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ORDINANCE NO. 1652-X

AN ORDINANCE DESIGNATING A PROPERTY KNOWN AS THE "DR. GEORGE D. DAVIS HOUSE" (THE EXTERIOR AND THE INTERIOR OF THE HOUSE AND A PARCEL OF LAND RUNNING FROM THE INTERSECTION OF CAMPUS AND DIXON STREETS NINETY FEET ALONG CAMPUS STREET AND NINETY FEET ALONG DIXON STREET AND CONTINUING PERPENDICULAR TO THE RESPECTIVE STREETS TO A POINT OF INTERSECTION) AS HISTORIC PROPERTY, SAID PROPERTY BEING LOCATED AT 301 CAMPUS STREET, IN CHARLOTTE, NORTH CAROLINA, AND RECORDED ON TAX PARCEL NUMBER 069-012-20, 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 21st day of January, 1985, on the question of designating a property known as the "Dr. George E. Davis House" (the exterior and the interior of the house and a parcel of land running from the intersection of Campus and Dixon Streets ninety feet along Campus Street and ninety feet along Dixon Street and continuing perpendicular to the respective streets to a point of intersection) as historic property; and

WHEREAS, the "Dr. George E. Davis House," erected in the 1890's, is the most imposing example of pre-World War II black residential architecture in the city of Charlotte; and

WHEREAS, Dr. George E. Davis (1862-1959), a graduate of Biddle Institute (now Johnson C. Smith University) and Howard University, was a figure of seminal importance in the history of black education in Charlotte-Mecklenburg and North Carolina, as the first black professor at Biddle Institute, as Dean of the Faculty, and as North Carolina state agent for the Rosenwald Fund; and

WHEREAS, Dr. George E. Davis was a successful and adroit black businessman in Charlotte at the turn of the century, especially in real estate activities; and

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has

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demonstrated that the property known as the "Dr. George E. Davis House" possesses special significance in terms of its history, architecture, and/or cultural importance; and

WHEREAS, the property known as the "Dr. George E. Davis House" possesses integrity of design, setting, workmanship, materials, and/or association; and

WHEREAS, the property known as the "Dr. George E. Davis House" is vested in fee simple to Johnson C. Smith University, Inc.

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

1. That the property known as the "Dr. George E. Davis House" (i.e. The designation shall include the exterior and the interior of the house and a square shape of land running from the intersection of Campus and Dixon Streets ninety feet along the present right of way line of Campus Street and ninety feet along the present right of way line of Dixon Street and continuing perpendicular to the respective streets to a point of intersection and this forming a square of land. This shall not include any present right of way easement held by the City of Charlotte.) is hereby designated as historic property pursuant to Chapter 160A, Article 19, Part 3B, as amended, 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 301 Campus Street, Charlotte, North Carolina, and recorded on Tax Parcel No. 169-112-20 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

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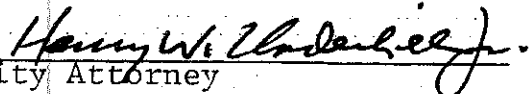
the ordinary maintenance or repair of any architectural feature in or on said property that does not involve a change of design, material, or outer appearance thereof, nor to prevent or delay the making of emergency repairs, nor to prevent or delay the construction, reconstruction, alteration, restoration, 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 "Dr. George E. Davis House" be given 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, 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, North Carolina, in regular session convened on the 21st day of January, 1985, the reference having been made in Minute Book 83, and recorded in full in Ordinance Book 33, at Page(s) 330-332.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of January, 1985.

PAT SHARKEY, CITY CLERK

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ORDINANCE NO. 1653-X

AN ORDINANCE DESIGNATING A PROPERTY KNOWN AS THE "RATCLIFFE FLORIST SHOP" (THE EXTERIOR AND THE INTERIOR OF THE BUILDING AND THE LAND UPON WHICH THE BUILDING SITS) AS HISTORIC PROPERTY, SAID PROPERTY LOCATED AT 431 SOUTH TRYON STREET, IN CHARLOTTE, NORTH CAROLINA, AND RECORDED ON TAX PARCEL NUMBER 125-052-12, IN THE MECKLENBURG COUNTY TAX OFFICE.

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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 21st day of January, 1985, on the question of designating a property known as the "Ratcliffe Florist Shop" (the exterior and the interior of the building and the land upon which the building sits) as historic property; and

WHEREAS, the "Ratcliffe Florist Shop," completed in 1929, is a strikingly well-preserved example of early 20th century commercial architecture; and

WHEREAS, the "Ratcliffe Florist Shop" is the best example of the Mediterranean Revival Style of architecture in Charlotte, North Carolina; and

WHEREAS, the architect of the "Ratcliffe Florist Shop" was William H. Peeps (1868-1950), an architect of local and regional significance; and

WHEREAS, Louis G. Ratcliffe (1893-1961), the founder of the company, was a prominent figure in community affairs; and

WHEREAS, the Ratcliffe family continues to operate the business from this location; and

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

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WHEREAS, the property known as the "Ratcliffe Florist Shop" possesses integrity of design, setting, workmanship, materials, and/or association; and

WHEREAS, the property known as the "Ratcliffe Florist Shop" is vested in fee simple to Hattie Starke Ratcliffe.

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

1. That the property known as the "Ratcliffe Florist Shop" (the exterior and the interior of the building and the land upon which the building sits) is hereby designated as historic property pursuant to Chapter 160A, Article 19, Part 3B, as amended, 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 431 South Tryon Street, Charlotte, North Carolina, and recorded on Tax Parcel Number 125-052-12 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 or 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

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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 "Ratcliffe Florist Shop" be given 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, North Carolina, in regular session convened on the 21st day of January, 1985, the reference having been made in Minute Book 83, and recorded in full in Ordinance Book 33, at Page(s) 333-335.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of January, 1985.

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PAT SHARKEY, CITY CLERK

AN ORDINANCE DESIGNATING A PROPERTY KNOWN AS THE "GEORGE STEPHENS HOUSE" (THE EXTERIOR OF THE HOUSE AND THE FRONT YARD OF THE HOUSE) AS HISTORIC PROPERTY, SAID PROPERTY LOCATED AT 821 HARVARD PLACE, IN CHARLOTTE, NORTH CAROLINA, AND RECORDED ON TAX PARCEL NUMBER 155-053-10, IN THE MECKLENBURG COUNTY TAX OFFICE.

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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 21st day of January, 1985, on the question of designating a property known as the "George Stephens House" (the exterior of the house and the front yard of the house) as historic property; and

WHEREAS, the "George Stephens House," erected c. 1915-16, occupies a pivotal place in terms of the Myers Park townscape and is one of the older houses in the suburb; and

WHEREAS, the "George Stephens House" is an interesting local example of a sophisticated blending of Bungalow and Colonial Revival motifs; and

WHEREAS, the architect of the "George Stephens House" was most probably L. L. Hunter (1882-1925), an architect of local and regional importance; and

WHEREAS, the initial owner of the house, George Stephens (1873-1946), was a seminal figure in the development of Charlotte in the early 20th century, being a co-founder of the Piedmont Realty Company, a founder of the Southern States Trust Company (later the American Trust Company), and founder and president of the Stephens Company, developers of Myers Park; and

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

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WHEREAS, the property known as the "George Stephens House" possesses integrity of design, setting, workmanship, materials, and/or association; and

WHEREAS, the property known as the "George Stephens House" is vested in fee simple to James P. Pressly and wife, Susan T. Pressly.

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

1. That the property known as the "George Stephens House" (the exterior of the house and the front yard of the house) is hereby designated as historic property pursuant to Chapter 160A, Article 19, Part 3B, as amended, 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 821 Harvard Place, Charlotte, North Carolina, and recorded on Tax Parcel Number 155-053-10 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 or 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



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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 "George Stephens House" be given 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. Charles 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, North Carolina, in regular session convened on the 21st day of January, 1985, the reference having been made in Minute Book 83, and recorded in full in Ordinance Book 33, at Page(s) 336-338.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of January, 1985.

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PAT SHARKEY, CITY CLERK

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Petition No. 84-47  
Chantilly Neighborhood  
Association

ORDINANCE NO. 1655-Z

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 to R-6 on the Official Zoning Map, City of Charlotte, N.C. the following described property:

BEING a tract of land located in the Chantilly area of the City of Charlotte and referenced by tax parcel number 127-105-13.

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. Chubbie Jr.  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 21st day of January, 1985, the reference having been made in Minute Book 83, and is recorded in full in Ordinance Book 33, at page 339.

Pat Sharkey  
City Clerk

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Petition No. 84-76  
Sardis Road North  
Associates, Ltd.

ORDINANCE NO. 1656-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 34.92 acre site at the southeast corner of East Independence Boulevard and Sardis Road North from B-D and I-1 to B-1SCD; and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 3210 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all the application requirements as specified in Section 3202 and 3210.2 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 November 19, 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 3210.5:

- .1 Access to public streets and the adequacy of those streets to carry anticipated increased traffic.
- .2 On-site circulation for both pedestrian and vehicular traffic.
- .3 Adequacy of existing community facilities such as water, sewer, police and fire protection.
- .4 Relationship to and impacts upon adjoining and nearby properties and the adequacy of proposed measures to minimize any adverse impacts.
- .5 For proposed shopping centers, the appropriateness of the proposal in relationship to the policies and objectives of the comprehensive plan and to a more detailed area plan, if available.

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 B-D and I-1 to B-1SCD on the Official Zoning Map, City of Charlotte, N.C. the following described property:

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BEGINNING at a point, said point being the southeasterly corner of East Independence Boulevard and Sardis Road North; 1) thence S.33-54-55E. 1263.0 feet; 2) thence S.56-04-30W. 690.0 feet; 3) thence N.83-17-24W. 870.0 feet; 4) thence N.33-54-55W. 700.0 feet; 5) thence R=1959.88 feet L=70.0± feet; 6) thence N.56-04-30E. 1285.38 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. Hodderhill Jr.  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 21st day of January, 19 85, the reference having been made in Minute Book 83, and is recorded in full in Ordinance Book 33, at page 340-340a.

Pat Sharkey  
City Clerk

