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ORDINANCE NO. 1562-X

AN ORDINANCE DESIGNATING A PROPERTY KNOWN AS THE "EARLE SUMNER DRAPER HOUSE" (INCLUDING THE INTERIOR AND EXTERIOR OF THE HOUSE AND OUTBUILDINGS AND THE LAND ASSOCIATED THEREWITH), AS HISTORIC PROPERTY AT 1621 QUEENS ROAD, IN CHARLOTTE, NORTH CAROLINA, AND RECORDED ON TAX PARCEL NUMBER 153-074-04 IN THE MECKLENBURG COUNTY TAX OFFICE.

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Chapter 160A, Article 19, Part 3B, 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 16 day of July, 1984, on the question of designating a property known as the "Earle Sumner Draper House" (including the interior and exterior of the house and outbuildings and the land associated therewith); and

WHEREAS, the "Earle Sumner Draper House", erected in 1923 and designed by Franklin Gordon, noted Charlotte architect, is one of the finer local examples of the Tudor Revival style of architecture; and

WHEREAS, the "Earle Sumner Draper House" is one of the older houses on the section of Queens Road between Queens College and Providence Road in the prestigious Myers Park neighborhood; and

WHEREAS, Earle Sumner Draper, the original owner, occupies a position of great importance in the fields of landscape architecture and urban planning; and

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has demonstrated that the property known as the "Earle Sumner Draper House" possesses special significance in terms of its history, architecture, and/or cultural importance; and

WHEREAS, the property known as the "Earle Sumner Draper House" possesses integrity of design, setting, workmanship, materials, feeling and/or association; and

WHEREAS, the property known as the "Earle Sumner Draper House" is vested in fee simple to Mr. James Boatwright and wife, Lorne, 1848 Cavendish Court, in Charlotte, North Carolina.

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

1. That the property known as the "Earle Sumner Draper House" (including the interior and exterior of the house and outbuildings and the land associated therewith), is hereby designated as historic property pursuant to Chapter 160A, Article 19, Part 3B, 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 1621 Queens Road, Charlotte, North Carolina, as recorded on Tax Parcel Number 153-074-04 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

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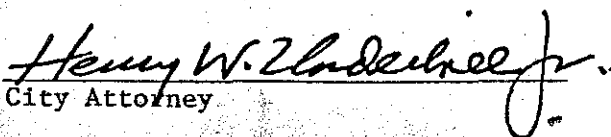
or delay the construction, reconstruction, alteration, restoration, demolition, or removal of any such feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the property owner from making any use of this property not prohibited by other statutes, ordinances, or regulations.

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 "Earle Sumner Draper House" 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:


City Attorney

CERTIFICATION

I, Menta C. Detwiler, Deputy 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, North Carolina, in regular session convened on the 16th day of July, 1984, the reference having been made in Minute Book 82, and is recorded in full in Ordinance Book 33 at Page(s) 172-174.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 19th day of July, 1984.

MENTA C. DETWILER
Deputy City Clerk

ORDINANCE NO. 1563-X

AN ORDINANCE DESIGNATING A PROPERTY KNOWN AS THE "E. B. GRESHAM HOUSE" (INCLUDING THE INTERIOR AND EXTERIOR OF THE HOUSE AND THE LAND ASSOCIATED THEREWITH), AS HISTORIC PROPERTY AT 724 EDGEHILL ROAD, IN CHARLOTTE, NORTH CAROLINA, AND RECORDED ON TAX PARCEL NUMBER 155-042-08, IN THE MECKLENBURG COUNTY TAX OFFICE.

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Chapter 160A, Article 19, Part 3B, 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 16 day of July, 1984, on the question of designating a property known as the "E. B. Gresham House" (including the interior and exterior of the house and the land associated therewith); and

WHEREAS, the "E. B. Gresham House", built in 1924-25 by restaurateur E. B. Gresham and probably designed by Louis Asbury, noted Charlotte architect, is a distinctive example of the Bungalow style of architecture and contributes significantly to the architectural variety of Myers Park; and

WHEREAS, the "E. B. Gresham House" exhibits an interesting and rare effort in Charlotte-Mecklenburg to integrate country cottage features into a bungalow; and

WHEREAS, the "E. B. Gresham House" has experienced minimal alterations over the years; and

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has demonstrated that the property known as the "E. B. Gresham House" possesses special significance in terms of its history, architecture, and/or cultural importance; and

WHEREAS, the property known as the "E. B. Gresham House" possesses integrity of design, setting, workmanship, materials, feeling and/or association; and

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WHEREAS, the property known as the "E. B. Gresham House" is vested in fee simple to Mr. Kwan Pang Lau and wife, Myra C., 724 Edgehill Road, in Charlotte, North Carolina.

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

1. That the property known as the "E. B. Gresham House" (including the interior and exterior of the house and the land associated therewith), is hereby designated as historic property pursuant to Chapter 160A, Article 19, Part 3B, 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 724 Edgehill Road, Charlotte, North Carolina, as recorded on Tax Parcel Number 155-042-08 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.

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 "E. B. Gresham House" 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. Chandler Jr.
City Attorney

CERTIFICATION

I, Menta C. Detwiler, Deputy 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, North Carolina, in regular session convened on the 16th day of July, 1984, the reference having been made in Minute Book 82, and is recorded in full in Ordinance Book 33 at Page(s) 175-177.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 19th day of July, 1984.

MENTA C. DETWILER
Deputy City Clerk

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Petition No. 83-76
Millbrook Village
Associates, Inc.

ORDINANCE NO. 1564-Z

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 4.138 acre site on Jeremiah Avenue between I-77 and South Tryon Street from R-6MF and B-2 to B-2(CD) and O-6(CD); and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 3201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements as specified in Section 3202.1 and 3202.2, 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 1300 and a public hearing was held on October 17, 1983; 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 3202.3:

1. The policies and objectives of the comprehensive plan, particularly in relation to the proposed site and surrounding area.
2. The potential adverse impacts on 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 Section 1005 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-6MF and B-2 to B-2(CD) and O-6(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

BEGINNING at a point, said point being the most southerly corner of the Lloyd J. Henson property, tax parcel 145-253-04, where it adjoins the right-of-way of South Tryon Street; 1) thence S.34-28-00W., 139.30 feet; 2) thence S.34-43-30W., 60.06 feet; 3) thence S.34-34-40W., 147.26 feet; 4) thence N.54-37-47W., 638.90 feet; 5) thence N.12-07-13E., 160.23 feet; 6) thence N.12-07-18E., 65.37 feet; 7) thence N.12-07-18E., 86.59 feet; 8)

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thence N.57-50-24W., 22.25 feet; 9) thence N.21-10-24E., 157.14 feet; 10) thence S.73-58-50E., 139.38 feet; 11) thence S.55-23-42E., 45.03 feet; 12) thence S.55-24-12E., 280.00 feet; 13) thence S.34-35-48W., 165.73 feet; 14) thence S.59-08-18E., 290.16 feet to the point or place of BEGINNING.

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:

Henry W. Underhill Jr.
Henry Underhill, City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 16th day of July, 1984, the reference having been made in Minute Book 82, and recorded in full in Ordinance Book 33, beginning on Page 178-179.

Pat Sharkey
City Clerk

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Petition No. 84-46
JKL Investments

ORDINANCE NO. 1565-Z

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 .851 acre site at 2700 Rockbrook Drive at Runnymede Lane from R-12 to R-15MF(CD); and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 3201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements as specified in Section 3202.1 and 3202.2, 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 1300 and a public hearing was held on June 18, 1984; 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 3202.3:

1. The policies and objectives of the comprehensive plan, particularly in relation to the proposed site and surrounding area.
2. The potential adverse impacts on 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 Section 1005 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-12 to R-15MF(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

BEGINNING at a point, said point being the northeasterly corner of Rockbrook Drive and Runnymede Lane; 1) thence N.24-51-20W., 154.87 feet; 2) thence N.58-40-06E., 218.91 feet; 3) thence S.12-42-25E., 227.69 feet; 4) thence S.79-22-50W., 174.97 feet to the point or place of BEGINNING.

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

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

APPROVED AS TO FORM:

Henry W. Underhill Jr.
Henry Underhill, City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 16th day of July, 19 84, the reference having been made in Minute Book 82, and recorded in full in Ordinance Book 33, beginning on Page 180-181.

Pat Sharkey
City Clerk

ORDINANCE NO. 1566-X

REPEAL OF AN ORDINANCE IN DEED BOOK 4396, PAGE 0857 OF THE MECKLENBURG COUNTY REGISTER OF DEEDS OFFICE DESIGNATING THE EXTERIOR OF A BUILDING, KNOWN AS THE "HARRISON METHODIST CHURCH", AS HISTORIC PROPERTY, LOCATED ON U. S. 521 IN THE SOUTHERN PORTION OF MECKLENBURG COUNTY, NORTH CAROLINA, AND RECORDED ON TAX CODE PARCEL 223-021-04 IN THE MECKLENBURG COUNTY TAX OFFICE.

WHEREAS, the City Council of the City of Charlotte on January 19, 1981 designated Harrison Methodist Church as historic property; and

WHEREAS, the ordinance designating it as historic property was filed and indexed in the Office of the City Clerk, Charlotte Building Standards Department, Mecklenburg County Register of Deeds and the Tax Supervisor, as required by applicable law; and

WHEREAS, the exterior of the building was destroyed by fire on or about March 17, 1984; and

WHEREAS, City Council wishes to repeal its ordinance designating it as historic property in view of its destruction by fire.

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

1. The ordinance adopted by the City Council of the City of Charlotte on January 19, 1981 and filed in the Register of Deeds office in Deed Book 4396, page 0857, is hereby repealed in its entirety. This repeal of the ordinance is to be filed and indexed in the Office of the City Clerk, Charlotte Building Standards Department, Mecklenburg County Register of Deeds and the Tax Supervisor Office.

APPROVED AS TO FORM:

Henry W. Underhill Jr.
City Attorney

CERTIFICATION

I, Menta C. Detwiler, Deputy 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, North Carolina, in regular session convened on the 16th day of July, 1984, the reference having been made in Minute Book 82, and is recorded in full in Ordinance Book 33 at Page(s) 182.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 19th day of July, 1984.

MENTA C. DETWILER
Deputy City Clerk