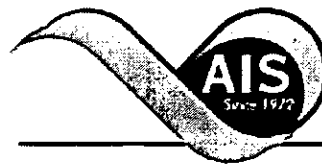




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# City of Charlotte – Planning Dept. Scanning Rezoning Files

Petition # 1996-76

## Document type:

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



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

**AMENDED  
OFFICIAL REZONING APPLICATION  
CITY OF CHARLOTTE**

**Rezoning Petition No. 96-76**

REVISED PETITION 10/10/96

Petition #:	<u>96-76</u>
Date Filed:	<u>8/26/96</u>
Received By:	<u>SLS</u>

**OWNERSHIP INFORMATION:**

Property Owner: Myers Park Presbyterian Church

Owner's Address: P. O. Box 6160, Charlotte, NC 28207

Date Property Acquired: 1996

Tax Parcel Number(s): 155-101-10

**LOCATION OF PROPERTY** (Address or Description): 1101 Providence Road (across the street from the Myers Park Presbyterian Church)

Size (Sq.Ft. or Acres): 2.106 acres ± Street Frontage: (Ft.): Providence Road: 200 feet ±

Current Land Use: Single family residence

**ZONING REQUEST:**

Existing Zoning: R-43MF Proposed Zoning: O-2(CD)

Purpose of Zoning Change: To convert Petition to a conditional rezoning plan designed to accommodate a new parking facility for the Myers Park Presbyterian Church

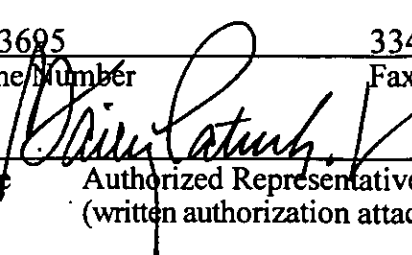
Bailey Patrick, Jr.  
Name of Agent  
227 W. Trade St., Suite 2200  
Charlotte, N.C. 28202  
Agent's Address

372-1120                      372-9635  
Telephone Number              Fax Number

\_\_\_\_\_  
Signature of Property Owner  
if other than Petitioner

Myers Park Presbyterian Church  
Name of Petitioner(s)  
P. O. Box 6160  
Charlotte, N.C. 28207  
Address of Petitioner(s)

376-3695                      334-0352  
Telephone Number              Fax Number

By:   
Signature              Authorized Representative  
(written authorization attached hereto)

CITY CD

Petition No. 96-76  
Myers Park Presbyterian Church

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

APPROVED BY CITY COUNCIL

DATE DECEMBER 16, 1996

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 approximately 2.1 acres located on the east side of Providence Road, north of Cherokee Road; and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 6.201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements as specified in Section 6.202 and 6.204, and was recommended for approval by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on October 21, 1996; 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 the requirements in Section 6.204.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-43MF to O-2(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

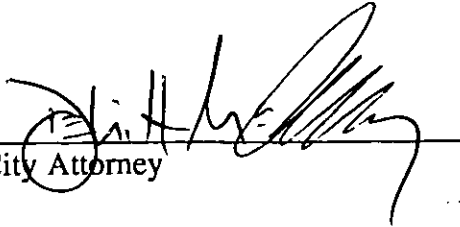
SEE ATTACHED

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.

-continued-

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 16th day of December, 1996, the reference having been made in Minute Book \_\_\_\_\_, and is recorded in full in Ordinance Book \_\_\_\_\_ at page \_\_\_\_\_.

\_\_\_\_\_  
City Clerk

Petition No. 96-76  
Myers Park Presbyterian Church

## PARALLEL CONDITIONAL USE PERMIT

This is a parallel conditional use permit approved by the Charlotte City Council to Myers Park Presbyterian Church owner(s) and successors-in-interest of the property described as tax parcel 155-101-10 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 Chapter 6: Part 2 of the City of Charlotte Zoning Ordinance and the official zoning map. The property now has a parallel conditional use district zoning classification of O-2(CD) on the official zoning map.

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 Chapter 6: Part 1 and 2 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 Chapter 6: Part 1 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 Chapter 6: Part 1.

Petition #: 96-76

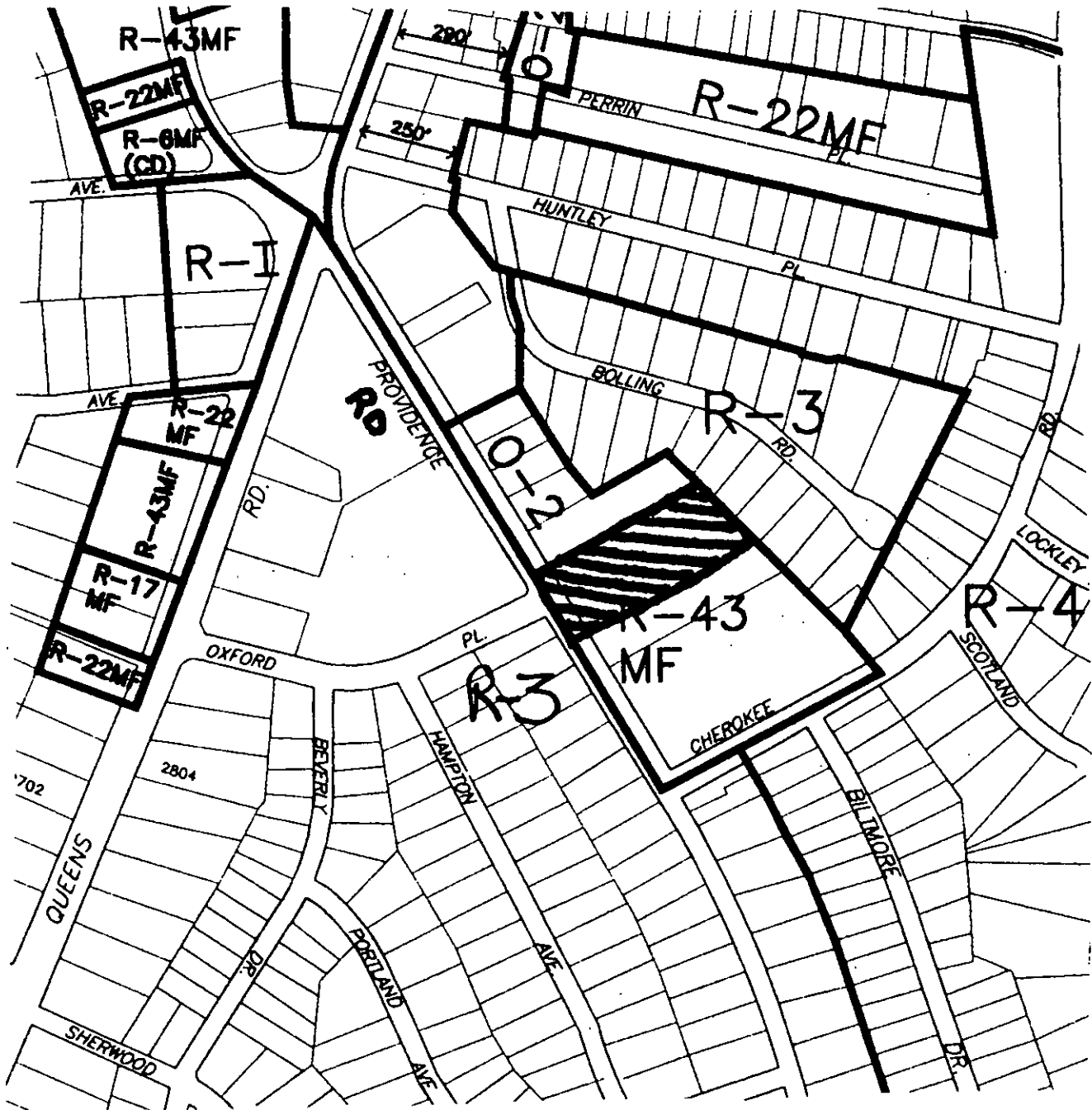
Petitioner: Myers Park Presbyterian Church

Hearing Date: October 21, 1996

Zoning Classification (Existing): R-43MF

Zoning Classification (Requested): O-2 (C D)

Location: Approximately 2.106 acres located on the east side of Providence Road north of Cherokee Road.



Myers Park Presbyterian Church  
Property Description

Beginning at an iron pipe located at the southwest corner of the property which was conveyed to Wachovia Bank & Trust Company under deed recorded in Deed Book 2315 at page 121 in the Mecklenburg County Public Registry and running from said Beginning Point with the northeasterly margin of Providence Road S 31-17-17 E 199.96 feet to an iron pipe; thence N 59-00-43 E 480.71 feet to an iron pipe; thence N 44-52-00 W 208.01 feet to an iron pipe; thence S 58-45-00 W 407.38 feet to the Point of Beginning containing 2.106 acres, more or less.