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): _____________________________________________

Address of property: _____________________________________________

Matthews Township Parkway

Location of property: _____________________________________________

North side of the intersection of Matthews Township Parkway
   and Covenant Church Lane

Title to the property was acquired on _____________________________
   9/30/2011
and was recorded in the name of ________________________________
   Lennar Carolinas, LLC.
   14120 Ballantyne Corporate Lane #400
   Charlotte, N. C. 28277

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

Present zoning classification: _____________________________________

R-20

Requested zoning classification: _________________________________

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

We are requesting a rezoning in order to facilitate the development of the +/- 12 Acre tract with limited access to a density of +/-3 units per acre. The adjacent tracts are developed. However, a stub road has been included to facilitate a future connection.

Signature of property owner (must be original)

Lennar Carolinas, LLC.

Print name of property owner
14120 Ballantyne Corporate Lane

Property owner's mailing address
Charlotte, N. C. 28277

Property owner's mailing address, continued

Property owner's mailing address, continued

704-542-8300 Thomas.Johnson@Lennar.com

Property owner's phone number/email address

Signature of agent (if any)

Thomas Johnson

Print name of agent
14120 Ballantyne Corporate lane

Agent's mailing address
Charlotte, N. C. 28277

Agent's mailing address, continued

Agent's mailing address, continued

704-542-8300 Thomas.Johnson@Lennar.com

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
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."

21302211
TAX PARCEL
JAMES M. WOODWARD AND DORIS M. WOODWARD
PROPERTY OWNER NAME(S)
317 MATTHEWS TOWNSHIP PARKWAY
OWNER MAILING ADDRESS
MATTHEWS, NC 28105-1527
OWNER MAILING ADDRESS, CONTINUED

21302212
TAX PARCEL
THOMAS E. NORMAN AND RITA J. NORMAN
PROPERTY OWNER NAME(S)
P. O. BOX 2367
OWNER MAILING ADDRESS
MATTHEWS, NC 28106
OWNER MAILING ADDRESS, CONTINUED

21302205
TAX PARCEL
FREDDIE J. FLEMING AND SUSAN R. FLEMING
PROPERTY OWNER NAME(S)
308 CHARING CROSS DRIVE
OWNER MAILING ADDRESS
MATTHEWS, NC 28105
OWNER MAILING ADDRESS, CONTINUED

21302243
TAX PARCEL
TAMMY M. PRICE
PROPERTY OWNER NAME(S)
100 CHARING CROSS DRIVE
OWNER MAILING ADDRESS
MATTHEWS, NC 28105
OWNER MAILING ADDRESS, CONTINUED

21302204
TAX PARCEL
ANN B. NIKOPOULOS
PROPERTY OWNER NAME(S)
324 CHARING CROSS DRIVE
OWNER MAILING ADDRESS
MATTHEWS, NC 28105
OWNER MAILING ADDRESS, CONTINUED

21302203
TAX PARCEL
CHARLIE S. PISTOLIS AND IRENE K. PISTOLIS
PROPERTY OWNER NAME(S)
400 CHARING CROSS DRIVE
OWNER MAILING ADDRESS
MATTHEWS, NC 28105
OWNER MAILING ADDRESS, CONTINUED

21302202
TAX PARCEL
R. LEE MYERS AND LUCINDA S. MYERS
PROPERTY OWNER NAME(S)
P. O. BOX 36385
OWNER MAILING ADDRESS
CHARLOTTE, NC 28236-3685
OWNER MAILING ADDRESS, CONTINUED

21327335
TAX PARCEL
OLIVER P. MCConDeree AND SUSAN M. MCConDeree
PROPERTY OWNER NAME(S)
401 SCARBOROUGH LANE
OWNER MAILING ADDRESS
MATTHEWS, NC 28105
OWNER MAILING ADDRESS, CONTINUED
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."

21327334
TAX PARCEL
RONALD D. SIMMONS AND WANDA ANN
PROPERTY OWNER NAME(S)
400 SCARBOROUGH LANE
OWNER MAILING ADDRESS
MATTHEWS, NC 28105
OWNER MAILING ADDRESS, CONTINUED

21327333
TAX PARCEL
JOHN D. STEPHAN AND DONNAJO B. STEPHAN
PROPERTY OWNER NAME(S)
406 SCARBOROUGH LANE
OWNER MAILING ADDRESS
MATTHEWS, NC 28105
OWNER MAILING ADDRESS, CONTINUED

21301201
TAX PARCEL
COVENANT DAY SCHOOL, INC.
PROPERTY OWNER NAME(S)
800 FULLWOOD ROAD
OWNER MAILING ADDRESS
MATTHEWS, NC 28105-2661
OWNER MAILING ADDRESS, CONTINUED

2270271
TAX PARCEL
BARARA P. BJORK
PROPERTY OWNER NAME(S)
200 MARION DRIVE
OWNER MAILING ADDRESS
MATTHEWS, NC 28105-1527
OWNER MAILING ADDRESS, CONTINUED

22702690
TAX PARCEL
TOWN OF MATTHEWS
PROPERTY OWNER NAME(S)
232 MATTHEWS STATION STREET
OWNER MAILING ADDRESS
MATTHEWS, NC 28105
OWNER MAILING ADDRESS, CONTINUED

22702602
TAX PARCEL
TRUST CHRIST COVENANT CHURCH PCA
PROPERTY OWNER NAME(S)
305 COVENANT CHURCH LANE
OWNER MAILING ADDRESS
MATTHEWS, NC 28105
OWNER MAILING ADDRESS, CONTINUED

TAX PARCEL
PROPERTY OWNER NAME(S)
OWNER MAILING ADDRESS
OWNER MAILING ADDRESS, CONTINUED
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 ____________________________ 3/2/2012

Town Board of Commissioners formally accepts application and sets Public Hearing date ______________________________________________________________________ 3/12/2012

Notices sent via mail to affected/adjacent property owners on or before ____________________________ 3/26/2012 4/30/12

Protest petition filed with Planning Department by 5:00 pm on ____________________________ 4/3/2012 5/3/12

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 ______________________________________________________________________ 4/9/2012 5/14/12

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 ______________________________________________________________________ 4/24/2012 5/14/12

Town Board of Commissioners approves or denies application ______________________________________________________________________ 5/14/2012 6/1/12

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 issues 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