



DATE FILED 11/29/2012
 APPLICATION NUMBER 2012-595
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): 21503214, 21503215

929-1015 MATTHEWS SCHOOL RD

Address of property: _____

MATTHEWS SCHOOL RD, HABITAT FOR HUMANITY - SUNRISE CROSSING DEVELOPMENT

Location of property:

Title to the property was acquired on 05/24/2011

and was recorded in the name of Habitat for Humanity of Matthews, Inc.

whose mailing address is PO Box 2008, Matthews, NC 28106

The deed is recorded in Book 25982 and 26499 and Page 977 and 223 in the office of the Register of Deeds for Mecklenburg County.

Present zoning classification: R-12 Requested zoning classification: R-VS

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

Habitat for Humanity of Matthews (HFHM) requests the rezoning of two parcels within an existing HFHM community of Sunrise Crossing. The rezoning from R-12 to the requested R-VS is to ensure that the existing parcels provide the most efficient yield of residential build sites in order to provide affordable, decent housing for deserving families.
(See attached cover letter for additional detail)

Application number
2012-595
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Signature of property owner (must be original)

Habitat for Humanity of Matthews, Inc.

Print name of property owner
PO Box 2008

Property owner's mailing address
Matthews, NC 28106

Property owner's mailing address, continued

Property owner's mailing address, continued

704-847-4266, 223

Property owner's phone number/email address
brian@habitatmatthews.org

Signature of agent (if any)

N/A

Print name of agent

Agent's mailing address

Agent's mailing address, continued

Agent's mailing address, continued

Agent's phone number/email address

Signature of property owner (must be original)

N/A

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

Petitioner other than owner (if any)

N/A

Print name of petitioner

Petitioner's mailing address

Petitioner's mailing address, continued

Petitioner's mailing address, continued

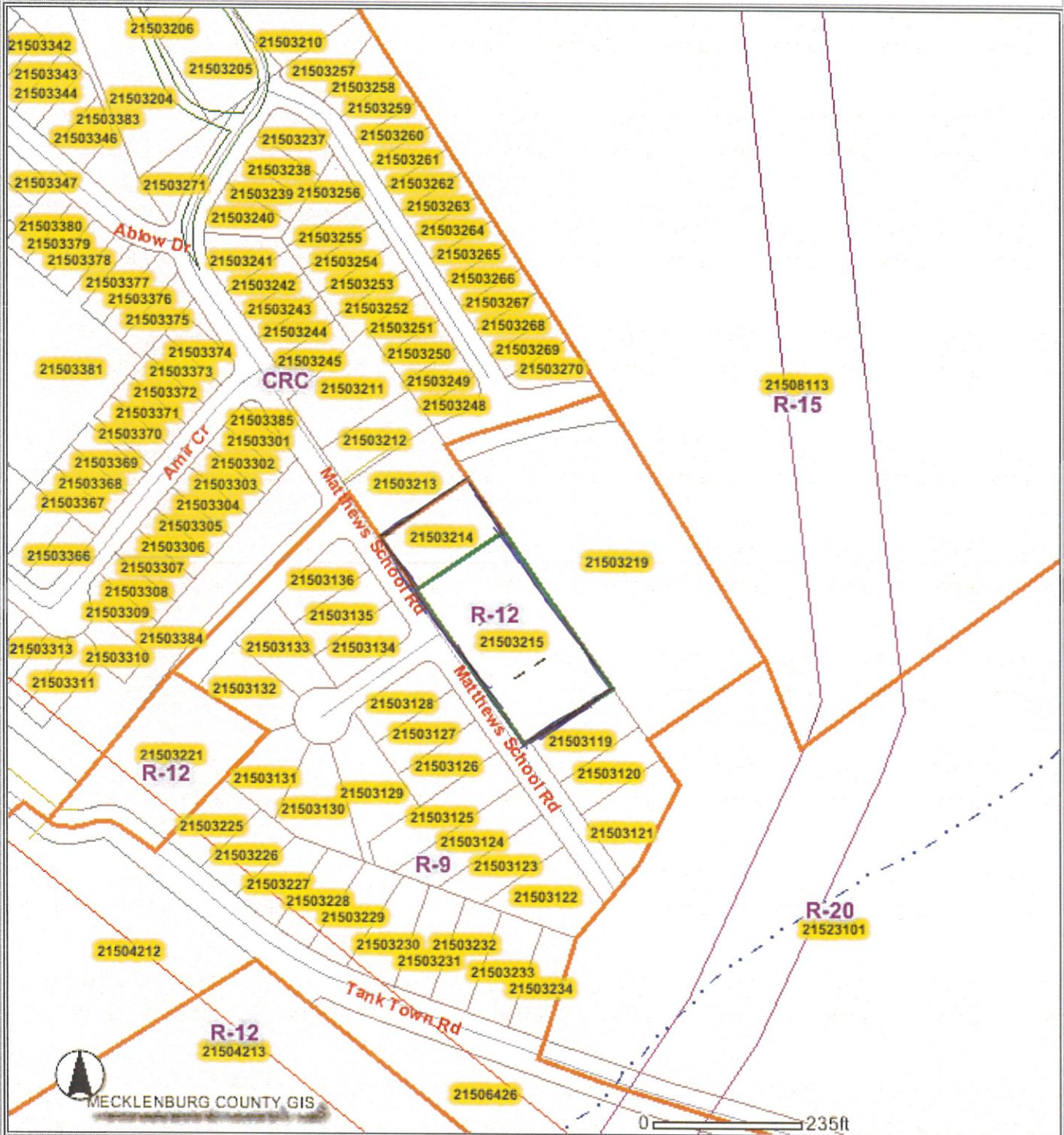
Petitioner's phone number/email address

POLARIS

Property Ownership Land Records Information System

Date Printed: Mon Dec 03 2012 10:44:19 GMT-0500 (Eastern Standard Time)

Sunrise Crossing - Phase II

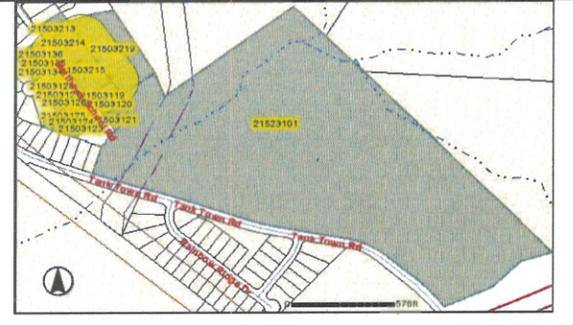


This map is prepared for the inventory of real property within Mecklenburg County and is compiled from recorded deeds, plats, tax maps, surveys, planimetric maps, and other public records and data. Users of this map are hereby notified that the aforementioned public primary information sources should be consulted for verification. Mecklenburg County and its mapping contractors assume no legal responsibility for the information contained herein.



Adjacent Property Owner Report - 150FT

PARCEL ID	OWNER NAME	MAILING ADDRESS	CITY	STATE	ZIP CODE	PROPERTY ADDRESS	LEGAL DESCRIPTION	DEED BOOK	DEED PAGE	LAND AREA	RELATIVE LOCATION to REQUESTED PARCEL(S) TO BE REZONED
21503119	Y SOAI NAI AND H PHER SIU	1019 MATHEWS SCHOOL RD	MATTHEWS	NC	28105	1019 MATTHEWS SCHOOL RD	L18 M50-248	25392	481	1 LT	Adjacent (SE) to parcel #21503215
21503120	Y BEIN KSOR AND H GOAI RCHAM	1023 MATTHEWS SCHOOL RD	MATTHEWS	NC	28105	1023 MATTHEWS SCHOOL RD	L17 M50-248	25274	968	1 LT	(SE) of parcel #21503215
21503121	MAKALEBO KANKIENZA AND CLARA BEYOKO	1027 MATTHEWS SCHOOL RD	MATTHEWS	NC	28105	1027 MATTHEWS SCHOOL RD	L16 M50-248	26221	668	1 LT	(SE) of parcel #21503215
21503123	NICOLE BONO	1024 MATTHEWS SCHOOL RD	MATTHEWS	NC	28105	1024 MATTHEWS SCHOOL RD	L14 M50-248	26392	129	1 LT	Across (S) Matthews School RD from parcel #21503215
21503124	Y SEIP BYA AND H DJOK RCAM	1020 MATTHEWS SCHOOL RD	MATTHEWS	NC	28105	1020 MATTHEWS SCHOOL RD	L13 M50-248	25229	943	1 LT	Across (S) Matthews School RD from parcel #21503215
21503125	ULANI TIMMONS	1016 MATTHEWS SCHOOL RD	MATTHEWS	NC	28105	1016 MATTHEWS SCHOOL RD	L12 M50-248	25148	982	1 LT	Across (S) Matthews School RD from parcel #21503215
21503126	ER RMAH AND BI SIU	1012 MATTHEWS SCHOOL RD	MATTHEWS	NC	28105	1012 MATTHEWS SCHOOL RD	L11 M50-248	25028	402	1 LT	Across (SW) Matthews School RD from parcel #21503215
21503127	MONICA MELTON	1008 MATTHEWS SCHOOL RD	MATTHEWS	NC	28105	1008 MATTHEWS SCHOOL RD	L10 M50-248	25091	314	1 LT	Across (SW) Matthews School RD from parcel #21503215
21503128	MATTHEWS INC HABITAT FOR HUMANITY OF	PO BOX 2008	MATTHEWS	NC	28105	1004 MATTHEWS SCHOOL RD	L9 M50-248	9900	843	1 LT	Across (SW) Matthews School RD from parcel #21503215
21503134	LYCONIA MONIQUE THOMAS	940 MATTHEWS SCHOOL RD	MATTHEWS	NC	28105	940 MATTHEWS SCHOOL RD	L3 M50-248	24496	492	1 LT	Across (W) Matthews School RD from parcel #21503215
21503135	MELISSA WORLEY	936 MATTHEWS SCHOOL RD	MATTHEWS	NC	28105	936 MATTHEWS SCHOOL RD	L2 M50-248	24548	316	1 LT	Across (SW) Matthews School RD from parcel #21503214
21503136	LACHANDRA BEASLEY	932 MATTHEWS SCHOOL RD	MATTHEWS	NC	28105	932 MATTHEWS SCHOOL RD	L1 M50-248	24414	571	1 LT	Across (W) Matthews School RD from parcel #21503214
21503213	LAWRENCE PEGGY A LAWRENCE	PO BOX 533	MATTHEWS	NC	28106-0533	925 MATTHEWS SCHOOL RD	L3 M1166-567	22410	281	.39 SMAC	Adjacent (NW) to parcel #21503214
21503219	ASSOC INC CRESTDALE CROSSING HOMEOWNERS	4957 ALBEMARLE RD	CHARLOTTE	NC	28205	MATTHEWS SCHOOL RD	COS M40-103	19755	614	2.6 AC	Adjacent (E) to parcels #21503214 and #21503215
21523101	MECKLENBURG COUNTY AND % REAL ESTATE /FINANCE	600 E 4TH ST 11TH FLOOR	CHARLOTTE	NC	28202-2816	1601 TANK TOWN RD	NA	5732	799	47.06 AC	(SE) of parcel #21503215
21503212	MARTIN NUNEZ MORA	921 MATTHEWS SCHOOL RD	MATTHEWS	NC	28105	921 MATTHEWS SCHOOL RD	P2 M1166-567	20221	540	0 SMAC	(N) of parcel #21503214
21503248	DAN MOSER COMPANY INC	PO BOX 350	MINERAL SPRINGS	NC	28108	1054 CRESTDALE CROSSING DR	COS M40-103			1 LT	(NW) of parcel #21503214
21503249	MELVIN COCHRAN AND SHANNON COCHRAN	1050 CRESTDALE CROSSING DR	MATTHEWS	NC	28105	1050 CRESTDALE CROSSING DR	L14 M40-103	17133	527	1 LT	(NW) of parcel #21503214
21503384	ASSOC INC CRESTDALE CROSSING HOMEOWNERS	PO BOX 350	MINERAL SPRINGS	NC	28108	ABLOW DR	COS M35-553	12786	731	1 LT	(W) of parcel #21503214
Parcels to be Rezoned											
21503214	HABITAT FOR HUMANITY OF MATTHEWS INC	PO BOX 2008	MATTHEWS	NC	28105	MATTHEWS SCHOOL RD	L4 M1166-567	25982	977	.38 SMAC	
21503215	HABITAT FOR HUMANITY OF MATTHEWS INC	PO BOX 2008	MATTHEWS	NC	28106	MATTHEWS SCHOOL RD	L5-7 M1166-567	26499	223	1.13 SMAC	



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 _____ 11/30/2012

Town Board of Commissioners formally accepts application and sets Public Hearing date _____ 12/10/2012

Notices sent via mail to affected/adjacent property owners on or before _____ 1/28/2013

Protest petition filed with Planning Department by 5:00 pm on _____ 2/6/2013

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 _____ 2/11/2013

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 _____ 2/26/2013

Town Board of Commissioners approves or denies application _____ 3/11/2013

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



«OWNER_NAME»
«MAILING_ADDRESS»
«CITY» «STATE» «ZIP_CODE»

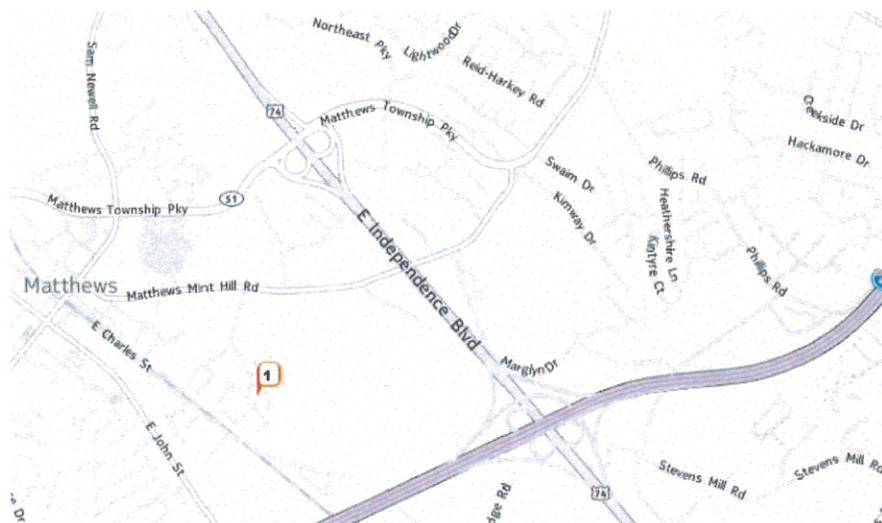
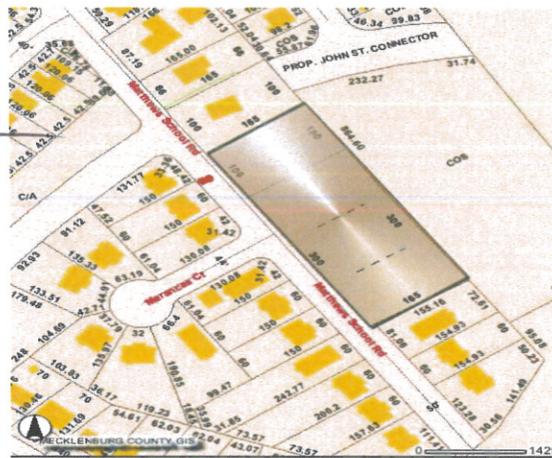
Dear «OWNER_NAME»,

Habitat for Humanity of Matthews is writing you regarding an upcoming rezoning of property, in your area. The two parcels (i.e., 21503214 and 21503215), highlighted on the first map, below, are part of a rezoning request to the Town of Matthews. This notice is to inform you of an upcoming meeting.

This meeting is to update you on the reclassification of land to be used for new homes. We will have more detailed information about the subdivided parcels, at that time.

Respectfully,


Terrell Blackmon
Executive Director





Rezoning Request - Detail
Habitat for Humanity of Matthews
Sunrise Crossing – Phase 2

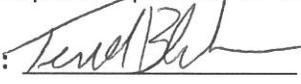
Habitat for Humanity of Matthews (HFHM) requests the rezoning of two parcels (21503214 and 21503214) within the existing HFHM community of Sunrise Crossing (on Matthews School RD, across from Merancas CT) from the Town of Matthews (TOM). The request aligns with the Matthews Land Use Plan 2002-2012, which states: *"The quadrant bounded by the I-485 interchange, the railroad tracks, the future Independence Pointe connector road, and backing up to the Crestdale residential area may be an appropriate site for institutional or R-VS residential development."* And it further iterates: *"At the John/I-485 quadrant backing up to the Crestdale neighborhood, traditional single-family residential or R-VS alternative styles of housing should be requested."*

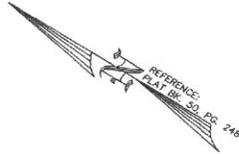
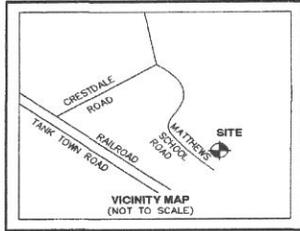
The rezoning from R-12 to R-VS will ensure that the existing parcels provide the most efficient yield of affordable, decent housing sites for deserving families. The prospected homes are will adhere to the R-VS zoning dimensions, while exceeding physical separation standards between structures. We anticipate that, if the R-VS zoning is approved, it will permit the construction of housing for eight (8) families. HFHM will attempt to identify a variety of architectural plans, which will blend with the existing styles of the surrounding community, in an aesthetically-appropriate manner. All homes will be constructed within energy-efficient and sustainable building guidelines. HFHM's desire to enhance the quality of life is of paramount concern, and it views each family as a partner for the long term.

Both parcels provide ample tree canopy and possess elevated topography, which allows for effective storm water runoff. Driveway connectivity will be to an existing paved street (i.e., Matthews School RD). All home sites will have adequate space, both length and width for two (2) parking spaces, surrounded by ample green space. And this area will not protrude into the existing right-of-way. Rezoned parcels will retain a maximum area of green space (i.e., an optimum amount of tree canopy and ground cover) to inhibit soil erosion and enhance rainwater absorption. The anticipated subdivision of the parcels will result in nine (9) sections. Eight (8) of the sections will be 48' W. Regarding the remaining one (1) section (≈15' W), HFHM will collaborate with the TOM to identify an appropriate use, which aligns with the TOM's efforts regarding the proposed John ST connector road. The future access road for the anticipated *Matthews Sportsplex* is adjacent. It will allow residents and their children have access to many amenities, which will improve quality of life.

If the TOM approves this rezoning request, HFHM would begin the subdivision process, which would include platting and dedicating proper road right-of-way. In addition, HFHM would work with the TOM to identify proper infrastructure improvements (e.g., sidewalks). Curbing and storm water drainage is already in place, along the entire street front of both parcels.

HFHM will continue to work closely with Planning Board, Town Staff, and Leadership, along with members of the Sunrise Crossing Community, to ensure that the rezoned parcels, along with the prospected homes, will continue enhance the quality of life as well as be a point of pride for all who live there.

Name: Terrell Blackmon Signature:  Date: 11/28/2012

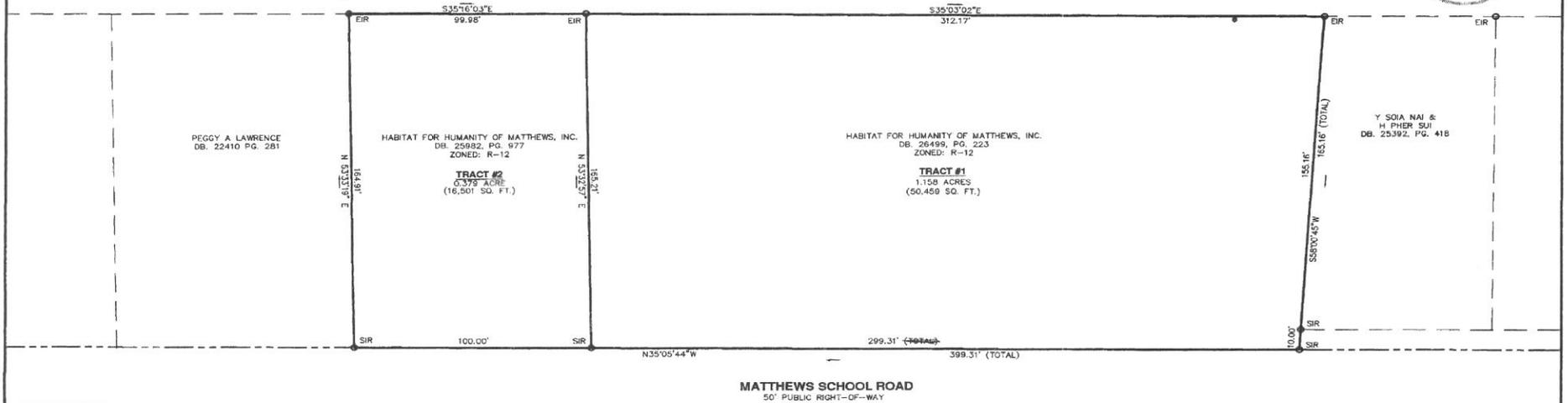


CRESTDALE HOME OWNERS ASSOC. INC.
DB. 19735, PG. 814

SURVEYOR CERTIFICATE

STATE OF NORTH CAROLINA
COUNTY OF UNION
THE UNDERSIGNED SURVEYOR, BEING DULY SWORN DEPOSES AND SAYS
THAT THE PLAT UPON WHICH THIS CERTIFICATE APPEARS WAS PREPARED
IN ACCORDANCE WITH G.S. 47-30 AS AMENDED; IS IN ALL RESPECTS
CORRECT ACCORDING TO THE BEST OF HIS KNOWLEDGE AND BELIEF,
AND WAS PREPARED FROM AN ACTUAL SURVEY MADE UNDER HIS
SUPERVISION WITH A MAXIMUM LINEAR ERROR OR CLOSURE OF 1:10000
AND A MAXIMUM FIELD ERROR OF CLOSURE OF 7.5 SECONDS PER ANGLE

S. M. Sandy
SIBNEY M. SANDY
NCLRS L1396



TOTAL AREA:
1.537 ACRES
(66,960 SQ. FT.)

LEGEND
EIR=EXISTING IRON REBAR
SIR=SET IRON REBAR
CP=COMPUTED POINT
SQ. FT.=SQUARE FEET
DB.=DEED BOOK
PG.=PAGE

NOTES

1. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT AND MAY NOT SHOW ALL EASEMENTS AND MATTERS THAT MAY AFFECT SUBJECT PROPERTY.
2. UTILITIES SHOWN ON THIS MAP ARE BASED UPON INFORMATION PROVIDED BY OTHERS AND/OR ABOVE GROUND OBSERVATIONS. ACTUAL LOCATIONS OF UNDERGROUND UTILITIES MAY VARY AND THE SIZE, TYPE, DEPTH AND LOCATION SHOULD BE VERIFIED BEFORE ANY EXCAVATION OR CONSTRUCTION IS PERFORMED.
3. SUBJECT PROPERTY TAX PARCEL NUMBER: 215-032-14 & 15
4. SUBJECT PROPERTY ZONING: R-12
5. ALL ADJOINING LAND OWNER INFORMATION WAS TAKEN FROM CURRENT TAX RECORDS AND ARE CONSIDERED AS BEING NOW OR FORMERLY.
6. NO HORIZONTAL NORTH CAROLINA GEODETIC SURVEY MONUMENTS WERE FOUND WITHIN 2,000 FEET OF SUBJECT PROPERTY.
7. AREAS WERE COMPUTED BY THE COORDINATE GEOMETRY METHOD.
8. IRON REBAR SET AT ALL LOT CORNERS UNLESS OTHERWISE INDICATED.



BOUNDARY SURVEY OF
HABITAT FOR HUMANITY OF MATTHEWS, INC., PROPERTY

TAX ID# 215-032-14 & 15
MATTHEWS TWP., MECKLENBURG COUNTY, N. C.
DEED BOOK 1414, PAGE 83 & DB. 8321, PG. 955

S. M. SANDY SURVEYING
1833 WESLEY CHAPEL ROAD
INDIAN TRAIL, NC 28079
PHONE. (704) 289 - 8040

DATE: 06-06-12
SCALE: 1" = 30'
ACAD FILE: MSR-HFHM,INC