

ORDINANCE NO. 184-X

Ordinance designating as a Historic Landmark a property known as the "Elizabeth Trolley Walk" (the entire 10-foot wide corridor which extends from East Fifth St. to East Seventh St. in the Elizabeth neighborhood of Charlotte, N. C. and which constitutes a portion of Tax Parcel Numbers 127-047-16, 127-047-17, 127-047-30, 127-047-31, 127-046-15, 127-046-16, 127-046-25, and 127-046-26) as an Historic Landmark. The parcel of land to be designated is listed under Tax Parcel Numbers 127-047-16, 127-047-17, 127-047-30, 127-047-31, 127-046-15, 127-046-16, 127-046-25, and 127-046-26 in the Mecklenburg County Tax Office, Charlotte, North Carolina. The property is owned by DPR Associates, K & C Investments, Jacqueline G. Levister, Howard G. Webb and Louise K. Webb, Ellen Rubenstein and Michael Evans, Baxter T. McCrae, Jr., William G. Staton, Lynn Andrew Teague and William Henry Curtis and is located between East Fifth St. and East Seventh St. in the Elizabeth neighborhood 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 5th day of December, 1994, on the question of designating a property known as the Elizabeth Trolley Walk as a historic landmark; and

WHEREAS, the Elizabeth Trolley Walk was designed ca. 1913 and is one of the original features of the Rosemont subdivision of the Elizabeth neighborhood; and

WHEREAS, the Elizabeth Trolley Walk is one of the few remnants of the streetcar system which spurred suburban development in Charlotte during the early twentieth century; and

JUDITH A GIBSON REG OF DEEDS MECK NC
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FILED FOR REGISTRATION 12/28/94 12:38

Charlotte-Mecklenburg
Historic Landmarks Commission
P. O. Box 35434
Charlotte, N. C. 28225

Drawn by:
Return to:

B.M.C.

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WHEREAS, the Elizabeth Trolley Walk, with the surrounding early twentieth century housing, clearly illustrate such residential development in the early streetcar suburbs of Charlotte; and

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

WHEREAS, the property known as the Elizabeth Trolley Walk is owned by DPR Associates, K & C Investments, Jacqueline G. Levister, Howard G. Webb and Louise K. Webb, Ellen Rubenstein and Michael Evans, Baxter T. McCrae, Jr., William G. Staton, Lynn Andrew Teague and William Henry Curtis.

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

1. That the property known as the Elizabeth Trolley Walk (the entire 10-foot wide corridor which extends from East Fifth St. to East Seventh St. in the Elizabeth neighborhood of Charlotte, N. C. and which constitutes a portion of Tax Parcel Numbers 127-047-16, 127-047-17, 127-047-30, 127-047-31, 127-046-15, 127-046-16, 127-046-25, and 127-046-26) 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 between East Fifth St. and East Seventh St. in the Elizabeth neighborhood of Charlotte, N.C. Features of the Elizabeth Trolley Walk are

more completely described in the *Survey and Research Report on the Elizabeth Trolley Walk* (10 January 1993).

2. That said features of the Elizabeth Trolley Walk are more specifically defined as the pavement and steps and defining vegetation.

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.

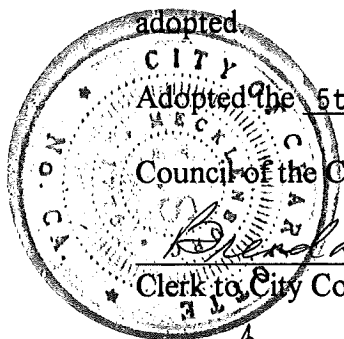
4. Nothing in this ordinance shall be construed to prevent or delay ordinary maintenance or repair of any architectural feature in or on said landmark that does not involve a change in design, material or outer appearance thereof, nor to prevent or delay the construction, reconstruction, alteration, 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 this 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 and occupants of the historic landmark known as the Elizabeth Trolley Walk 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, as amended, and any amendments to it and any amendments hereinafter



adopted
Adopted the 5th day of December, 1994, by the members of the City Council of the City of Charlotte, Mecklenburg County, North Carolina.

Glenda B. Freeze
Clerk to City Council

Approved as to form:
[Signature]
City Attorney

[Handwritten initials]

CERTIFICATION

I, Brenda R. Freeze, 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 5th day of December, 1994, the reference having been made in Minute Book 106, and recorded in full in Ordinance Book 46, at Page(s) 104-108.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of December, 19 94

Brenda R. Freeze
Brenda R. Freeze, City Clerk

