



DATE FILED June 3, 2011
 APPLICATION NUMBER 2011-570
 For office use only

**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): 215-094-02 215-094-06

Address of property: INDEPENDENCE COMMERCE DR.

Location of property: 13.61 ACRES AT THE INTERSECTION OF INDEPENDENCE COMMERCE DRIVE AND MOUNT HARMONY CHURCH ROAD AND 1.33 ACRES I-40. COMM DR.

Title to the property was acquired on 6-19-1979 and was recorded in the name of LYNDALL THOMPSON AND PHILLIP GERDES whose mailing address is 5817 LERANON ROAD, CHARLOTTE, N.C. 28227

AND D.B. 16893 PAGE # 826

The deed is recorded in Book 04203 and Page 788 in the office of the Register of Deeds for Mecklenburg County.

Present zoning classification: B-2(CO) AND B-D(CO) Requested zoning classification: NO CHANGE IN ZONING CLASSIFICATION

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Final Decision Only

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

WE ARE ASKING FOR A CONDITION CHANGE TO
ALLOW IMMEDIATE ACCESS FROM STEVENS MILL ROAD
DUE TO THE IMPENDING CLOSURE OF THE ACCESS TO HIGHWAY
74 WESTBOUND ACCESS FROM INDEPENDENCE COMMERCE
DRIVE AND MOUNT HARMONY CHURCH ROAD. THIS ACCESS
POINT WILL CUT 1/2 (ONE-HALF) MILE OF TRAVEL AND
ALLOW INDEPENDENCE COMMERCE DRIVE BUSINESS TO
SURVIVE AND PRESERVE SOME MATTHEWS AND COUNTY TAX BASE

Signature of property owner (must be original)

Evelyn C. Gerdes
Evelyn C. Gerdes

Print name of property owner

1530 Queens Rd. #601

Property owner's mailing address

Charlotte, NC 28227-2576

Property owner's mailing address, continued

Property owner's mailing address, continued

704-302-3122

Property owner's phone number/email address

Lyndell D. Thompson
Signature of property owner (must be original)

Lois Y. Thompson

LYNDELL D. THOMPSON

Print name of property owner

5817 Lebanon Rd

Property owner's mailing address

Mint Hill, NC

Property owner's mailing address, continued

Property owner's mailing address, continued

704-575-3161

Property owner's phone number/email address

Charles Roger Martin

Signature of agent (if any)

CHARLES ROGER MARTIN

Print name of agent

2442 BAIN FARM ROAD

Agent's mailing address

MINT HILL, N.C.

Agent's mailing address, continued

28227

Agent's mailing address, continued

704-408-9739

Agent's phone number/email address

Petitioner other than owner (if any)

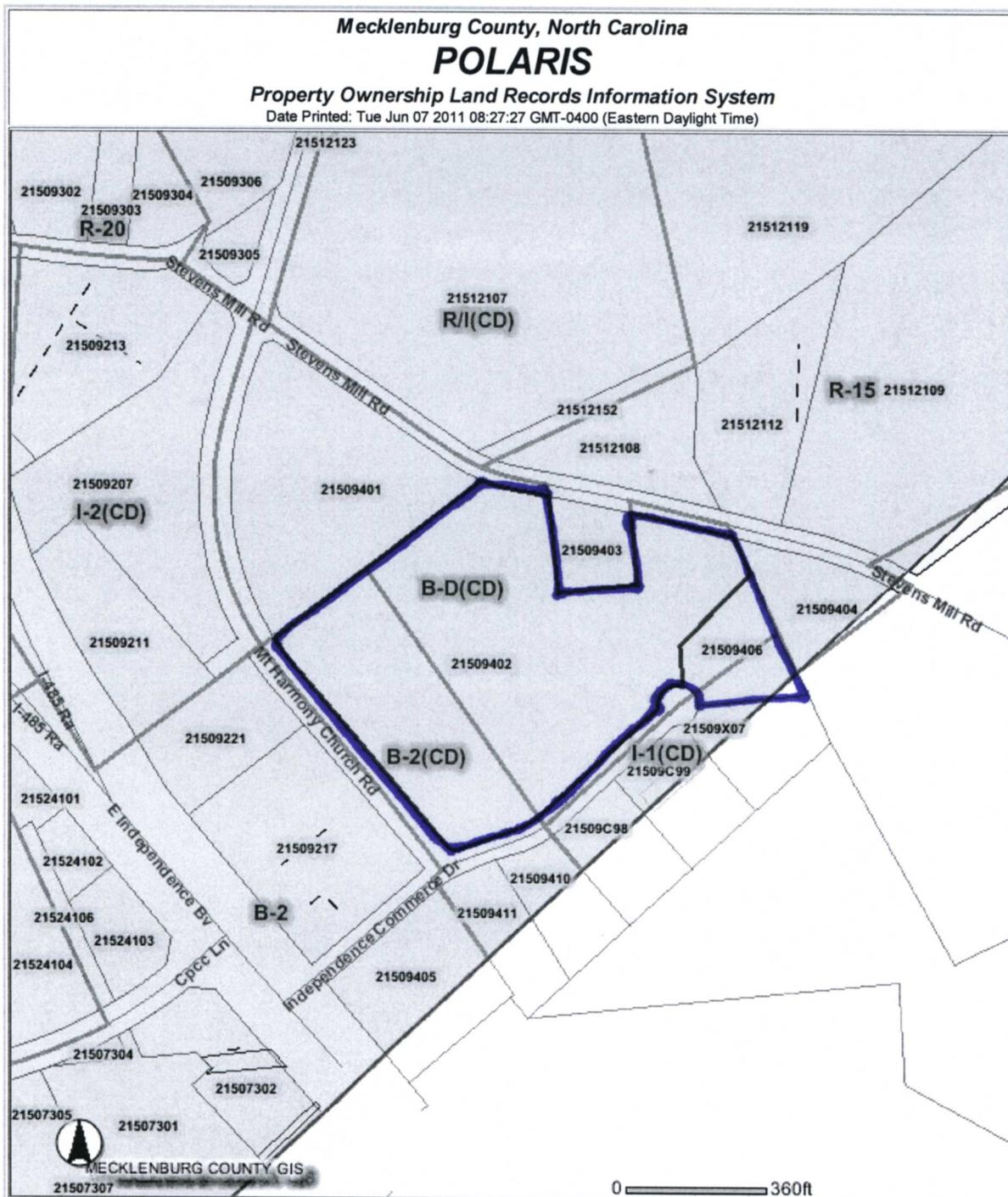
Print name of petitioner

Petitioner's mailing address

Petitioner's mailing address, continued

Petitioner's mailing address, continued

Petitioner's phone number/email address



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.

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."

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215-092-11
 215-092-07

TAX PARCEL
 W.T. Hill Family Limited P.
 PROPERTY OWNER NAME(S)
 1720 Medlin Road
 OWNER MAILING ADDRESS
 Monroe, N.C. 28112
 OWNER MAILING ADDRESS, CONTINUED

215-092-17

TAX PARCEL
 BILL Ingram
 PROPERTY OWNER NAME(S)
 8508 Park Road Suite 103
 OWNER MAILING ADDRESS
 Charlotte, N.C. 28210
 OWNER MAILING ADDRESS, CONTINUED

215-092-21

TAX PARCEL
 CEVINA INVESTMENTS
 PROPERTY OWNER NAME(S)
 5210 DODDINGTON CT.
 OWNER MAILING ADDRESS
 Charlotte, N.C. 28217
 OWNER MAILING ADDRESS, CONTINUED

215-094-05

TAX PARCEL
 INDEPENDENCE NHI L.L.C.
 PROPERTY OWNER NAME(S)
 2138 NORTONS DRIVE
 OWNER MAILING ADDRESS
 Charlotte, N.C. 28207
 OWNER MAILING ADDRESS, CONTINUED

215-094-10 & 215-094-11

TAX PARCEL
 ROGER MARTIN
 PROPERTY OWNER NAME(S)
 2442 Bain Farm Road
 OWNER MAILING ADDRESS
 Mt. Hill, N.C. 28227
 OWNER MAILING ADDRESS, CONTINUED

215-094-03

TAX PARCEL
 EARL SEAMON
 PROPERTY OWNER NAME(S)
 2416 STEVENS MILL Rd.
 OWNER MAILING ADDRESS
 Matthews, N.C. 28105
 OWNER MAILING ADDRESS, CONTINUED

215-094-01

TAX PARCEL
 W.T. Hill Family Limited P.
 PROPERTY OWNER NAME(S)
 1720 Medlin Road
 OWNER MAILING ADDRESS
 Monroe, N.C. 28112
 OWNER MAILING ADDRESS, CONTINUED

215-121-19

215-121-07

TAX PARCEL
 Team Church
 PROPERTY OWNER NAME(S)
 2301 STEVENS MILL Road
 OWNER MAILING ADDRESS
 Matthews, N.C. 28104
 OWNER MAILING ADDRESS, CONTINUED

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215-121-08
 TAX PARCEL
KENNETH DOOVER
 PROPERTY OWNER NAME(S)
2417 STEVENS MILL Rd.
 OWNER MAILING ADDRESS
MATTHEWS, N.C. 28105
 OWNER MAILING ADDRESS, CONTINUED

215-121-52
 TAX PARCEL
DEPT OF TRANSPORTATION
 PROPERTY OWNER NAME(S)
206 CHARTER STREET
 OWNER MAILING ADDRESS
ALBEMARLE, N.C. 28001
 OWNER MAILING ADDRESS, CONTINUED

215-121-12
 TAX PARCEL
THOMAS KEITH HARTIS
 PROPERTY OWNER NAME(S)
2501 STEVENS MILL ROAD
 OWNER MAILING ADDRESS
MATTHEWS, N.C. 28104
 OWNER MAILING ADDRESS, CONTINUED

UNION COUNTY
07099011002, 07099011003
 TAX PARCEL
ROGER HENDRIX
 PROPERTY OWNER NAME(S)
8835 IRA FLOWE ROAD
 OWNER MAILING ADDRESS
CHARLOTTE, N.C. 28227
 OWNER MAILING ADDRESS, CONTINUED

215-094-04
 TAX PARCEL
MICHAEL HARTIS
 PROPERTY OWNER NAME(S)
2524 STEVENS MILL Rd.
 OWNER MAILING ADDRESS
MATTHEWS, N.C. 28105
 OWNER MAILING ADDRESS, CONTINUED

07099011004
 TAX PARCEL
GAIL HAMILTON
 PROPERTY OWNER NAME(S)
2040 INDEPENDENCE COMMERCE DRIVE
 OWNER MAILING ADDRESS
SUITE C, MATTHEWS, N.C. 28105
 OWNER MAILING ADDRESS, CONTINUED

215-094-06
 TAX PARCEL
EVYLN GREGGES
LYNDALL THOMPSON
 PROPERTY OWNER NAME(S)
5817 LEBANON ROAD
 OWNER MAILING ADDRESS
CHARLOTTE, N.C. 28227
 OWNER MAILING ADDRESS, CONTINUED

07099011005 07099011006
 TAX PARCEL
VISCOUNT HOLDINGS L.L.C.
 PROPERTY OWNER NAME(S)
2040 INDEPENDENCE COMMERCE DR.
 OWNER MAILING ADDRESS
SUITE D, MATTHEWS, N.C. 28105
 OWNER MAILING ADDRESS, CONTINUED

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✓ 215-094-23, 215-094-24
 TAX PARCEL
 LOVE HOLF INDUSTRIES
 PROPERTY OWNER NAME(S)
 P.O. Box 457
 OWNER MAILING ADDRESS
 140104 TRAIL, N.C. 28079
 OWNER MAILING ADDRESS, CONTINUED

✓ 215-094-18
 TAX PARCEL
 GREEN STREET V L.L.C.
 PROPERTY OWNER NAME(S)
 4500 CAMERON VALLEY PKWY
 OWNER MAILING ADDRESS
 SUITE 100
 CHARLOTTE, N.C. 28211
 OWNER MAILING ADDRESS, CONTINUED

✓ 215-094-19
 TAX PARCEL
 H & J PROPERTIES
 PROPERTY OWNER NAME(S)
 1129 FLORE DR.
 OWNER MAILING ADDRESS
 MATTHEWS, N.C. 28104
 OWNER MAILING ADDRESS, CONTINUED

✓ 215-094-16, 215-094-17
 TAX PARCEL
 MSD INVESTMENTS L.L.C.
 PROPERTY OWNER NAME(S)
 8218 GLAMORGAN LN.
 OWNER MAILING ADDRESS
 MATTHEWS, N.C. 28104
 OWNER MAILING ADDRESS, CONTINUED

✓ 215-094-25
 JRA Property + Land Management
 101 East Matthews St, Ste 500
 Matthews, NC 28105
 OWNER MAILING ADDRESS, CONTINUED

Ⓟ 215-094-12, 215-094-13
 TAX PARCEL
 WEEKS REALTY L.L.C.
 PROPERTY OWNER NAME(S)
 2032 INDEPENDENCE COMMERCE DR.
 OWNER MAILING ADDRESS
 SUITE B.
 MATTHEWS, N.C. 28105
 OWNER MAILING ADDRESS, CONTINUED

✓ 215-094-20
 ✓ 215-094-21
 ✓ 215-094-22
 TAX PARCEL
 PLANTATION SOUTH COAST.
 PROPERTY OWNER NAME(S)
 2442 BAIN FARM ROAD
 OWNER MAILING ADDRESS
 MOUNT HILL, N.C. 28227
 OWNER MAILING ADDRESS, CONTINUED

✓ 215-094-14, 215-094-15
 TAX PARCEL
 PLANTATION CAROLINA L.L.L.P.
 PROPERTY OWNER NAME(S)
 2442 BAIN FARM ROAD
 OWNER MAILING ADDRESS
 MOUNT HILL, N.C. 28227
 OWNER MAILING ADDRESS, CONTINUED

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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 JUNE 3RD 2011
Town Board of Commissioners formally accepts application and sets Public Hearing date JUNE 13TH 2011
Notices sent via mail to affected/adjacent property owners on or before JUNE 27TH 2011
Protest petition filed with Planning Department by 5:00 pm on JULY 6TH 2011
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 JULY 11TH 2011
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 JULY 26TH 2011
Town Board of Commissioners approves or denies application AUGUST 8TH 2011

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