



DATE FILED 05-30-2013
APPLICATION NUMBER 2013-600
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): 215-012-24

Address of property: 316 E. MATTHEWS ST MATTHEWS NC 28105

Location of property:

Title to the property was acquired on October 3, 2012
and was recorded in the name of CHARLOTTE-MECKLENBURG HISTORIC LANDMARKS COMMISSION
whose mailing address is 2100 Randolph Rd
CHARLOTTE NC 28207

The deed is recorded in Book 27713 and Page 383 in the office of the Register of Deeds for Mecklenburg County.

Present zoning classification: R-20 Requested zoning classification: O-9(CD) ± R-20(CD)

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

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Convert Residential House to an office.

Donna Merrill for HLC
Signature of property owner (must be original)

Signature of property owner (must be original)

Charlotte-Mecklenburg HLC
Print name of property owner

Print name of property owner

2100 Randolph Rd.
Property owner's mailing address

Property owner's mailing address

Charlotte, N.C. 28207
Property owner's mailing address, continued

Property owner's mailing address, continued

Property owner's mailing address, continued

Property owner's mailing address, continued

704-376-9115
Donna.Merrill@MecklenburgCountyNC.gov
Property owner's phone number/email address

Property owner's phone number/email address

Signature of agent (if any)

Jeffrey I Fuller
Petitioner other than owner (if any)

Print name of agent

JEFFREY I FULLER
Print name of petitioner

Agent's mailing address

1422-C ORCHARD LAKE DR
Petitioner's mailing address

Agent's mailing address, continued

CHARLOTTE, NC 28270
Petitioner's mailing address, continued

Agent's mailing address, continued

Petitioner's mailing address, continued
JEFF@JLFULLERCPA.COM

Agent's phone number/email address

704-844-6683
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."

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19329108
TAX PARCEL

CHARLES & MADRID FUNDERBURK
PROPERTY OWNER NAME(S)

P.O. Box 941
OWNER MAILING ADDRESS

MATTHEWS NC 28106
OWNER MAILING ADDRESS, CONTINUED

21501223
TAX PARCEL

BROOKCHASE PROPERTIES, LLC
PROPERTY OWNER NAME(S)

P.O. Box 578
OWNER MAILING ADDRESS

MATTHEWS NC 28106
OWNER MAILING ADDRESS, CONTINUED

21501230
TAX PARCEL

MATTHEWS DEPOT, LLC
PROPERTY OWNER NAME(S)

4530 PARK RD # 300
OWNER MAILING ADDRESS

CHARLOTTE, NC 28209
OWNER MAILING ADDRESS, CONTINUED

21501224
TAX PARCEL

LANDMARKS COMMISSION Charlotte-Mecklenburg
PROPERTY OWNER NAME(S)

2100 RANDOLPH RD
OWNER MAILING ADDRESS

Charlotte, NC 28207
OWNER MAILING ADDRESS, CONTINUED

21501104
TAX PARCEL

JAMES M. & WILLIAM B. FRANK
PROPERTY OWNER NAME(S)

P.O. Box 481
OWNER MAILING ADDRESS

MATTHEWS NC 28106
OWNER MAILING ADDRESS, CONTINUED

21501225
TAX PARCEL

JAMES & MARGARET ROWAN
PROPERTY OWNER NAME(S)

P.O. Box 36
OWNER MAILING ADDRESS

MATTHEWS NC 28106
OWNER MAILING ADDRESS, CONTINUED

21501207 & 21501231
TAX PARCEL

Town of Matthews
PROPERTY OWNER NAME(S)

232 Matthews Station St
OWNER MAILING ADDRESS

Matthews, NC 28105
OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL

PROPERTY OWNER NAME(S)

OWNER MAILING ADDRESS

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 or email mjgollnitz@matthewsnc.gov) for verification.

Application submitted to and accepted by the Town of Matthews 5/30/13

Town Board of Commissioners formally accepts application and sets Public Hearing date 6/10/13

Notices sent via mail to affected/adjacent property owners on or before 7/29/13

Protest petition filed with Planning Department by 5:00 pm on ~~8/1/13~~ 8/7/13

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 8/12/13

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 8/27/13

Town Board of Commissioners approves or denies application 9/9/13

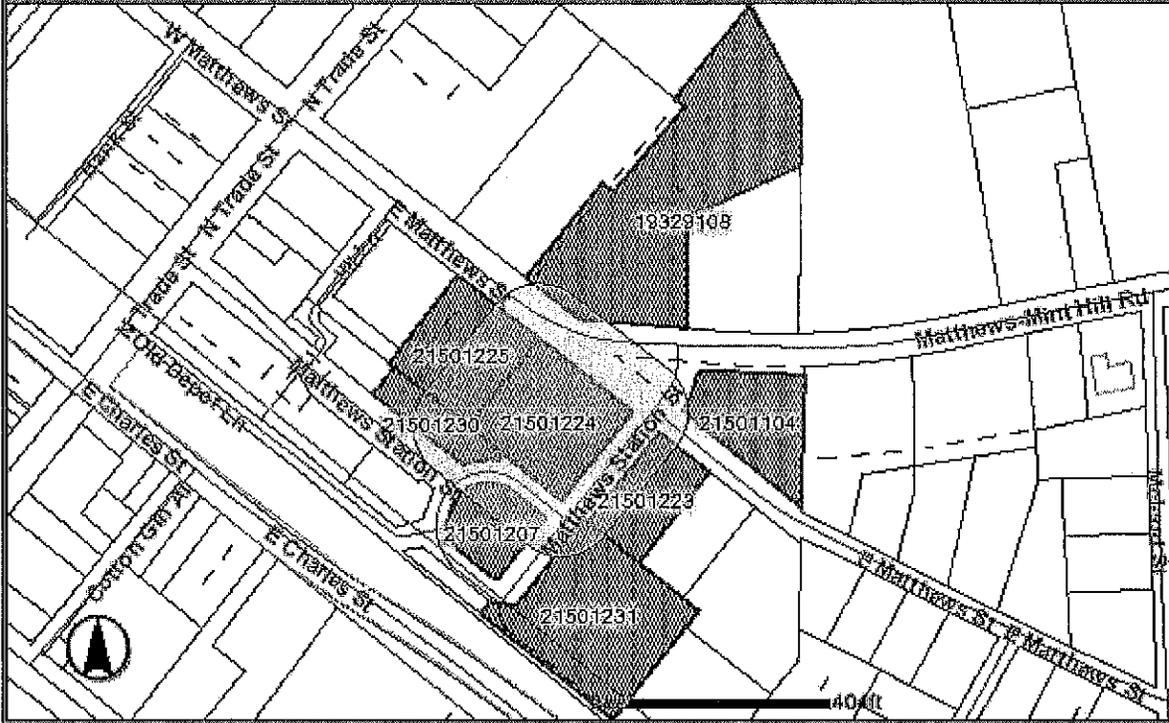
GENERAL STATUTE 160A-385: CHANGES.

- (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

Mecklenburg County, NC POLARIS
Property Ownership Land Records Information System
Adjoining Owner's Report
 Buffer Distance: 100 Feet
 5/29/2013 3:44:08 PM

[Click Here to Open Owner's List \(Comma-Delimited\)](#)



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.

Parcel ID	Owner Name	Mailing Address	City	State	ZIP	Legal Description	Deed Book	Deed Page	Land Area
19329108	CHARLES FUNDERBURK AND MADRID F 13	PO BOX 941	MATTHEWS	NC	28106	NA	01890	600	2.79 SMAC
21501104	JAMES MONROE FRINK AND WILLIAM BUNN FRINK (B/W)	PO BOX 481	MATTHEWS	NC	28106	NA	01022	042	0.722 SMAC
21501207	TOWN OF MATTHEWS	232 MATTHEWS STATION ST	MATTHEWS	NC	28105	TR3 M35-493	10279	699	0.438 AC
21501223	BROOKECHASE PROPERTIES LLC	PO BOX 578	MATTHEWS	NC	28106	NA	26167	317	0.54 SMAC
21501224	LANDMARKS COMMISSION CHARLOTTE-MECKLENBURG HISTORIC	2100 RANDOLPH RD	CHARLOTTE	NC	28207	NA	27713	383	0.996 SMAC
21501225	JAMES H ROWAN AND MARGARET H ROWAN	PO BOX 36	MATTHEWS	NC	28106	208 MATTHEWS ST	01863	010	0 SMAC
21501230	MATTHEWS DEPOT LLC	4530 PARK RD #300	CHARLOTTE	NC	28209	TR2 M35-493	22317	316	0.332 AC
21501231	TOWN OF MATTHEWS	232 MATTHEWS STATION ST	MATTHEWS	NC	28105	PT P1 M35-493	10279	699	1.559 AC

0 LETTER

70 LETTER

NO LETTER