



**2015003535**

TRANSYLVANIA CO, NC FEE \$26.00  
PRESENTED & RECORDED:

07-21-2015 03:51:49 PM

CINDY M OWNBEY

REGISTER OF DEEDS

BY: D REE M. POWELL

DEPUTY REGISTER OF DEEDS

**BK: DOC 733**

**PG: 311-312**

**ORDINANCE NO. 2015-11**

**AN ORDINANCE DESIGNATING AS AN HISTORIC LANDMARK CERTAIN PROPERTY KNOWN AS THE GALLOWAY-RADFORD HOUSE AS IS MORE SPECIFICALLY DESCRIBED IN A DEED IN THE TRANSYLVANIA COUNTY REGISTER OF DEEDS OFFICE, IN DEED BOOK 326, AT PAGE 525, AND BEING DATED 2005, SAID PROPERTY BEING OWNED BY MARK S. AND GAY F. CASE. THE PARCEL OF LAND BEING ESPECIALLY DESIGNATED IS THE ENTIRE EXTERIOR OF THE HOUSE LOCATED ON THE LAND LISTED UNDER TAX PARCEL NO. 8585-68-8053-000 IN THE TRANSYLVANIA COUNTY TAX OFFICE, BREVARD, NORTH CAROLINA.**

WHEREAS, all the prerequisites to the adoption of this Ordinance described in Chapter 160A, Article 19, as amended of the North Carolina General Statutes and Ordinance No. 1997-26 of the City of Brevard have been fully completed; and

WHEREAS, the City Council has taken into full consideration all statements and information presented during a public hearing held June 15, 2015, on the question of designating certain property known as the Galloway-Radford House as a historic landmark; and

WHEREAS, the Galloway-Radford House was built in or near the year 1905 as a residence; and

WHEREAS, the Galloway-Radford House possesses special significance in terms of its late Victorian/Queen Anne form with Colonial Revival architecture and includes three distinctive three bay windows topped with pedimented gables, a prominent wrap around porch supported by Tuscan columns, pebbledash finished exterior, and brick pilasters accenting the corners of the structure; and

WHEREAS, the Galloway-Radford House possesses special significance in terms of its prominent location at the end of East Main Street and being a said contributing parcel to the East Main Street National Historic District; and

WHEREAS, the property known as the Galloway-Radford House is presently owned by Mark S. and Gay F. Case;

NOW, THEREFORE, be it ordained by the City Council of Brevard, North Carolina:

1. That the property known as the Galloway Radford House (including the entire exterior of the building on the parcel listed under Tax parcel No. 8585-68-8053-000) is hereby designated as an historic landmark pursuant to Chapter 160A, Article 19, as amended, of the North Carolina General Statutes and Ordinance No. 1997-26 of the City of Brevard. The location of said landmark is hereby noted as being situated at 33 Deacon Lane, Brevard, North Carolina. The exterior features of the Galloway-Radford House are more completely described in the Application for Local Historic Landmark Status, dated October 29, 2013.

2. That said designated historic landmark may be materially altered, restored, moved or demolished only following the issuance of a Certificate of Appropriateness by the Joint Historic Preservation Commission. With regard to issuance of any Certificate of Appropriateness, the provisions of Ordinance No. 1997-26 of the City of Brevard shall control.

3. This Ordinance shall not 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, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition or removal of any such feature in the event that 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 or interpreted to prevent the owner of the historic landmark from making any use not prohibited by other statutes, ordinance or regulations, including the zoning ordinance of the City of Brevard.

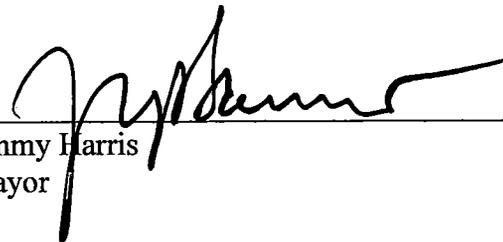
4. A suitable sign may be posted on the property with the owners' permission or near the property in the city right-of-way, indicating that said property has been designated as an historic landmark, and containing any other appropriate information. Such sign must comply with the Sign Ordinance of the City of Brevard.

5. The owner of the historic landmark known as the Galloway-Radford House shall be given notice of this Ordinance as required by law, and a certified copy of this Ordinance shall be filed and indexed in the offices of the Transylvania County Register of Deeds and Brevard City Clerk.

6. The Galloway Radford House is hereby designated as an historic landmark, shall be subject to the provisions of Chapter 160A, Article 19, as amended, of the North Carolina General Statutes, as well as any subsequent amendments thereto, and Ordinance No. 1997-26 of the City of Brevard, as well as any subsequent amendments thereto.

This Ordinance shall be effective upon its adoption and approval.

Adopted and approved this 15<sup>th</sup> day of June, 2015.

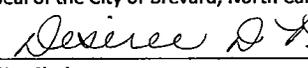
  
\_\_\_\_\_  
Jimmy Harris  
Mayor

  
ATTEST  
  
\_\_\_\_\_  
Desiree Perry, CMC, NCCMC  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Michael K. Pratt  
City Attorney

Mail copy to: Mark and Gay Case, 33 Deacon Lane, Brevard, NC 28712

CLERK'S CERTIFICATION	
I, Desiree D. Perry, City Clerk for the City of Brevard, North Carolina, do hereby certify this is a true and correct second original of Ordinance No. <u>2015-11</u> that was adopted by Brevard City Council on the <u>15th day of June, 2015</u> , the original of which is now on file in the office the City Clerk of Brevard, North Carolina.	
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official Seal of the City of Brevard, North Carolina, this the <u>9th day of July 2015</u> .	
 _____ City Clerk	