

June 16, 2003
Ordinance Book 52, Page 305

Petition No. 2002-091
Petitioner: Gateway Homes

ORDINANCE NO. 2313 -Z

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

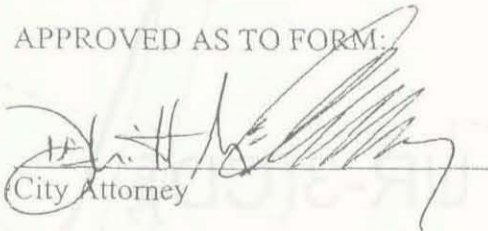
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That the Official Zoning Maps referenced in Section 1.104 of the City of Charlotte Zoning Ordinance are hereby amended by changing the zoning of the property described on the attached map from R-5 and UR-3(CD) to UR-3 (CD).

Section 2. The development and use of the property hereby rezoned shall be governed by the predetermined ordinance requirements applicable to such district category, the approved site plan for the district, and any additional approved rules, regulations, and conditions, all of which shall constitute the zoning regulations for the approved district and are binding on the property as an amendment to the regulations and to the Zoning Maps.

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

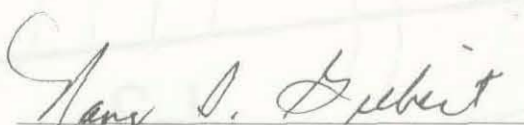
APPROVED AS TO FORM:


City Attorney

CERTIFICATION

I, Nancy S. Gilbert, 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 June, 2003, the reference having been made in Minute Book 119, and recorded in full in Ordinance Book 52, Page(s) 305-306.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10th day of September, 2003.


Nancy S. Gilbert, CMC, Deputy City Clerk

Petition #: 2002-91

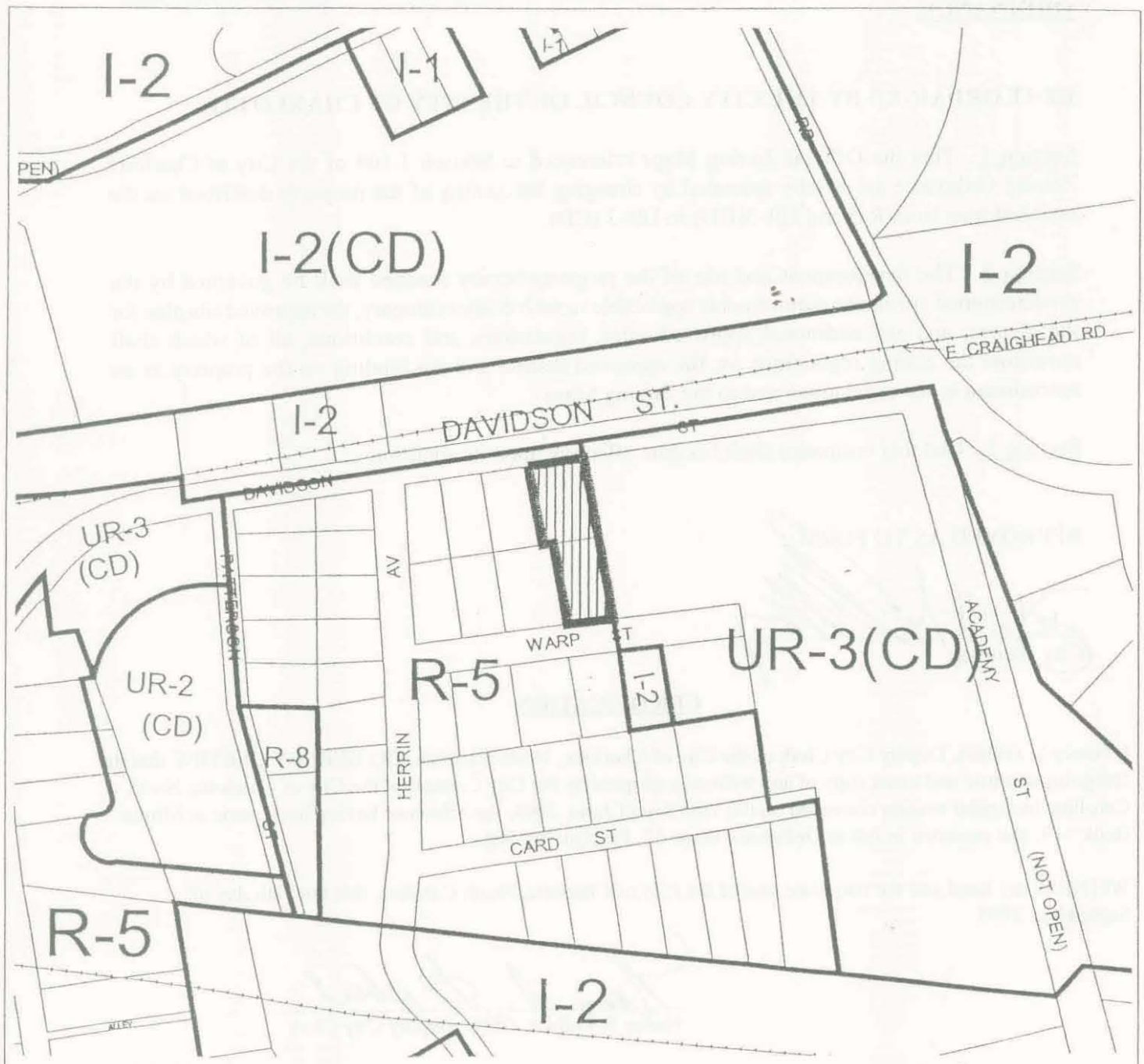
Petitioner: Gateway Homes, LLC

Hearing Date: September 17, 2002

Zoning Classification (Existing): R-5

Zoning Classification (Requested): UR-3(CD)

Acres & Location Approximately 0.45 acres located between Davidson Street and Warp Street, east of Herrin Avenue



Zoning Map #(s);

89

Map Legend

	ETJ		Floodplain
	Atriole		County Line
	Watershed		City Uninc
	Historic District		

June 16, 2003
Ordinance Book 52, Page 307

Petition No. 2003-001
Petitioner: The Boulevard 2000, LLC

ORDINANCE NO. 2314-Z

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

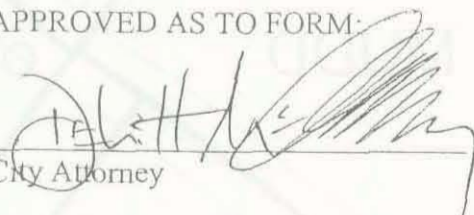
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That the Official Zoning Maps referenced in Section 1.104 of the City of Charlotte Zoning Ordinance are hereby amended by changing the zoning of the property described on the attached map from I-2 to MUDD (CD).

Section 2. The development and use of the property hereby rezoned shall be governed by the predetermined ordinance requirements applicable to such district category, the approved site plan for the district, and any additional approved rules, regulations, and conditions, all of which shall constitute the zoning regulations for the approved district and are binding on the property as an amendment to the regulations and to the Zoning Maps.

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

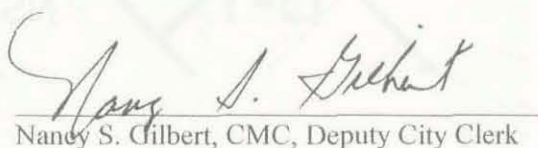
APPROVED AS TO FORM:


City Attorney

CERTIFICATION

I, Nancy S. Gilbert, 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 June, 2003, the reference having been made in Minute Book 119, and recorded in full in Ordinance Book 52, Page(s) 307-308.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10th day of September, 2003.


Nancy S. Gilbert, CMC, Deputy City Clerk

Petition #: 2003-001

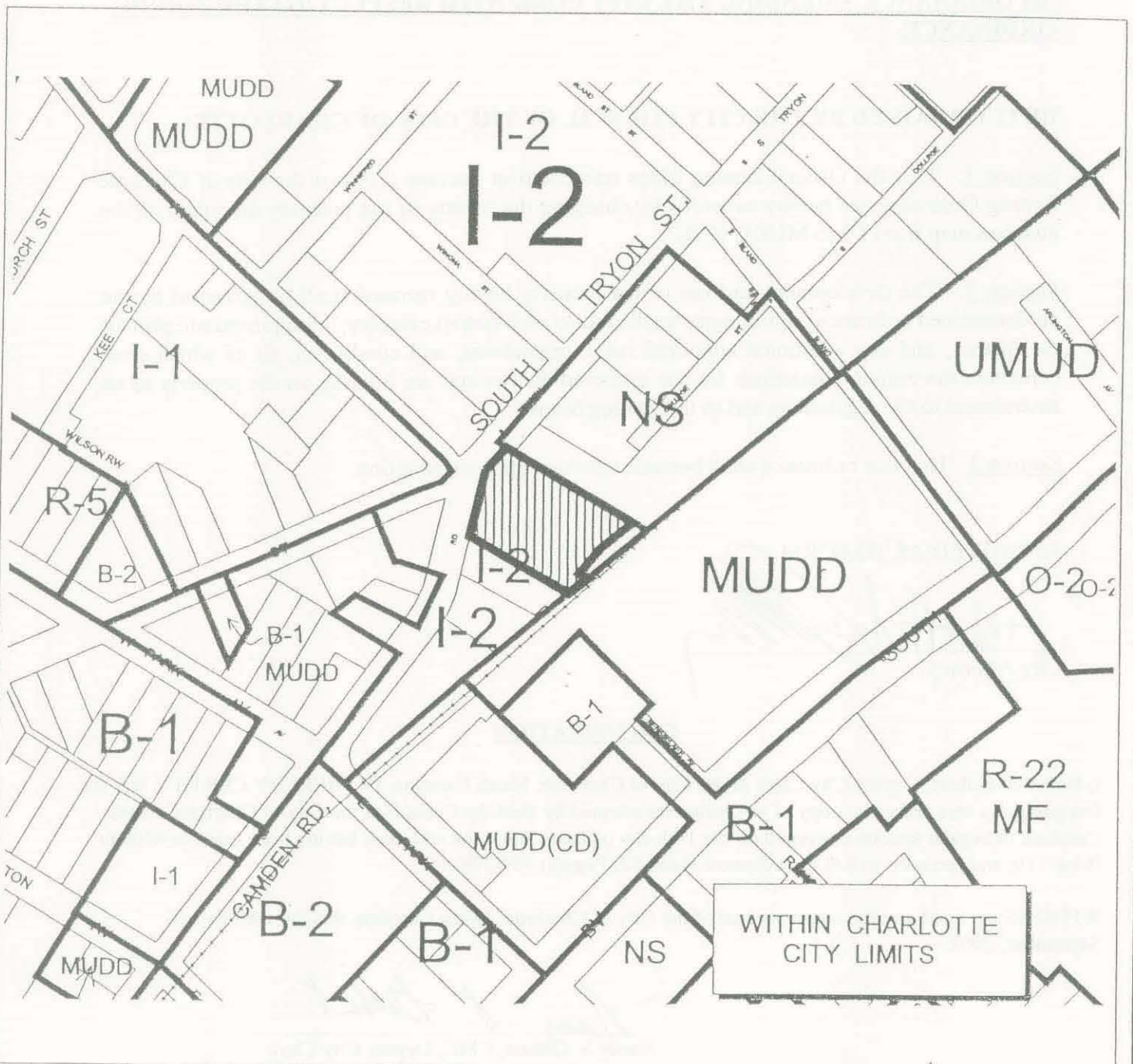
Petitioner: The Boulevard 2000, LLC

Hearing Date: January 21, 2003

Zoning Classification (Existing): I-2

Zoning Classification (Requested): MUDD(CD)

Acresage & Location Approximately 1.03 acres located on the east side of South Tryon Street, north of West Park Avenue



Zoning Map #(s): 102

Map Legend

	ETJ		Floodplains
	Altitude		County Line
	Watershed		City Unincorporated
	Historic District		

Petition No. 2003-020
Petitioner: JDH Capital

ORDINANCE NO. 2315-Z

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

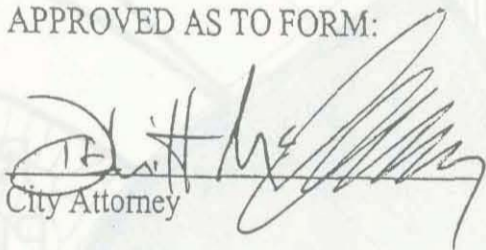
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That the Official Zoning Maps referenced in Section 1.104 of the City of Charlotte Zoning Ordinance are hereby amended by changing the zoning of the property described on the attached map from R-12MF(CD) and B-2(CD) to B-1(CD).

Section 2. The development and use of the property hereby rezoned shall be governed by the predetermined ordinance requirements applicable to such district category, the approved site plan for the district, and any additional approved rules, regulations, and conditions, all of which shall constitute the zoning regulations for the approved district and are binding on the property as an amendment to the regulations and to the Zoning Maps.

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

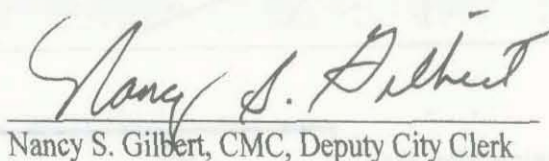
APPROVED AS TO FORM:


City Attorney

CERTIFICATION

I, Nancy S. Gilbert, 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 June, 2003, the reference having been made in Minute Book 119, and recorded in full in Ordinance Book 52, Page(s) 309-310.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 21st day of January, 2004.


Nancy S. Gilbert, CMC, Deputy City Clerk

Petition #: 2003-20

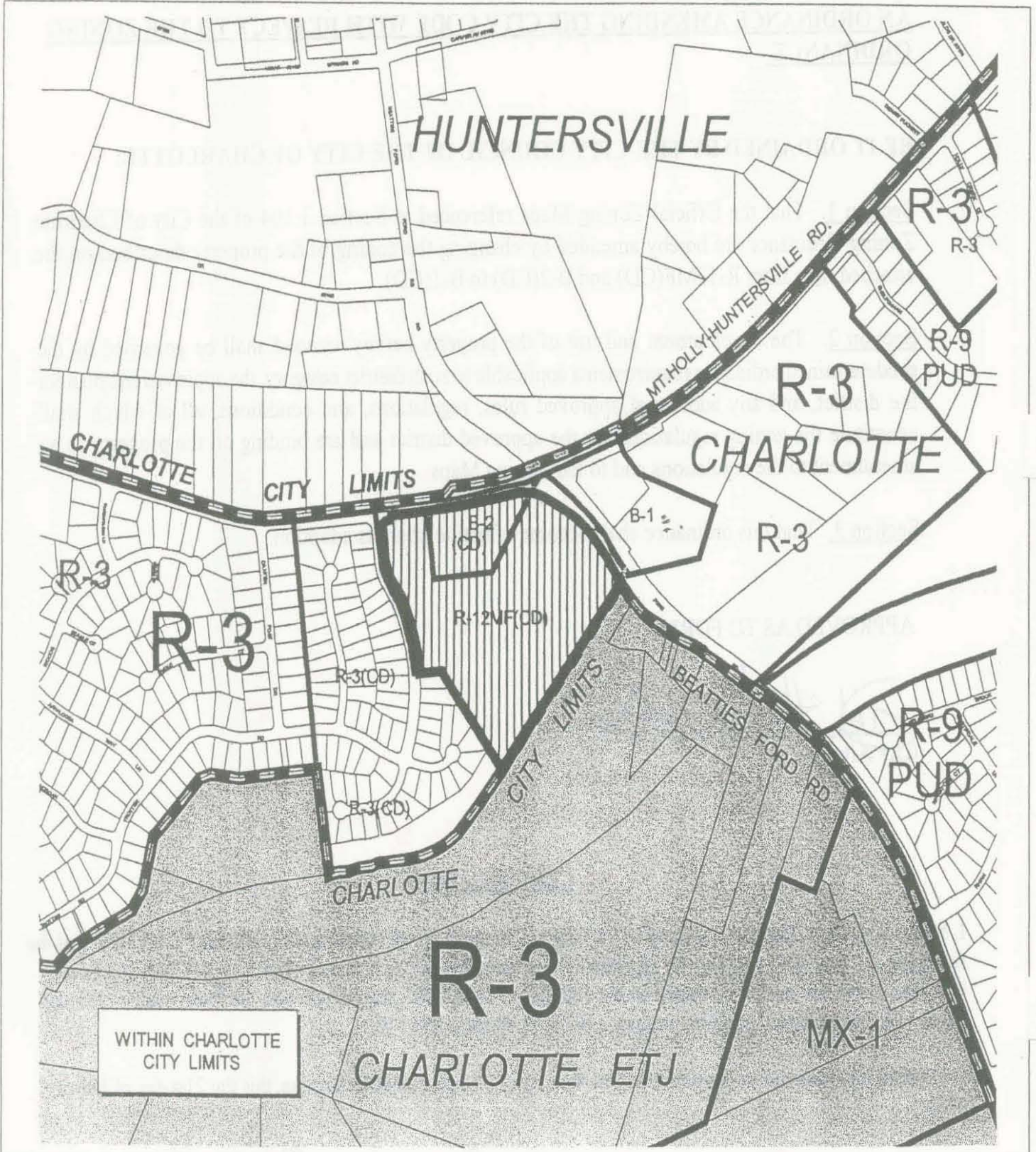
Petitioner: JDH Capital

Hearing Date: April 21, 2003

Zoning Classification (Existing): R-12MF(CD) and B-2(CD)

Zoning Classification (Requested): B-1(CD)

Acreeage & Location Approximately 19.6 acres located on the southwest corner of Mt. Holly-Huntersville Road and Beatties Ford Road



WITHIN CHARLOTTE CITY LIMITS



Zoning Map #(s); 45

Map Legend

	ETJ		Floodplain/HP
	Annexation		County Line
	Watershed		City Limits/arc
	Historic District		

June 16, 2003
Ordinance Book 52, Page 311

Petition No. 2003-039
Petitioner: Provident Development Group, Inc.

ORDINANCE NO. 2316-2

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

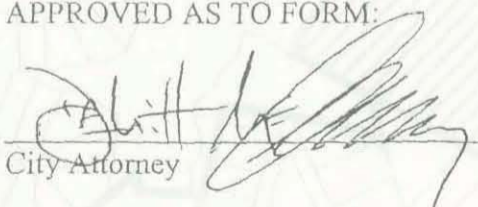
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That the Official Zoning Maps referenced in Section 1.104 of the City of Charlotte Zoning Ordinance are hereby amended by changing the zoning of the property described on the attached map from R-3 MI-CA and R-5 MI-CA to R-5(CD) MI-CA and R-8(CD) MI-CA.

Section 2. The development and use of the property hereby rezoned shall be governed by the predetermined ordinance requirements applicable to such district category, the approved site plan for the district, and any additional approved rules, regulations, and conditions, all of which shall constitute the zoning regulations for the approved district and are binding on the property as an amendment to the regulations and to the Zoning Maps.

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

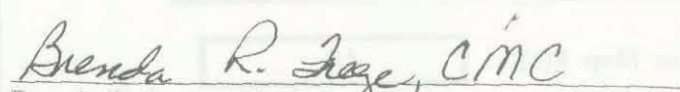
APPROVED AS TO FORM:


City Attorney

CERTIFICATION

I, Brenda R. Freeze, 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 June, 2003, the reference having been made in Minute Book 119, and recorded in full in Ordinance Book 52, Pages 311-312.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 1st day of July, 2003.


Brenda R. Freeze, CMC, City Clerk

Petition #: **2003-39**

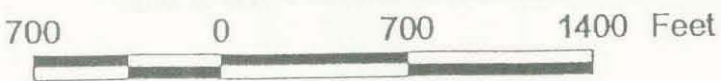
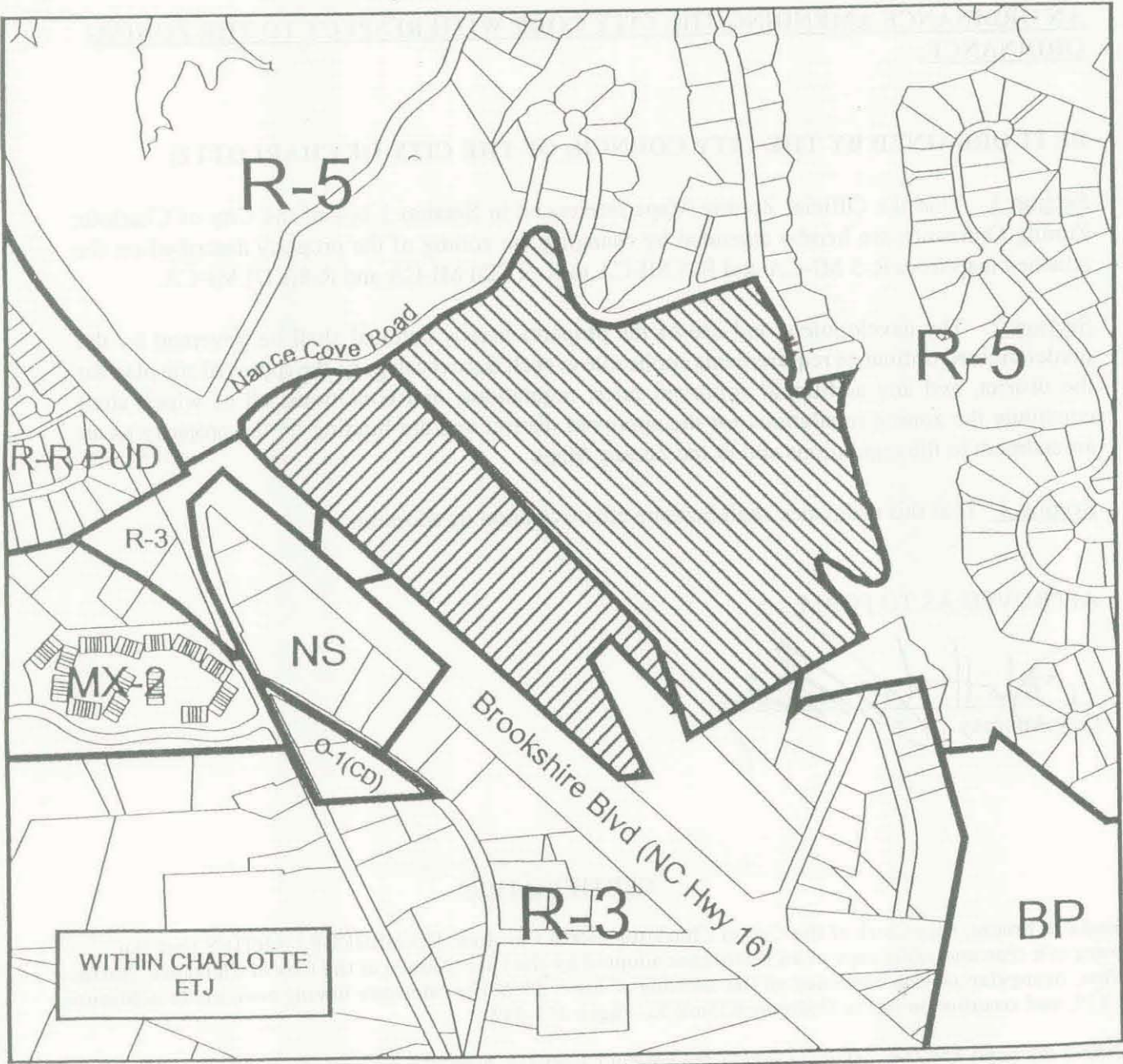
Hearing Date: May 19th, 2003

Petitioner: Provident Development Group, Inc.

Zoning Classification (Existing): R-3 (Single-family Residential, up to 3 dwelling units per acre) and R-5 (Single-family Residential, up to 5 dwelling units per acre) (Mountain Island Lake Critical Area)

Zoning Classification (Requested): R-5 (CD) MI-CA (Single-family Residential, conditional, up to 5 dwelling units per acre) and R-8(CD) MI-CA (Single-family Residential, up to 8 dwelling units per acre, conditional) (Mountain Island Lake Critical Area)

Acreeage & Location : Approximately 93.38 acres located on the north side of Brookshire Boulevard (NC Hwy 16), and the east side of Nance Cove Road



Zoning Map #(s); **48**



	Existing Parcel Boundaries
	Requested R-5(CD) MI-CA
	Existing Zoning Boundaries
	Existing Building Footprints
	Requested R-8(CD) MI-CA

Petition No. 2003-040
Petitioner: Resources for Senior Living, LLC

ORDINANCE NO. 2317-Z

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

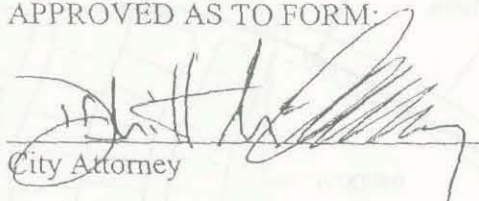
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That the Official Zoning Maps referenced in Section 1.104 of the City of Charlotte Zoning Ordinance are hereby amended by changing the zoning of the property described on the attached map from B-1(CD) to B-1(CD).

Section 2. The development and use of the property hereby rezoned shall be governed by the predetermined ordinance requirements applicable to such district category, the approved site plan for the district, and any additional approved rules, regulations, and conditions, all of which shall constitute the zoning regulations for the approved district and are binding on the property as an amendment to the regulations and to the Zoning Maps.

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


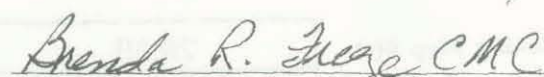
APPROVED AS TO FORM:


City Attorney

CERTIFICATION

I, Brenda R. Freeze, 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 June, 2003, the reference having been made in Minute Book 119, and recorded in full in Ordinance Book 52, Pages 313-314.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 1st day of July, 2003.



Brenda R. Freeze, CMC, City Clerk

June 16, 2003

Ordinance Book 52, Page 314

Petition #: **2003-40**

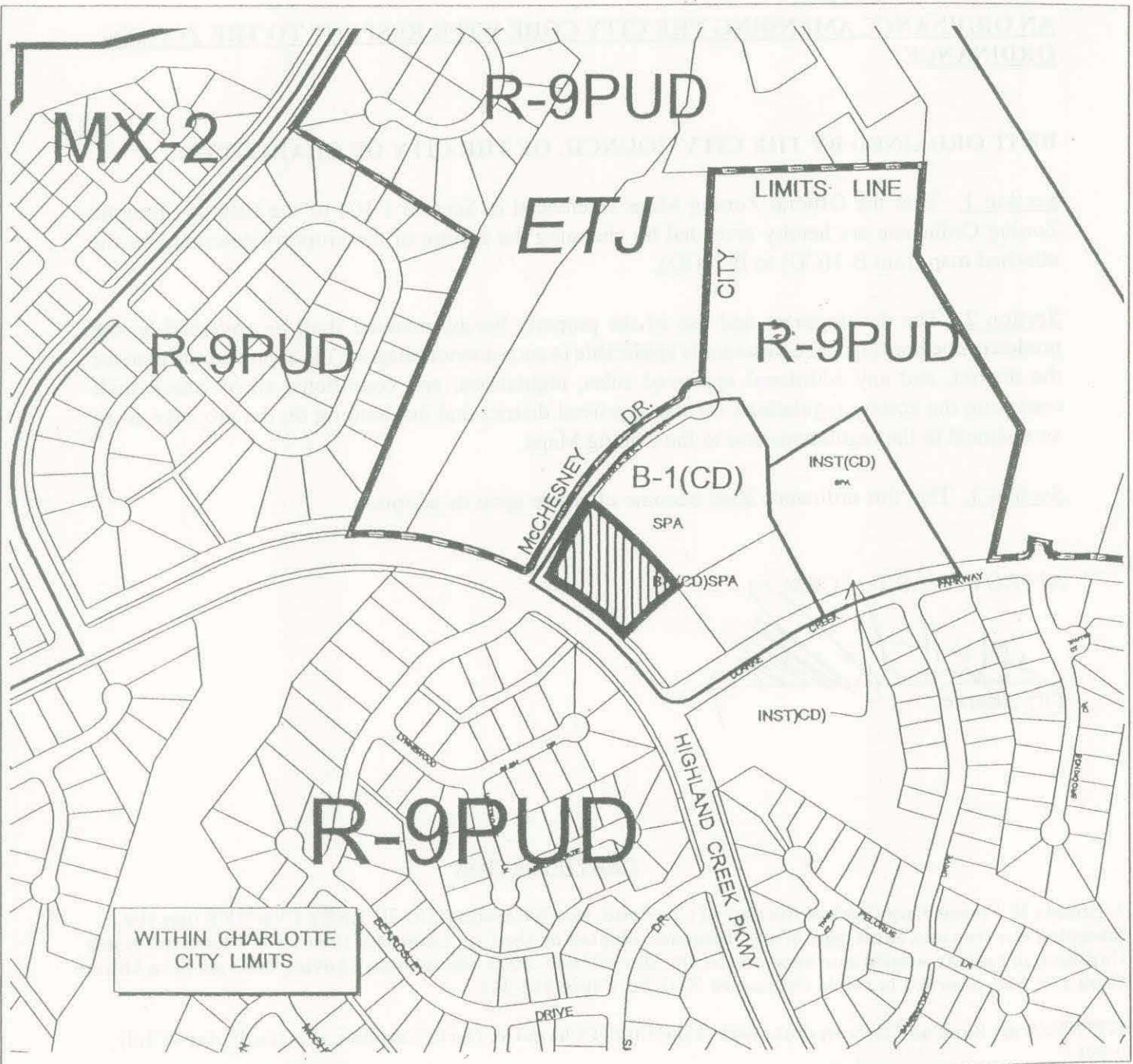
Petitioner: **Resources for Senior Living, LLC**

Hearing Date: **April 21, 2003**

Zoning Classification (Existing): **B-1(CD)**

Zoning Classification (Requested): **B-1(CD) Site Plan Amendment**

Acreage & Location **Approximately 1.58 acres located on the northeast corner of McChesney Drive and Highland Creek Parkway**



Zoning Map #(s); **28,39**

Map Legend

	ETJ		Floodplain Map
	Airbase Map		County Line
	Watershed		City Limits
	Historic District		

June 15, 2003
Ordinance Book 52, Page 315

Petition No. 2003-042
Petitioner: Primax Properties, LLC

ORDINANCE NO. 2318-Z

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

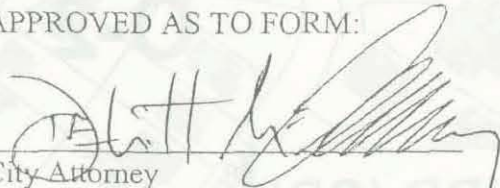
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That the Official Zoning Maps referenced in Section 1.104 of the City of Charlotte Zoning Ordinance are hereby amended by changing the zoning of the property described on the attached map from B-1(CD) to MUDD(CD).

Section 2. The development and use of the property hereby rezoned shall be governed by the predetermined ordinance requirements applicable to such district category, the approved site plan for the district, and any additional approved rules, regulations, and conditions, all of which shall constitute the zoning regulations for the approved district and are binding on the property as an amendment to the regulations and to the Zoning Maps.

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

APPROVED AS TO FORM:


City Attorney

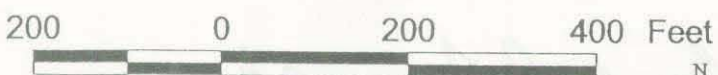
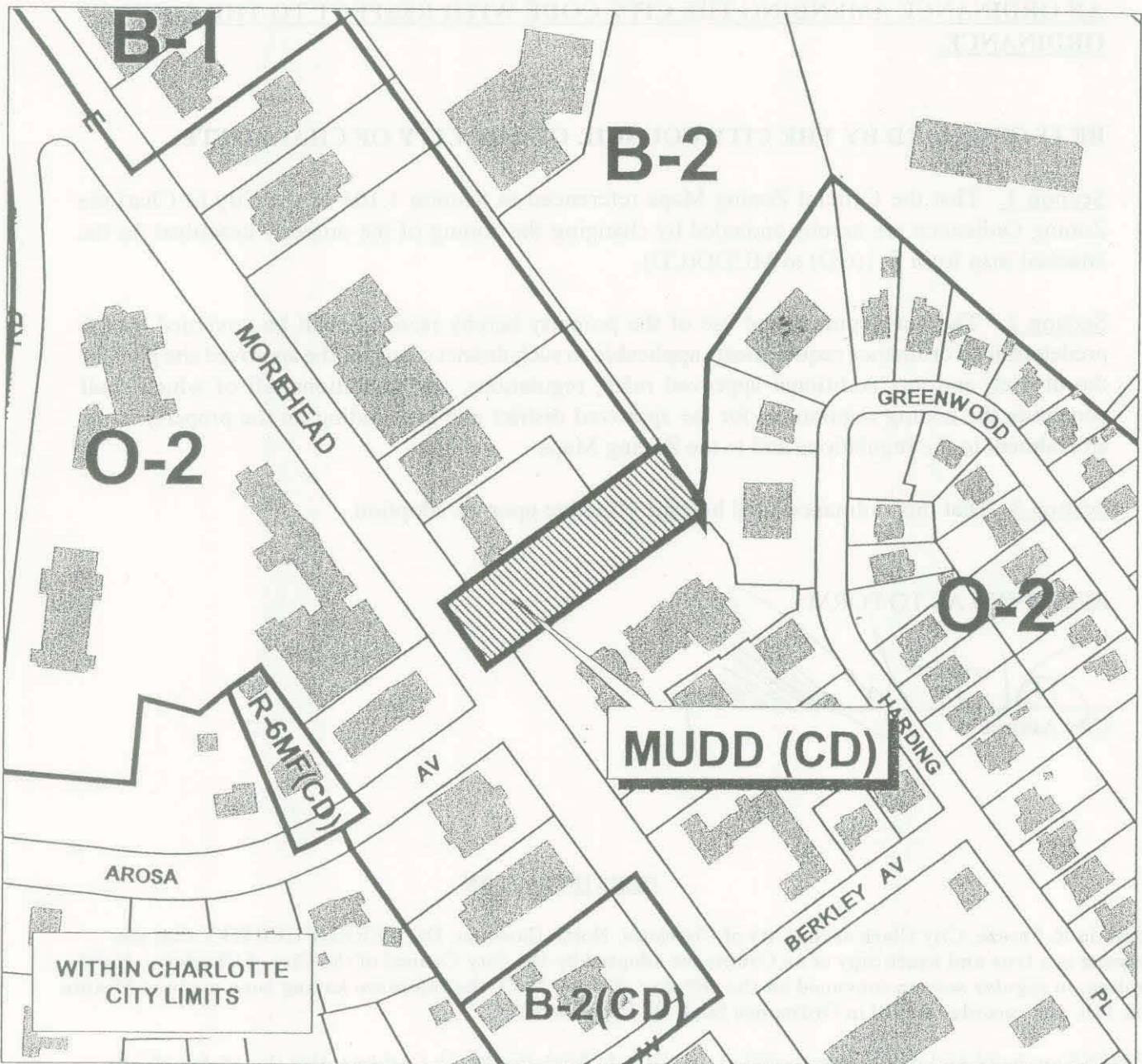
CERTIFICATION

I, Brenda R. Freeze, 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 June, 2003, the reference having been made in Minute Book 119, and recorded in full in Ordinance Book 52, Pages 315-316.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 1st day of July, 2003.





Brenda R. Freeze, CMC, City Clerk

Petition #: 2003-42
Petitioner: Primax Properties, LLC
Hearing Date: May 19, 2003
Zoning Classification (Existing): B-1(CD)
Zoning Classification (Requested): MUDD(CD)
Acreeage & Location Approximately 0.72 acres located on the east side of Morehead Street, near the intersection with Arosa Avenue



Zoning Map #(s); 102, 111



-  Existing Structures
-  Requested MUDD(CD)
-  Existing Zoning Boundaries

June 16, 2003
Ordinance Book 52, Page 317

Petition No. 2003-045
Petitioner: Richter & Associates

ORDINANCE NO. 2319 -Z

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

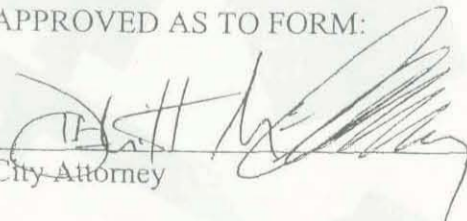
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That the Official Zoning Maps referenced in Section 1.104 of the City of Charlotte Zoning Ordinance are hereby amended by changing the zoning of the property described on the attached map from O-2 to MUDD-O.

Section 2. The development and use of the property hereby rezoned shall be governed by the predetermined ordinance requirements applicable to such district category, the approved site plan for the district, and any additional approved rules, regulations, and conditions, all of which shall constitute the zoning regulations for the approved district and are binding on the property as an amendment to the regulations and to the Zoning Maps.

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


APPROVED AS TO FORM:


City Attorney

CERTIFICATION

I, Nancy S. Gilbert, 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 June, 2003, the reference having been made in Minute Book 119, and recorded in full in Ordinance Book 52, Page(s) 317-318.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10th day of September, 2003.


Nancy S. Gilbert, CMC, Deputy City Clerk

June 16, 2003

Ordinance Book 52, Page 318

Petition #: 2003-45

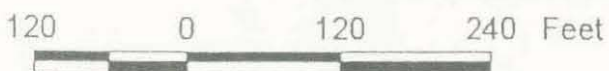
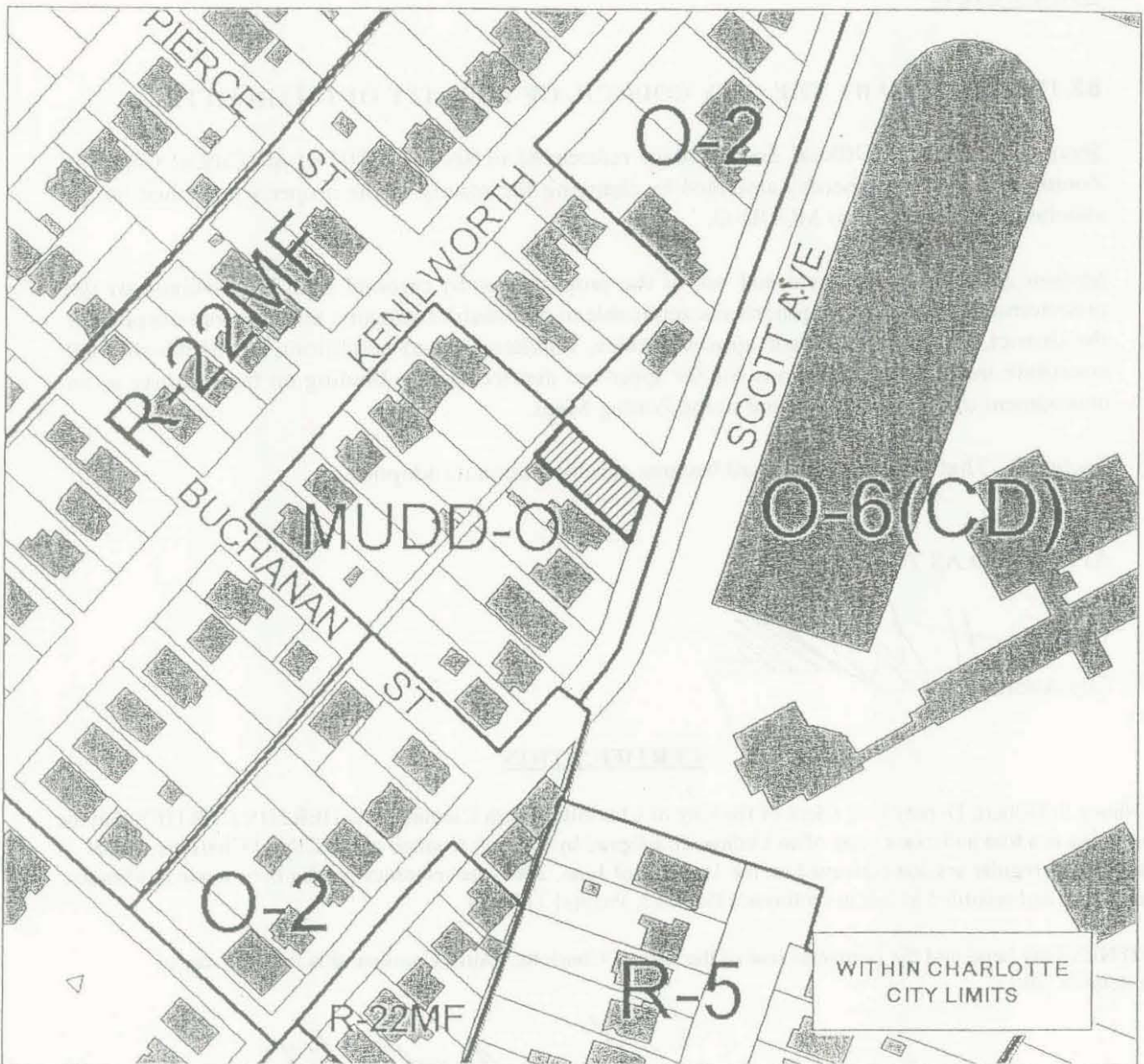
Petitioner: Richter & Associates

Hearing Date: May 19, 2003

Zoning Classification (Existing): O-2

Zoning Classification (Requested): MUDD-O

Acreage & Location Approximately 0.148 acres located on the southwest corner of Scott Avenue and Pierce



Zoning Map #(s); 122

- Existing Structures
- Requested MUDD-O
- Existing Zoning Boundaries

June 16, 2003
Ordinance Book 52, Page 319
Ordinance - Calvin Neal House

FOR REGISTRATION JUDITH A. GIBSON
REGISTER OF DEEDS
MECKLENBURG COUNTY, NC
2003 JUN 24 03:05 PM
BK: 15565 PG: 351-356 FEE: \$0.00

INSTRUMENT # 2003139855



2003139855

Ordinance designating as a Historic Landmark a property known as the "Calvin Neal House" (listed under Tax Parcel Number 07102141 as of March 15, 2003, and including the interior and the exterior of the house and the garage, and the parcel of land listed under Tax Parcel Number 07102141 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of March 15, 2003). The property is owned by John Caratelli and David Greer and is located at 612 Walnut Avenue in the City of Charlotte, Mecklenburg County, North Carolina.

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

WHEREAS, the members of the City Council of Charlotte, North Carolina, have taken into full consideration all statements and information presented at a joint public hearing held with the Charlotte-Mecklenburg Historic Landmarks Commission on the 16th day of June, 2003, on the question of designating a property known as the Calvin Neal House as a historic landmark; and

WHEREAS, the Calvin Neal House, constructed in 1927, is an unusual and excellently-preserved example of early twentieth-century rubble stone veneer in Charlotte; and

WHEREAS, the Calvin Neal House is the only stone rubble house in the Wesley Heights neighborhood and is a testament to the high level of craftsmanship possible in what would otherwise be considered a common vernacular structure; and

WHEREAS, the Calvin Neal House, constructed most likely from stock plans, is a tangible reflection of the way in which homeowners during the twentieth century post-war housing boom found ways to individualize their homes; and

Return to:
Charlotte-Mecklenburg
2100 Randolph Rd
Charlotte, NC 28207

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

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has jurisdiction over portions of the property known as the Calvin Neal House, because consent for interior design review has been given by the Owner; and

WHEREAS, the property known as the Calvin Neal House is owned by John Caratelli and David Greer.

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

1. That the property known as the "Calvin Neal House" (listed under Tax Parcel Number 07102141 as of March 15, 2003, and including the interior and the exterior of the house and the garage, and the parcel of land listed under Tax Parcel Number 07102141 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of March 15, 2003) is hereby designated as a historic landmark pursuant to Chapter 160A, Article 19, as amended, of the General Statutes of North Carolina. The location of said landmark is noted as being situated at 612 Walnut Avenue in the City of Charlotte, Mecklenburg County, North Carolina. Exterior and interior features are more completely described in the *Survey and Research Report on the Calvin Neal House (2003)*.

2. That said exterior and interior are more specifically defined as the historic and structural fabric, especially including all original exterior and interior architectural features and the original contours of landscaping.

3. That said designated historic landmark may be materially altered, restored, moved or demolished only following issuance of a Certificate of Appropriateness by the Charlotte-Mecklenburg Historic Landmarks Commission. An application for a Certificate of Appropriateness authorizing the demolition of said landmark may not be denied, except if such landmark is judged to be of State-wide significance by duly authorized officials of the North Carolina Division of Archives and History. However, the effective date of such Certificate may be delayed in accordance with Chapter 160A, Article 19, and amendments thereto, and hereinafter adopted.

4. Nothing in this ordinance shall be construed to prevent or delay ordinary maintenance or repair of any architectural feature in or on said landmark that does not involve a change in design, material or outer appearance thereof, 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 owner of the historic landmark from making any use of the historic landmark not prohibited by other statutes, ordinances or regulations. Owners of locally designated historic landmarks are expected to be familiar with and to follow *The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*, the guidelines used by the Charlotte-Mecklenburg Historic Landmarks Commission to evaluate proposed alterations or additions.

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

6. That the owners of the historic landmark known as the Calvin Neal 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 Standards Department, Mecklenburg County Register of Deeds, and the Tax Supervisor, as required by applicable law.

7. That which is designated as a historic landmark shall be subject to Chapter 160A, Article 19, of the General Statutes of North Carolina as amended, and any amendments to it and any amendments hereinafter adopted.

Adopted the 16th day of June, 2003, by the members of the City Council of the City of Charlotte, Mecklenburg County, North Carolina.

Nancy S. Gilbert, Clerk
Clerk to City Council

Approved as to form:

A. Mitchell
City Attorney

June 16, 2003
Ordinance Book 52, Page 323



CERTIFICATION

I, Nancy S. Gilbert, 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 June, 2003, the reference having been made in Minute Book 119, and recorded in full in Ordinance Book 52, Pages 319-323.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 18th day of June, 2003.



Nancy S. Gilbert, CMC, Deputy City Clerk

Charlotte - MEADOWBROOK HCC
5100 Riverchase Blvd
Charlotte, NC 28205

June 16, 2003
Ordinance Book 52, Page 324
Ordinance - Bryant Park

FOR REGISTRATION JUDITH A GIBSON
REGISTER OF DEEDS
MECKLENBURG COUNTY, NC
2003 JUN 24 03:05 PM
BK: 15565 PG: 363-367 FEE: \$0.00
INSTRUMENT # 2003139857



Ordinance designating as a Historic Landmark a property known as "Bryant Park" (listed under Tax Parcel number 06701401 as of March 15, 2003, and including all original stonework and landscaping on the property except for the rock wall bordering West Morehead Street and including the parcel of land listed under Tax Parcel Number 06701401 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of March 15, 2003). The property is owned by Mecklenburg County and is located at 1701 West Morehead Street in the City of Charlotte, Mecklenburg County, North Carolina.

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

WHEREAS, the members of the City Council of Charlotte, North Carolina, have taken into full consideration all statements and information presented at a joint public hearing held with the Charlotte-Mecklenburg Historic Landmarks Commission on the 16th day of June, 2003, on the question of designating a property known as Bryant Park as a historic landmark; and

WHEREAS, Bryant Park, constructed in the mid-1930s to serve residents in the neighborhood of Wesley Heights, was one of the first small scale public parks in Charlotte, and represents the early stages of the twentieth century push for neighborhood public green space; and

WHEREAS, Bryant Park's complex network of granite stone walls and distinctive stone seating above the softball field was completed during the height of the Great Depression, most likely as part of the Works Progress Administration (the W.P.A.), and remains as possibly a tangible reflection of the local impact of New Deal work programs;

and Return to: Charlotte - Mecklenburg HLC
2100 Randolph Rd
Charlotte, NC 28207

June 16, 2003
Ordinance Book 52, Page 325

Ordinance - Bryant Park

WHEREAS, Bryant Park is located in an increasingly dense area of urban development and is the only public park and green space remaining in Charlotte's West Morehead Street industrial sector; and

WHEREAS, the property known as Bryant Park is owned by Mecklenburg County.

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

1. That the property known as the "Bryant Park" (listed under Tax Parcel number 06701401 as of March 15, 2003, and including all original stonework and landscaping on the property except for the rock wall bordering West Morehead Street and including the parcel of land listed under Tax Parcel Number 06701401 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of March 15, 2003) is hereby designated as a historic landmark pursuant to Chapter 160A, Article 19, as amended, of the General Statutes of North Carolina. The location of said landmark is noted as being situated at 1701 West Morehead Street in the City of Charlotte, Mecklenburg County, North Carolina. Features of the property are more completely described in the *Survey and Research Report on Bryant Park (2001)*.

2. That said designated historic landmark may be materially altered or restored only following issuance of a Certificate of Appropriateness by the Charlotte-Mecklenburg Historic Landmarks Commission. An application for a Certificate of Appropriateness authorizing the demolition of said landmark may not be denied, except if such landmark is judged to be of State-wide significance by duly authorized officials of the North

Carolina Division of Archives and History. However, the effective date of such Certificate may be delayed in accordance with Chapter 160A, Article 19, and amendments thereto, and hereinafter adopted.

3. Nothing in this ordinance shall be construed to prevent or delay ordinary maintenance or repair of any architectural feature in or on said landmark that does not involve a change in design, material or outer appearance thereof, 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 owner of the historic landmark from making any use of the historic landmark not prohibited by other statutes, ordinances or regulations. Owners of locally designated historic landmarks are expected to be familiar with and to follow *The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*, the guidelines used by the Charlotte-Mecklenburg Historic Landmarks Commission to evaluate proposed alterations or additions.

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

5. That the owners of the historic landmark known as the Bryant Park 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,

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Ordinance - Bryant Park

Mecklenburg County Register of Deeds, and the Tax Supervisor, as required by applicable law.

6. That which is designated as a historic landmark shall be subject to Chapter 160A, Article 19, of the General Statutes of North Carolina as amended, and any amendments to it and any amendments hereinafter adopted.

Adopted the 16th day of June, 2003, by the members of the City Council of the City of Charlotte, Mecklenburg County, North Carolina.

Deputy
Nancy S. Gilbert, CMC
Clerk to City Council

Approved as to form:

Assistant
J. Michael Hill
City Attorney

CERTIFICATION

I, Nancy S. Gilbert, 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 June, 2003, the reference having been made in Minute Book 119, and recorded in full in Ordinance Book 52, Pages 324-327.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 18th day of June, 2003.

Nancy S. Gilbert
Nancy S. Gilbert, CMC, Deputy City Clerk

June 16, 2003

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Ordinance - Elmwood/Pinewood Cemetery

FOR REGISTRATION JUDITH A. GIBSON
REGISTER OF DEEDS
MECKLENBURG COUNTY, NC
2003 JUN 24 03:05 PM
BK: 15565 PG: 357-362 FEE: \$0.00

INSTRUMENT # 2003139856



2003139856

Ordinance designating as a Historic Landmark a property known as the "Elmwood/Pinewood Cemetery" (listed under Tax Parcel number 07813104 as of March 15, 2003, and including the land and landscaping, and all buildings, structures, and objects on the parcel of land listed under Tax Parcel Number 07813104 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of March 15, 2003). The property is owned by The City of Charlotte and is located at West 6th Street in the City of Charlotte, Mecklenburg County, North Carolina.

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

WHEREAS, the members of the City Council of Charlotte, North Carolina, have taken into full consideration all statements and information presented at a joint public hearing held with the Charlotte-Mecklenburg Historic Landmarks Commission on the 16th day of June, 2003, on the question of designating a property known as Elmwood/Pinewood Cemetery as a historic landmark; and

WHEREAS, Elmwood/Pinewood Cemetery - originally opened in 1853 as a 100-acre plot that included Pinewood Cemetery, a segregated African American cemetery, and Potter's Field, a pauper's cemetery - forms one of Charlotte's oldest public cemeteries; and

WHEREAS, Elmwood/Pinewood Cemetery is a reflection of Charlotte-Mecklenburg's cultural history from the mid-nineteenth century to the present, and contains the graves of some of Charlotte's most important citizens; and

Return to: Charlotte-Mecklenburg
2100 Randolph Rd
Charlotte NC 28205

WHEREAS, Elmwood/Pinewood Cemetery, located in the heart of Charlotte's center city, formed an integral part of the urban landscape at a time when cemeteries served not only as places for interment but as important public green spaces; and

WHEREAS, Elmwood/Pinewood Cemetery was the center of a civil rights controversy in the late 1960s, when city councilman Fred Alexander spearheaded a successful campaign to bring down the chain link fence separating all-white Elmwood from all-black Pinewood; and

WHEREAS, the property known as Elmwood/Pinewood Cemetery is owned by the City of Charlotte.

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

1. That the property known as the "Elmwood/Pinewood Cemetery" (listed under Tax Parcel number 07813104 as of March 15, 2003, and including the land and landscaping, and all buildings, structures, and objects on the parcel of land listed under Tax Parcel Number 07813104 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of March 15, 2003) is hereby designated as a historic landmark pursuant to Chapter 160A, Article 19, as amended, of the General Statutes of North Carolina. The location of said landmark is noted as being situated at West 6th Street in the City of Charlotte, Mecklenburg County, North Carolina. Features of the property are more completely described in the *Survey and Research Report on Elmwood/Pinewood Cemetery (2001)*.

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2. That said designated historic landmark may be materially altered or restored only following issuance of a Certificate of Appropriateness by the Charlotte-Mecklenburg Historic Landmarks Commission. An application for a Certificate of Appropriateness authorizing the demolition of said landmark may not be denied, except if such landmark is judged to be of State-wide significance by duly authorized officials of the North Carolina Division of Archives and History. However, the effective date of such Certificate may be delayed in accordance with Chapter 160A, Article- 19, and amendments thereto, and hereinafter adopted.

3. Nothing in this ordinance shall be construed to prevent or delay ordinary maintenance or repair of any architectural feature in or on said landmark that does not involve a change in design, material or outer appearance thereof, 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 owner of the historic landmark from making any use of the historic landmark not prohibited by other statutes, ordinances or regulations. Owners of locally designated historic landmarks are expected to be familiar with and to follow *The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*, the guidelines used by the Charlotte-Mecklenburg Historic Landmarks Commission to evaluate proposed alterations or additions.

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Ordinance - Elmwood/Pinewood Cemetery

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

5. That the owners of the historic landmark known as the Elmwood/Pinewood Cemetery 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 a historic landmark shall be subject to Chapter 160A, Article 19, of the General Statutes of North Carolina as amended, and any amendments to it and any amendments hereinafter adopted.

Adopted the 16th day of June, 2003, by the members of the City Council of the City of Charlotte, Mecklenburg County, North Carolina.

Shirley J. Gilbert, Clerk
Clerk to City Council

Approved as to form:

S. Majid Ali
Assistant City Attorney

June 16, 2003
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CERTIFICATION

I, Nancy S. Gilbert, 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 June, 2003, the reference having been made in Minute Book 119, and recorded in full in Ordinance Book 52, Pages 328-332.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 18th day of June, 2003.



Nancy S. Gilbert, CMC, Deputy City Clerk