

Ordinance – Albert Wallace Log House

**Ordinance designating as an Historic Landmark a property known as the “Albert Wallace Log House” (listed under Tax Parcel Number 11102105 as of August 20, 2018, and including the interior and the exterior of the house, outbuildings, and the land associated with the tax parcel). The property is located at 9425 Robinson Church Road in Charlotte, North Carolina, and is owned by William and Dixie Kelly.**

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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 17<sup>th</sup> day of September 2018, on the question of designating a property known as the Albert Wallace Log 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 10<sup>th</sup> day of September 2018, on the question of designating a property known as the Albert Wallace Log House as an historic landmark; and

WHEREAS, the ca. 1825 Albert Wallace Log House is one of the few identified well-executed ante-bellum extant log houses in Mecklenburg County at its original location and which also exhibits the physical integrity required for historic landmark designation; and

WHEREAS, there is sufficient circumstantial evidence to infer that enslaved people lived in the Wallace House before Emancipation; and

WHEREAS, the Wallace House is important because of its place in the emergence of sharecropping as the principal agricultural labor system in rural Mecklenburg County in the post-bellum years; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has demonstrated that the property known as the Albert Wallace Log House possesses special significance in terms of its history, and/or cultural importance; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has jurisdiction over portions of the property known as the Albert Wallace Log House, because consent for interior design review has been given by the Owner; and

WHEREAS, the property known as the Albert Wallace Log House is owned by William and Dixie Kelly.

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

1. That the property known as the “Albert Wallace Log House” (listed under Tax Parcel Number 11102105 as of August 20, 2018, and including the interior and the exterior of the house, outbuildings, and the land associated with the tax parcel) is hereby designated as an 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 9425 Robinson

Church Road, Charlotte, Mecklenburg County, North Carolina. Features of the property are more completely described in the “Survey and Research Report on the Albert Wallace Log House” (2018).

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

5. That a suitable sign may be posted indicating that said property has been designated as an 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 “Albert Wallace Log 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 an 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 \_\_\_\_\_, 20\_\_\_\_, by the members of the City Council of the City of Charlotte, Mecklenburg County, North Carolina.

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Clerk to City Council

Approved as to form:

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Senior Assistant City Attorney