

**WEAVER, BENNETT & BLAND, P.A.**

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MATTHEWS, NORTH CAROLINA 28106

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CHARLES W. BENNETT  
MICHAEL DAVID BLAND\*  
WILLIAM G. WHITTAKER  
ERAN LEE WEAVER

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TRENT M. GRISSOM\*  
HEATHER R. HOBGOOD  
\* LICENSED IN NC & SC

STREET ADDRESS/OVERNIGHT  
196 N. TRADE STREET  
MATTHEWS, NC 28105

TELEPHONE (704) 844-1400  
FAX (704) 845-1503  
REAL ESTATE FAX (704) 844-1414

May 8, 2012

**Via U.S. Mail and Email to [jcamp@matthewnc.com](mailto:jcamp@matthewnc.com)**

Town of Matthews  
Attn: Jay Camp, Town Planner  
232 Matthews Station Street  
Matthews, NC 28105

Re: Petition Number 2012-587 to Rezone Approximately 12 acres, tax parcel 213-012-45;  
Property of Lennar Carolina, LLC

Dear Jay,

In accordance with the Matthews Zoning Ordinance and the North Carolina General Statutes I am enclosing a Protest Petition signed by virtually all of the adjacent property owners to this site. While the Petition states that the usage is for approximately 12 acres, in reality a great deal of the available land is consumed in buffers, roadways, wetlands and ponds, and steep unusable portions that are designated as Common Areas on the proposed site plan. The construction of thirty-seven (37) homes in such a small land area is not in keeping with any of the surrounding land uses, and will constitute a major adverse land use as to the values of the surrounding properties. In addition, the close proximity of the proposed entrance of the land to the current Fullwood Lane intersection, coupled with the high intensity traffic generated by the adjacent ball field facilities of the Church and School make the traffic generated by such a high intensity project adverse to the best interests of Matthews overall. This land has long stood as an R-20 zoning, a zoning which the petitioner was well aware of when the land was acquired, and there has been no evidence submitted that would suggest that the land could not be developed for R-20 zoning, other than a much lower profit to the owners.

As of the present time none of the adjacent property owners has received any notice of the required Community or Neighborhood meeting that is mandated by this zoning request, and such is a condition precedent to the matter appearing before the Town Council for Public Hearing.

The site plan, as submitted, has insufficient detail to allow any form of determination of the nature or style of the proposed improvements, nor, to the best knowledge of the adjacent land owners, has any details of drainage been developed or submitted (Post Construction Stormwater Concept Plan, a mandatory element to be submitted prior to the Public Hearing) pursuant to the Matthews Zoning Ordinances.

Best regards,

WEAVER, BENNETT & BLAND, P.A.

Charles W. Bennett

STATE OF NORTH CAROLINA  
COUNTY OF MECKLENBURG

*Chuck Bennett*  
*704-847-9522*  
*704-844-1400*

*CALL IF YOU  
ARE AGAINST THIS*

PROTEST PETITION IN RE ZONING PETITION NUMBER 2012-587

The undersigned are property owners whose properties are within one hundred (100') feet of the boundary lines of tax parcel No. 213—12-45, the Property of Lennar Carolina, LLC, for which an application has been submitted to the Town of Matthews for a change in zoning from R-20 to R-VS.

Our properties are all residential in nature and currently zoned R-20. We purchased our homes with the knowledge that this adjacent tract of land had the same zoning and that there was a reasonable assurance that the land would be developed for residential uses similar to the properties we own. The petition, while seeking residential use, is far too dense for this site with a proposed development of 3 residential units per acre. A great deal of the twelve (12) acres, more or less, constitutes wetlands and a pond, unsuitable for construction, as is a major portion of the property extremely steep. The Site Plan clearly shows that a major portion of the total acreage is designated as Common Area, which produces an even denser usage on the portions designated to be used as residential units. As of the date of this protest petition, the undersigned are unaware of any scheduled Community Meeting to be held by the Petitioner to provide more detail. The Site Plan is at best sparse, with no detail of construction materials, plantings, parking facilities, or other normal attributes of a specialized zoning of this nature.

As such the undersigned submit this Protest Petition in opposition to the granting of approval by the Town of Matthews as to the requested change in zoning.

Respectfully submitted:

<u>Name</u>	<u>Property Address</u>	<u>Signature</u>
James M. Woodward	317 Matthews Township Pkwy Matthews, N. C. 28105 Tax Parcel # 21302211	<i>James M. Woodward</i>
Doris M. Woodward	Same	<i>Doris Woodward</i>
Thomas E. Norman	325 Matthews Township Pkwy Matthews, N. C. 28105	_____

STATE OF NORTH CAROLINA  
COUNTY OF MECKLENBURG

Chuck Bennett  
704-847-8522  
704-844-1400

Call if you  
are against this

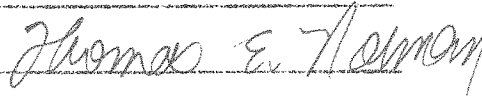
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Doris M. Woodward	Same	
Thomas E. Norman	325 Matthews Township Pkwy Matthews, N. C. 28105	

Rita J. Norman

Tax Parcel # 21302212  
Same

*Rita J. Norman*

Freddie J. Fleming

308 Charing Cross Dr.  
Matthews, N.C. 28105  
Tax Parcel # 21302205

Susan R. Fleming

Same

Tammy M. Price

100 Charing Cross Dr.  
Matthews, N.C. 28105  
Tax Parcel # 21302243

Ann B. Nikopoulos

324 Charing Cross Dr.  
Matthews, N. C. 28105  
Tax Parcel # 21302204

Charlie S. Pistoris

400 Charing Cross Dr.  
Matthews, N. C. 28105  
Tax Parcel # 21302203

Irene K. Pistoris

Same

R. Lee Myers

400 Charing Cross Drive  
Matthews, N. C. 28105  
Tax Parcel # 21302202

Lucinda S. Myers

Same

Oliver P. McConderree

401 Scarborough Lane  
Matthews, N. C. 28105  
Tax Parcel # 21327335

Susan M. McConderree

Same

Ronald D. Simmons

400 Scarborough Lane  
Matthews, N. C. 28105  
Tax Parcel # 21327334

Wanda Ann Simmons

Same

John D. Stephan

406 Scarborough Lane  
Matthews, N. C. 28105  
Tax Parcel # 21327333

DonnaJo B. Stephan

Same

Barbara P. Bjork

200 Marion Drive  
Matthews, N. C. 28105  
Tax Parcel # 2270271

Rita J. Norman Tax Parcel # 21302212  
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Freddie J. Fleming 308 Charing Cross Dr.  
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Freddie J. Fleming

Susan R. Fleming Same

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Ann B. Nikopoulos 324 Charing Cross Dr.  
Matthews, N. C. 28105  
Tax Parcel # 21302204

Charlie S. Pistolis 400 Charing Cross Dr.  
Matthews, N. C. 28105  
Tax Parcel # 21302203

Irene K. Pistolis Same

R. Lee Myers 400 Charing Cross Drive  
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Lucinda S. Myers Same

Oliver P. McConderee 401 Scarborough Lane  
Matthews, N. C. 28105  
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Susan M. McConderee Same


Ronald D. Simmons 400 Scarborough Lane  
Matthews, N. C. 28105  
Tax Parcel # 21327334

Wanda Ann Simmons Same

John D. Stephan 406 Scarborough Lane  
Matthews, N. C. 28105  
Tax Parcel # 21327333

DonnaJo B. Stephan Same

Barbara P. Bjork 200 Marion Drive  
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Freddie J. Fleming	308 Charing Cross Dr. Matthews, N.C. 28105 Tax Parcel # 21302205	_____
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Susan M. McConderee	Same	_____
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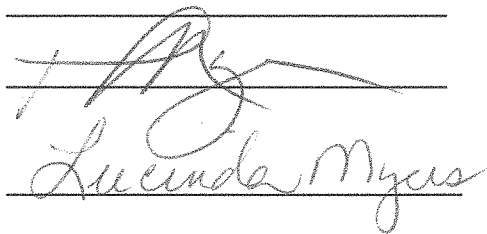
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Tax Parcel # 2270271



Handwritten signature of Lucinda Myers in cursive script, written over a horizontal line.

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May 2, 2012

Town of Matthews Planning Dept  
232 Matthews Station Street  
Matthews, NC 28105

RE: Protest petition for zoning application #2012-587

Dear Sir or Madam,

We are filing a protest petition for the above requested rezoning application. We are filing our petition based on the following items;

- Too many homes for the parcel
- Too close to existing homes
- Will increase an already overcrowded school system
- Will increase an already overcrowded Hwy. 51
- R-VS zoning is supposed to be innovative. There is nothing innovative about this plan.

Sincerely,



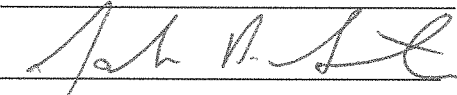
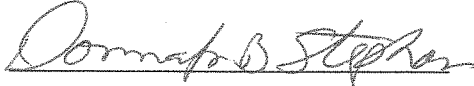
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