

Ordinance Amendment – James C. Dowd House

**Amendment to the Historic Landmark Designation Ordinance for the property known as the “James C. Dowd House” originally adopted by the Charlotte City Council on October 30, 1978, to include the interior of the house, and approximately .7050 acres of land listed under Tax Parcel Number 06706105, and approximately .1916 acres of land listed under Tax Parcel Number 06706106 as shown on the attached exhibit “A”. The property is located at and adjacent to 2216 Monument Street, in Charlotte, North Carolina, and is owned by Mecklenburg County.**

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WHEREAS, all of the prerequisites to amending the historic landmark designation ordinance for the James C. Dowd House as 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 14<sup>th</sup> day of December 2020, on the question of amending the historic landmark designation ordinance for the James C. Dowd House; 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 9<sup>th</sup> day of November 2020, on the question of amending the historic landmark designation ordinance for the James C. Dowd House; and

WHEREAS, on October 30, 1978, the City Council of Charlotte adopted an ordinance designating the property known as the “James C. Dowd House” as a Historic Landmark; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has determined that to amend the historic landmark designation ordinance for the James C. Dowd House to include the interior of the house, and approximately .7050 acres of land listed under Tax Parcel Number 06706105, and approximately .1916 acres of land listed under Tax Parcel Number 06706106 as shown on the attached exhibit “A” is appropriate because the interior of the house has retained a high degree of integrity and all of the property being recommended for inclusion in the designation of the James C. Dowd House was once part of a 100 acre tract of James C. Dowd’s farm which later became part of the US Army’s World War I era Camp Greene; and

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

WHEREAS, the James C. Dowd House is listed under Tax Parcel Number 06706105, and is located at 2216 Monument Street, in Charlotte, North Carolina, and is owned by Mecklenburg County; and

WHEREAS, the approximately .7050 acres of land listed under Tax Parcel Number 06706105, and the approximately .1916 acres of land listed under Tax Parcel Number 06706106 as shown on the attached exhibit “A” are located at and adjacent to 2216 Monument Street, in Charlotte, North Carolina, and are owned by Mecklenburg County.

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

1. That the ordinance for the James C. Dowd House be amended to include the interior of the house, and approximately .7050 acres of land listed under Tax Parcel Number 06706105, and approximately .1916 acres of land listed under Tax Parcel Number 06706106 as shown on the attached exhibit “A” pursuant to Chapter 160A, Article 19, as amended, of the General Statutes of North Carolina.

2. That the owners of the historic landmarks known as the “James C. Dowd House” be given notice of this amendment as required by applicable law and that copies of this amendment 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.

3. 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.

Approved as to form:

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Senior Assistant City Attorney

CHICAGO TITLE INSURANCE COMPANY

COMMITMENT NO: 19-22858CH, EFFECTIVE DATE: DECMEBER 20, 2019

SCHEDULE B - II (EXCEPTIONS)

4 ANY RIGHT, EASEMENT, SETBACK, INTEREST, CLAIM, ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATIONS OR OTHER ADVERSE CIRCUMSTANCE AFFECTING THE TITLE DISCLOSED BY PLAT(S) RECORDED IN MAP BOOK 3, PAGE 101; AND MAP BOOK \_\_\_\_\_, PAGE \_\_\_\_\_, (AS SHOWN HEREON)

5 COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS, AND LIENS PROVIDED FOR IN DEEDS FILED FOR RECORD IN BOOK 549, PAGE 711; BOOK 1157, PAGE 124; BOOK 10046, PAGE 422; BOOK \_\_\_\_\_, PAGE \_\_\_\_\_, AND ANY RELATED MAPS, PLANS, BYLAWS AND OTHER DOCUMENT(S) AND AMENDMENT(S), BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW. (AS SHOWN HEREON)

6 COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS, AND LIENS PROVIDED FOR IN APPROVED COVENANTS FILED FOR RECORD IN BOOK \_\_\_\_\_, PAGE \_\_\_\_\_, AND ANY RELATED MAPS, PLANS, BYLAWS AND OTHER DOCUMENT(S) AND AMENDMENT(S), BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW.

7 EASEMENT(S) TO DUKE POWER COMPANY RECORDED IN BOOK 938, PAGE 13; AND BOOK 938, PAGE 110. (BLANKET EASEMENT, CONTAINS NO PLOTTABLE MATTERS)

8 WATER MAIN EASEMENT TO THE CITY OF CHARLOTTE RECORDED IN BOOK 1026, PAGE 78. (BLANKET EASEMENT, CONTAINS NO PLOTTABLE MATTERS)

UTILITIES:

POWER  
DUKE POWER ENERGY  
1-800-777-9898

TELEPHONE  
BELL SOUTH  
TELECOMMUNICATIONS  
1-888-757-6500

WATER & SEWER  
CHAR-MECK. UTILITY DEPT.  
(CMUD)  
(704) 336-2564 WATER  
(704) 357-6064 SEWER

GAS  
PIEDMONT NATURAL GAS CO.  
1-800-752-7504

CABLE TELEVISION  
TIME WARNER CABLE  
1-800-892-2253

LEGEND:

- CB - CATCH BASIN  
C&G - CURB & GUTTER  
CGF - COMBINED GRID FACTOR  
D.B. - DEED BOOK  
DIP - DUCTILE IRON PIPE  
EIP - EXISTING IRON PIPE  
EIR - EXISTING IRON ROD  
EN - EXISTING NAIL  
EOP - EDGE OF PAVEMENT  
FH - FIRE HYDRANT  
FP - FLAG POLE  
GDP - GUARD POST  
GM - GAS METER  
LP - LIGHT POLE  
(M) - MEASURED  
M.B. - MAP BOOK  
MBX - MAILBOX  
MW - MONITORING WELL  
N.G.S. - NATIONAL GEODETIC SURVEY  
NIR - NEW IRON ROD  
NN - NEW NAIL  
(P) - PLATTED  
PIN - PARCEL IDENTIFICATION NUMBER  
PP - POWER POLE  
PG - PAGE  
PM - POWER METER  
(R) - RECORDED  
RCP - REINFORCED CONCRETE PIPE  
R/W - RIGHT-OF-WAY  
(T) - TOTAL  
TC - TERRACOTTA PIPE  
WB - WATER BOX  
WM - WATER METER  
PROPERTY LINE  
PROPERTY LINE (NOT SURVEYED)  
RIGHT-OF-WAY  
RIGHT-OF-WAY (NOT SURVEYED)  
EASEMENT  
SETBACK  
CHAIN FENCE  
GAS LINE  
POWER LINE  
SANITARY SEWER LINE  
STORM DRAIN LINE  
TELEPHONE LINE  
WATER LINE

TREE LEGEND:

- CED - CEDAR  
CHY - CHERRY  
HOL - HOLLY  
MAG - MAGNOLIA

FLOOD CERTIFICATION

THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, DATED SEP. 2, 2015  
MAP NUMBER: 3710453400K; ZONE "X"

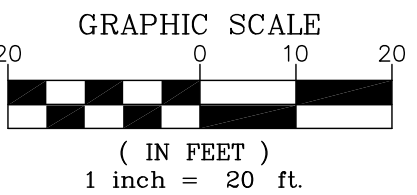
THIS IS TO CERTIFY THAT ON THE 15 DAY OF JANUARY 20 20 AN ACTUAL SURVEY WAS MADE UNDER MY SUPERVISION OF THE PROPERTY SHOWN ON THIS PLAT, AND THAT THE BOUNDARY LINES AND THE IMPROVEMENTS, IF ANY, ARE AS SHOWN HEREON. THIS PLAT MEETS THE MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA, BOARD RULE .1600 (21 NCAC 56) AND THE RATIO OF PRECISION DOES NOT EXCEED AN ERROR OF CLOSURE OF ONE (1) FOOT PER 10,000 FEET OF PERIMETER SURVEYED NOR 20 SECONDS TIMES THE SQUARE ROOT OF THE NUMBER OF ANGLES TURNED.

SIGNED \_\_\_\_\_

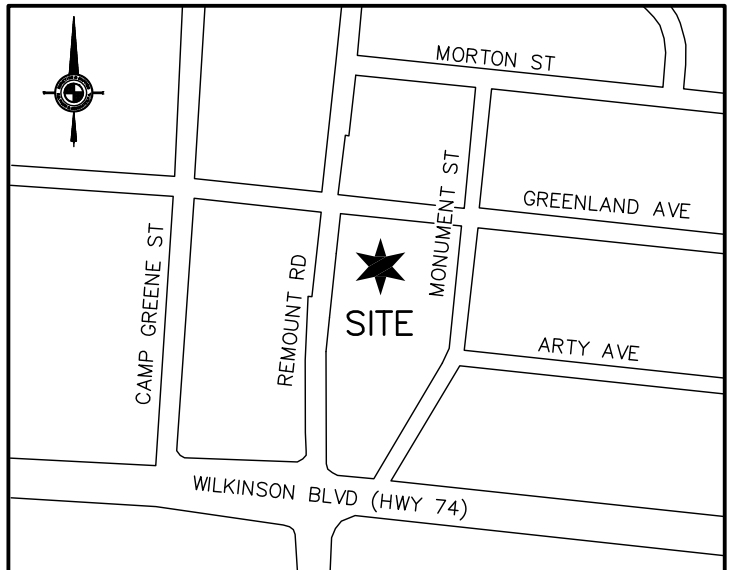
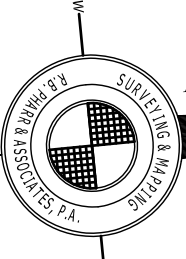


Know what's below.  
Call before you dig.

EXHIBIT A



MAP REFERENCE:  
NC GRID NAD 83 (2011)



VICINITY MAP  
NOT TO SCALE

NOTES:

- THIS PLAT IS NOT FOR RECORDATION AS PER G.S. 47-30 AS AMENDED.
- ALL CORNERS MONUMENTED AS SHOWN.
- NO RECOVERABLE NGS MONUMENT LOCATED WITHIN 2,000 FEET OF SUBJECT PROPERTY.
- THE LOCATION OF UNDERGROUND UTILITIES SHOWN ON THIS MAP IS APPROXIMATE. BASED ON INFORMATION PROVIDED BY OTHERS OR BY FIELD LOCATION. UTILITY LOCATIONS AS SHOWN HEREON ARE INTENDED FOR PLANNING ONLY. ACTUAL LOCATION, SIZE, OR DEPTH OF LINE SHOULD BE VERIFIED WITH THE INDIVIDUAL UTILITY COMPANY BEFORE CONSTRUCTION.
- BROKEN LINES INDICATE PROPERTY LINES NOT SURVEYED.
- THE OFF-SITE RIGHT-OF-WAY SHOWN HEREON IS FOR ILLUSTRATIVE PURPOSES ONLY. THE UNDERSIGNED CERTIFIES ONLY TO THE RIGHT-OF-WAYS SURVEYED, AND DOES NOT CERTIFY TO THE RIGHT OF WAY WIDTH OF ANY ADJACENT PROPERTIES.
- ELEVATIONS BASED ON N.G.S. MONUMENT "MCDOWELL". ELEVATION = 681.79 FEET, NAVD 88.

ZONING:

SUBJECT PROPERTY ZONED: R-5  
ZONING RESTRICTIONS AS PER ZONING ORDINANCE:

MINIMUM SETBACK: 20'  
MINIMUM SIDE YARD: 5' RESIDENTIAL, 20' NON-RESIDENTIAL  
MINIMUM REAR YARD: 35'

NOTE: NO ZONING REPORT HAS BEEN PROVIDED TO THE SURVEYOR, PURSUANT TO ALTA TABLE A ITEM 6. OWNER / DEVELOPER TO VERIFY ZONING REQUIREMENTS PRIOR TO FURTHER DEVELOPMENT OF SITE.

FOR FURTHER INFORMATION CONTACT THE CHARLOTTE-MECKLENBURG ZONING DEPARTMENT AT 704-336-3569.

GPS CERTIFICATION:

- I, CHARLES E. BELL, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL GPS SURVEY MADE UNDER MY SUPERVISION AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY:
- CLASS OF SURVEY: CLASS A (1-10,000)
  - POSITIONAL ACCURACY: NORTH=0.00045, EAST=0.0016, VERTICAL=0.005
  - TYPE OF GPS FIELD PROCEDURE: REAL-TIME KINEMATIC
  - DATES OF SURVEY: 12/11/2019
  - DATUM/EPOCH: NAD83(2011)
  - PUBLISHED/FIXED-CONTROL USE: NGS MONUMENT "MCDOWELL"
  - GEIOD MODEL: GEOD18(CONUS)
  - COMBINED GRID FACTOR(S): 0.99984487
  - UNITS: US SURVEY FEET

ALTA/NSPS CERTIFICATION:

TO: OZF PROPERTIES, LLC, A NORTH CAROLINA LIMITED LIABILITY COMPANY; AND CHICAGO TITLE INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5.6(a), 6(b), 7(a), 7(b)(1), 7(c), 8, 9, 11 AND 13 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON JANUARY 15, 2020.

CHARLES E. BELL, NCPLS L-4804  
PROFESSIONAL LAND SURVEYOR  
cbell@rbpharr.com

DATE  
**PRELIMINARY**  
FOR REVIEW AND APPROVAL

TOTAL AREA:  
39,053 SQ. FT. OR 0.8965 ACRES

REVISIONS			ALTA/NSPS LAND TITLE SURVEY PREPARED FOR:		
			<b>OZF PROPERTIES, LLC</b>		
			2216 MONUMENT STREET CITY OF CHARLOTTE, MECKLENBURG COUNTY, N.C. LOTS 3-6 BLOCK 3B, DOWD HEIGHTS MAP REFERENCE: 3-101 DEED REFERENCE: 06084-407 & 10046-422 TAX PARCEL NO: 067-061-05 & PORTION OF 067-061-06		
			<b>R.B. PHARR &amp; ASSOCIATES, P.A.</b> SURVEYING & MAPPING LICENSE NO. C-1471 420 HAWTHORNE LANE, CHARLOTTE, N.C. 28204 TEL. (704) 376-2186		
CREW:	DRAWN:	REVISED:	SCALE:	DATE:	JOB NO.
EH	DB		1" = 20'	JAN. 15, 2020	90913