

INSTRUMENT # 2011133060



2011133060

Ordinance – Park Avenue

**Ordinance designating as an Historic Landmark a property known as “Park Avenue” (listed under Tax Parcel Numbers 22107109, 22107110, 22107111, 22107112, 22107113, 22107114, 22107115, 22107116, 22107117, 22107201, 22107202, 22107203, 22107204, 22107205, 22107206, 22107207, 22107208, 22107209 as of July 1, 2011, and including the exteriors of the buildings and the parcels of land listed under the above Tax Parcel Numbers in the Mecklenburg County Tax Office, Charlotte, North Carolina). The property is owned by Thomas E. White, Haley Wilson Hobbs, Vivian Vick Moore, LLC PMC of Charlotte, Charles Bradford Smith, Betty B. Kimbrell C/O Linda Bass, Joseph Gerald Landry, William E. Smith, Gary F. Workman, Rebecca B. Workman, Mark A. Dymock, Ricky and Maria Clark, William E. Smith, Nina O. Earnhart C/O William Earnhart, Robert E. Smith, George L. Beyer, Jessica M. Arce, Dorothy B. Adams, Ronald and Sylvia Moore, Michael Keigh McCoy, Charles Morris, and Dolly Howard. The property is located at 408 – 427 Park Avenue, Pineville, 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 Town Council of Pineville, North Carolina, have taken into full consideration all statements and information presented at a public hearing held on the 13<sup>th</sup> day of September, 2011, on the question of designating a property known as the Park Avenue as a historic landmark; and

Please Return to:

Charlotte Mecklenburg  
Historic Landmarks Com.  
2100 Randolph Road  
Charlotte, NC 28207

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 12<sup>th</sup> day of September, 2011, on the question of designating a property known as Park Avenue as an historic landmark; and

WHEREAS, the Park Avenue is a well defined and intact element of the Pineville Mill Village; and

WHEREAS, Park Avenue's wide divided street is the most significant element of the landscape plan developed for the village by noted Charlotte planner Earle Sumner Draper; and

WHEREAS, Park Avenue's one-story, frame T-plan mill houses have retained, in aggregate, a high degree of integrity, and the one-story, frame hip-roofed mill cottages with front and rear gable-roofed wings are unique in terms of the mill villages in Mecklenburg County; and

WHEREAS, in consideration of its intact houses and significant landscape features, Park Avenue possesses special significance as the most distinctive surviving element of the Pineville mill village; and

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

WHEREAS, the property known as the Park Avenue is owned by Thomas E. White, Haley Wilson Hobbs, Vivian Vick Moore, LLC PMC of Charlotte, Charles Bradford Smith, Betty B. Kimbrell C/O Linda Bass, Joseph Gerald Landry, William E. Smith, Gary F. Workman, Rebecca B. Workman, Mark A. Dymock, Ricky and Maria

Clark, William E. Smith, Nina O. Earnhart C/O William Earnhart, Robert E. Smith, George L. Beyer, Jessica M. Arce, Dorothy B. Adams, Ronald and Sylvia Moore, Michael Keigh McCoy, Charles Morris, and Dolly Howard.

NOW, THEREFORE, BE IT ORDAINED by the members of the Town Council of Pineville, North Carolina:

1. That the property known as the “Park Avenue” (listed under Tax Parcel Numbers 22107109, 22107110, 22107111, 22107112, 22107113, 22107114, 22107115, 22107116, 22107117, 22107201, 22107202, 22107203, 22107204, 22107205, 22107206, 22107207, 22107208, 22107209 as of July 1, 2011, and including the exteriors of the buildings and the parcels of land listed under the above Tax Parcel Numbers in the Mecklenburg County Tax Office, Charlotte, North Carolina) 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 408 – 427 Park Avenue in Pineville, North Carolina. Exterior features are more completely described in the *Survey and Research Report on the Park Avenue (2011)*.

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

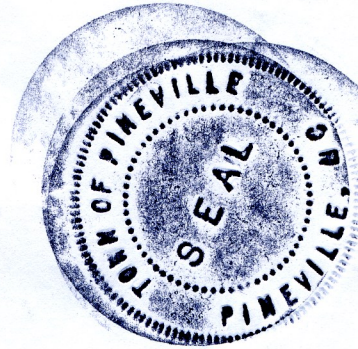
Adopted the 15<sup>th</sup> day of November, 2011, by the members of the Town Council of Pineville, Mecklenburg County, North Carolina.

Barbara Monticello  
Clerk to Town Council Barbara Monticello

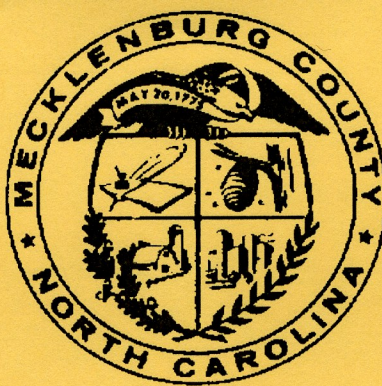
Approved as to form:

EFM

Town Attorney







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

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