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PRESENTED FOR
RECORDATION

ORDINANCE NO. 2940

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6302 0080

ANNE S. FOWERS
REGISTERED CLERK
MECKLENBURG CO., N.C.

AN ORDINANCE DESIGNATING AS AN HISTORIC LANDMARK THE PROPERTY KNOWN AS THE "MT. ZION LUTHERAN CHURCH" TO INCLUDE THE FOLLOWING: BOTH THE EXTERIOR OF THE BUILDING AND THE PARCEL OF LAND UPON WHICH IT IS LOCATED, LISTED UNDER TAX PARCEL NUMBER 125-115-24. THE PROPERTY, OWNED BY THE MT. ZION CHURCH OF GOD HOLINESS, IS LOCATED AT 1605 LUTHER STREET, 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 "Mt. Zion Lutheran Church" as a historic landmark; and

WHEREAS, the "Mt. Zion Lutheran Church," erected about 1896, has continuously served as a religious center for the Cherry Community, a black residential district developed in the 1890's and early 1900's by John Springs Myers and Mary Rawlinson Myers; and

WHEREAS, the "Mt. Zion Lutheran Church" was organized by William Philo Phifer, a leader in establishing black Lutheran churches in the Charlotte area; and

WHEREAS, the "Mt. Zion Lutheran Church" is the oldest structure still standing which has been used continuously as a house of worship in the Cherry Community; and

WHEREAS, the "Mt. Zion Lutheran Church" is a compelling local example of a simple Gothic Revival style church structure; and

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WHEREAS, the current owner, the Mt. Zion Church of God Holiness, has faithfully maintained the "Mt. Zion Lutheran Church" 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 "Mt. Zion Lutheran Church" possesses a structure having integrity of design, setting, workmanship, materials, and/or association; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has demonstrated that the property known as the "Mt. Zion Lutheran Church" possesses special significance in terms of its history, architecture, and/or cultural importance; and

WHEREAS, the property known as the "Mt. Zion Lutheran Church" is owned by the Mt. Zion Church of God Holiness,

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 "Mt. Zion Lutheran Church" (including the exterior of the building and the parcel of land upon which it is located, listed under Tax Parcel Number 125-115-24 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 1605 Luther Street in Charlotte, Mecklenburg County, North Carolina.

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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.

5. That the owners and occupants of the landmark known as the "Mt. Zion Lutheran Church" 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.

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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.

Pat Sharkey
Clerk to the City Council

Approved as to form:

[Signature]
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) 88-91.

Pat Sharkey,
City Clerk