Ordinance designating as a Historic Landmark a property known as the “Funderburk Commercial Buildings” (listed under Tax Parcel Numbers 193-262-11 and 193-262-12 as of July 31, 1998, and including the entire exterior of the Funderburk Commercial Buildings, the entire interior of the Funderburk Commercial Buildings and the entire parcel of land listed under Tax Parcel Numbers 193-262-11 and 193-262-12 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of July 31, 1998). The property is owned by Al Kleinberg, Inc. and is located at 157 and 159 North Trade Street in the Town of Matthews, 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 Board of Commissioners of Matthews, 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 24th day of August, 1998, on the question of designating a property known as the Funderburk Commercial Buildings as a historic landmark; and

WHEREAS, the Funderburk Commercial Buildings are an essential component of the commercial core of Matthews, N.C. and demonstrate the impact of the coming of the railroad on the historic built environment of outlying districts of Mecklenburg County in the late 1800s and early 1900s; and

WHEREAS, the Funderburk Commercial Buildings exhibit characteristics of commercial architecture which were widespread in Mecklenburg County’s outlying railroad towns in the late 1800s and early 1900s; and
Ordinance – Funderburk Commercial Buildings

WHEREAS, the Funderburk Commercial Buildings were built and owned by the locally prominent Funderburk family; and

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

WHEREAS, the property known as the Funderburk Commercial Buildings is owned by Al Kleinberg, Inc.

NOW, THEREFORE, BE IT ORDAINED by the members of the Board of Commissioners of Matthews, North Carolina:

1. That the property known as the “Funderburk Commercial Buildings” (listed under Tax Parcel Numbers 193-262-11 and 193-262-12 as of July 31, 1998, and including the entire exterior of the Funderburk Commercial Buildings, the entire interior of the Funderburk Commercial Buildings and the entire parcel of land listed under Tax Parcel Numbers 193-262-11 and 193-262-12 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of July 31, 1998) 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 157 and 159 North Trade Street in the Town of Matthews, Mecklenburg County, North Carolina. Significant exterior and interior features are more completely described in the Survey and Research Report on the Funderburk Commercial Buildings (June 8, 1998).
2. That said interior and exterior features 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 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 Funderburk Commercial Buildings 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 26th day of August, 1998, by the members of the Board of Commissioners of the Town of Matthews, Mecklenburg County, North Carolina.

Clerk to the Board
Approved as to form:

Town Attorney