

Charlotte Historic District Commission
Application for a Certificate of Appropriateness

November 9, 2011

ADDRESS OF PROPERTY	220 West 10th Street, Fourth Ward Local Historic District	HDC 2011-120
SUMMARY OF REQUEST	Demolition of Existing Structure	
OWNERS	Malachi Greene & Vera Harrison	
APPLICANT	Ben Krise, City of Charlotte Code Enforcement	

Details of Proposed Request

The Code Enforcement Division of the City of Charlotte Neighborhood and Business Services Department has filed this request to demolish and remove this building.

Current Status and Context of Property

This house, located within the Fourth Ward Local Historic District, was constructed in 1924. It is a Spanish Colonial Revival single story residence, designed by noted Charlotte architect Martin Boyer. This house is the only residential Spanish Colonial Revival structure in Charlotte's original four wards. The building was designated as a Local Historic Landmark by City Council in 2007.

This house is one of only two surviving single family structures in this block. The other, adjacent house is a two story Victorian building. The remainder of the block has been redeveloped with multi-family structures.

Relevant HDC Design Guidelines

- *Demolition*

Relevant Secretary of Interior's Standards for Historic Rehabilitation

(As cited in the Charlotte Zoning Ordinance Section 10.210)

- (i) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
- (j) New additions and adjacent or new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Analysis of Proposal

This building is in an advanced state of deterioration on the interior. It has been condemned as unsafe for habitation by the City of Charlotte's Code Enforcement Staff.

In 2007, the property owner appeared before the HDC to apply for a Certificate of Appropriateness for the demolition of this house. The Commission found the house to be a contributing structure to the character of the Fourth Ward Local Historic District, and imposed a 365-day delay on the issuance of a demolition Certificate of Appropriateness. The owner never acted on this approval.

Since that time, the house has been unoccupied and has deteriorated significantly, particularly on the interior.

On September 27, 2011, the Charlotte City Council adopted an ordinance directing the Charlotte Code Enforcement staff to cause the demolition and removal of this structure.

The current Historic District Commission policy on Demolition is based primarily on procedures and limitations proscribed in the Charlotte City Zoning Ordinance and in NC State Statutes. This policy says in part:

- The Historic District Commission will evaluate demolition applications to determine if the structure in question contributes to the character of the Local Historic District. If the HDC finds that the structure does not contribute to the character of the district or is unsalvageable, immediate approval of the demolition request may be granted.
- Should the Historic District Commission find that the structure does contribute to the character of the historic district, the HDC can delay the issuance of a Certificate of Appropriateness authorizing demolition for a period not to exceed 365 days, in order to work with the owner to seek alternatives to demolition.
- When an application for demolition receives a 365-day delay, any consideration of applications for proposed new construction on the same site will be deferred for 90 days.

EXCERPT: Approved Meeting Minutes
November 14, 2007 Historic District Commission Meeting

Application: 220 West 10th Street – DEMOLITION.

This small Spanish Colonial house was designed by Martin Boyer in the 1920s. It is being considered for Historic Landmark Designation. The building is vacant and is under Code Enforcement with Neighborhood Development which is ordering DEMOLITION.

APPLICANT COMMENTS: Owner, Malachi Greene, began by saying it is astounding to him that in the year 2007 he has to appear before a committee that is all white. He explained that he no longer wants to maintain this property and is therefore applying to tear it down. Anyone who wants to buy it is welcome to do so for the appraised value. He said he is being fined \$100/day until he tears it down.

FOR/AGAINST: Preservation North Carolina Board Member, Tamara Titus, said she is glad to hear the property is for sale and hopes that the Landmarks Commission, or PNC, or an individual will seize this purchase opportunity.

MOTION: Based on (1) age, (2) being designed by a prominent Charlotte architect, (3) unusual Spanish Colonial style, (4) documented history, Mr. Phares made a MOTION to RECOGNIZE the structure as CONTRIBUTING to the Fourth Ward Local Historic District. Ms. McDermott seconded.

VOTE: 9/0 AYES: CROTTY, GEORGE, HIGHFILL, MCDERMOTT,
NEALON, PHARES, RUMSCH, RUSH, SHEFFIELD

NAYS: NONE

MOTION: Based on contributing status, Mr. Rumsch made a MOTION to IMPOSE the 365-Day-Stay-of-Demolition. Ms. McDermott seconded.

VOTE: 9/0 AYES: CROTTY, GEORGE, HIGHFILL, MCDERMOTT,
NEALON, PHARES, RUMSCH, RUSH, SHEFFIELD

NAYS: NONE

DECISION: STRUCTURE DETERMINED TO BE CONTRIBUTING AND MAXIMUM DELAY IMPOSED.

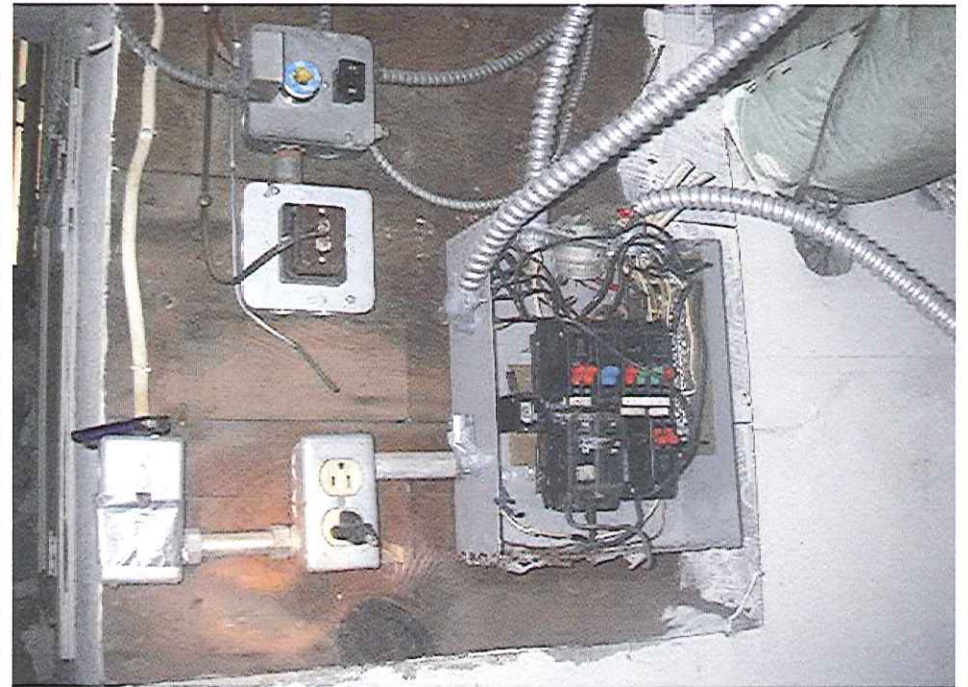


GREEN BLDG.

UNSAFE

PRIVATE DRIVE
No Trespassing
No Soliciting

220 West 10th Street



FILE COPY	
FILED FOR REGISTRATION	DOC # 201108369
DATE 9-28-11	TIME 13:56 PM
BOOK 26767	PAGE 431
STAMPS	REC FEE 12
J. DAVID GRANBERRY REGISTER OF DEEDS MECKLENBURG COUNTY, NC	

September 26, 2011
Ordinance Book 57, Page 364

ORDINANCE

ORDINANCE NO. 4733-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE BUILDING AT 220 WEST 10TH STREET PURSUANT TO THE NON RESIDENTIAL BUILDING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 5, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF MALACHI J. GREENE AND WIFE VERA M. HARRISON 1000 GREENLEAF AVENUE CHARLOTTE, NC 28202

WHEREAS, the building located at 220 West 10th Street in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Non Residential Building Code of the City of Charlotte and the owners thereof have been ordered to demolish and remove said building; and

WHEREAS, said owner(s) have failed to comply in a timely fashion.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Code Enforcement Official of the City of Charlotte is hereby ordered to cause the demolition and removal of the building located at 220 West 10th Street in the City of Charlotte in accordance with the Non Residential Building Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

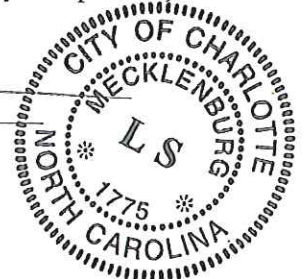
Anna J. Schlenger
Assistant City Attorney

CERTIFICATION

I, Ashleigh Martin, Deputy 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 26th day of September, 2011, the reference having been made in Minute Book 132, and recorded in full in Ordinance Book 57, Page 364.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 27th day of September, 2011.

Ashleigh Martin
Ashleigh Martin, Deputy City Clerk



Drawn by and mail to:

Michael Jenkins
Neighborhood
& Business Services
Code Enforcement Division
600 E. Trade Street
Charlotte, NC 28202



Real Estate Lookup

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Parcel Information

Parcel ID 07804602	Account INDIVIDUAL	Parent	Previous 07804602
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Owner(s)

Owner Name GREENE MALACHI J HUSBAND HARRISON VERA M WIFE	Mailing Address 1000 GREENLEAF AVE 1000 GREENLEAF AVE	City/State CHARLOTTE NC 28202 CHARLOTTE NC 28202
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Legal Information

Legal NA	Municipality CHARLOTTE	Annexed	Special District DOWNTOWN DISTRICT 1	Fire District CITY OF CHARLOTTE	Acreage 0
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Total Parcel Assessment & Exemptions

Building 65800	Land 292500	Features 2300	Total 360600	Exemption HIST PCT	Year Approved 2008	Review Date	Amount 155381
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Sales Information

Sale Sep 19 2006 Jan 1 1975	Price 0	Stamps	Qualify LESS \$3000	V/I IMP	DeedBook 21075 - 302 02805 - 046	Type WARRANTY D DEED STAMPS	Legal Ref. 21075-302 02805-046	Grantor GREENE, MATTIE M
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Land Use

Use O400	Units 9750.00	Type SF	Neighborhood OF01	Assessment 292500
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Building Information

Bldg 1	Description GREEN BLD OFFICE Office	Type OFC B	Year Built 1920	Property Location 220 W 10TH ST CHARLOTTE					
Bldg 1	Story 1 STORY	Units 1	Total SqFt 1534	Heated 1534	FoundationExt. Wall CRAWL SPACE	STUCCO HRDCT -	Grade AVERAGE 03	Value 65800	
Bldg 1	Heat AIR-DUCTED	Fuel GAS	FirePlace	AC AC-CENTRAL	Fixtures 3	Bedrooms 0	Full Baths 0	3/4 Baths 0	1/2 Baths 0

Sub Areas

Bldg 1	Description BASE (FIRST FLOOR)	Size 1534
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Depreciation

Bldg 1	Physical AV - 47.00%	Functional	Economic	Special AP - 10.00%	Override
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Notes

Tax Year	Notes	Note Date
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Special Features & Yard Items

Bldg 1	Built 1920	Type GARAGE	Quantity 1	Units 12X22	Value 2300
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Value Changes

Notice Date	Tax Year	Reason	Changed To	Deferred
Jun 6 2011	2011	Historic	360600	155381
Mar 21 2011	2011	Countywide Revaluation	360600	155381
May 23 2008	2008	Partially Taxable	226100	101893
Mar 21 2003	2003	Countywide Revaluation	226100	0
Feb 20 1998	1998	Countywide Revaluation	113690	
Jan 2 1991	1991	Countywide Revaluation	129140	

Charlotte Historic District Commission - Case 2011-120

