



DATE FILED <u>3/30/2012</u>
APPLICATION NUMBER <u>2012-588</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.

19330203

Tax parcel number(s): _____

1700 WINDSOR SQ DR. MATTHEWS, NC 28105

Address of property: _____

LOCATED AT THE CORNER OF WINDSOR SQ DR AND INDEPENDENCE BLVD.

Location of property:

Title to the property was acquired on 9-23-2010

and was recorded in the name of S L AND E INVESTMENTS, LLC

whose mailing address is 7935 COUNCIL PLACE MATTHEWS, NC 28105

The deed is recorded in Book 5566 and Page 956 in the office of the Register of Deeds for Mecklenburg County.

Present zoning classification: C Requested zoning classification: B2 (CD)

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

EXISTING ZONING IS NO LONGER VALID IN THE CURRENT REGULATIONS.
REZONING TO BRING INTO COMPLIANCE WITH CURRENT ZONING ORDINANCES.

Application number

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For office use only

Adnan Jazairi

Signature of property owner (must be original)

S L & E INVESTMENTS LLC

Print name of property owner

7935 COUNCIL PLACE ST 200

Property owner's mailing address

MATTHEWS, NC 28105

Property owner's mailing address, continued

Property owner's mailing address, continued

704-567-8424, ajazairi@samsmartinc.com

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

J. Dean Prevette

Signature of agent (if any)

J. DEAN PREVETTE, P.E.

Print name of agent

2923 S TRYON ST. STE 120

Agent's mailing address

CHARLOTTE, NC 28203

Agent's mailing address, continued

Agent's mailing address, continued

704-941-6613, DEAN@METROLINADESIGN.COM

Agent's phone number/email address

J. Dean Prevette

Petitioner other than owner (if any)

J. DEAN PREVETTE, P.E.

Print name of petitioner

2923 S TRYON ST. STE 120

Petitioner's mailing address

CHARLOTTE, NC 28203

Petitioner's mailing address, continued

Petitioner's mailing address, continued

704-941-6613, DEAN@METROLINADESIGN.COM

Petitioner's phone number/email address

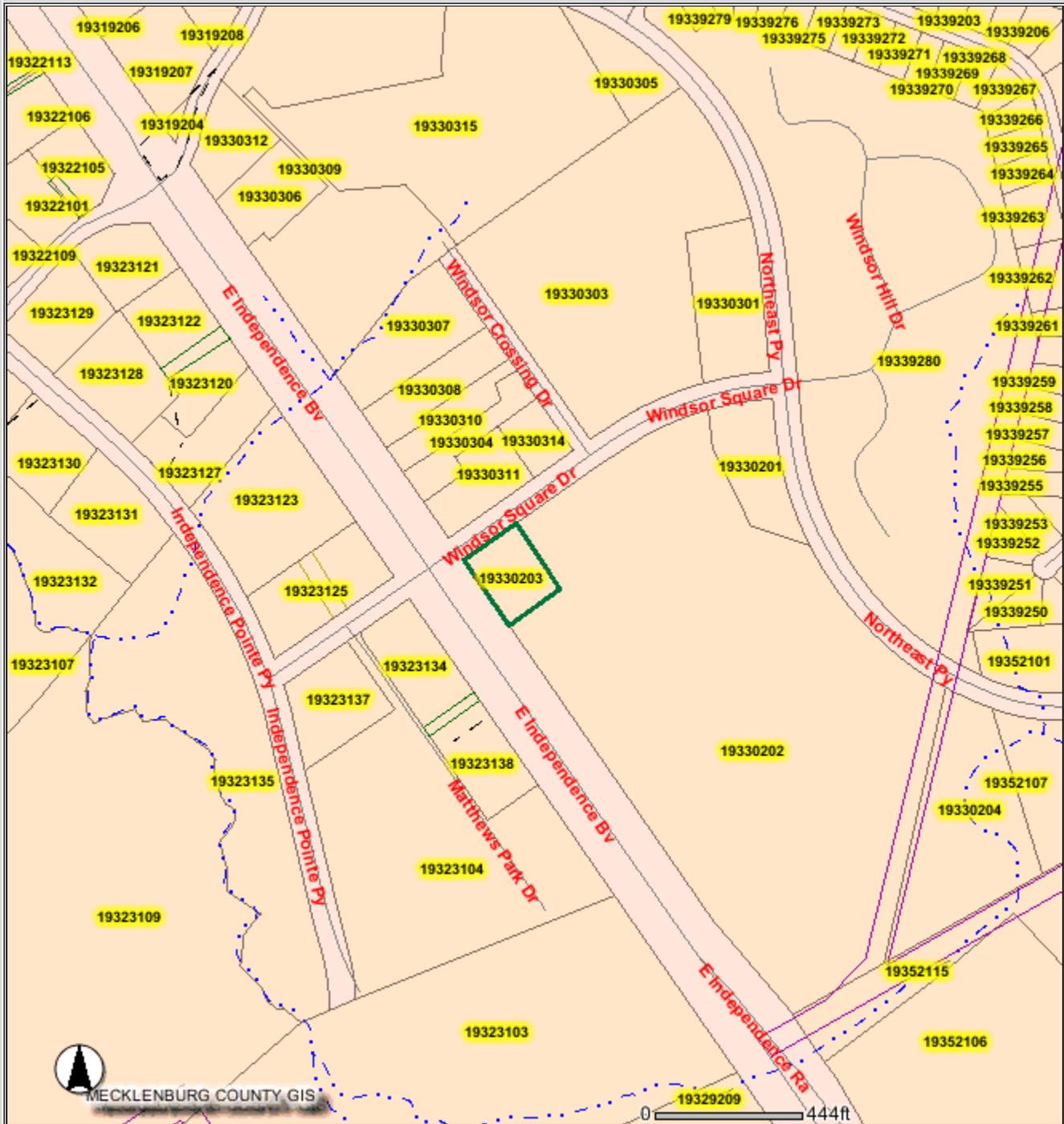
Mecklenburg County, North Carolina

POLARIS

Property Ownership Land Records Information System

Date Printed: Tue Apr 03 2012 10:13:24 GMT-0400 (Eastern Daylight Time)

1700 WINDSOR SQUARE DR



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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19330203*

TAX PARCEL

SL&E INVESTMENTS

PROPERTY OWNER NAME(S)

7935 COUNCIL PLACE, STE 200

OWNER MAILING ADDRESS

MATTHEWS NC 28105

OWNER MAILING ADDRESS, CONTINUED

19330311

TAX PARCEL

CARROLL FAMILY INVESTMENTS LTD

PROPERTY OWNER NAME(S)

2340 INTERSTATE 20 WEST, STE 100

OWNER MAILING ADDRESS

ARLINGTON TX 76017

OWNER MAILING ADDRESS, CONTINUED

19323125

TAX PARCEL

BEFREIT INC

PROPERTY OWNER NAME(S)

3776 S HIGH STREET

OWNER MAILING ADDRESS

COLUMBUS OH 43207-4012

OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED

19330202

TAX PARCEL

SC WINDSOR ASSOCIATES LP

PROPERTY OWNER NAME(S)

340 ROYAL PONCIANA WAY #316

OWNER MAILING ADDRESS

PALM BEACH FL 33480

OWNER MAILING ADDRESS, CONTINUED

19323134

TAX PARCEL

CHICK-FIL-A INC

PROPERTY OWNER NAME(S)

5200 BUFFINGTON ROAD

OWNER MAILING ADDRESS

ATLANTA GA 30349

OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

OWNER MAILING ADDRESS, CONTINUED



Metrolina Design

J Dean Prevette, PE
2923 S Tryon St, Ste 130
Charlotte NC 28203
704-941-6613

March 30, 2012

Re:

7-Eleven Windsor Square
1700 Windsor Square Dr.
Matthews, NC 28105

Please accept this as a request to waive the traffic impact analysis for 7-Eleven Windsor Square site, since there is no increase in the number of fuel dispensers.

Thank you for your assistance,

A handwritten signature in blue ink, reading "J. Dean Prevette".

Dean Prevette, P.E.



Metrolina Design

J Dean Prevette, PE
2923 S Tryon St, Ste 130
Charlotte NC 28203
704-941-6613

March 30, 2012

Re:

7-Eleven Windsor Square
1700 Windsor Square Dr.
Matthews, NC 28105

Please accept this letter in response to explain how this request is reasonable and is consistent with the conformations of adopted development goals and policies of the Town of Matthews.

We have held several meetings with the town planning department to discuss the proposed expansion of the convenience store and it is our understanding this use will meet the requirements of the current zoning ordinances.

Thank you for your assistance,

A handwritten signature in blue ink, reading "J. Dean Prevette". The signature is stylized and cursive.

Dean Prevette, P.E.

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 _____

Town Board of Commissioners formally accepts application and sets Public Hearing date _____

Notices sent via mail to affected/adjacent property owners on or before _____

Protest petition filed with Planning Department by 5:00 pm on _____

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 _____

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 _____

Town Board of Commissioners approves or denies application _____

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