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REGISTRATION

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REAL ESTATE
BOOK PAGE

ORDINANCE NO. 2939

ANNE A. POWERS
REGISTER OF DEEDS
MECKLENBURG CO., N.C.

6302 0072

AN ORDINANCE DESIGNATING AS AN HISTORIC LANDMARK THE PROPERTY KNOWN AS THE "W. D. BEATY HOUSE" TO INCLUDE THE FOLLOWING: BOTH THE INTERIOR AND THE EXTERIOR OF THE BUILDING AND THE PARCEL OF LAND UPON WHICH IT IS LOCATED, LISTED UNDER TAX PARCEL NUMBER 055-294-06. THE PROPERTY, OWNED BY THE MRS. MARY B. KELLY, IS LOCATED AT 2400 PARK LANE, 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 City Council of the City 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 18th day of June, 1990, on the question of designating a property known as the "W. D. Beaty House" as a historic landmark; and

WHEREAS, the "W. D. Beaty House" was owned by the second son of James M. Beaty, early 19th century Mecklenburg County landowner; and

WHEREAS, the "W. D. Beaty House" was constructed before or about 1880; and

WHEREAS, the "W. D. Beaty House" is architecturally significant as representing a late 19th century interpretation of the National Folk (post-railroad) house form; and

WHEREAS, the "W. D. Beaty House," is a two-story I-house with elaborate Folk Victorian details such as cornice returns, brackets, and flat, jigsaw cut trim; and

Return to: Charlotte-Mecklenburg Historic Landmarks Commission
1225 South Caldwell Street, Box D
Charlotte, N.C. 28203

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WHEREAS, the "W. D. Beaty House" has interior details, such as the curved stair, which are examples of a high level of local craftsmanship; and

WHEREAS, the "W. D. Beaty House" is of similar construction to 1880's houses in Gaston County by Lawson Henderson Stowe, builder; and

WHEREAS, the current owner, the Mrs. Mary B. Kelly, has faithfully maintained the "W. D. Beaty House" and has thereby made a substantial contribution to the cultural richness of Charlotte and Mecklenburg County; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has demonstrated that the property known as the "W. D. Beaty House" possesses a structure having integrity of design, setting, workmanship, materials, and/or association; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has jurisdiction over the interior because consent for interior design review has been given by the owner; and

WHEREAS, the property known as the "W. D. Beaty House" is owned by the Mrs. Mary B. Kelly,

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

1. That the property known as the "W. D. Beaty House" (including the interior and exterior of the building and the parcel of land upon which it is located, listed under Tax Parcel Number

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055-294-06 is hereby designated as 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 2400 Park Lane in Charlotte, Mecklenburg County, North Carolina.

2. That said designated landmark may be materially altered, restored, moved or demolished only following the 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. However, the effective date of such a Certificate may be delayed in accordance with Chapter 160A, Article 19, 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 landmark that does not involve a change of 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 landmark owner from making any use of this landmark 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 landmark and containing any other appropriate information. If the owner consents, the sign may be placed on said landmark.

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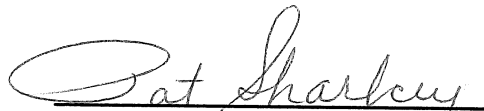
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5. That the owners and occupants of the landmark known as the "W. D. Beaty House" be given notice of this ordinance as required by applicable law and that copies of this ordinance be filed and indexed in the offices of the City Clerk, Building Standards Department, Mecklenburg County Register of Deeds, and the Tax Supervisor, as required by applicable law.

6. That which is designated as historic landmark shall be subject to Chapter 160A, Article 19, and any amendments to it and any amendments hereinafter adopted.

Adopted the 18th day of June 1990 by the Members of City Council of the City of Charlotte, Mecklenburg County, North Carolina.


Clerk to the City Council

Approved as to form:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 18th day of June, 1990, the reference having been made in Minute Book 95, and is recorded in full in Ordinance Book 39, at page(s) 84-87.