

Ordinance – F.M. Simmons House

Ordinance designating as an Historic Landmark a property known as the “F.M. Simmons House” (listed under Tax Parcel Number 15502301 and including the exteriors of the house and outbuildings, and the land listed under Tax Parcel Number 15502301 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of September 1, 2020). The property is owned by James Jordan and Mary Margaret Jordan, and is located at 625 Hermitage Court in Charlotte, 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 public hearing held on the 14th day of December 2020, on the question of designating a property known as the F.M. Simmons House as an historic landmark; and

WHEREAS, the members of the Charlotte-Mecklenburg Historic Landmarks Commission have taken into full consideration all statements and information presented at a public hearing held on the 9th day of November 2020, on the question of designating a property known as the F.M. Simmons House as an historic landmark; and

WHEREAS, the F.M. Simmons House has a unique local architectural significance as one of the most complete remaining expressions of the Neoclassical Revival architecture design trend and style of early twentieth-century, high-style, classical revival, residential architecture in Charlotte; and

WHEREAS, the F.M. Simmons House has a unique local historical significance as one of the first homes constructed in the Myers Park neighborhood, one of the first planned suburban developments outside of Charlotte. That significance is enhanced by the fact the house was constructed by Floyd Macon Simmons, one of Charlotte's most reputable attorneys, builders, and real estate investors, as a private residence and prominent marketing draw for his planned "Hermitage Court" subdivision; and

WHEREAS, the F.M. Simmons House remains in its original location and is surrounded by other historic buildings and features from its period of significance (1914-1943), including the subdivision's original granite entrance gates; and

WHEREAS, the F.M. Simmons House has retained many of its original architectural features, while incorporating only such modern additions at the rear of the house that match original materials and do not distract from the original construction; and

WHEREAS, the architectural details of the F.M. Simmons House show a high level of craftsmanship and design, specifically the complex woodwork, columns, moldings, and trim; and

WHEREAS, the feeling and association of the F.M. Simmons House is enhanced by the high integrity of the home's setting and its relationship to the rest of the historic district's contributing resources and features; and

WHEREAS, the parcel containing the main residence includes two small outbuildings of late twentieth-century construction - a one-story hipped roof brick garage, and a frame, single story, hipped roof accessory building with a full width porch supported by Ionic columns – which maintain and support the overall integrity of design, setting, and feeling for the main residence, and are therefore recommended for inclusion within the designation; and

WHEREAS, based on the additional information further detailed in the *Designation Report on the F.M. Simmons House (August 2020)*, all of which is incorporated herein by reference, the Charlotte-Mecklenburg Historic Landmarks Commission has demonstrated that the property known as the F.M. Simmons House possesses special significance in terms of its history, architecture, and/or cultural importance; and

WHEREAS, the property known as the F.M. Simmons House is owned by James Jordan and Mary Margaret Jordan.

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

1. That the property known as the “F.M. Simmons House” (listed under Tax Parcel Number 15502301 and including the exteriors of the house and outbuildings, and the land listed under Tax Parcel Number 15502301 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of September 1, 2020) 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 625 Hermitage Court in Charlotte, North Carolina. Exterior features are more completely described in the *Designation Report on the F.M. Simmons House (August 2020)*.

2.. That said exteriors are more specifically defined as the historic and structural fabric, especially including all original exterior architectural features and the 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 the 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.

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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 of the historic landmark known as the F.M. Simmons 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.
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 _____ day of _____, 2020, by the members of the City Council of the City of Charlotte, Mecklenburg County, North Carolina.

Clerk to City Council

Approved as to form:

Senior Assistant City Attorney