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): 22702605

Address of property: 419 Covenant Church Lane, Matthews, NC 28105

Location of property:

Title to the property was acquired on August 20, 2013 and was recorded in the name of Christ Covenant Church whose mailing address is 800 Fullwood Lane, Matthews, NC 28105

The deed is recorded in Book 28633 and Page 777 in the office of the Register of Deeds for Mecklenburg County.

Present zoning classification: R-15 Requested zoning classification: R/I

APPLICATION FOR CHANGE IN ZONING CLASSIFICATION OR CONDITION, PAGE 1
List reason(s) why zoning should be changed (use separate sheet if necessary):

Please see separate sheet.

Signature of property owner (must be original)

Christ Covenant Church
Print name of property owner
800 Fullwood Lane
Property owner’s mailing address
Matthews, NC
Property owner’s mailing address, continued
28105
Property owner’s mailing address, continued

(704) 814-1010/sspitz@christcov.org
Property owner’s phone number/email address

Signature of agent (if any)

Brian Schoeck
Print name of agent
1065 E. Morehead Street
Agent’s mailing address
Charlotte, NC
Agent’s mailing address, continued
28204
Agent’s mailing address, continued

(704) 998-2252/ bschoeck@jshlaw.com
Agent’s phone number/email address

Application for change in zoning classification or condition, page 2
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.”

22702602
TAX PARCEL
Christ Covenant Church
PROPERTY OWNER NAME(S)
800 Fullwood Lane
OWNER MAILING ADDRESS
Matthews, NC 28105
OWNER MAILING ADDRESS, CONTINUED

22702690
TAX PARCEL
Town of Matthews
PROPERTY OWNER NAME(S)
232 Matthews Station St.
OWNER MAILING ADDRESS
Matthews, NC 28105
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 or email blynd@matthewsnc.gov) for verification.

Application submitted to and accepted by the Town of Matthews July 29, 2015

Town Board of Commissioners formally accepts application and sets Public Hearing date August 10, 2014

Notices sent via mail to affected/adjacent property owners on or before August 31, 2014

Protest petition filed with Planning Department by 5:00 pm on n/a

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 September 14, 2015

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 Sept 22, 2015

Town Board of Commissioners approves or denies application October 12, 2015

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
List reason(s) why zoning should be changed:

The subject Property is a 1.132 acre parcel acquired by Christ Covenant Church in 2013 to provide expansion opportunities for its main campus on Fullwood Lane. The Church campus contains 29.35 acres, all zoned R/I and currently includes both worship facilities and Covenant Day School facilities. The subject Property is surrounded on three (3) sides by the Church campus, and on the fourth (4th) by the Town of Matthews community garden site. The subject Property’s current zoning designation as R-15 is an outlier for the surrounding uses. Christ Covenant Church is in the process of constructing new church and school facilities on its campus. The rezoning is requested to bring the subject Property in conformity with the surrounding uses and to provide continuity with the existing zoning for the Christ Covenant Church campus.