

ORDINANCE NO. (1997) 35 ZC 402
Effective 1/7/97

Z-122-96 Raleigh Boulevard, east side, and Milburnie Road, north side, being Map 1714.18 Block 42, formerly Parcels 8048 and 7293 (now Parcel 8249), approximately 2.5 acres rezoned to Neighborhood Business Conditional Use.

Conditions:

1. Uses that will not be allowed:
 - a. Transitional housing - Emergency shelter type A
 - b. Bars, nightclubs, taverns and lounges
 - c. Eating establishments with drive-thru, drive-in service, and with or without alcohol sales on-premises consumption
 - d. Kennels or catteries
 - e. Parking facilities - commercial parking lots
 - f. Retail sales - Highway (equipment sales/repair, vehicle sales/rental and automotive repair facilities.
2. A survey of existing trees 6" and larger than will be done within 90 days of rezoning.
3. A Minimum "Type B" Protective Yard (30 ft. wide with a minimum of 120 shrubs and 8 trees per 100 linear feet) will be installed between developed property and all adjacent residential uses at the time of building expansion. Existing trees (6" and larger) will be maintained as a part of this protective yard. Trees destroyed by construction, installation of utilities or natural causes will be replaced if the total tree count falls below minimum as required to maintain a "Type B" protective yard.
4. Existing trees (6" and larger) along Raleigh Boulevard will be protected to the same extent as required for a SHOD-2 Yard (25 ft. wide for the length of frontage along Raleigh Boulevard, no more than 30% of the street yard may be graded or trees removed.