

**ORDER GRANTING  
CONDITIONAL USE PERMIT  
TOWN OF MINT HILL, NORTH CAROLINA**

**APPLICANT:** Jack O'Rourke  
**ADDRESS:** 3618 Matthews-Mint Hill Road  
Matthews, North Carolina 28105

**APPLICATION NO.** CUP02-2

A request for a Conditional Use Permit to have the Town of Mint Hill provide garbage and recycle pick-up once a week (rollout, curbside) for the Mint Lake Village Townhomes located at the intersection of Matthews-Mint Hill and Idlewild Road, heard by the Town Board of Commissioners in accordance with the provisions of the Zoning Ordinance on January 9, 2003, has been **granted**.  
The decision is as follows:

The Town of Mint Hill will contract, beginning immediately, to provide once-weekly rollout and weekly recycling solid waste services to Mint Lake Village on the condition that the Town of Mint Hill shall have no obligation nor liability for the streets within the development.

This permit shall expire: January 9, 2005  
(Date)

  
Clerk

  
Mayor

Copy to Applicant and Zoning Administrator: 2/21/03  
(Date)

**Note: Conditional Use Permits expire two years from date of approval if the Planning Board finds that no progress has been made to develop in accordance with approved plans.**

c: Vince Cesario, President  
Mint Lake Village Townhome Owners Assoc., Inc.  
3845 Misty Glen Court  
Matthews, N. C. 28105

**ORDER GRANTING/DENYING  
CONDITIONAL USE PERMIT  
TOWN OF MINT HILL, NORTH CAROLINA**

APPLICANT: Mr. Jack O'Rourke/OPP No. 1

APPLICATION NO. CUP99-02

ADDRESS: 3618 Matthews-Mint Hill Road, Matthews, NC 28105

A request for a Conditional Use Permit to allow inclusion of additional acreage to the Mint Lake Village Townhomes, located at 13200 and 13300 Idlewild Road, Tax Parcels 195-013-13 and 195-013-14, to include Tax Parcel 195-013-12 heard by the Town Board of Commissioners in accordance with the provisions of the Zoning Ordinance on July 8, 1999, has been granted. The decision is as follows:

Approval of the site plan presented with the following conditions: (1) Retain as many existing trees as possible by indicating existing trees 6" or more in diameter that are located in setbacks or common open spaces. (2) No construction shall begin until subdivision approval has been obtained through the major subdivision process. (3) Dedicate the future right-of-way for Matthews-Mint Hill Road measured 50 ft. from the centerline during subdivision review. (4) During subdivision review, a homeowners' association shall be established. (5) All interior streets within the development shall be classified as private streets and will not be maintained by the Town of Mint Hill, but by the homeowners' association. The name "Willow View Court" should be added to the street on Tax Parcel #195-013-12. (6) Signs are to be in compliance with Article 12 of the Mint Hill Zoning Ordinance and located out of the future right-of-way. (7) A loading space, if necessary, needs to be indicated, as per Section 13.2. (8) Under Statement of Intent, Line 10: Trash Collection is to be provided by the Town of Mint Hill should be changed to "Private garbage service shall be provided." (9) Mint Hill to determine private street cross section. These are to be the same as those previously approved during preliminary subdivision review. The final 1" I-2 asphalt will be required at 50% occupancy and the streets are to be bonded and inspected the same way public streets are approved. (10) The berm will need to be shown on the preliminary plans from the approved conditional use permit and be limited to no higher than 6 ft. and needs to be located outside future right-of-way on Matthews-Mint Hill Road. The berm presented along Idlewild Road should be duplicated along all sides of Tax Parcel 195-013-12 that do not adjoin the existing approved Mint Lake Village site [specifically, the sides of the property along Matthews-Mint Hill Road (Hwy 51), and that adjoin Tax Parcel 195-013-11 and 195-013-10]. (11) The owner information is required to be in the title block of the preliminary plans. (12) Minimize grading in setbacks. (13) Approval by Mecklenburg County Building and Engineering Standards must be obtained before grading and final plat approval. (14) Approval from Charlotte-Mecklenburg Utility Department must be obtained on the water and sewer plans. (15) Common areas should also be labeled as such on the preliminary and final plans. (16) The setback line that adjoins the back of Tax Parcel #195-013-12 [along Matthews-Mint Hill Road (Hwy 51)] measures at 50 feet instead of 40 feet. This setback should be adjusted. (17) The two buildings that adjoin Matthews-Mint Hill Road (Hwy 51) should have the brick façade shown on the elevations continued on the sides and rear of the buildings. (18) No privacy fences will be allowed that will be visible from major thoroughfares.

This permit shall expire July 8, 2001

Beth Q. Hamrick  
Clerk

Ed H. Boyer  
Mayor Pro Tem

Copy to Applicant and Zoning Administrator: 09/28/99  
(Date)

*Note: Conditional Use Permits expire two years from date of approval if the Planning Board finds that no progress has been made to develop in accordance with approved plan*

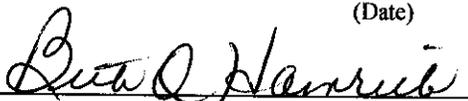
**ORDER GRANTING/DENYING  
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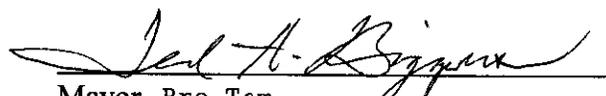
APPLICANT: Mr. Jack O'Rourke, OPP No. 1 APPLICATION NO. CUP99-01  
ADDRESS: 3618 Matthews-Mint Hill Road, Matthews, NC 28105

A request for a Conditional Use Permit to allow an amendment to the layout and elevations of buildings previously known as numbers 6 & 7 of the Mint Lake Village Townhomes, located at 13200 and 13300 Idlewild Road, Tax Parcels 195-013<sup>13 ft.</sup> and 195-013-14 heard by the Town Board of Commissioners in accordance with the provisions of the Zoning Ordinance on May 27, 1999, has been granted. The decision is as follows:

Approval of the site plan presented with the following conditions: (1) Retain as many existing trees as possible by indicating existing trees 6" or more in diameter that are located in setbacks or common open spaces. (2) Additional screening needs to be provided between the O-A and B-P districts. (3) No construction shall begin until subdivision approval has been obtained through the major subdivision process. (4) The future right-of-way for Idlewild Road and Matthews-Mint Hill Road should be dedicated during subdivision review. (5) During subdivision review, a homeowners' association shall be established. (6) All interior streets within the development shall be classified as private streets and will not be maintained by the Town of Mint Hill, but by the homeowners' association. These streets have been named. (7) Signs are to be in compliance with Article 12 of the Mint Hill Zoning Ordinance and located out of the future right-of-way. (8) A loading space, if necessary, needs to be indicated, as per Section 13.2. (9) Install left turn lanes on NC51 at the proposed entrance. (10) NCDOT driveway permits are required; submit them through Town of Mint Hill. (11) Mint Hill to determine private street cross section. (12) Dedicate the future right-of-way for Matthews-Mint Hill Road and Idlewild Road measured 50 ft. from the centerline. (13) The berm will need to be shown on the preliminary plans from the approved conditional use permit and be limited to no higher than 6 ft. and needs to be located outside future right-of-way. (14) The owner information is required to be in the title block of the preliminary plans. (15) Setbacks should be left undisturbed/ungraded. (16) Approval by Mecklenburg County Building and Engineering Standards must be obtained before grading and final plat approval. (17) Approval from Charlotte-Mecklenburg Utility Department must be obtained on the water and sewer plans. (18) The final 1" I-2 asphalt will be required at 50% occupancy and the streets are to be bonded and inspected the same way public streets are approved. (19) Common areas should also be labeled as such on the preliminary and final plans. (20) Add sidewalks to all phases shown on site plan. (21) Line Item #10 from the site plan ("Trash collection is to be provided by the Town of Mint Hill") under the "Statement of Intent" should be changed to be the responsibility of the homeowners association.

This permit shall expire May 27, 2001  
(Date)

  
Clerk

  
Mayor Pro Tem

Copy to Applicant and Zoning Administrator 07/28/99  
(Date)

**Note: Conditional Use Permits expire two years from date of approval if the Planning Board finds that no progress has been made to develop in accordance with approved plan**

**ORDER GRANTING/DENYING  
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TOWN OF MINT HILL, NORTH CAROLINA**

APPLICANT: Jack O'Rourke  
ADDRESS: 3618 Matthews-Mint Hill Road  
Matthews, N. C. 28105

APPLICATION NO. CUP98-8

request for a Conditional Use Permit to allow the construction of 98 town homes to be located at 13150 Idlewild Road, Tax Parcels 195-013-13PT and 195-013-14 heard by the Town Board of Commissioners in accordance with the provisions of the Zoning Ordinance on October 22, 1998, has been granted. The decision is as follows

Approval of the site plan presented with the following conditions: (1) Additional screening needs to be provided between the O-A and R Districts and is to be determined by the Planning/Zoning Coordinator and the applicant. (2) No construction shall begin until subdivision approval has been obtained through the major subdivision process. (3) The future right-of-way for Idlewild Road and Matthews-Mint Hill Road should be dedicated during subdivision review. (4) During subdivision review, a homeowners association shall be established. (5) All interior streets within the development shall be classified as private streets and will not be maintained by the homeowners association. These streets must also be named. (6) Private garbage service will be the responsibility of the homeowners association. (7) Signs are to be in compliance with Article 12 of the Mint Hill Zoning Ordinance and located outside the future right-of-way. (8) The berm and street trees along Idlewild Road need to be relocated outside the future right-of-way. (9) The screening shrubs need to be labeled as to variety. (10) A loading space, if necessary, needs to be provided as per Section 13.2. (11) Install left turn lane on NC51 at proposed entrance. (12) NCDOT driveway permit required; submit through the Town of Mint Hill. (13) Mint Hill to determine private street cross section. (14) Buildings 18 and 19 shall have the brick facade shown on the elevation continued on the side and rear of the buildings.

If granted, this permit shall expire: October 22, 2000  
(Date)

*Doris H. Miller*  
Clerk, *Assistant*

*Paul G. Taylor*  
Mayor

Copy to Applicant and Zoning Administrator *Jan. 29, 1999*  
(Date)

*Note: Conditional Use Permits expire two years from date of approval if the Planning Board finds that no progress has been made to develop in accordance with approved plans.*

**ORDER GRANTING/DENYING  
CONDITIONAL USE PERMIT  
TOWN OF MINT HILL, NORTH CAROLINA**

APPLICANT: Jack O'Rourke, OPP No. 1, LLC  
ADDRESS: 5911 Beaver Dam Lane  
Charlotte, N. C. 28227

APPLICATION NO. CUP97-7

A request for a Conditional Use Permit to (state the request) allow construction of a CVS Pharmacy located at 3618 Matthews-Mint Hill Road, Being Tax Parcel #195-013-13pt heard by the Town Board of Commissioners in accordance with the provisions of the Zoning Ordinance on October 23, 1997, has been granted. The decision is as follows (state the reason for granting/denying the request and any conditions set forth in the decision):

Approve the Conditional Use Permit with the following conditions: (1) The site be developed as per the site plan presented with the exception that the sidewalk for Matthew-Mint Hill Road and Idlewild Road be increased to 5 feet instead of 4 feet and located in the existing right-of-way. (2) The right-of-way and property line be corrected for Matthews-Mint Hill Road. (3) The remaining portion of the site may also be cleared only to the extent necessary to fill and level the site for the CVS Pharmacy. This will include submitting grading plans for sedimentation and erosion control for all the area to be disturbed. The undeveloped portion of the tract must be grassed and seeded after grading. A copy of these approved plans should be submitted to the Town. (4) The style of brick used for the CVS also needs to be consistent for the other commercial structures to be built on the remainder of the tract in the B-P CUD District. (5) The left turn lane needs to be shown for Idlewild Road. (6) No free-standing signs will be allowed except for the two pylon signs which should be constructed in accordance with Mint Hill's standards. (7) Additional screening be provided between the B-P and O-A District in the form of a 20 foot buffer with an additional row of alternating shrubs and trees. (8) Additional trees be planted between the CVS and the existing Texaco and Neighborhood Feed and Tack in the form of trees planted no more than 30 feet apart along the property line to replace the pines being removed. (9) The trees and shrubs need to be labeled. (10) A stub should be provided when the future phase is developed for the O-A District to utilize/share the driveway. (11) Five (5) stacking spaces need to be shown on the plans for the drive-thru.

If granted, this permit shall expire: October 23, 1999  
(Date)

Beck O. Hamrick  
Clerk

Matt G. Taylor  
Mayor

Copy to Applicant and Zoning Administrator 12/08/97  
(Date)

*Note: Conditional Use Permits expire two years from date of approval if the Planning Board finds that no progress has been made to develop in accordance with approved plans.*