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City of Charlotte – Planning Dept. Scanning Rezoning Files

Petition # 2000 - 162

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
CITY OF CHARLOTTE**

Petition #: 2000-162
Date Filed: 9-22-00
Received By: [Signature]

OWNERSHIP INFORMATION:

Property Owner: See Exhibit A

Owner's Address: See Exhibit A

Date Property Acquired: See Exhibit A Tax Parcel Number(s): 041-131-01, 041-156-09, 041-156-10 and 041-161-01

Utilities Provided; (Water) CMUD (Sewer) CMUD
(CMUD, Private, Other) *(CMUD, Private, Other)*

LOCATION OF PROPERTY (Address or Description): The property is located at 2601 Cindy Lane

Size (Sq.Ft. or Acres): approximately 56.9 acres ± Street Frontage (Ft.): approximately 700 feet on Slater Road

Current Land Use: Vacant

ZONING REQUEST:

Existing Zoning: R-4 Proposed Zoning: MX-1 Innovative

Purpose of Zoning Change: To accommodate the development of for sale single family detached and single family attached homes utilizing innovative development standards.

Bailey Patrick, Jr./John H. Carmichael
Name of Agent

Kennedy Covington Lobdell & Hickman, L.L.P.
100 North Tryon Street, Suite 4200
Charlotte, NC 28202-4006

Agent's Address (City, State, Zip)

704-331-7400 704-331-7598
Telephone Number Fax Number

See Joinder Agreements attached hereto
Signature of Property Owner if other than Petitioner

Diamond Oaks Development, Inc.
Name of Petitioner

10612-D Providence Road, Suite 500
Charlotte, NC 28277

Address of Petitioner(s) (City, State, Zip)

704-845-2123 704-841-8126
Telephone Number Fax Number

[Signature] - President
Signature

Any Petitioner filing for rezoning is required to discuss the proposal with a CMPC Land Development staff member at least one week prior to the filing of the petition. Upon submittal of the petition, all required items must be verified by a CMPC Land Development staff member before an application is considered completed and filed for processing. Incomplete applications are not accepted and will be returned to the petitioner. No applications will be accepted after the closing deadline for each month's cases. **There is a limit of 16 cases per month.**

Prior to the filing of a Conditional Use Rezoning Petition, it is strongly encouraged that a preliminary site plan be submitted to the Planning Staff for review and recommendation. There is no fee for preliminary plan review. The preliminary plan must include items 6(a), 6(c), 6(d), and 6(e) listed below. (5 copies are required for interdepartmental review.)

CONVENTIONAL REZONING APPLICATION FILING REQUIREMENTS:

1. Two signed official applications;
2. Two survey maps delineating the property in question;
3. A list of all adjacent property owners, with their current mailing addresses coded to the survey map or Tax Map.
(Provided on an 8½" x 11" sheet of paper)
(This information is available at the Mecklenburg County Tax Office, 700 East Stonewall Street);
4. A Filing Fee (See Fee Schedule below);
5. A written boundary description showing distances and bearings of property lines, or proposed Zoning boundaries, if those boundaries do not follow property lines, a metes and bounds description **MUST** be provided for each Zoning district.;

CONDITIONAL USE REZONING APPLICATION FILING REQUIREMENTS:

Items 1 - 5 listed above are also required:

6. **Sixteen (16) copies, folded 8½" x 11"**, of a schematic site plan, drawn to scale and at a **maximum of 24" x 36"**, (maps for presentation purposes can be larger), which includes the following items. (16 copies are needed for interdepartmental review):
 - (a) A boundary survey showing the total acreage, present Zoning classification(s), date, north arrow, and vicinity map;
 - (b) Adjoining property lines and names, address, and tax parcel numbers of current adjoining property owners
(This information is available at the Mecklenburg County Tax Office, 700 East Stonewall Street);
 - (c) All existing easements, reservations, and rights-of-way, and all yards required for the Zoning district requested (show setback, side and rear yard requirements for proposed Zoning district);
 - (d) Proposed use of land and structures: for residential uses this shall include the number of units and an outline for the area within which the structures will be located; for non-residential uses, this shall include approximate square footage of structures and an outline of the area within which the structure will be located;
 - (e) Traffic, parking and circulation plan, showing proposed locations and arrangements of parking spaces and entrance and exit to adjacent streets (show existing drives opposite proposed project);
 - (f) Proposed screening, including walls, fences, or planting areas, as well as treatment of any existing natural features and any proposed buffers or landscaped yards at the project boundary.
 - (g) Generalized information as to the number, height, size, and location of structures;
 - (h) Proposed phasing.
 - (i) Delineation of areas within the regulatory floodplain as shown on the official Charlotte flood areas map and delineation of SWIM buffers.
 - (j) Topography at four foot contour intervals or less (existing and proposed);
 - (k) Schematic site plan must be titled with project plan and proposed use;
 - (l) List of additional conditions proposed to regulate the development of the site.

***** Note: Revised and corrected site plans are due Four Weeks prior to the scheduled Public Hearing. Failure to meet the deadline will result in an automatic deferral of the Public Hearing.**

CITY OF CHARLOTTE REZONING FILING FEES: Effective July 1, 2000

<u>DISTRICT REQUESTED</u>	<u>CONVENTIONAL APPLICATION FEE</u>	<u>CONDITIONAL USE APPLICATION FEE</u>
Single Family Residential:	\$ 670.00	\$ to be determined
Multi-Family Residential:	\$ 955.00	\$ to be determined
All Other Districts:	\$ 1,535.00	\$ to be determined

FEE DUE UPON SUBMITTAL OF APPLICATION TO THE PLANNING COMMISSION BY CHECK OR MONEY ORDER MADE PAYABLE TO THE CHARLOTTE-MECKLENBURG PLANNING COMMISSION.

EXHIBIT A

Property Owners

041-131-01

BKMC, LLC
c/o Ken Bennett
5925 Milhåven Lane
Charlotte, NC 28269

Dated Acquired: 1/2000

041-156-09

Paul Barnes Stewart and wife, Jean B.
9630 Hood Road
Charlotte, NC 28215

Dated Acquired: 01/01/75

041-156-10

Paul Barnes Stewart and wife, Jean B.
9630 Hood Road
Charlotte, NC 28215

Dated Acquired: 03/24/71

041-161-01

Paul Barnes Stewart and wife, Jean B.
9630 Hood Road
Charlotte, NC 28215

Dated Acquired: 01/01/75

REZONING PETITION NO. 2000-
DIAMOND OAK DEVELOPMENT, INC., PETITIONER
JOINDER AGREEMENT

The undersigned, as the owner of a tract of land fronting on Slater Road in the City of Charlotte, North Carolina, which has been assigned Tax Code No. 041-131-01 and is the subject of the attached Rezoning Petition (the "Parcel"), hereby joins in this Rezoning Petition and consents to the change in zoning for this Parcel from R-4 to MX-1 Innovative.

This the 21st day of September, 2000.

BKMC, LLC

By: Kenneth Joel Bennett
Name: Kenneth Joel Bennett
Title: Manager

**OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE**

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Name of Petitioner

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Address of Petitioner(s) (City, State, Zip)

704-845-2123 704-841-8126
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Tony J. Prodzemski - President
Signature

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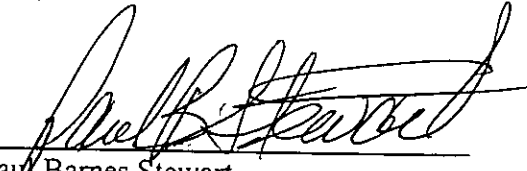
Paul Barnes Stewart and wife, Jean B.
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Dated Acquired: 01/01/75

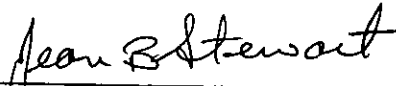
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DIAMOND OAK DEVELOPMENT, INC., PETITIONER
JOINDER AGREEMENT

The undersigned, as the owners of several tracts of land located in the City of Charlotte, North Carolina, which have been assigned Tax Code Nos. 041-156-09, 041-156-10 and 041-161-01 and are the subject of the attached Rezoning Petition (the "Parcels"), hereby join in this Rezoning Petition and consent to the change in zoning for these Parcels from R-4 to MX-1 Innovative.

This the 25 day of September, 2000.



Paul Barnes Stewart



Jean B. Stewart

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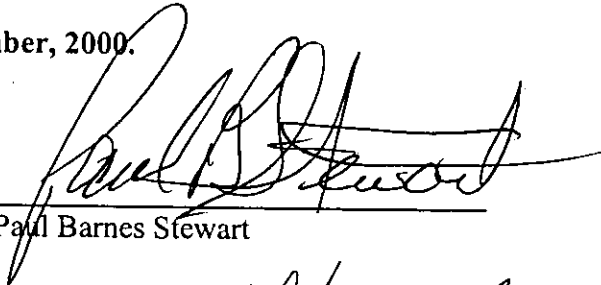
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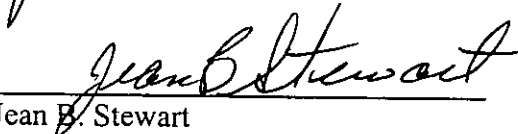
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Paul Barnes Stewart



Jean B. Stewart

2000-162

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Name: Kenneth Joel Bennett
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