

original

139

AN ORDINANCE DESIGNATING A PROPERTY KNOWN AS THE "OLD GARIBALDI AND BRUNS BUILDING" (THE EXTERIOR AND THE INTERIOR OF THE BUILDING AND THE LOT UPON WHICH THE BUILDING IS LOCATED) AS HISTORIC PROPERTY, SAID PROPERTY BEING LOCATED AT 104-106 SOUTH TRYON STREET, CHARLOTTE, NORTH CAROLINA, AND RECORDED ON TAX PARCEL NUMBER 073-011-12 IN THE MECKLENBURG COUNTY TAX OFFICE.

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Chapter 160A, Article 19, Part 3B, as amended, of the Genral Statutes of North Carolina have been met; and

WHEREAS, the City Council of Charlotte, North Carolina, has taken into full consideration all statements and information presented at a joint public hearing held with the Charlotte-Mecklenburg Historic Properties Commission on

the 18th day of November, 19 85, on the question of designating a property known as the "Old Garibaldi and Bruns Building" as historic property; and

WHEREAS, the "Old Garibaldi and Bruns Building", incorporating elements of Granite Row, an 1850-51 commercial complex in Charlotte and probably the only ante-bellum commercial structure which survives in Charlotte, draws its principal physical significance from its association with Louis Asbury, and architect of regional and local importance; and

WHEREAS, the "Old Garibaldi and Bruns Building", remodeled in 1909, is the earliest known example of a commercial storefront in Charlotte designed by Louis Asbury, who began his practice in 1908; and

WHEREAS, the founders of the company, Joseph Garibaldi, William L. Bruns, and Harry W. Dixon, were important businessmen in Charlotte, and their firm survives in Charlotte as a leading jewelry store; and

WHEREAS, the "Old Garibaldi and Bruns Building" is one of the two remaining small-scale business structures on the first block of South Tryon Street and, therefore, is an important link with Charlotte's commercial history; and

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has demonstrated that the property known as the "Old Garibaldi and Bruns Building"

PRESENTED FOR REGISTRATION
JAN 6 10 53 AM '86
CHARLES POWDER
REGISTER OF DEEDS
MECKLENBURG CO. N.C.

REAL ESTATE PAGE 5156 0043

CHARLOTTE MECKLENBURG HISTORIC PROPERTIES COMMISSION
P. O. BOX D 1225 S. CALDWELL ST.
CHARLOTTE, N.C. 28203
376-9115

Return to:

Ordinance on the "Old Garibaldi and Bruns Building."
page 2.

possesses integrity of design, setting, workmanship, materials, and/or association;
and

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has demonstrated that the property known as the "Old Garibaldi and Bruns Building" possesses special significance in terms of its history, architecture, and/or cultural importance; and

WHEREAS, the property known as the "Old Garibaldi and Bruns Building" is vested in fee simple to the City of Charlotte.

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

1. That the property known as the "Old Garibaldi and Bruns Building" (the exterior and the interior of the building and the lot upon which the building is located) is hereby designated as historic property pursuant to Chapter 160A, Article 19, Part 3B, as amended, of the General Statutes of North Carolina. For purposes of description only, the location of said property is noted as being situated at 104-106 South Tryon Street, Charlotte, North Carolina, and recorded on Tax Parcel Number 073-011-12 in the Mecklenburg County Tax Office.

2. That said designated property may be materially altered, restored, moved or demolished only following the issuance of a Certificate of Appropriateness by the Charlotte-Mecklenburg Historic Properties Commission. An application for a Certificate of Appropriateness authorizing the demolition of said property may not be denied. However, the effective date of such a Certificate may be delayed in accordance with Chapter 160A, Article 19, Part 3B, 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 property that does not involve a change of design, material, or outer appearance thereof, nor to prevent or delay the making of emergency repairs, not to prevent

Ordinance on the "Old Garibaldi and Bruns Building."
page 3.

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 property owner from making any use of this property 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 property and containing any other appropriate information. If the owner consents, the sign may be placed on said property.

5. That the owners and occupants of the property known as the "Old Garibaldi and Bruns Building" 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 Inspection Department, Mecklenburg County Register of Deeds, and the Tax Supervisor, as required by applicable law.

6. That which is designated as historic property shall be subject to Chapter 160A, Article 19, Part 3B, and any amendments to it and any amendments hereinafter adopted.

CERTIFICATION

I, PAT SHARKEY, 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 18th day of November, 19 85, the reference having been made in Minute Book 85, and recorded in full in Ordinance Book 34, at Page(s) 148-150.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 22nd day of November, 19 85.

REAL ESTATE
BOOK PAGE

5156 0046

CERTIFICATION

I, PAT SHARKEY, 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 18th day of November, 1985, the reference having been made in Minute Book 85, and recorded in full in Ordinance Book 34, at Page(s) 148-150.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 20th day of December, 1985.

Pat Sharkey
PAT SHARKEY, CITY CLERK



FEE
<>
CASH

15:02 #8852 000
01/06/86