

June 28, 2011

Mr. Bill Sherrill
Town of Matthews
232 Matthews Station Street
Matthews, N.C. 28105

Re: Rezoning of Independence Commerce Drive property

Dear Mr. Sherrill;

Pursuant to the requirements of the Matthews Zoning Ordinance I held the "Neighborhood Informational" meeting for zoning petition #570 at 7:00 P.M. on June 27, 2011 in the cul-de-sac of Independence Commerce Drive.

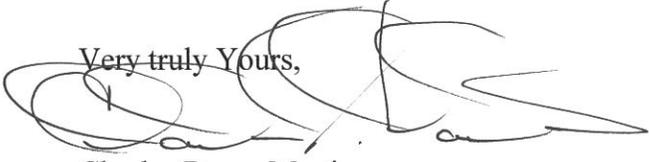
I had four attendees as listed below.

1. Ken and Coina Hoover 2417 Stevens Mill Road
2. Earl Seamon 2416 Stevens Mill Road
3. Heath Guion 2020-A Independence Commerce Drive

No objections were raised by anyone, however the Stevens Mill residents prefer that the opening of the proposed street extension be co-ordinated with the closing of Independence Commerce Drive.

We, the petitioner, have no issue with conforming to their preferences but would point out that We believe that our street extension will actually reduce the traffic volume past their homes and slow the speeds down if the extension were opened prior to Independence Commerce Drive being closed.

Very truly Yours,


Charles Roger Martin

June 21, 2011

2011-570
6/28/2011

Re: Rezoning

Dear Property Owner:

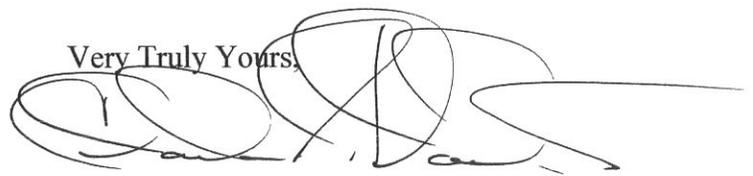
I write this letter to notify you of the proposed rezoning of Mecklenburg County tax parcels 215-094-02 and 215-094-06 to allow the extension of Independence Commerce Drive from its current cul-de-sac dead end, into Stevens Mill Road, a distance of approx. 400 linear feet. You are being notified because your property is in the immediate vicinity of the proposed rezoning.

This street extension is proposed due to the eventual closure of the Highway 74 and Independence Commerce Drive intersection due to the Monroe Bypass.

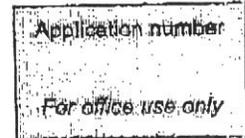
As required by the Town of Matthews ordinances I am holding a "Neighborhood Informational Meeting" on Monday, June 27 at 7:00 P.M. in the cul-de-sac of Independence Commerce Drive or at 2032-C Independence Commerce Drive in case of inclement weather.

I have enclosed the schedule for the rezoning process with this letter.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "Charles Roger Martin", written over the "Very Truly Yours," text.

Charles Roger Martin



SUMMARY OF THE REZONING PROCESS

PETITIONER: Fill in dates for each action below before filling 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