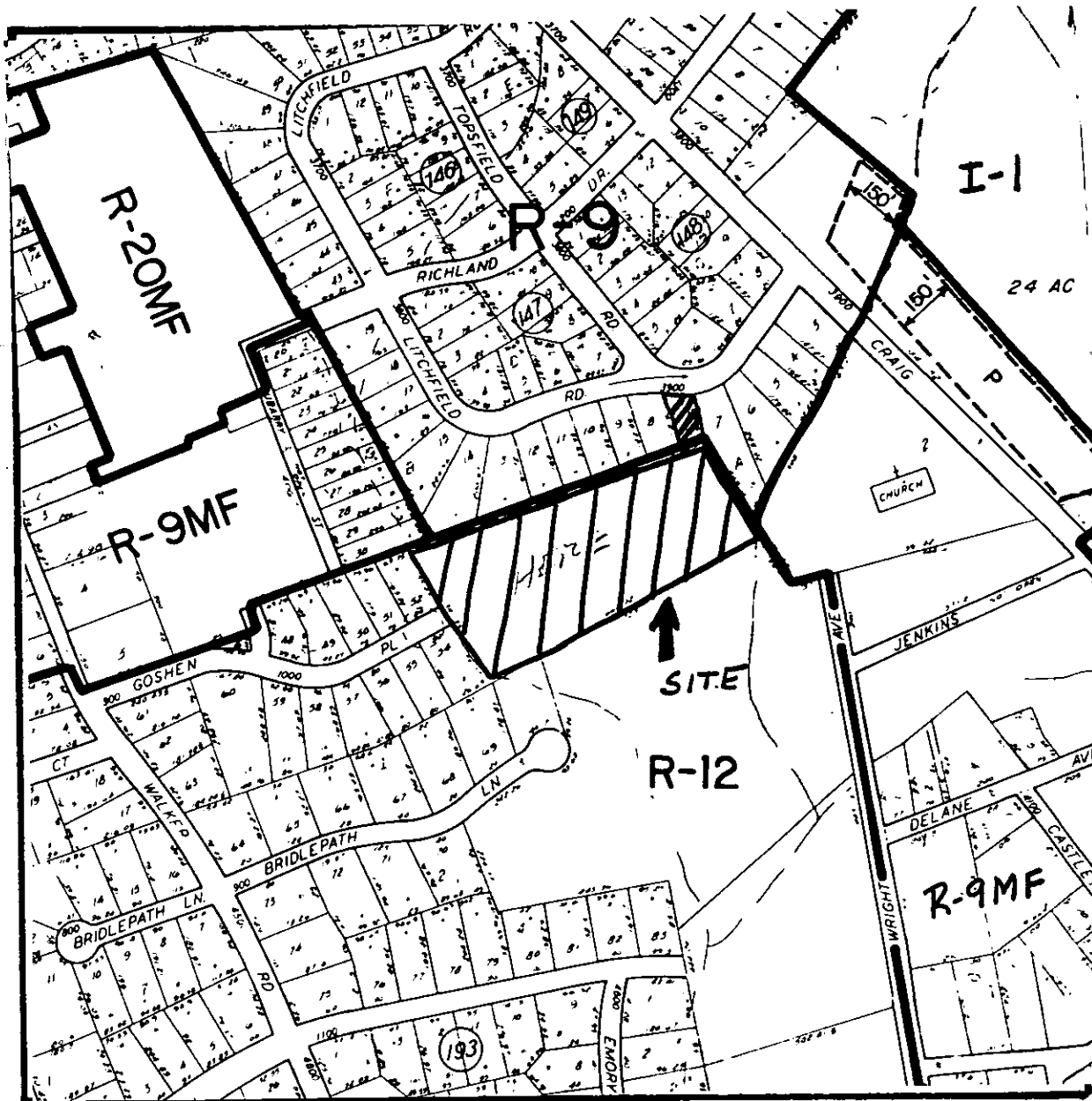
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PETITIONER EXCELSIOR LODGE

PETITION NO. 86-30 HEARING DATE 03/17/86

ZONING CLASSIFICATION, EXISTING R-12, R-9 REQUESTED R-12MF(CD)

LOCATION 5.3 acre site at 3900 Litchfield Road



ZONING MAP NO. 124

SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE



A4/21/86

# PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to \_\_\_\_\_  
Excelsior Lodge  
owner(s) and successors-in-interest of the property described as tax parcel 157-152-53  
and described in detail further in the ordinance, identified below, approved by the City Council.

In approving this parallel conditional use permit, the Charlotte City Council amended section 3200 of the City of Charlotte Zoning Ordinance and the official zoning map. The property now has a parallel conditional use district zoning classification of R-12MF(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 City of Charlotte 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 City Council under section 1300 of the City of Charlotte 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 City Council which may recommend that action be initiated to remove the parallel conditional use district in accordance with section 1300.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE CITY CODE WITH RESPECT TO THE ZONING ORDINANCE.

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of a 5.3 acre site located at 3900 Litchfield Road from R-12 and R-9 to R-12MF(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 was recommended for approval by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Section 1300 and a public hearing was held on March 17, 1986; and

WHEREAS, in the passage of this ordinance the City Council of the City of Charlotte has considered the promotion of the health, safety, general welfare, and public interest of the community, and each of the following which are 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 ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1005 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-12 and R-9 to R-12MF(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

BEGINNING at a point in the southerly right-of-way of Litchfield Road, said point being the the northwest corner of Lot 5, Block A of Almar Acres as recorded in Map Book 7, Page 591 of the Mecklenburg County Register of Deeds office, and proceeding thence from said point of beginning S.17-31-10E. 94.11 feet to a point; thence S.27-54-00E. 250.0 feet to a point; thence S.63-50-30W. 660.02 feet to a point; thence N.69-43-00W. 28.81 feet to a point; thence N.46-52-00W. 116.8 feet to a point; thence N.16-55-30W. 231.85 feet to a point; thence N.72-28-50E. 690.64 feet to a point; thence N.17-31-10W. 118.98 feet to a point in the southerly right-of-way of Litchfield Road; thence with the arc of a circular curve to the right having a radius of 696.81 feet a distance of 63.42 feet to a point; thence

SCAN

with the arc of a circular curve to the left having a radius of 168.0 feet a distance of 1.92 feet to the point and place of BEGINNING.

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

Section 3. That this ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

Henry Underhill, City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, the reference having been made in Minute Book \_\_\_\_\_, and recorded in full in Ordinance Book \_\_\_\_\_, beginning on Page \_\_\_\_\_.

Pat Sharkey  
City Clerk

CONDITIONAL ZONING REVIEW CHECKLIST

City of Charlotte

Petition Number: 86-30

Council Approval Date: 4/21/86

Staff Review Date: 3/28/91

Location: A 5.3 acre site at 3900 Litchfield Road.

Zoning Request: R-12 and R-9 to R-12MF(CD).

Original Petitioner: Excelsior Lodge

Current Owner:

Conditions as per Approved Site Plan: 1) Built; screening inadequate; 2) entrance drive and northerly property line are not adequately screened; 3) need evergreen shrub plantings see note on drawing; 4) plan indicated natural wooded which is not as dense as it implies.

Current Project Status: Zoning violation.

\*Vicinity Map Attached

Staff Recommendations: Refer to ZA

CMPC Recommendations:

Action:

## EXCELSIOR MASONIC TEMPLE

BEGINNING AT A POINT IN THE SOUTHERLY RIGHT OF WAY OF LITCHFIELD ROAD, SAID POINT BEING THE NORTHWEST CORNER OF LOT 5, BLOCK A OF ALMAR ACRES AS RECORDED IN MAP BOOK 7, PAGE 591 OF THE MECKLENBURG COUNTY REGISTER OF DEEDS OFFICE, AND PROCEEDING THENCE FROM SAID POINT OF BEGINNING S 17-31-10E 97.11 FEET TO A POINT; THENCE S 27-54-00E 250.0 FEET TO A POINT, THENCE S 63-50-30W 660.02 FEET TO A POINT; THENCE N 69-43-00W 28.81 FEET TO A POINT; THENCE N 46-52-00W 116.8 FEET TO A POINT; THENCE N 16-55-30W 231.85 FEET TO A POINT; THENCE N 72-28-50E 690.64 FEET TO A POINT; THENCE N 17-31-10W 118.98 FEET TO A POINT IN THE SOUTHERLY RIGHT OF WAY OF LITCHFIELD ROAD; THENCE WITH THE ARC OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 696.81 FEET A DISTANCE OF 63.92 FEET TO A POINT; THENCE WITH THE ARC OF A CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 168.0 FEET A DISTANCE OF 1.92 FEET TO THE POINT AND PLACE OF BEGINNING.

8630  
Land Dist.