



DATE FILED <u>12/30/2010</u>
APPLICATION NUMBER <u>2010-564</u>
<i>For office use only</i>

**APPLICATION FOR CHANGE IN ZONING CLASSIFICATION
OR CHANGE IN CONDITIONS
(SEE FILING INSTRUCTIONS)**

TO: Town of Matthews Board of Commissioners
Town of Matthews Planning Board
232 Matthews Station Street
Matthews, North Carolina 28105-6713

Ladies and Gentlemen:

Your consideration of this petition is requested for:

- A change in zoning classification of the property hereinafter described; or
- A change in conditions to an existing conditional zoning plan.

Tax parcel number(s): 193-291-10, 15, 35, 41, 65

Address of property: 1500 Matthews Township Parkway, Matthews NC 28105

Location of property: generally between Matthews Township Parkway and Matthews - Mint Hill Rd

Title to the property was acquired on 1989, 1991, 2002
and was recorded in the name of Verant Health, Inc.
whose mailing address is PO Box 33549 Charlotte NC 28233

The deed is recorded in Book Various and Page _____ in the office of the Register of Deeds for Mecklenburg County.

Present zoning classification: C, O9CD Requested zoning classification: RI-CD

193-291-10

Matthews-Mint Hill Road, Matthews NC 28105

8.08 acres bounded by Matthews-Mint Hill Road to the south and Andrew Caroline Drive to the west.

Title acquired on 4/11/1991 in book 6500, page 600 by Novant Health Inc, whose mailing address is PO Box 33549, Charlotte, NC 28233.

Presently zoned O-9 (CD), requesting rezoning to R/I (CD).

193-291-15

1450 & 1500 Matthews-Mint Hill Road, Matthews, NC 28105

42.13 acres bounded by Matthews -Mint Hill Road to the south and Matthews Township Parkway to the north.

Title acquired on 8/16/1989 in book 6088, page 949 by Novant Health Inc, whose mailing address is PO Box 33549, Charlotte, NC 28233.

Presently zoned Conditional, requesting rezoning to R/I (CD).

193-291-35

1450 Matthews-Mint Hill Road, Matthews, NC 28105

Approximately 1 acre bounded by Matthews Township Parkway to the north.

Title acquired on 8/16/1989 in book 6088, page 949 by Novant Health Inc, whose mailing address is PO Box 33549, Charlotte, NC 28233.

Presently zoned Conditional, requesting rezoning to R/I (CD).

193-291-41

Matthews-Mint Hill Road, Matthews NC 28105

3.5 acres located between Matthews-Mint Hill Road to the south and Matthews Township Parkway to the north.

Title acquired on 12/31/2002 in book 14632, page 902 by Novant Health Inc, whose mailing address is PO Box 33549, Charlotte, NC 28233.

Presently zoned O-9 (CD), requesting rezoning to R/I (CD).

193-291-65

Matthews-Mint Hill Road, Matthews NC 28105

.59 acre/air rights; surrounded by parcel 193-291-15.

Title acquired on 8/16/1989 in book 6088, page 949 by Novant Health Inc, whose mailing address is PO Box 33549, Charlotte, NC 28233.

Presently zoned O-9 (CD), requesting rezoning to R/I (CD).

Presbyterian Hospital Matthews

Rezoning Application Supporting Information

1. Reason(s) why zoning should be changed.

The property involved in this rezoning request is currently regulated by two previously approved site plans, including one for a district that no longer exists. The two prior site plans contain limited information and a recent request by the Petitioner to construct a surface parking lot was denied by the Planning Staff due to the lack of guidance provided by the current zoning. The purpose of this Petitioner is to make minor changes to the conditions of the prior site plans and to consolidate the two prior plans under one new conditional plan. This will provide guidance for the hospital and the Town for the development of the site under the Town's current zoning ordinance.

2. Relationship to adopted plans.

The area of the Town that included the property included in this Petition is defined by the Town's adopted plan (Matthews Land Use Plan, A guide for Growth, 2002-2012) as being in two areas. The first is the area defined as "NC51/Matthews Township Parkway: Sam Newell Road to Independence". The Plan describes this area as being one of a mixture of non-residential areas and it specifically notes that the hospital is located in this area and that it has been developed in accordance with the Highway Overlay District. The second area is defined as "Matthews- Mint Hill Road: Downtown to Independence" and it too notes the hospital in the area and that it has some of its access to the road. Future land uses call for professional or service offices. The proposed rezoning would not alter or depart from any of the land uses contemplated by the adopted plan and therefore, is consistent with the adopted plans for the area.

3. Waiver of Traffic Study Requested.

The Petitioner seeks the approval of the Town of Matthews to waive the requirement for a traffic study for the site. The purpose of this rezoning is to consolidate and make minor adjustments to the two previous conditional site plans for portions of the site into a single, comprehensive site plan for the entire site. As such, this Petition proposes no changes in the permitted uses, no changes in the amount of development previously approved, and only minor changes in access that will enhance connectivity to the community. Therefore, the Petitioner seeks a waiver of a traffic impact study. While the Petitioner is not asking for any additional development for the site than that which is already approved, the Petitioner acknowledges that the Town of Matthews may require the submission of traffic information as various portions of the site are developed if, in the opinion of the Town, specific information is needed at the time of any such development to assess the impact, if any, of the trips generated by such use.

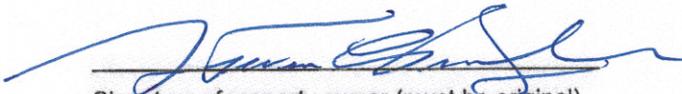
List reason(s) why zoning should be changed (use separate sheet if necessary):

See a Attached Sheet

Application number

2010-564

For office use only



Signature of property owner (must be original)

Steven C. Burke
Vice President, Novant Health, Inc.

Print name of property owner

1900 Randolph Road Suite 500

Property owner's mailing address

Charlotte NC 28207

Property owner's mailing address, continued

Property owner's mailing address, continued

704-316-4372

scburke@novanthealth.org

Property owner's phone number/email address

Signature of property owner (must be original)

Print name of property owner

Property owner's mailing address

Property owner's mailing address, continued

Property owner's mailing address, continued

Property owner's phone number/email address



Signature of agent (if any)

Walter Fields III

Print name of agent

1919 S. Blvd Suite 101

Agent's mailing address

Charlotte NC 28203

Agent's mailing address, continued

Agent's mailing address, continued

704.372.7855 walfie@walfiefieldsgrap.com

Agent's phone number/email address

Petitioner other than owner (if any)

Print name of petitioner

Petitioner's mailing address

Petitioner's mailing address, continued

Petitioner's mailing address, continued

Petitioner's phone number/email address

List all tax parcel numbers, names, and mailing addresses of all property owners subject to notification of this zoning application. Attach additional sheets if necessary.

See item #7 in instruction sheet titled "Instructions for Filing an Application for a Change in Zoning Classification or Change in Conditions for Property located in the Town of Matthews."

Application number

2010-54

For office use only

19329104

TAX PARCEL

GOODE MCLEOD LLC AND SOUTHERN HOLDINGS III LLC

PROPERTY OWNER NAME(S)

200 NORTH HARBOR PLACE STE #B

OWNER MAILING ADDRESS

DAVIDSON, NC 28036

OWNER MAILING ADDRESS, CONTINUED

19329114

TAX PARCEL

CHRISTIAN ADOPTION SERVICES, INC.

PROPERTY OWNER NAME(S)

624 MATTHEWS-MINT HILL RD, STE 134

OWNER MAILING ADDRESS

MATTHEWS, NC 28105-1775

OWNER MAILING ADDRESS, CONTINUED

19329108

TAX PARCEL

CHARLES FUNDERBURK AND MADRID F 13

PROPERTY OWNER NAME(S)

PO BOX 941

OWNER MAILING ADDRESS

MATTHEWS, NC 28106

OWNER MAILING ADDRESS, CONTINUED

19329116

TAX PARCEL

PFT-ABQ LLC AND c/o SKYE, INC ATTN: BRIAN T PRINN

PROPERTY OWNER NAME(S)

26 CORPORATE PLAZA #150

OWNER MAILING ADDRESS

NEWPORT BEACH, CA 29660

OWNER MAILING ADDRESS, CONTINUED

19329109

TAX PARCEL

HARRY CLINTON GRIMMER

PROPERTY OWNER NAME(S)

8720 LAKE CHALLIS LN

OWNER MAILING ADDRESS

CHARLOTTE, NC 28226-2663

OWNER MAILING ADDRESS, CONTINUED

19329145

TAX PARCEL

LJW LAND LLC AND C/O WILLIAM W WATERS

PROPERTY OWNER NAME(S)

7620 BALTUSROL LN

OWNER MAILING ADDRESS

CHARLOTTE, NC 28210

OWNER MAILING ADDRESS, CONTINUED

19329113

TAX PARCEL

CHRISTIAN ADOPTION SERVICES, INC.

PROPERTY OWNER NAME(S)

624 MATTHEWS-MINT HILL ROAD, # 134

OWNER MAILING ADDRESS

MATTHEWS, NC 28105-1775

OWNER MAILING ADDRESS, CONTINUED

19329164

TAX PARCEL

1450 MATTHEWS TOWNSHIP PARKWAY, LP

PROPERTY OWNER NAME(S)

TWO SUN CT, STE 350

OWNER MAILING ADDRESS

NORCROSS, GA 30092

OWNER MAILING ADDRESS, CONTINUED

List all tax parcel numbers, names, and mailing addresses of all property owners subject to notification of this zoning application. Attach additional sheets if necessary.

See item #7 in instruction sheet titled "Instructions for Filing an Application for a Change in Zoning Classification or Change in Conditions for Property located in the Town of Matthews."

Application number

2010-504
For office use only

19329173

TAX PARCEL

EFA INVESTMENT, LLC

PROPERTY OWNER NAME(S)

428 SAM NEWELL RD, STE 100

OWNER MAILING ADDRESS

MATTHEWS, NC 28105

OWNER MAILING ADDRESS, CONTINUED

19329202

TAX PARCEL

AD BEL, LTD

PROPERTY OWNER NAME(S)

PO BOX 1395

OWNER MAILING ADDRESS

MATTHEWS, NC 28106

OWNER MAILING ADDRESS, CONTINUED

19329174

TAX PARCEL

GRIMES & PHELPS HOLDINGS, LLC

PROPERTY OWNER NAME(S)

428 SAM NEWELL RD, # 101

OWNER MAILING ADDRESS

MATTHEWS, NC 28105

OWNER MAILING ADDRESS, CONTINUED

19329203

TAX PARCEL

BBR/PACES COMMONS, LLC & RESIDENTIAL LLC

PROPERTY OWNER NAME(S)

C/O BABCOCK & BROWN

OWNER MAILING ADDRESS

301 S COLLEGE ST, STE 3850, CHARLOTTE, NC 28202

OWNER MAILING ADDRESS, CONTINUED

19329175

TAX PARCEL

RAC HOLDINGS, LLC

PROPERTY OWNER NAME(S)

728 SAM NEWELL RD, UNIT 102

OWNER MAILING ADDRESS

MATTHEWS, NC 28105

OWNER MAILING ADDRESS, CONTINUED

19329213

TAX PARCEL

BB&T AND PROPERTY TAX DEPARTMENT

PROPERTY OWNER NAME(S)

PO BOX 167

OWNER MAILING ADDRESS

WINSTON-SALEM, NC 27102-0167

OWNER MAILING ADDRESS, CONTINUED

19329176

TAX PARCEL

MT HOLLY-HUNTERSVILLE MEDICAL II, LLC

PROPERTY OWNER NAME(S)

200 NORTH HARBOR PL, #B

OWNER MAILING ADDRESS

DAVIDSON, NC 28036

OWNER MAILING ADDRESS, CONTINUED

19329214

TAX PARCEL

GENESIS VENTURES, LLC

PROPERTY OWNER NAME(S)

1401 MATTHEWS TOWNSHIP PY

OWNER MAILING ADDRESS

MATTHEWS, NC 28105

OWNER MAILING ADDRESS, CONTINUED

List all tax parcel numbers, names, and mailing addresses of all property owners subject to notification of this zoning application. Attach additional sheets if necessary.

See item #7 in instruction sheet titled "Instructions for Filing an Application for a Change in Zoning Classification or Change in Conditions for Property located in the Town of Matthews."

Application number

2010-564

For office use only

19338101

TAX PARCEL

MEE PROPERTIES, LLC

PROPERTY OWNER NAME(S)

2200 PROVIDENCE CANYON DR

OWNER MAILING ADDRESS

CHARLOTTE, NC 28270

OWNER MAILING ADDRESS, CONTINUED

19338105

TAX PARCEL

OHM HOTELS MANAGEMENT, INC.

PROPERTY OWNER NAME(S)

1348 MATTHEWS TOWNSHIP PY, #200

OWNER MAILING ADDRESS

MATTHEWS, NC 28105

OWNER MAILING ADDRESS, CONTINUED

19338102

TAX PARCEL

MEE PROPERTIES, LLC

PROPERTY OWNER NAME(S)

2200 PROVIDENCE CANYON DR

OWNER MAILING ADDRESS

CHARLOTTE, NC 28270

OWNER MAILING ADDRESS, CONTINUED

19338106

TAX PARCEL

OHM HOTELS MANAGEMENT, INC.

PROPERTY OWNER NAME(S)

1348 MATTHEWS TOWNSHIP PY, #200

OWNER MAILING ADDRESS

MATTHEWS, NC 28105

OWNER MAILING ADDRESS, CONTINUED

19338103

TAX PARCEL

MEE PROPERTIES, LLC

PROPERTY OWNER NAME(S)

2200 PROVIDENCE CANYON DR

OWNER MAILING ADDRESS

CHARLOTTE, NC 28270

OWNER MAILING ADDRESS, CONTINUED

19338107

TAX PARCEL

OHM HOTELS MANAGEMENT, INC.

PROPERTY OWNER NAME(S)

1348 MATTHEWS TOWNSHIP PY, #200

OWNER MAILING ADDRESS

MATTHEWS, NC 28105

OWNER MAILING ADDRESS, CONTINUED

19338104

TAX PARCEL

MEE PROPERTIES, LLC

PROPERTY OWNER NAME(S)

2200 PROVIDENCE CANYON DR

OWNER MAILING ADDRESS

CHARLOTTE, NC 28270

OWNER MAILING ADDRESS, CONTINUED

19338108

TAX PARCEL

OHM HOTELS MANAGEMENT, INC.

PROPERTY OWNER NAME(S)

1348 MATTHEWS TOWNSHIP PY, #200

OWNER MAILING ADDRESS

MATTHEWS, NC 28105

OWNER MAILING ADDRESS, CONTINUED

List all tax parcel numbers, names, and mailing addresses of all property owners subject to notification of this zoning application. Attach additional sheets if necessary.

See item #7 in instruction sheet titled "Instructions for Filing an Application for a Change in Zoning Classification or Change in Conditions for Property located in the Town of Matthews."

Application number

2010-904

For office use only

19338109

TAX PARCEL

CA PARKER ENTERPRISES, LTD

PROPERTY OWNER NAME(S)

16316 HARBOR VIEW RD

OWNER MAILING ADDRESS

CHARLOTTE, NC 28278

OWNER MAILING ADDRESS, CONTINUED

19338113

TAX PARCEL

CA PARKER ENTERPRISES, LTD

PROPERTY OWNER NAME(S)

16316 HARBOR VIEW RD

OWNER MAILING ADDRESS

CHARLOTTE, NC 28278

OWNER MAILING ADDRESS, CONTINUED

19338110

TAX PARCEL

CA PARKER ENTERPRISES, LTD

PROPERTY OWNER NAME(S)

1320 MATTHEWS TOWNSHIP PARKWAY, #101

OWNER MAILING ADDRESS

MATTHEWS, NC 28105

OWNER MAILING ADDRESS, CONTINUED

19338114

TAX PARCEL

CA PARKER ENTERPRISES, LTD

PROPERTY OWNER NAME(S)

16316 HARBOR VIEW RD

OWNER MAILING ADDRESS

CHARLOTTE, NC 28278

OWNER MAILING ADDRESS, CONTINUED

19338111

TAX PARCEL

CA PARKER ENTERPRISES, LTD

PROPERTY OWNER NAME(S)

16316 HARBOR VIEW RD

OWNER MAILING ADDRESS

CHARLOTTE, NC 28278

OWNER MAILING ADDRESS, CONTINUED

19338115

TAX PARCEL

CA PARKER ENTERPRISES, LTD

PROPERTY OWNER NAME(S)

1320 MATTHEWS TOWNSHIP PY, #101

OWNER MAILING ADDRESS

MATTHEWS, NC 28105

OWNER MAILING ADDRESS, CONTINUED

19338112

TAX PARCEL

CA PARKER ENTERPRISES, LTD

PROPERTY OWNER NAME(S)

16316 HARBOR VIEW RD

OWNER MAILING ADDRESS

CHARLOTTE, NC 28278

OWNER MAILING ADDRESS, CONTINUED

19338131

TAX PARCEL

P&K PROPERTIES OF CHARLOTTE AND MATTHEWS

PROPERTY OWNER NAME(S)

1340 MATTHEWS TOWNSHIP PY #C1

OWNER MAILING ADDRESS

MATTHEWS, NC 28105

OWNER MAILING ADDRESS, CONTINUED

List all tax parcel numbers, names, and mailing addresses of all property owners subject to notification of this zoning application. Attach additional sheets if necessary.

See item #7 in instruction sheet titled "Instructions for Filing an Application for a Change in Zoning Classification or Change in Conditions for Property located in the Town of Matthews."

Application number

2010-564

For office use only

19338132

TAX PARCEL

RONALD VICTOR FUTERMAN, SUSAN ALLEN FUTERMAN

PROPERTY OWNER NAME(S)

PO BOX 1539

OWNER MAILING ADDRESS

MATTHEWS, NC 28106

OWNER MAILING ADDRESS, CONTINUED

19338136

TAX PARCEL

SCOTT D GOODMAN AND ET-AL

PROPERTY OWNER NAME(S)

1340 MATTHEWS TOWNSHIP PY, #F-1

OWNER MAILING ADDRESS

MATTHEWS, NC 28105

OWNER MAILING ADDRESS, CONTINUED

19338133

TAX PARCEL

VIRGINIA CHANDLER

PROPERTY OWNER NAME(S)

103 PRIVATE DR, 203 TOWNSHIP RD 1370

OWNER MAILING ADDRESS

PROCTORVILLE, OH 45669

OWNER MAILING ADDRESS, CONTINUED

19338137

TAX PARCEL

CIC-PREFERRED VENTURE & PRESBYTERIAN HEALTH

PROPERTY OWNER NAME(S)

PO BOX 338

OWNER MAILING ADDRESS

MATTHEWS, NC 28106

OWNER MAILING ADDRESS, CONTINUED

19338134

TAX PARCEL

VIRGINIA CHANDLER

PROPERTY OWNER NAME(S)

103 PRIVATE DR, 203 TOWNSHIP RD 1370

OWNER MAILING ADDRESS

PROCTORVILLE, OH 45669

OWNER MAILING ADDRESS, CONTINUED

19338138

TAX PARCEL

BURCE A HRENYO & ARLEEN F HRENYO

PROPERTY OWNER NAME(S)

1320 MATTHEWS TOWNSHIP PY #201

OWNER MAILING ADDRESS

MATTHEWS, NC 28105

OWNER MAILING ADDRESS, CONTINUED

19338135

TAX PARCEL

SCOTT D GOODMAN AND ET-AL

PROPERTY OWNER NAME(S)

1340 MATTHEWS TOWNSHIP PY, #F

OWNER MAILING ADDRESS

MATTHEWS, NC 28105-4681

OWNER MAILING ADDRESS, CONTINUED

19338139

TAX PARCEL

TYCHE PROPERTIES, LLC

PROPERTY OWNER NAME(S)

1320 MATTHEWS TOWNSHIP PY #203

OWNER MAILING ADDRESS

MATTHEWS, NC 28105

OWNER MAILING ADDRESS, CONTINUED

List all tax parcel numbers, names, and mailing addresses of all property owners subject to notification of this zoning application. Attach additional sheets if necessary.

See item #7 in instruction sheet titled "Instructions for Filing an Application for a Change in Zoning Classification or Change in Conditions for Property located in the Town of Matthews."

Application number

2010-564
For office use only

19338140

TAX PARCEL

TYCHE PROPERTIES, LLC

PROPERTY OWNER NAME(S)

1320 MATTHEWS TOWNSHIP PY #203

OWNER MAILING ADDRESS

MATTHEWS, NC 28105

OWNER MAILING ADDRESS, CONTINUED

19338144

TAX PARCEL

DAVID A ZITO & MARTHA CAROWAN ZITO

PROPERTY OWNER NAME(S)

1352 MATTHEWS TOWNSHIP PY #102

OWNER MAILING ADDRESS

MATTHEWS, NC 28105

OWNER MAILING ADDRESS, CONTINUED

19338141

TAX PARCEL

STEPHEN A FERKO & RUTH M FERKO

PROPERTY OWNER NAME(S)

212 REEFTON RD

OWNER MAILING ADDRESS

MATTHEWS, NC 28105

OWNER MAILING ADDRESS, CONTINUED

21501101

TAX PARCEL

LEVONDE GORDON HOWARD

PROPERTY OWNER NAME(S)

503 COURTNEY LN

OWNER MAILING ADDRESS

MATTHEWS, NC 28105

OWNER MAILING ADDRESS, CONTINUED

19338142

TAX PARCEL

LARRY W MORTON & DEBORAH J MORTON

PROPERTY OWNER NAME(S)

1352 MATTHEWS TOWNSHIP PY #101

OWNER MAILING ADDRESS

MATTHEWS, NC 28105

OWNER MAILING ADDRESS, CONTINUED

21501102

TAX PARCEL

MARTHA S AYCOTH

PROPERTY OWNER NAME(S)

400 MATTHEWS-MINT HILL RD

OWNER MAILING ADDRESS

MATTHEWS, NC 28105

OWNER MAILING ADDRESS, CONTINUED

19338143

TAX PARCEL

DAVID A ZITO

PROPERTY OWNER NAME(S)

1352 MATTHEWS TOWNSHIP PY #102

OWNER MAILING ADDRESS

MATTHEWS, NC 28105

OWNER MAILING ADDRESS, CONTINUED

21501103

TAX PARCEL

JUANITA H JORDAN

PROPERTY OWNER NAME(S)

PO BOX 151

OWNER MAILING ADDRESS

MATTHEWS, NC 28106-0151

OWNER MAILING ADDRESS, CONTINUED

List all tax parcel numbers, names, and mailing addresses of all property owners subject to notification of this zoning application. Attach additional sheets if necessary.

See item #7 in instruction sheet titled "Instructions for Filing an Application for a Change in Zoning Classification or Change in Conditions for Property located in the Town of Matthews."

Application number

2010-SH4

For office use only

21501104

TAX PARCEL

JAMES MONROE FRINK & WILLIAM BUNN FRINK

PROPERTY OWNER NAME(S)

PO BOX 481

OWNER MAILING ADDRESS

MATTHEWS, NC 28106

OWNER MAILING ADDRESS, CONTINUED

21502127

TAX PARCEL

MATTHEWS COMMERCIAL PROPERTIES, LLC

PROPERTY OWNER NAME(S)

1324 BRAEBURN RD

OWNER MAILING ADDRESS

CHARLOTTE, NC 28211

OWNER MAILING ADDRESS, CONTINUED

21501115

TAX PARCEL

BAR-FOR-ONE, LLC

PROPERTY OWNER NAME(S)

452 MATTHEWS-MINT HILL RD #2

OWNER MAILING ADDRESS

MATTHEWS, NC 28105-2793

OWNER MAILING ADDRESS, CONTINUED

21502130

TAX PARCEL

EVAN DANIEL ROWELL & STEPHANIE MARIE ROWELL

PROPERTY OWNER NAME(S)

8156 SAPWOOD CT

OWNER MAILING ADDRESS

MATTHEWS, NC 28104

OWNER MAILING ADDRESS, CONTINUED

21501116

TAX PARCEL

BAR-FOR-ONE, LLC

PROPERTY OWNER NAME(S)

452 MATTHEWS-MINT HILL RD #2

OWNER MAILING ADDRESS

MATTHEWS, NC 28105-2793

OWNER MAILING ADDRESS, CONTINUED

21502151

TAX PARCEL

MATTHEWS COMMERCIAL PROPERTIES, LLC

PROPERTY OWNER NAME(S)

1324 BRAEBURN RD

OWNER MAILING ADDRESS

CHARLOTTE, NC 28211

OWNER MAILING ADDRESS, CONTINUED

21502126

TAX PARCEL

THREE AND ONE

PROPERTY OWNER NAME(S)

PO BOX 276

OWNER MAILING ADDRESS

MATTHEWS, NC 28106-0276

OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED

SUMMARY OF THE REZONING PROCESS

PETITIONER: Fill in dates for each action below before filing application. Refer to the current Planning Department rezoning schedule for correct dates.

PROPERTY OWNERS: These dates are assumed to be correct at the time of zoning application submittal but are subject to revision. Contact the Planning Department (704-847-4411, extension 224) for verification.

Application submitted to and accepted by the Town of Matthews December 30, 2010

Town Board of Commissioners formally accepts application and sets Public Hearing date January 10, 2011

Notices sent via mail to affected/adjacent property owners on or before ~~1/31/11~~ 2/28/11

Protest petition filed with Planning Department by 5:00 pm on ~~2/9/11~~ 3/9/11

Public hearing: petitioner may give explanation of why s/he wishes to have property rezoned and neighboring owners may ask questions and voice opinions on the proposed zoning ~~2/14/11~~ 3/14/11

Town Planning Board reviews petition, information, and comments from the public hearing, then makes a recommendation to the Board of Commissioners on whether to approve or deny the request ~~2/14/11~~ 3/27/11

Town Board of Commissioners approves or denies application ~~3/14/11~~ 4/11/11

GENERAL STATUTE 160A-385: CHANGES.

- (a) Zoning ordinances may from time to time be amended, supplemented, changed, modified or repealed. In case, however, of a qualified protest against a zoning map amendment, that amendment shall not become effective except by favorable vote of three-fourths of all the members of the city council. For the purposes of this subsection, vacant positions on the council and members who are excused from voting shall not be considered "members of the council" for calculation of the requisite supermajority. To qualify as a protest under this section, the petition must be signed by the owners of either (i) twenty percent (20%) or more of the area included in the proposed change or (ii) five percent (5%) of a 100-foot wide buffer extending along the entire boundary of each discrete or separate area proposed to be rezoned. A street right of way shall not be considered in computing the 100-foot buffer area as long as that street right of way is 100 feet wide or less. When less than an entire parcel of land is subject to the proposed zoning map amendment, the 100-foot buffer shall be measured from the property line of that parcel. In the absence of evidence to the contrary, the city may rely on the county tax listing to determine the "owners" of potentially qualifying areas. The foregoing provisions concerning protests shall not be applicable to any amendment which initially zones property added to the territorial coverage of the ordinance as a result of annexation or otherwise, or to an amendment to an adopted (i) special use district, (ii) conditional use district, or (iii) conditional district if the amendment does not change the types of uses that are permitted within the district or increase the approved density for residential development, or increase the total approved size of nonresidential development, or reduce the size of any buffers or screening approved for the special use district, conditional use district, or conditional district.
- (b) Amendments in zoning ordinances shall not be applicable or enforceable without consent of the owner with regard to buildings and uses for which either (i) building permits have been issued pursuant to GS 160A-417 prior to the enactment of the ordinance making the change or changes so long as the permits remain valid and unexpired pursuant to GS 160A-418 and unrevoked pursuant to GS 160A-422 or (ii) a vested right has been established pursuant to GS 160A-385.1 and such vested right remains valid and unexpired pursuant to GS 160A-385.1