

Ordinance #____-____

**AN ORDINANCE DESIGNATING PROPERTY KNOWN AS LENOX SPRING
(PIN 9568-55-1019) AS A LOCAL HISTORIC LANDMARK**

Re: Local Historic Landmark Designation
Property Owner: City of Hendersonville
File No: 25-01-LL

WHEREAS, pursuant to N.C. General Statutes Sections. 160D-942 and Chapter 28 of the Code of Ordinances of the City of Hendersonville, the City has the authority for designation of a local historic landmark; and

WHEREAS, Henderson County Tax Records for Parcels # 9568-55-1019, located on Lennox Park Drive and known as Lenox Spring, lists the City of Hendersonville as the property owners; and

WHEREAS, The property owners have caused to be made an investigation and report on the historic, architectural, and cultural significance of the buildings and property proposed for designation located at/adjacent to Lennox Park Drive; and

WHEREAS, the North Carolina Department of Cultural Resources has reviewed and commented on the proposed designation; and

WHEREAS, a public hearing on the designation of Lenox Spring as a local historic landmark was held by the Hendersonville Historic Preservation Commission on June 18th, 2025 and the following findings were made:

- a. With stone structures first constructed around Lenox Spring in 1917, the spring is one of the few remaining springheads in City limits.
- b. Lenox Spring is significant for its association with Hendersonville's tourist and social history,
- c. Lenox Spring is significant in the area of cultural history for its connection to the tourism industry in early 20th century Hendersonville; and

WHEREAS, a public hearing on the designation of Lenox Spring as a local historic landmark was held by the City of Hendersonville City Council on July 2nd, 2025 and approved an ordinance designating the .18 Acre site of Lenox Spring as a Local Landmark; and

WHEREAS, the Hendersonville City Council has taken into full consideration all statements and information presented at its public hearing on July 2nd, 2025, and considered the recommendation of the Hendersonville Historic Preservation Commission after its public hearing held on June 18th, 2025, on the question of designating the property known as Lenox Spring (PIN 9568-55-1019) as a local historic landmark.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hendersonville:

Section 1. The findings set out above are hereby amending the adoption, and all of the property known as Lenox Spring and located at and adjacent to Lennox Park Drive, and further described in Exhibit A, is hereby designated as a local historic landmark pursuant to Part 942 Chapter 160D of the North Carolina General Statutes and Section 28 of the Code of Ordinances of the City of Hendersonville, and is subject to the conditions and restrictions set forth therein and below:

- a. The stone structures and all of the historic acreage currently associated with the parcel (.18 acres), shall not be demolished, materially altered, restored, or removed, nor any new structure built upon the lot without a Certificate of Appropriateness issued by the Hendersonville Historic Preservation Commission.
- b. The Certificate of Appropriateness shall reference the Historic Preservation Commission Design Guidelines.
- c. Any application for demolition of any stone structure shall require the waiting period set forth in Part 942 of Chapter 160D of the North Carolina General Statutes.

Section 2. 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 City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

Section 3. All ordinances and clauses of ordinances in conflict herewith be and are hereby repealed, to the extent of such conflict.

Section 4. This ordinance shall be in full force and effect on the date of adoption.

Section 5. Violation of this ordinance shall be subject to the remedies set forth in Section 1-6 of the City Code, in addition to other remedies provided by law.

Adopted by the City Council at a meeting held on the 2nd day of July, 2025.

Attest:

Barbara G. Volk, Mayor, City of Hendersonville

Jill Murray, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney

STATE OF NORTH CAROLINA, COUNTY OF HENDERSON

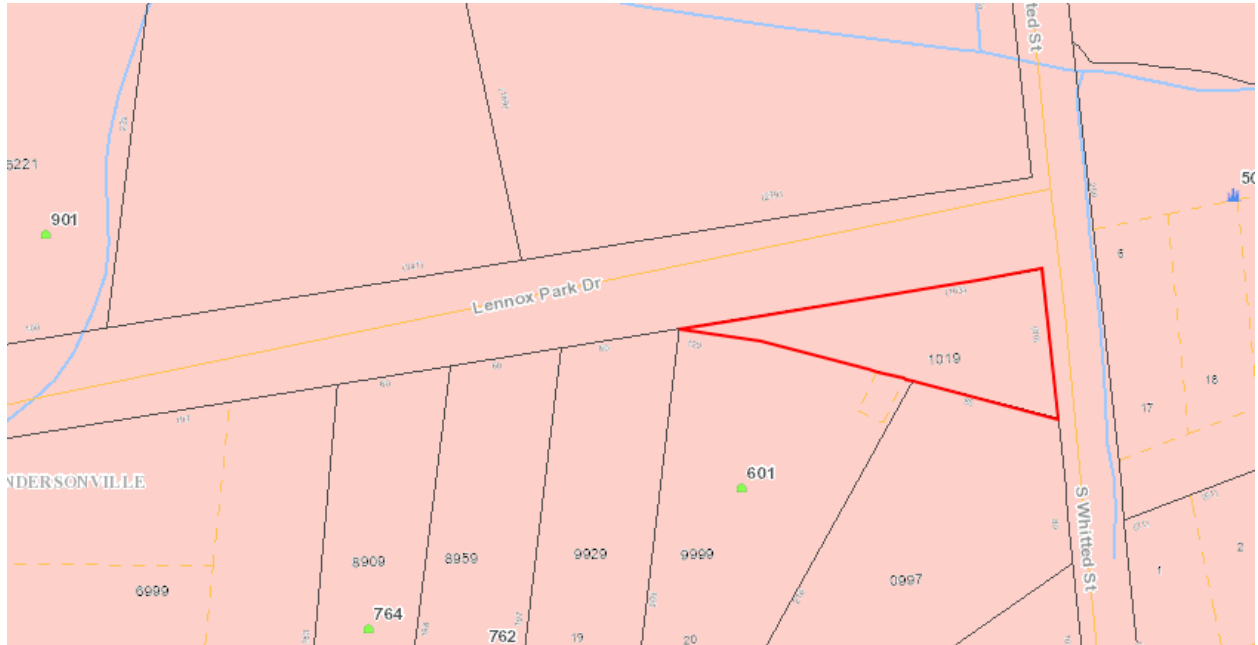
I, _____, a Notary Public in Henderson County, State of North Carolina, do hereby certify that Barbara G. Volk in her capacity of Mayor of the City of Hendersonville; Jill Murray, in her capacity of City Clerk personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal, this _____ day of _____, 20____.

My commission expires:

Exhibit A

SUBJECT PROPERTY – LOCAL LANDMARK DESIGNATION



THIS MAP MAY NOT BE A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS AND HAS NOT BEEN REVIEWED FOR COMPLIANCE WITH RECORDING REQUIREMENTS FOR PLATS