

August 15, 1988
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ORDINANCE NO. 2477-X

AN ORDINANCE DESIGNATING A PROPERTY KNOWN AS THE "OLD HOLY COMFORTER EPISCOPAL CHURCH" (THE EXTERIOR AND THE INTERIOR OF THE BUILDING, AND THE ENTIRE TRACT OF LAND RECORDED UNDER TAX PARCEL NUMBER 123-041-23) AS HISTORIC PROPERTY, SAID PROPERTY BEING LOCATED AT 1510 SOUTH BOULEVARD, CHARLOTTE, NORTH CAROLINA, AND RECORDED ON TAX PARCEL NUMBER 123-041-23 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 15th day of August, 1988, on the question of designating a property known as the "Old Holy Comforter Episcopal Church" as historic property; and

WHEREAS, the "Old Holy Comforter Episcopal Church", erected between 1908 and 1912, is the only known local building designed by Charles Coolidge Haight (1841-1917), an influential and significant architect; and

WHEREAS, the "Old Holy Comforter Episcopal Church" is only one of two early twentieth-century church buildings that survive in the South Boulevard district of Dilworth, Charlotte's first streetcar suburb; and

WHEREAS, the "Old Holy Comforter Episcopal Church" is the

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former home of a Christian congregation which continues to play an important role in the religious life of Charlotte and Mecklenburg County; and

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has demonstrated that the property known as the "Old Holy Comforter Episcopal Church" possesses integrity of design, setting, workmanship, materials, and/or association; and

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has demonstrated that the property known as the "Old Holy Comforter Episcopal Church" possesses special significance in terms of its history, architecture, and/or cultural importance; and

WHEREAS, the property known as the "Old Holy Comforter Episcopal Church" is vested in fee simple to Duke Power Company. NOW, THEREFORE, BE IT ORDAINED by the City Council of Charlotte, North Carolina:

1. That the property known as the "Old Holy Comforter Episcopal Church" (the exterior and the interior of the building, and the entire tract of land recorded under Tax Parcel Number 123-041-23) 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 at 1510 South Boulevard, Charlotte, North

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Carolina, and recorded on Tax Parcel Number 123-041-23 in the Mecklenburg County Tax Office.

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 may be placed on said property.

5. That the owners and occupants of the property known as the "Old Holy Comforter Episcopal Church" 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 Standards 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 15th day of August, 1988, the reference having been made in Minute Book 91, and is recorded in full in Ordinance Book 37, at page(s) 159-162.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of August, 1988.

Pat Sharkey, City Clerk

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ORDINANCE NO. 2478-X

AN ORDINANCE DESIGNATING A PROPERTY KNOWN AS THE "OLD ADVENT CHRISTIAN CHURCH" (THE EXTERIOR AND THE INTERIOR OF THE BUILDING, AND THE ENTIRE TRACT OF LAND RECORDED UNDER TAX PARCEL NUMBER 080-098-14) AS HISTORIC PROPERTY, SAID PROPERTY BEING LOCATED AT 101 NORTH McDOWELL STREET, CHARLOTTE, NORTH CAROLINA, AND RECORDED ON TAX PARCEL NUMBER 080-098-14 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 15th day of August, 1988, on the question of designating a property known as the "Old Advent Christian Church" as historic property; and

WHEREAS, the "Old Advent Christian Church", erected in 1919-1920, was built according to plans which had been prepared by Louis H. Asbury (1877-1975), an architect of local and regional significance, for the King's Daughters Chapel at the Stonewall Jackson Training School near Concord; and

WHEREAS, the "Old Advent Christian Church" is the only church building which survives on McDowell Street, which once had many churches, some for whites and some for blacks, along its route in First Ward and Second Ward; and

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WHEREAS, the "Old Advent Christian Church" contributes significantly to the retention of some historical feeling to the North McDowell St. streetscape; and

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has demonstrated that the property known as the "Old Advent Christian Church" possesses integrity of design, setting, workmanship, materials, and/or association; and

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

WHEREAS, the property known as the "Old Advent Christian Church" is vested in fee simple to W. Thomas Ray.

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

1. That the property known as the "Old Advent Christian Church" (the exterior and the interior of the building, and the entire tract of land recorded under Tax Parcel Number 080-098-14) 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 at 101 North McDowell Street, Charlotte, North Carolina, and recorded on Tax Parcel Number 080-098-14 in the Mecklenburg County Tax

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Office.

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

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property has been designated as historic property and containing any other appropriate information. If the owner consents, the sign may be placed on said property.

5. That the owners and occupants of the property known as the "Old Advent Christian Church" 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 Standards 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 15th day of August, 1988, the reference having been made in Minute Book 91, and is recorded in full in Ordinance Book 37, at page(s) 163-166.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of August, 1988.

Pat Sharkey, City Clerk

APPROVED BY CITY COUNCIL
DATE 8/15/88

CITY CD

Petition No. 88-42
Wolf Property Corporation

ORDINANCE NO. 2479-7

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 Approximately 1.378 acres located on the westerly side of Newell-Hickory Grove Road at Williams Road.; 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 denial 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 20, 1988; 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-9MP to O-15(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

BEGINNING at an existing iron pin in the southwesterly margin of the right-of-way of Newell-Hickory Grove Road at the easternmost corner of the land conveyed to John L. Black by deed recorded in Book 4559, Page 564, Mecklenburg County Public Registry; and runs thence with the southeasterly boundary of the Black Land S.48-43-30W. 200.04 feet to an existing iron pin; thence S.39-24-45E. 20.31 feet to a point; thence S.6-06E. 57.91 feet to a point; thence S.81-05-50E. 55.07 feet to a point; thence N.83-43E. 44.76 feet to a point; thence S.50-45E. 83.96 feet to a point; thence S.5-23-41E. 32.24 feet to a point; thence S.34-15W. 30.11 feet to a point; thence S.54-34-25E. 47.16 feet to a point; thence N.48-40-30E. 128.00 feet to a point in the southwesterly margin of the right-of-way of Newell-Hickory Grove Road; thence with the southwesterly margin of the right-of-way of Newell-Hickory Grove Road, N.41-20-30W. 290.00 feet to the BEGINNING, all as shown on survey prepared for Wolf Property Corporation by Robert E. Rembert N.C.R.L.S. dated June 24, 1983 and last updated July 31, 1985.

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.

City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 15th day of August, 19 88, the reference having been made in Minute Book 91, and is recorded in full in Ordinance Book 37, at page 167-168.

Pat Sharkey
City Clerk

APPROVED BY CITY COUNCIL

DATE AUG 15 1988

CITY ZONE CHANGE

Petition No. 88-56
CHI ETA PHI
SORORITY

ORDINANCE NO. 2480-7

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 change from R-9 to R-15MF on the Official Zoning Map, City of Charlotte, N.C. the following described property:

- N.41-01-30W. 346.45 feet
- N.69-26-53E. 183.64 feet
- S.78-53-29E. 117.10 feet
- S.11-08-31W. 309.05 feet

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.

City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 15th day of August, 19 88, the reference having been made in Minute Book 91, at page 169.

Pat Sharkey
City Clerk

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