



* 0 0 B R E A K 0 0 *



ADVANCED
IMAGING
SYSTEMS

www.aisimc.com

An Information
Management Company

City of Charlotte – Planning Dept. Scanning Rezoning Files

Petition # 1985.52c

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>88-52(c)</u>
Date Filed <u>9-3-85</u>
Received By <u>JCL</u>
OFFICE USE ONLY

Ownership Information

Property Owner SEE ATTACHED LIST

Owner's Address SEE ATTACHED LIST

Date Property Acquired SEE ATTACHED LIST

Deed Reference SEE ATTACHED LIST Tax Parcel Number SEE ATTACHED LIST

Location Of Property (address or description) South side of Sunset Road
between Statesville Road and Milhaven Drive

Description Of Property

Size (Sq. Ft.-Acres) 33 acres Street Frontage (ft.) 998 ft. - Statesville Rd.
993 ft. - Sunset Rd.

Current Land Use Vacant

Zoning Request

Existing Zoning R-9 and B-2 Requested Zoning B-1(CD)

Purpose of zoning change to allow a planned shopping center facility to serve
the surrounding area

Fred E. Bryant, Planner
Name of Agent
1850 E. Third St., Charlotte, NC 28204
Agent's Address
333-1680
Telephone Number

B. V. Belk, Jr.
Name of Petitioner(s)
4900 Unaka St., Charlotte, NC
Address of Petitioner(s) 28205
537-7610
Telephone Number
BV Belk Jr.
Signature
Allen A. Bailey
Signature of Property Owner/if Other
Than Petitioner

ALLEN A. BAILEY, TRUSTEE, WILLIAM
BRUCE HUTCHISON CHARITABLE TRUST

INSTRUCTIONS FOR FILING A PETITION FOR A CHANGE IN A ZONING CLASSIFICATION

A petitioner for a zoning change must complete and file in duplicate the application form on the reverse side of this sheet. All information requested must be given.

There is a filing fee of \$100.00 required with each rezoning petition.

No application shall be considered filed until it has been discussed with and accepted by a member of the staff of the Planning Commission.

The application must be accompanied by two copies of a map, drawn to scale, of the property to be considered for a change in zoning.

If the area proposed to be changed is part of a SUBDIVISION recorded in the plat books in the Mecklenburg County Register of Deeds Office, then the map must include the following information:

- 1) A copy of that portion of the recorded map that shows the property to be considered for the proposed zoning change, plus sufficient additional area to show the location of the property in reference to the nearest street intersection.
- 2) The lot and block number(s) of the property proposed to be changed.
- 3) The name of the subdivision, and the plat book and page number at which the map is recorded.
- 4) Dimensions and compass bearings of all lines bounding the property proposed to be changed.

If the area proposed to be changed is ACREAGE or PROPERTY NOT LOCATED IN A RECORDED SUBDIVISION then the map must include the following information:

- 1) The exact dimensions and compass bearings of all lines bounding the property to be considered for the proposed zoning change.
- 2) The location of the property in reference to a street intersection, railroad, creek, or other features easily identified on the ground. Adequate information (distances, compass bearings) must be given to show the exact location of the property with respect to the reference point.

If the petitioner is not the owner of the property, the application must be signed by the owner, or accompanied by a letter signed by the owner signifying his approval of the proposed change. (This does not apply when the petitioner is a group of neighborhood property owners seeking a general change in the zoning of lands or properties within the neighborhood.)

Petitions which have been completed and filed with the Planning Commission will be heard at the earliest feasible scheduled date.

All petitions are considered at a public hearing held jointly by the County Board of Commissioners and the Planning Commission.

APPROVED BY COUNTY COMMISSION

DATE 12.16.85

ORDINANCE NO. 447

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

WHEREAS, a petition was presented to the County Commission of Mecklenburg County requesting the rezoning of a 33 acre site on the south side of Sunset Road between Statesville Road and Milhaven Drive from R-9 and B-2 to B-1SCD; and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 3210 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all the 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 County Commission has authority to amend the Zoning Ordinance by Section 1300 and a public hearing was held on October 14, 1985; and

WHEREAS, in the passage of this ordinance the County Commission of Mecklenburg County 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 3210.5:

- .1 Access to public streets and the adequacy of those streets to carry anticipated increased traffic.
- .2 On-site circulation for both pedestrian and vehicular traffic.
- .3 Adequacy of existing community facilities such as water, sewer, police and fire protection.
- .4 Relationship to and impacts upon adjoining and nearby properties and the adequacy of proposed measures to minimize any adverse impacts.
- .5 For proposed shopping centers, the appropriateness of the proposal in relationship to the policies and objectives of the comprehensive plan and to a more detailed area plan, if available.

BE IT ORDAINED BY THE COUNTY COMMISSION OF MECKLENBURG COUNTY:

Section 1. That Section 1005 of the Mecklenburg County Zoning Ordinance is hereby amended by changing from R-9 and B-2 to B-1SCD on the Official Zoning Map, Mecklenburg County, N.C. the following described property:

BEGINNING at a point in the southerly margin of Sunset Road, said point being located at the common front corner, marked by an existing iron pin,



of Sparton Foods Systems, Inc., 0.922 acre parcel and the Bascom V. Belk and wife Harriett, tract; 1) thence N.76-09-56E. 25.23 feet to a point; 2) thence N.76-14-47E. 768.78 feet to a point; 3) thence R=776.20 feet L=165.61 feet; 4) thence S.04-47-13E. 91.8 feet to a point; 5) thence S.81-41-30E. 325.04 feet to a point; 6) thence S.09-10-00W. 301.50 feet to a point; 7) thence S.09-37-32W. 261.27 feet to a point; 8) thence S.09-14-52W. 437.16 feet to a point; 9) thence N.62-06-20W. 263.09 feet to a point; 10) thence S.67-38-54W. 685.86 feet to a point; 11) thence N.12-22-41W. 107.38 feet to a point; 12) thence S.78-10-22W. 545.00 feet to a point; 13) thence N.00-32-30W. 646.81 feet to a point; 14) thence N.70-14-57E. 160.00 feet to a point; 15) thence N.75-06-52E. 172.00 feet to a point; 16) thence N.00-32-30W. 208.74 feet to a point; 17) thence N.12-30-00W. 45.15 feet to a point; 18) thence N.75-06-52E. 4.59 feet to a point; 19) thence N.13-50-04W. 10.00 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:

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
B. V. Belk, Jr.

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, prepared 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-1 SED.

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.

- * 041-241-01
- 041-242-02
- 041-242-03
- 041-241-04