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.

215-094-02 & 215-094-06

Tax parcel number(s): _____________________________
0 Stevens Mill Road & 0 Independence Commerce Drive

Address of property: _____________________________
Intersection of Independence Commerce Drive and Mount Harmony Church Road

Location of property:

Title to the property was acquired on _____________________________
June 19, 1979; March 12, 2004
and was recorded in the name of Lyndell Thompson & Phillip Gerdes; Lyndell Thompson & Lois Thompson
whose mailing address is _____________________________
5817 Lebanon Road, Charlotte, NC 28227

The deed is recorded in Book 4203; 16893 and Page 788; 826 in the office of the Register of
Deeds for Mecklenburg County.

Present zoning classification: B-D(CD) & B-2(CD)

Requested zoning classification: _____________________________

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

Due to the closure of Independence Commerce Drive, petition #570 was submitted, and approved. But the variance requested to not construct the second sidewalk was not approved. Therefore, the impervious surface exceeded 25,000 s.f. However, no land is available to construct P.E.C.O. required stormwater measures as such measures would only work on the eastern side of the property. Such measures would destroy the marketability of a $150,000 lot and would cost plus or minus $25,000.

Signature of property owner (must be original)

Evelyn C. Hendry
Evelyn C. Gerkens

Print name of property owner
1530 Queen Rd, 4

Property owner’s mailing address
Charlotte, NC 28207-2576

Property owner’s mailing address, continued

Property owner’s mailing address, continued

704-344-3122

Property owner’s phone number/email address

Signature of agent (if any)

Charles R. P. Martini

Print name of agent
2442 Baili Farm Road

Agent’s mailing address
Mint Hill, N.C. 28227

Agent’s mailing address, continued

Agent’s mailing address, continued

704-408-9729

Agent’s phone number/email address

Signature of property owner (must be original)

Print name of property owner
Lynnell Thompson

Property owner’s mailing address
5217 Lemon Rd

Property owner’s mailing address, continued

Property owner’s mailing address, continued

704-573-3161

Property owner’s phone number/email address

Petitioner other than owner (if any)

Print name of petitioner

Petitioner’s mailing address

Petitioner’s mailing address, continued

Petitioner’s mailing address, continued

Petitioner’s phone number/email address
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.
This map is prepared for the inventory of real property found within Union County, NC and is compiled from recorded deeds, plats, 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 of the information contained on this map. Union County and the mapping companies assume no legal responsibilities for the information contained on this map.

Grid based on the North Carolina State Plane Coordinate System
All dimensions in feet
<table>
<thead>
<tr>
<th>Tax Parcel</th>
<th>Tax Parcel</th>
<th>Tax Parcel</th>
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<tbody>
<tr>
<td>21509402</td>
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<td>21509406</td>
<td>21509403</td>
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<tr>
<td>21509217</td>
<td>Joe William Ingram Jr</td>
<td>Charles Roger Martin</td>
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</tr>
<tr>
<td>Parcel Number</td>
<td>TAX PARCEL</td>
<td>Owner Name</td>
<td>Address Details</td>
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<tr>
<td>21509412, 21509413</td>
<td>TAX PARCEL Weeks Realty of Carolinas LLC 2032 Independence Commerce Drive Matthews, NC 28105</td>
<td>21509419</td>
<td>TAX PARCEL H&amp;J Properties of Union County LLC 1129 First Drive Matthews, NC 28104</td>
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<td>21509414, 21509415</td>
<td>TAX PARCEL Plantation Carolina LLP 2442 Bain Farm Road Charlotte, NC 28227</td>
<td>21509420, 21509421, 21509422</td>
<td>TAX PARCEL Plantation South Construction c/o Charles Roger Martin 2442 Bain Farm Road Charlotte, NC 28227</td>
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<td>21509416, 21509417</td>
<td>TAX PARCEL MSH Investments LLC 8218 Gianmorgan Lane Matthews, NC 28104</td>
<td>21509423, 21509424</td>
<td>TAX PARCEL Lone Wolf Industries LTD PO Box 457 Indian Trail, NC 28079</td>
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<td>21509418</td>
<td>TAX PARCEL Green Street V LLC c/o Danny Hunter 4500 Cameron Valley Parkway #100 Charlotte, NC 28211</td>
<td>21509425</td>
<td>TAX PARCEL JRA Property &amp; Land Management 101 E. Matthews Street, Suite 500 Matthews, NC 28105</td>
</tr>
</tbody>
</table>
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."

<table>
<thead>
<tr>
<th>Tax Parcel Number</th>
<th>Address</th>
<th>Name</th>
<th>Owner Mailing Address</th>
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<tr>
<td>21512107</td>
<td>Team Church</td>
<td>2301 Stevens Mill Road</td>
<td>Matthews, NC 28104</td>
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<td>21512108</td>
<td>Kenneth &amp; Gina Hoover</td>
<td>2417 Stevens Mill Road</td>
<td>Matthews, NC 28105</td>
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<td>21512112</td>
<td>Thomas K &amp; Angela M Hartis</td>
<td>2501 Stevens Mill Road</td>
<td>Matthews, NC 28104</td>
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<td>21512152</td>
<td>Department of Transportation</td>
<td>206 Charter Street</td>
<td>Albemarle, NC 28001</td>
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<td>07099011D01</td>
<td>Roger Martin</td>
<td>2442 Bain Farm Road</td>
<td>Charlotte, NC 28227</td>
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<td>07099011D02</td>
<td>Roger &amp; Karen Hendrix</td>
<td>8835 Ira Flowe Road</td>
<td>Charlotte, NC 28227</td>
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<tr>
<td>07099011D04</td>
<td>Gail Hamilton</td>
<td>2040 Independence Commerce Drive, Suite C</td>
<td>Matthews, NC 28105</td>
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<tr>
<td>07099011D05</td>
<td>Viscount Holdings LLC</td>
<td>2040 Independence Commerce Drive, Suite D</td>
<td>Matthews, NC 28105</td>
</tr>
</tbody>
</table>

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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, extension 224) for verification.

Application submitted to and accepted by the Town of Matthews December 24th, 2011

Town Board of Commissioners formally accepts application and sets Public Hearing date December 12th, 2011

Notices sent via mail to affected/adjacent property owners on or before December 26th, 2011

Protest petition filed with Planning Department by 5:00 pm on January 4th, 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 January 9th, 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 January 24th, 2012

Town Board of Commissioners approves or denies application February 13th, 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