

ORDINANCE NO. 3563-X

An Ordinance designating as Historic Landmark a property known as "Bishop Edwin D. Mouzon House" (listed under Tax Parcel Number 123-093-01 and including the entire exterior and the entire interior of the Bishop Edwin D. Mouzon House and the entire exterior and the entire interior of the garage located within the boundaries of said tax parcel). The parcel of land to be designated is listed under Tax Parcel Number 123-093-01 in the Mecklenburg County Tax Office, Charlotte, North Carolina. The property, owned by Charles Thomas Humphries and Nancy E. Humphries, is located at 800 Mt. Vernon Avenue, Charlotte, Mecklenburg County, North Carolina.

WHEREAS, all of the prerequisites to 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 17th day of May, 1993, on the question of designating a property known as the Bishop Edwin D. Mouzon House (listed under tax parcel Number 123-093-01) as historic landmark; and

WHEREAS, Bishop Edwin D. Mouzon, born in Spartanburg, South Carolina in 1869, began his service as a Methodist minister in 1889 in the Texas conference; and

WHEREAS, Bishop Edwin D. Mouzon was elected to the office of bishop in May, 1910; and

WHEREAS, Bishop Edwin D. Mouzon presided over most of the conferences of the Methodist Church in the United States, as well as those of Mexico and South America; and

WHEREAS, Bishop Edwin D. Mouzon served as a delegate to the ecumenical conferences of the world in Toronto (1911), London (1921), and Atlanta (1931); and

WHEREAS, Bishop Edwin D. Mouzon set up the Methodist Church of Brazil in 1930; and

ORDINANCE - Bishop Edwin D. Mouzon House

WHEREAS, Bishop Edwin D. Mouzon and his second wife, Mary Pearl Langdon Mouzon, moved to Charlotte in 1927; and

WHEREAS, Bishop Edwin D. Mouzon was one of the country's most prominent churchmen and the senior bishop of the Southern Methodist Church at the time of his death in 1937; and

WHEREAS, the Bishop Edwin D. Mouzon House was designed by the Charlotte architect, Marvin W. Helms; and

WHEREAS, Marvin W. Helms, a Mecklenburg County native who was associated with C. C. Hook, learned architecture by apprenticeship; and

WHEREAS, Marvin W. Helms designed hundreds of rural Methodist churches funded by the Duke Foundation; and

WHEREAS, Marvin W. Helms was particularly adept at Gothic detail and designed the 1926 sanctuary for the Dilworth Methodist Church; and

WHEREAS, the Bishop Edwin D. Mouzon House, completed in 1927, is architecturally significant as an Eclectic House built in the Tudor style; and

WHEREAS, the Bishop Edwin D. Mouzon House is architecturally significant for the many exterior features and appointments, such as the Tudor false half-timbering with stucco infill, intact and in very good condition; and

WHEREAS, the Bishop Edwin D. Mouzon House is architecturally significant for the many interior features and appointments, such as the fireplaces and the woodwork, intact and in very good condition; and

WHEREAS, the Bishop Edwin D. Mouzon House can provide valuable insight into "life in the streetcar suburb" of Dilworth; and

WHEREAS, the original historic fabric of the exterior and the interior of the Bishop Edwin D. Mouzon House is largely intact and visible; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has jurisdiction over the interior of the Bishop Edwin D. Mouzon House because consent for interior design review has been given by the Owners; and

WHEREAS, the current Owners, Charles Thomas Humphries and Nancy E. Humphries, have faithfully maintained the Bishop Edwin D. Mouzon House and have thereby made a substantial contribution to the cultural richness of Charlotte and Mecklenburg County; and

ORDINANCE - Bishop Edwin D. Mouzon House

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has demonstrated that the property, known as the Bishop Edwin D. Mouzon House (listed under tax parcel Number 123-093-01), possesses a structure having 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 Bishop Edwin D. Mouzon House possesses special significance in terms of its history, architecture, and/or cultural importance; and

WHEREAS, the property known as the Bishop Edwin D. Mouzon House is owned by Charles Thomas Humphries and Nancy E. Humphries,

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

1. That the property known as the Bishop Edwin D. Mouzon House (listed under tax parcel Number 123-093-01 and including the exterior and the interior of the Bishop Edwin D. Mouzon House and the exterior and the interior of the garage) is hereby designated as an 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 800 Mt. Vernon Avenue, Charlotte, in Mecklenburg County, North Carolina. Interior and exterior features are more completely described in the *Survey and Research Report of Bishop Edwin D. Mouzon House* (28 December 1992).

2. That said interior is more specifically defined as the historic and structural fabric of the arched foyer, halls, stairway, sun porch, basement, attic, and rooms of the Bishop Edwin D. Mouzon House and includes the following items in those areas: the original floors, the woodwork and moldings, the plaster walls, the plaster decorative elements, the Corinthian columns set on built-in cabinets, the built-in cupboards, the large windows, the fire surrounds, the glass paneled doors, the wooden doors, the glass door knobs, the brass keyholes, the hardware

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and fixtures, the volume and shapes of the interior spaces provided in the Eclectic House built in the Tudor style and other interior features that are part of the original historic fabric of the building.

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 landmark 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.

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 landmark that does not involve a change of 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 landmark owner from making any use of this 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.

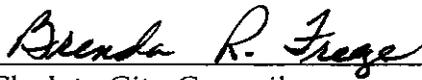
5. That a suitable sign may be posted indicating that said property has been designated as historic landmark and containing any other appropriate information. If the owner consents, the sign may be placed on said landmark.

6. That the Owner and occupants of the landmark known as the Bishop Edwin D. Mouzon House 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.

ORDINANCE - Bishop Edwin D. Mouzon House

7. That which is designated as historic landmark shall be subject to Chapter 160A, Article 19, and any amendments to it and any amendments hereinafter adopted.

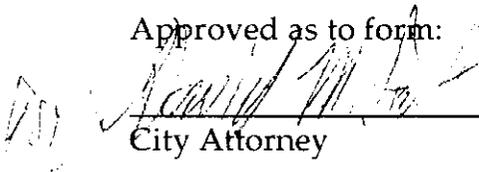
Adopted the 17th day of May 1993 by the City Council of the City of Charlotte, North Carolina.


Clerk to City Council

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 17th day of May, 1993, the reference having been made in Minute Book 102, and is recorded in full in Ordinance Book 43, at page(s)63-67.

Brenda R. Freeze
City Clerk

Approved as to form:


City Attorney

ORDINANCE NO. 3564-X

An Ordinance designating as Historic Landmark a property known as "Morgan School" (listed under Tax Parcel Number 125-225-02 and including the exterior and the interior of the Morgan School located within the boundaries of said tax parcel). The parcel of land to be designated is listed under Tax Parcel Number 125-225-02 in the Mecklenburg County Tax Office. The property, owned by the Charlotte-Mecklenburg Board of Education, is located at 500 South Torrence Street, Charlotte, Mecklenburg County, North Carolina.

WHEREAS, all of the prerequisites to 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 17th day of May, 1993, on the question of designating a property known as the Morgan School (listed under tax parcel Number 125-225-02) as historic landmark; and

WHEREAS, the Morgan School was constructed in 1925 and opened in 1927; and

WHEREAS, the Morgan School is an important institutional landmark in the African-American community of Cherry and is one of the few such historical landmarks to remain in the neighborhood; and

WHEREAS, the Morgan School is associated with the history of education for African-Americans; and

WHEREAS, the Morgan School is the work of an important regional architect, Louis H. Asbury, Sr., one of the first professional architects in Charlotte and a founding member of the North Carolina Chapter of the American Institute of Architects; and

WHEREAS, the Morgan School is architecturally significant for the many exterior features and appointments, such as the molded stone cornice and the decorative concrete panels, intact and in very good condition; and

ORDINANCE - Morgan School

WHEREAS, the Morgan School is architecturally significant for the many interior features and appointments, such as the hardwood floors and steam radiators, intact and in very good condition; and

WHEREAS, the Morgan School is significant as a fine example of early 20th century school construction reflecting Beaux Arts classicism and Revival detailing; and

WHEREAS, the original historic fabric of the exterior and the interior of the Morgan School is largely intact and visible; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has jurisdiction over the interior of the Morgan School because consent for interior design review has been given by the Owner; and

WHEREAS, the current Owner, the Charlotte-Mecklenburg Board of Education, has faithfully maintained the Morgan School and has thereby made a substantial contribution to the cultural richness of Charlotte and Mecklenburg County; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has demonstrated that the property, known as the Morgan School (listed under tax parcel Number 125-225-02), possesses a structure having 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 Morgan School possesses special significance in terms of its history, architecture, and/or cultural importance; and

WHEREAS, the property known as the Morgan School is owned by the Charlotte-Mecklenburg Board of Education,

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

1. That the property known as the Morgan School (listed under tax parcel Number 125-225-02 and including the exterior and the interior of the Morgan School) is hereby designated as an historic landmark pursuant to

ORDINANCE - Morgan School

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 500 South Torrence Street, Charlotte, in Mecklenburg County, North Carolina. Interior and exterior features are more completely described in the *Survey and Research Report of Morgan School* (23 October 1992).

2. That said interior is more specifically defined as the historic and structural fabric of the entrance, halls, stairways, restrooms, offices, cafeteria, kitchen and classrooms of the Morgan School and includes the following items in those areas: the original floors, the woodwork and moldings, the plaster walls, the inset cupboards, the large windows, the built-in bulletin boards and blackboards, the cloak rooms, the doors, the hardware and fixtures, the volume and shapes of the interior spaces provided by the Beaux Arts style of school construction and other interior features that are part of the original historic fabric of the building.

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 landmark 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.

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 landmark that does not involve a change of 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 landmark owner from making any use of this 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-

ORDINANCE - Morgan School

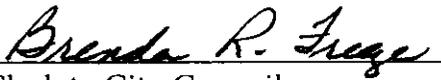
Mecklenburg Historic Landmarks Commission to evaluate proposed alterations or additions.

5. That a suitable sign may be posted indicating that said property has been designated as historic landmark and containing any other appropriate information. If the owner consents, the sign may be placed on said landmark.

6. That the Owner and occupants of the landmark known as the Morgan School 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 historic landmark shall be subject to Chapter 160A, Article 19, and any amendments to it and any amendments hereinafter adopted.

Adopted the 17th day of May 1993 by the City Council of the City of Charlotte, North Carolina.


Clerk to City Council

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 17th day of May, 1993, the reference having been made in Minute Book 102, and is recorded in full in Ordinance Book 43, at page(s) 68-71.

Brenda R. Freeze
City Clerk

Approved as to form:



City Attorney

APPROVED BY CITY COUNCIL

DATE May 17, 1993

Petition No. 93-9
Withdraw Capital

ORDINANCE NO. 3565-Z

AN ORDINANCE AMENDING THE CITY CODE WITH RESPECT TO THE ZONING ORDINANCE.

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of 75.3 acres located on the northerly side of West Arrowood Road opposite Arrowood Business Park; and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 6.201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements as specified in Section 6.202 and 6.204, and was recommended for approval by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on March 15, 1993; and

WHEREAS, in the passage of this ordinance the City Council of the City of Charlotte has considered the promotion of the health, safety, general welfare, and public interest of the community, and the requirements in Section 6.204.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-12(CD) to O-1(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

SEE ATTACHED

Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.

Section 3. That this ordinance shall become effective upon its adoption.

43-9
1/8
✓ OK
MEM

LEGAL DESCRIPTION
0-1(CD)

BEGINNING at a point, said point being the intersection of the northerly edge of the Arrowood Road right-of-way and the southwesterly corner of tax parcel 167-171-03 as recorded in Deed Book 3327, Page 513 of the Mecklenburg County Register of Deeds, running thence N 34-54-13 E 506.78 feet, thence S 59-03-27 E 71.41 feet, thence N 65-07-44 E 21.84 feet, thence N 19-21-18 E 96.49 feet, thence N 15-03-00 E 631.30 feet, thence N 14-21-00 W 260.00 feet, thence N 25-51-00 W 300.00 feet, thence N 27-22-00 E 661.85 feet, thence S 86-39-00 W 1518.53 feet, thence S 34-57-30 W 1337.06 feet to the northerly edge of the Arrowood Road right-of-way, thence S 54-56-10 E 30.43 feet, thence with the arc of a curve having R=22,888.31 feet, L=520.32 feet, thence S 56-14-29 E 14.72 feet, thence with the arc of a curve having R=7609.44 feet, L=372.54 feet, thence S 59-02-47 E 962.04 to the point of BEGINNING.

LEGAL DESCRIPTION

1/8
✓ OK
MEM

BEGINNING at a point, said point being the southwesterly corner of tax parcel 167-211-26 and a point located N 34-57-30 E 1464.50 feet from the northerly edge of the Arrowood Road right-of-way, running thence N 86-39-00 E 1478.60 feet, thence S 12-54-00 W 70.00 feet, thence S 27-22-00 W 38.15 feet, thence S 86-39-00 W 1518.53 feet, thence N 34-57-30 E 127.44 feet to the point of BEGINNING.

APPROVED AS TO FORM:

Henry W. Underhill Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 17th day of May, 19 93, the reference having been made in Minute Book 102, and is recorded in full in Ordinance Book 43 at page 72-75.

Brenda R. Frege
City Clerk

CITY CD

Petition No. 93-15
Harry G. Kostopoulos &
Pete H. Kanellopoulos

ORDINANCE NO. 3566-2

AN ORDINANCE AMENDING THE CITY CODE WITH RESPECT TO THE ZONING ORDINANCE.

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of approximately 3.6 acres located on the north side of Albemarle Road east of Jamison Place; and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 6.201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements as specified in Section 6.202 and 6.204, and was recommended for approval by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on April 19, 1993; and

WHEREAS, in the passage of this ordinance the City Council of the City of Charlotte has considered the promotion of the health, safety, general welfare, and public interest of the community, and the requirements in Section 6.204.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-3 to R-4(CD) and B-2(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

PARCEL 1: R-3 to B-2(CD)

BEGINNING at a point in the new northerly right-of-way line of Albemarle Road said point being the southeasterly corner of a tract of land described in Deed Book 4441, Page 341 of the Mecklenburg Public Registry and running thence with said right-of-way S.77-21-40W. 280.00 feet; thence N.00-37-20E. 210.00 feet; thence N.77-21-40E. 280.00 feet; thence S.00-24-30W. 210.00 feet to the BEGINNING and containing 1.34 acres.

PARCEL 2: R-3 to R-4(CD)

BEGINNING at the northeasterly corner of a tract of land described in Deed Book 4441, Page 341 of the Mecklenburg Public Registry and running thence S.00-24-30W. 335.59 feet; thence S.77-21-40W. 280.00 feet; thence N.00-37-20E. 349.32 feet; thence N.74-50-43E. 279.77 feet to the point of BEGINNING and containing 2.26 acres.

Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.

Section 3. That this ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

Henry W. Davidson Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 17th day of May, 19 93, the reference having been made in Minute Book 101, and is recorded in full in Ordinance Book 43 at page 76-77.

Brenda R. Inge
City Clerk

CITY ZONE CHANGE

Petition No. 93-18
Charlotte-Mecklenburg Senior
Centers, Inc.

ORDINANCE NO. 3567-Z

ZONING REGULATIONS

MAP AMENDMENT NO. _____

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by change from R-4 to R-17MF on the Official Zoning Map, City of Charlotte, N.C. the following described property:

SEE ATTACHED MAP

Section 2. That this ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 17th day of May, 19 93, the reference having been made in Minute Book 102, at page _____.


City Clerk

May 17, 1993

Ordinance Book 43, Page 80

PETITIONER: Char-Meck Senior Centers, Inc.

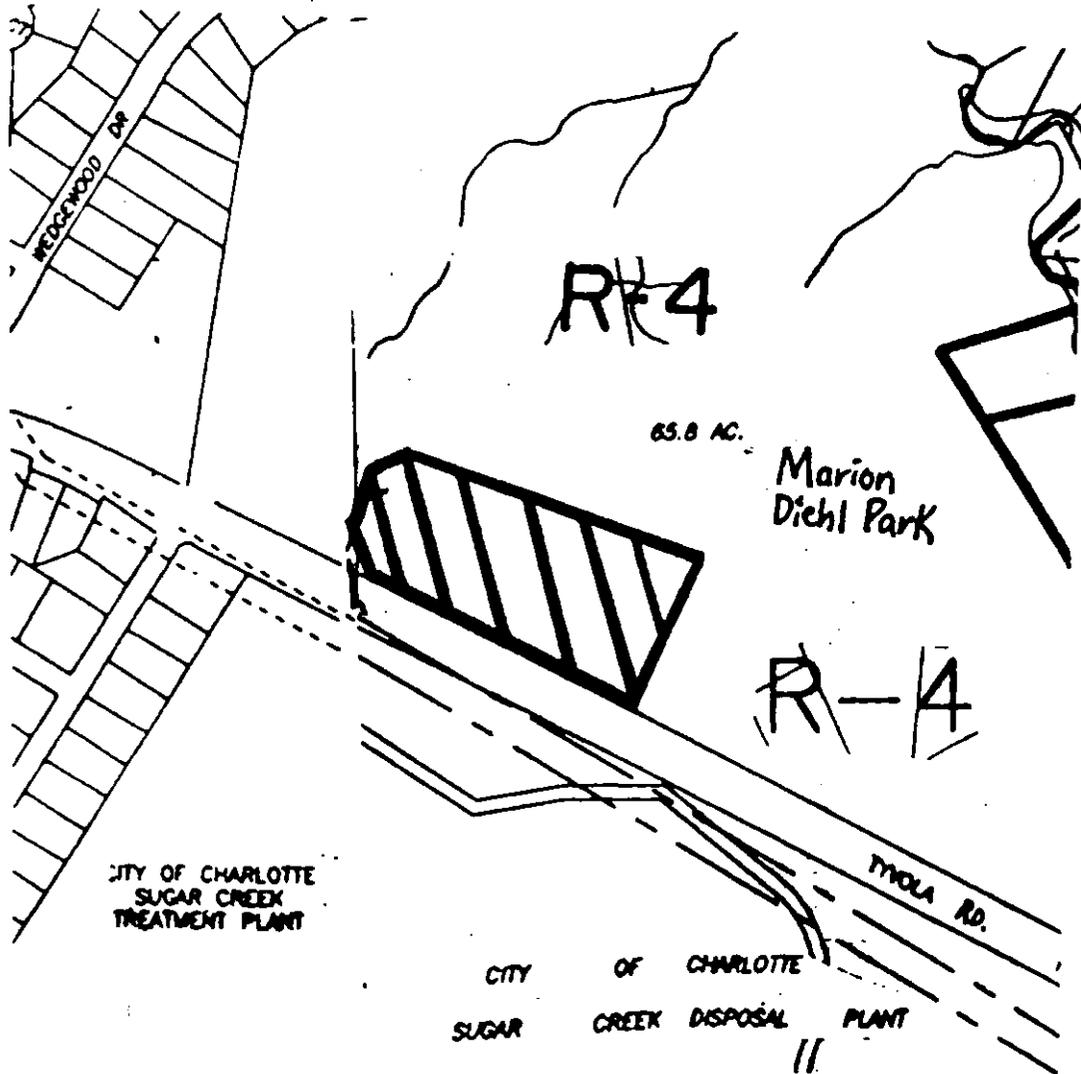
PETITION NO.: 93-18

HEARING DATE: April 19, 1993

ZONING CLASSIFICATION, EXISTING: R-4

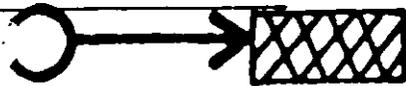
ZONING CLASSIFICATION, REQUESTED: R-17MF

LOCATION: Approximately 5.5 acres located on the north side of Tyvola Road adjacent to Marion Diehl Park.



ZONING MAP NO(s): 134 & 135

SCALE 1" = 400'



PROPERTY PROPOSED FOR CHANGE