



DATE FILED 12/30/2011
 APPLICATION NUMBER 2011-581
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): 19351104

Address of property: 4100 MARGARET WALLACE ROAD, MATHEWS, NC 28105

Location of property: ON MARGARET WALLACE ROAD BETWEEN DION DRIVE
 AND IDLEWILD ROAD, MATHEWS, NC

Title to the property was acquired on SEPTEMBER 11, 1998
 and was recorded in the name of BAPS CHARLOTTE LLC AND ATEN CORPORATE AFFAIRS
 whose mailing address is 81 SUTTONS LANE, PISCATAWAY, N.J. 08854

The deed is recorded in Book 9914 and Page 376 in the office of the Register of Deeds for Mecklenburg County.

Present zoning classification: R/I (CO) Requested zoning classification: R/I (CO)

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

SEE EXHIBIT "A" ATTACHED HERETO AND
INCORPORATED HEREIN BY THIS REFERENCE

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Hiren Patel
Signature of property owner (must be original)

Hiren Patel
Signature of property owner (must be original)

HIREN PATEL
Print name of property owner

HIREN PATEL
Print name of property owner

4100 MARGARET WALLACE RD
Property owner's mailing address

4100 MARGARET WALLACE RD
Property owner's mailing address

MATTHEWS, NC 28105
Property owner's mailing address, continued

MATTHEWS, NC 28105
Property owner's mailing address, continued

Property owner's mailing address, continued

Property owner's mailing address, continued

704-941-5932/patelh99@gmail.com
Property owner's phone number/email address

704-941-5932/patelh99@gmail.com
Property owner's phone number/email address

SB Patel
Signature of agent (if any)

Petitioner other than owner (if any)

GAUTAM B. PATEL
Print name of agent

Print name of petitioner

3600 MOORELAND FARMS RD
Agent's mailing address

Petitioner's mailing address

CHARLOTTE, NC 28226
Agent's mailing address, continued

Petitioner's mailing address, continued

Agent's mailing address, continued
gbpglobal@yahoo.com
(704) 622-5439

Petitioner's mailing address, continued

Agent's phone number/email address

Petitioner's phone number/email address

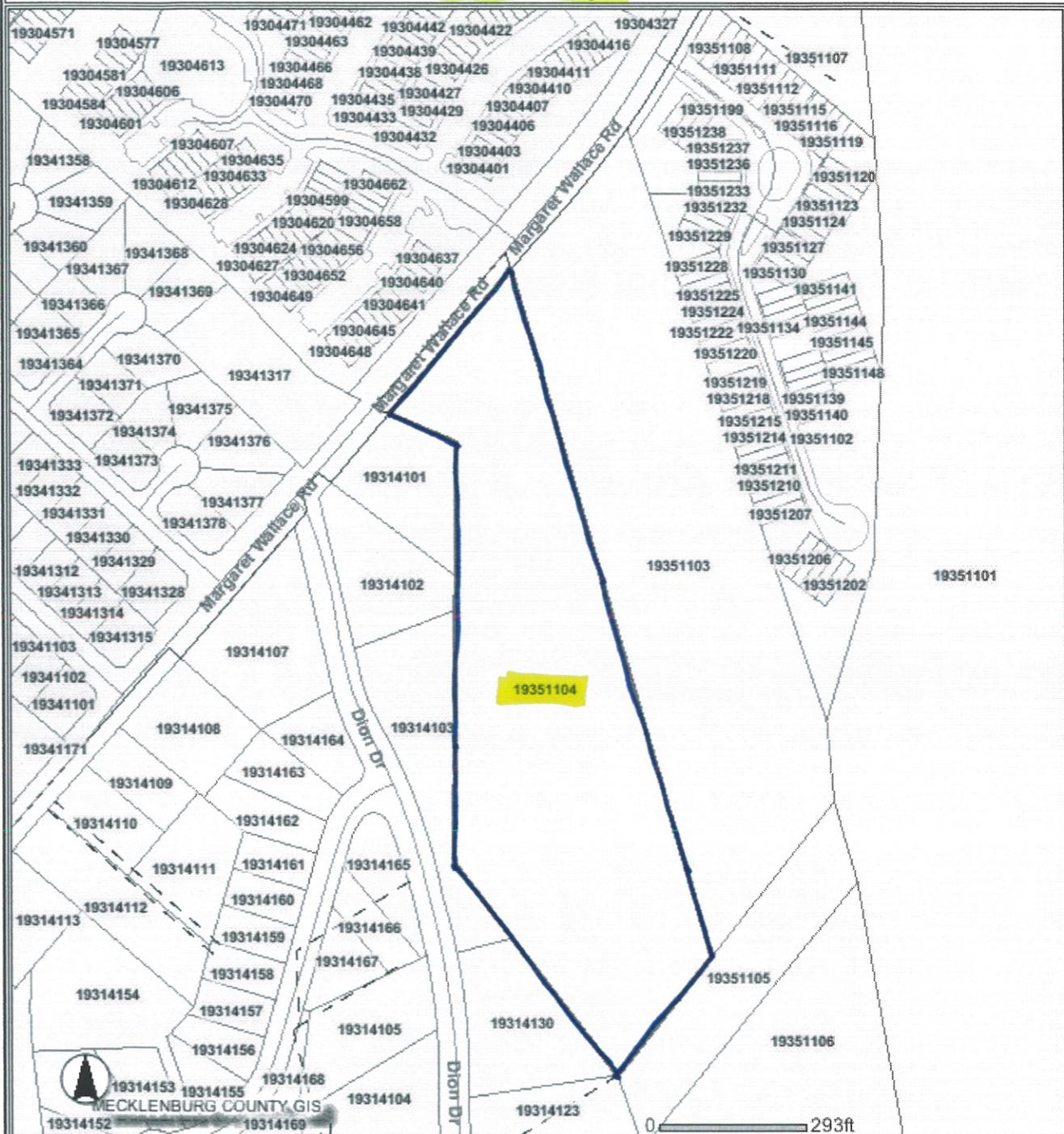
Exhibit " A "

On behalf of BAPS Temple, please accept this letter as a formal request to place two prefabricated class rooms on our premises to accommodate the different grades of our Sunday School students. We feel separating Sunday School into age appropriate classes will facilitate peer to peer learning and foster the learning process in an educational environment. This will not change the footprint of the building, nor will it increase the capacity of the attendees. The placement of the classroom will also not affect or impede the traffic flow and will be strategically hidden behind the landscape to ensure minimum visibility from the main road.

Mecklenburg County, North Carolina
POLARIS
 Property Ownership Land Records Information System

Date Printed: Tue Dec 27 11:04:49 EST 2011

BAPS Temple



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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✓ 19314101 001

TAX PARCEL

DAVE C GLENN & ANNETTE GLENN
PROPERTY OWNER NAME(S)

4016 MARGARET WALLACE RD
OWNER MAILING ADDRESS

MATHEWS, NC 28105
OWNER MAILING ADDRESS, CONTINUED

✓ 19314102 001

TAX PARCEL

JERRY LEE SMITH & SARAH J. SMITH
PROPERTY OWNER NAME(S)

4000 MARGARAT WALLACE RD
OWNER MAILING ADDRESS

MATHEWS, NC 28105
OWNER MAILING ADDRESS, CONTINUED

✓ 19314103

TAX PARCEL

JERRY LEE SMITH & SARAH J. SMITH
PROPERTY OWNER NAME(S)

4000 MARGARAT WALLACE RD
OWNER MAILING ADDRESS

MATHEWS, NC 28105
OWNER MAILING ADDRESS, CONTINUED

✓ 19314130

TAX PARCEL

JAY ROBINSON & % JAY ROBINSON INC
PROPERTY OWNER NAME(S)

3901 SARDIS CHURCH RD
OWNER MAILING ADDRESS

MONROE, NC 28110
OWNER MAILING ADDRESS, CONTINUED

✓ 19314123

TAX PARCEL

JONLY VAUGHN ROBINSON & DORIS
PROPERTY OWNER NAME(S) ROBINSON

3301 DION DR
OWNER MAILING ADDRESS

MATHEWS, NC 28105
OWNER MAILING ADDRESS, CONTINUED

✓ 19351105

TAX PARCEL

JONLY VAUGHN ROBINSON & DORIS
PROPERTY OWNER NAME(S) ROBINSON

3301 DION DR
OWNER MAILING ADDRESS

MATHEWS, NC 28105
OWNER MAILING ADDRESS, CONTINUED

✓ 19351103

TAX PARCEL

CENTER INC WORD OF FAITH WORLD
PROPERTY OWNER NAME(S) OUTREACH

4726 MONROE RD
OWNER MAILING ADDRESS

CHARLOTTE, NC 28205
OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED

See pages 3A & 3B

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✓19304637

TAX PARCEL

SORRELL O'CONNOR

PROPERTY OWNER NAME(S)

3605 MELROSE COTTAGE DR

OWNER MAILING ADDRESS

MATHEWS, NC 28105

OWNER MAILING ADDRESS, CONTINUED

✓19304648

TAX PARCEL

EUGENE COLEMAN & WENDY

PROPERTY OWNER NAME(S)

COLEMAN

3631 MELROSE COTTAGE DR

OWNER MAILING ADDRESS

MATHEWS, NC 28105

OWNER MAILING ADDRESS, CONTINUED

✓19304640

TAX PARCEL

BARBARA N MEADOR

PROPERTY OWNER NAME(S)

3611 MELROSE COTTAGE DR

OWNER MAILING ADDRESS

MATHEWS, NC 28105

OWNER MAILING ADDRESS, CONTINUED

✓19304642

TAX PARCEL

SILVIA I LEGUIZAMON

PROPERTY OWNER NAME(S)

3632 MANOR HOUSE DR

OWNER MAILING ADDRESS

CHARLOTTE, NC 28270

OWNER MAILING ADDRESS, CONTINUED

✓19304641

TAX PARCEL

CHARLES W FRIEND & JULIA W.

PROPERTY OWNER NAME(S)

FRIEND

3615 MELROSE COTTAGE DR

OWNER MAILING ADDRESS

MATHEWS, NC 28105

OWNER MAILING ADDRESS, CONTINUED

✓19304643

TAX PARCEL

JESSICA LEIGH MOSER

PROPERTY OWNER NAME(S)

3621 MELROSE COTTAGE DR

OWNER MAILING ADDRESS

MATHEWS, NC 28105

OWNER MAILING ADDRESS, CONTINUED

✓19304645

TAX PARCEL

IMAN GREEN

PROPERTY OWNER NAME(S)

3625 MELROSE COTTAGE DR

OWNER MAILING ADDRESS

MATHEWS, NC 28105

OWNER MAILING ADDRESS, CONTINUED

✓19304644

TAX PARCEL

JASON A SIMON

PROPERTY OWNER NAME(S)

3623 MELROSE COTTAGE DR

OWNER MAILING ADDRESS

MATHEWS, NC 28105

OWNER MAILING ADDRESS, CONTINUED

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✓ 19304646

TAX PARCEL

AMANDA D. PEMBERTON
PROPERTY OWNER NAME(S)

3627 MELROSE COTTAGE DR
OWNER MAILING ADDRESS

MATHEWS, NC 28105
OWNER MAILING ADDRESS, CONTINUED

✓ 19304647

TAX PARCEL

MADLINE CUETO
PROPERTY OWNER NAME(S)

3629 MELROSE COTTAGE RD
OWNER MAILING ADDRESS

MATHEWS, NC 28105
OWNER MAILING ADDRESS, CONTINUED

~~19341317~~

TAX PARCEL

X ~~RONALD O ELLER~~
PROPERTY OWNER NAME(S)

X ~~4017 MARGARET WALLACE RD~~
OWNER MAILING ADDRESS

~~MATHEWS, NC 28105~~
OWNER MAILING ADDRESS, CONTINUED

19341317

TAX PARCEL

James + Bonnie Batten
PROPERTY OWNER NAME(S)

9630 Newby Lane
OWNER MAILING ADDRESS

Mathews, NC 28105
OWNER MAILING ADDRESS, CONTINUED

19304599

TAX PARCEL

Melrose Owners Asst, c/o Henderson Properties
PROPERTY OWNER NAME(S)

919 Norland Road
OWNER MAILING ADDRESS

Charlotte, NC 28205
OWNER MAILING ADDRESS, CONTINUED

19304638

TAX PARCEL

Arsenio + Roselyn Braza
PROPERTY OWNER NAME(S)

3607 Melrose Cottage Drive
OWNER MAILING ADDRESS

Mathews, NC 28105
OWNER MAILING ADDRESS, CONTINUED

19304639

TAX PARCEL

Elizabeth C. Grimes
PROPERTY OWNER NAME(S)

3609 Melrose Cottage Drive
OWNER MAILING ADDRESS

Mathews, NC 28105
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 Dec 30, 2011

Town Board of Commissioners formally accepts application and sets Public Hearing date Jan. 09, 2012

Notices sent via mail to affected/adjacent property owners on or before Jan 30, 2012

Protest petition filed with Planning Department by 5:00 pm on Feb 08, 2012

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 Feb 13, 2012

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 Feb. 28, 2012

Town Board of Commissioners approves or denies application March 12, 2012

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