

ORDINANCE NO. 3879-Z

Ordinance – Wing Haven Gardens and Bird Sanctuary

Ordinance designating as a Historic Landmark a property known as “Wing Haven Gardens and Bird Sanctuary” (listed under Tax Parcel Numbers 151-142-19, 151-142-40 and 151-142-41 and including the interior and exterior of the house, and the land as shown on the attached Exhibit “A” and listed under Tax Parcel Numbers 151-142-19, 151-142-40 and 151-142-41 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of February 1, 2008). The property is owned by the Wing Haven Foundation, Inc., and is located at 248 Ridgewood Avenue in the City of Charlotte, 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 public hearing held on the 21st day of April, 2008, on the question of designating a property known as the Wing Haven Gardens and Bird Sanctuary (“Wing Haven”) as a historic landmark; and

WHEREAS, the members of the Charlotte-Mecklenburg Historic Landmarks Commission have taken into full consideration all statements and information presented at a public hearing held on the 14th day of April, 2008, on the question of designating a property known as the Wing Haven Gardens and Bird Sanctuary as a historic landmark;

and

Return To:

Charlotte Mecklenburg
Historic Landmarks Com.
2100 Randolph Road
Charlotte, NC 28207

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WHEREAS, the Wing Haven is exceptional in terms of Charlotte-Mecklenburg, containing a well preserved early-twentieth-century home surrounded by over two acres of formal gardens that are predominately unchanged from the original design as conceived by the owners Edwin and Elizabeth Clarkson; and

WHEREAS, the Wing Haven is significant for its association with Elizabeth Clarkson who wrote Birds of Charlotte and Mecklenburg County, NC, as well as local and national articles on birds; and

WHEREAS, the Wing Haven has evolved into a private urban bird sanctuary with the founding of the Mecklenburg Audubon Club occurring on the property in 1940, public tours of the garden and bird sanctuary beginning in the 1950s, and with Wing Haven officially opening to the public in 1975; and

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

WHEREAS, the property known as the Wing Haven is owned by the Wing Haven Foundation, Inc.

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

1. That the property known as the “Wing Haven Gardens and Bird Sanctuary” (listed under Tax Parcel Numbers 151-142-19, 151-142-40 and 151-142-41 and including the interior and exterior of the house, and the land as shown on the attached Exhibit “A”

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and listed under Tax Parcel Numbers 151-142-19, 151-142-40 and 151-142-41 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of February 1, 2008) 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 248 Ridgewood Avenue in the City of Charlotte, Mecklenburg County, North Carolina. Features of the property are more completely described in the "Survey and Research Report on the Wing Haven Gardens and Bird Sanctuary" (2007).

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

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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 "Wing Haven Gardens and Bird Sanctuary" 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.

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Approved as to form:

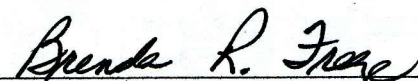


Senior Assistant City Attorney

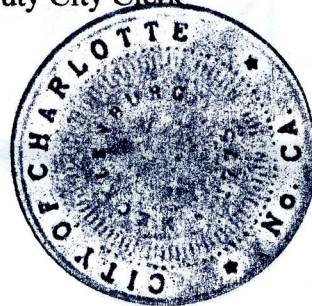
CERTIFICATION

I, Stephanie C. Kelly, 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 21st day of April, 2008, the reference having been made in Minute Book 127, and recorded in full in Ordinance Book 55, Pages (517-522).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of April, 2008.

for - 

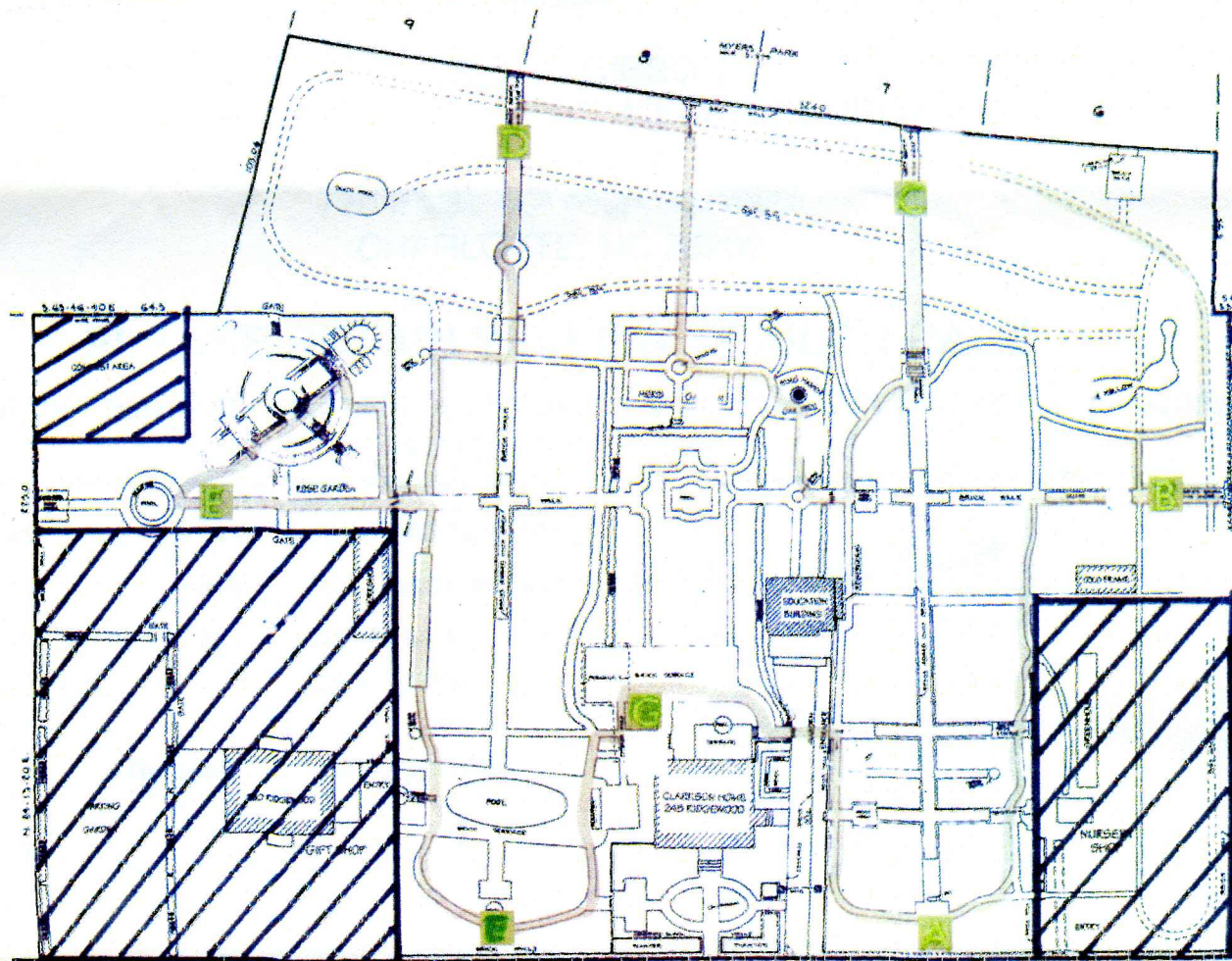
Stephanie C. Kelly, CMC, Deputy City Clerk

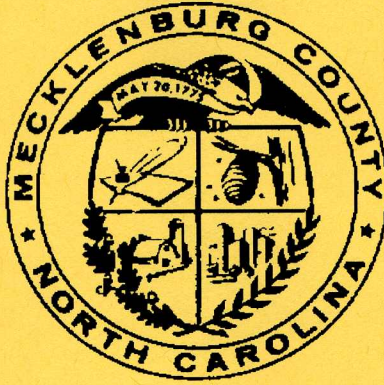


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Exhibit A

This map shows the area of Wing Haven recommended for local landmark designation. Hatch-marked areas are not included in the recommendation.





JUDITH A. GIBSON
REGISTER OF DEEDS, MECKLENBURG
COUNTY & COURTS OFFICE BUILDING
720 EAST FOURTH STREET
CHARLOTTE, NC 28202

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and/or cancellation.

Filed For Registration: 06/13/2008 12:13 PM

Book: RE 23859 Page: 134-139

TA Linda A. Seault

Document No.: 2008104273

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