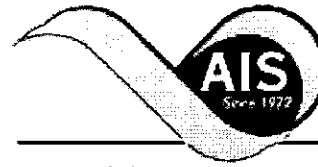




\* 0 0 B R E A K 0 0 \*



**ADVANCED  
IMAGING  
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Management Company

# City of Charlotte – Planning Dept. Scanning Rezoning Files

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

## Document type:

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



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

**Petition #:** 2001-07

**Petitioner:** The Presbyterian Home at Charlotte

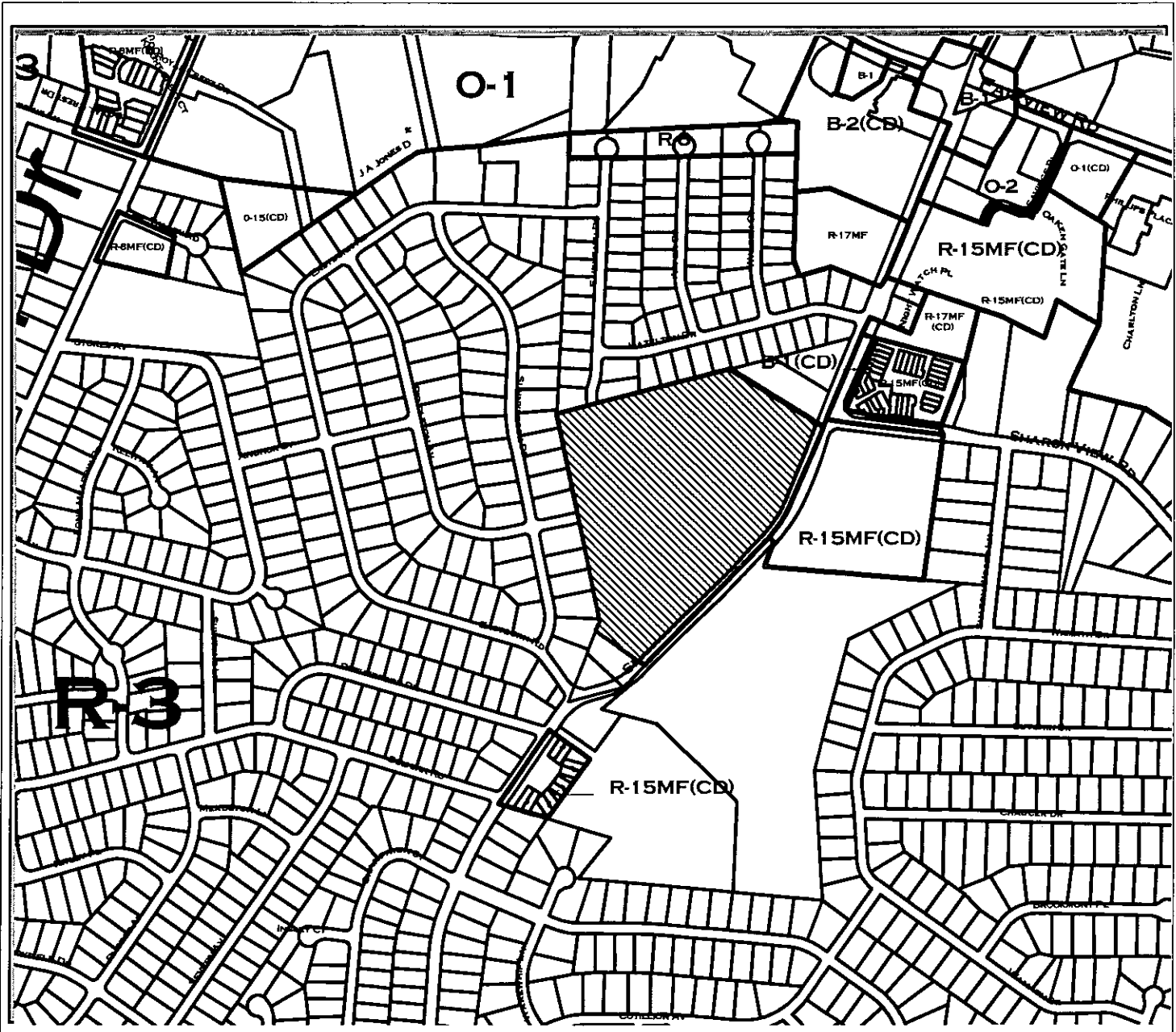
**Hearing Date:** January 16, 2001

**Zoning Classification (Existing):** INST(CD)

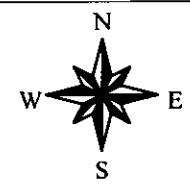
**Zoning Classification (Requested):** INST(CD) S.P.A.

**Acreeage & Location**

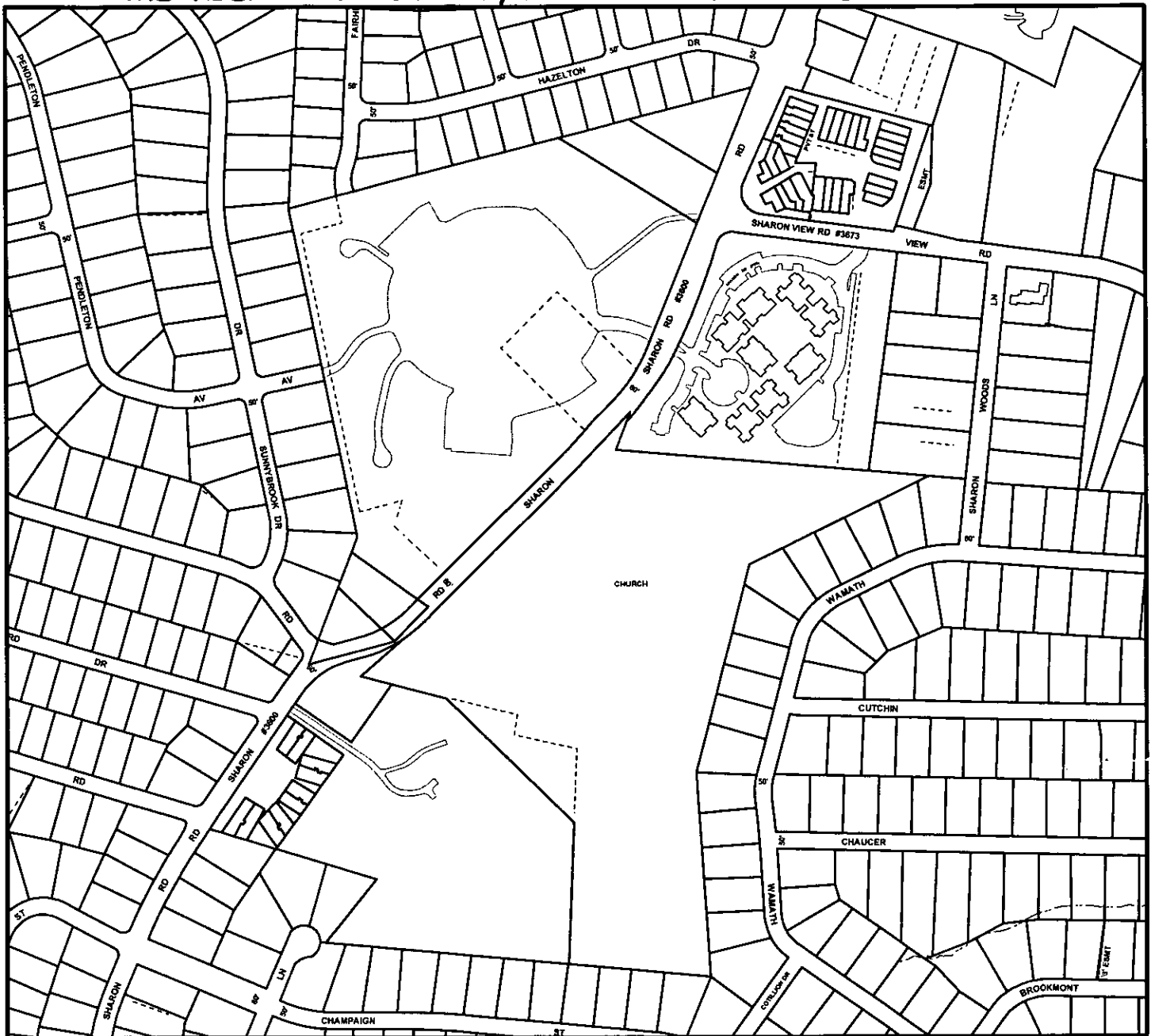
Approximately 22.8 acres located on the west side of Sharon Road, west of Sharon View Road and south Fairview Road.



**Zoning Map #(s);** 147



# MECKLENBURG COUNTY, NC GIS PUBLIC ACCESS SYSTEM



Tax Parcel-Id#s Selected: See Tax Information Report for List of Parcel-Id#s

Tax Book & Page Selected: N/A

## LEGEND

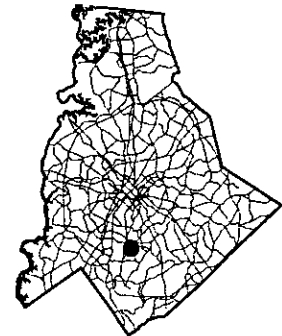
- Rivers/Creeks/Streams
- I-485 Corridor
- Utility ROW
- Utility ROW
- Add Parcel Lines
- Railroad ROW
- Water Bodies
- Jurisdictions**
- Charlotte
- Cornelius
- Davidson
- Huntersville
- Matthews
- Mint Hill
- Pineville
- Tax Parcels



2001-07



## Countywide Inset Map



Scale : 1 Inch = 600 Feet

Map Created on Monday, October 30, 2000 12:24 PM

This map is prepared for the inventory of real property within Mecklenburg County and is compiled from recorded deeds, plats, tax maps, surveys, planimetric maps, and other public records and data. Users of this map are hereby notified that the aforementioned public primary information sources should be consulted for verification. Mecklenburg County and its mapping contractors assume no legal responsibility for the information contained herein.

**M E M O R A N D U M**  
**FROM THE**  
**OFFICE OF THE CITY CLERK**

---

**DATE:** January 10, 2001

**TO:** Jane Hinson  
Engineering/Real Estate

**FROM:** *Brenda*  
Brenda R. Freeze  
City Clerk

**SUBJECT:** Protest Petition on 2001-07

Attached is a protest petition on Petition No. 2001-07 filed by Mr. Bill Barnett.

Please investigate this petition as to sufficiency to invoke the three-fourths rule, and advise this office with the return of the petition.

Thank you,

Attached: Zoning Petition & Maps, 2001-07  
cc: Keith MacVean ✓  
Mac McCarley  
Files

BRF

# OFFICIAL REZONING APPLICATION CITY OF CHARLOTTE

Petition #: 2001-07  
Date Filed: 10-23-00  
Received By: MS

OFFICE USE ONLY

### OWNERSHIP INFORMATION:

Property Owner: The Presbyterian Home at Charlotte

Owner's Address: 5100 Sharon Rd., Charlotte, NC 28210

Date Property Acquired: \_\_\_\_\_ Tax Parcel Number(s): 179-032-45

LOCATION OF PROPERTY (Address or Description): 5100 Sharon Rd.

Size (Sq.Ft. or Acres): Approx. 22.86 Acres Street Frontage (Ft.): Approx. 1270 ft. on Sharon Rd

Current Land Use: Sharon Towers Retirement Community

### ZONING REQUEST:

Existing Zoning: INST-CD Proposed Zoning: INST-CD S.P.A.

Purpose of Zoning Change: To add 53 additional housing units to the existing Sharon Towers community.

Walter Fields, The Walter Fields Group, Inc.

Name of Agent

831 E. Morehead St., St.655, Charlotte, NC 28202

Agent's Address

704-372-7855 704-372-7856

Telephone Number Fax Number

Signature of Property Owner if other than Petitioner

The Presbyterian Home at Charlotte

Name of Petitioner(s)

5100 Sharon Rd., Charlotte, NC 28210

Address of Petitioner(s)

704-335-0862 704-847-8805

Telephone Number Fax Number

Signature Alan Page, Jr., Chairman

Petition #: 2001-07

Petitioner: The Presbyterian Home at Charlotte

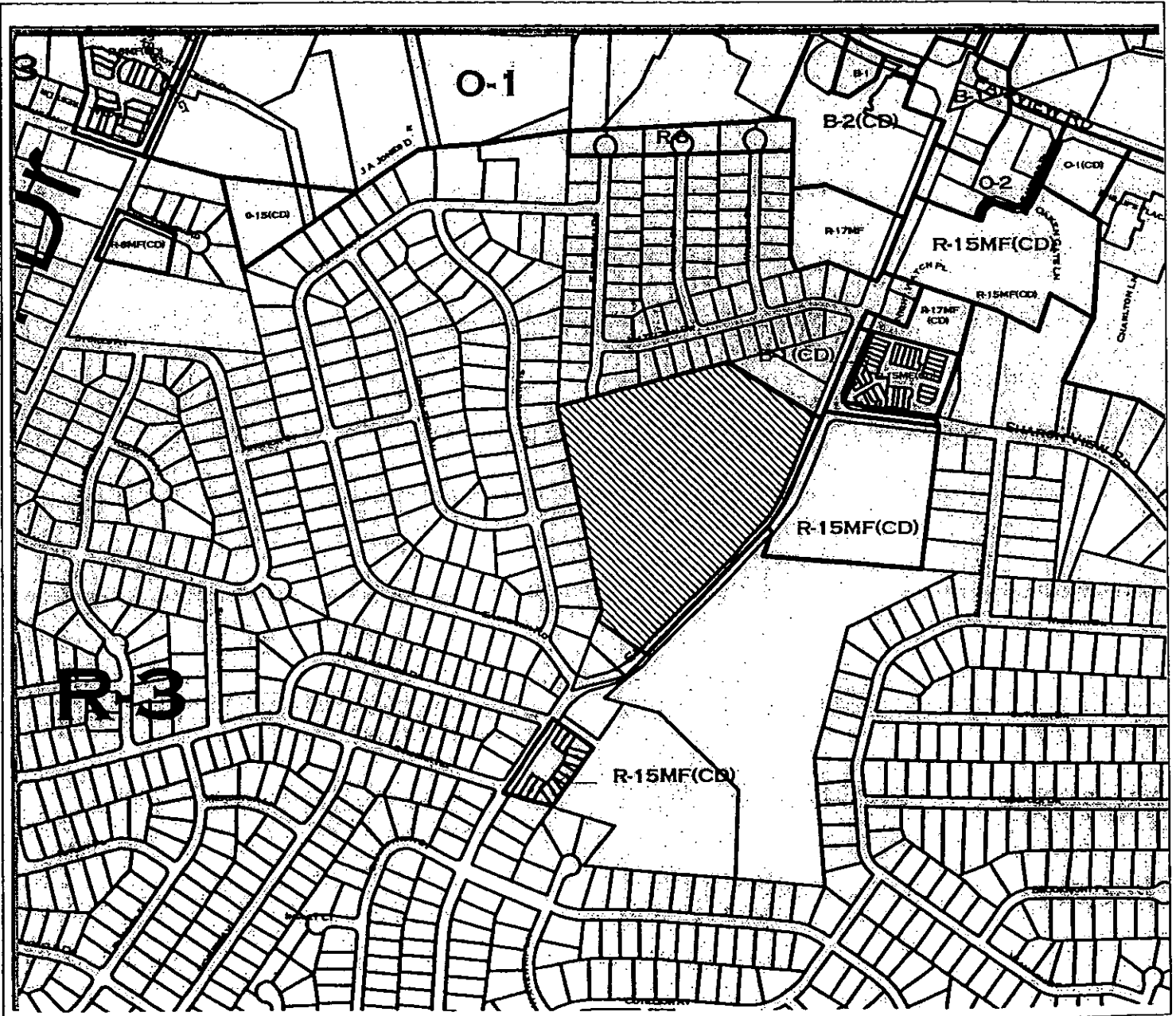
Hearing Date: January 16, 2001

Zoning Classification (Existing): INST(CD)

Zoning Classification (Requested): INST(CD) S.P.A.

**Acreage & Location**

Approximately 22.8 acres located on the west side of Sharon Road, west of Sharon View Road and south Fairview Road.



Zoning Map #(s);

147

Charlotte-Mecklenburg Planning Commission



Filed by: Bill Barnett

Name

Date: 12/1/00

6330 HAZELTON DR, Charlotte, NC

Address

331-2538

Daytime Phone No.

Petition # 2001-07

PROTEST PETITION

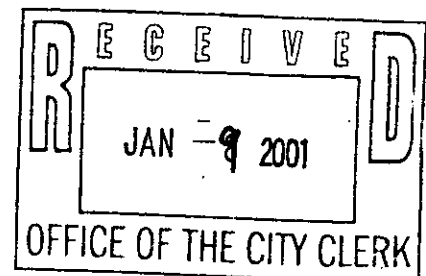
We, the undersigned property owners, do hereby protest Petition No. 2001-07 to rezone property located at 5100 Sharon Road from \_\_\_\_\_ to \_\_\_\_\_

and request that the three-fourths rule be invoked for the following reasons:

A) Height of proposed improvements (10 story, 80,000 S.F., 125 feet maximum) is incompatible with surrounding land uses.

MAP ID	Name (print)	Tax Parcel # of Property Owned	Daytime Telephone #	Signature
3207	GLENN, ARLENE KERNIS	17903207	341-5064	Glenn Kernis
3208	MICHAEL, ALISON FEY	17903208	388-2461	Alison Fey
3209	WILLIAM, SUSAN BARNETT	17903209	331-2538	William Barnett
3210	HEIDI ANGELA BUTLER	17903210	553-0252	P. Kern Butler
	PETER, TACQUE SHAW	17903211		
3212	ROBERT, TUSTY DARLING	17903212	377-8550	Robert Darling
		17903214		
3242	GEORGE, ASHLER SMITH	17903242	392-3100	George Ashler

SEE REVERSE SIDE FOR INSTRUCTIONS



DEC-08-99 WED 11:16 AM CITY CORP COMMUNICATIONS FAX NO. 7043366587

P. 02

### Instructions for Filing Protest Petition

1. **The 3/4 rule:** Pursuant to G.S. 160A-385 and Charlotte Zoning Ordinance 6.113, if valid protest petitions representing the owners of 20% or more of the area of lots included in the proposed zoning change or the owners of 20% or more of the area of lots within 100 feet of any side of the property proposed to be rezoned are submitted, the affirmative votes of three-fourths of the Mayor and City Council (not excused from voting) are necessary in order for the rezoning change to be approved.
2. **Signatures:**
  - **Own signature:** Each person signing a protest petition must sign his or her own name. No one may sign on behalf of another person, unless a valid power of attorney is submitted at the time the protest petition is filed. ✓
  - **Wife and husband:** For property owned jointly by a wife and husband, each spouse must sign the protest petition. ✓
  - **Tenants in common:** For property owned by tenants in common, each tenant in common must sign the protest petition. ✓
  - **Corporation:** For property owned by a corporation, a protest petition must be signed by the president, vice-president, or other duly authorized agent. ✓
  - **Partnership:** For property owned by a partnership, a protest petition must be signed by a partner or, in the case of a limited partnership, a general partner. ✓
  - **Unincorporated Association:** For property owned by an unincorporated organization or association, a protest petition must be signed by a duly authorized officer or agent of the association. ✓
  - **Religious Body:** For property owned by a religious society, congregation, or other body, a protest petition must be signed by a duly authorized trustee, officer, or agent. ✓
  - **Condominiums and Home or Property Owners Association:** For condominium and common area property, a protest petition must be signed by a duly authorized officer or agent of the condominium or owners association. ✓
3. **Tax Map:** the location and parcel number of property owned by each property owner must be indicated on a map attached to the protest petition. The map must show the location of the property of each owner signing the petition in relation to the property subject to the proposed change. A City-County tax map is very much preferred in order to ensure an accurate review of the protest petition and may be obtained from the Customer Service Center of the City-County Tax Collector's Office in the County office building. **BE SURE TO CALL 336-4600 24 HOURS AHEAD OF PICKUP TO ORDER YOUR MAP.** ✓
4. **Filing deadline:** Pursuant to G.S. 160A-386 and Charlotte Zoning Ordinance Sec. 6.113, protest petitions must be filed with the City Clerk's Office in sufficient time to allow at least two normal work days (excluding Saturdays, Sundays and City legal holidays) before the date of the public hearing on the proposed change or amendment. For example, if the public hearing is scheduled for a Monday, the protest petition must be filed in the City Clerk's Office by 5:00 p.m. on the preceding Wednesday. ✓
5. **Withdrawal of Protest Petitions:** At any time prior to the Council's vote on a rezoning petition for which a protest petition has been submitted, any protestor may withdraw a signature by submitting a signed document to the City Clerk's Office identifying the rezoning petition and stating that the submitted signatures have the purpose of deleting the signers from the protest petition. In the event that a sufficient number of previously protested properties are withdrawn so as to reduce the percentage of area of protested lots to below 20% of the relevant protest petition area, the three-quarter rule will not apply. A withdrawn protest may not be reinstated after the deadline for filing the protest petition set forth in paragraph no. 4 above. ✓

Revised 9/99 City Clerk's Office





# GIS Real Estate System

Mecklenburg County, NC Geographic Information Systems

[Tax Parcel & Map Sheet Search](#)
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[Return to Full Map Extent](#)
[How to Use the System](#)
[Return to GIS Homepage](#)

Click on Map to Perform Operation

Refresh Map
  Pan
  Zoom In
  Zoom Out
 Zoom Factor: 
 Identify 
  
 Surveyor's Report
   
 Adjoining Owner's Report within 
 Measure  Label Parcels by:

VICINITY MAP

N  
↑

**LEGEND**

- County Boundary
- Jurisdictions
- Tax Parcels
- Parcel Dimensions
- Sales by Deed Year
- Railroad ROW
- Utility ROWs
- Bodies of Water
- Streams
- Floodplain
- Watershed
- Surface Water Buff.
- Building Outli
- Prop. I-485 Corridor
- Photo Controls
- All Roads

BUFFER: 10 FEET PID: 17903245 SUBJECT: PRESBYTERIAN HOME AT CHARLOTTE INC THE

1999 Aerial Photo  
  Tax Parcel La Use

[Click here to submit questions or comments about the information shown on this page.](#)

Map Scale: 1 Inch = 381 Feet  
 Date and Time Stamp  
 11/20/00 3:45:32 PM EST

This map is prepared for the inventory of real property within Mecklenburg County and is compiled from recorded deeds, plats, tax maps, surveys, planimetric maps, and other public records and data. Users of this map are hereby notified that the aforementioned public primary information sources should be consulted for verification. Mecklenburg County and its mapping contractors assume no legal responsibility for the information contained herein.

449  
0202

**Click Here to Open Owner's List (Comma-Delimited)**  
**ADJOINING OWNER'S REPORT**

Total Parcels Selected: 22

Total Tax Records Selected: 45

Record	MapId#	Parcel-Id#	Owner's Name	Mailing Address	Property Address	Deed Book	Deed Page	Acreage
✓ 1	3207	17903207	KERNS MARSHALL G & WF ARLENE M P	6408 HAZELTON DR CHARLOTTE NC 28210	6408 HAZELTON DR	04386	271	0.275
✓ 2	3208	17903208	FEY MICHAEL J & WF ALISON A	6400 HAZELTON DR CHARLOTTE NC 28210	6400 HAZELTON DR	10447	464	0.275
✓ 3	3209	17903209	BARNETT WILLIAM S & SP SUSAN S	6330 HAZELTON DR CHARLOTTE NC 28210	6330 HAZELTON DR	08280	861	0.31
✓ 4	3210	17903210	BUTLER PAUL KEVIN & WF ANGELA L	6324 HAZELTON DR CHARLOTTE NC 28210	6324 HAZELTON DR	10912	848	0.277
✓ 5	3211	17903211	SHAW PETER A & WF JACQUELINE T	6318 HAZELTON DR CHARLOTTE NC 28210	6318 HAZELTON DR	09411	374	0.281
✓ 6	3212	17903212	DARLING ROBERT & WF KATHERINE GMERK	6312 HAZELTON DR CHARLOTTE NC 28210	6312 HAZELTON DR	06494	623	0.316
7	3214	17903214	SAMMT FRANZ & WF JULIE S	4911 FAIRHEATH RD CHARLOTTE NC 28210	4911 FAIRHEATH RD	11206	221	0.382
8	3216	17903216	MOORE JASON T JESSICA YOUNG MOORE (H/W)	4914 FAIRHEATH RD CHARLOTTE NC 28210	4914 FAIRHEATH RD	11532	709	0.321
9	3240	17903240	BENDER BARBARA BUCHANAN	3301 SUNNYBROOK DR CHARLOTTE NC 28210	3301 SUNNYBROOK DR	08178	442	0.436
10	3241	17903241	JURASCHEK RICHARD S & WF MELANIE S	3311 SUNNYBROOK DR CHARLOTTE NC 28210	3311 SUNNYBROOK DR	07818	542	0.448
✓ 11	3242	17903242	SMITH GEORGE R III ASHLEY L SMITH (H/W)	3319 SUNNYBROOK DR CHARLOTTE NC 28210	3319 SUNNYBROOK DR	11523	978	0.448
12	3243	17903243	GUERRIERO VICTOR S & WF	3327 SUNNYBROOK DR	3327 SUNNYBROOK	03687	674	0.448

**Petition No: 2001-07**

**Existing Zoning: INST (CD) (conditional institutional)**

**Requested Zoning; INST (CD) S.P.A. (conditional, institutional) site plan amendment**

**Location: Approximately 22.8 acres located on the west side of Sharon Road, west of Sharon View Road and south of Fairview.**

We the undersigned property owners, do hereby protest Petition No 2001-07 to amend the site plan for the property located at 5100 Sharon Road and request that the three-fourths rule be invoked for the reasons stated below.

**Sharon Towers rezoning requests a site plan amendment for the following purposes:**

- a) The construction of a ten story, 80,000 sf building consisting of 51 additional residential units with a maximum building height of 125 feet.
- b) The construction of a three level parking deck.
- c) Relocating the current main entrance to the entrance of Sharon Road and Sharon View Road.
- d) Adding one additional service entrance to the property

**History:**

The property was developed in 1959 consisting of approximately 22-1 story buildings (cottages) and four 3-6 story buildings of approximately 200,000 square feet.

In 1997 Sharon Towers rezoned their property from R-3 and R-12(PUD) to Institutional CD allowing for the addition of a 32 units in 6 story tower, with a maximum building height of 80 feet.

In 1999 Sharon Towers was granted a variance from the 1997 site plan to allow Sharon Towers to remain as is with out installing the class C buffer . The buffer was to include 9 trees and 20 shrubs per 100 linear feet of property line where it abuts Single Family.

To date Sharon Towers has not completed the site improvements which were a part of their 1997 rezoning.

**Protest Issues:**

The proposed improvements are incompatible with surrounding land uses which are primarily residential. The property surrounding Sharon Towers is zoned R-3. The 125 foot height of the proposed 10 story, 80,000 sf residential building is incompatible with surrounding land uses. Today, In the entire Southpark office market there are approximately two office buildings of 10 stories or more.

The proposed building is approximately 45 feet higher than the any existing buildings currently on the Sharon Towers property. If approved the additional Tower and parking deck will become an eyesore from both Sharon Road and surrounding residential neighborhoods.

The proposed parking structure is incompatible with surrounding land uses. Additional surface parking could be provided on undeveloped portions of the property eliminating the need for the parking deck.

The location of the proposed improvements within close proximity of Sharon Road are not consistent with the surrounding residential land uses- the neighborhoods of Fairmeadows, Beverly Woods, Sharon Woods and Meadowbrook. In addition, the existing buffers are inadequate given the size and massing of the proposed improvements.

The relocation of the main entrance to the intersection of Sharon Road and Sharon View Road will create more congestion to an already busy intersection.

There is no zoning restriction in place to stop the further development of this property.