



ORDINANCE NO. 4190-Z

Ordinance – Charlotte Fire Station Number 5

Ordinance designating as a Historic Landmark a property known as “Charlotte Fire Station Number 5” (listed under Tax Parcel Number 07101706 including the exterior of the building and the land listed under Tax Parcel Number 07101706 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of March 1, 2009). The property is owned by the City of Charlotte, and is located at 224 Wesley Heights Way, 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 18th day of May, 2009, on the question of designating a property known as Charlotte Fire Station Number 5 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 11th day of May, 2009, on the question of designating a property known as Charlotte Fire Station Number 5 as a historic landmark; and

CHARLOTTE-MECKLENBURG
HISTORIC
LANDMARKS COMMISSION
2100 RANDOLPH RD.
CHARLOTTE, NC 28207

Return To:

WHEREAS, Charlotte Fire Station Number 5 was designed by Charles Christian Hook, an architect of local and regional importance; and

WHEREAS, Charlotte Fire Station Number 5 is reflective of the architectural design of firehouses in the 1920s; and

WHEREAS, Charlotte Fire Station Number 5 is an instructive artifact in the history of firefighting in Charlotte; and

WHEREAS, Charlotte-Mecklenburg Historic Landmarks Commission has demonstrated that the property known as Charlotte Fire Station Number 5 possesses special significance in terms of its history, and/or cultural importance; and

WHEREAS, the property known as Charlotte Fire Station Number 5 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 exterior of the property known as “Charlotte Fire Station Number 5” (listed under Tax Parcel Number 07101706 specifically only including the exterior of the building and the land listed under Tax Parcel Number 07101706 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of March 1, 2009) 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 224 Wesley Heights Way in the City of Charlotte, Mecklenburg County, North Carolina. Features of the property are more completely described in the “Survey and Research Report on Charlotte Fire Station Number 5” (2009).

2. That said exterior is more specifically defined as the historic and structural fabric, especially including all original exterior 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*

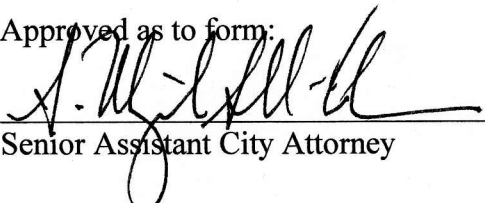
Rehabilitating Historic Buildings, the guidelines used by the Charlotte-Mecklenburg Historic Landmarks Commission to evaluate proposed alterations or additions.

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 “Charlotte Fire Station Number 5” 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.

Approved as to form:



Senior Assistant City Attorney

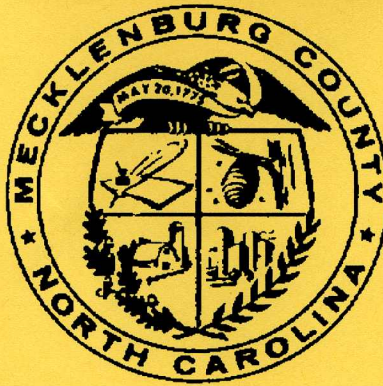
CERTIFICATION

I, Stephanie C. Kelly, 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 June, 2009, the reference having been made in Minute Book 128, and recorded in full in Ordinance Book 56, Pages (210-214).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 22nd day of June, 2009.


Stephanie C. Kelly, CMC, City Clerk





J. DAVID GRANBERRY
REGISTER OF DEEDS, MECKLENBURG
COUNTY & COURTS OFFICE BUILDING
720 EAST FOURTH STREET
CHARLOTTE, NC 28202

PLEASE RETAIN YELLOW TRAILER PAGE

It is part of the recorded document, and must be submitted with original for re-recording
and/or cancellation.

Filed For Registration: 07/02/2009 02:38:40 PM

Book: RE 24894 Page: 803-808

Document No.: 2009094692

ORD 6 PGS

Recorder: APRIL JONES



2009094692