

AN ORDINANCE DESIGNATING AS A HISTORIC LANDMARK PROPERTY
KNOWN AS THE KERR FAMILY FARM

WHEREAS, on November 2, 1992, the Union County Board of County Commissioners (hereinafter, the “Board”) adopted a historic preservation ordinance entitled “Ordinance Creating Union County Historic Preservation Commission,” as subsequently amended and codified into Chapter 22 of the Union County Code (hereinafter referred to as the “Ordinance”); and

WHEREAS, the Ordinance provides for the designation of historic landmarks by the Board upon recommendation and findings by the Union County Historic Preservation Commission (hereinafter, the “Historic Preservation Commission” or “Commission”); and

WHEREAS, the Kerr Family Farm property is part of one of the last historic farmsteads in Western Union County, with farming on the property dating back to the late 19th century; and

WHEREAS, in 2012, the Union County Board of Commissioners designated the property directly adjacent to the subject Kerr Family Farm property as a historic landmark, as that property was historically used along with this Kerr Family Farm property as one working farm; and

WHEREAS, the designation of this Kerr Family Farm property would complete the historic farm’s designation as a historic landmark; and

WHEREAS, the Kerr Family Farm property subject to designation herein includes a basic ranch style house made of brick built circa 1961, with such house consisting of 1784 square feet, three bedrooms, 2 bathrooms, a kitchen, dining room, living room, family room, and original windows and doors, including a large picture window which is an iconic mid-20th century feature; and

WHEREAS, this Kerr Family Farm property consists of two parcels, totaling approximately 3.863 acres, which preserve the traditional agrarian nature of the property in a rapidly urbanizing section of western Union County; and

WHEREAS, the North Carolina Department of Natural and Cultural Resources provided comments to the Commission for minor considerations to add to the Historic Preservation Commission’s report that recommends that the Kerr Family Farm possesses the requisite significance and integrity for landmark designation; and

WHEREAS, the Historic Preservation Commission has found the Kerr Family Farm to be of special significance in terms of its historical, prehistorical, architectural or cultural importance and to possess integrity of design, setting, workmanship, materials, feeling and/or association; and

WHEREAS, the Historic Preservation Commission has recommended designation of the Kerr Family Farm as a historic landmark, and the Commission has otherwise complied with all applicable requirements of the Ordinance regarding establishment of a historic landmark; and

WHEREAS, on June 10, 2024, the Village of Marvin Council resolved to authorize the Board to designate the Kerr Family Farm as a historic landmark pursuant to the aforementioned Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Union County Board of Commissioners as follows:

1. The Kerr Family Farm is located at 9614 Joe Kerr Road, Marvin, North Carolina 28173, on two parcels of land referenced as Union County Tax Parcels 06-222-003D and 06-222-408, and as further described in deed book 6771, page 204, and D145, Page 655, Union County Registry (“Kerr Family Farm Property”). The owner of the Kerr Family Farm is Daisy Paulette Kerr. In accordance with the requirements of the Ordinance, the Kerr Family Farm is hereby designated as a historic landmark. For purposes of this designation, the “Kerr Family Farm” shall refer to the Kerr Family Farm Property land, as well as the circa 1961 home located on the Kerr Family Farm Property.
2. From and after the designation of the Kerr Family Farm as a historic landmark, no exterior portion of any building or other structure (including masonry walls, fences, light fixtures, steps and pavement, or other appurtenant features), nor any above-ground utility structure nor any type of outdoor advertising sign of the Kerr Family Farm, as set forth in Section 1 of this ordinance above, shall be erected, altered, restored, moved or demolished on such landmark until after an application for a certificate of appropriateness has been submitted to and approved by the Historic Preservation Commission. The waiting period specified in Chapter 160D, Article 9, Part 4 of the North Carolina General Statutes shall be observed prior to any demolition of the house on the Kerr Family Farm.
3. Upon consent by the owner, the Historic Preservation Commission may post a suitable sign on the property comprising the Kerr Family Farm, indicating its designation as a historic landmark. If the owner(s) objects to such sign, the Commission may place the sign on a nearby right-of-way.
4. Nothing in this ordinance shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature on the Kerr Family Farm which does not involve a change in design, materials, or outer appearance thereof, nor to prevent the construction, reconstruction, alteration, restoration, or demolition of any such feature which the building inspector or similar official shall certify is required by the public safety because of an

unsafe or dangerous condition. Nothing herein shall be construed to prevent a property owner from making use of his property not prohibited by other statutes, ordinance, or regulations. Nothing in this ordinance shall be construed to prevent the maintenance or in the event of an emergency, the immediate restoration of any existing above-ground utility structure without approval by the Commission.

5. Upon adoption of this ordinance, the Historic Preservation Commission shall provide written notice of landmark status to the owner(s) and occupants of the Kerr Family Farm. The Commission shall also file a copy of this ordinance, and any subsequent amendments hereto, in the office of the Register of Deeds for Union County, requesting that the designated landmark be indexed according to the name of the owner(s) of the property in the grantee and grantor indexes in the Register of Deeds office. The Commission shall file a second copy of this ordinance, and any subsequent amendments hereto, with the Village Clerk to the Village of Marvin Council for the purpose of public inspection at any reasonable time. The Commission shall provide a third copy of this ordinance, and any subsequent amendments hereto, to the Union County Building Code Enforcement Department. Finally, the Historic Preservation Commission shall also provide notice of the designation of the Kerr Family Farm as a historic landmark to the Union County Tax Administrator's office.
6. This ordinance shall be effective upon adoption.

Adopted this the ____ day of _____, 2024.

J.R. Rowell, Chair
Union County Board of Commissioners