

# ZONING ORDINANCE TEXT AMENDMENT APPLICATION

## CITY OF CHARLOTTE

FY2009
Petition #: <u>2008-146</u>
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<i>Office Use Only</i>

Section #: 6.207 (2) (b) (F)

(Title) Alterations to Approval

**Purpose of Change:** The Purpose of our application is to change the wording in Section 6.207 (2) (b) (f) which requires a full re-zoning application for any movement of structures "closer to adjacent properties in a residential district or when abutting a residential use." We have an approved development plan with a current zoning of B-1SCD and we wish to make minor changes to our site layout. Our property contains a Class B buffer which separates our development from an adjacent apartment complex, and since we will not be disturbing the buffer and will be reducing the density of our approved plan, we feel this minor site plan modification could be handled administratively by the Planning Director per sub section (b), which states: ***"Authority to approve an administrative amendment. The Planning Director or designee shall have the delegated authority to approve an administrative amendment change to an approved site plan. The standard for approving or denying such a requested change shall be that the change does not significantly alter the site plan or its conditions and that the change does not have a significant impact upon abutting properties."***

In the instant location, the existence and preservation of an existing Class B buffer and our proposal to actually reduce the mass of the buildings on our approved development plan ought to mitigate against the "significant changes" portion of Part 2 (f) which necessitate a full re-zoning of the property. All of the events depicted as "significant changes" in subparagraphs (a) to (g) justifiably require the more thorough examination of a full re-zoning but to encourage what is, from the public's standpoint, the highly desirable dual effect of preserving an existing buffer and reducing the mass of previously approved buildings it would be beneficial for the applicant to undergo an administrative review rather than a full re-zoning of its property.

Name of Agent: Ray Lauletta

Name of Petitioner(s): LDC Group

Agent's Address: 2 Central Avenue, Suite 3-B  
Madison, NJ 07940

Address of Petitioner(s) 2 Central Avenue, Suite 3B  
Madison, NJ 07940

Telephone Number: (973) 944-4210

Telephone Number: (973) 944-4210

Fax Number: (973) 665-2327

Fax Number: (973) 665-2327

E-Mail Address: RmLauletta@optonline.net

E-Mail Address: RmLauletta@optonline.net

Signature of Agent



Signature

