

ORDINANCE NO. 2711-X

6127 0463

AN ORDINANCE DESIGNATING A PROPERTY KNOWN AS THE "LEEPER AND WYATT STORE BUILDING" (THE ENTIRE EXTERIOR OF THE BUILDING, AND THE ENTIRE TRACT OF LAND ON TAX PARCEL NUMBER 121-055-19) AS HISTORIC PROPERTY, SAID PROPERTY BEING LOCATED AT 1923 SOUTH BOULEVARD, CHARLOTTE, NORTH CAROLINA, AND RECORDED UNDER TAX PARCEL NUMBER 121-055-19 IN THE MECKLENBURG COUNTY TAX OFFICE.

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Chapter 160A, Article 19, Part 3B, 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 a joint public hearing held with the Charlotte-Mecklenburg Historic Properties Commission on the 18 day of September, 1989, on the question of designating a property known as the "Leeper and Wyatt Store Building" as historic property; and

WHEREAS, the "Leeper and Wyatt Store Building", erected c. 1903, was initially owned by Daniel Augustus Tompkins (1851-1914), a New South industrialist of regional influence; and

WHEREAS, the "Leeper and Wyatt Store Building" belonged to a collection of buildings, including the Atherton Mill and mill village, the Atherton Lyceum, the Tompkins Dilworth Machine Shop, and the Tompkins Foundry, which the D. A. Tompkins Company and its affiliates occupied in Dilworth, Charlotte's initial streetcar suburb; and

Return to: Dr. Dan L. Morrill  
Historic Landmarks Commission  
Box D  
1225 S. Caldwell St.  
Charlotte, N.C. 28203

HOSL .00

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10/04/89

PRESENTED FOR  
REGISTRATION  
89 OCT -4 PM 1:44  
ANNE A. BOWERS  
REGISTER OF DEEDS  
MECKLENBURG CO., N.C.

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WHEREAS, the "Leeper and Wyatt Store Building" served Charlotte as a neighborhood grocery for more than fifty years; and

WHEREAS, the "Leeper and Wyatt Store Building" is the oldest surviving retail brick commercial building in Dilworth's first business district, which was situated along South Boulevard; and

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has demonstrated that the property known as the "Leeper and Wyatt Store Building" possesses integrity of design, setting, workmanship, materials, and/or association; and

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has demonstrated that the property known as the "Leeper and Wyatt Store Building" possesses special significance in terms of its history, architecture, and/or cultural importance; and

WHEREAS, the property known as the "Leeper and Wyatt Store Building" is vested in fee simple to Trolley's End Limited Partnership.

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

1. That the property known as the "Leeper and Wyatt Store Building" (the entire exterior of the building, and the entire tract of land on Tax Parcel Number 121-055-19) is hereby designated as historic property pursuant to Chapter 160A,

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Article 19, Part 3B, as amended, of the General Statutes of North Carolina. For purposes of description only, the location of said property is noted as being situated at 1923 South Boulevard, Charlotte, North Carolina, and recorded on Tax Parcel Number 121-055-19 in the Mecklenburg County Tax Office.

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.

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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 may be placed on said property.

5. That the owners and occupants of the property known as the "Leeper and Wyatt Store Building" 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 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:

Henry W. Underhill Jr.  
City Attorney

CERTIFICATION

I, Pat Sharkey, 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 18th day of September, 1989, the reference having been made in Minute Book 93, and is recorded in full in Ordinance Book 38, at page(s) 161-164.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of September, 1989.

Pat Sharkey  
Pat Sharkey, City Clerk

