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ORDINANCE NO. 1373-X

AN ORDINANCE DESIGNATING THE PROPERTY KNOWN AS THE "MERCHANTS AND FARMERS NATIONAL BANK BUILDING" AND THE LAND ASSOCIATED THEREWITH AS HISTORIC PROPERTY AT 123 E. TRADE STREET, CHARLOTTE, NORTH CAROLINA, AND RECORDED ON TAX PARCEL NUMBERS 080-012-12 and 080-012-13 IN THE MECKLENBURG COUNTY TAX OFFICE.

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Part 3B, Article 19, Chapter 160A, as amended, of the General Statutes of North Carolina have been met; and

WHEREAS, the City Council of Charlotte, North Carolina, has taken into full consideration all statements and information presented at a joint public hearing held with the Charlotte-Mecklenburg Historic Properties Commission on the 20th day of June, 1983, on the question of designating the property known as the "Merchants and Farmers National Bank Building" and the land associated therewith; and

WHEREAS, the "Merchants and Farmers National Bank Building", erected in 1871-72, is the oldest commercial building in the central business district of Charlotte; and

WHEREAS, the "Merchants and Farmers National Bank Building" possesses iron trim which was manufactured by the Mecklenburg Iron Works, an enterprise of regional importance; and

WHEREAS, the front facade of the "Merchants and Farmers National Bank Building" is one of the finer local examples of the Italianate style; and

WHEREAS, the "Merchants and Farmers National Bank Building" served as headquarters for that financial institution from 1872-1921; and

WHEREAS, the third floor of the "Merchants and Farmers National Bank Building" was an Odd Fellows Hall for many years; and

WHEREAS, the "Merchants and Farmers National Bank Building" possesses integrity of design, setting, workmanship, materials, feeling and/or association; and

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has demonstrated that the "Merchants and Farmers National Bank Building" possesses special significance in terms of its history, architecture, and/or cultural importance; and

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WHEREAS, the property known as the "Merchants and Farmers National Bank Building" is vested in fee simple to Mr. Robert T. Glenn of Robert Glenn Associates, P. O. Box 6041, Charlotte, North Carolina 28207 or his successor-in-interest.

NOW, THEREFORE BE IT ORDAINED by the City Council of Charlotte, North Carolina;

1. That the property known as the "Merchants and Farmers National Bank Building" and the land associated therewith is hereby designated as historic property pursuant to Part 3B, Article 19, Chapter 160A, of the General Statutes of North Carolina. For purposes of description only, the location of said property is noted as being situated on a tract of property at 123 E. Trade Street, Charlotte, North Carolina as recorded on Parcel Numbers 080-012-12 and 080-012-13 in the Tax Office of Mecklenburg County, North Carolina.

2. That said designated property may be materially altered, restored, moved, or demolished only following the issuance of a Certificate of Appropriateness by the Charlotte-Mecklenburg Historic Properties Commission. An Application for a Certificate of Appropriateness authorizing the demolition of said property may not be denied. However, the effective date of such a Certificate may be delayed in accordance with Chapter 160A, Article 19, Part 3B, and amendments thereto and hereinafter adopted.

3. That nothing in this ordinance shall be construed to prevent or delay the ordinary maintenance or repair of any architectural feature in or on said property that does not involve a change of design, material, or outer appearance thereof, nor to prevent or delay the making of emergency repairs, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition, or removal of any such feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the property owner from making any use of this property not prohibited by other statutes, ordinances, or regulations.

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4. That a suitable sign may be posted indicating that said property has been designated as historic property and containing any other appropriate information. If the owner consents, the sign shall be placed on said property.

5. That the owners and occupants of the property known as the "Merchants and Farmers National Bank Building" be given the notice of this ordinance as required by applicable law and that copies of this ordinance be filed and indexed in the offices of the City Clerk, Building Inspection Department, Mecklenburg County Register of Deeds, and the Tax Supervisor, as required by applicable law.

6. That which is designated as historic property shall be subject to Chapter 160A, Article 19, Part 3B, and any amendments to it and any amendments hereinafter adopted.

Approved as to form:

Henry W. Underhill Jr.
City Attorney

CERTIFICATION

I, Pat Sharkey, City Clerk of the City of Charlotte, North Carolina do hereby certify that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, in regular session convened on the 20th day of June, 1983, the reference having been made in Minute Book 80, and recorded in full in Ordinance Book 32 at Pages 82-84.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 22nd day of June, 1983.

Pat Sharkey, City Clerk

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Petition No. 82-23
James E. Body and
Associates

ORDINANCE NO. 1374-Z

AMENDING CHAPTER 23

AN ORDINANCE AMENDING THE CITY CODE WITH RESPECT TO THE ZONING ORDINANCE.

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of a 28.9 acre site on the northerly side of N.C. 51 immediately west of McAlpine Creek; from R-12 to O-15(CD); and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 23-35.1 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all the application requirements as specified in Section 23-35(b), and was recommended for approval by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Section 23-96 and a public hearing was held on April 19, 1982; and

WHEREAS, in the passage of this ordinance the City Council of the City of Charlotte has considered the promotion of the health, safety, general welfare, and public interest of the community, and each of the following which are required by Section 23-35(d);

1. The policies and objectives of the Comprehensive Plan of the City, and particularly in relation to the proposed site and surrounding area.
2. The potential adverse impacts of the establishment of the conditional district upon the surrounding area, especially in regards but not limited to traffic, storm drainage, land values and compatibility of land use activities.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Chapter 23, Section 23-8 of the Code of the City of Charlotte is hereby amended by changing from R-12 to O-15(CD) on the Official Zoning Map, City of Charlotte, N. C. the following described property:

BEGINNING at a point in the northerly margin of North Carolina Highway 51, the southeasterly corner of the tract of land conveyed to the City of Charlotte by Francis H. Fairley, Executor of the Estate of Thomas M. Shelton, by deed dated July 9, 1980, and duly recorded in the office of the Register of Deeds for Mecklenburg County, North Carolina, in Book 4319 at Page 153, and running thence from said beginning point as thus established with the easterly line of the property conveyed to the City of

Charlotte by said deed recorded in Book 4319 at Page 153 as aforesaid North 10-57-09 East 200 feet; thence with the northerly line of said property conveyed to the City of Charlotte by deed recorded in Book 4319 at Page 153 as aforesaid North 79-00-34 West 104.82 feet; thence North 10-27-38 East 665.02 feet; thence North 1-27-03 East 67.55 feet to a stone; thence South 72-53-06 East 77.84 feet to an old iron; thence South 72-54-13 East 433.12 feet to an old iron; thence South 72-55-18 East 102.87 feet to an old iron; thence South 44-22-29 East 139.50 feet; thence South 27-13-29 East 111.0 feet; thence South 65-06-29 East 157.50 feet; thence South 47-13-29 East 170 feet; thence South 43-06-30 East 40.36 feet to an old iron; thence South 41-42-26 East 16.40 feet; thence South 54-24-26 East 57.60 feet; thence South 79-04-28 East 591.80 feet to an old iron; thence South 27-35-43 East 105.43 feet to an old iron; thence South 27-02-27 West 111.52 feet to an old iron; thence North 48-39-35 West 140.90 feet; thence North 82-16-35 West 59.60 feet; thence South 53-31-18 West 213.10 feet to an old iron; thence South 9-31-17 West 52.30 feet; thence South 12-18-53 East 113.62 feet; thence South 11-08-13 West 87.16 feet; thence South 67-44-44 East 60.03 feet; thence North 76-27-13 East 50.29 feet; thence South 73-16-55 East 123.98 feet; thence South 28-18-07 West 349.62 feet to a point in the northerly margin of North Carolina Highway 51; thence with the northerly margin of North Carolina Highway 51 North 42-03-34 West 160.44 feet; thence in a general northwesterly direction with the arc of a circular curve to the left having a radius of 1091.74 feet a distance of 91.19 feet; thence South 43-09 West 30 feet; thence in a general northwesterly direction with the arc of a circular curve to the left having a radius of 1061.74 feet a distance of 129.55 feet; thence continuing in a general northwesterly direction with the arc of a circular curve to the right having a radius of 1502.39 feet a distance of 66.97 feet; thence South 36-41 West 4.19 feet; thence in a general northwesterly direction with the arc of a circular curve to the left having a radius of 1061.74 feet a distance of 65.92 feet; thence North 61-00-34 West 46.81 feet; thence in a general northwesterly direction with the arc of a circular curve to the left having a radius of 1342.21 feet a distance of 108.72 feet; thence in a general northwesterly direction with the arc of a circular curve to the left having a radius of 1482.39 feet a distance of 445.09 feet; thence North 79-00-34 West 494.61 feet to the point or place of beginning, containing 28.9114 acres, and being all that portion of Tract 3 as shown on survey of the property of the Estate of Thomas M. Shelton made by John R. Yarbrough, N.C.R.L.S., under date of December 14, 1979, except that portion of Tract 3 which was conveyed to the City of Charlotte by deed recorded in Book 4319 at Page 153 in the office of the Register of Deeds for Mecklenburg County, North Carolina.

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Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.

Section 3. That this ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 20th day of June, 19 83, the reference having been made in Minute Book 80, and is recorded in full in Ordinance Book 32, at pages 85-87.

City Clerk

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Petition No. 83-13
Charlotte-Mecklenburg Planning
Commission

ORDINANCE NO. 1375-Z

An Ordinance Amending Chapter 23
of the City Code - Zoning Ordinance

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Chapter 23, Section 23-8 of the Code of the City of Charlotte is hereby amended by changing from O-6 to R-6MF on the Official Zoning Map, City of Charlotte, N. C. the following described property:

BEING various tracts of land located in the Plaza-Midwood area of the City of Charlotte and more specifically shown on the attached map.

Section 2. That this ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina in regular session convened on the 20th day of June, 1983, the reference having been made in Minute Book 80, and recorded in full in Ordinance Book 32, pages 88-89.

Pat Sharkey, City Clerk

