

ORDINANCE NO. 3771-X

AN ORDINANCE DESIGNATING A PROPERTY KNOWN AS THE "JOHN DINKINS HOUSE AND LODGE" (THE LAND LISTED UNDER TAX PARCEL NUMBER 211-551-44 AND INCLUDING THE ENTIRE EXTERIOR AND THE ENTIRE INTERIOR OF THE JOHN DINKINS HOUSE AND LODGE LOCATED WITHIN THE BOUNDARIES OF SUCH TAX PARCEL) AS AN HISTORIC LANDMARK. THE PARCEL OF LAND TO BE DESIGNATED INCLUDES ALL OF THE LAND LISTED UNDER TAX PARCEL NUMBER 211-551-44 IN THE MECKLENBURG COUNTY DEED BOOK. THE PROPERTY, OWNED BY JAMES F. BOYD AND JULIA T. BOYD, IS LOCATED AT 2400 SUMMERLAKE ROAD, 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 City Council of the City 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 Landmarks Commission on the 20th day of December, 1993, on the question of designating a property known as the "John Dinkins House and Lodge", (listed under Tax Parcel Number 211-551-44) as a historic landmark; and

WHEREAS, members of the Dinkins family were prominent early settlers and plantation owners settling in Mecklenburg County by 1723; and

WHEREAS, John Dinkins bought a 241 acre tract in 1795 and built his house ca. 1800; and

WHEREAS, the Dinkins family established a still extant cemetery which was restored in 1992; and

WHEREAS, the John Dinkins House, Lodge and Cemetery were designated local historic properties and listed in the National Register of Historic Places in 1973; and

WHEREAS, both the John Dinkins House and Lodge retain their historic association with the Dinkins family; and

WHEREAS, the John Dinkins House and Lodge have survived through the years with original historic exterior appointments, such as the door and window surrounds and leaded glass windows, intact and in very good condition; and

WHEREAS, the John Dinkins House and Lodge have survived with most original historic appointments, such as wood paneling, unusual decorative finishes and wooden paneled doors, intact and in very good condition; and

WHEREAS, the John Dinkins House is architecturally significant as one of the finest examples of the two-story, three-room plan houses to be found in Charlotte and Mecklenburg County; and

WHEREAS, the new site of the John Dinkins House and Lodge includes part of the stagecoach road between Charlotte and Charleston; and

WHEREAS, preservation of the John Dinkins House and Lodge gives honor and recognition to early settlers in Mecklenburg County.

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has jurisdiction over the interior of the buildings which constitute the "John Dinkins House and Lodge" because consent for interior design review has been given by the Owner; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has demonstrated that the property known as the

"John Dinkins House and Lodge" (listed under Tax Parcel Number 211-551-44) possesses integrity of design, setting, workmanship, materials, and/or association; and

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

WHEREAS, the property known as the "John Dinkins House and Lodge" (listed under Tax Parcel Number 211-551-44) is vested in fee simple to James F. Boyd and Julia T. Boyd.

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

1. That the property known as the "John Dinkins House and Lodge" (listed under Tax Parcel Number 211-551-44 and including the entire exterior and the entire interior of the John Dinkins House and Lodge, and all of the land included in Tax Parcel Number 211-551-44 recorded in the Mecklenburg County Tax Office) is hereby designated as a historic landmark pursuant to Chapter 160A, Article 19, 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 2400 Summerlake Road, Charlotte in Mecklenburg County, North Carolina. Interior and exterior features are more completely described in the Survey and Research Report on the John Dinkins House and Lodge (July 26,

1993).

2. That said interior is more specifically defined as the original historical appointments, such as wood paneling, unusual decorative finishes and wooden paneled doors, intact and in very good condition.

3. 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 Landmarks 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 3C, and amendments thereto, and hereinafter adopted.

4. 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, 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 property owner from making any use of this property not prohibited by other

statutes, ordinances, or regulations.

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 property.

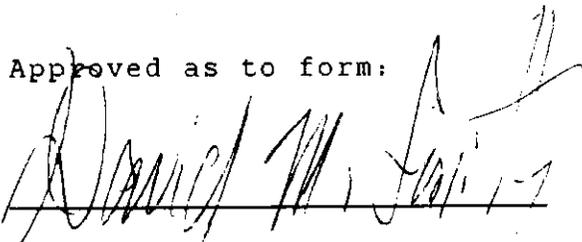
6. That the owners and occupants of the property known as "John Dinkins House and Lodge" be given notice of this ordinance as required by applicable law and that copies of this ordinance be filed and indexed in the offices of the City Clerk, Building Standards Department, Mecklenburg County Register 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, and any amendments to it and any amendments hereinafter adopted.

Adopted the 20th day of December , 1993 by the City Council
of the City of Charlotte, North Carolina

Clerk to City Council

Approved as to form:


City Attorney

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 20th day of December, 1993, the reference having been made in Minute Book 103, and recorded in full in Ordinance Book 45, at Page(s) 107-112.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 22nd day of December, 19 93



Brenda R. Freeze, City Clerk