

AGENDA

COMMUNITY DEVELOPMENT/HOUSING/GENERAL GOVERNMENT COMMITTEE

4:30 p.m., Tuesday, May 10, 2016

COMMITTEE ROOM

Room 239, City Hall

*COMMITTEE MEMBERS: Council Member Molly Leight, Chair
Council Member Jeff MacIntosh, Vice Chair
Council Member Denise D. Adams
Council Member Dan Besse*

GENERAL AGENDA

- G-1. CONSIDERATION OF ADDITIONAL FINANCING FOR THE DEVELOPMENT OF SINGLE-FAMILY HOUSING (SOUTHEAST WARD):
- a. RESOLUTION AUTHORIZING ADDITIONAL FINANCING FOR DEVELOPMENT IN THE RIDGEWOOD PLACE SUBDIVISION TO S.G. ATKINS COMMUNITY DEVELOPMENT CORPORATION. *[1,325,000.]*
 - b. ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE CITY OF WINSTON-SALEM, NORTH CAROLINA FOR THE FISCAL YEAR 2015-2016.
- G-2. RESOLUTION AUTHORIZING UP TO \$236,000 IN ADDITIONAL PERMANENT FINANCING FOR THE DEVELOPMENT OF 64 UNITS OF RENTAL HOUSING FOR FAMILIES, TO BE KNOWN AS ROCKWOOD AT OLIVER'S CROSSING APARTMENTS (SOUTH WARD).
- G-3. ORDINANCE REVISING CHAPTER B OF THE UNIFIED DEVELOPMENT ORDINANCES TO AMEND REGULATIONS FOR ACCESSORY DWELLINGS - UDO-267 - Proposal of the City-County Planning and Development Services Staff *[Recommended by Planning Board.]*

CONSENT AGENDA

- C-1. ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF A STRUCTURE PURSUANT TO CHAPTER 10, ARTICLE V, SECTION 10-203(f)(1) OF THE CODE OF THE CITY OF WINSTON-SALEM: *[Repairs less than 50% of value of structure (<50) six months]*.
- a. Chicago Title Insurance Company 1451 Addison Avenue
 - b. Winston Salem Presbytery 117 Dellabrook Road
 - c. Walter R. Nelson 210 Wake Drive
 - d. RMBM, Inc. 1206 23rd Street
 - e. Vicki L. Stennis 2703 Glenhaven Lane
 - f. Gwendolyn A. Thompson 3037 Colgate Drive
 - g. Darryl W. and Tammy Cherry 1695 Ashley School Circle
- C-2. ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF A STRUCTURE PURSUANT TO CHAPTER 10, ARTICLE V, SECTION 10-203(f)(2) OF THE CODE OF THE CITY OF WINSTON-SALEM: *[Repairs more than 50% of value of structure (>50) six months]*.
- a. Salem View Property Management LLC 4309 Erie Drive
 - b. Maria Rita Carretero 117 N. Dunleith Avenue
 - c. James Benjamin, Heirs 1318 N. Jackson Avenue
 - d. Jose Martin Doroteo Cruz and Maciel Banos 421 Barbara Jane Avenue
 - e. Taryton Lopez Thacker 1012 Goldfloss Street
 - f. Marie Cole and Nathan Littlejohn 1220 N. Jackson Avenue
 - g. Carnella Gay Dunlap 1538 E. 22nd Street
 - h. Mabe Atkins and Rydman Inc. 5705 Robin Wood Lane

- i. Next Property, LLC 942 New Hope Lane
 - j. Kevin S. Wolfe 3703 Maverick St.
(Accy. Bldg.)
 - k. Silverleaf Properties, LLC 2126 School Street
- C-3. ORDINANCE ORDERING THE COMMUNITY AND BUSINESS DEVELOPMENT DEPARTMENT OF THE CITY OF WINSTON-SALEM TO REMOVE OR DEMOLISH STRUCTURE UNFIT FOR HUMAN HABITATION AND, OTHERWISE, TO EFFECTUATE THE PURPOSE OF CHAPTER 10, ARTICLE V OF THE WINSTON-SALEM CITY CODE: [Repairs more than 65% of value of structure (>65)].
- a. Salvador Garcia Diaz and 2516 Ansonia Street
Leonarda Lorenzo Morales

City Council – Action Request Form

Date: April 27, 2016

To: The City Manager

From: D. Ritchie Brooks, Director, Community and Business Development

Council Action Requested:

Authorize additional financing for development of single-family housing in Ridgewood Place (Southeast Ward)

Summary of Information:

On July 20, 2015, the Mayor and City Council approved the assignment for development of the Ridgewood Place subdivision from Unity Builders, Inc. to S.G. Atkins Community Development Corporations (CDC). The development agreement makes available up to \$727,600 in HOME Investment Partnership (HOME) funds for construction of five houses and homebuyer assistance to twelve homebuyers. Construction funds will be used to complete two houses begun by Unity Builders and to start two houses by S.G. Atkins CDC.

To continue development in Ridgewood, S.G. Atkins CDC has requested additional funds for the construction of ten houses and homebuyer assistance. Five of the homes will utilize HOME funds and must be sold to households at or below 80% of area median income (AMI). Funds will consist of \$115,200 for construction of each house plus up to \$14,800 available for homebuyer assistance, for a total of \$650,000. Five of the homes may include some slightly larger three and four bedroom homes that can be sold to households that are above 80% AMI. This will require a slightly higher sales price and access to construction funds that do not carry the income limitations of HOME funds. Funds will consist of \$125,000 for construction of each house plus up to \$10,000 available for homebuyer assistance, for a total of \$675,000. The total amount requested is \$1,325,000.

Committee Action:

Committee	_____	Action	_____
For	_____	Against	_____

Remarks: _____

The attached resolution requests \$650,000 in HOME funds, \$650,000 in 2014 General Obligation Bond funds, and \$25,000 in Housing Finance Assistance funds. The voters approved \$6,000,000 for housing/neighborhood development, of which \$650,000 is 10.8%. A total of \$6,000,000, or 100%, of the housing/neighborhood development bonds would be approved for S.G. Atkins CDC, Emmanuel Retirement Village, 757 North, and the Pepper Building. The project budget ordinance appropriates the local funds and transfers half of the HOME funds from existing program balances to the Ridgewood project. Since the project is multi-year, the balance of the HOME funds will be appropriated and/or transferred from repayment of construction loans or program balances.

S.G. Atkins CDC is required to adhere to all of the Restrictive Covenants with respect to development of the property for the use stipulated in the purchase contract. Such conditions include, but are not limited to:

1. All units must be sold to households for owner-occupancy;
2. At least 20% of the houses must be sold to households at or below 60% of area median income, with adjustments for household size;
3. Construction must comply with the minimum single-family development standards and restrictive covenants adopted for the area;
4. Eligible buyers will be required to complete a homebuyer education and counseling program prior to loan closing;
5. Single-family lots may be “drawn down” for purchase, and construction initiated, on a schedule set by the City, which will generally be as buyers are pre-approved for purchase and execute purchase contracts, and continuation of preferred developer status is tied to production performance.

EXHIBIT A
S.G. ATKINS COMMUNITY DEVELOPMENT CORPORATION
FINANCING COMMITMENT FOR
THE RIDGEWOOD PLACE SUBDIVISION

1. Purpose – Interim financing for the development of vacant lots in the Ridgewood Place subdivision, located near Hines Drive and I-40, and financing for homebuyer assistance for eligible buyers.
2. Amount – A total of up to \$1,325,000, to be derived from HOME Investment Partnership funds and local funds, for development of up to ten single-family houses for owner-occupancy, subject to determination of final cost and eligibility and continued availability of HOME and local funds through project completion.
3. Terms and Conditions – Homebuyer Assistance – Up to \$14,800 will be available to each buyer who is eligible under the HOME Program. Up to \$10,000 will be available to other buyers. The loan will be a subordinate, deferred loan that bears interest at 0% per annum. Repayment is deferred until the property is sold or transferred, the property ceases to be owner-occupied, or the first mortgage is paid in full. The loan will be evidenced by a Promissory Note and Deed of Trust. Basic underwriting criteria and program requirements and Other HOME Program Terms and Conditions of the HOME Subsidy Assistance Program will apply.
4. Terms and Conditions – Interim Financing – Interim financing may be used as a construction loan of up to \$110,000 per house for HOME-assisted houses and up to \$125,000 per house for local-funded houses to construct up to ten single-family houses for owner-occupancy. Each house must be pre-sold to a buyer. Funds may be used for construction, associated fees, e.g. permits, connection fees, and developer fee. Each loan will be evidenced by a Promissory Note and Deed of Trust. The loan will be a deferred loan, will bear interest at 0% per annum, and will be due upon sale of the house to the buyer.
5. Fees – The developer will be responsible for all fees and closing costs as well as the City’s direct legal and other expenses associated with processing the loan documents.
6. Other Financing - The developer will provide or otherwise attain commitments for the balance of the cost to develop and construct single-family housing.
7. Subdivision and Construction Standards - Financing eligibility requires attainment of zoning, subdivision, site plan, and erosion control plan approvals as applicable. Construction shall comply with all applicable state and local building codes and the restrictive covenants of the Ridgewood Place subdivision. This commitment is subject to review and approval of the scope of work and specifications and construction contract by the Community and Business Development Department of the City.
8. Other Conditions – The developer must comply with all applicable regulatory requirements of the HOME program, including, but not limited to, Environmental Review, Davis-Bacon,

G-1. DRAFT

Section 3, HUD Contractor-Consultant certification standing, Minority/Women Business Enterprise (M/WBE), subrecipients, and fair housing regulations.

**RESOLUTION AUTHORIZING ADDITIONAL FINANCING FOR
DEVELOPMENT IN THE RIDGEWOOD PLACE SUBDIVISION TO
S.G. ATKINS COMMUNITY DEVELOPMENT CORPORATION**

WHEREAS, on July 20, 2015, the Mayor and City Council approved the assignment for development of the Ridgewood Place subdivision from Unity Builders, Inc. to S.G. Atkins Community Development Corporations (CDC); and

WHEREAS, S.G. Atkins Community Development Corporation has requested financing to build additional houses in the Ridgewood Place subdivision.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of Winston-Salem do hereby authorize up to \$1,325,000 in financing to S.G. Atkins Community Development Corporation, its affiliates and assigns, as preferred developer, to develop up to ten units of single-family housing on property located in the Ridgewood Place subdivision, in substantial conformance with the terms outlined in Exhibit A, attached hereto and incorporated herein by reference.

BE IT FURTHER RESOLVED, by the City Council, that the City Manager is authorized to review and approve the final terms and conditions of the project financing, construction loans, and homebuyer assistance and to execute contracts and documents necessary to carry out the activities herein authorized.

**ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE
CITY OF WINSTON-SALEM, NORTH CAROLINA
FOR THE FISCAL YEAR 2015-2016**

BE IT ORDAINED by the Mayor and City Council of the City of Winston-Salem that the Project Budget Ordinance for the Fiscal Year 2015-2016 be amended to transfer 2014 General Obligation Bond funds, Housing Finance Assistance funds, and HOME Investment Partnership funds to S.G. Atkins Community Development Corporation (CDC) for the Ridgewood project.

SECTION 1. That the Project Budget Ordinance of the City of Winston-Salem, adopted on June 15, 2015 and amended on July 20, 2015, August 17, 2015, September 21, 2015, October 26, 2015, November 16, 2015, December 21, 2015, January 19, 2016, February 15, 2016, March 28, 2016, and April 18, 2016, shall be further amended by changing the expenditure appropriations in the following funds.

Special Revenue Funds

HOME Investment Partnership Fund	
Existing Program Balances	-\$325,000
Ridgewood Project	325,000
 Housing Finance Assistance Fund	
Transfer to Capital Projects Fund	\$25,000
 Total Special Revenue Funds Expenditures	 \$25,000

Capital Projects Fund

Housing Development Projects	
Housing/Neighborhood Development	-\$650,000
Ridgewood Project	675,000
 Total Capital Projects Fund Expenditures	 \$25,000

SECTION 2. That the following revenues will be available to meet the above listed

appropriations.

Special Revenue Funds

Housing Finance Assistance Fund Fund Balance Appropriation	\$25,000
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Total Special Revenue Funds Revenues	\$25,000
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Capital Projects Fund

Housing Development Projects Transfer from Housing Finance Assistance Fund	\$25,000
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Total Capital Projects Fund Expenditures	\$25,000
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SECTION 3. That this amendment to the Project Budget Ordinance shall become effective as of the date of adoption.

City Council – Action Request Form

Date: April 25, 2016

To: The City Manager

From: D. Ritchie Brooks, Director, Community and Business Development

Council Action Requested:
 Authorization of up to \$236,000 in additional permanent financing for development of 64 units of rental housing for families, to be known as Rockwood at Oliver’s Crossing Apartments (South Ward).

Summary of Information:
 On April 15, 2013, the Mayor and City Council approved up to \$550,000 for Rockwood at Oliver’s Crossing, to be derived from the HOME funds and Housing Finance Assistance Funds. On April 21, 2014, the Mayor and City Council approved an additional \$100,000 in HOME funds to cover cost overruns based largely on additional site costs required to develop the property and meet all City and Department of Transportation design standards. These included additional retaining walls, boring under Peters Creek Parkway to bring water and sewer to the property, and installing a turn lane. Construction of the project, located at 5180 Peters Creek Parkway and consisting of 64 rental units for families, is now complete and fully leased.

The developer, Rockwood at Oliver’s Crossing, LLC, its affiliates or assigns, which Majority Managing Member is Bradley Queener and Minority Managing Member is Traci Dusenbury, has requested an additional \$236,000 to address unforeseen costs, namely burial of debris that was undetected prior to start of the project and replacement of soil. The total project cost is \$9.1 million, compared to \$8.1 million originally. The developer is responsible for the remaining costs.

A resolution and project budget ordinance providing an additional \$236,000 in HOME funds, which would bring the total HOME funds to \$736,000 and the total loan to \$886,000, is presented for consideration. The total loan is an amortizing loan from cash flow at 2% annual interest for 20 years. Ninety percent of the existing loan funds have been disbursed, and ten percent will be disbursed once the developer has complied with HOME and North Carolina Housing Finance Agency’s requirements.

Committee Action:

Committee		Action	
For		Against	
Remarks:			

G-2. DRAFT

The development consists of 32 two-bedroom and 32 three-bedroom units and serves families with incomes below 60% of area median income. Thirty-three of the units are targeted to households with incomes below 50% of area median income. Amenities include a community room with kitchen, computer center with high-speed internet, laundry room, playground, tot lot, gazebo, and picnic area with grill. In addition to the City's funds, project funding includes \$5.2 million in federal tax credits, a \$1.65 million bank loan, a \$680,000 state tax credit loan, \$396,000 in owner investment, and \$340,000 in deferred developer fees.

**RESOLUTION AUTHORIZING ADDITIONAL PERMANENT FINANCING
FOR A 64-UNIT FAMILY RENTAL DEVELOPMENT
KNOWN AS ROCKWOOD AT OLIVER’S CROSSING**

WHEREAS, on April 21, 2013 the Mayor and City Council of the City of Winston-Salem approved \$550,000 in permanent financing to Rockwood at Oliver’s Crossing, LLC, its affiliates or assigns, as the borrowing entity, and Bradley Queener, as Majority Managing Member, and Traci Dusenbury, as Minority Managing Members, to develop a 64-unit family rental development at 5180 Peters Creek Parkway, to be known as Rockwood at Oliver’s Crossing; and

WHEREAS, on April 21, 2014, the Mayor and City Council approved an additional \$100,000 in HOME funds for the project to cover cost overruns; and

WHEREAS, the developers have requested additional funds to cover cost overruns, including burial of debris that was undetected at prior to the start of the project and replacement of soil.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of Winston-Salem authorize up to \$236,000 in additional permanent financing for Rockwood at Oliver’s Crossing to be added to the loan previously approved.

BE IT FURTHER RESOLVED, that the Mayor and City Council authorize the City Manager to review and approve final loan terms and conditions, negotiate permanent loan agreements, and execute contracts and documents necessary to carry out the activities herein authorized.

TO: Mayor Allen Joines and Members of the City Council
FROM: A. Paul Norby, Director of Planning and Development Services
DATE: April 27, 2016
SUBJECT: Revisions to Accessory Dwelling Provisions (UDO-267)

Bryce A. Stuart Municipal Building
 100 E. First Street
 P.O. Box 2511
 Winston-Salem, NC 27102
 CityLink 311 (336.727.8000)
 Fax 336.748.3163

At the August 2015 Community Development/Housing/General Government Committee (CD/H/GG) meeting, Planning and Development Services staff gave a presentation on a potential amendment to current standards regulating accessory dwelling units in Winston-Salem, prompted by some recent court decisions. Residential accessory dwelling units have been allowed in Winston-Salem since the 1930s, and these structures may be either detached stand-alone buildings, or units attached to the principal residence which exists on a property. A number of accessory units can be found within the older neighborhoods surrounding Downtown Winston-Salem, and they are also found in some of the more outlying areas of the City and County jurisdictions.

The *Unified Development Ordinances* (UDO) currently permits accessory dwellings, but limits occupancy of these units to relatives, adopted persons, dependents or servants of the property owner. Existing provisions also extend occupancy rights for attached dwelling units to individuals over the age of 55 and handicapped persons. As staff discussed last August, the City Attorney's Office has expressed concerns regarding the enforceability of the current occupancy provisions in the UDO. Recent North Carolina case law suggests that although municipalities have the authority to regulate the use of property, they do not have the authority to limit the use of land based on the identity or status of the users or owners of the property. The Attorney's Office has recommended revising our current ordinance provisions to prevent them from being challenged in court.

Planning Staff agrees that removing ordinance language that runs counter to case law is necessary, but recommends adding additional regulations governing building placement and size to ensure accessory units fit within neighborhoods. After researching other municipalities across the state, staff found that the large majority of cities, both large and small, currently allow accessory dwellings in single family neighborhoods. In fact, only 4 of the state's 30 largest municipalities prohibit accessory residential units. *Legacy 2030* also recognizes that accessory dwellings can provide creative housing options to accommodate a growing population within existing municipal limits, and allow for greater opportunities for aging in place and affordable housing.

After gaining input from Council at the August 2015 CD/H/GG meeting, staff held two public meetings to provide interested citizens an opportunity to learn about proposed changes and provide feedback in September 2015. A number of issues were discussed at these meetings including setbacks of accessory units, unit size limitations, design issues, and the impact of the ordinance on the local Tiny House movement. Based on these discussions and our research, staff

City Council: Mayor Allen Joines; Vivian H. Burke, Mayor Pro Tempore, Northeast Ward; Denise D. Adams, North Ward; Dan Besse, Southwest Ward; Robert C. Clark, West Ward; Molly Leight, South Ward; Jeff MacIntosh, Northwest Ward; Derwin L. Montgomery, East Ward; James Taylor, Jr., Southeast Ward; City Manager: Lee D. Garrity

Forsyth County Commissioners: David R. Plyler, Chairman; Don Marrin, Vice Chair; Ted Kaplan; Richard V. Linville; Walter Marshall; Gloria D. Whisenhunt; Everette Witherspoon; County Manager: Dudley Watts, Jr.

City-County Planning Board: Arnold G. King, Chair; Allan You -13- Chair; George M. Bryan, Jr.; Melynda Dunigan; Tommy Hicks; Clarence R. Lambe, Jr.; Darryl Little; Paul W. Mullican; Brenda J. Smith

prepared an initial draft ordinance proposal which was presented to the City-County Planning Board at its October 2015 work session.

This initial staff proposal eliminated kinship provisions and added the following accessory dwelling requirements:

- Parking for the unit must be provided and served by the same driveway as the principal residence, unless the accessory unit is on a corner lot or accesses an alley
- Detached accessory units must be behind the front façade of the principal residence
- Accessory units may only be permitted in association with single-family residential uses
- Detached units have a maximum height of 24 feet
- Accessory dwelling have a maximum area of 1,000 square feet, plus:
 - Attached units may be no more than 30% of the floor area of the principal structure
 - Detached units may be no more than 5% of the total lot area
- Detached units would require a greater setback than for other accessory structures but would allow minimum rear setbacks equal to 50% of the required rear setback for primary structures in the zoning district (for residential districts). Side setbacks for these units would be the same as the required side setbacks for primary structures in the zoning district.
- Detached units in non-residential districts must have minimum rear setbacks of 12.5 feet and side setbacks of 7 feet
- Existing accessory structures with less than these required setbacks must request a variance from the Board of Adjustment

In addition to the proposed requirements detailed above, accessory dwellings would still be approved in the same fashion as they currently are. Attached dwelling units would be permitted by right with the issuance of a zoning permit from staff, while detached dwelling units would continue to require a Special Use Permit from the Board of Adjustment (BOA). To receive a Special Use Permit, an accessory unit must meet all conditions of the ordinance, as well as meet four findings of fact related to the impact of a unit on its neighborhood. The BOA process also requires a public hearing allowing neighbors to voice their concerns about the impact of such structures on their neighborhoods.

Over the next three months, Planning staff answered further Planning Board questions related to the draft ordinance, and briefed the Board again at its January 2016 work session. A Planning Board public hearing was held on a revised draft ordinance on February 11, 2016. In addition to the provisions listed above, the February 2016 ordinance proposed the following requirements:

- One parking space must be provided per bedroom in an accessory unit
- Detached units may only be located on lots at least 9,000 square feet in size
- Detached units are only allowed on lots where the principal residence occupies no more than 30% of the total lot area
- A maximum unit size of 1,500 square feet is allowed in Growth Management Area (GMA) 3 on lots with at least 40,000 square feet
- No maximum unit size exists in GMAs 4 or 5, except that the accessory unit must be smaller than the principal residence on the lot

- Detached units must be set back at least 20 feet from the principal residence on the lot
- No more than two adults are allowed to live in an accessory unit

During discussion at the February Planning Board meeting, some Board members and citizens voiced concerns over the impact of proposed parking requirements on neighborhoods which lacked adequate off-street parking, as well as concerns relating to variances from the proposed standards. The Board continued discussing the ordinance at its February 2016 work session, and staff added the following provisions to the draft ordinance:

- Parking for accessory units must be provided in the form of off-street parking
- Variances may not be granted for lots which are less than 9,000 square feet in size
- Variances may only be granted for structures existing prior to the adoption of UDO-267

The Planning Board continued discussions on the revised ordinance at its March 10, 2016 meeting. After substantial discussion, a motion to approve the ordinance as presented by staff was made, and was denied unanimously, with Planning Board members citing opposing reasons that it was either too lenient or too restrictive. Another motion, which would have completely removed accessory dwelling provisions from the ordinance, failed with a 2-6 vote. A motion to simply remove the legally questionable occupancy provisions from the current ordinance passed on a 6-2 vote. All three ordinance versions considered and voted on by the Planning Board are attached to this memo for Council consideration.

Staff will discuss UDO-267 at the May 10, 2016 Community Development/Housing/General Government Committee. Following the presentation, staff will be available to answer questions.

ACTION REQUEST FORM

DATE: April 27, 2016
TO: The Honorable Mayor and City Council
FROM: A. Paul Norby, Director of Planning and Development Services

COUNCIL ACTION REQUEST:

Request for Public Hearing on zoning text amendment proposed by City-County Planning and Development Services staff

SUMMARY OF INFORMATION:

An ordinance amendment proposed by City-County Planning and Development Services staff to revise Chapter B of the *Unified Development Ordinances* to amend regulations for Accessory Dwellings (UDO-267).

PLANNING BOARD ACTION:

MOTION ON PETITION: APPROVAL WITH CHANGES
FOR: TOMMY HICKS, ARNOLD KING, CLARENCE LAMBE,
DARRYL LITTLE, PAUL MULLICAN, BRENDA SMITH
AGAINST: GEORGE BRYAN, MELYNDA DUNIGAN
SITE PLAN ACTION: NOT REQUIRED

STAFF REPORT

DOCKET # UDO-267

STAFF: [Walter Farabee](#)

REQUEST

This UDO text amendment is proposed by City-County Planning and Development Services staff to amend Chapter B of the *Unified Development Ordinances* (UDO) concerning regulations for accessory dwelling units.

BACKGROUND

Accessory dwelling units are structures that may be detached or attached to a principal structure on the same lot and are sometimes referred to as granny flats, in-law apartments, guest houses, carriage houses or laneway/alley housing. Accessory dwelling provisions have existed in the UDO for many years, and before that, were in the Winston-Salem Zoning Ordinance as early as 1930. Accessory dwellings are commonly allowed in single-family zoning districts in many cities under certain conditions.

Legacy 2030 highlights the importance of accessory dwelling. Allowing for accessory dwellings allows the integration of some of our future housing needs within existing neighborhoods making use of existing infrastructure while retaining the character of residential neighborhoods. Accessory dwellings provide creative housing options that can accommodate the growing population within municipal limits, and can offer a number of additional community benefits: they are likely smaller and more affordable than other housing options in the market, they utilize existing infrastructure, can generate income for the owner of the principal structure, and provide for aging in place for the elderly, sick or those on fixed-incomes.

Presently, the *Unified Development Ordinances* (UDO) sets forth regulations for accessory dwelling units which limits occupancy of these units to relatives, adopted persons, dependents or servants of the property owner. Existing provisions also extend occupancy rights to individuals over the age of fifty-five (55) and handicapped persons in attached dwellings only.

Based on recent North Carolina case law, the City Attorney's Office has identified concerns regarding the enforceability of these occupancy provisions of the UDO. While municipalities have the authority to regulate the use of property, case law suggests that they do not have the authority to limit the use of land based on the identity or status of the users of the property. The Attorney's Office has recommended revising our current ordinance provisions to prevent them from being challenged in court. When looking at other municipalities across the state, the large majority of cities both large and small currently allow accessory dwellings in single family neighborhoods.

ANALYSIS

Planning Staff agrees that revising the current accessory dwelling regulations is necessary. Staff is recommending that a number of new restrictions be included in the accessory dwelling regulations to ensure the appropriate placement and design of units and to protect the character of single-family neighborhoods. These revisions to the regulations begin with refining the definition of attached and detached accessory dwellings. Attached accessory units would have to be completely contained within the same conditioned building structure as the principal residence or share at least 15 feet of an external wall with the principal residence. Detached accessory units could not be physically connected or attached to the principal structure and must be no less than 20 feet from the side or rear of the principal residence.

Several proposed ordinance revisions have been included for both attached and detached accessory units:

- Accessory dwellings are only permitted in association with single-family residential uses, and only one accessory unit is allowed per lot.
- The elimination of the kinship provisions, as suggested by recent case law.
- A requirement that no more than two adult individuals may inhabit an accessory dwelling, whether attached or detached, to limit the impact of noise, light, traffic and other measures on neighbors.
- Parking for the unit must be provided and served by the same driveway as the principal dwelling in most cases.
- One parking space per accessory unit bedroom shall be provided. Units without a bedroom must have one space provided. Given the size limitations further discussed, the number of spaces will remain low.

The following proposed revision applies only to attached accessory units:

- The accessory dwelling can't be more than 30% of the heated floor area of the principal building, not to exceed 1,000 square feet

Given the greater impact that detached accessory units pose to single-family neighborhoods, additional unique restrictions have been proposed for these units, which include:

- Detached accessory dwellings could only be placed on lots with a minimum lot size of 9,000 square feet and which have a principal structure that occupies no more than 30% of the lot area.
- The accessory unit would have to be located behind the front façade of the principal structure. If located on a corner lot then the detached unit must be located behind the building line of both street-facing facades.
- Unit limitations are based on the Growth Management Area (GMA) in which the accessory unit is located in:
 - In GMAs 1, 2 and 3 the detached accessory dwelling could not exceed 5% of the lot area with a maximum size of 1,000 square feet, except that lots in GMA 3 greater than 40,000 square feet in size allow units up to 1,500 square feet.
 - In GMAs 4 and 5, the square footage of the accessory dwelling could not be greater than that of the principal residential structure on site.

- Detached accessory dwellings in single-family residential districts would require a minimum rear setback equal to 50% of the required rear setback for the zoning district. The minimum side setback for the district remains and there must be 20 foot of spacing between the detached unit and the principal residence on the lot.
- Accessory dwellings in non-residential districts would require rear setbacks of at least 12.5 feet and side setbacks of at least 7 feet on one side and 20 feet combined.
- Maximum height would be increased to 24 feet to allow for the high-pitch rooflines found in the design of many homes today.
- A separate driveway for a detached accessory unit could only be created if the unit is located on a corner lot or served by an alley.

Beyond these regulatory changes to the ordinance, accessory dwellings are still proposed to be permitted in the same fashion as they currently are. Attached dwelling units would continue to be permitted by right with the issuance of a zoning permit from staff, while detached dwelling units would continue to require a Special Use Permit from the Board of Adjustment (BOA). The Special Use Permit process requires a public hearing allowing neighbors the opportunity to share their concerns about the impact of such structures on their neighborhoods. To receive approval from the BOA, an accessory unit must meet all conditions and requirements of the ordinance, as well as four findings of fact. This deliberate process reflects the importance of protecting the character of single-family neighborhoods while continuing to allow this limited housing option.

Over the past months, staff has engaged the public in the revision process by giving presentations and holding public input sessions. Based on public input, several additional ordinance provisions were created to reduce the potential for negative impacts from accessory units.

Overall, the proposed regulations for accessory dwelling units balance the need for providing appropriately designed accessory dwellings that will benefit the greater community with preserving neighborhood character. Most of our peer cities in North Carolina already have similar provisions for accessory dwellings. However, the provisions of this proposed ordinance are more restrictive than most peer city ordinances and provide for better design and placement. The City Attorney's Office has reviewed the proposed amendments and has confirmed that the proposed language is within the bounds of the land use regulation authority granted municipalities by the State. This text amendment should promote new affordable housing options, encourage gentle density, and provide diverse housing options for a growing community while maintaining the character and appearance of single-family neighborhoods.

RECOMMENDATION

APPROVAL

**CITY-COUNTY PLANNING BOARD
PUBLIC HEARING
MINUTES FOR UDO-267
FEBRUARY 11, 2016**

Walter Farabee presented the staff report. Kirk Ericson addressed concerns expressed in an email received earlier today from Carolyn Highsmith with the Konnoak Hills Community Association.

PUBLIC HEARING

FOR: None

AGAINST:

Bonnie Crouse, 2001 Boone Avenue, Winston-Salem, NC 27103

- ✦ My concern is with off-street parking in the Ardmore area. Some homes in Ardmore already have to have parking permits to park and that is in large part due to the pressure put on them by businesses and the medical complex. The potential exists for all of Ardmore to become duplexes which would generate phenomenal parking issues. A lot of homes already have no off street parking, so I request that you consider requiring any home that wants to put in an accessory building to first provide off street parking for the primary residence and then provide additional off street parking for the accessory building.
- ✦ One of the charms of Ardmore is the quiet of our backyards. Under this proposal people could build close to our homes on all sides of our yards destroying that atmosphere.
- ✦ The setback requirements should be increased. Why should a nonresidential area have more rigorous setback requirements than a residential neighborhood?
- ✦ Manufactured homes would be appalling. Please prohibit them or at the least put very tight restrictions on them.

Carol Eickmeyer, 500 Magnolia Street, Winston-Salem, NC 27103

- ✦ I appreciate the need for quality gentle density increase in our urban areas.
- ✦ However, I share the same concerns about parking and setbacks.
- ✦ There needs to be an off-street parking space for each driving age resident of the accessory dwelling. Stacked parking should not be counted since people will park on the street rather than use stacked parking.
- ✦ The 50% setback for a new dwelling is inappropriate. Anyone wishing to add a new accessory dwelling should have to go to the Zoning Board of Adjustment to get a variance because they should have to meet the same setback requirement.

- ✦ Our ordinance has greater setback requirements for a chicken coop than for accessory dwellings. Having lived next door to a rental unit for over 20 years, sometimes I would rather live next door to chickens than to people.

Eric Bushnell, 2113 Walker Rd, Winston-Salem, NC 27106

- ✦ I represent the Winston-Salem Neighborhood Alliance (WSNA).
- ✦ These are significant, sweeping changes.
- ✦ A number of our members are concerned about the stability of their neighborhoods and unintended consequences.
- ✦ This proposal replaces something we felt we understood with something which is rather complicated and which is untested and unproven.
- ✦ This version of the proposal only came out a couple of days ago and WSNA members are just beginning to try to understand how these changes would apply to their neighborhoods. Ardmore has followed this more closely for a longer time and studied it more.
- ✦ Most of our members are far from ready to endorse this. They aren't comfortable that it can achieve the benefits it is supposed to achieve and that it can safely prevent unintended consequences.
- ✦ Without the previous kinship provision, limiting the number of adults living in accessory dwellings is crucial.
- ✦ They are concerned about such unintended consequences as drastic increases in the number of people and cars so I am very pleased to see that there is something to address that in this latest version.
- ✦ When accessory dwellings were proposed during the *Legacy 2030* preparation the concept was not embraced by everyone. Many neighborhoods were not comfortable with it.
- ✦ Combining an increase in accessory dwellings with the aftermath of the owner-occupancy court case makes this more difficult for the neighborhoods to accept, not easier.
- ✦ Setbacks are an issue we hear over and over. Preserving those setback requirements is a point of contention for many of our neighborhoods.
- ✦ Short-term rentals needs to be addressed somehow. Otherwise this proposal has the potential to bring back some previous problems associated with short-term rentals.
- ✦ There is a lot here. It will require neighborhood associations to spend a lot of time to figure out what is here, what the changes are, and how those changes will apply to them.

Sunny Stewart, 106 Gloria Avenue, Winston-Salem, NC 27127

- ✦ We share all the concerns which have already been expressed, especially about setbacks and parking because Washington Park, like Ardmore, has issues with in-street parking already.
- ✦ We would like to suggest that temporary structures be prohibited and that structures be placed on permanent foundations so that we don't have tiny homes on wheels.
- ✦ My neighbors are concerned about enforceability and how the owners are using it especially when you are dealing with rentals.
- ✦ We are even more concerned with the use of units for short-term rentals such as one-night and B&Bs. How will that be enforced? We don't feel that is addressed currently.

WORK SESSION

During discussion by the Planning Board, the following points were made:

Melynda Dunigan: Manufactured housing is already in the ordinance. It isn't new. If someone wants a manufactured home, is it allowed by right? Staff responded that it would require a Board of Adjustment (BOA) Special Use Permit unless it was located in a manufactured home park or if the property is already zoned MH. Both would include consideration of whether it blended in with the neighborhood including whether or not there were any other manufactured homes in the area.

Currently the draft ordinance specifies one parking space per bedroom with one space minimum for an accessory dwelling unit. Off street parking is not a requirement. Chris Murphy explained that if you have road frontage sufficient to park the required number of cars but don't have off-street parking, a Special Use Permit could still be granted.

In response to comments about the appearance of manufactured homes, Kirk Ericson stated that particularly with some of the 2015 State Enabling Legislation, unless a structure is in a locally designated historic overlay district or a designated historic district, materials and things of that nature cannot be regulated.

Chris Murphy explained that a lot of manufactured homes would a) be too large to meet the required setbacks or b) be too large to meet the size of the secondary dwelling which could be placed on the lot.

Property owners in GMA3, GMA4, and GMA5 could potentially subdivide their lots to facilitate an additional dwelling. However in the more rural areas sewer may not be available and subdividing lots would then require room for septic and repair areas which may prohibit dividing the land. In addition, accessory dwellings in the County are often used for aging relatives and it is easier to have all expenses such as taxes on one bill. Paul Norby reminded the Board that the ordinance is written to accommodate both urban and rural situations which are very different.

George Bryan: Mr. Bushnell, there are so many neighborhoods that haven't shown up to speak about this. What kind of penetration has occurred to the neighborhoods about a text amendment which will impact their property? Eric Bushnell: We've tried to keep our member neighborhoods up to date with what's happening but the ordinance has been fluid and some changes have only occurred recently. So as I said in my presentation, neighborhoods are only now beginning to be able to figure out what this means to them.

Discussion was held about ways to convey information about upcoming text amendments to potentially impacted parties. Paul Norby noted that text amendments are listed on our web site with the same information about getting more information concerning them as the zoning items. We held two community/stakeholder meetings on this particular text amendment in the fall. If someone will provide staff with a list of contacts we will be glad to send a draft of an amendment out to them. However the faster way is probably by email to those folks who know who each other are as Mr. Bushnell was talking about.

Paul Norby reminded everybody that accessory dwellings are allowed now and have been since 1930. The difference is that State case law has caused cities to look at accessory dwellings differently about who is allowed to live there. Also, allowing accessory dwellings in single family districts is a typical thing even in smaller communities. Each time we've discussed accessory dwellings we've added more and more restrictions. We are getting close to being the most restrictive community in the State other than prohibiting accessory dwellings altogether.

Adjusting the height restriction for accessory structures from a 17' maximum to a 24' maximum is primarily for things like garages which may have apartments above them or have space which is to be used for storage. This is for the RS Districts which have a height limit of 40'. Also, modern buildings have steeper pitched roofs which are reflected in these calculations. So even with this height change from 17' to 24', it's still preserving the relationship with the principal structure being the larger, more impactful.

Melynda Dunigan asked if a lot which was too small to meet the minimum lot size requirement would be eligible for a variance? Due to some vague language in the variance section of the UDO, staff will confer with the City Attorney's office and have that answer at the work session.

Kirk Ericson noted that when we were looking into this, in the urban area zoning districts lot sizes primarily ranged from 6,000 square feet to 15,000 square feet. RS9 was seen as a standard single family lot, which would probably have enough room to accommodate an accessory structure, meet setback requirements, and not negatively impact neighbors. We also didn't want to encourage smaller lots in older neighborhoods to add accessory structures feeling that neighbors in those circumstances would be too negatively impacted, so RS9 seemed like a good compromise. Paul Norby: That's not to say that any lot of 9,000 square feet or more would automatically be okay - it's still up to the BOA and there could be a compatibility problem.

Arnold King: The plan is to work on this at work session and have what we hope is a finished document at the March 10th meeting.

Neighborhoods can still write comments which we will consider at work session or the next meeting on March 10th. The Board can decide to incorporate some of those, even deciding to continue the amendment at that point if desired.

MOTION: Clarence Lambe moved continuance of the text amendment to March 10, 2016.

SECOND: Brenda Smith

VOTE:

FOR: George Bryan, Melynda Dunigan, Tommy Hicks, Arnold King, Clarence Lambe, Darryl Little, Paul Mullican, Brenda Smith, Allan Younger

AGAINST: None

EXCUSED: None

**CITY-COUNTY PLANNING BOARD
PUBLIC HEARING
MINUTES FOR UDO-267
MARCH 10, 2016**

Kirk Ericson summarized the history of this item.

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

During discussion by the Planning Board, the following points were made:

George Bryan asked about the process for placing a manufactured home on a lot and whether that would involve a separate hearing or be done at the same time as the approval for the accessory dwelling. Chris Murphy responded that the request would be processed as a Special Use Permit through the Board of Adjustment and not require a separate hearing unless it also required a variance. It would not go on to the Elected Body.

George Bryan asked about off-street parking, notably variances, parking on front lawns and stackability. Staff responded that parking could not be considered for a variance, the site plan would define the parking area and explain what the parking surface material would be, and if there were concerns with issues such as the design of the proposed parking that could certainly be considered as part of the Special Use Permit approval. Staff further noted that the Board of Adjustment is going to consider the site plan holistically and any aspect of the site plan that could cause a problem would have to be worked out before a Special Use Permit would be granted.

Melynda Dunigan asked for clarification about which structures would not be eligible for a variance. Staff explained that any structure, whether it was or was not used as an accessory dwelling at the time of adoption of this ordinance, would be eligible for a variance. Any structure constructed after the adoption of this ordinance would not be eligible for a variance.

Clarence Lambe asked if it is likely that more accessory dwellings would be developed under this proposed ordinance than under the existing ordinance? Kirk Ericson responded that more accessory dwellings could potentially be developed with the removal of the kinship situation currently mentioned in the UDO. However the additional restrictions would result in more thoughtful development.

Chairman King asked how this proposed ordinance compares with those of other communities? Kirk Ericson responded that with all the latest restrictions this is probably the most restrictive ordinance other than those which completely prohibit accessory dwellings altogether. Chairman King then asked if that is where we want to be? Paul Norby answered that from a Planning perspective you want to have the right balance.

Melynda Dunigan expressed concern about allowing accessory dwellings to be as large as 1,500 square feet in lots of 40,000 square feet in GMA 3. Staff explained that this ordinance applies to City and County jurisdictions and needs for both urban and outlying environments must be addressed.

Melynda Dunigan also asked about short-term rentals of accessory dwellings and how those could be controlled. She expressed concern that they could be used in a similar manner to a Bed and Breakfast and shared the opinion that they should go through a separate approval process from accessory dwellings. Chris Murphy reminded the Board that we don't currently regulate short-term rentals, either in an existing single family house or accessory dwelling or a multifamily condo. Melynda Dunigan stated she would like us to find a mechanism by which we might address the issue. Paul Norby stated that the really tough part is to find an effective way of enforcing any type of short term rental mechanism, since an alleged violation may not be in existence by the time it is reported to zoning enforcement staff and they have the opportunity to investigate it. Melynda Dunigan stated that she finds it very difficult to make a decision on this ordinance with that big gaping hole about whether or not or how we might regulate the short term rentals.

Paul Mullican noted that short-term rentals are not regulated now and passing this ordinance would not change anything.

Melynda Dunigan objected to the comparison being made repeatedly between the existing ordinance that we can't enforce and what we are proposing now. There is a third possibility which is to not allow accessory dwellings at all. We are not even looking at that option. The existing ordinance is moot. We have to do something else. We have to change it. Clarence Lambe responded that we don't have to change it.

MOTION: Clarence Lambe moved approval of the text amendment.

SECOND: Paul Mullican

George Bryan: We're just not close enough at this point to approve this item. We're just a few modifications away from making this a lot more sellable. It's got a long ways to go in front of the governing bodies and I think we have some necessity to pursue those elements so that those kinds of issues will be already worked out as it moves to the County Commissioners and to others. I think when we're talking to neighbors and saying in single family neighborhoods that we're going to make it fairly clear in a very delineated way so that instead of having a single family dwelling next to you, you will have a two-family dwelling next to you is a radical change in what the expectation is of people who elected to go to a single family neighborhood and make a purchase. On the other hand, I feel that we haven't engendered as a Board enough discussion from low-income neighborhoods about how this might benefit or not benefit them and I would love to hear that discussion because it may be totally different dynamics than I've been hearing from the other neighborhoods.

Melynda Dunigan: We've made a lot of positive changes but I think it's just out of balance, tilted too far against the concerns of neighbors.

Arnold King: If I understand Ms. Dunigan and Mr. Bryan, you're opposed to this where it is right now. I'm going to agree with you. I'm going to vote against it because I think it goes too far.

VOTE:

FOR: None

AGAINST: George Bryan, Melynda Dunigan, Tommy Hicks, Arnold King, Clarence Lambe, Darryl Little, Paul Mullican, Brenda Smith

EXCUSED: None

MOTION FAILED.

Discussion ensued that simply leaving the current UDO language in place creates a conflict with current case law, which does not allow regulation of accessory dwellings based on who owns, or occupies the property.

MOTION: Clarence Lambe moved to deny the ordinance as proposed but to approve a revised version of the proposed ordinance with the only change being to modify or eliminate the kinship and other relational requirements to come into compliance with current case law (eliminating subsections (B)(1) and (C)(1) from the current ordinance).

SECOND: Paul Mullican seconded the motion.

Melynda Dunigan: I don't agree with striking the kinship requirement and leaving it at that. The ordinance obviously needs to be changed, but striking the kinship requirement does not go far enough.

Chairman King noted that the Planning Board could place this on next year's work program and begin again and get input from the communities which may not have been involved so far so we can still work on this, but for right now this would bring us into compliance with case law.

Clarence Lambe: And that addresses the initial issue. We've not come up with a satisfactory accessory dwellings ordinance but we've addressed the initial issue.

Staff explained how the proposed motion would relate to the language in staff's draft ordinance.

SUBSTITUTE MOTION: Melynda Dunigan moved to approve an ordinance amendment with the elimination of Accessory Dwellings altogether (Sections B.2-6.4(B) and (C) to the end).

SECOND: George Bryan

VOTE:

FOR: George Bryan, Melynda Dunigan

AGAINST: Tommy Hicks, Arnold King, Clarence Lambe, Darryl Little, Paul Mullican, Brenda Smith

EXCUSED: None

SUBSTITUTE MOTION FAILED.

VOTE ON MAIN MOTION by Clarence Lambe to approve a revised version of the proposed ordinance with the only change being to modify or eliminate the kinship and other relational requirements:

FOR: Tommy Hicks, Arnold King, Clarence Lambe, Darryl Little, Paul Mullican,
Brenda Smith

AGAINST: George Bryan, Melynda Dunigan

EXCUSED: None

A. Paul Norby, FAICP
Director of Planning and Development Services

UDO-267

<p>PLANNING STAFF PROPOSAL RECOMMENDED FOR DENIAL BY PLANNING BOARD</p>
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**AN ORDINANCE REVISING
CHAPTER B OF THE *UNIFIED DEVELOPMENT ORDINANCES*
TO AMEND REGULATIONS FOR ACCESSORY DWELLINGS**

Be it ordained by the City Council of the City of Winston-Salem, North Carolina, that the *Unified Development Ordinances* is hereby amended as follows:

Section 1. Chapter A, Article II of the *UDO* is amended as follows:

**Chapter A - Definitions Ordinance
Article II – Definitions**

ADULT. An individual who has attained eighteen (18) years of age, or if under the age of eighteen (18), is either married or has been emancipated under applicable state law.

Section 2. Chapter B, Article II of the *UDO* is amended as follows:

**Chapter B - Zoning Ordinance
Article II – Zoning Districts, Official Zoning Maps, and
Uses**

2-6 ACCESSORY USES

2-6.4 USES WHICH MAY ONLY BE ACCESSORY TO PRINCIPAL USES

(B) Dwelling, Accessory (Attached). ~~.....The Zoning Officer shall issue a zoning permit if the following requirements are met:~~

(1) Occupancy Requirements. ~~.....A zoning permit for an attached accessory dwelling shall be conditioned upon the property owner signing a statement verifying that one of the occupancy requirements is being met. The zoning permit shall automatically terminate when the occupancy requirement is no longer met. No more than two (2) adult individuals shall be allowed to inhabit any attached accessory dwelling.~~

(a) At Least Fifty-Five (55) or Handicapped. ~~.....The principal or accessory dwelling unit shall be occupied by a person at least fifty five (55) years of age or handicapped; or, [Reserved]~~

- (b) ~~Relation.The principal dwelling unit or the attached accessory unit shall be occupied by the following categories of persons: [Reserved]~~
 - (i) ~~Relative.Any relative under the civil law of the first, second, or third degree of kinship to the head of the household owning and occupying the principal dwelling on the lot, or to the spouse (whether living or deceased) of the head of the household; [Reserved]~~
 - (ii) ~~Adopted Person.A son or daughter by legal adoption, or the adoptive parents of the head of the household or such person's spouse, whether spouse is living or deceased; [Reserved]~~
 - (iii) ~~Other Dependent.A dependent of the head of the household or of such person's spouse as defined by the North Carolina Department of Revenue; or, [Reserved]~~
 - (iv) ~~Servant.A servant employed on the premises and the servant's family, but only if such servant receives more than one half of his/her annual gross income in return for services rendered on the premises. [Reserved]~~
- (2) **Structure.**The principal building shall not be altered in any way so as to appear from a public street to be multiple family housing.
 - (a) **Prohibited Alterations.**Prohibited alterations include, but are not limited to: multiple entranceways, multiple mailboxes, or multiple nameplates.
 - (b) **Access.**Wherever feasible and consistent with the State Residential Building Code, access to the accessory dwelling unit shall be by means of existing doors.
 - (c) **Stairways.**No new stairways to upper floors are permitted on any side of a building which faces a public street.
 - (d) **Utilities.**Electric and/or gas utilities shall be supplied to both units through a single meter.
 - (e) An attached accessory dwelling must be completely contained within the same conditioned building structure as the principal residence on the lot or share an external wall of no less than 15 feet in length with the principal residence.
- (3) **Size of Unit.**An attached accessory dwelling unit shall occupy no more than ~~fifty percent (50%)~~ thirty percent (30%) of the heated floor area of the principal building, but in no case shall the accessory dwelling unit be greater than one thousand (1,000) square feet. The sum of all accessory uses, including home occupations, in a principal residential building shall not exceed ~~fifty percent (50%)~~ thirty percent (30%) of the total floor area of the building.
- (4) **Parking.**Parking for the attached accessory dwelling shall be served by the same driveway as the principal dwelling. One off-street parking space per accessory unit bedroom shall be provided. In no case shall less than one off-street parking space be provided per accessory unit. It shall be demonstrated through a scaled site plan how parking will be provided.

- (5) **Number of Accessory Dwellings.**No more than one accessory dwelling, whether attached or detached, shall be located on a lot.
- (6) Accessory dwellings are only permitted on the same zoning lot as single-family residential uses.
- (C) **Dwelling, Accessory (Detached).** A Special Use Permit shall be issued if the following conditions are met:
- (1) **Occupancy Requirements.**~~A Special Use Permit for the detached accessory dwelling must be approved by the Board of Adjustment in accordance with the requirements of Section B.6-1.4. In addition, the applicant must submit a statement verifying that the occupancy requirements of this section are being met. The permit shall automatically terminate with the termination of occupancy by such persons. The principal dwelling unit or the detached accessory unit shall be occupied by the following categories of persons. No more than two (2) adult individuals shall be allowed to inhabit any detached accessory dwelling.~~
- (a) ~~Relative (F)Any relative under the civil law of the first, second, or third degree of consanguinity to the head of the household owning or occupying the principal dwelling on the lot, or to the spouse (whether living or deceased) of the head of the household; [Reserved]~~
- ~~Relative (W). Any relative under the civil law of the first, second, or third degree of kinship to the head of the household owning or occupying the principal dwelling on the lot, or to the spouse (whether living or deceased) of the head of the household; [Reserved]~~
- (b) ~~Adopted Person.A son or daughter by legal adoption, or the adoptive parents of the head of the household or such person's spouse, whether spouse is living or deceased; [Reserved]~~
- (c) ~~Other Dependent.A dependent of the head of the household or of such person's spouse as defined by the North Carolina Department of Revenue; or, [Reserved]~~
- (d) ~~Servant.A servant employed on the premises and the servant's family, but only if such servant receives more than one half of his/her annual gross income in return for services rendered on the premises. [Reserved]~~
- (2) **Dimensional Requirements.**Any detached accessory dwelling shall occupy no more than five percent (5%) of the lot area and shall not be greater than one thousand (1,000) square feet. However, in GMA 3, accessory dwellings on lots greater than 40,000 square feet may have a maximum size of 1,500 square feet. In GMAs 4 and 5, the square footage of the accessory dwelling shall be no greater than the principal residential structure on the lot. Detached accessory dwellings shall comply with all dimensional requirements applicable to accessory structures in Sections B.3-1.2(F) and (G). Any proposed detached accessory dwelling exceeding the dimensional requirements of this section may be considered through the Special Use District Zoning process.

- (3) **Building Requirements.**Any detached accessory dwelling shall comply with all building, plumbing, electrical, and other applicable codes, other than a manufactured housing unit.
- (4) **Manufactured Home (F).**A Class A or B manufactured home may be used as a detached accessory dwelling; a Class C manufactured home may be used as a detached accessory dwelling in those zoning districts where a Class C manufactured home is permitted as a principal use according to Table B.2.6.

Manufactured Home (W). A Class A or B manufactured home may be used as a detached accessory dwelling.
- (5) **Number of Accessory Dwellings.**No more than one accessory dwelling, whether attached or detached, shall be permitted on the same lot.
- (6) **Parking.**Parking for the detached accessory dwelling shall be served by the same driveway as the principal dwelling. One off-street parking space per accessory unit bedroom shall be provided. In no case shall less than one off-street parking space be provided per accessory unit. It shall be demonstrated how parking will be provided through the site plan submitted for the Special Use Permit process. If the detached accessory dwelling is located on a corner lot or served by an alley, a separate driveway may be provided from the side street or the alley.
- (7) **Location of Unit.**The detached accessory dwelling may not be physically connected or attached to the principal residence on the same lot. The detached accessory dwelling shall be located behind the front facade of the principal structure. For corner lots the detached accessory dwelling must be located behind the building line of both street-facing facades. The detached accessory dwelling must be set back no less than 20 feet from the side or rear of the principal residence.
- (8) **Setbacks.**An accessory structure must comply with all dimensional requirements applicable to accessory structures in Sections B.3-1.2(F) and (G), except as listed below:
 - (a) Accessory dwellings may be erected in any single-family residential district with a minimum rear setback equal to fifty percent (50%) of the required rear setback for the district. The minimum side setback for the district remains the same.
 - (b) Accessory dwellings in non-residential districts shall have rear setbacks of at least twelve and a half (12.5) feet and side setbacks of at least seven (7) feet on one side and twenty (20) feet combined.
- (9) Accessory dwellings are only permitted on the same zoning lot as single-family residential uses.
- (10) **Lot Requirements.**Accessory dwellings must meet the following conditions:
 - (a) A minimum lot size of 9,000 square feet exists.
 - (b) The principal dwelling structure on the lot occupies no more than 30% of the lot area.
 - (c) In GMA 3, accessory dwellings on lots greater than 40,000 square feet may have a maximum size of 1,500 square feet.

- (d) In GMAs 4 and 5, the square footage of the accessory dwelling shall be no greater than the principal residential structure on the lot.

Section 3. Chapter B, Article III of the *UDO* is amended as follows:

Chapter B – Zoning Ordinance

Article III – Other Development Standards

3-1 - DIMENSIONAL REQUIREMENTS

3-1.2 SUPPLEMENTARY DIMENSIONAL REQUIREMENTS

The following supplementary dimensional requirements shall apply to all buildings and structures not subject to the general dimensional requirements of Section B.3-1.1.

(F) Accessory Structures Permitted in Required Yards

- (1) Interior Lots.An accessory structure ~~seventeen (17)~~ twenty-four (24) feet or less in height and structurally detached from the principal structure on the zoning lot may be erected on any interior lot in either the required side or rear yards, if no part of said structure is less than seventy-five (75) feet from the front lot line nor less than three (3) feet from a side or rear lot line.
- (2) Corner Lot.An accessory structure less than ~~seventeen (17)~~ twenty-four (24) feet in height and structurally detached from the principal structure on the zoning lot may be erected on a corner lot, provided that:
 - (a) Said structure shall be erected in the required side yard not abutting the street, and no part of said structure is less than seventy-five (75) feet from the front line nor less than three (3) feet from a side or rear lot line; or,
 - (b) Said structure shall be erected in the required rear yard and shall not project beyond, or nearer to, the street than the front setback line of the district, as extended, of the adjacent lot whose front yard abuts the corner lot in question.
- (3) Height.For purposes of this section, the height shall be measured from the average grade of the midpoint of the front wall to the ridge of the roof of the accessory building.

(G) Size Limits for Accessory Structures

- (1) Maximum Area.The total area of all accessory structures on a lot ~~Accessory structure~~ may not exceed five percent (5%) of the actual size of the zoning lot or the minimum permitted lot size of the zoning district, whichever is larger. However, an accessory structure up to five hundred seventy-six (576) square feet in area shall be permitted in all districts.
- (2) Board of Adjustment.Requests for structures containing greater area than prescribed in Section B.3-1.2(G)(1) may be considered under the special use permit process through the Board of Adjustment.

- (3) Required Yard.Accessory structures may not occupy more than twenty-five percent (25%) of the area of the required yard.
- (H) **Accessory Structures Prohibited in Required Yards**An accessory structure any part of which is within three (3) feet of the principal building or which is more than ~~seventeen (17)~~ twenty-four (24) feet in height shall comply with all the zoning regulations applicable to the principal building.
- (I) ~~**Special Yard Requirements for Older Neighborhoods**.....Alternative dimensional requirements are available for neighborhoods which were originally platted or developed prior to March 3, 1948, and where at least fifty percent (50%) of the other lots on the block in question are developed. See Section B.3-8.~~

Section 4. Chapter B, Article III of the *UDO* is amended as follows:

Chapter B – Zoning Ordinance

Article III – Other Development Standards

6-1 ADMINISTRATION

To accomplish the purposes of this Ordinance and to insure compliance with these regulations, the following administrative responsibilities are assigned:

6-1.4 BOARD OF ADJUSTMENT

(B) Variances

- (1) Authority.No provision of this Ordinance shall be interpreted as conferring upon the Board of Adjustment the authority to approve an application for a variance of the conditions of a permitted use except with respect to the specific waiving of requirements as to:
- (a) General Dimension Requirements for Zoning Districts listed in Sections B.2-1.2, B.2-1.3, B.2-1.4 and B.2-1.5 and shall only include minimum zoning lot area and width, minimum setbacks, maximum impervious surface cover, or maximum height;
 - (b) Floodplain regulations as specified in Section C.2-2.7;
 - (c) Vehicular use landscaping requirements as specified in Section B.3-4;
 - (d) Bufferyard requirements as specified in Section B.3-5;
 - (e) Setback and landscaping requirements of the TO District as specified in Section B.2-1.6(B);
 - (f) Width of private access easements where such easement is for single family residential uses and where said private access easement was established prior to April 17, 1978;

- (g) Off-street parking and loading as specified in Section B.3-3;
- (h) Delay of building permits within designated Transportation Plan corridors as specified in Section B.3-7.1;
- (i) Residential infill setback requirements as specified in Section B.3-8; (W); ~~and~~
- (j) Conservation Standards for the NCO District as specified in Section B.2-1.6(A); and
- (k) Accessory dwelling requirements as specified in Section B.2-6.4, excluding the minimum lot size requirement of Section B.2-6.4(C)(10)(a), and Section B.3-1.2. A variance of these accessory dwelling requirements shall only be granted for structures existing prior to [date of adoption of UDO-267].

Section 5. This ordinance shall be effective upon adoption.

UDO-267

**PROPOSAL TO COMPLETELY REMOVE
ACCESSORY DWELLING PROVISIONS
RECOMMENDED FOR DENIAL BY THE PLANNING BOARD**

**AN ORDINANCE REVISING
CHAPTER B OF THE *UNIFIED DEVELOPMENT ORDINANCES*
TO AMEND REGULATIONS FOR ACCESSORY DWELLINGS**

Be it ordained by the City Council of the City of Winston-Salem, North Carolina, that the *Unified Development Ordinances* is hereby amended as follows:

Section 1. Chapter B, Article II of the *UDO* is amended as follows:

**Chapter B - Zoning Ordinance
Article II – Zoning Districts, Official Zoning Maps, and
Uses**

2-6 ACCESSORY USES

2-6.4 USES WHICH MAY ONLY BE ACCESSORY TO PRINCIPAL USES

(B) Dwelling, Accessory (Attached). [Reserved]

- (1) ~~Occupancy Requirements.A zoning permit for an attached accessory dwelling shall be conditioned upon the property owner signing a statement verifying that one of the occupancy requirements is being met. The zoning permit shall automatically terminate when the occupancy requirement is no longer met. [Reserved]~~
- (a) ~~At Least Fifty-Five (55) or Handicapped.The principal or accessory dwelling unit shall be occupied by a person at least fifty five (55) years of age or handicapped; or, [Reserved]~~
- (b) ~~Relation.The principal dwelling unit or the attached accessory unit shall be occupied by the following categories of persons: [Reserved]~~
- (i) ~~Relative.Any relative under the civil law of the first, second, or third degree of kinship to the head of the household owning and occupying the principal dwelling on the lot, or to the spouse (whether living or deceased) of the head of the household; [Reserved]~~
- (ii) ~~Adopted Person.A son or daughter by legal adoption, or the adoptive parents of the head of the household or such person's spouse, whether spouse is living or deceased; [Reserved]~~

- (iii) ~~Other Dependent.A dependent of the head of the household or of such person's spouse as defined by the North Carolina Department of Revenue; or, [Reserved]~~
- (iv) ~~Servant.A servant employed on the premises and the servant's family, but only if such servant receives more than one-half of his/her annual gross income in return for services rendered on the premises. [Reserved]~~
- (2) ~~**Structure.**The principal building shall not be altered in any way so as to appear from a public street to be multiple family housing. [Reserved]~~
 - (a) ~~Prohibited Alterations.Prohibited alterations include, but are not limited to: multiple entranceways, multiple mailboxes, or multiple nameplates. [Reserved]~~
 - (b) ~~Access.Wherever feasible and consistent with the State Residential Building Code, access to the accessory dwelling unit shall be by means of existing doors. [Reserved]~~
 - (c) ~~Stairways.No new stairways to upper floors are permitted on any side of a building which faces a public street. [Reserved]~~
 - (d) ~~Utilities.Electric and/or gas utilities shall be supplied to both units through a single meter. [Reserved]~~
- (3) ~~**Size of Unit.**An attached accessory dwelling unit shall occupy no more than fifty percent (50%) of the heated floor area of the principal building, but in no case be greater than one thousand (1,000) square feet. The sum of all accessory uses, including home occupations, in a principal residential building shall not exceed fifty percent (50%) of the total floor area of the building. [Reserved]~~
- (4) ~~**Parking.**Parking for the attached accessory dwelling shall be served by the same driveway as the principal dwelling. [Reserved]~~
- (5) ~~**Number of Accessory Dwellings.**No more than one accessory dwelling, whether attached or detached, shall be located on a lot. [Reserved]~~

(C) Dwelling, Accessory (Detached). [Reserved]

- (1) ~~**Occupancy Requirements.**A Special Use Permit for the detached accessory dwelling must be approved by the Board of Adjustment in accordance with the requirements of Section B.6 1.4. In addition, the applicant must submit a statement verifying that the occupancy requirements of this section are being met. The permit shall automatically terminate with the termination of occupancy by such persons. The principal dwelling unit or the detached accessory unit shall be occupied by the following categories of persons.—[Reserved]~~
 - (a) ~~Relative (F).Any relative under the civil law of the first, second, or third degree of consanguinity to the head of the household owning or occupying the principal~~

~~dwelling on the lot, or to the spouse (whether living or deceased) of the head of the household; [Reserved]~~

~~Relative (W). Any relative under the civil law of the first, second, or third degree of kinship to the head of the household owning or occupying the principal dwelling on the lot, or to the spouse (whether living or deceased) of the head of the household; [Reserved]~~

- ~~(b) Adopted Person.A son or daughter by legal adoption, or the adoptive parents of the head of the household or such person's spouse, whether spouse is living or deceased; [Reserved]~~
 - ~~(c) Other Dependent.A dependent of the head of the household or of such person's spouse as defined by the North Carolina Department of Revenue; or, [Reserved]~~
 - ~~(d) Servant.A servant employed on the premises and the servant's family, but only if such servant receives more than one half of his/her annual gross income in return for services rendered on the premises. [Reserved]~~
 - ~~(2) Dimensional Requirements.Any detached accessory dwelling shall comply with all dimensional requirements applicable to accessory structures in Sections B.3-1.2(F) and (G). [Reserved]~~
 - ~~(3) Building Requirements.Any detached accessory dwelling shall comply with all building, plumbing, electrical, and other applicable codes, other than a manufactured housing unit. [Reserved]~~
 - ~~(4) Manufactured Home (F).A Class A or B manufactured home may be used as a detached accessory dwelling; a Class C manufactured home may be used as a detached accessory dwelling in those zoning districts where a Class C manufactured home is permitted as a principal use according to Table B.2.6. [Reserved]~~
- ~~Manufactured Home (W). A Class A or B manufactured home may be used as a detached accessory dwelling. [Reserved]~~
- ~~(5) Number of Accessory Dwellings.No more than one accessory dwelling, whether attached or detached, shall be permitted on the same lot. [Reserved]~~

Section 2. This ordinance shall be effective upon adoption.

UDO-267

**PLANNING BOARD RECOMMENDED PROPOSAL
TO ELIMINATE KINSHIP PROVISIONS**

**AN ORDINANCE REVISING
CHAPTER B OF THE *UNIFIED DEVELOPMENT ORDINANCES*
TO AMEND REGULATIONS FOR ACCESSORY DWELLINGS**

Be it ordained by the City Council of the City of Winston-Salem, North Carolina, that the *Unified Development Ordinances* is hereby amended as follows:

Section 1. Chapter B, Article II of the *UDO* is amended as follows:

**Chapter B - Zoning Ordinance
Article II – Zoning Districts, Official Zoning Maps, and
Uses**

2-6 ACCESSORY USES

2-6.4 USES WHICH MAY ONLY BE ACCESSORY TO PRINCIPAL USES

(B) Dwelling, Accessory (Attached). ~~.....The Zoning Officer shall issue a zoning permit if the following requirements are met:~~

- (1) ~~Occupancy Requirements.~~** ~~.....A zoning permit for an attached accessory dwelling shall be conditioned upon the property owner signing a statement verifying that one of the occupancy requirements is being met. The zoning permit shall automatically terminate when the occupancy requirement is no longer met. [Reserved]~~
- (a) ~~At Least Fifty Five (55) or Handicapped.~~ ~~.....The principal or accessory dwelling unit shall be occupied by a person at least fifty five (55) years of age or handicapped; or, [Reserved]~~
- (b) ~~Relation.~~ ~~.....The principal dwelling unit or the attached accessory unit shall be occupied by the following categories of persons: [Reserved]~~
- (i) ~~Relative.~~ ~~.....Any relative under the civil law of the first, second, or third degree of kinship to the head of the household owning and occupying the principal dwelling on the lot, or to the spouse (whether living or deceased) of the head of the household; [Reserved]~~
- (ii) ~~Adopted Person.~~ ~~.....A son or daughter by legal adoption, or the adoptive parents of the head of the household or such person's spouse, whether spouse is living or deceased; [Reserved]~~

- (iii) ~~Other Dependent.A dependent of the head of the household or of such person's spouse as defined by the North Carolina Department of Revenue; or, [Reserved]~~
 - (iv) ~~Servant.A servant employed on the premises and the servant's family, but only if such servant receives more than one-half of his/her annual gross income in return for services rendered on the premises. [Reserved]~~
- (2) **Structure.**The principal building shall not be altered in any way so as to appear from a public street to be multiple family housing.
- (a) **Prohibited Alterations.**Prohibited alterations include, but are not limited to: multiple entranceways, multiple mailboxes, or multiple nameplates.
 - (b) **Access.**Wherever feasible and consistent with the State Residential Building Code, access to the accessory dwelling unit shall be by means of existing doors.
 - (c) **Stairways.**No new stairways to upper floors are permitted on any side of a building which faces a public street.
 - (d) **Utilities.**Electric and/or gas utilities shall be supplied to both units through a single meter.
- (3) **Size of Unit.**An attached accessory dwelling unit shall occupy no more than fifty percent (50%) of the heated floor area of the principal building, but in no case be greater than one thousand (1,000) square feet. The sum of all accessory uses, including home occupations, in a principal residential building shall not exceed fifty percent (50%) of the total floor area of the building.
- (4) **Parking.**Parking for the attached accessory dwelling shall be served by the same driveway as the principal dwelling.
- (5) **Number of Accessory Dwellings.**No more than one accessory dwelling, whether attached or detached, shall be located on a lot.

(C) Dwelling, Accessory (Detached). A Board of Adjustment Special Use Permit shall be issued if the following conditions are met:

- (1) **Occupancy Requirements.**~~A Special Use Permit for the detached accessory dwelling must be approved by the Board of Adjustment in accordance with the requirements of Section B.6 1.4. In addition, the applicant must submit a statement verifying that the occupancy requirements of this section are being met. The permit shall automatically terminate with the termination of occupancy by such persons. The principal dwelling unit or the detached accessory unit shall be occupied by the following categories of persons.—[Reserved]~~
- (a) **Relative (F).**~~Any relative under the civil law of the first, second, or third degree of consanguinity to the head of the household owning or occupying the principal~~

~~dwelling on the lot, or to the spouse (whether living or deceased) of the head of the household; [Reserved]~~

~~Relative (W). Any relative under the civil law of the first, second, or third degree of kinship to the head of the household owning or occupying the principal dwelling on the lot, or to the spouse (whether living or deceased) of the head of the household; [Reserved]~~

- ~~(b) Adopted Person.A son or daughter by legal adoption, or the adoptive parents of the head of the household or such person's spouse, whether spouse is living or deceased; [Reserved]~~
- ~~(c) Other Dependent.A dependent of the head of the household or of such person's spouse as defined by the North Carolina Department of Revenue; or, [Reserved]~~
- ~~(d) Servant.A servant employed on the premises and the servant's family, but only if such servant receives more than one half of his/her annual gross income in return for services rendered on the premises. [Reserved]~~

(2) Dimensional Requirements.Any detached accessory dwelling shall comply with all dimensional requirements applicable to accessory structures in Sections B.3-1.2(F) and (G).

(3) Building Requirements.Any detached accessory dwelling shall comply with all building, plumbing, electrical, and other applicable codes, other than a manufactured housing unit.

(4) Manufactured Home (F).A Class A or B manufactured home may be used as a detached accessory dwelling; a Class C manufactured home may be used as a detached accessory dwelling in those zoning districts where a Class C manufactured home is permitted as a principal use according to Table B.2.6.

Manufactured Home (W). A Class A or B manufactured home may be used as a detached accessory dwelling.

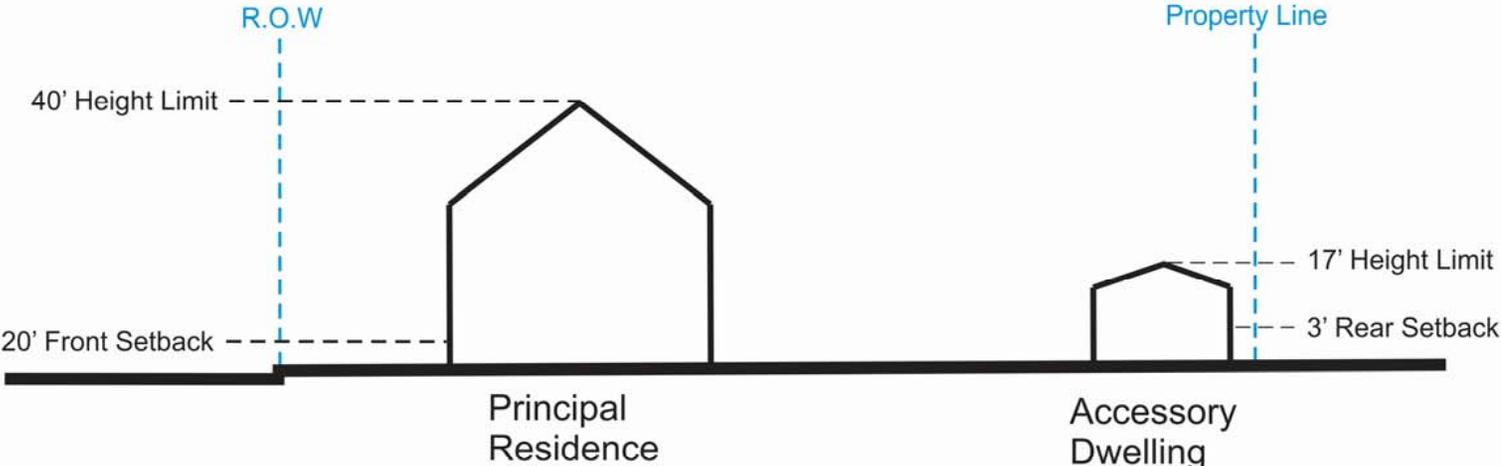
(5) Number of Accessory Dwellings.No more than one accessory dwelling, whether attached or detached, shall be permitted on the same lot.

Section 2. This ordinance shall be effective upon adoption.

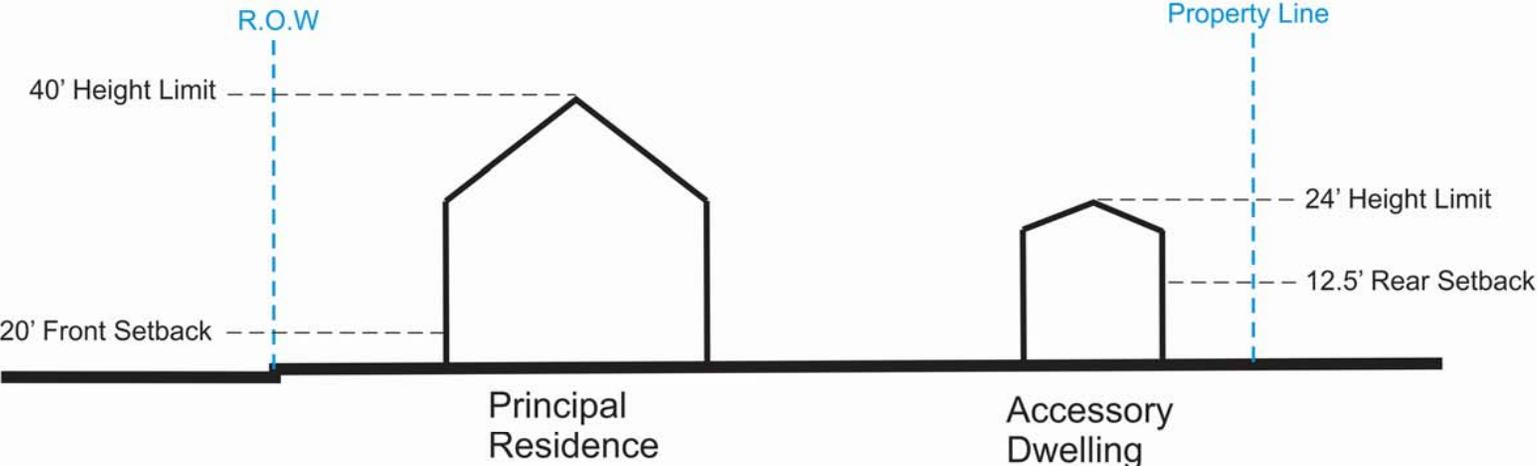
Accessory Dwelling Provisions in the 30 Largest North Carolina Municipalities			
	Municipality	Acc. Dwellings Permitted in Single-Family Zoning	Allowed by Right or Another Process
1	Charlotte	Yes	By Right
2	Raleigh	No	N/A
3	Greensboro	Yes	By Right
4	Durham	Yes	By Right
5	Winston-Salem	Yes	By Right (attached); BOA (detached)
6	Fayetteville	Yes	By Right
7	Cary	Yes	By Right
8	Wilmington	Yes	By Right
9	High Point	Yes	Special Use Permit, City Council
10	Greenville	Yes	By Right
11	Asheville	Yes	By Right
12	Concord	Yes	Special Use Permit, Planning & Zoning Commission
13	Gastonia	Yes	By Right
14	Jacksonville	No	N/A
15	Rocky Mount	Yes	By Right
16	Chapel Hill	No	N/A
17	Burlington	Yes	By Right
18	Wilson	Yes	By Right
19	Huntersville	Yes	By Right
20	Kannapolis	Yes	By Right
21	Hickory	Yes	By Right
22	Apex	Yes	By Right
23	Goldsboro	Yes	By Right
24	Salisbury	Yes	By Right
25	Indian Trail	Yes	By Right
26	Monroe	No	N/A
27	 Mooresville	Yes	By Right
28	Wake Forest	Yes	By Right
29	New Bern	Yes	By Right
30	Sanford	Yes	By Right

Cross-Section of existing and proposed Accessory Dwelling Unit setbacks for a lot in RS-9 zoning

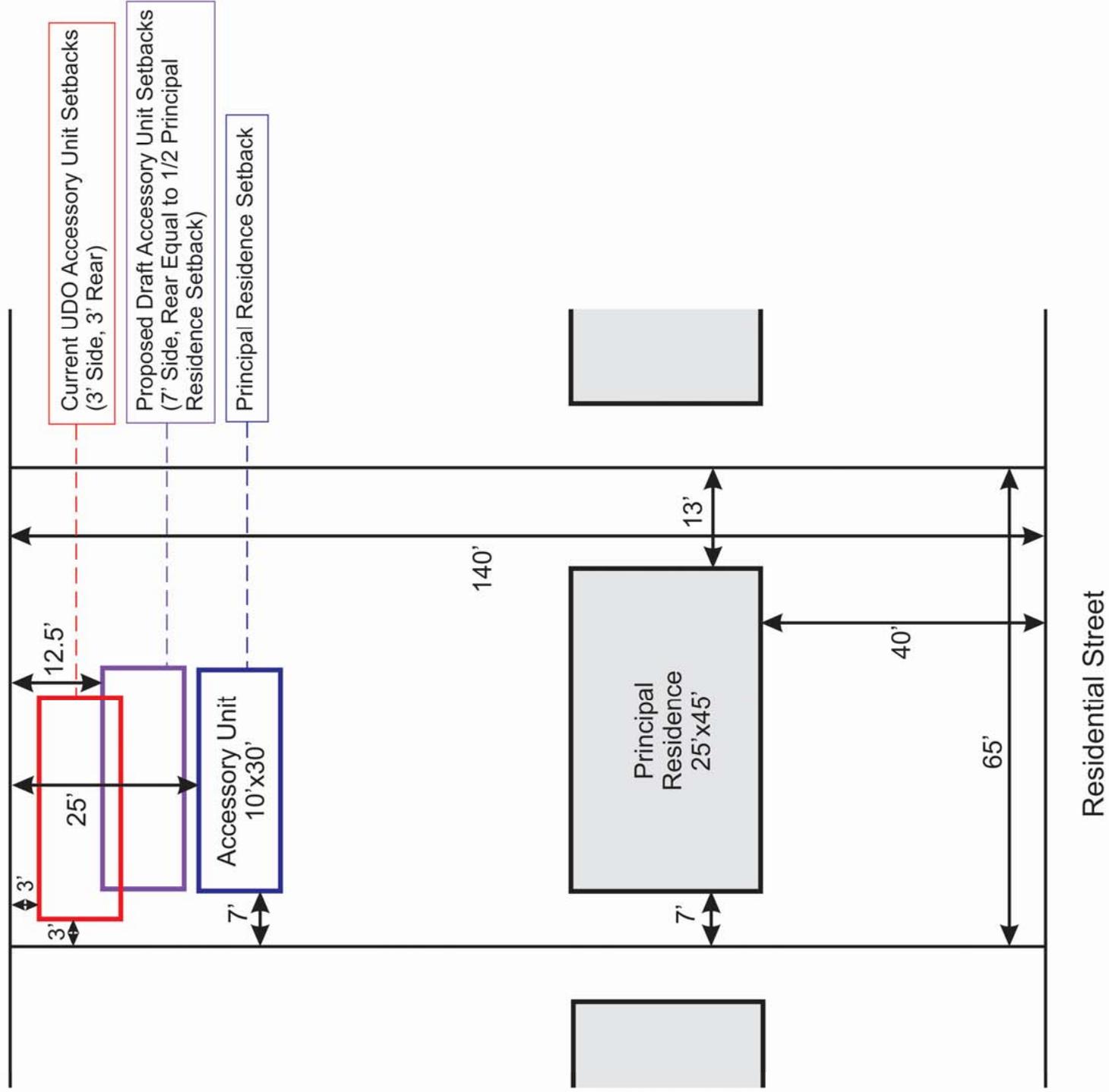
**Existing
Ordinance**



**Proposed
Ordinance**



Comparison of Potential Accessory Dwelling Unit Setbacks for a 9,100 Square Foot Single Family Residential Lot (RS-9 Zoning)



Existing Conditions Example

Lot Size: 10,454 sf

Accessory Unit Size: 435 sf

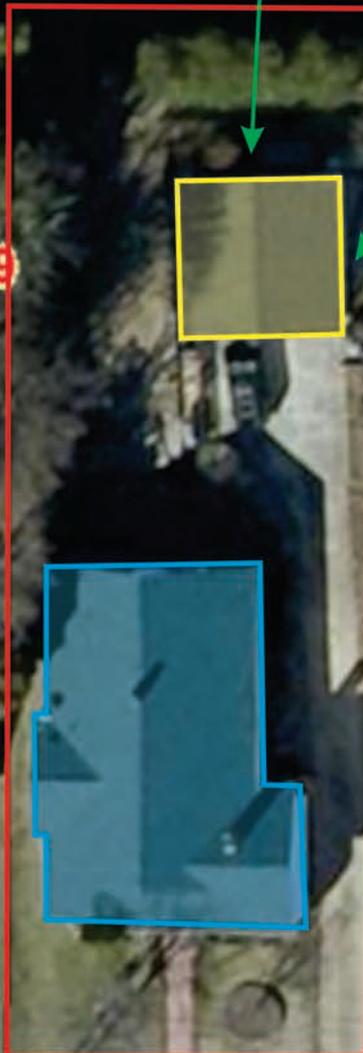
Lot Coverage of Principal Residence: 20.8%

Lot Coverage of Accessory Unit: 4.2%

Rear Setback: 28'

Side Setback: 5'

RS9



-51-

GASTON ST

G-3.
DRAFT

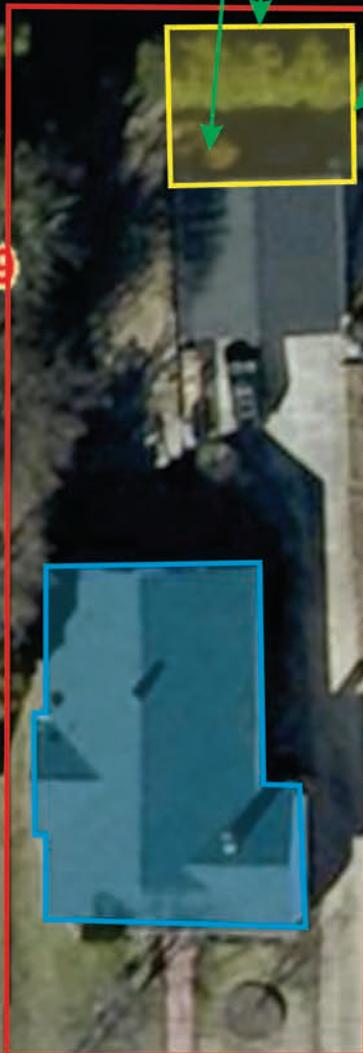
Existing Ordinance Example
Lot Size: 10,454 sf
Accessory Unit Size: 522 sf
Lot Coverage of Accessory Unit: 5%

Potential Building

Rear Setback: 3'

Side Setback: 3'

RS9



GASTON ST

-52-

Proposed Ordinance Example

Lot Size: 10,454 sf

Accessory Unit Size: 522 sf allowed, 522 actual

Lot Coverage of Principal Residence: 20.8%

Lot Coverage of Accessory Unit: 5%

Potential Building

Rear Setback: 12.5'

Side Setback: 7'

20' Setback

RS9

GASTON ST

Existing Conditions Example

Lot Size: 16,552 sf
Accessory Unit Size: 435 sf
Lot Coverage of Principal Residence: 18.4%
Lot Coverage of Accessory Unit: 2.6%

W RHYNE AV

ANDERSON DR

Side Setback: 7'

Rear Setback: 2'

RS9



Existing Ordinance Example

Lot Size: 16,552 sf

Max Accessory Unit Size: 827 sf

Lot Coverage of Accessory Unit: 5%

W RHYNE AV

S MAIN ST

ANDERSON DR

-55-

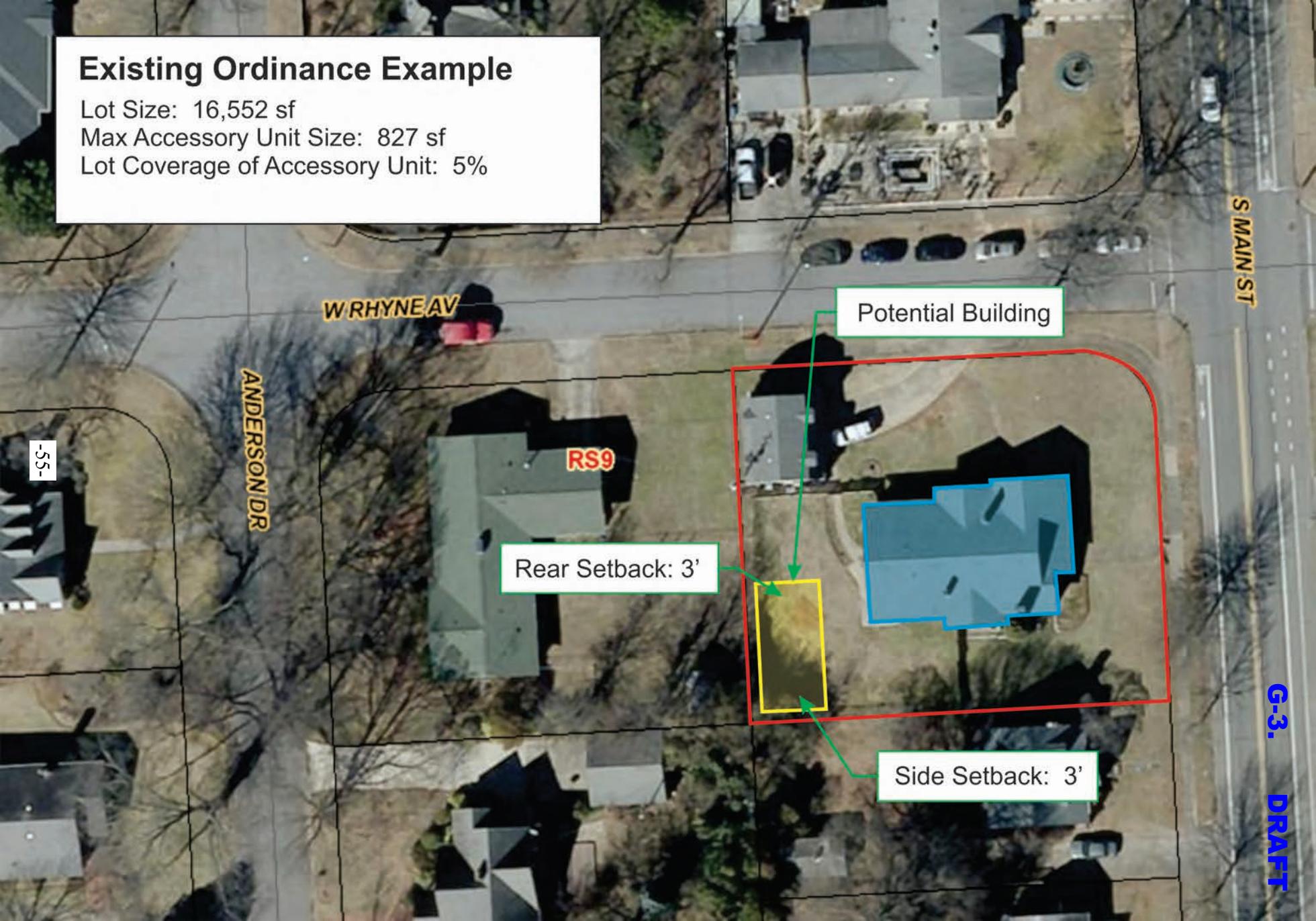
RS9

Potential Building

Rear Setback: 3'

Side Setback: 3'

G-3. DRAFT



Proposed Ordinance Example

Lot Size: 16,552 sf
Max Accessory Unit Size: 827 sf allowed, 500 actual
Lot Coverage of Principal Residence: 18.4%
Lot Coverage of Accessory Unit: 5%

W RHYNE AV

ANDERSON DR

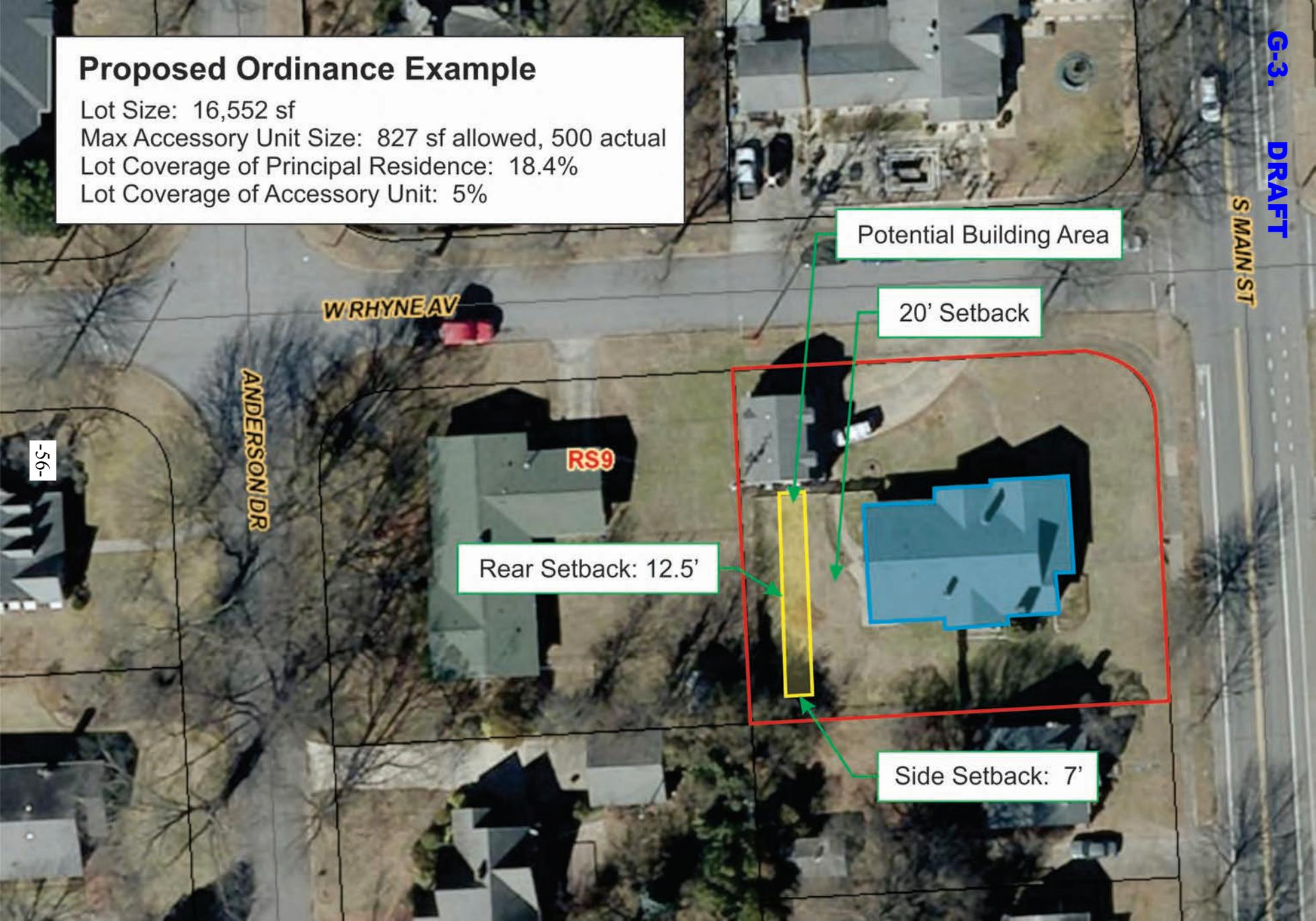
RS9

Potential Building Area

20' Setback

Rear Setback: 12.5'

Side Setback: 7'



Planning and Development Services Staff Responses to Questions Related to Accessory Units

Questions Posed at 10/22/15 Planning Board Work Session

Does the NC Building Code require a minimum amount of square footage per person in a residential unit? **The building code does not require this. However, the Winston-Salem City Code requires at least 120 square feet of floor space in habitable rooms to be provided for the first occupant in each housing unit, and at least 100sf of additional space for each additional occupant (excluding children under 1 year of age).**

How would housing be treated in conjunction with a nonresidential use in zoning districts that allow both uses (i.e. LO, PB, etc.)? **Both uses would be considered principal uses where the uses were in separate structures on the zoning lot. Where these uses existed within the same building, the use would be considered “Combined Use” per the UDO.**

Can you limit the number of people who live in an accessory unit to a number smaller than the limits of family in the UDO (i.e. can you allow a maximum of 2 people per accessory dwelling)? **The City’s Code of Ordinances already places occupancy limits on units based on the square footage of the units. Absent a rational basis for doing so, picking an arbitrary number as an occupancy limit would be met with a strong legal challenge, especially considering the variety of sizes of accessory dwellings that could potentially exist (up to 1,000 square feet).**

Can you require there be only one “family” (maximum of 4 unrelated persons) per zoning lot where an accessory residential unit exists? **The Attorney’s Office believes that in theory you could require the two units to be used by a single “family” living together as a single housekeeping unit. This, however, would be very difficult to oversee and enforce (making sure all parties have keys to both units, a free flow of traffic within the units, etc.). Given that the accessory dwelling has its own separate entry, the argument would be made that it is its own separate household and cannot be arbitrarily lumped in with the primary dwelling. In addition, the current definition of family refers to a single dwelling unit, so that would conflict and would require an amendment. As a result of these several issues, the Attorney’s Office would not recommend going this route.**

Additionally, one could not limit the total number of unrelated persons to 4 between both the primary and accessory dwelling, even though the 2 units are not operating as a single housekeeping unit. Courts have stricken down zoning definitions of "family" which are so narrowly drawn as to exclude certain family members or families which are not biologically related or are non-traditional.

Is an accessory unit connected by an open-air, non-heated or cooled covered breezeway considered attached or detached? The UDO would actually consider this example an attached unit. Additionally, the UDO considers two totally disconnected structures as attached if they are within 3 feet or less of each other, regardless of the fact that their exteriors do not touch. Structures which are separated by more than 3 feet are considered detached.

If the Planning Board is concerned about certain accessory units being considered attached rather than detached, an option would be to propose a different, more restrictive definition of what constitutes an attached or detached unit for use with accessory dwellings (this would be located within the definitions section of the UDO).

What was the purpose of the registration list for rooming houses put in place a few years ago? Regulations were put in place in 2004 to prohibit the conversion of single-family homes into rooming houses. However, amortization of existing rooming houses was not undertaken at the time due to challenges in determining when rooming houses were established. In 2007, a text amendment was adopted which required all RS- and RSQ-zoned rooming houses which existed prior to adoption of the 2004 amendment to become subject to amortization. Rooming houses which existed prior to 2004 were required to register with the City during calendar year 2008. Those rooming houses were allowed to exist until January 1, 2012 after which time the use was to be discontinued. Units which failed to register by January 1, 2009 were in violation of the ordinance and were subject to zoning enforcement. Rooming houses established after 2004 had to cease immediately (UDO Section B.5-2.9(B)).

Questions from George Bryan on the Proposed Accessory Dwellings Ordinance – 10/26/15

Confirm that this revision will affect Town and Country, Sherwood, Greenbriar and other single family homes. The proposed ordinance, like the current ordinance, will affect single family neighborhoods in all Growth Management Areas, including those listed above. The current and proposed ordinances permit accessory dwellings on the same zoning lot as single-family residential uses (the regulation is based on use, rather than zoning). Therefore, if there is a single family residential use on a lot, it has the potential to be approved for an accessory unit, under both current and proposed regulations.

I am particularly interested in how it will affect an RSQ zoned neighborhood like WE (West End). What is your thought? We have several properties with garage apartments - in fact one is for sale this week. Zoning has been conservative on allowing duplex conversions yet as attached this revision is essentially a duplex. What are your thoughts? WE has a lot of on street parking. In the lots that can be adapted to off street (this could happen through alleys) how do you assure that the main residence has two or more parking places while allowing one for the accessory dwelling? The ordinance will affect RSQ zoned properties containing single family uses, but not those with multiple-family dwellings. Unlike duplex units, where both units are usually the same size and are treated equally, accessory unit provisions establish a principal residence and a significantly smaller accessory unit. Parking for accessory units will be

demonstrated through the site plan required for review by staff (for attached units) or the Board of Adjustment (for detached units).

How many structures are allowed on a lot in the WE. We have a recent example of a main house, garage and now another structure being built. Can three and four structures be built on one lot? The ordinance permits only one accessory *dwelling* per lot. However, multiple accessory *buildings* may exist on a zoning lot, as long as the total square footage for all of these buildings is no more than 5% of the total lot area (however, this maximum may be no less than 576 square feet regardless of lot size). Existing accessory structures not meeting the dimensional requirements of the proposed ordinance have the potential to be permitted as legally nonconforming structures through the Board of Adjustment review process. Additionally, since the West End is a historic overlay district, accessory structures in this neighborhood would also need to be reviewed by the Historic Resources Commission (HRC) and receive a Certificate of Appropriateness (COA). In these cases, the HRC would review the design of the accessory dwelling unit prior to its review by the Board of Adjustment.

It seems, per this revision, that someone could develop a property and then be a non-owner occupied property simply rented out. (Be aware that the WE was created the second time out of many split larger houses. The neighborhood is already 45% rental) Can this be limited? The City Attorney's office believes that we cannot legally limit occupancy of the primary or accessory residential units based on ownership status.

How are you going to keep property owners from getting around the ZBA by simulating "attached"? Please refer to staff's response to a question asked at the October work session.

How is the "tiny house" inclination going to affect a neighborhood like WE and others? Tiny houses would be allowed in all situations that would allow other accessory dwelling units, as long as such tiny houses met all building code and UDO requirements. All accessory dwellings must be on permanent foundations. They must also be connected to water and sewer and meet all applicable building, plumbing, electrical and other codes. Therefore, mobile tiny homes on a trailer/wheels would not fit these requirements. Our building code and the local minimum housing code require a dwelling to meet specific size and room requirements – to satisfy these requirements, an accessory dwelling would need to be over 200 square feet in size. Also, for West End, any proposed "tiny house" would be subject to a requirement to get a COA from the HRC.

What is referred to under "special yard requirements for older neighborhoods" in Section B 3-8.? This reference is a remnant of a former version of this UDO section and as such will be removed in the draft ordinance heard by the Planning Board in December.

Will storm water be affected by any of this? Should it be, as more property is impervious? No change is proposed to current stormwater regulations as part of this amendment. While there are currently no impervious surface limits for single family districts, the ordinance already limits accessory structures (both residential and non-residential) to occupying no more than 5% of the total lot area of a single family lot – this limit is not proposed for change under this ordinance.

As a result, any additional stormwater impacts generated by an accessory dwelling unit would be minimal.

What types of manufactured homes would be allowed? WE almost had a manufactured garage recently. Manufactured units could be allowed within the City of Winston-Salem or Forsyth County as an accessory unit, as both our current and proposed ordinance do not specify building construction or materials. Depending on the zoning district and the jurisdiction (i.e. City or County) other restrictions may also apply as to what class of manufactured housing is allowed. Manufactured homes require a Special Use Permit from the Board of Adjustment (BOA). If someone in any neighborhood proposed to construct a manufactured home as an accessory detached unit then it would go through the BOA public hearing process. Neighbors would have that opportunity to speak against the proposal if they desired. However, in the West End, such a proposal would be subject to the additional requirement that it go through the COA approval process with the HRC.

Does the "new Stairway" regulation mean anywhere on the front of the accessory building - even if it is located behind a main home or almost behind? This requirement is existing and has been enforced in the past. It means that no new stairways may be on any side of the structure facing the public street. Therefore, a stairway located behind or to the side of the structure would work as long such a stairway was not visible from the street.

The "non-relative" occupancy of accessory structures has been ignored in the WE and other neighborhoods. It needs to be corrected but how to do this without mass allowing accessory structures. Our City Attorney's Office has raised concern over the enforceability/legality of the kinship occupancy provisions and recommended they be removed based upon recent case law. Some property owners may have already been in violation of this in the past. Staff has revised the ordinance in a manner that allows accessory dwelling units to be used in accordance with current legal standards, but which also included a number of additional dimensional, setback, parking and other requirements intended to reduce the impact of these units on neighborhoods. Detached units must be approved through the Special Use Permit process which provides public notification and a public hearing where affected citizens may state any concerns on the proposed units.

Isn't this Revision a new zoning area rather than the single family zoning that was purchased by owners? The proposed ordinance will not lead to any zoning changes. Accessory residential units are currently allowed in single family neighborhoods under prescribed conditions, and they will continue to be allowed in the same neighborhoods, simply under different conditions.

Can this be done without changing any setbacks? Again owners bought with the expectation of certain setbacks. Different setbacks currently exist in the UDO for principal structures and for accessory structures. Currently, accessory buildings may be 3 feet from any property line. Principal residences may be as close to a side property line as 7 feet and 25 feet from a rear property line in RS-9 zoning. This ordinance attempts to create setbacks for occupied accessory structures that are significantly more restrictive than those of unoccupied accessory structures, but more flexible than those for principal residences. The ordinance proposes detached accessory units have a minimum rear setback equal to half of the required rear setback for the

district. The minimum side setback would remain the same as that of the principal residence on the lot. Attached accessory dwellings would be subject to existing residential setbacks, as they are part of the residence.

If the current allowance and definition of a "family" is 4 unrelated people - how will this control the number of people in the accessory dwelling? A family meeting the UDO definition of "family" will be allowed in the principal dwelling on a lot, and a second "family" meeting this UDO definition will be allowed to occupy the accessory dwelling, subject to square feet/occupant requirements of the City Code as addressed further in another question.

Two of the overlays in our city have been passed because they control the size of the lot in the neighborhood. This Revision seems to negate that if accessory buildings are allowed. As stated, the two Neighborhood Conservation Overlay Districts (NCOs) currently approved in Winston-Salem limited minimum lot size within the neighborhoods. However, those NCOs did not limit the presence of accessory residential units. The standards of the NCO would remain in place and would not be affected by the proposed text amendment. The City Attorney's Office does believe that a neighborhood could choose to prohibit accessory dwellings as part of a NCO request.

Planning and Development Services Staff Responses to Questions Related to Accessory Dwelling Units

Comments, responses, and additional staff recommendations from the 11.12.15 CCPB Meeting

1. Consider basing parking requirements for accessory dwelling units on the number of bedrooms in the accessory unit. Staff agrees that a parking standard of 1 space per bedroom but no less than 1 space per accessory unit would make sense. The location of the parking space would be determined through the required staff or Board of Adjustment site plan review process.
2. Would it be legal to revise the definition of family to be “an unlimited number of people related by blood or marriage plus 4 unrelated people” and allow this definition to cover all residential units on a lot (It was also proposed to remove the “single housekeeping unit” language in the existing ordinance, which may have consequences in how we regulate other UDO uses). The definition could be revised in such a manner, but would require further policy decisions on how other uses in the UDO are treated going forward (for example, boarding or rooming houses). The City Attorney’s staff would caution against doing such, as equal protection concerns could be triggered upon the imposition of separate family standards. Planning staff would also not recommend this
3. Consider requiring accessory units to have the same minimum rear and side setbacks as those of the principal residence on the lot. Staff has prepared an illustration comparing current UDO setbacks, proposed draft ordinance setbacks, and setbacks equal to those of the principal residence. It is attached to these responses. Because use of the principal residence setbacks for accessory dwellings would make the backyard less useable, Planning staff would not recommend this additional restriction.
4. Is it possible to prohibit single night rentals of accessory units? The Attorney’s Office believes it would be legally permissible to prohibit single night rentals (short term rentals) in principal as well as accessory single family dwellings. However, such a provision would be very difficult to enforce, and Planning staff would not recommend its addition to the ordinance.
5. What would be the complaint process for problems with accessory units? The process for registering complaints against accessory dwelling units would be the same as the current complaint process for other land uses. If a citizen suspected an accessory dwelling unit was operating illegally, they could contact the Inspections Division. Zoning enforcement staff in Inspections would research the complaint, and if an issue was found, staff would require it to be corrected. Where the proper action was not taken by the property owner, enforcement steps would be followed per the UDO. It is worth pointing out that some issues (such as noise complaints) are not within the purview of Inspections, and would need to be addressed by the police department.

6. Should we restrict what constitutes attached vs. detached further than the existing UDO definition? It would be possible to develop a unique definition of “attached” and “detached” for accessory dwelling units. A possible definition for an attached unit could be “An accessory dwelling unit that is completely contained within the same conditioned building envelope or that shares an external wall of at least X feet in length with the principal residence on the lot”. A potential definition for a detached unit could be “An accessory dwelling unit that is not physically connected or attached to the principal residence on the lot”. It is worth noting that from a building code perspective, if an exterior wall of a principal structure and an accessory structure are within less than 3’ of each other, these walls must be fire-rated, regardless of whether such a relationship is defined as attached or detached in the UDO. Planning staff could support a requirement that an attached accessory unit must be either contained within the existing principal residence or share an exterior wall of no less than 15 feet in length.

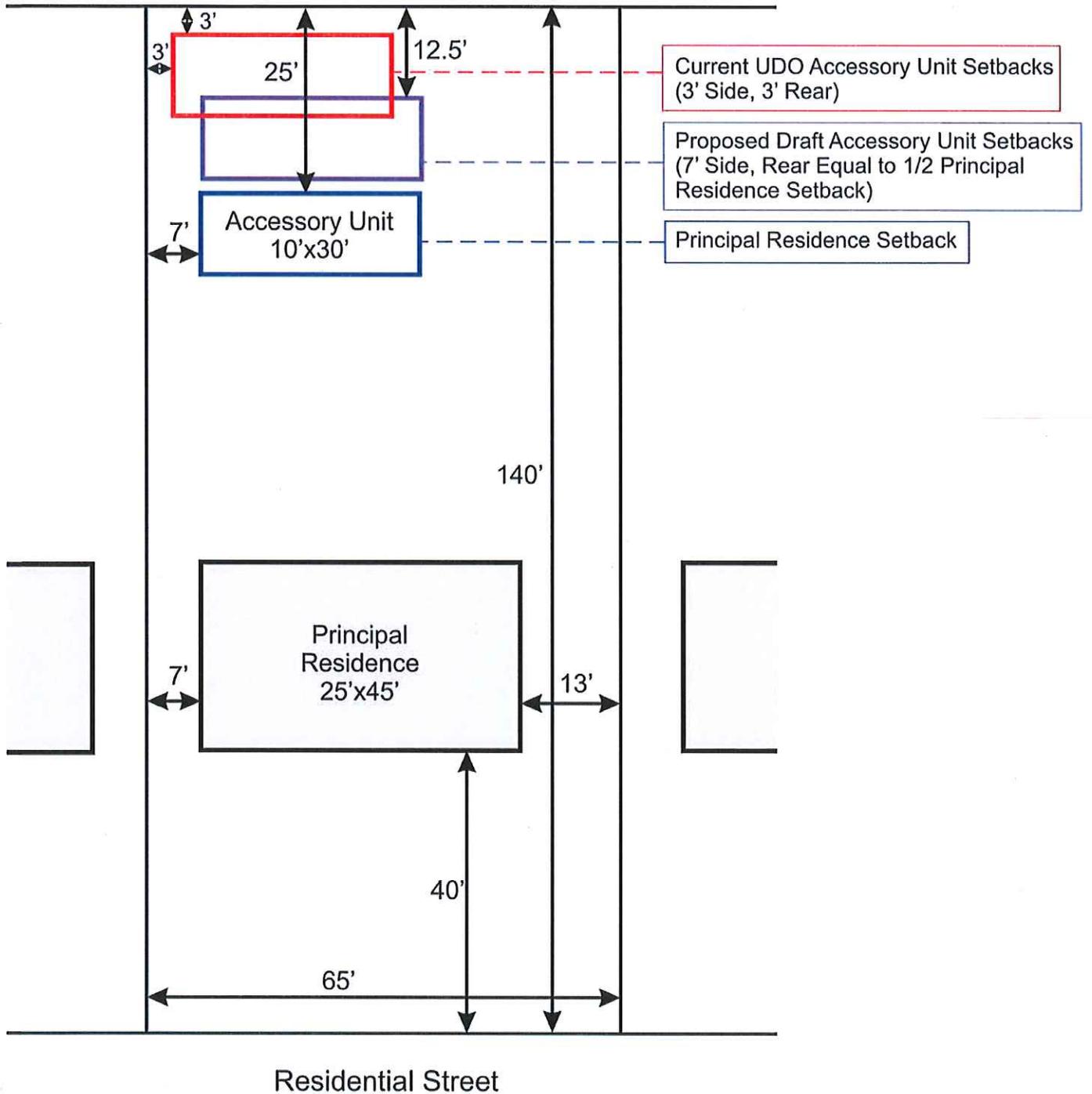
7. Is it possible to limit accessory structures to only being allowed in conjunction with principal residences that are at least 5 years old? Conversely, can you limit accessory units to only being used in conjunction with new subdivisions? The Attorney’s Office believes such regulations would not be on solid legal ground. Additionally, Planning and Development Services staff believes such limitations may not be good policy, as situations exist where accessory units would be appropriate in both new and pre-existing subdivisions. For example, the “smart growth” and “new urbanism” movements of more recent times encourage accessory dwellings with alley access as a means of allowing more affordable housing options with little impact on neighborhood character. Planning staff would not recommend a restriction based on the age of principal residence.

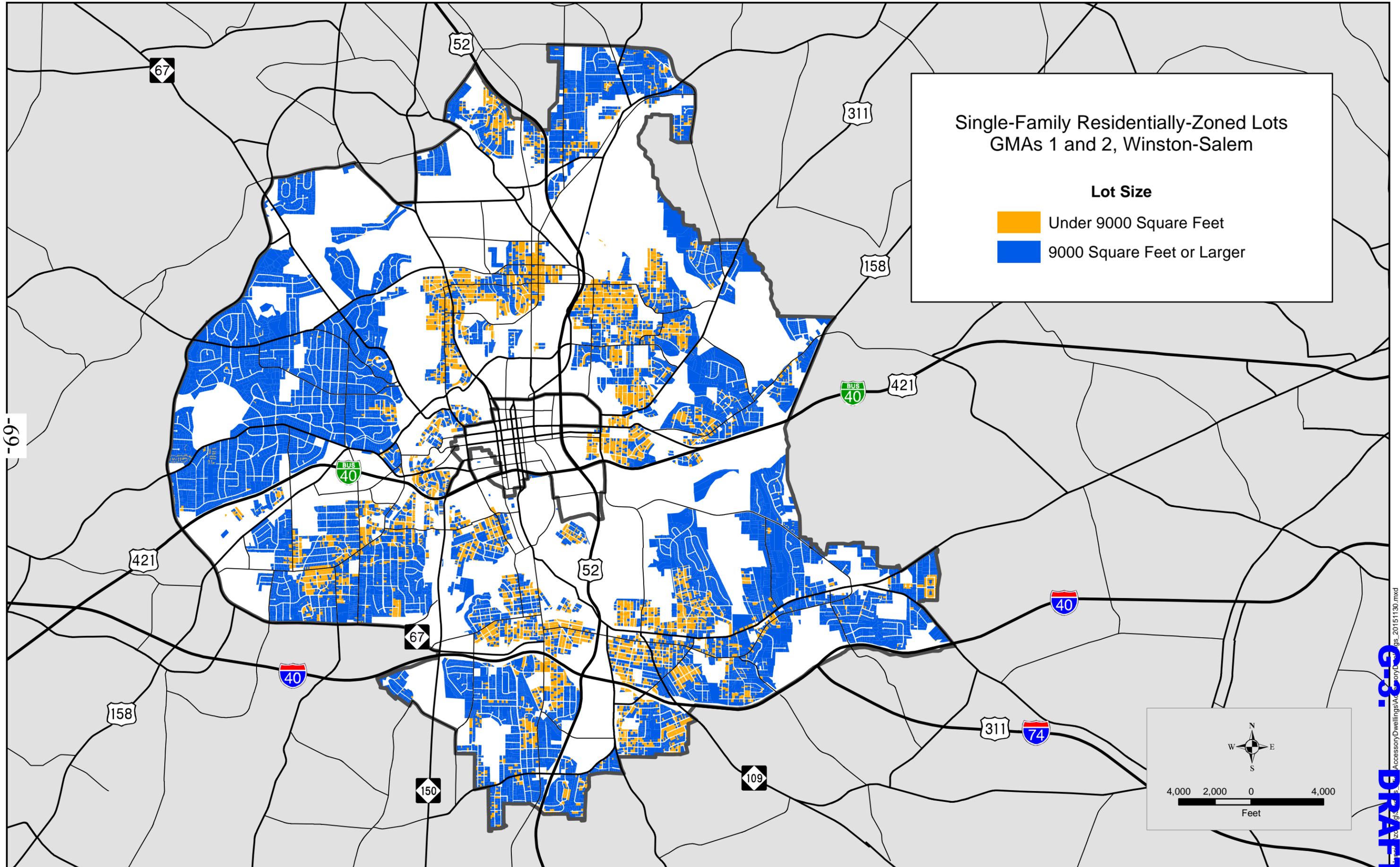
In addition to the parking requirement and attached accessory dwelling limitations discussed in questions 1 and 6 above, the Planning staff could support the following additional measures as ways to minimize the impacts of accessory dwellings:

- If a minimum 9,000 square foot lot requirement existed for detached accessory units, many lots in Growth Management Areas (GMAs) 1 and 2 would not be allowed to include these units. Under this requirement, it would eliminate all but the larger lots in several neighborhoods, including Boston Thurmond, Greenway, East Winston, Waughtown, Sunnyside, Washington Park, West Salem, and West End. Other areas, such as Ardmore and Konnoak would have pockets where detached accessory units could not be constructed. Neighborhoods in the northwest part of GMA 2, such as Buena Vista and Country Club Estates, would be largely unaffected by this requirement. A map showing the residential lots that are larger than 9,000 square feet in GMAs 1 and 2 is attached to this memo.

- In addition to a minimum lot size requirement for detached accessory dwellings, a no more than 30% principal residence lot coverage requirement to qualify for a detached accessory dwelling may be a suitable cutoff. Lots where the principal residence occupies more than 30% of the lot may be unsuitable for adding a detached accessory unit, and this would be a way of ensuring lot coverage is not too high. However, in most cases, lots larger than 9,000 square feet would not generally have problems accommodating both a principal residence and an accessory unit plus adequate open space, regardless of the lot coverage of the principal residence.
- A third additional restriction which Planning staff could support would be to provide a 10' or 20' separation requirement between a principal residence and a detached accessory unit. This in some cases would make it harder for lots to qualify for accessory unit development, would ensure more open space on a lot, as well as greater separation between buildings on the lot.

Comparison of Potential Accessory Dwelling Unit Setbacks for a 9,100 Square Foot Single Family Residential Lot (RS-9 Zoning)





Representative Single Family Lot Size Ranges for Selected Neighborhoods in GMA 2

<i>Neighborhood Name</i>	<i>Representative Lot Size Ranges</i>
Ardmore	8,000-11,000 SF
Buena Vista	16,000-22,000 SF
East Winston	5,500-8,000 SF
Greenway	7,500-11,000 SF
Konnoak	7,500-13,000 SF
Washington Park	7,000-10,000 SF
Waughtown	7,500-10,000 SF
West End	6,500-14,000 SF
West Salem	5,000-9,000 SF

Section 6-1.4 (A) (3) of the UDO (Special Use Permits)

(3) **Required Findings**.

The Board of Adjustment shall issue a special use permit only when the Board of Adjustment makes an affirmative finding as follows:

(a) That the use will not materially endanger the public health or safety if located where proposed and developed according to the application and plan as submitted and approved;

(b) That the use meets all required conditions and specifications;

(c) That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and

(d) That the location and character of the use, if developed according to the application and plan submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with Legacy.

Except with regard to the conversion of nonconforming uses in Section B.5-2, no provision of this Ordinance shall be interpreted as conferring upon the Board of Adjustment the authority to approve an application for a special use permit for any use unless authorized in Table B.2.6. In approving an application for the issuance of a special use permit, the Board of Adjustment may impose additional reasonable and appropriate conditions and safeguards to protect the public health and safety, and the value of neighboring properties, and the health and safety of neighboring residents. If the Board of Adjustment denies the application for the issuance of a special use permit, it shall enter the reasons for denial in the minutes of the meeting at which the action was taken.

Statement from Melynda Dunigan regarding UDO-267

For years single family neighborhoods have coexisted in a reasonable manner with accessory dwellings, due to an important safeguard: limitations on who is allowed to occupy them. Up until now we have required that the occupants be caregivers, older adults or relatives of the owner of the principal dwelling. Our attorneys have concluded that we must eliminate these protections due to a court decision, so we are faced with the issue of how to reestablish a balance in order to maintain the quality of life in single family neighborhoods. It is clear that simply removing the kinship/caregiver requirement without additional changes will create problems. Our existing regulations are minimal and treat detached accessory units in the same manner as garages or other outbuildings. Without regulations on the number of occupants, the size of the dwellings and their location on lots, and without provision for adequate parking, neighborhoods will be unfairly burdened.

UDO-267 was designed to provide the necessary rules to accommodate the expanded availability of accessory dwellings. The ordinance goes a long way toward meeting these goals, but I believe that it still needs some additional revision, which is why I voted to recommend denial. However, it is unacceptable and unreasonable in my opinion to abandon the attempt at further regulation altogether, as the board has effectively done in its recommendation.

Like speakers at the public hearing, I am concerned about the setbacks allowed for detached accessory dwellings. I am also concerned about the provisions to allow for larger than 1,000 square foot accessory dwellings on larger lots. However, the principal issue that I think needs to be addressed in the text amendment is that of short term rentals. The internet and companies such as AirBnB have made it easy to rent out property on a short term basis, and this is a growing trend across the country. If we have no limits on short term rentals, an accessory dwelling could essentially be turned into a backyard motel. The constant coming and going of a transient clientele is simply not compatible with single family living, and if carried out on a wide scale would significantly change the character of single family neighborhoods.

In the course of our discussions, it has been stated that limits on short term rentals would be too hard to enforce or that the matter should be addressed separately as a policy for all residential property. What would happen, however, if it turns out later that we conclude that it is impractical to regulate short term rentals at all? Eliminating the kinship requirement on accessory dwellings would significantly widen the scope of the short term rental problem, because it would expand the availability of rental units in neighborhoods. Therefore, I believe that we need to know up front as we evaluate how to treat accessory dwellings how short term rentals will be regulated.

Because we are legally prohibited from placing safeguards on accessory dwellings that require the owner or a relative to live in a home with a rented unit, we should carefully evaluate whether accessory dwellings should be allowed at all in single family neighborhoods. If it becomes clear that it is impractical to regulate short term rentals, then I believe it would be better to prohibit accessory dwellings altogether, as some municipalities have done.

Email received Thursday, February 11, 2016, 12:01 p.m.

I want to speak at today's meeting on the matter of accessory buildings. I'm a property owner and resident of Ardmore. Many of our lots are small. My setback concerns are that cutting them in half will put huge sight barriers on all sides of existing homes. Off street parking is another concern I will speak to if given the chance. Some homes in Ardmore have no off street parking and before getting a permit to add an accessory building, they should be required to construct off street parking for the primary residence.

Bonnie Crouse 682-4804

From: "Carolyn A. Highsmith" <carolyn_highsmith@outlook.com>
Date: February 11, 2016 at 4:00:45 PM EST
To: "planning@cityofws.org" <planning@cityofws.org>
Cc: Walter Farabee <walterf@cityofws.org>, "pauln@cityofws.org" <pauln@cityofws.org>
Subject: UPDATE--New MAJOR OBJECTION to Proposed Changes to UDO 267...Re: Public Comment regarding UDO 267--Amending Regulations to the Accessory Dwellings Ordinance--Unable to attend Public Hearing

Dear Planning Board Members:

Again, I regret that no one from the **Konnoak Hills Community Association** will be able to attend today's Public Hearing on UDO 267.

However, I just found out that the Planning Board Staff has identified the Konnoak Hills Neighborhood area as having many properties that **would be ineligible for Accessory Dwellings because they would not meet the minimum lot size.** Other neighborhoods affected would be West Salem and Washington Park.

The Konnoak Hills Community Association understands the need to protect the integrity of these older neighborhoods but **individual properties should not be penalized from using their Accessory Building because of an overly restrictive minimum LOT size--not counting the fact--this data is not currently being correctly entered into the Forsyth County Tax database for all LOTS.**

So, how is the Planning Staff obtaining the correct LOT size for the Konnoak Hills Community area? LOTS on many of the streets in Konnoak Hills have "0" listed as their LOT square footage and acreage. Therefore, how can the Planning Staff accurately know if house LOTS in the Konnoak Hills area meet or do not meet the minimum LOT size? If the LOT square footage and acreage are missing, then the only square footage being listed is for the actual buildings on the property. So, how is the Planning Staff accurately determining the size of the properties in the Konnoak Hills area to consider making minimum LOT sizes in the proposed UDO 267 revisions?

As such, **the Konnoak Hills Community Association CANNOT SUPPORT this current version of the proposed UDO 267 for Accessory Dwellings** until other ideas are considered for this UDO 267 to create a better balance that does not exclude entire neighborhood areas. Plus, the absolute need to have CORRECT and UPDATED DATA on ALL PROPERTIES in the Forsyth Co. Tax Property database in order for all parties to know how the Planning Dept. is obtaining their data about LOT SIZES.

Thank you.

Sincerely yours,

Carolyn A. Highsmith
President, Konnoak Hills Community Association, konnoak_hills@outlook.com
Vice President, New South Community Coalition, newsouthcommunitycoalition@outlook.com
336-788-9461; carolyn_highsmith@outlook.com

From: Carolyn A. Highsmith <konnoak_hills@outlook.com>
Sent: Thursday, February 11, 2016 2:20 AM
To: planning@cityofws.org
Cc: Walter Farabee; pauln@cityofws.org
Subject: Public Comment regarding UDO 267--Amending Regulations to the Accessory Dwellings Ordinance--Unable to attend Public Hearing

Dear Members of the City-County Planning Board:

The **Konnoak Hills Community Association** has a few technical concerns and questions regarding the proposed revised **UDO-267 Accessory Building Ordinance**. We understand that there have been major concerns brought up about the exploitation of the use of Accessory Buildings especially in older, established neighborhoods. And, the Konnoak Hills Community Association **does** want to see any major loop holes addressed that would permit predator developers from exploiting the use of Accessory Dwellings in established older neighborhoods.

However, some of the size limitations appear to be excluding the use of entire groups of Accessory Buildings, especially in older neighborhoods. So, the Konnoak Hills Community Association wants to know if that's the intent of these new size regulations, because it appears to go against the desire to permit "gentle density" in some older neighborhoods. The Konnoak Hills Community Association is not sure if a true balance has been reached between permitting "gentle density" in older neighborhoods and total elimination of any chance for older neighborhoods to use their Accessory Dwellings.

For example, in many GMA 1 and 2 neighborhoods--these neighborhoods are older and have irregularly-sized Detached Accessory Buildings. The Konnoak Hills neighborhood area has several such Detached Accessory Buildings--such as 2- and 3-car garages that are irregularly-sized--and are GREATER in SIZE than the stated REQUIRED MAXIMUM SIZE of 1000 square feet for Detached Accessory Units in the current UDO 267 revisions.

If the purpose of these revisions is to permit "gentle density" in older neighborhoods, this

requirement will effectively exclude such Accessory Buildings in many older neighborhoods from being used as an Accessory Dwelling. **Is there not a less restrictive approach that would place some size restrictions without totally excluding entire neighborhoods from using their Accessory Buildings?**

Would a better solution be to have a higher maximum size limit for houses built before 1950? Or, 1965? Etc.

Or, should older neighborhoods with irregularly-sized Accessory Buildings (say before 1950 or 1965, etc.) be grandfathered in and permitted to have a maximum size greater than 1000 square feet provided that the Accessory Building was built when the original house was originally built?

The Konnoak Hills Community Association is unsure of the best balance for this concern and suggests that all possible solutions be addressed to achieve the best possible balanced solution for all neighborhoods in this UDO revision.

2. REGARDING A DETACHED ACCESSORY BUILDING THAT SHOULD ONLY BE PLACED ON A MINIMUM LOT SIZE of 9000 square feet--the Konnoak Hills Community Association has found a major inconsistency in the Forsyth County GIS Property Tax database for the recording of the land square footage and acreage. That is, it appears that if a house has not been sold in recent years, there is no recording of the land square footage and acreage on the Forsyth Co. TAX PROPERTY CARD.

The Konnoak Hills Community Association decided to look up several properties in the Forsyth County GIS Property Tax database to get a better idea about how large 9000 square feet of land really is. As such, we found that the system has a new online TAX PROPERTY CARD. Then, when several TAX PROPERTY CARDS were looked at for houses on various blocks in the Konnoak Hills Community--**we found that the system is NOT SHOWING TOTAL LOT SQUARE FOOTAGE OR ACREAGE for many of these houses. The area on the TAX PROPERTY CARD is as listed as "0" for land square footage and acreage.** Then, for other houses in the Konnoak Hills area and nearby neighborhoods the land square footage WAS NOTED on the TAX PROPERTY CARD.

HOW IS THE CITY and COUNTY GOING TO REGULATE the minimum square footage of lots for Accessory Dwellings via UDO 267 if this vital information is not even listed consistently on all of the Forsyth County Tax Records? That is, how can minimum lot sizes be regulated for Accessory Dwellings if this information may not be on the Property Tax Record. And, the Konnoak Hills Community Association does not think that the property owner should have to bear the burden of obtaining this information to satisfy UDO 267 required minimum lot sizes for Accessory Dwellings--when the Forsyth Co. Tax Office should already have this data in their records and properly recorded. As such, this entire issue needs to be addressed in relationship to revising UDO 267.

Thank you for reading these concerns from the Konnoak Hills Community Association regarding revising UDO 267, and we regret that some of our members are unable to attend the Feb. 11th City-County Planning Public Hearing on UDO 267.

Sincerely yours,

Carolyn A. Highsmith

President, Konnoak Hills Community Association, konnoak_hills@outlook.com

Vice President, New South Community Coalition, newsouthcommunitycoalition@outlook.com
336-788-9461; carolyn_highsmith@outlook.com

City Council – Action Request Form

Date: April 27, 2016

To: The City Manager

From: D. Ritchie Brooks, Community and Business Development

Council Action Requested:
 The adoption of an Ordinance ordering the Community and Business Development of the City of Winston-Salem to demolish structures unfit for human habitation and, otherwise to effectuate the purpose of Chapter 10, Article V, of the Winston-Salem City Code.

Summary of Information:
 The structure units listed below have been condemned under the provision of the Housing Code. All required notices have been served and the time granted for compliance in each case has expired. The owner(s) has not complied with the Order to repair or demolish the structure unit.

STRUCTURE UNITS WITH REPAIRS LESS THAN FIFTY PERCENT OF VALUE OF STRUCTURE (<50%) SIX MONTHS

Owner	Property Location	Block & Lot(s)
Chicago Title Insurance Co.	1451 Addison Avenue	1119, 102
Winston Salem Presbytery	117 Dellabrook Road	3194, 023D
Walter R. Nelson	210 Wake Drive	3481, 018
RMBM Inc.	1206 23 rd Street	0330, 138
Vicki L. Stennis	2703 Glenhaven Lane	3566, 020
Gwendolyn A. Thompson	3037 Colgate Drive	2938, 285
Darryl W. & Tammy Cherry	1695 Ashley School Circle	1471, 278

Committee Action:

Committee _____ **Action** _____

For _____ **Against** _____

Remarks: _____

TO: Candace Dobson
FROM: Michelle M. McCullough
DATE: April 28, 2016
SUBJECT: Demolitions for May 16, 2016
 Community Development/Housing/General Government Committee Meeting

Bryce A. Stuart Municipal Building
 100 E. First Street
 P.O. Box 2511
 Winston-Salem, NC 27102
 CityLink 311 (336-727-8000)
 Fax 336-748-3163

Historic Resources staff has reviewed the following properties that are scheduled to go before the Community Development/Housing/General Government Committee on May 16, 2016 for demolition consideration:

3037 Colgate Drive
 1538 E. 22nd Street
 2516 Ansonia Street
 5705 Robin Wood Lane
 2126 School Street
 4309 Erie Drive
 117 N. Dunleith Avenue
 1451 Addison Avenue
 1318 N. Jackson Avenue
 117 Dellabrook Road
 421 Barbara Jane Avenue
 1012 Goldfloss Street
 1220 N. Jackson Avenue
 2703 Glenhaven Ln
 1206 23rd St.
 942 New Hope Ln
 3703 Maverick St. Accy
 1695 Ashley School Circle

While it appears that most of the properties were built prior to 1966, only one is located within a National Register Historic Districts, 1012 Goldfloss Street. This structure is a contributing property in the Waughtown/Belview National Register Historic District. This district was approved in 2005.

Historic Resources staff has concerns about the loss of structures in the Waughtown/Belview Historic District; therefore, I have sent notice to Preserve Forsyth, the local Historic Preservation non-profit organization to advise them of this loss. Their mission is to promote, protect, and advocate for Historic Resources in Forsyth County.

If demolition for this structure is approved, Historic Resources staff would like to request that the Community and Business Development Department have the structure professionally photo-documented, submitting the photos to the Forsyth County Historic Resources Commission and any architectural elements be salvaged from the house prior to demolition.

None of the buildings are designated a Local Historic Landmark or located within designated local historic districts. Therefore, Historic Resources staff has no other special requests at this time.

cc Ritchie Brooks, Director, Community and Business Development
 Preserve Forsyth

**ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF A STRUCTURE
PURSUANT TO CHAPTER 10, ARTICLE V, SECTION 10-203((f)(1) OF THE CODE OF
THE CITY OF WINSTON-SALEM**

WHEREAS, the Community and Business Development Department, after due notice and hearing, determined that the property hereinafter described in Exhibit (s) was unfit for human habitation; and

WHEREAS, either the Mayor and City Council adopted an ordinance or the Housing Conservation Administrator issued a repair or vacate and close order; and

WHEREAS, the repairs necessary to render the structure fit for human habitation would cost less than fifty percent (<50%) of the present value of the structure; and

WHEREAS, the owner of the property herein described in Exhibit(s) vacated and closed said structure and kept it vacated and closed for a period of six months pursuant to said Order; and

WHEREAS, the Mayor and City Council hereby finds that:

- (1) Six months has passed since the structure was vacated and closed pursuant to the previous order.
- (2) The property owner has abandoned the intent and purpose to repair, alter or improve the dwelling in said order to render it fit for human habitation.
- (3) The continuation of said structure in its vacated status will be inimical to health, safety, morals and welfare of the City in that the dwelling will continue to deteriorate, will create a fire and safety hazard, will be a threat to children and vagrants, will attract persons intent on criminal activities, will cause or contribute to blight and the deterioration of the property values in the area and will render unavailable property and dwelling which may otherwise have been available to

ease the persistent shortage of decent and affordable housing in this State and City.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Winston-Salem, as follows:

Section 1. The owner(s) of the property herein described in Exhibit(s) is hereby ordered to repair or demolish and remove said property within ninety days.

Section 2. In the event the owner(s) fails to comply with this order of the Mayor and City Council within the prescribed time period, the Community and Business Development Department of the City of Winston-Salem is hereby ordered and authorized to effectuate the purpose of the Housing Code of the City of Winston-Salem (Chapter 10, Article V of the Code of the City of Winston-Salem) with respect to the property herein described by causing said dwelling be repaired or demolished and removed.

Section 3. The property to which this ordinance applies is known and described as set out in Exhibit(s) attached hereto and incorporated herein by reference.

Section 4. This ordinance shall become effective upon its adoption, and a copy hereof, certified by the Secretary of the City of Winston-Salem, shall be recorded in the office of the Register of Deeds of Forsyth County, North Carolina, and shall be indexed in the name of the property owner(s) in the grantors index, as provided by law.

INSTRUMENT DRAWN BY:

CITY ATTORNEY

CODE ENFORCEMENT PURSUANT TO SEC. 10-203(f)(1) OF THE HOUSING CODE

CASE SUMMARY - HOUSING FILE NO. 2013020863
PROPERTY ADDRESS 1451 ADDISON AV
TAX BLOCK 1119 **LOT(s)** 102
WARD EAST
PROPERTY OWNER(s) CHICAGO TITLE INSURANCE COMPANY
LIS PENDENS 13M2127 **FILED** 09/26/2013

DUE PROCESS

1. The current **Complaint and Notice of Hearing** was issued 03/28/2013 and service was obtained by certified mail regular post hand delivery___, and publication___ on 04/05/2013. The Hearing was held on 4/29/2013 and the owner/agent appeared and/or contacted the Community and Business Development Department regarding the complaint yes no___.
2. The **Finding and Order** was issued on 5/8/2013 and service was obtained by certified regular post hand delivery___, and publication___ on 05/14/2013. The Order directed the owner to **vacate and close or repair** the dwelling within **30** days from receipt. Time for compliance expired on 06/14/2013. The dwelling was found vacated and closed on 07/18/2013.
3. The dwelling became eligible for demolition under the six (6) month rule on 01/18/2014.
4. The notification letter was sent 04/18/2016 advising the owner that the **Community Development/Housing/General Government Committee** of the City Council would be considering demolition of this dwelling at their meeting on 05/10/2016. The notice further advised that if they intended to request an extension of time, they should present evidence of their intent to the Community and Business Development Director prior to the Committee meeting. Director was contacted yes___ no .

COMMENTS (if any)

COUNCIL CONSIDERATION

The estimated cost to make repairs to needed to render this dwelling fit for human habitation is **less than fifty percent (<50%)** of the present value of the dwelling.

Estimated cost to repair \$15,686.00 Fair market value \$43,673.00

Based on the above information it is recommended that an Ordinance be adopted to cause this dwelling to be **repaired or demolished and removed within ninety (90) days**. **This structure can be repaired under In Rem provisions of the Minimum Housing Code with City Council approval.**

CODE DEFICIENCIES - EXHIBIT A

CASE NO: 2013020863

**NEIGHBORHOOD CONSERVATION OFFICER:
JIMMY MULLINS - (336)734-1263**

1451 ADDISON AV

**VIOL NBR VIOLATION DESCRIPTION
 STATUS/ORDINANCE**

761649 REPAIR, REPLACE OR REMOVE GUTTERS AND DOWNSPOUTS -
MINOR V-10-197(G)(6)

761658 REPAIR SOFFIT AND/OR FACIA -
MINOR V-10-197(G)(6)

761647 REPLACE BROKEN WINDOW PANES -
UNFIT V-10-197(B)(4)

761650 REPAIR DOOR - REAR SLIDING--BASEMENT REAR --REAR ENTRY
UNFIT V-10-197(A)(15)

761652 REPAIR DEFECTIVE LIGHT FIXTURES -
UNFIT V-10-197(F)(1)

761653 REPAIR LAVATORY AND/OR FIXTURES -
UNFIT V-10-197(D)(10)

761654 REPAIR TUB FIXTURES -
UNFIT V-10-197(D)(10)

761655 REPAIR HOLES IN WALLS AND CEILINGS -
UNFIT V-10-197(G)(4)

761656 REPAIR DEFECTIVE FLOORING -
UNFIT V-10-197(G)(2)

761657 REPAIR OR REPLACE LOOSE FLOOR COVERING -
UNFIT V-10-197(G)(2)

CD-Plus Report - Code Case Images

CODE CASE NBR IMAGE DATE
2013020863 2/18/2013

IMAGE DESCRIPTION

1451 Addison Avenue



CODE CASE NBR IMAGE DATE
2013020863 2/18/2013

IMAGE DESCRIPTION

1451 Addison Avenue



CODE CASE NBR IMAGE DATE
2013020863 4/27/2016

IMAGE DESCRIPTION

1451 Addison Avenue



C-1.a. DRAFT

CODE CASE NBR IMAGE DATE
2013020863 4/27/2016

IMAGE DESCRIPTION
1451 Addison Avenue



CODE CASE NBR IMAGE DATE
2013020863 4/27/2016

IMAGE DESCRIPTION
1451 Addison Avenue



YOUR TRIP TO:



1451 Addison Ave, Winston Salem, NC 27105

7 MIN | 2.4 MI

Trip time based on traffic conditions as of 10:22 AM on April 27, 2016. Current Traffic: Moderate



1. Start out going **east** on E 1st St toward S Chestnut St.

Then 0.07 miles 0.07 total mile



2. Take the 1st **left** onto N Chestnut St.

Then 0.21 miles 0.28 total mile



3. Take the 1st **right** onto E 3rd St.

Then 0.06 miles 0.34 total mile



4. Take the 1st **left** onto Patterson Ave.

Then 0.51 miles 0.85 total mile



5. Turn **right** onto N Liberty St.

Then 0.68 miles 1.53 total mile



6. Turn **right** onto E 14th St.

Then 0.84 miles 2.37 total mile



7. Turn **left** onto Addison Ave.

Then 0.05 miles 2.42 total mile



8. 1451 ADDISON AVE is on the **right**.

Use of directions and maps is subject to our [Terms of Use](#). We don't guarantee accuracy, route conditions or usability. You assume all risk of use.

C-1.a. DRAFT

CODE ENFORCEMENT PURSUANT TO SEC. 10-203(f)(1) OF THE HOUSING CODE

CASE SUMMARY - HOUSING FILE NO. 2011030253
PROPERTY ADDRESS 117 DELLABROOK RD
TAX BLOCK 3194 **LOT(s)** 023D
WARD EAST
PROPERTY OWNER(s) WINSTON SALEM PRESBYTERY
LIS PENDENS 11M1664 **FILED** 05/23/2011

DUE PROCESS

1. The current **Complaint and Notice of Hearing** was issued 04/04/2011 and service was obtained by certified mail regular post hand delivery___, and publication___ on 04/14/2011. The Hearing was held on 5/4/2011 and the owner/agent appeared and/or contacted the Community and Business Development Department regarding the complaint yes___ no .
2. The **Finding and Order** was issued on 5/16/2011 and service was obtained by certified regular post hand delivery___, and publication___ on 05/18/2011. The Order directed the owner to **vacate and close or repair** the dwelling within **30** days from receipt. Time for compliance expired on 06/18/2011. The dwelling was found vacated and closed on 06/30/2011.
3. The dwelling became eligible for demolition under the six (6) month rule on 12/30/2011.
4. The notification letter was sent 04/18/2016 advising the owner that the **Community Development/Housing/General Government Committee** of the City Council would be considering demolition of this dwelling at their meeting on 05/10/2016. The notice further advised that if they intended to request an extension of time, they should present evidence of their intent to the Community and Business Development Director prior to the Committee meeting. Director was contacted yes___ no .

COMMENTS (if any)

COUNCIL CONSIDERATION

The estimated cost to make repairs to needed to render this dwelling fit for human habitation is **less than fifty percent (<50%)** of the present value of the dwelling.

Estimated cost to repair \$8,016.00

Fair market value \$75,373.00

Based on the above information it is recommended that an Ordinance be adopted to cause this dwelling to be **repaired or demolished and removed within ninety (90) days**. **This structure can be repaired under In Rem provisions of the Minimum Housing Code with City Council approval.**

CODE DEFICIENCIES - EXHIBIT A**CASE NO: 2011030253****NEIGHBORHOOD CONSERVATION OFFICER:
JIMMY MULLINS - (336)734-1263****117 DELLABROOK RD****VIOL NBR VIOLATION DESCRIPTION
 STATUS/ORDINANCE**

698962 OTHER - OIL NEEDED FOR HEATING SYSTEM
MINOR V-10-197

698970 PAINT OR TREAT EXTERIOR WOOD WITH PROTECTIVE COATING -
MINOR V-10-197(G)(3)

698973 REPAIR CHIMNEY - INSTALL CAP.
MINOR V-10-197(E)(5)

698975 OTHER - REPAIR CLOSET DOORS.
MINOR V-10-197

698951 OTHER - REPAIR DOOR KNOB ON AT RIGHT REAR BEDROOM DOOR.
UNFIT V-10-197

698952 REPAIR PLUMBING LEAK IN BATH - MASTER AND FULL
UNFIT V-10-197(D)(15)

698953 OTHER - UNCLOG FULL BATHROOM DRAINS.
UNFIT V-10-197

698954 PROVIDE OPERABLE SMOKE DETECTOR - EACH BEDROOM,HALL,AND LEVEL(BASEMENT)
UNFIT V-10-197(L)(1)

698955 OTHER - REPLACE WINDOWS SASH DETERIORATED
UNFIT V-10-197

698956 REPAIR OR REPLACE SCREENS ON DOORS - AND INSTALL HARDWARE.
UNFIT V-10-197(B)(3)

698958 REPAIR OR REPLACE LOOSE FLOOR COVERING - AT KITCHEN
UNFIT V-10-197(G)(2)

698959 WEATHERSTRIP DOORS -
UNFIT V-10-197(B)(4)

698960 PROVIDE SAFE HANDRAILS TO SERVE EXITS -
UNFIT V-10-197(C)(2)

698964 REPAIR DEFECTIVE SWITCHES AND/OR OUTLETS TO INCLUDE COVERS - FRONT BEDROOM
SWITCH FOR CLOSET LIGHT FIXTURE.
UNFIT V-10-197(F)(1)

698965 OTHER - REMOVE SPACE HEATER IN UNIT.
UNFIT V-10-197

698966 OTHER - REMOVE EXTENTION CORDS IN UNIT.
UNFIT V-10-197

C-1.b. DRAFT

698967 REPAIR SOFFIT AND/OR FACIA - REAR OF UNIT.
UNFIT V-10-197(G)(6)

698968 REPAIR PORCH COLUMNS - AT CARPORT
UNFIT V-10-197(G)(7)

698971 REPAIR OR REPLACE STEPS AT INTERIOR - EXTEND TO TOP OF STAIRS.
UNFIT V-10-197(G)(8)

698972 OTHER - INSTALL HANDRAIL FOR BASEMENT STEPS, EXTERIOR.
UNFIT V-10-197

CD-Plus Report - Code Case Images

CODE CASE NBR IMAGE DATE
2011030253 4/20/2016

IMAGE DESCRIPTION

117 DELLABROOK ROAD



CODE CASE NBR IMAGE DATE
2011030253 4/20/2016

IMAGE DESCRIPTION

117 DELLABROOK ROAD



CODE CASE NBR IMAGE DATE
2011030253 4/20/2016

IMAGE DESCRIPTION

117 DELLABROOK ROAD



C-1.b. DRAFT

CODE CASE NBR IMAGE DATE
2011030253 4/20/2016

IMAGE DESCRIPTION
117 DELLABROOK ROAD



CODE CASE NBR IMAGE DATE
2011030253 4/20/2016

IMAGE DESCRIPTION
117 DELLABROOK ROAD



YOUR TRIP TO:



117 Dellabrook Rd, Winston Salem, NC 27105-6822

7 MIN | 2.5 MI

Trip time based on traffic conditions as of 10:20 AM on April 27, 2016. Current Traffic: Moderate



1. Start out going **east** on E 1st St toward S Chestnut St.

Then 0.07 miles 0.07 total mile



2. Take the 1st **left** onto N Chestnut St.

Then 0.21 miles 0.28 total mile



3. Take the 1st **right** onto E 3rd St.

Then 0.06 miles 0.34 total mile



4. Take the 1st **left** onto Patterson Ave.

Then 0.51 miles 0.85 total mile



5. Turn **right** onto N Liberty St.

Then 0.68 miles 1.53 total mile



6. Turn **right** onto E 14th St.

Then 0.72 miles 2.25 total mile



7. Turn **left** onto Dellabrook Rd.

Then 0.23 miles 2.48 total mile



8. Turn **slight right** to stay on Dellabrook Rd.

Then 0.03 miles 2.50 total mile



9. 117 DELLABROOK RD is on the **right**.

Use of directions and maps is subject to our [Terms of Use](#). We don't guarantee accuracy, route conditions or usability. You assume all risk of use.

C-1.b. DRAFT

CODE ENFORCEMENT PURSUANT TO SEC. 10-203(f)(1) OF THE HOUSING CODE

CASE SUMMARY - HOUSING FILE NO. 2015052100

PROPERTY ADDRESS 210 WAKE DR

TAX BLOCK 3481 LOT(s) 018

WARD NORTHWEST

PROPERTY OWNER(s) WALTER R NELSON

LIS PENDENS 15M1506 FILED 10/12/2015

DUE PROCESS

1. The current **Complaint and Notice of Hearing** was issued 06/05/2015 and service was obtained by certified mail regular post hand delivery___, and publication on 06/11/2015. The Hearing was held on 7/6/2015 and the owner/agent appeared and/or contacted the Community and Business Development Department regarding the complaint yes___ no .
2. The **Finding and Order** was issued on 8/11/2015 and service was obtained by certified regular post hand delivery___, and publication on 08/20/2015. The Order directed the owner to **vacate and close or repair** the dwelling within 30 days from receipt. Time for compliance expired on 09/20/2015. The dwelling was found vacated and closed on 11/13/2015.
3. The dwelling became eligible for demolition under the six (6) month rule on 05/13/2016.
4. The notification letter was sent 04/21/2016 advising the owner that the **Community Development/Housing/General Government Committee** of the City Council would be considering demolition of this dwelling at their meeting on 05/10/2016. The notice further advised that if they intended to request an extension of time, they should present evidence of their intent to the Community and Business Development Director prior to the Committee meeting. Director was contacted yes___ no .

COMMENTS (if any)

COUNCIL CONSIDERATION

The estimated cost to make repairs to needed to render this dwelling fit for human habitation is **less than fifty percent (<50%)** of the present value of the dwelling.

Estimated cost to repair \$3,850.00 Fair market value \$45,539.00
Based on the above information it is recommended that an Ordinance be adopted to cause this dwelling to be **repaired or demolished and removed within ninety (90) days. This structure can be repaired under In Rem provisions of the Minimum Housing Code with City Council approval.**

CODE DEFICIENCIES - EXHIBIT A

CASE NO: 2015052100

**NEIGHBORHOOD CONSERVATION OFFICER:
QUIVETTE POWELL - (336)734-1277**

210 WAKE DR

**VIOL NBR VIOLATION DESCRIPTION
STATUS/ORDINANCE**

828405 REPAIR DOOR - BACK DOOR @ GARAGE
MINOR V-10-197(A)(15)

828406 OTHER - PLANTS/VEGETATION GROWING FROM ROOF
MINOR V-10-197

828407 PROVIDE ADEQUATE SERVICE EQUIPMENT AND LIGHTING PANEL - REPAIR/REPLACE
PANEL COVER
UNFIT V-10-197(F)(10)

828412 OTHER - REPAIR/REPLACE CAPS FOR WELLS (OPEN WELLS IN BACK)
UNFIT HAZARDOUS V-10-197

CD-Plus Report - Code Case Images

CODE CASE NBR IMAGE DATE
2015052100 5/27/2015

IMAGE DESCRIPTION

210 WAKE DRIVE



CODE CASE NBR IMAGE DATE
2015052100 5/27/2015

IMAGE DESCRIPTION

210 WAKE DRIVE



CODE CASE NBR IMAGE DATE
2015052100 5/27/2015

IMAGE DESCRIPTION

DESCRIPTION FOR DSC03746.JPG



C-1.c. DRAFT

CODE CASE NBR IMAGE DATE
2015052100 4/21/2016

IMAGE DESCRIPTION
210 WAKE DRIVE



CODE CASE NBR IMAGE DATE
2015052100 4/21/2016

IMAGE DESCRIPTION
210 WAKE DRIVE



CODE CASE NBR IMAGE DATE
2015052100 4/21/2016

IMAGE DESCRIPTION
210 WAKE DRIVE



CODE CASE NBR IMAGE DATE
2015052100 4/21/2016

IMAGE DESCRIPTION
210 WAKE DRIVE



CODE CASE NBR IMAGE DATE
2015052100 4/21/2016

IMAGE DESCRIPTION
210 WAKE DRIVE



CODE CASE NBR IMAGE DATE
2015052100 4/21/2016

IMAGE DESCRIPTION



C-1.c. DRAFT

CODE CASE NBR IMAGE DATE
2015052100

IMAGE DESCRIPTION



CODE CASE NBR IMAGE DATE
2015052100

IMAGE DESCRIPTION

YOUR TRIP TO:



210 Wake Dr, Winston Salem, NC 27106

14 MIN | 5.3 MI

Trip time based on traffic conditions as of 11:14 AM on April 27, 2016. Current Traffic: Heavy

- 

1. Start out going **west** on E 1st St toward N Church St.
 ----- Then 0.05 miles ----- 0.05 total mile
- 

2. Turn **right** onto N Main St.
 ----- Then 0.36 miles ----- 0.41 total mile
- 

3. Turn **left** onto W 5th St.
 ----- Then 0.17 miles ----- 0.58 total mile
- 

4. Turn **right** onto N Cherry St.
 ----- Then 0.64 miles ----- 1.22 total mile
- 

5. N Cherry St becomes University Pkwy.
 ----- Then 2.50 miles ----- 3.72 total mile
- 

6. Turn **slight right** onto ramp.
 ----- Then 0.13 miles ----- 3.85 total mile
- 

7. Turn **left** onto Polo Rd.
 ----- Then 1.32 miles ----- 5.17 total mile
- 

8. Turn **slight right** onto Wake Dr.
 ----- Then 0.11 miles ----- 5.29 total mile
- 

9. 210 WAKE DR is on the **left**.

Use of directions and maps is subject to our [Terms of Use](#). We don't guarantee accuracy, route conditions or usability. You assume all risk of use.

C-1.c. DRAFT

CODE ENFORCEMENT PURSUANT TO SEC. 10-203(f)(1) OF THE HOUSING CODE

CASE SUMMARY - HOUSING FILE NO. 2014052605
PROPERTY ADDRESS 1206 TWENTY-THIRD ST
TAX BLOCK 0330 **LOT(s)** 138
WARD NORTHEAST
PROPERTY OWNER(s) RMBM INC
LIS PENDENS 16m33 FILED 1/6/2016

DUE PROCESS

1. The current **Complaint and Notice of Hearing** was issued 6/11/2015 and service was obtained by certified mail regular post hand delivery___, and publication___ on 6/16/2015. The Hearing was held on 7/1/2015 and the owner/agent appeared and/or contacted the Community and Business Development Department regarding the complaint yes___ no .
2. The **Finding and Order** was issued on 10/21/2015 and service was obtained by certified regular post hand delivery___, and publication ___ on 10/29/2015. The Order directed the owner to **vacate and close or repair** the dwelling within **30** days from receipt. Time for compliance expired on 11/29/2015. The dwelling was found vacated and closed on 11/29/2015.
3. The dwelling became eligible for demolition under the six (6) month rule on 4/20/2015.
4. The notification letter was sent 4/25/2016 advising the owner that the **Community Development/Housing/General Government Committee** of the City Council would be considering demolition of this dwelling at their meeting on 5/10/2016. The notice further advised that if they intended to request an extension of time, they should present evidence of their intent to the Community and Business Development Director prior to the Committee meeting. Director was contacted yes___ no .

COMMENTS (if any)

COUNCIL CONSIDERATION

The estimated cost to make repairs to needed to render this dwelling fit for human habitation is **less than fifty percent (<50%)** of the present value of the dwelling.

Estimated cost to repair \$6,062 Fair market value \$19,662
 Based on the above information it is recommended that an Ordinance be adopted to cause this dwelling to be **repaired or demolished and removed within ninety (90) days. This structure can be repaired under In Rem provisions of the Minimum Housing Code with City Council approval.**

CODE DEFICIENCIES - EXHIBIT A

CASE NO: 2014052605

NEIGHBORHOOD CONSERVATION OFFICER:
SHAWN HELM - (336)734-1271

1206 TWENTY-THIRD ST

VIOL NBR VIOLATION DESCRIPTION
STATUS/ORDINANCE803791 REPLACE BROKEN WINDOW PANES - FRONT BLD.
MINOR V-10-197(B)(4)803786 REPAIR OR REPLACE SCREENS ON DOORS -
UNFIT V-10-197(B)(3)803787 REPAIR OR REPLACE SCREENS ON WINDOWS -
UNFIT V-10-197(B)(3)803788 WEATHERSTRIP DOORS -
UNFIT V-10-197(B)(4)803789 REPAIR WINDOW LOCKS -
UNFIT V-10-197(B)(4)803790 OTHER - REPAIR OR REPLACE WINDOWS MUST BE OPERABLE
UNFIT V-10-197803793 REPAIR DEFECTIVE FLOORING - REPAIR OR REPLACE FLOORING KITCHEN BY WASHER
UNFIT V-10-197(G)(2)803794 OTHER - ---PROVIDE HANDLE FOR SHUT OFF ON WATER TO WASHER---
UNFIT V-10-197803795 REPAIR FURNACE -
UNFIT V-10-197(E)(2)803797 REPAIR LOCKSETS - ---EXTERIOR DOORS---
UNFIT V-10-197(B)(4)803798 RESEAT COMMODE - LEAKING AT BASE
UNFIT V-10-197(D)(10)803799 REPAIR KITCHEN SINK, FIXTURES AND/OR DRAIN - ---DRAIN LEAKING UNDER KITCHEN
SINK---
UNFIT V-10-197(D)(10)803800 REPAIR LAVATORY AND/OR FIXTURES - REPAIR LEAK DRAIN UNDER BATHROOM SINK
UNFIT V-10-197(D)(10)803801 REPLACE LOOSE WALL AND CEILING MATERIALS - ---REPAIR OR REPLACE KITCHEN
CEILING TILES---
UNFIT V-10-197(G)(4)803802 REPAIR DOOR - ---REMOVE 2/4S LOCKING KITCHEN DOOR---
UNFIT V-10-197(A)(15)

CD-Plus Report - Code Case Images

CODE CASE NBR IMAGE DATE
2014052605 2/5/2016

IMAGE DESCRIPTION

1206 23rd Street



CODE CASE NBR IMAGE DATE
2014052605 4/27/2016

IMAGE DESCRIPTION

1206 23rd Street



CODE CASE NBR IMAGE DATE
2014052605 4/27/2016

IMAGE DESCRIPTION

1206 23rd Street



Map & Directions | Map Only | Directions Only | [Print](#)

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Ad



- A** 100 E 1st St, Winston-Salem, NC 27101-4037
- B** 1206 E 23rd St, Winston-Salem, NC 27105-5408

Enter notes here

255

Total Distance: 3.47 mi— Total Time: 7 mins

A 100 E 1st St, Winston-Salem, NC 27101-4037	Expand All
Head toward N Church St on E 1st St	Go for 45 ft Hide
Turn left onto S Church St	Go for 0.2 mi Hide
Turn right onto Cemetery St	Go for 229 ft Hide
Turn right onto S Main St SE	Go for 141 ft Hide
Take ramp onto I-40-BR E	Go for 0.6 mi Hide
Take exit 6B toward NC-8 N/Mount Airy/Smith Reynolds Airport onto US-52 N/US-311 N (John M Gold Fwy)	Go for 0.9 mi Hide
Continue on US-52 (John M Gold Fwy)	Go for 1.4 mi Hide
Take exit 111A toward 28th St	Go for 0.1 mi Hide
Turn right onto N Cleveland Ave	Go for 0.2 mi Hide
Turn left onto E 23rd St	Go for 78 ft Hide
Arrive at E 23rd St. Your destination is on the right.	Hide
B 1206 E 23rd St, Winston-Salem, NC 27105-5408	Expand All

When using any driving directions or map, it is a good idea to double check and make sure the road still exists, watch out for construction, and follow all traffic safety precautions. This is only to be used as an aid in planning

CODE ENFORCEMENT PURSUANT TO SEC. 10-203(f)(1) OF THE HOUSING CODE

CASE SUMMARY - HOUSING FILE NO. 2015051036
PROPERTY ADDRESS 2703 GLENHAVEN (ON VILLAGE TRAIL) LN
TAX BLOCK 3566 **LOT(s)** 020
WARD NORTH
PROPERTY OWNER(s) VICKI L STENNIS
LIS PENDENS 15m1512 FILED 10/12/2015

DUE PROCESS

1. The current **Complaint and Notice of Hearing** was issued 5/18/2015 and service was obtained by certified mail regular post hand delivery___, and publication___ on 5/20/2015. The Hearing was held on 6/17/2015 and the owner/agent appeared and/or contacted the Community and Business Development Department regarding the complaint yes___ no .
2. The **Finding and Order** was issued on 8/25/2015 and service was obtained by certified regular post hand delivery___, and publication ___ on 8/29/2015. The Order directed the owner to **vacate and close or repair** the dwelling within **30** days from receipt. Time for compliance expired on 9/29/2015. The dwelling was found vacated and closed on 9/29/2015.
3. The dwelling became eligible for demolition under the six (6) month rule on 3/25/2015.
4. The notification letter was sent 4/25/2016 advising the owner that the **Community Development/Housing/General Government Committee** of the City Council would be considering demolition of this dwelling at their meeting on 5/10/2016. The notice further advised that if they intended to request an extension of time, they should present evidence of their intent to the Community and Business Development Director prior to the Committee meeting. Director was contacted yes___ no .

COMMENTS (if any)

COUNCIL CONSIDERATION

The estimated cost to make repairs to needed to render this dwelling fit for human habitation is **less than fifty percent (<50%)** of the present value of the dwelling.

Estimated cost to repair \$12,712 Fair market value \$81,550
 Based on the above information it is recommended that an Ordinance be adopted to cause this dwelling to be **repaired or demolished and removed within ninety (90) days. This structure can be repaired under In Rem provisions of the Minimum Housing Code with City Council approval.**

CODE DEFICIENCIES - EXHIBIT A

CASE NO: 2015051036

NEIGHBORHOOD CONSERVATION OFFICER:
OLA BROWN - (336)734-1260

2703 GLENHAVEN (ON VILLAGE TRAIL) LN

VIOL NBR VIOLATION DESCRIPTION
STATUS/ORDINANCE

827173 MAINTAIN FLOORS, WALLS - FIXTURES IN CLEAN AND SANITARY CONDITION - WATER DAMAGE THROUGHOUT - RESIDUE (APPEARING TO BE MOLD AND MILDEW) OFFENSIVE ODOR (WALLS INCLUDING SUPPORTING MEMBERS, OUTSIDE AND BEHIND SHEET ROCK); CEILINGS, BASE BOARDS, CABINETS, SHELVES, ETC.

UNFIT V-10-197(H)(4)

827182 REPAIR HOLES IN WALLS AND CEILINGS - WATER DAMAGE THROUGHOUT (BEDROOMS, MASTER BATHROOM, KITCHEN, LIBRARY, STUDY, HALL, ETC.)

UNFIT V-10-197(G)(4)

827183 REPAIR PLUMBING LEAK IN BATH - MASTER BATHROOM SINK

UNFIT V-10-197(D)(15)

827592 REPAIR DEFECTIVE FLOORING - WATER DAMAGED (BATHROOMS, BEDROOMS, STUDY, LIBRARY, KITCHEN, HALL, ETC.)

UNFIT V-10-197(G)(2)

827593 REPAIR OR REPLACE LOOSE FLOOR COVERING - WATER DAMAGED (BATHROOMS, BEDROOMS, HALL, KITCHEN, STUDY, LIBRARY, ETC.)

UNFIT V-10-197(G)(2)

827594 PROVIDE OPERABLE SMOKE DETECTOR - MAKE OPERABLE AT EACH BEDROOM AND OUTSIDE SLEEPING AREA

UNFIT V-10-197(L)(1)

827595 REPLACE LOOSE WALL AND CEILING MATERIALS - BATHTUB WALL AT COMMON (HALL) BATH - DISPLACED TILE; CEILING AT HALL

UNFIT V-10-197(G)(4)

827596 SECURE COMMODORE TO FLOOR - COMMON (HALL) BATH

UNFIT V-10-197(D)(4)

827597 REPAIR DEFECTIVE SWITCHES AND/OR OUTLETS TO INCLUDE COVERS - NO GFI AT KITCHEN COUNTER TOP; EXISTING TWO-PRONG PLUGS READING OPEN GROUND

UNFIT V-10-197(F)(1)

827598 REPAIR KITCHEN CABINETS - WATER DAMAGED (COVERED WITH RESIDUE INSIDE AND OUT)

UNFIT V-10-197(A)(16)

827599 REPAIR KITCHEN SINK, FIXTURES AND/OR DRAIN - INOPERABLE GARBAGE DISPOSAL

UNFIT V-10-197(D)(10)

827601 PROVIDE R-19 CEILING INSULATION - ABOVE DROPPED CEILING

UNFIT V-10-197(I)

827603 REPAIR HOLES IN WALLS AND CEILINGS - DROPPED CEILING DOWNSTAIRS (WATER DAMAGED AND DISPLACED)

C-1.e. DRAFT

UNFIT V-10-197(G)(4)

827604 REPAIR LAVATORY AND/OR FIXTURES - DAMAGED BATHROOM VANITY AT MASTER
BEDROOM

UNFIT V-10-197(D)(10)

827605 REPLACE BROKEN WINDOW PANES -

UNFIT V-10-197(B)(4)

CODE CASE NBR IMAGE DATE
2015051036 5/18/2015

IMAGE DESCRIPTION
2703 Glenhaven Lane



CODE CASE NBR IMAGE DATE
2015051036 5/18/2015

IMAGE DESCRIPTION
2703 Glenhaven Lane



CODE CASE NBR IMAGE DATE
2015051036 4/27/2016

IMAGE DESCRIPTION
2703 Glenhaven Lane



C-1.e. DRAFT

CODE CASE NBR IMAGE DATE
2015051036 4/27/2016

IMAGE DESCRIPTION
2703 Glenhaven Lane



CODE CASE NBR IMAGE DATE
2015051036 4/27/2016

IMAGE DESCRIPTION



CODE CASE NBR IMAGE DATE
2015051036 4/27/2016

IMAGE DESCRIPTION
2703 Glenhaven Lane



CODE CASE NBR IMAGE DATE
2015051036 4/27/2016

IMAGE DESCRIPTION

2703 Glenhaven Lane



CODE CASE NBR IMAGE DATE
2015051036 4/27/2016

IMAGE DESCRIPTION



Map & Directions

Map Only

Directions Only

Print

B [Winston-Salem Hotels NC](#) [booking.com/Winston-Salem-Hotels](#) Need to Find a Hotel Deal Fast? Save on your Stay in Winston-Salem! Ad



- A 100 E 1st St, Winston-Salem, NC 27101-4037
- B 2703 Glenhaven Ln, Winston-Salem, NC 27106-2318

Enter notes here

255

Total Distance: 7.29 mi— Total Time: 20 mins

A	100 E 1st St, Winston-Salem, NC 27101-4037	Expand All
	Head toward N Church St on E 1st St	Go for 288 ft Hide
	Turn right onto N Main St	Go for 0.6 mi Hide
	Continue on N Liberty St	Go for 275 ft Hide
	Turn left onto N Martin Luther King Jr Dr	Go for 416 ft Hide
	Continue on W 8th St	Go for 0.1 mi Hide
	Turn right onto N Cherry St	Go for 0.2 mi Hide
	Continue on N Marshall St	Go for 291 ft Hide
	Continue on University Pkwy	Go for 1.8 mi Hide
	Keep left onto University Pkwy	Go for 2.3 mi Hide
	Turn left onto Bethabara Park Blvd	Go for 1.4 mi Hide
	Turn right onto Bethabara Rd	Go for 0.3 mi Hide
	Turn left onto Village Trl	Go for 0.2 mi Hide
	Arrive at Village Trl. Your destination is on the left.	Hide
B	2703 Glenhaven Ln, Winston-Salem, NC 27106-2318	Expand All

When using any driving directions or map, it is a good idea to double check and make sure the road still exists, watch out for construction, and follow all traffic safety precautions. This is only to be used as an aid in planning

CODE ENFORCEMENT PURSUANT TO SEC. 10-203(f)(1) OF THE HOUSING CODE

CASE SUMMARY - HOUSING FILE NO. 2011040184
PROPERTY ADDRESS 3037 COLGATE DR
TAX BLOCK 2938 **LOT(s)** 285
WARD NORTHEAST
PROPERTY OWNER(s) GWENDOLYN A. THOMPSON
LIS PENDENS 11m2575 FILED 8/31/2011

DUE PROCESS

1. The current **Complaint and Notice of Hearing** was issued 5/20/2011 and service was obtained by certified mail regular post hand delivery___, and publication___ on 6/30/2011. The Hearing was held on 6/20/2011 and the owner/agent appeared and/or contacted the Community and Business Development Department regarding the complaint yes___ no .
2. The **Finding and Order** was issued on 7/19/2011 and service was obtained by certified regular post hand delivery___, and publication ___ on 7/29/2011. The Order directed the owner to **vacate and close or repair** the dwelling within **30** days from receipt. Time for compliance expired on 8/29/2011. The dwelling was found vacated and closed on 9/26/2011.
3. The dwelling became eligible for demolition under the six (6) month rule on 3/26/2012.
4. The notification letter was sent 5/10/2016 advising the owner that the **Community Development/Housing/General Government Committee** of the City Council would be considering demolition of this dwelling at their meeting on 5/16/2016. The notice further advised that if they intended to request an extension of time, they should present evidence of their intent to the Community and Business Development Director prior to the Committee meeting. Director was contacted yes___ no .

COMMENTS (if any)

COUNCIL CONSIDERATION

The estimated cost to make repairs to needed to render this dwelling fit for human habitation is **less than fifty percent (<50%)** of the present value of the dwelling.

Estimated cost to repair \$4,502 Fair market value \$55,450
 Based on the above information it is recommended that an Ordinance be adopted to cause this dwelling to be **repaired or demolished and removed within ninety (90) days. This structure can be repaired under In Rem provisions of the Minimum Housing Code with City Council approval.**

CODE DEFICIENCIES - EXHIBIT A

CASE NO: 2011040184

**NEIGHBORHOOD CONSERVATION OFFICER:
SHAWN HELM - (336)734-1271**

3037 COLGATE DR

**VIOL NBR VIOLATION DESCRIPTION
STATUS/ORDINANCE**

701676 REPAIR OR REPLACE SCREENS ON WINDOWS -
MINOR V-10-197(B)(3)

701675 REGLAZE WINDOWS -
UNFIT V-10-197(B)(4)

701677 REPAIR OR REPLACE ROOF COVERING -
UNFIT V-10-197(G)(6)

CD-Plus Report - Code Case Images

CODE CASE NBR IMAGE DATE
2011040184 1/13/2016

IMAGE DESCRIPTION
3037 Colgate Drive



CODE CASE NBR IMAGE DATE
2011040184 4/18/2016

IMAGE DESCRIPTION
3037 Colgate Drive



Map & Directions

Map Only

Directions Only

Print

[Winston Salem, NC Hotels](http://www.Orbitz.com/WinstonSalem) www.Orbitz.com/WinstonSalem Find Hotels in Winston Salem, NC. Official Site on the Long Weekend.

Ad



- A** 100 E 1st St, Winston-Salem, NC 27101-4037
- B** 3037 Colgate Dr, Winston-Salem, NC 27105-4014

Enter notes here

255

Total Distance: 4.76 mi— Total Time: 14 mins

A 100 E 1st St, Winston-Salem, NC 27101-4037	Expand All
Head toward S Chestnut St on E 1st St	Go for 305 ft Hide
Turn left onto N Chestnut St	Go for 0.3 mi Hide
Turn right onto E 4th St	Go for 0.4 mi Hide
Turn left onto Metropolitan Dr NE	Go for 377 ft Hide
Turn right onto E 5th St	Go for 0.4 mi Hide
Turn left onto N Martin Luther King Jr Dr	Go for 0.1 mi Hide
Turn right onto New Walkertown Rd (US-311)	Go for 2.1 mi Hide
Turn left onto Carver School Rd	Go for 1.1 mi Hide
Turn left onto Airport Rd	Go for 0.2 mi Hide
Turn left onto Sawyer Dr	Go for 354 ft Hide
Turn right onto Colgate Dr	Go for 282 ft Hide
Arrive at Colgate Dr. Your destination is on the right.	Hide
B 3037 Colgate Dr, Winston-Salem, NC 27105-4014	Expand All

When using any driving directions or map, it is a good idea to double check and make sure the road still exists, watch out for construction, and follow all traffic safety precautions. This is only to be used as an aid in planning

CODE ENFORCEMENT PURSUANT TO SEC. 10-203(f)(1) OF THE HOUSING CODE

CASE SUMMARY - HOUSING FILE NO. 2011080909
PROPERTY ADDRESS 1695 ASHLEY SCHOOL CR
TAX BLOCK 1471 **LOT(s)** 278
WARD NORTHEAST
PROPERTY OWNER(s) DARRYL W CHERRY TAMMY J CHERRY
LIS PENDENS 12m36 FILED 1/11/2012

DUE PROCESS

1. The current **Complaint and Notice of Hearing** was issued 9/16/2011 and service was obtained by certified mail regular post hand delivery___, and publication___ on 10/17/2011. The Hearing was held on 1/19/2012 and the owner/agent appeared and/or contacted the Community and Business Development Department regarding the complaint yes___ no .
2. The **Finding and Order** was issued on 12/21/2011 and service was obtained by certified regular post hand delivery___, and publication ___ on 12/31/2011. The Order directed the owner to **vacate and close or repair** the dwelling within **30** days from receipt. Time for compliance expired on 1/31/2012. The dwelling was found vacated and closed on 3/16/2012.
3. The dwelling became eligible for demolition under the six (6) month rule on 9/16/2012.
4. The notification letter was sent 4/19/2016 advising the owner that the **Community Development/Housing/General Government Committee** of the City Council would be considering demolition of this dwelling at their meeting on 5/10/2016. The notice further advised that if they intended to request an extension of time, they should present evidence of their intent to the Community and Business Development Director prior to the Committee meeting. Director was contacted yes___ no .

COMMENTS (if any)

COUNCIL CONSIDERATION

The estimated cost to make repairs to needed to render this dwelling fit for human habitation is **less than fifty percent (<50%)** of the present value of the dwelling.

Estimated cost to repair \$5,678 Fair market value \$19,060
 Based on the above information it is recommended that an Ordinance be adopted to cause this dwelling to be **repaired or demolished and removed within ninety (90) days. This structure can be repaired under In Rem provisions of the Minimum Housing Code with City Council approval.**

CODE DEFICIENCIES - EXHIBIT A

CASE NO: 2011080909

**NEIGHBORHOOD CONSERVATION OFFICER:
SHAWN HELM - (336)734-1271**

1695 ASHLEY SCHOOL CR

**VIOL NBR VIOLATION DESCRIPTION
 STATUS/ORDINANCE**

715978 REPAIR SOFFIT AND/OR FACIA -
MINOR V-10-197(G)(6)

715982 REPAIR, REPLACE OR REMOVE GUTTERS AND DOWNSPOUTS - REPAIR ND CLEAN OUT
MINOR V-10-197(G)(6)

715986 PAINT OR TREAT EXTERIOR WOOD WITH PROTECTIVE COATING - TRIM, WINDOW FRAMES
MINOR V-10-197(G)(3)

715984 REPLACE BROKEN WINDOW PANES -
UNFIT V-10-197(B)(4)

715985 REGLAZE WINDOWS -
UNFIT V-10-197(B)(4)

715987 INSTALL HANDRAIL AT REAR STEPS -
UNFIT V-10-197(G)(8)

CD-Plus Report - Code Case Images

CODE CASE NBR IMAGE DATE
2011080909 1/14/2016

IMAGE DESCRIPTION

DESCRIPTION FOR DSC00120.JPG



YOUR TRIP TO:



1695 Ashley School Cir, Winston Salem, NC 27105

8 MIN | 2.7 MI

Trip time based on traffic conditions as of 3:56 PM on April 26, 2016. Current Traffic: Moderate

- 

1. Start out going east on E 1st St toward S Chestnut St.

Then 0.07 miles 0.07 total mile
- 

2. Take the 1st left onto N Chestnut St.

If you reach Patterson Ave you've gone a little too far.

Then 0.21 miles 0.28 total mile
- 

3. Take the 1st right onto E 3rd St.

E 3rd St is 0.1 miles past E 2nd St.

If you reach E 4th St you've gone a little too far.

Then 0.06 miles 0.34 total mile
- 

4. Take the 1st left onto Patterson Ave.

If you reach Linden St you've gone about 0.1 miles too far.

Then 0.51 miles 0.85 total mile
- 

5. Turn right onto N Liberty St.

N Liberty St is just past N Martin Luther King Jr Dr.

If you reach E 9th St you've gone a little too far.

Then 0.68 miles 1.53 total mile
- 

6. Turn right onto E 14th St.

E 14th St is just past Old Northwest Blvd.

If you reach E 15th St you've gone a little too far.

Then 0.52 miles 2.04 total mile
- 

7. Turn left onto N Jackson Ave.

If you are on E 14th St and reach Hattie Ave you've gone a little too far.

Then 0.30 miles 2.34 total mile
- 

8. Take the 2nd right onto Bethlehem Ln.

Bethlehem Ln is just past Hattie Ave.

If you reach 20th St you've gone a little too far.

Then 0.13 miles 2.47 total mile
- 

9. Bethlehem Ln becomes Ashley School Cir.

Then 0.22 miles 2.69 total mile
- 

10. 1695 ASHLEY SCHOOL CIR.

If you reach N Jackson Ave you've gone a little too far.

City Council – Action Request Form

Date: April 27, 2016

To: The City Manager

From: D. Ritchie Brooks, Community and Business Development

Council Action Requested:
 The adoption of an Ordinance ordering the Community and Business Development of the City of Winston-Salem to demolish structures unfit for human habitation and, otherwise to effectuate the purpose of Chapter 10, Article V, of the Winston-Salem City Code.

Summary of Information:
 The structure units listed below have been condemned under the provision of the Housing Code. All required notices have been served and the time granted for compliance in each case has expired. The owner(s) has not complied with the Order to repair or demolish the structure unit.

STRUCTURE UNITS WITH REPAIRS MORE THAN FIFTY PERCENT OF VALUE OF STRUCTURE (>50%) SIX MONTHS

Owner	Property Location	Block & Lot(s)
Salem View Property Management LLC	4309 Erie Drive	3471, 074B
Maria Rita Carretero	117 N. Dunleith Avenue	0533, 046
James Benjamin, heirs	1318 N. Jackson Avenue	0416, 020
Jose Martin Doroteo Cruz & Maciel Banos	421 Barbara Jane Avenue	0828, 026
Taryton Lopez Thacker	1012 Goldfloss Street	0753, 105
Marie Cole & Nathan Littlejohn	1220 N. Jackson Avenue	0416, 042A
Carnella Gay Dunlap	1538 E. 22 nd Street	1475, 104
Mabe Atkins & Rydman Inc.	5705 Robin Wood Lane	2034, 027E
Next Property LLC	942 New Hope Lane	0306, 018L
Kevin S. Wolfe	3703 Maverick St. (accy. Bldg..)	2089, 037
Silverleaf Properties LLC	2126 School Street	3016, 005A7

Committee Action:

Committee	_____	Action	_____
For	_____	Against	_____

Remarks: _____



Memorandum

TO: Candace Dobson
FROM: Michelle M. McCullough
DATE: April 28, 2016
SUBJECT: Demolitions for May 16, 2016
 Community Development/Housing/General Government Committee Meeting

Bryce A. Stuart Municipal Building
 100 E. First Street
 P.O. Box 2511
 Winston-Salem, NC 27102
 CityLink 311 (336-727-8000)
 Fax 336-748-3163

Historic Resources staff has reviewed the following properties that are scheduled to go before the Community Development/Housing/General Government Committee on May 16, 2016 for demolition consideration:

- 3037 Colgate Drive
- 1538 E. 22nd Street
- 2516 Ansonia Street
- 5705 Robin Wood Lane
- 2126 School Street
- 4309 Erie Drive
- 117 N. Dunleith Avenue
- 1451 Addison Avenue
- 1318 N. Jackson Avenue
- 117 Dellabrook Road
- 421 Barbara Jane Avenue
- 1012 Goldfloss Street
- 1220 N. Jackson Avenue
- 2703 Glenhaven Ln
- 1206 23rd St.
- 942 New Hope Ln
- 3703 Maverick St. Accy
- 1695 Ashley School Circle

While it appears that most of the properties were built prior to 1966, only one is located within a National Register Historic Districts, 1012 Goldfloss Street. This structure is a contributing property in the Waughtown/Belview National Register Historic District. This district was approved in 2005.

Historic Resources staff has concerns about the loss of structures in the Waughtown/Belview Historic District; therefore, I have sent notice to Preserve Forsyth, the local Historic Preservation non-profit organization to advise them of this loss. Their mission is to promote, protect, and advocate for Historic Resources in Forsyth County.

If demolition for this structure is approved, Historic Resources staff would like to request that the Community and Business Development Department have the structure professionally photo-documented, submitting the photos to the Forsyth County Historic Resources Commission and any architectural elements be salvaged from the house prior to demolition.

None of the buildings are designated a Local Historic Landmark or located within designated local historic districts. Therefore, Historic Resources staff has no other special requests at this time.

cc Ritchie Brooks, Director, Community and Business Development
 Preserve Forsyth

**ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF A STRUCTURE
PURSUANT TO CHAPTER 10, ARTICLE V, SECTION 10-203((f)(2) OF THE CODE OF
THE CITY OF WINSTON-SALEM**

WHEREAS, the Community and Business Development Department, after due notice and hearing, determined that the property hereinafter described in Exhibit (s) was unfit for human habitation; and

WHEREAS, either the Mayor and City Council adopted an ordinance or the Housing Conservation Administrator issued a repair or vacate and close order; and

WHEREAS, the repairs necessary to render the structure fit for human habitation would exceed more than fifty percent (>50%) of the present value of the structure; and

WHEREAS, the owner of the property herein described in Exhibit(s) vacated and closed said structure and kept it vacated and closed for a period of six months pursuant to said Order; and

WHEREAS, the Mayor and City Council hereby finds that:

- (1) Six months has passed since the structure was vacated and closed pursuant to the previous order.
- (2) The property owner has abandoned the intent and purpose to repair, alter or improve the dwelling in said order to render it fit for human habitation.
- (3) The continuation of said structure in its vacated status will be inimical to health, safety, morals and welfare of the City in that the dwelling will continue to deteriorate, will create a fire and safety hazard, will be a threat to children and vagrants, will attract persons intent on criminal activities, will cause or contribute to blight and the deterioration of the property values in the area and will render unavailable property and dwelling which may otherwise have been available to

ease the persistent shortage of decent and affordable housing in this State and City.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Winston-Salem, as follows:

Section 1. The owner(s) of the property herein described in Exhibit(s) is hereby ordered to demolish and remove said property within ninety days.

Section 2. In the event the owner(s) fails to comply with this order of the Mayor and City Council within the prescribed time period, the Community and Business Development Department of the City of Winston-Salem is hereby ordered and authorized to effectuate the purpose of the Housing Code of the City of Winston-Salem (Chapter 10, Article V of the Code of the City of Winston-Salem) with respect to the property herein described by causing said dwelling be demolished and removed.

Section 3. The property to which this ordinance applies is known and described as set out in Exhibit(s) attached hereto and incorporated herein by reference.

Section 4. This ordinance shall become effective upon its adoption, and a copy hereof, certified by the Secretary of the City of Winston-Salem, shall be recorded in the office of the Register of Deeds of Forsyth County, North Carolina, and shall be indexed in the name of the property owner(s) in the grantors index, as provided by law.

INSTRUMENT DRAWN BY:

CITY ATTORNEY

**CODE ENFORCEMENT PURSUANT TO SEC. 10-203(f)(2) OF THE HOUSING
CODE**

CASE SUMMARY - HOUSING FILE NO. 2014052744
PROPERTY ADDRESS 4309 ERIE DR
TAX BLOCK 3471 **LOT(s)** 074B
WARD NORTHWEST
PROPERTY OWNER(s) SALEM VIEW PROPERTY MANAGEMENT LLC
LIS PENDENS 14M2131 **FILED** 12/11/2014

DUE PROCESS

1. The current Complaint and Notice of Hearing was issued 06/23/2014 and service was obtained by certified mail regular post hand delivery ___ publication ___ on 06/30/2014. The hearing was held on 7/23/2014 and the owner/agent appeared and/or contacted the Community and Business Development Department regarding the complaint yes ___ no x.
2. The **Finding and Order** was issued on 11/11/2014 and service was obtained by certified mail regular post hand delivery ___ publication ___ on 11/21/2014. The **Order** directed the owner to **vacate and close or repair** the dwelling with **30** days from receipt. Time for compliance expired on 12/21/2014. The dwelling was found vacated and closed on 03/27/2015.
3. The dwelling became eligible for demolition under the six (6) month rule on 09/27/2015.
4. The notification letter was sent 04/19/2016 advising the owner that the **Community and Development/Housing/General Government Committee** of the City Council would be considering demolition of this dwelling at their meeting on 05/10/2016. The notice further advised that if they intended to request an extension of time, they should present evidence of their intent to the Community and Business Development Director prior to the Committee meeting. Director was contacted yes ___ no x.

COMMENTS:

COUNCIL CONSIDERATION

The estimated cost to make repairs needed to render this dwelling fit for human habitation is **more than fifty percent (>50%)** of the present value of the dwelling.

Estimated cost to repair \$16,454.00 Fair market value \$5,724.00

Based on the above information it is recommended that an Ordinance be adopted to cause this dwelling to be **demolished and removed within ninety (90) days.**

CODE DEFICIENCIES - EXHIBIT A

CASE NO: 2014052744

NEIGHBORHOOD CONSERVATION OFFICER:
QUIVETTE POWELL - (336)734-1277

4309 ERIE DR

VIOL NBR VIOLATION DESCRIPTION
STATUS/ORDINANCE803966 REPAIR OR REPLACE DEFECTIVE SIDING -
COMPLIED V-10-197(G)(3)803968 REPAIR SOFFIT AND/OR FACIA -
COMPLIED V-10-197(G)(6)803975 REPAIR OR REPLACE DEFECTIVE SIDING - FINISH WALL CONNECTING GARAGE AND
MASTER BEDROOM
COMPLIED V-10-197(G)(3)803982 PAINT WALLS AND CEILINGS - UNFINISHED DRYWALL THROUGHOUT RESIDENCE
MINOR V-10-197(G)(4)803959 REPAIR KITCHEN CABINETS - HOLES IN CABINETS UNDER SINK; AND SIDE WALL
BETWEEN SINK AND STOVE
UNFIT V-10-197(A)(16)803960 REPAIR LOCKSETS - AT BEDROOM DOOR AND CLOSET IN BEDROOM
UNFIT V-10-197(B)(4)803961 WEATHERSTRIP DOORS - SIDE DOOR
UNFIT V-10-197(B)(4)803962 PROVIDE SAFE HANDRAILS TO SERVE EXITS - SIDE STEPS
UNFIT V-10-197(C)(2)803963 REPAIR PLUMBING LEAK IN KITCHEN -
UNFIT V-10-197(D)(15)803964 REPAIR DEFECTIVE LIGHT FIXTURES -
UNFIT V-10-197(F)(1)803965 REPAIR DEFECTIVE SWITCHES AND/OR OUTLETS TO INCLUDE COVERS - BEHIND WASHING
MACHINE;LIVING ROOM;BEDROOM
UNFIT V-10-197(F)(1)803967 PROVIDE OPERABLE SMOKE DETECTOR -
UNFIT V-10-197(L)(1)803969 PROVIDE SAFE STEPS TO SERVE EXITS - BACK DOOR AT MASTER BEDROOM
UNFIT V-10-197(C)(2)803970 REPAIR HOLES IN WALLS AND CEILINGS - HOLES IN WALLS AND CEILING THROUGHOUT
THE RESIDENCE
UNFIT V-10-197(G)(4)803971 REPAIR DEFECTIVE FLOORING - KITCHEN
UNFIT V-10-197(G)(2)

C-2.a. DRAFT

803972 REPAIR PLUMBING LEAK IN BATH - COMMODE LEAKING AROUND BASE AND UNDER STRUCTURE

UNFIT V-10-197(D)(15)

803973 OTHER - INSTALLED AIR CONDITIONING INOPERABLE

UNFIT V-10-197

803974 REPAIR DEFECTIVE LIGHT FIXTURES - NO PORCH LIGHT

UNFIT V-10-197(F)(1)

CD-Plus Report - Code Case Images

CODE CASE NBR IMAGE DATE
2014052744 4/27/2016

IMAGE DESCRIPTION

4309 Erie Drive



CODE CASE NBR IMAGE DATE
2014052744 4/27/2016

IMAGE DESCRIPTION

4309 Erie Drive



CODE CASE NBR IMAGE DATE
2014052744 4/27/2016

IMAGE DESCRIPTION

4309 Erie Drive



C-2.a. DRAFT

CODE CASE NBR
2014052744

IMAGE DATE
4/27/2016

IMAGE DESCRIPTION
4309 Erie Drive



YOUR TRIP TO:



4309 Erie Dr, Winston Salem, NC 27106

18 MIN | 8.3 MI

Trip time based on traffic conditions as of 9:22 AM on April 27, 2016. Current Traffic: Moderate



1. Start out going **west** on E 1st St toward N Church St.

Then 0.05 miles 0.05 total mile



2. Turn **right** onto N Main St.

Then 0.36 miles 0.41 total mile



3. Turn **left** onto W 5th St.

Then 0.17 miles 0.58 total mile



4. Turn **right** onto N Cherry St.

Then 0.64 miles 1.22 total mile



5. N Cherry St becomes University Pkwy.

Then 2.50 miles 3.72 total mile



6. Turn **slight right** onto ramp.

Then 0.13 miles 3.85 total mile



7. Turn **left** onto Polo Rd.

Then 1.16 miles 5.02 total mile



8. Turn **right** onto Reynolda Rd/NC-67.

Then 1.65 miles 6.67 total mile



9. Turn **left** onto Yadkinville Rd.

Then 1.21 miles 7.87 total mile



10. Turn **left** onto Shattalon Dr.

Then 0.22 miles 8.10 total mile



11. Take the 2nd **left** onto Old Pfafftown Rd.

Then 0.10 miles 8.20 total mile

6-2.a. Take the **DRAFT** onto Erie Dr (Portions unpaved).

Then 0.07 miles

8.26 total mile



13. 4309 ERIE DR is on the **left**.

Use of directions and maps is subject to our [Terms of Use](#). We don't guarantee accuracy, route conditions or usability. You assume all risk of use.

CODE ENFORCEMENT PURSUANT TO SEC. 10-203(f)(2) OF THE HOUSING CODE

CASE SUMMARY - HOUSING FILE NO. 2013081093
PROPERTY ADDRESS 117 N DUNLEITH AV
TAX BLOCK 0533 LOT(s) 046
WARD EAST
PROPERTY OWNER(s) MARIA RITA CARRETERO
LIS PENDENS 14M586 FILED 05/02/2014

DUE PROCESS

1. The current Complaint and Notice of Hearing was issued 01/24/2014 and service was obtained by certified mail regular post hand delivery ___ publication ___ on 02/03/2014. The hearing was held on 2/24/2014 and the owner/agent appeared and/or contacted the Community and Business Development Department regarding the complaint yes___ no x.
2. The **Finding and Order** was issued on 5/13/2014 and service was obtained by certified mail regular post hand delivery ___ publication ___ on 05/16/2014. The **Order** directed the owner to **vacate and close or repair** the dwelling with **30** days from receipt. Time for compliance expired on 06/16/2014. The dwelling was found vacated and closed on 07/08/2014.
3. The dwelling became eligible for demolition under the six (6) month rule on 01/08/2015.
4. The notification letter was sent 04/18/2016 advising the owner that the **Community and Development/Housing/General Government Committee** of the City Council would be considering demolition of this dwelling at their meeting on 05/10/2016. The notice further advised that if they intended to request an extension of time, they should present evidence of their intent to the Community and Business Development Director prior to the Committee meeting. Director was contacted yes x no ___.

COMMENTS: Maria Rita Carretero contacted the department on 4/25/2016 to inform staff that she purchased the property on 4/21/2016. She was given a copy of the violations that need to be corrected and the timeline that she has to complete the repairs.

COUNCIL CONSIDERATION

The estimated cost to make repairs needed to render this dwelling fit for human habitation is **more than fifty percent (>50%)** of the present value of the dwelling.

Estimated cost to repair \$13,324.00 Fair market value \$17,397.00
 Based on the above information it is recommended that an Ordinance be adopted to cause this dwelling to be **demolished and removed within ninety (90) days.**

CODE DEFICIENCIES - EXHIBIT A

CASE NO: 2013081093

**NEIGHBORHOOD CONSERVATION OFFICER:
JIMMY MULLINS - (336)734-1263**

117 N DUNLEITH AV

**VIOL NBR VIOLATION DESCRIPTION
STATUS/ORDINANCE**

781004 REPAIR OR REPLACE DEFECTIVE SIDING -
MINOR V-10-197(G)(3)

781009 REPAIR, REPLACE OR REMOVE GUTTERS AND DOWNSPOUTS -
MINOR V-10-197(G)(6)

781002 REPAIR OR REPLACE SCREENS ON DOORS -
UNFIT V-10-197(B)(3)

781003 REPAIR OR REPLACE FRONT PORCH FLOOR -
UNFIT V-10-197(G)(7)

781005 REPLACE DEFECTIVE SHEATHING -
UNFIT V-10-197(G)(6)

781007 REPAIR OR REPLACE ROOF COVERING -
UNFIT V-10-197(G)(6)

781008 REPAIR OR REPLACE FRONT PORCH RAILINGS -
UNFIT V-10-197(G)(7)

781010 REPAIR SOFFIT AND/OR FACIA -
UNFIT V-10-197(G)(6)

781011 REPLACE DEFECTIVE RAFTERS -
UNFIT V-10-197(G)(6)

781012 REPAIR FOUNDATION -
UNFIT V-10-197(G)(1)

CD-Plus Report - Code Case Images

CODE CASE NBR IMAGE DATE
2013081093 8/14/2013

IMAGE DESCRIPTION
117 N. DUNLEITH AVENUE



CODE CASE NBR IMAGE DATE
2013081093 4/20/2016

IMAGE DESCRIPTION
117 N. DUNLEITH AVENUE



CODE CASE NBR IMAGE DATE
2013081093 4/20/2016

IMAGE DESCRIPTION
117 N. DUNLEITH AVENUE



C-2.b. DRAFT

CODE CASE NBR IMAGE DATE
2013081093 4/20/2016

IMAGE DESCRIPTION

117 N. DUNLEITH AVENUE



CODE CASE NBR IMAGE DATE
2013081093 4/20/2016

IMAGE DESCRIPTION

117 N. DUNLEITH AVENUE



YOUR TRIP TO:



117 N Dunleith Ave, Winston Salem, NC 27101-4517

4 MIN | 1.3 MI

Trip time based on traffic conditions as of 9:41 AM on April 27, 2016. Current Traffic: Moderate



1. Start out going **east** on E 1st St toward S Chestnut St.

Then 0.07 miles 0.07 total mile



2. Take the 1st **left** onto N Chestnut St.

Then 0.21 miles 0.28 total mile



3. Take the 1st **right** onto E 3rd St. Pass through 1 roundabout.

Then 0.86 miles 1.13 total mile



4. Turn **right** onto Dunleith Ave.

Then 0.13 miles 1.26 total mile



5. 117 N DUNLEITH AVE is on the **left**.

Use of directions and maps is subject to our [Terms of Use](#). We don't guarantee accuracy, route conditions or usability. You assume all risk of use.

C-2.b. DRAFT

**CODE ENFORCEMENT PURSUANT TO SEC. 10-203(f)(2) OF THE HOUSING
CODE**

CASE SUMMARY - HOUSING FILE NO. 2011051477
PROPERTY ADDRESS 1318 N JACKSON AV
TAX BLOCK 0416 LOT(s) 020
WARD EAST
PROPERTY OWNER(s) JAMES BENJAMIN, HEIRS
LIS PENDENS 15M30 FILED 01/09/2015

DUE PROCESS

1. The current Complaint and Notice of Hearing was issued 10/13/2014 and service was obtained by certified mail regular post hand delivery ___ publication on 10/23/2014. The hearing was held on 11/12/2014 and the owner/agent appeared and/or contacted the Community and Business Development Department regarding the complaint yes ___ no .
2. The **Finding and Order** was issued on 12/10/2014 and service was obtained by certified mail regular post hand delivery ___ publication on 01/05/2015. The **Order** directed the owner to **vacate and close or repair** the dwelling with **30** days from receipt. Time for compliance expired on 02/05/2015. The dwelling was found vacated and closed on 04/09/2015.
3. The dwelling became eligible for demolition under the six (6) month rule on 10/09/2015.
4. The notification letter was sent 04/18/2016 advising the owner that the **Community and Development/Housing/General Government Committee** of the City Council would be considering demolition of this dwelling at their meeting on 05/10/2016. The notice further advised that if they intended to request an extension of time, they should present evidence of their intent to the Community and Business Development Director prior to the Committee meeting. Director was contacted yes ___ no .

COMMENTS:

COUNCIL CONSIDERATION

The estimated cost to make repairs needed to render this dwelling fit for human habitation is **more than fifty percent (>50%)** of the present value of the dwelling.

Estimated cost to repair \$8,349.00 Fair market value \$6,003.00

Based on the above information it is recommended that an Ordinance be adopted to cause this dwelling to be **demolished and removed within ninety (90) days.**

CODE DEFICIENCIES - EXHIBIT A

CASE NO: 2011051477

NEIGHBORHOOD CONSERVATION OFFICER:

JIMMY MULLINS - (336)734-1263

1318 N JACKSON AV

<u>VIOL NBR</u>	<u>VIOLATION DESCRIPTION</u>	<u>STATUS/ORDINANCE</u>
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706186	REPAIR FRONT SCREEN DOOR - COMPLIED V-10-197(A)(15)	
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706199	REPAIR BACK DOOR HARDWARE (HANDLE) - COMPLIED V-10-197	
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706204	RECAULK TUB - MINOR V-10-197	
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706195	REPAIR KITCHEN FAUCET - MINOR V-10-197	
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706202	REPAIR FOUNDATION TO INCLUDE VENTS AT BACK OF HOUSE - UNFIT V-10-197	
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706203	PROVIDE PROPER DISCHARGE TUBE TO HOT WATER HEATER - UNFIT V-10-197	
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706187	REPAIR WINDOW LOCKS - UNFIT V-10-197(B)(4)	
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706188	REPAIR WINDOW BALANCES - UNFIT V-10-197	
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706190	PROVIDE OPERABLE SMOKE DETECTOR - UNFIT V-10-197	
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706193	REPAIR ROOF LEAK (BATHROOM) - UNFIT V-10-197	
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706194	REPAIR BATHROOM CEILING - UNFIT V-10-197	
--------	---	--

706196	REPAIR LEAK UNDER KITCHEN SINK - UNFIT V-10-197	
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706197	SECURE COMMODE TO FLOOR - UNFIT V-10-197(D)(4)	
--------	---	--

706198	REPAIR PLUMBING LEAK UNDER STRUCTURE - UNFIT V-10-197	
--------	--	--

706200	REPAIR OR REPLACE SCREENS ON WINDOWS - UNFIT V-10-197(B)(3)	
--------	--	--

706201	REPAIR LIGHT IN KITCHEN - UNFIT V-10-197	
--------	---	--

CD-Plus Report - Code Case Images

CODE CASE NBR IMAGE DATE
2011051477 4/20/2016

IMAGE DESCRIPTION

1318 N. JACKSON AVENUE



CODE CASE NBR IMAGE DATE
2011051477 4/20/2016

IMAGE DESCRIPTION

1318 N. JACKSON AVENUE



CODE CASE NBR IMAGE DATE
2011051477 4/20/2016

IMAGE DESCRIPTION

1318 N. JACKSON AVENUE



CODE CASE NBR IMAGE DATE
2011051477 4/20/2016

IMAGE DESCRIPTION

1318 N.JACKSON AVENUE



YOUR TRIP TO:



1318 N Jackson Ave, Winston Salem, NC 27101-1736

5 MIN | 2.1 MI

Trip time based on traffic conditions as of 9:44 AM on April 27, 2016. Current Traffic: Moderate



1. Start out going **east** on E 1st St toward S Chestnut St.

Then 0.07 miles 0.07 total mile



2. Take the 1st **left** onto N Chestnut St.

Then 0.21 miles 0.28 total mile



3. Take the 1st **right** onto E 3rd St.

Then 0.06 miles 0.34 total mile



4. Take the 1st **left** onto Patterson Ave.

Then 0.51 miles 0.85 total mile



5. Turn **right** onto N Liberty St.

Then 0.68 miles 1.53 total mile



6. Turn **right** onto E 14th St.

Then 0.50 miles 2.03 total mile



7. Turn **right** onto N Jackson Ave.

Then 0.09 miles 2.12 total mile



8. 1318 N JACKSON AVE is on the **right**.

Use of directions and maps is subject to our [Terms of Use](#). We don't guarantee accuracy, route conditions or usability. You assume all risk of use.

C-2.c. DRAFT

**CODE ENFORCEMENT PURSUANT TO SEC. 10-203(f)(2) OF THE HOUSING
CODE**

CASE SUMMARY - HOUSING FILE NO. 2011100843
PROPERTY ADDRESS 421 BARBARA JANE AV
TAX BLOCK 0828 LOT(s) 026
WARD EAST
PROPERTY OWNER(s) JOSE MARTIN DOROTEO CRUZ MACIEL BANOS
GONZALEZ
LIS PENDENS 12M467 FILED 02/14/2012

DUE PROCESS

1. The current Complaint and Notice of Hearing was issued 12/16/2011 and service was obtained by certified mail regular post hand delivery ___ publication ___ on 12/22/2011. The hearing was held on 1/17/2012 and the owner/agent appeared and/or contacted the Community and Business Development Department regarding the complaint yes___ no___.
2. The **Finding and Order** was issued on 1/23/2012 and service was obtained by certified mail regular post hand delivery ___ publication ___ on 01/26/2012. The **Order** directed the owner to **vacate and close or repair** the dwelling with **30** days from receipt. Time for compliance expired on 02/26/2012. The dwelling was found vacated and closed on 03/08/2012.
3. The dwelling became eligible for demolition under the six (6) month rule on 09/08/2012.
4. The notification letter was sent 04/18/2016 advising the owner that the **Community and Development/Housing/General Government Committee** of the City Council would be considering demolition of this dwelling at their meeting on 05/10/2016. The notice further advised that if they intended to request an extension of time, they should present evidence of their intent to the Community and Business Development Director prior to the Committee meeting. Director was contacted yes___ no .

COMMENTS:

COUNCIL CONSIDERATION

The estimated cost to make repairs needed to render this dwelling fit for human habitation is **more than fifty percent (>50%)** of the present value of the dwelling.

Estimated cost to repair \$8,797.00 Fair market value \$8,945.00

Based on the above information it is recommended that an Ordinance be adopted to cause this dwelling to be **demolished and removed within ninety (90) days.**

CODE DEFICIENCIES - EXHIBIT A

CASE NO: 2011100843

**NEIGHBORHOOD CONSERVATION OFFICER:
JIMMY MULLINS - (336)734-1263**

421 BARBARA JANE AV

**VIOL NBR VIOLATION DESCRIPTION
 STATUS/ORDINANCE**

722341 REPLACE BROKEN WINDOW PANES -
MINOR V-10-197(B)(4)

722342 PAINT OR TREAT EXTERIOR WOOD WITH PROTECTIVE COATING -
MINOR V-10-197(G)(3)

722343 REPAIR OR REPLACE DEFECTIVE SIDING -
MINOR V-10-197(G)(3)

722339 REPAIR OR REPLACE SCREENS ON DOORS -
UNFIT V-10-197(B)(3)

722340 REPAIR OR REPLACE SCREENS ON WINDOWS -
UNFIT V-10-197(B)(3)

722344 REPLACE DEFECTIVE SHEATHING -
UNFIT V-10-197(G)(6)

722345 REPAIR OR REPLACE ROOF COVERING -
UNFIT V-10-197(G)(6)

722346 REPAIR OR REPLACE FRONT PORCH CEILING -
UNFIT V-10-197(G)(7)

CD-Plus Report - Code Case Images

CODE CASE NBR IMAGE DATE
2011100843 10/18/2011

IMAGE DESCRIPTION

DESCRIPTION FOR 000_0001[5]



CODE CASE NBR IMAGE DATE
2011100843 4/20/2016

IMAGE DESCRIPTION

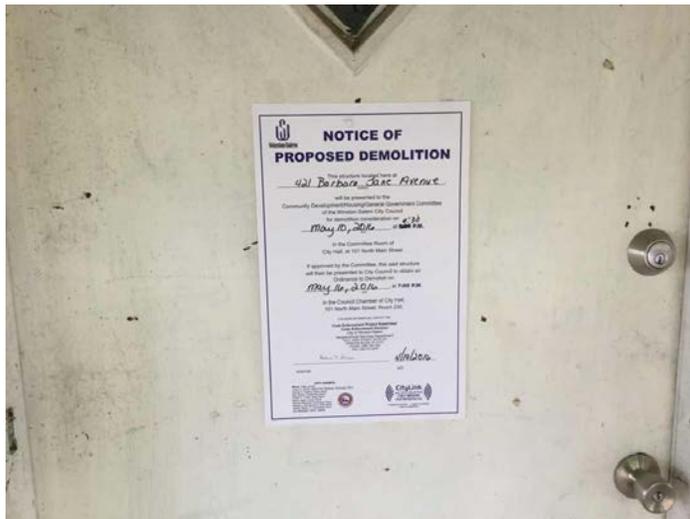
421 BARBARA JANE AVENUE



CODE CASE NBR IMAGE DATE
2011100843 4/20/2016

IMAGE DESCRIPTION

421 BARBARA JANE AVENUE



C-2.d. DRAFT

CODE CASE NBR IMAGE DATE
2011100843 4/20/2016

IMAGE DESCRIPTION

421 BARBARA JANE AVENUE



CODE CASE NBR IMAGE DATE
2011100843 4/20/2016

IMAGE DESCRIPTION

421 BARBARA JANE AVENUE



YOUR TRIP TO:



421 Barbara Jane Ave, Winston Salem, NC 27101

7 MIN | 4.3 MI

Trip time based on traffic conditions as of 9:47 AM on April 27, 2016. Current Traffic: Light

- 

1. Start out going **west** on E 1st St toward N Church St.
 -----Then 0.00 miles ----- 0.00 total mile
- 

2. Take the 1st **left** onto S Church St.
 -----Then 0.16 miles ----- 0.16 total mile
- 

3. Turn **right** onto Cemetery St.
 -----Then 0.03 miles ----- 0.19 total mile
- 

4. Take the 1st **right** onto S Main St.
 -----Then 0.05 miles ----- 0.24 total mile
- 

5. Merge onto I-40 Bus E/US-421 S/US-158 E/NC-150 E.
 -----Then 2.61 miles ----- 2.85 total mile
- 

6. Take the **US-158 E** exit, EXIT 8, toward **Walkertown/Reidsville**.
 -----Then 0.48 miles ----- 3.34 total mile
- 

7. Turn **left** onto Byerly Rd.
 -----Then 0.47 miles ----- 3.81 total mile
- 

8. Turn **left** onto Old Greensboro Rd.
 -----Then 0.42 miles ----- 4.22 total mile
- 

9. Turn **left** onto Barbara Jane Ave.
 -----Then 0.09 miles ----- 4.32 total mile
- 

10. 421 BARBARA JANE AVE is on the **left**.

Use of directions and maps is subject to our [Terms of Use](#). We don't guarantee accuracy, route conditions or usability. You assume all risk of use.

C-2.d. DRAFT

**CODE ENFORCEMENT PURSUANT TO SEC. 10-203(f)(2) OF THE HOUSING
CODE**

CASE SUMMARY - HOUSING FILE NO. 2013120898
PROPERTY ADDRESS 1012 GOLDFLOSS ST
TAX BLOCK 0753 LOT(s) 105
WARD SOUTHEAST
PROPERTY OWNER(s) TARYTON LOPEZ THACKER
LIS PENDENS 14M895 FILED 06/09/2014

DUE PROCESS

1. The current Complaint and Notice of Hearing was issued 01/27/2014 and service was obtained by certified mail regular post hand delivery ___ publication ___ on 01/30/2014. The hearing was held on 2/26/2014 and the owner/agent appeared and/or contacted the Community and Business Development Department regarding the complaint yes ___ no .
2. The **Finding and Order** was issued on 5/1/2014 and service was obtained by certified mail regular post hand delivery ___ publication ___ on 05/02/2014. The **Order** directed the owner to **vacate and close or repair** the dwelling with **30** days from receipt. Time for compliance expired on 06/02/2014. The dwelling was found vacated and closed on 09/02/2014.
3. The dwelling became eligible for demolition under the six (6) month rule on 03/02/2015.
4. The notification letter was sent 04/18/2016 advising the owner that the **Community and Development/Housing/General Government Committee** of the City Council would be considering demolition of this dwelling at their meeting on 05/10/2016. The notice further advised that if they intended to request an extension of time, they should present evidence of their intent to the Community and Business Development Director prior to the Committee meeting. Director was contacted yes ___ no .

COMMENTS:

COUNCIL CONSIDERATION

The estimated cost to make repairs needed to render this dwelling fit for human habitation is **more than fifty percent (>50%)** of the present value of the dwelling.

Estimated cost to repair \$45,264.00 Fair market value \$5,367.00

Based on the above information it is recommended that an Ordinance be adopted to cause this dwelling to be **demolished and removed within ninety (90) days.**

CODE DEFICIENCIES - EXHIBIT A

CASE NO: 2013120898

NEIGHBORHOOD CONSERVATION OFFICER:
GREG PARKER - (336)734-1267

1012 GOLDFLOSS ST

VIOL NBR VIOLATION DESCRIPTION
 STATUS/ORDINANCE

791614 PAINT WALLS AND CEILINGS -
 MINOR V-10-197(G)(4)

791606 REPAIR KITCHEN CABINETS -
 UNFIT V-10-197(A)(16)

791607 REPAIR OR REPLACE SCREENS ON DOORS -
 UNFIT V-10-197(B)(3)

791608 REPLACE BROKEN WINDOW PANES -
 UNFIT V-10-197(B)(4)

791609 REPAIR OR REPLACE LOOSE FLOOR COVERING -
 UNFIT V-10-197(G)(2)

791610 REPAIR DEFECTIVE LIGHT FIXTURES -
 UNFIT V-10-197(F)(1)

791611 REPAIR HOLES IN WALLS AND CEILINGS -
 UNFIT V-10-197(G)(4)

791612 REPLACE LOOSE WALL AND CEILING MATERIALS -
 UNFIT V-10-197(G)(4)

791613 PROVIDE OPERABLE SMOKE DETECTOR -
 UNFIT V-10-197(L)(1)

791604 REMOVE AND REPLACE FIRE DAMAGED PORTION OF STRUCTURE -
 UNFIT HAZARDOUS V-4-89(4)

791605 EXTERIOR AND INTERIOR FRAMING MUST BE INSPECTED BEFORE COVERING WITH WALL
AND CEILING MATERIALS -
 UNFIT HAZARDOUS V-4-91

CD-Plus Report - Code Case Images

CODE CASE NBR IMAGE DATE
2013120898 4/27/2016

IMAGE DESCRIPTION

DESCRIPTION FOR DSC00025.JPG



CODE CASE NBR IMAGE DATE
2013120898 4/27/2016

IMAGE DESCRIPTION

DESCRIPTION FOR DSC00024.JPG



CODE CASE NBR IMAGE DATE
2013120898 4/27/2016

IMAGE DESCRIPTION

DESCRIPTION FOR DSC00027.JPG



C-2.e. DRAFT

CODE CASE NBR IMAGE DATE
2013120898 4/27/2016

IMAGE DESCRIPTION

DESCRIPTION FOR DSC00026.JPG



YOUR TRIP TO:



1012 Goldfloss St, Winston Salem, NC 27107

7 MIN | 3.2 MI

Trip time based on traffic conditions as of 10:09 AM on April 27, 2016. Current Traffic: Moderate

- 

1. Start out going **east** on E 1st St toward S Chestnut St.
 ----- Then 0.17 miles ----- 0.17 total mile
- 

2. Take the 2nd **right** onto SE Salem Ave.
 ----- Then 0.43 miles ----- 0.59 total mile
- 

3. Take the 1st **left** onto Rams Dr.
 ----- Then 0.42 miles ----- 1.01 total mile
- 

4. Merge onto US-52 S/US-311 S/NC-8 S/John Gold Memorial Expy S.
 ----- Then 0.95 miles ----- 1.97 total mile
- 

5. Take the **Waughtown St** exit, EXIT 108A.
 ----- Then 0.22 miles ----- 2.18 total mile
- 

6. Turn **left** onto Waughtown St.
 ----- Then 0.66 miles ----- 2.84 total mile
- 

7. Turn **slight right** onto Thomasville Rd.
 ----- Then 0.32 miles ----- 3.16 total mile
- 

8. Turn **left** onto Goldfloss St.
 ----- Then 0.06 miles ----- 3.22 total mile
- 

9. 1012 GOLDFLOSS ST is on the **right**.

Use of directions and maps is subject to our [Terms of Use](#). We don't guarantee accuracy, route conditions or usability. You assume all risk of use.

C-2.e. DRAFT

**CODE ENFORCEMENT PURSUANT TO SEC. 10-203(f)(2) OF THE HOUSING
CODE**

CASE SUMMARY - HOUSING FILE NO. 2012030657
PROPERTY ADDRESS 1220 N JACKSON AV
TAX BLOCK 0416 **LOT(s)** 042A
WARD EAST
PROPERTY OWNER(s) MARIE COLE NATHAN LITTLEJOHN
LIS PENDENS 15M29 **FILED** 01/09/2015

DUE PROCESS

1. The current Complaint and Notice of Hearing was issued 10/13/2014 and service was obtained by certified mail regular post hand delivery ___ publication on 10/23/2014. The hearing was held on 11/12/2014 and the owner/agent appeared and/or contacted the Community and Business Development Department regarding the complaint yes ___ no .
2. The **Finding and Order** was issued on 12/10/2014 and service was obtained by certified mail regular post hand delivery ___ publication on 01/15/2015. The **Order** directed the owner to **vacate and close or repair** the dwelling with **30** days from receipt. Time for compliance expired on 02/15/2015. The dwelling was found vacated and closed on 05/26/2015.
3. The dwelling became eligible for demolition under the six (6) month rule on 11/26/2015.
4. The notification letter was sent 04/18/2016 advising the owner that the **Community and Development/Housing/General Government Committee** of the City Council would be considering demolition of this dwelling at their meeting on 05/10/2016. The notice further advised that if they intended to request an extension of time, they should present evidence of their intent to the Community and Business Development Director prior to the Committee meeting. Director was contacted yes ___ no .

COMMENTS:

COUNCIL CONSIDERATION

The estimated cost to make repairs needed to render this dwelling fit for human habitation is **more than fifty percent (>50%)** of the present value of the dwelling.

Estimated cost to repair \$7,452.00 Fair market value \$4,234.00

Based on the above information it is recommended that an Ordinance be adopted to cause this dwelling to be **demolished and removed within ninety (90) days.**

CODE DEFICIENCIES - EXHIBIT A**CASE NO: 2012030657****NEIGHBORHOOD CONSERVATION OFFICER:
JIMMY MULLINS - (336)734-1263****1220 N JACKSON AV****VIOL NBR VIOLATION DESCRIPTION
STATUS/ORDINANCE**

732409 PAINT OR TREAT EXTERIOR WOOD WITH PROTECTIVE COATING -
MINOR V-10-197(G)(3)

732406 CONNECT TO CITY SEWER SYSTEM -
UNFIT V-10-197(D)(1)

732407 OTHER - PROVIDE HOT WATER
UNFIT V-10-197

732408 REPAIR DEFECTIVE LIGHT FIXTURES -
UNFIT V-10-197(F)(1)

732410 REPAIR HOLES IN WALLS AND CEILINGS - BED ROOM AT FRONT
UNFIT V-10-197(G)(4)

732412 PROVIDE OPERABLE SMOKE DETECTOR -
UNFIT V-10-197(L)(1)

732403 REPAIR OR REPLACE SCREENS ON WINDOWS -
UNFIT V-10-197(B)(3)

732404 WEATHERSTRIP DOORS -
UNFIT V-10-197(B)(4)

732405 REPAIR LAVATORY AND/OR FIXTURES - HOLE IN CABINET
UNFIT V-10-197(D)(10)

732411 REPAIR OR REPLACE REAR PORCH FLOOR -
UNFIT HAZARDOUS V-10-197(G)(7)

CD-Plus Report - Code Case Images

CODE CASE NBR IMAGE DATE
2012030657 3/16/2012

IMAGE DESCRIPTION

DESCRIPTION FOR 000_0002[1]



CODE CASE NBR IMAGE DATE
2012030657 4/20/2016

IMAGE DESCRIPTION

1220 N. JACKSON AVENUE



CODE CASE NBR IMAGE DATE
2012030657 4/20/2016

IMAGE DESCRIPTION

1220 N. JACKSON AVENUE



C-2.f. DRAFT

CODE CASE NBR IMAGE DATE
2012030657 4/20/2016

IMAGE DESCRIPTION

1220 N. JACKSON AVENUE



CODE CASE NBR IMAGE DATE
2012030657 4/20/2016

IMAGE DESCRIPTION

1220 N. JACKSON AVENUE



YOUR TRIP TO:



1220 N Jackson Ave, Winston Salem, NC 27101-1736

5 MIN | 1.9 MI

Trip time based on traffic conditions as of 11:51 AM on April 27, 2016. Current Traffic: Moderate

- 

1. Start out going **east** on E 1st St toward S Chestnut St.
 ----- Then 0.07 miles ----- 0.07 total mile
- 

2. Take the 1st **left** onto N Chestnut St.
 ----- Then 0.21 miles ----- 0.28 total mile
- 

3. Take the 1st **right** onto E 3rd St.
 ----- Then 0.06 miles ----- 0.34 total mile
- 

4. Take the 1st **left** onto Patterson Ave.
 ----- Then 0.51 miles ----- 0.85 total mile
- 

5. Turn **right** onto N Liberty St.
 ----- Then 0.43 miles ----- 1.28 total mile
- 

6. Turn **right** onto E 12th St.
 ----- Then 0.41 miles ----- 1.69 total mile
- 

7. Turn **left** to stay on E 12th St.
 ----- Then 0.16 miles ----- 1.85 total mile
- 

8. Take the 2nd **left** onto N Jackson Ave.
 ----- Then 0.04 miles ----- 1.89 total mile
- 

9. 1220 N JACKSON AVE is on the **left**.

Use of directions and maps is subject to our [Terms of Use](#). We don't guarantee accuracy, route conditions or usability. You assume all risk of use.

C-2.f. DRAFT

**CODE ENFORCEMENT PURSUANT TO SEC. 10-203(f)(2) OF THE HOUSING
CODE**

CASE SUMMARY - HOUSING FILE NO. 2012101341
PROPERTY ADDRESS 1538 E TWENTY-SECOND ST
TAX BLOCK 1475 LOT(s) 104
WARD NORTHEAST
PROPERTY OWNER(s) CARNELLA GAY DUNLAP
LIS PENDENS 12m2337 FILED 8/29/2012

DUE PROCESS

1. The current Complaint and Notice of Hearing was issued 11/14/2012 and service was obtained by certified mail regular post hand delivery ___ publication ___ on 11/19/2012. The hearing was held on 12/14/2012 and the owner/agent appeared and/or contacted the Community and Business Development Department regarding the complaint yes ___ no .
2. The **Finding and Order** was issued on 12/27/2012 and service was obtained by certified mail regular post hand delivery ___ publication ___ on 12/29/2012. The **Order** directed the owner to **vacate and close or repair** the dwelling with **30** days from receipt. Time for compliance expired on 1/29/2013. The dwelling was found vacated and closed on 1/29/2013.
3. The dwelling became eligible for demolition under the six (6) month rule on 6/29/2013.
4. The notification letter was sent 4/25/2016 advising the owner that the **Community and Development/Housing/General Government Committee** of the City Council would be considering demolition of this dwelling at their meeting on 5/10/2016. The notice further advised that if they intended to request an extension of time, they should present evidence of their intent to the Community and Business Development Director prior to the Committee meeting. Director was contacted yes ___ no .

COMMENTS:

COUNCIL CONSIDERATION

The estimated cost to make repairs needed to render this dwelling fit for human habitation is **more than fifty percent (>50%)** of the present value of the dwelling.

Estimated cost to repair \$10,615 Fair market value \$2,679

Based on the above information it is recommended that an Ordinance be adopted to cause this dwelling to be **demolished and removed within ninety (90) days.**

CODE DEFICIENCIES - EXHIBIT A

CASE NO: 2012101341

NEIGHBORHOOD CONSERVATION OFFICER:
SHAWN HELM - (336)734-1271

1538 E TWENTY-SECOND ST

VIOL NBR VIOLATION DESCRIPTION
 STATUS/ORDINANCE

752643 REPAIR, REPLACE OR REMOVE GUTTERS AND DOWNSPOUTS -
MINOR V-10-197(G)(6)

752641 REMOVE AND REPLACE FIRE DAMAGED PORTION OF STRUCTURE -
UNFIT V-4-89(4)

752642 REPLACE BROKEN WINDOW PANES -
UNFIT V-10-197(B)(4)

752644 REPAIR DOOR - EXTERIOR
UNFIT V-10-197(A)(15)

752645 REPAIR OR REPLACE SCREENS ON WINDOWS -
UNFIT V-10-197(B)(3)

752646 REPAIR OR REPLACE SCREENS ON DOORS -
UNFIT V-10-197(B)(3)

752647 REPAIR SOFFIT AND/OR FACIA -
UNFIT V-10-197(G)(6)

752648 REPLACE DEFECTIVE RAFTERS -
UNFIT V-10-197(G)(6)

752649 REPLACE DEFECTIVE SHEATHING -
UNFIT V-10-197(G)(6)

752650 REPAIR OR REPLACE ROOF COVERING -
UNFIT V-10-197(G)(6)

752651 REPAIR OR REPLACE DEFECTIVE SIDING -
UNFIT V-10-197(G)(3)

752652 REPAIR HOLES IN WALLS AND CEILINGS -
UNFIT V-10-197(G)(4)

752653 PROVIDE R-19 CEILING INSULATION -
UNFIT V-10-197(I)

CD-Plus Report - Code Case Images

<u>CODE CASE NBR</u>	<u>IMAGE DATE</u>
2012101341	1/20/2016

IMAGE DESCRIPTION

DESCRIPTION FOR DSC00191.JPG



Map & Directions | Map Only | Directions Only | [Print](#)

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Ad



- A** 100 E 1st St, Winston-Salem, NC 27101-4037
- B** 1538 E 22nd St, Winston-Salem, NC 27105-5406

Enter notes here

255

Total Distance: 3.75 mi— Total Time: 8 mins

A 100 E 1st St, Winston-Salem, NC 27101-4037	Expand All
Head toward N Church St on E 1st St	Go for 45 ft Hide
Turn left onto S Church St	Go for 0.2 mi Hide
Turn right onto Cemetery St	Go for 229 ft Hide
Turn right onto S Main St SE	Go for 141 ft Hide
Take ramp onto I-40-BR E	Go for 0.6 mi Hide
Take exit 6B toward NC-8 N/Mount Airy/Smith Reynolds Airport onto US-52 N/US-311 N (John M Gold Fwy)	Go for 0.9 mi Hide
Continue on US-52 (John M Gold Fwy)	Go for 1.4 mi Hide
Take exit 111A toward 28th St	Go for 0.1 mi Hide
Turn right onto N Cleveland Ave	Go for 0.3 mi Hide
Turn left onto E 22nd St	Go for 0.2 mi Hide
Arrive at E 22nd St. Your destination is on the right.	Hide
B 1538 E 22nd St, Winston-Salem, NC 27105-5406	Expand All

When using any driving directions or map, it is a good idea to double check and make sure the road still exists, watch out for construction, and follow all traffic safety precautions. This is only to be used as an aid in planning

**CODE ENFORCEMENT PURSUANT TO SEC. 10-203(f)(2) OF THE HOUSING
CODE**

CASE SUMMARY - HOUSING FILE NO. 2012061038
PROPERTY ADDRESS 5705 ROBIN WOOD LN
TAX BLOCK 2034 LOT(s) 027E
WARD NORTHEAST
PROPERTY OWNER(s) MABE, ATKINS & RYDMAN INC
LIS PENDENS 12m2337 FILED 8/29/2012

DUE PROCESS

1. The current Complaint and Notice of Hearing was issued 6/21/2012 and service was obtained by certified mail regular post hand delivery ___ publication ___ on 6/26/2012. The hearing was held on 7/23/2012 and the owner/agent appeared and/or contacted the Community and Business Development Department regarding the complaint yes___ no x.
2. The **Finding and Order** was issued on 8/9/2012 and service was obtained by certified mail regular post hand delivery ___ publication ___ on 8/11/2012. The **Order** directed the owner to **vacate and close or repair** the dwelling with **30** days from receipt. Time for compliance expired on 9/11/2012. The dwelling was found vacated and closed on 9/14/2012.
3. The dwelling became eligible for demolition under the six (6) month rule on 3/14/2013.
4. The notification letter was sent 4/25/2016 advising the owner that the **Community and Development/Housing/General Government Committee** of the City Council would be considering demolition of this dwelling at their meeting on 5/10/2016. The notice further advised that if they intended to request an extension of time, they should present evidence of their intent to the Community and Business Development Director prior to the Committee meeting. Director was contacted yes___ no x.

COMMENTS:

COUNCIL CONSIDERATION

The estimated cost to make repairs needed to render this dwelling fit for human habitation is **more than fifty percent (>50%)** of the present value of the dwelling.

Estimated cost to repair \$19,533 Fair market value \$1,587

Based on the above information it is recommended that an Ordinance be adopted to cause this dwelling to be **demolished and removed within ninety (90) days.**

CODE DEFICIENCIES - EXHIBIT A

CASE NO: 2012061038

NEIGHBORHOOD CONSERVATION OFFICER:

KELLY SPEAKS - (336)734-1273

5705 ROBIN WOOD LN

<u>VIOL NBR</u>	<u>VIOLATION DESCRIPTION</u>	<u>STATUS/ORDINANCE</u>
-----------------	------------------------------	-------------------------

740946	REPAIR, REPLACE OR REMOVE GUTTERS AND DOWNSPOUTS - MINOR V-10-197(G)(6)	
--------	--	--

740949	PAINT OR TREAT EXTERIOR WOOD WITH PROTECTIVE COATING - MINOR V-10-197(G)(3)	
--------	--	--

819727	REPAIR THRESHOLD - ROTTED SILL. NE BACK ENTRANCE. MINOR V-10-197(B)(4)	
--------	---	--

819732	REPAIR OR REPLACE LOOSE FLOOR COVERING - KITCHEN FLOOR COVERING, NORTH SIDE. MINOR V-10-197(G)(2)	
--------	---	--

819733	REPAIR OR REPLACE DEFECTIVE SIDING - LOOSE SIDING SOUTH SIDE. MINOR V-10-197(G)(3)	
--------	---	--

740943	REPLACE DEFECTIVE RAFTERS - UNFIT V-10-197(G)(6)	
--------	---	--

740944	REPLACE DEFECTIVE SHEATHING - UNFIT V-10-197(G)(6)	
--------	---	--

740945	REPAIR OR REPLACE ROOF COVERING - UNFIT V-10-197(G)(6)	
--------	---	--

740947	REPAIR ROOF LEAK - UNFIT V-10-197(G)(6)	
--------	--	--

740953	REPAIR OR REPLACE STEPS AT FRONT - UNFIT V-10-197(G)(8)	
--------	--	--

740954	REPAIR FOUNDATION - AT FRONT PORCH UNFIT V-10-197(G)(1)	
--------	--	--

819726	REPLACE BROKEN WINDOW PANES - BROKEN WINDOW PANES. WINDOW, GROUND LEVEL, SOUTH SIDE. WINDOW, NORTHEAST, BACK ENTRANCE. UNFIT V-10-197(B)(4)	
--------	---	--

819729	PROVIDE SAFE STEPS TO SERVE EXITS - REPAIR PLATES WELDED TO EXTERIOR STAIRWAY SERVICING SECOND FLOOR OVERHANG STEP TREAD CREATING TRIP HAZAZRD. UNFIT V-10-197(C)(2)	
--------	--	--

819730	EXPOSED WIRING. - THROUGHOUT. MISSING COVER PLATES. EXPOSED WIRING NOT TERMINATED WITH CAPS, TAPE, IN BOX WITH COVER PLATE. MISSING BLANKS IN ELECTRICAL PANEL. UNFIT V-10-197	
--------	---	--

819731	REPAIR FOUNDATION - HOLE IN FOUNDATION AT GROUND LEVEL, EAST SIDE.	
--------	--	--

C-2.h. DRAFT

UNFIT V-10-197(G)(1)

819734 MAINTAIN FLOORS, WALLS - FIXTURES IN CLEAN AND SANITARY CONDITION - THROUGHOUT STRUCTURE. LOOSE CEILING MATERIALS FALLEN ONTO FLOOR, TRASH, LITTER, JUNK. PLUMBING FIXTURES UNSANITARY.

UNFIT V-10-197(H)(4)

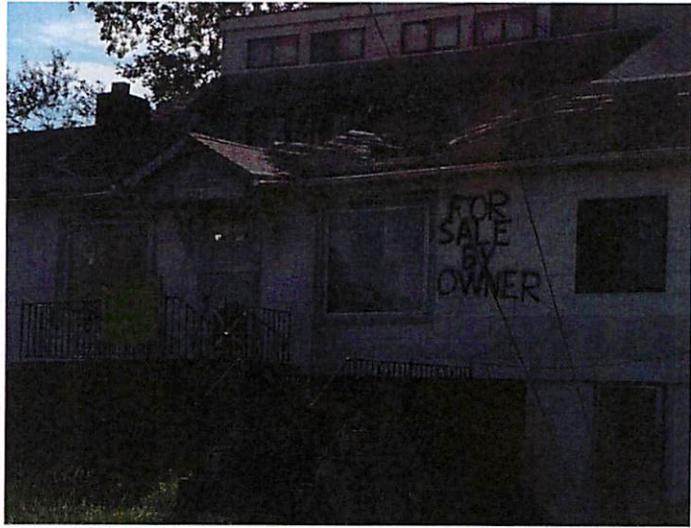
819735 ALL VACANT STRUCTURES SHALL BE MAINTAINED SECURE AT ALL TIMES. - 3 ENTRANCE DOORS ON BACK SIDE, EAST SIDE, OPEN AND UNSECURED.

UNFIT 10-197(H)(8)

CODE CASE NBR IMAGE DATE
2012061038 4/27/2016

IMAGE DESCRIPTION

5705 Robin Wood Lane



CODE CASE NBR IMAGE DATE
2012061038 4/27/2016

IMAGE DESCRIPTION

5705 Robin Wood Lane



CODE CASE NBR IMAGE DATE
2012061038 4/27/2016

IMAGE DESCRIPTION

5705 Robin Wood Lane



C-2.h. DRAFT

CODE CASE NBR IMAGE DATE
2012061038 4/27/2016

IMAGE DESCRIPTION
5705 Robin Wood Lane



CODE CASE NBR IMAGE DATE
2012061038 4/27/2016

IMAGE DESCRIPTION
5705 Robin Wood Lane



CODE CASE NBR IMAGE DATE
2012061038 4/27/2016

IMAGE DESCRIPTION
5705 Robin Wood Lane



CODE CASE NBR IMAGE DATE
2012061038 4/27/2016

IMAGE DESCRIPTION
5705 Robin Wood Lane



Map & Directions | Map Only | Directions Only | [Print](#)

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Ad



- A** 100 E 1st St, Winston-Salem, NC 27101-4037
- B** 5705 Robin Wood Ln, Winston-Salem, NC 27105-1316

Enter notes here

255

Total Distance: 8.89 mi— Total Time: 15 mins

A 100 E 1st St, Winston-Salem, NC 27101-4037	Expand All
Head toward N Church St on E 1st St	Go for 45 ft Hide
Turn left onto S Church St	Go for 0.2 mi Hide
Turn right onto Cemetery St	Go for 229 ft Hide
Turn right onto S Main St SE	Go for 141 ft Hide
Take ramp onto I-40-BR E	Go for 0.6 mi Hide
Take exit 6B toward NC-8 N/Mount Airy/Smith Reynolds Airport onto US-52 N/US-311 N (John M Gold Fwy)	Go for 0.9 mi Hide
Continue on US-52 (John M Gold Fwy)	Go for 6.3 mi Hide
Take exit 115B toward University Pkwy South onto University Pkwy	Go for 0.7 mi Hide
Turn left onto Robin Wood Ln	Go for 357 ft Hide
Arrive at Robin Wood Ln. Your destination is on the right.	Hide
B 5705 Robin Wood Ln, Winston-Salem, NC 27105-1316	Expand All

When using any driving directions or map, it is a good idea to double check and make sure the road still exists, watch out for construction, and follow all traffic safety precautions. This is only to be used as an aid in planning

**CODE ENFORCEMENT PURSUANT TO SEC. 10-203(f)(2) OF THE HOUSING
CODE**

CASE SUMMARY - HOUSING FILE NO. 2014020830
PROPERTY ADDRESS 942 NEW HOPE LN.
TAX BLOCK 0306 LOT(s) 018L
WARD NORTHEAST
PROPERTY OWNER(s) NEXT PROPERTY LLC
LIS PENDENS 14m1301 FILED 7/10/2014

DUE PROCESS

1. The current Complaint and Notice of Hearing was issued 3/6/2014 and service was obtained by certified mail regular post hand delivery ___ publication ___ on 4/17/2014. The hearing was held on 4/7/2014 and the owner/agent appeared and/or contacted the Community and Business Development Department regarding the complaint yes___ no___.
2. The **Finding and Order** was issued on 6/11/2014 and service was obtained by certified mail regular post hand delivery ___ publication ___ on 6/17/2014. The **Order** directed the owner to **vacate and close or repair** the dwelling with **30** days from receipt. Time for compliance expired on 7/17/2014. The dwelling was found vacated and closed on ___.
3. The dwelling became eligible for demolition under the six (6) month rule on 1/28/2015.
4. The notification letter was sent 4/21/2016 advising the owner that the **Community and Development/Housing/General Government Committee** of the City Council would be considering demolition of this dwelling at their meeting on 5/10/2016. The notice further advised that if they intended to request an extension of time, they should present evidence of their intent to the Community and Business Development Director prior to the Committee meeting. Director was contacted yes___ no **x**.

COMMENTS:

COUNCIL CONSIDERATION

The estimated cost to make repairs needed to render this dwelling fit for human habitation is **more than fifty percent (>50%)** of the present value of the dwelling.

Estimated cost to repair \$13,753 Fair market value \$10,859

Based on the above information it is recommended that an Ordinance be adopted to cause this dwelling to be **demolished and removed within ninety (90) days.**

CODE DEFICIENCIES - EXHIBIT A

CASE NO: 2014020830

NEIGHBORHOOD CONSERVATION OFFICER:
SHAWN HELM - (336)734-1271

942 NEW HOPE LN

VIOL NBR VIOLATION DESCRIPTION
STATUS/ORDINANCE794573 OTHER - ---REPLACE ALL MISSING WINDOWS---
UNFIT V-10-197794574 WEATHERSTRIP DOORS -
UNFIT V-10-197(B)(4)794575 REPAIR DOOR - FRONT STORM, WILL NOT SEAL,BROKEN HANDLE---
UNFIT V-10-197(A)(15)794577 OTHER - ---PROVIDE OUTSIDE COVER ELECTRICAL BOX---
UNFIT V-10-197794578 REPAIR DEFECTIVE FLOORING - ---SUB FLOORING KITCHEN---
UNFIT V-10-197(G)(2)794579 REPAIR DEFECTIVE FLOORING - --- SUB FLOORING BATHROOM---
UNFIT V-10-197(G)(2)794580 REPAIR OR REPLACE LOOSE FLOOR COVERING - ---KITCHEN TILE---
UNFIT V-10-197(G)(2)794581 REPAIR OR REPLACE LOOSE FLOOR COVERING - ---BATHROOM TILE---
UNFIT V-10-197(G)(2)794582 REPAIR LAVATORY AND/OR FIXTURES - ---BATHROOM SINK FIXTURE---
UNFIT V-10-197(D)(10)794585 REPLACE LOOSE WALL AND CEILING MATERIALS - ---THROUGH-OUT BLD. LOOSE
MATERIAL AND CRACKS---
UNFIT V-10-197(G)(4)794586 MAINTAIN FLOORS, WALLS - FIXTURES IN CLEAN AND SANITARY CONDITION -
UNFIT V-10-197(H)(4)

CD-Plus Report - Code Case Images

CODE CASE NBR IMAGE DATE
2014020830 4/25/2016

IMAGE DESCRIPTION

942 New Hope Lane



CODE CASE NBR IMAGE DATE
2014020830 4/25/2016

IMAGE DESCRIPTION

942 New Hope Lane



Map & Directions | Map Only | **Directions Only** | [Print](#)

B [Winston-Salem Hotels NC](#) [booking.com/Winston-Salem-Hotels](#) Need to Find a Hotel Deal Fast? Save on your Stay in Winston-Salem! Ad



- A 100 E 1st St, Winston-Salem, NC 27101-4037
- B 942 New Hope Ln, Winston-Salem, NC 27105-6156

Enter notes here

255

Total Distance: 1.86 mi— Total Time: 8 mins

A	100 E 1st St, Winston-Salem, NC 27101-4037	Expand All
Head toward S Chestnut St on E 1st St		Go for 305 ft Hide
	Turn left onto N Chestnut St	Go for 0.2 mi Hide
	Turn right onto E 3rd St	Go for 337 ft Hide
	Turn left onto Patterson Ave	Go for 0.5 mi Hide
	Turn right onto N Liberty St	Go for 0.9 mi Hide
	Turn right onto New Hope Ln NE	Go for 0.1 mi Hide
Arrive at New Hope Ln NE. Your destination is on the right.		Hide
B	942 New Hope Ln, Winston-Salem, NC 27105-6156	Expand All

When using any driving directions or map, it is a good idea to double check and make sure the road still exists, watch out for construction, and follow all traffic safety precautions. This is only to be used as an aid in planning

**CODE ENFORCEMENT PURSUANT TO SEC. 10-203(f)(2) OF THE HOUSING
CODE**

CASE SUMMARY - HOUSING FILE NO. 2011071644
PROPERTY ADDRESS 3703 MAVERICK ST ACCY
TAX BLOCK 2089 LOT(s) 037
WARD NORTH
PROPERTY OWNER(s) KEVIN S WOLFE
LIS PENDENS 11m3267 FILED 11/17/2011

DUE PROCESS

1. The current Complaint and Notice of Hearing was issued 9/8/2011 and service was obtained by certified mail regular post hand delivery ___ publication ___ on 9/20/2011. The hearing was held on 10/10/2011 and the owner/agent appeared and/or contacted the Community and Business Development Department regarding the complaint yes___ no___.
2. The **Finding and Order** was issued on 10/14/2011 and service was obtained by certified mail regular post hand delivery ___ publication ___ on 10/17/2011. The **Order** directed the owner to **vacate and close or repair** the dwelling with **30** days from receipt. Time for compliance expired on 11/17/2011. The dwelling was found vacated and closed on 11/17/2011.
3. The dwelling became eligible for demolition under the six (6) month rule on 5/17/2012.
4. The notification letter was sent 4/20/2016 advising the owner that the **Community and Development/Housing/General Government Committee** of the City Council would be considering demolition of this dwelling at their meeting on 5/10/2016. The notice further advised that if they intended to request an extension of time, they should present evidence of their intent to the Community and Business Development Director prior to the Committee meeting. Director was contacted yes___ no .

COMMENTS:

COUNCIL CONSIDERATION

The estimated cost to make repairs needed to render this dwelling fit for human habitation is **more than fifty percent (>50%)** of the present value of the dwelling.

Estimated cost to repair \$6,066 Fair market value \$100

Based on the above information it is recommended that an Ordinance be adopted to cause this dwelling to be **demolished and removed within ninety (90) days.**

CODE DEFICIENCIES - EXHIBIT A

CASE NO: 2011071644

**NEIGHBORHOOD CONSERVATION OFFICER:
OLA BROWN - (336)734-1260**

3703 MAVERICK ST

**VIOL NBR VIOLATION DESCRIPTION
STATUS/ORDINANCE**

713501 REPAIR OR REPLACE DEFECTIVE SIDING -
UNFIT V-10-197(G)(3)

713502 REPLACE BROKEN WINDOW PANES -
UNFIT V-10-197(B)(4)

713503 REPAIR OR REMOVE ACCESSORY BUILDING -
UNFIT V-10-197(G)(9)

CD-Plus Report - Code Case Images

CODE CASE NBR IMAGE DATE
2011071644 10/31/2014

IMAGE DESCRIPTION

3703 Maverick St. Accy



CODE CASE NBR IMAGE DATE
2011071644 10/31/2014

IMAGE DESCRIPTION

3703 Maverick St. Accy



CODE CASE NBR IMAGE DATE
2011071644 10/31/2014

IMAGE DESCRIPTION

3703 Maverick St. Accy



Map & Directions

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- A 100 E 1st St, Winston-Salem, NC 27101-4037
- B 3703 Maverick St, Winston-Salem, NC 27106-2223

Enter notes here

255

Total Distance: 7.78 mi— Total Time: 22 mins

A	100 E 1st St, Winston-Salem, NC 27101-4037	Expand All
Head toward N Church St on E 1st St		
	Go for 288 ft	Hide
	Turn right onto N Main St	Go for 0.6 mi Hide
	Continue on N Liberty St	Go for 275 ft Hide
	Turn left onto N Martin Luther King Jr Dr	Go for 416 ft Hide
	Continue on W 8th St	Go for 0.1 mi Hide
	Turn right onto N Cherry St	Go for 0.2 mi Hide
	Continue on N Marshall St	Go for 291 ft Hide
	Continue on University Pkwy	Go for 1.8 mi Hide
	Keep left onto University Pkwy	Go for 0.7 mi Hide
	Take ramp toward Polo Rd	Go for 0.1 mi Hide
	Turn left onto Polo Rd	Go for 1.1 mi Hide
	Keep right toward Reynolda Rd/NC-67	Go for 0.1 mi Hide
	Turn right onto Reynolda Rd (NC-67)	Go for 1.8 mi Hide
	Turn slightly left onto Reynolda Rd (NC-67)	Go for 0.6 mi Hide
	Turn right onto Winona St	Go for 291 ft Hide
	Turn left onto Hartford St	Go for 0.1 mi Hide
	Turn right onto Maverick St	Go for 0.2 mi Hide
Arrive at Maverick St. Your destination is on the left. Hide		
B	3703 Maverick St, Winston-Salem, NC 27106-2223	Expand All

When using any driving directions or map, it is a good idea to double check and make sure the road still exists, watch out for construction, and follow all traffic safety precautions. This is only to be used as an aid in planning

**CODE ENFORCEMENT PURSUANT TO SEC. 10-203(f)(2) OF THE HOUSING
CODE**

CASE SUMMARY - HOUSING FILE NO. 2011111016
PROPERTY ADDRESS 2126 SCHOOL ST
TAX BLOCK 3016 **LOT(s)** 005A
WARD NORTHEAST
PROPERTY OWNER(s) SILVERLEAF PROPERTIES LLC
LIS PENDENS 12m744 **FILED** 2/23/2012

DUE PROCESS

1. The current **Complaint and Notice of Hearing** was issued 1/4/2012 and service was obtained by certified mail regular post hand delivery___, and publication___ on 1/9/2012. The Hearing was held on 2/3/2012 and the owner/agent appeared and/or contacted the Community and Business Development Department regarding the complaint yes___ no___.
2. The **Finding and Order** was issued on 2/8/2012 and service was obtained by certified regular post hand delivery___, and publication ___ on 2/18/2012. The Order directed the owner to **vacate and close or repair** the dwelling within **30** days from receipt. Time for compliance expired on 3/18/2012. The dwelling was found vacated and closed on 3/27/2012.
3. The dwelling became eligible for demolition under the six (6) month rule on 9/27/2012.
4. The notification letter was sent April 19, 2016 advising the owner that the **Community Development/Housing/General Government Committee** of the City Council would be considering demolition of this dwelling at their meeting on May 10, 2016. The notice further advised that if they intended to request an extension of time, they should present evidence of their intent to the Community and Business Development Director prior to the Committee meeting. Director was contacted yes___ no .

COMMENTS (if any)

COUNCIL CONSIDERATION

The estimated cost to make repairs to needed to render this dwelling fit for human habitation is **more than fifty percent (>50%)** of the present value of the dwelling.

Estimated cost to repair \$7,876 Fair market value \$3,000

Based on the above information it is recommended that an Ordinance be adopted to cause this dwelling to be **demolished and removed within ninety (90) days.**

CODE DEFICIENCIES - EXHIBIT A

CASE NO: 2011111016

NEIGHBORHOOD CONSERVATION OFFICER:
SHAWN HELM - (336)734-1271

2126 SCHOOL ST

VIOL NBR VIOLATION DESCRIPTION
 STATUS/ORDINANCE

725283 PROVIDE ADEQUATE SERVICE EQUIPMENT AND LIGHTING PANEL -
UNFIT V-10-197(F)(10)

725284 REPAIR FOUNDATION - BACK BLD
UNFIT V-10-197(G)(1)

725285 REPAIR OR REPLACE DEFECTIVE SIDING - BACK BLD
UNFIT V-10-197(G)(3)

725286 REPLACE DEFECTIVE SHEATHING -
UNFIT V-10-197(G)(6)

725287 REPAIR HOLES IN WALLS AND CEILINGS - DRYWALL
UNFIT V-10-197(G)(4)

725288 PROVIDE TWO MEANS OF EGRESS FROM EACH DWELLING UNIT -
UNFIT V-10-197(C)(1)

725289 PROVIDE SAFE PLATFORMS TO SERVE EXIT -
UNFIT V-10-197(C)(2)

725290 PROVIDE R-19 CEILING INSULATION -
UNFIT V-10-197(I)

CD-Plus Report - Code Case Images

CODE CASE NBR IMAGE DATE
2011111016 1/14/2016

IMAGE DESCRIPTION

DESCRIPTION FOR DSC00129.JPG



Map & Directions

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Ad



- 100 E 1st St, Winston-Salem, NC 27101-4037
- 2126 School St, Winston-Salem, NC 27105-2426

Enter notes here

255

Total Distance: 6.48 mi— Total Time: 14 mins

100 E 1st St, Winston-Salem, NC 27101-4037	Expand All
Head toward N Church St on E 1st St	Go for 45 ft Hide
Turn left onto S Church St	Go for 0.2 mi Hide
Turn right onto Cemetery St	Go for 229 ft Hide
Turn right onto S Main St SE	Go for 141 ft Hide
Take ramp onto I-40-BR E	Go for 0.6 mi Hide
Take exit 6B toward NC-8 N/Mount Airy/Smith Reynolds Airport onto US-52 N/US-311 N (John M Gold Fwy)	Go for 0.9 mi Hide
Continue on US-52 (John M Gold Fwy)	Go for 1.4 mi Hide
Take exit 111A toward 25th St onto E 25th St	Go for 0.2 mi Hide
Turn right onto N Liberty St	Go for 1.9 mi Hide
Turn slightly right onto Old Walkertown Rd NE	Go for 0.8 mi Hide
Turn left onto Mt Pleasant Dr	Go for 0.4 mi Hide
Turn right onto School St	Go for 406 ft Hide
Arrive at School St. Your destination is on the left.	Hide
2126 School St, Winston-Salem, NC 27105-2426	Expand All

When using any driving directions or map, it is a good idea to double check and make sure the road still exists, watch out for construction, and follow all traffic safety precautions. This is only to be used as an aid in planning

City Council – Action Request Form

Date: April 27, 2016

To: The City Manager

From: D. Ritchie Brooks, Community and Business Development

Council Action Requested:
 The adoption of an Ordinance ordering the Community and Business Development of the City of Winston-Salem to demolish structures unfit for human habitation and, otherwise to effectuate the purpose of Chapter 10, Article V, of the Winston-Salem City Code.

Summary of Information:
 The structure units listed below have been condemned under the provision of the Housing Code. All required notices have been served and the time granted for compliance in each case has expired. The owner(s) has not complied with the Order to repair or demolish the structure unit.

**STRUCTURE UNITS WITH REPAIRS EXCEEDING SIXTY-FIVE PERCENT (65%)
 OF VALUE OF STRUCTURE**

Owner	Property Location	Block & Lot(s)
Salvador Garcia Diaz & Leonarda Lorenzo Morales	2516 Ansonia Street	1215, 150

Committee Action:

Committee	_____	Action	_____
For	_____	Against	_____
Remarks:	_____		



Memorandum

TO: Candace Dobson
FROM: Michelle M. McCullough
DATE: April 28, 2016
SUBJECT: Demolitions for May 16, 2016
 Community Development/Housing/General Government Committee Meeting

Bryce A. Stuart Municipal Building
 100 E. First Street
 P.O. Box 2511
 Winston-Salem, NC 27102
 CityLink 311 (336-727-8000)
 Fax 336-748-3163

Historic Resources staff has reviewed the following properties that are scheduled to go before the Community Development/Housing/General Government Committee on May 16, 2016 for demolition consideration:

- 3037 Colgate Drive
- 1538 E. 22nd Street
- 2516 Ansonia Street
- 5705 Robin Wood Lane
- 2126 School Street
- 4309 Erie Drive
- 117 N. Dunleith Avenue
- 1451 Addison Avenue
- 1318 N. Jackson Avenue
- 117 Dellabrook Road
- 421 Barbara Jane Avenue
- 1012 Goldfloss Street
- 1220 N. Jackson Avenue
- 2703 Glenhaven Ln
- 1206 23rd St.
- 942 New Hope Ln
- 3703 Maverick St. Accy
- 1695 Ashley School Circle

While it appears that most of the properties were built prior to 1966, only one is located within a National Register Historic Districts, 1012 Goldfloss Street. This structure is a contributing property in the Waughtown/Belview National Register Historic District. This district was approved in 2005.

Historic Resources staff has concerns about the loss of structures in the Waughtown/Belview Historic District; therefore, I have sent notice to Preserve Forsyth, the local Historic Preservation non-profit organization to advise them of this loss. Their mission is to promote, protect, and advocate for Historic Resources in Forsyth County.

If demolition for this structure is approved, Historic Resources staff would like to request that the Community and Business Development Department have the structure professionally photo-documented, submitting the photos to the Forsyth County Historic Resources Commission and any architectural elements be salvaged from the house prior to demolition.

None of the buildings are designated a Local Historic Landmark or located within designated local historic districts. Therefore, Historic Resources staff has no other special requests at this time.

cc Ritchie Brooks, Director, Community and Business Development
 Preserve Forsyth

**ORDINANCE ORDERING THE COMMUNITY AND BUSINESS DEVELOPMENT
DEPARTMENT OF THE CITY OF WINSTON-SALEM TO REMOVE OR DEMOLISH
STRUCTURE UNFIT FOR HUMAN HABITATION AND, OTHERWISE, TO
EFFECTUATE THE PURPOSE OF CHAPTER 10, ARTICLE V OF THE WINSTON-
SALEM CITY CODE**

WHEREAS, the Community and Business Development Department, after due notice and hearing, has determined that the property hereinafter described is unfit for human habitation and that the owner thereof has failed to repair the same so as to bring it into compliance with the Housing Code of the City within the time granted in an order issued by the Department; and

WHEREAS, the necessary repairs, alterations or improvements required to bring the structure up to the Standards required under the Housing Code of the City of Winston-Salem cannot be made at a reasonable cost in relation to the value of the structure, that is, not to exceed sixty five percent (>65%) of the value;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Winston-Salem, as follows:

Section 1. The Community and Business Development Department of the City of Winston-Salem is hereby ordered to proceed to effectuate the purpose of the Housing Code of the City of Winston-Salem (Chapter 10, Article V of the Code of the City of Winston-Salem) with respect to the property hereinafter described, which the Community and Business Development Department has heretofore found to be unfit for human habitation. The Housing Conservation Administrator shall cause all structure on said property heretofore found by him to be unfit for human habitation to be removed or demolished, and he is hereby authorized and directed to take such other action and to exercise such other powers with respect to said

property as may be necessary or convenient to carry out and effectuate the provisions of the Housing Code of the City of Winston-Salem.

Section 2. The property to which this Ordinance applies is known and described as set out in Exhibit attached hereto and incorporated herein by reference.

Section 3. This ordinance shall be effective from and after its adoption, and a copy hereof, certified by the Secretary of the City of Winston-Salem, shall be recorded in the Office of the Register of Deeds of Forsyth County, North Carolina, and shall be indexed in the name of the property owner(s) in the grantor index, as provided by law.

INSTRUMENT DRAWN BY

CITY ATTORNEY

CODE ENFORCEMENT PURSUANT TO SEC. 10-203(e) OF THE HOUSING CODECASE SUMMARY - HOUSING FILE NO. 2013120421

PROPERTY ADDRESS 2516 ANSONIA ST
 TAX BLOCK 1215 LOT(s) 150
 WARD NORTHEAST
 PROPERTY OWNER(s) SALVADOR GARCIA DIAZ
LEONARDA LORENZO MORALES
 LIS PENDENS FILED

DUE PROCESS

1. The current **Complaint and Notice of Hearing** was issued 10/26/2015 and service was obtained by certified mail ___ regular x post ___ hand delivery ____, and publication x on 11/5/2015. The Hearing was held on 11/25/2015 and the owner/agent appeared and/or contacted the Community and Business Development Department regarding the complaint. yes ___ no x.
2. The **Finding and Order** was issued on 12/15/2015 and service was obtained by certified mail ___ regular ___ post x hand delivery ___ and publication x on 1/21/2016. The **Order** directed the owner to **vacate and close or repair** the dwelling within 30 days from receipt. Time for compliance expired on 2/21/2016.
3. The notification letter was sent 4/8/2016 advising the owner that the Community Development/Housing/General Government Committee of the City Council would be considering demolition of this dwelling at their meeting on 5/10/2016. The notice further advised that if they intended to request an extension of time, they should present evidence of their intent to the Community and Business Development Director prior to the Committee meeting. Director was contacted yes ___ no x.

COMMENTS (if any)COUNCIL CONSIDERATION

The estimated cost to make repairs to bring this substandard structure into compliance with Housing Code Standards as prescribed in the Housing code **exceeds sixty-five percent (65%) of the value.**

Estimated cost to repair \$36,116 Fair market value \$5,371

Based on the above information, it is recommended that an Ordinance be adopted to cause this dwelling to be **removed or demolished.**

CODE DEFICIENCIES - EXHIBIT A

CASE NO: 2013120421

NEIGHBORHOOD CONSERVATION OFFICER:

Shawn Helm - (336)734-1271

2516 ANSONIA ST

<u>VIOL NBR</u>	<u>VIOLATION DESCRIPTION</u>	<u>STATUS/ORDINANCE</u>
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791493	THE REPAIR OF THE STRUCTURE WILL EXCEED SIXTY-FIVE PERCENT (65%) OF THE VALUE -	
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	DEMO V-97-(B)(2)	
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791486	PAINT WALLS AND CEILINGS - ---THROUGH-OUT BLD.---	
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	MINOR V-10-197(G)(4)	
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791490	PAINT OR TREAT EXTERIOR WOOD WITH PROTECTIVE COATING -	
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	MINOR V-10-197(G)(3)	
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791473	PROVIDE DOOR - ---EXTERIOR DOORS---	
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	UNFIT V-10-197(A)(15)	
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791474	REPAIR DOOR - ---BEDROOM DOORS---	
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	UNFIT V-10-197(A)(15)	
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791475	REPAIR DOOR - ---BEDROOM DOORS---	
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	UNFIT V-10-197(A)(15)	
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791476	REPAIR LOCKSETS -	
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	UNFIT V-10-197(B)(4)	
--	----------------------	--

791477	REPAIR DEFECTIVE LIGHT FIXTURES -	
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	UNFIT V-10-197(F)(1)	
--	----------------------	--

791479	OTHER - ---REPAIR OR REPLACE DAMAGED FLOOR COVERING---	
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	UNFIT V-10-197	
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791480	REMOVE AND REPLACE FIRE DAMAGED PORTION OF STRUCTURE -	
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	UNFIT V-4-89(4)	
--	-----------------	--

791481	REPAIR KITCHEN CABINETS -	
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	UNFIT V-10-197(A)(16)	
--	-----------------------	--

791482	REPAIR KITCHEN SINK, FIXTURES AND/OR DRAIN -	
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	UNFIT V-10-197(D)(10)	
--	-----------------------	--

791483	REPAIR LAVATORY AND/OR FIXTURES -	
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	UNFIT V-10-197(D)(10)	
--	-----------------------	--

791484	REPAIR HOLES IN WALLS AND CEILINGS - ---FIRE DAMAGE---	
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	UNFIT V-10-197(G)(4)	
--	----------------------	--

791485	REPLACE LOOSE WALL AND CEILING MATERIALS - ---FIRE DAMAGE THROUGH-OUT BLD.---	
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	UNFIT V-10-197(G)(4)	
--	----------------------	--

791487	MAINTAIN FLOORS, WALLS - FIXTURES IN CLEAN AND SANITARY CONDITION -	
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	UNFIT V-10-197(H)(4)	
--	----------------------	--

C-3.a. DRAFT

- 791488 PROVIDE OPERABLE SMOKE DETECTOR -
UNFIT V-10-197(L)(1)
- 791489 PROVIDE R-19 CEILING INSULATION -
UNFIT V-10-197(I)
- 791491 PROVIDE ADEQUATE SERVICE EQUIPMENT AND LIGHTING PANEL -
UNFIT V-10-197(F)(10)
- 791492 REPAIR DEFECTIVE SWITCHES AND/OR OUTLETS TO INCLUDE COVERS -
UNFIT V-10-197(F)(1)
- 791494 PROVIDE ACCESS DOOR TO ATTIC -
UNFIT V-10-197(G)(6)
- 790779 REPLACE BROKEN WINDOW PANES - ---PANES AND FRAMES---
UNFIT V-10-197(B)(4)
- 822653 PROVIDE DOOR - PROVIDE SCREEN DOORS
UNFIT V-10-197(A)(15)
- 822654 REPAIR OR REPLACE DEFECTIVE SIDING -
UNFIT V-10-197(G)(3)
- 822656 REPAIR SOFFIT AND/OR FACIA - BURNED PORTION AT FRONT OF PROPERTY
UNFIT V-10-197(G)(6)
- 822657 REPAIR OR REPLACE SCREENS ON WINDOWS -
UNFIT V-10-197(B)(3)
- 822658 REPAIR FOUNDATION - HOLE AT FOUNDATION AT REAR NEAR PORCH STEPS
UNFIT V-10-197(G)(1)

CODE CASE NBR IMAGE DATE
2013120421 3/25/2015

IMAGE DESCRIPTION
2516 Ansonia Street



CODE CASE NBR IMAGE DATE
2013120421 3/25/2015

IMAGE DESCRIPTION
2516 Ansonia Street



CODE CASE NBR IMAGE DATE
2013120421 4/25/2016

IMAGE DESCRIPTION
2516 Ansonia Street



C-3.a. DRAFT

CODE CASE NBR IMAGE DATE
2013120421 4/25/2016

IMAGE DESCRIPTION
2516 Ansonia Street



Map & Directions

Map Only

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[Winston Salem, NC Hotels www.Orbitz.com/WinstonSalem](http://www.Orbitz.com/WinstonSalem) Find Hotels in Winston Salem, NC. Official Site on the Long Weekend.

Ad



- A** 100 E 1st St, Winston-Salem, NC 27101-4037
- B** 2516 Ansonia St, Winston-Salem, NC 27105-4610

Enter notes here

255

Total Distance: 3.96 mi— Total Time: 9 mins

A 100 E 1st St, Winston-Salem, NC 27101-4037	Expand All
Head toward N Church St on E 1st St	Go for 45 ft Hide
Turn left onto S Church St	Go for 0.2 mi Hide
Turn right onto Cemetery St	Go for 229 ft Hide
Turn right onto S Main St SE	Go for 141 ft Hide
Take ramp onto I-40-BR E	Go for 0.6 mi Hide
Take exit 6B toward NC-8 N/Mount Airy/Smith Reynolds Airport onto US-52 N/US-311 N (John M Gold Fwy)	Go for 0.9 mi Hide
Continue on US-52 (John M Gold Fwy)	Go for 1.4 mi Hide
Take exit 111A toward 28th St	Go for 0.1 mi Hide
Turn right onto N Cleveland Ave	Go for 337 ft Hide
Turn left onto E 25th St	Go for 0.6 mi Hide
Turn left onto Ansonia St	Go for 272 ft Hide
Arrive at Ansonia St. Your destination is on the left.	Hide
B 2516 Ansonia St, Winston-Salem, NC 27105-4610	Expand All

When using any driving directions or map, it is a good idea to double check and make sure the road still exists, watch out for construction, and follow all traffic safety precautions. This is only to be used as an aid in planning

