

May 19, 2003

Ordinance Book 52, Page 269

Ordinance - Newcombe-McElwee House

ORDINANCE NO. 2300

FOR REGISTRATION JUDITH A GIBSON
REGISTER OF DEEDS
MECKLENBURG COUNTY, NC
2003 MAY 29 03:30 PM
BK 15421 PG 911-916 FEE \$0 00
INSTRUMENT # 2003117829
2003117829

Ordinance designating as a Historic Landmark a property known as the "Newcombe-McElwee House" (listed under Tax Parcel Number 09505534 as of March 15, 2003, and including the interior and the exterior of the house, and the parcel of land listed under Tax Parcel Number 09505534 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of March 15, 2003). The property is owned by Thomas B. McElwee and Sarah Y. McElwee and is located at 2817 Belvedere Ave. in the City of 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 the City Council 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 19th day of May, 2003, on the question of designating a property known as the Newcombe-McElwee House as a historic landmark; and

WHEREAS, the Newcombe-McElwee House is significant as the work of North Carolina architect George Watts Carr; and

WHEREAS, the Newcombe-McElwee House has architectural significance as an unusually fine example of the Tudor Revival style; and

WHEREAS, the Newcombe-McElwee House was an important part of the development of the Charlotte Country Club area and "Club Acres" during the 1930s; and

Return To:
Historic Landmarks
2100 Randolph Rd
Charlotte NC 28207

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has demonstrated that the property known as Newcombe-McElwee House possesses special significance in terms of its history, architecture, and/or cultural importance; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has jurisdiction over portions of the property known as the Newcombe-McElwee House, because consent for interior design review has been given by the Owner; and

WHEREAS, the property known as the Newcombe-McElwee House is owned by Thomas B. McElwee and Sarah Y. McElwee.

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

1. That the property known as the “Newcombe-McElwee House” (listed under Tax Parcel Number 09505534 as of March 15, 2003, and including the interior and the exterior of the house, and the parcel of land listed under Tax Parcel Number 09505534 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of March 15, 2003) 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 2817 Belvedere Ave. in the City of Charlotte, Mecklenburg County, North Carolina. Exterior and interior features are more completely described in the *Survey and Research Report on the Newcombe-McElwee House (September 1997)*.

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

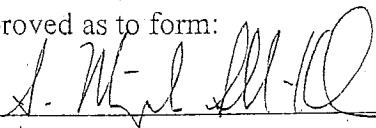
Ordinance - Newcombe-McElwee House

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 the Newcombe - McElwee 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.

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:

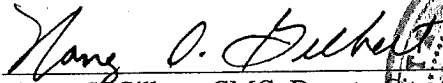


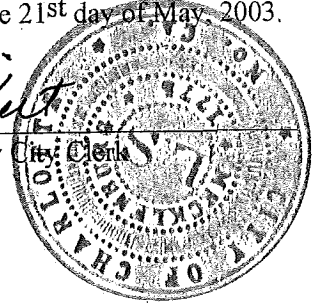
City Attorney

CERTIFICATION

I, Nancy S. Gilbert, Deputy 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 19th day of May, 2003, the reference having been made in Minute Book 119, and recorded in full in Ordinance Book 52, Pages 269-273.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 21st day of May, 2003.


Nancy S. Gilbert, CMC, Deputy City Clerk





JUDITH A. GIBSON
REGISTER OF DEEDS, MECKLENBURG
COUNTY & COURTS OFFICE BUILDING
720 EAST FOURTH STREET
CHARLOTTE, NC 28202

Filed For Registration: 05/29/2003 03:30 PM

Book: RE 15421 Page: 911-916

Document No.: 2003117829

ORD 6 PGS

Recorder: MARILYN SMITH



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