

Memo

To: City of Charlotte Planning commission
From: Bryan Myrkle, Community Development Director
Date: May 28, 2020
Re: Application for land division & request for rezone – Chuck Brand Builders/Home Town Rentals – 601 & 615 East Shepherd Street

There are two items on your agenda for consideration regarding a proposed lot split and rezone in support of a planned business expansion for Hometown Rentals of Charlotte. The business and the properties involved are owned by Chuck Brand.

In many cases throughout the City, property owners are able to divide and/or combine parcels they own without review by the Planning Commission; however our City Code requires that land divisions involving 'platted lots' be reviewed. A 'platted lot' is one that was originally laid out as part of a larger development that was approved as a whole, rather than individually. In this case, it was the 1893 'Lincoln Park Addition' to the City of Charlotte, and there is no longer the kind of integrated, cohesive development in place that the code seeks to protect through the review process. (Please note that Lincoln Park is simply the original name for the plat, and is not related to the city park, Lincoln Park.)

If approved by the Planning Commission, there is no further layer of approval necessary. However, if it is turned down, the applicant does have the ability to appeal the decision to the City Council.

In looking at this specific request – dividing 601 E. Shepherd Street and adding approximately half of the parcel to 615 E. Shepherd Street, it appears that 60 originally was two lots that were combined at some time in the past.

In terms of the proposed land division, there is little to note, other than 601 is a non-conforming parcel, in that there are two existing homes on this single lot (601 E. Shepherd and 631 Johnson Street) in a one-family residential district. The land division would not increase or decrease this degree of nonconformity. Furthermore, I have not identified any additional non-conformity that would result from the split, in terms of lot dimensions or building setbacks.

Additionally, I would point out that while our ordinance calls for complete, professional surveying and development of legal descriptions for a proposed lot split like this one, we do not require the property owner to undertake those tasks and bear the associated expense (thousands of dollars), until after the Planning Commission review and approval. However,

once it is approved, these tasks will have to be done prior to making the necessary filings with the Register of Deeds.

As mentioned above, this application for land division is accompanied by a request for rezone from R-1 to B-3 to allow for the business expansion. While you are required to review the lot split, the more important question is the rezone to allow commercial use. You are asked to hold the required public hearing on this issue and make a recommendation to the City Council. I have written a memo specific to the rezoning question, and that is also included with your meeting information.