

Ord. No. 255-X

AN ORDINANCE DESIGNATING THE PROPERTY KNOWN AS THE "BAGLEY-MULLEN HOUSE AND SITE," INCLUDING BOTH THE INTERIOR AND EXTERIOR OF THE BUILDING, AS HISTORIC PROPERTY, AT 129 N. POPLAR STREET IN CHARLOTTE, NORTH CAROLINA, AND RECORDED ON PARCEL NUMBER 078-016-08 AS RECORDED IN THE MECKLENBURG COUNTY TAX OFFICE.

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Part 3B, Article 19, Chapter 160A 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 the joint public hearing held with the Charlotte-Mecklenburg Historic Properties Commission on the 11th day of February, 198⁰, on the question of designating the property known as the "Bagley-Mullen House and Site" as historic property; and

WHEREAS, the structure was built for speculative purposes in 1895 by Edgar Murchison Andrews, a founder of the Andrews Music Company and, even more importantly, a pivotal figure in the evolution of the man-made environment of Charlotte, North Carolina; and

WHEREAS, the house served as the abode of Walter N. Mullen, a leading entrepreneur of Charlotte, North Carolina; and

WHEREAS, the house is a rare local example of the late Queen Anne Revival style of architecture; and

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has demonstrated the historic, architectural, and/or cultural significance of the property known as the "Bagley-Mullen House and Site;" and

WHEREAS, the North Carolina Division of Archives and History has commented affirmatively upon the recommendation of the Charlotte-Mecklenburg Historic Properties Commission; and

WHEREAS, the property known as the "Bagley-Mullen House and Site" is vested in fee simple title to Herbert M. Fletcher and Julius J. Barnhardt.

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

1. That the property known as the "Bagley-Mullen House and Site," including both the interior and exterior of the building, is hereby designated as historic property pursuant to Part 3B, Article 19, Chapter 160A of the General Statutes of North Caro-

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lina. For purposes of description only, the location of said property is noted as being situated on a tract of property at 129 N. Poplar St. in Charlotte, North Carolina, as recorded on Parcel Number 078-016-08 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. If the owner objects, the sign shall be placed on a nearby public right of way.

5. That the owners and occupants of the property known as the "Bagley-Mullen House and Site" 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

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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.

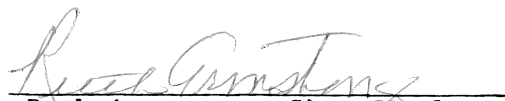
Approved as to form:


City Attorney

CERTIFICATION

I, Ruth Armstrong, 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 in regular session convened on the 11th day of February, 1980, the reference having been made in Minute Book 72, and recorded in full in Ordinance Book 28, beginning at Page 475 and ending at Page 477.

Witness my hand and the corporate seal of the City of Charlotte, North Carolina, this the 14th day of February, 1980.


Ruth Armstrong, City Clerk