

ORDINANCE NO.

AN ORDINANCE DESIGNATING PROPERTY KNOWN AS THE WILLIAM NELSON CAMP JR. HOUSE LOCATED AT
92 FLATTOP MOUNTAIN ROAD AS A LOCAL HISTORIC LANDMARK

- WHEREAS, the Historic Resources Commission of Asheville and Buncombe County has caused to be made an investigation and report on the historic, architectural, and cultural significance of structures and property proposed for designation, and the North Carolina Department of Cultural Resources has been provided the opportunity to review and comment on the proposed designation; and
- WHEREAS, a public hearing on the designation of the William Nelson Camp Jr. House as a local historic landmark was held by the Historic Resources Commission of Asheville and Buncombe County on November 9th, 2011, and the Commission found that the property is eligible for designation based on its architectural significance as outlined in the designation report; and
- WHEREAS, pursuant to N. C Gen. Stat. Secs. 160A-400.5 and 160A-400.6, Buncombe County has the authority for designation of a local historic landmark; and
- WHEREAS, all the prerequisites to the adoption of this ordinance prescribed in Sec. 160A-400.6 of the North Carolina General Statutes have been met; and
- WHEREAS, the Board of Commissioners have taken into full consideration all statements and information presented at the public hearing on December 6, 2011, and considered the recommendation of the Historic Resources Commission of Asheville and Buncombe County after its public hearing held on November 9, 2011, on the question of designating the property known as the Nelson Camp Jr. House located at 92 Flat Top Mountain Road, as a local historic landmark.

NOW, THEREFORE, BE IT ORDAINED By the Board of Commissioners for the County of Buncombe as follows:

Section 1. The findings set out above are hereby adopted, and all of the property known as the Nelson Camp Jr. House, including the 9.73 acre parcel described in DB 1882 PG 0052 and identified with PIN# 9697.12.1146 and further described in Exhibit A, is hereby designated as a local historic landmark pursuant to Part 3C of Article 19 of Chapter 160A of the North Carolina General Statutes and Chapter 38 of the Code of Ordinances of Buncombe County, and is subject to the conditions and restrictions set forth therein and below:

The significant features of the structure located on said property may not be demolished, materially altered, restored, or removed, nor any new structure built upon the lot without a Certificate of Appropriateness issued by the Historic Resources Commission of Asheville and Buncombe County. Any application for the demolition of this property shall require the waiting period set forth in Part 3C of Article 19 of Chapter 160A of the North Carolina General Statutes.

For purposes of this designation, "significant features" shall be understood to include: the entire exterior of the main house, water storage buildings, garage, ca. 1926 caretakers cottage, two spring houses and barn. Additionally, the following historic landscape features are included as part of the designation: granite stone steps to the main house, granite outcroppings, boxwoods, and the stone foundation of the electric generating facility.

The new log cabin constructed in 1996, the storage shed and gazebo as indicted on Exhibit A are not included as part of the designation.

A suitable sign or plaque shall be posted indicating the said property has been designated as a local historic landmark and containing any other appropriate information. If the owner consents, the sign or plaque shall be placed upon the building or property. If the owner objects, a sign shall be placed on nearby public rights-of-way.

Section 2. That the Planning Director shall cause this ordinance to be filed and recorded as provided in Section 38-117 of the County Code.

Section 3. That if any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be invalid; such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Commissioners hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clauses, or phrases be declared invalid.

Section 4. That all ordinances and clauses of ordinances in conflict herewith be and are repealed, to the extent of such conflict.

Section 5. That this ordinance shall be in force and effect on the date of adoption.

Read, approved and adopted this the 6th day of December, 2011.

ATTEST:

Board of Commissioners for the
County of Buncombe

Kathy Hughes, Clerk to the Board

BY: _____
David Gantt, Chairman

APPROVED AS TO FORM:

Michael Frue, County Attorney

The undersigned hereby certifies that it is the record property owner for the property described in the Buncombe County Ordinance, and hereby consents to review of the interior features described herein by the Historic Resources Commission of Asheville and Buncombe County.

Patricia and Paul J. Samuels

By: _____

STATE OF NORTH CAROLINA
COUNTY OF _____

I, _____, a Notary Public of the County and State aforesaid certify that
_____, Owner of said property, personally appeared before me this day and
acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal this ____ day of _____, 2002.

Notary Public
My Commission Expires: _____