

AGENDA

COMMUNITY DEVELOPMENT/HOUSING/GENERAL GOVERNMENT COMMITTEE

4:30 p.m., Tuesday, August 9, 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. RESOLUTION SUPPORTING PROJECT IMPACT, A COMMUNITY-LED INITIATIVE TO PROVIDE ADDITIONAL OPERATING FUNDS TO WINSTON-SALEM/FORSYTH COUNTY SCHOOLS TO ADDRESS CRITICAL STUDENT ACHIEVEMENT GAPS.
- G-2. ORDINANCE AMENDING CHAPTER 2 OF THE CITY CODE ENTITLED "ADMINISTRATION" - *Piedmont Triad Airport Authority*.
- 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.]*
- G-4. CONSIDERATION OF AN ITEM RELATED TO THE ALLOCATION OF ADDITIONAL FUNDS FOR THE PATTERSON/GLENN AREA:
 - a. RESOLUTION APPROVING THE ALLOCATON OF ADDITIONAL REVITLIZING URBAN COMMERICAL AREAS (RUCAs) III MATCHING FUNDS FOR THE PATTERSON/GLENN AREA (NORTHEAST WARD).
 - b. ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE CITY OF WINSTON-SALEM, FOR THE FISCAL YEAR 2016-2017.

CONSENT AGENDA

- C-1. CONSIDERATION OF ORDINANCES RESCINDING AN ORDINANCE ORDERING THE DEMOLITION OF A DWELLING:
- a. C.W. Myers Trading Post, Inc. 1915 E. 26th Street
 - b. Salem View Property Management, LLC 4309 Erie Drive
- C-2. 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. E.V. Ferrell, Heirs 100 Powers Road, Bldg. #2
 - b. Patsy Ann Cason 1025 Louise Road
 - c. Zachariah Richardson, Heirs 117 E. 24th St.
 - d. Priscilla A. Thornton Williams 664 Mt. Vernon Avenue
 - e. Douglas B and Joy C. Wilson 305 Forest Hill Avenue
 - f. Donald Lindsay Snyder Jr. 217 S. Green Street
- C-3. 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. Marianne Dehart 0 Circle Drive Accessory Building
 - b. Rufino and Lucia Santa Maria 2227 Tryon Street
- C-4. 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. Doretha P. Edwards 618 E. 16th Street
 - b. Fate S. Jeffries, Heirs 919 Crowder Street

- c. Frances and Christine Blevins 3641 Yale Avenue Accessory Building
 - d. Charlie Colter, Heirs 1903 Maryland Avenue
 - e. Linda Sandler 1235 Hattie Avenue
 - f. Jerry Allen Shepherd 2701 Patria Street Accessory Building
 - g. Sonya Mitchell Smith, Heirs 2713 N. Glenn Avenue
 - h. Ethel C. Sell 4001 Bethania Station Road (Bldg. 1 of 3)
- C-5. APPROVAL OF COMMUNITY DEVELOPMENT /HOUSING/
GENERAL GOVERNMENT COMMITTEE SUMMARY OF MINUTES - *June 14, 2016.*

City Council – Action Request Form

Date: July 25, 2016

To: The City Manager

From: Derwick L. Paige, Assistant City Manager

Council Action Requested:

Adopt Resolution Supporting Project Impact, a community-led initiative to provide additional operating funds to Winston-Salem/Forsyth County Schools to address critical student achievement gaps.

Summary of Information:

Project Impact is a community-led initiative started by a group of local business leaders to provide additional operating funds to the Winston-Salem/Forsyth County Schools over the next six years to help address critical student achievement gaps. To date, more than \$22 million has been raised towards the overall goal of \$45 million.

To heighten awareness of local education issues and to build support for Project Impact, the City Council has been requested to adopt a resolution supporting the initiative. The initiative’s purpose is to improve third-grade reading and math proficiency, starting with pre-kindergarten programs; to close the achievement gaps within the WS/FCS as compared to other North Carolina urban school districts; and to increase the graduation rate of students within the WS/FCS.

Under the proposal, should the initiative prove successful, the long-term funding strategy would be to convert to public funding. However, approval of the attached resolution does not bind the City to any type of financial commitment to the initiative, but is an effort to help promote and recognize the contributions of sponsors, businesses, foundations and individual supporters.

A similar non-binding resolution already has been adopted by the Forsyth County Board of County Commissioners.

Committee Action:

Committee	_____	Action	_____
For	_____	Against	_____

Remarks:

**RESOLUTION SUPPORTING PROJECT IMPACT, A COMMUNITY-LED
INITIATIVE TO PROVIDE ADDITIONAL OPERATING FUNDS TO
WINSTON-SALEM/FORSYTH COUNTY SCHOOLS TO ADDRESS CRITICAL
STUDENT ACHIEVEMENT GAPS**

WHEREAS, Project Impact is a community-led initiative started by a group of local business leaders to provide additional operating funds to the Winston-Salem/Forsyth County Schools (WS/FCS) over the next six years to help address critical student achievement gaps; and

WHEREAS, Project Impact will begin in the 2016-17 school year and currently has commitments of more than \$22 million towards its overall goal of \$45 million; and

WHEREAS, Project Impact will allow the WS/FCS to serve hundreds more children in its prekindergarten program with the long-term goals of 1) improving third-grade reading and math proficiency; 2) closing achievement gaps as compared to other North Carolina urban school districts; and 3) increasing the graduation rate of students; and

WHEREAS, should the initiative prove successful, the long-term funding strategy would be to convert to public funding; however, the City is not bound to any type of financial commitment to the initiative, but supports the efforts of Project Impact and recognizes the contributions of its sponsors, businesses, foundations and individual supporters.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council hereby recognize the significance of Project Impact and the contributions of its sponsors, businesses, foundations and individual supporters.

PROJECT **IMPACT**

Start & Stay Ahead

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G-1. DRAFT

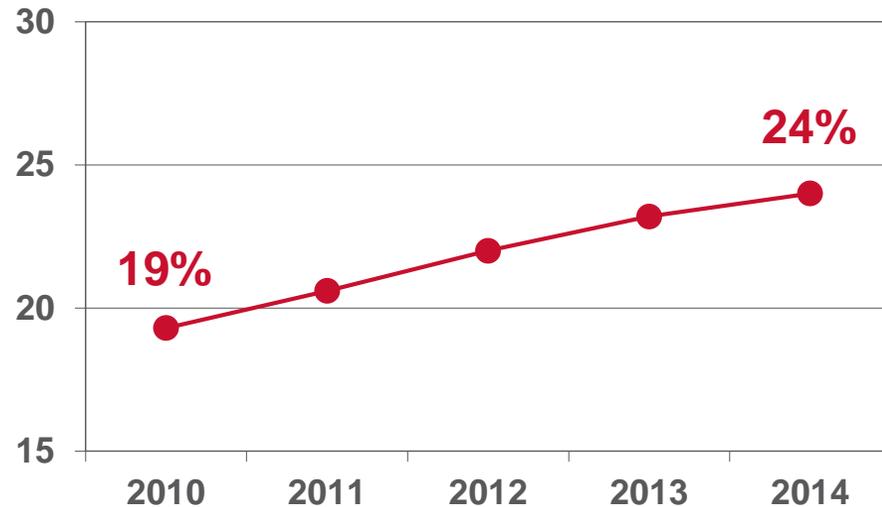
June 2016

Key Local Demographics

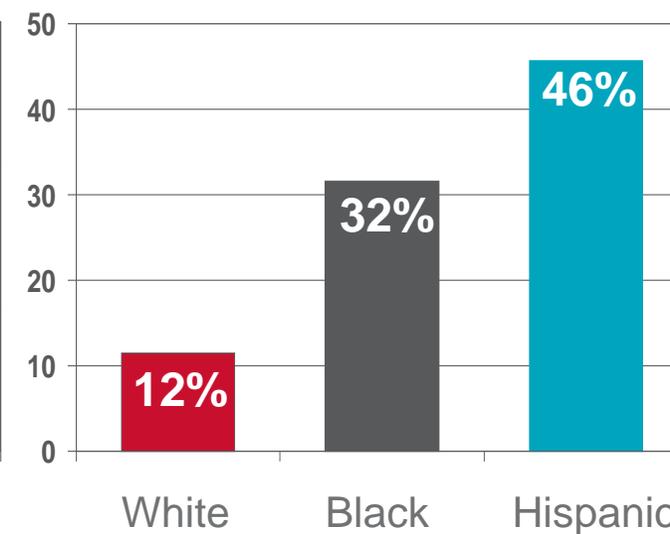
Winston-Salem population living below the poverty threshold

- 24.0% of all residents (higher than all other NC urban areas)
- 35.6% of children
- 39.3% of all households headed by single females

2010-2014 Winston-Salem poverty levels



2014 W-S poverty levels by race



FORSYTH COUNTY BIRTHS

47% to unwed mothers (2014)

63% to Medicaid-insured mothers (2012)

Source: NC Dept. of Health & Human Services State Center for Health Statistics

Forsyth Co. Hispanic Growth

% of Total Population	2000	2014
	6.4%	12.3%

Source: U.S. Census Data

Source for Winston-Salem poverty statistics: 2010-2014 American Community Survey 5-Year Estimates

Issues facing WS/FC schools

Significant Literacy Gaps

- Among students in WS/FCS...
- And compared to other urban NC school districts
- Gaps will grow with “status quo”

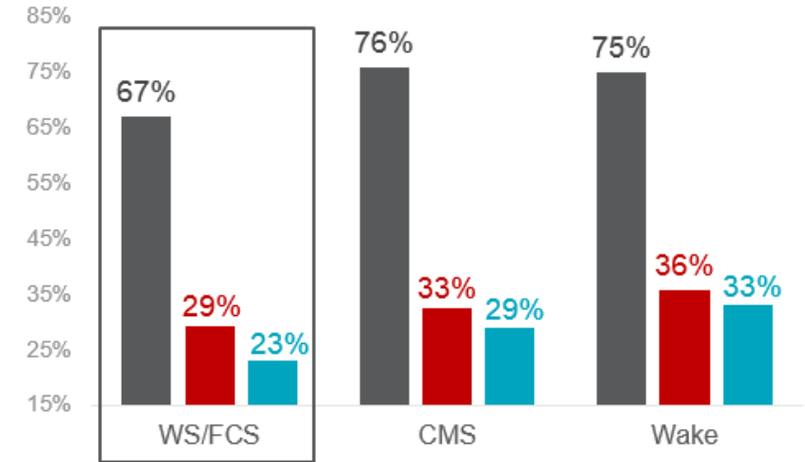
More than 40%
of all 3rd grade students
read below grade level

The greatest gaps:
children of poverty

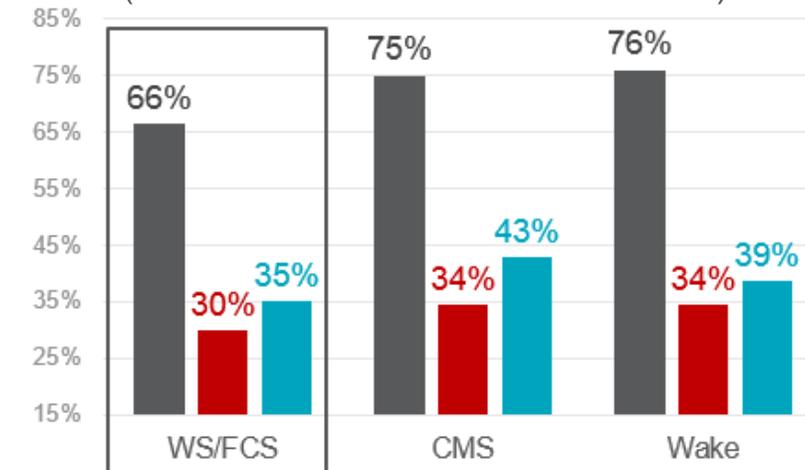
58%
of WS/FCS
students qualify for
free/reduced lunch

Entering students
not speaking English
12%
(Limited English-Proficient)

3rd Grade Reading Proficiency
(2014-2015 CCR Results Levels 4-5)



3rd Grade Math Proficiency
(2014-2015 CCR Results Levels 4-5)



White Black Hispanic

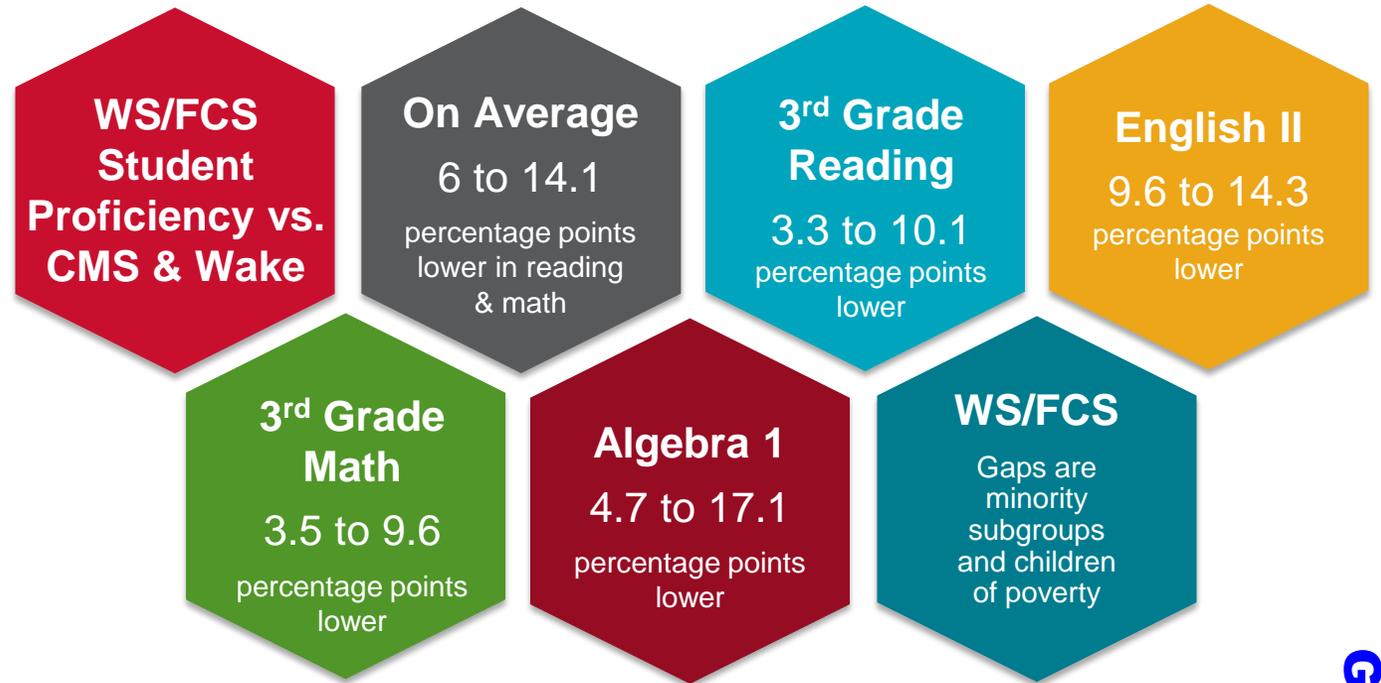
Executive Summary

We have an opportunity to address a critical community need

- Literacy gaps exist among student groups and between WS/FCS, other urban school districts and state averages
- Raising proficiency in reading and math requires additional interventions and initiatives
- WS/FCS has identified strategies proven in other urban districts to improve outcomes
- Areas of focus include:
 - Pre-K through Grade 3
 - Non-proficient students and achievement gaps
 - Intensive interventions in lower performing schools
- Proposed 6-year funding commitments from local businesses and individuals, and local and national foundations
 - Allows best measurement of program effectiveness over time

The Issue

- WS/FCS average scores fall below key benchmark school districts: Wake County and Charlotte/Mecklenburg
- Significant gaps exist in an increasingly diverse student population
- Gaps are likely to widen based on demographic shifts, if not addressed
- Early intervention among at-risk groups needs to expand
- Funding beyond traditional school revenue sources is needed



Based on 2014-2015 End of Grade/Course Proficiency Scores

Questions We Must Answer

- How do we impact child development before entering WS/FCS (home, day care, preschool)?
- How do we get more local children kindergarten-ready?
- How do we make sure children are progressing before it's too late – before third-grade testing?
- How do we maintain school-year gains by not losing ground in summer?
- How do we support the leadership development necessary to equip the school system for accelerated progress?

Early intervention is key

- The path to reading proficiency starts at birth
- Majority of brain development occurs before kindergarten
- Very hard to catch up if behind when kindergarten begins

Plan Overview

Objective

- Meaningful improvement on key reading and math metrics in WS/FCS

Program Criteria

- Strategies that have proven successful in other similar urban school districts
- Target needs identified through WS/FCS data analysis
- Evaluation plan that includes defined indicators of success

Areas of Focus

- Pre-K through Grade 3
- Non-proficient students and achievement gaps
- Intensive interventions in lower performing schools

Plan Overview

Strategies

- Instructional support
 - Leadership Academy for prospective and current administrators
 - Reading support for high poverty schools
 - Coaches for high-poverty schools
 - Grant writing and innovative program support
- Pre-K expansion
- Extended time and year-round learning options

Funding Sources – First Six Years

- Funding aligned to focus areas via monitored allocations
- Target: raise up to \$45 million for 6-year full-cycle evaluation
- Three sources of support:

Lead sponsors

\$2.5M annually (50% match on other gifts)

Local businesses and individuals

\$2.5M annually

Local and national foundations

\$2.5M annually

Aligned community commitment and resources

- \$22 million total commitment to date

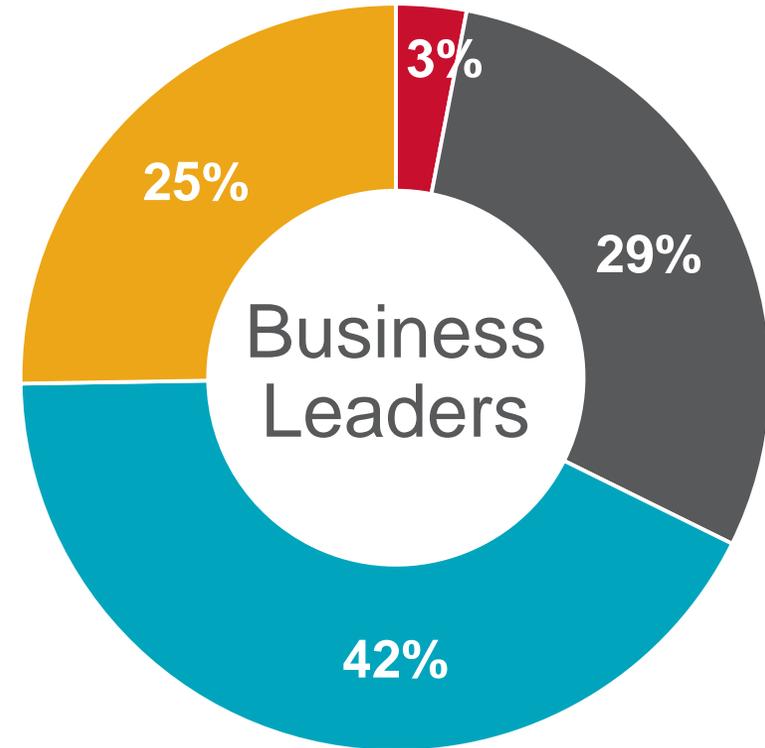


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- Plus additional resources on Leadership Development and Health and Wellness

It Takes Time to See The Impact



*“Aligning for Students: Business and the Promise of Collective Impact,”
Harvard Business School, Sept. 2015*

Long-Term Funding

Funding Commitment and Transition

- If initiative proves successful, would require transition to public funding after 6 years
- County Commissioners individually support initiative and vision for long-term funding
- Working toward public resolution formally endorsing proposal and acknowledging obligation for public support after 6 years, if program is deemed successful

Project Impact Governance: Advisory Board

8 Community leaders

- **Dr. Matthew Cullinan**
Community Leader
- **Mona Lovett**
President and CEO – Crosby
Scholars Community Partnership
- **Jose Rodriguez**
Senior Partner – KPMG
- **Will Sutton**
Executive VP & Director –
The BB&T Leadership Institute
- **Dr. Corey Walker**
Dean – Winston-Salem State University
- **Paul Wiles**
Former Novant Health CEO
BEST NC board member
- **Janet Wheeler**
Community Leader and
Retired VP of R.J. Reynolds
- **A parent representative**

Plus 2 non-local, non-voting members

- Experts in early-childhood education to serve as advisors

Metrics

Pre-K Expansion

- Kindergarten Entry Assessment (KEA)

Early Literacy Initiatives

Current measures in place to evaluate early literacy effectiveness:

- READ 3D Diagnostic (includes DIBELS fluency assessment and TRC comprehension assessment at grades K-3), EOG 3rd grade State Test
- Extended learning and/or summer programs would be assessed using measures aligned to those above, but would require pre- and post-assessment

Instructional Support Initiatives

- Pre- and post-assessment of instructional leadership standard, increased ratings on Principals Evaluation Instrument
- Portfolio/artifacts to demonstrate application of high yield school improvement strategies and measures
- Improved quality of skilled candidate pool (rubric)
- * *Incorporating a program evaluator component into the role of grant writer would ensure appropriate, ongoing measures of all initiatives.*

Complementary Local Education Initiatives



- By 2020, 90% of third-graders read on or above grade level
- By 2018, graduation rate of 90%
- By 2018, close achievement gap between subgroups by 10 percentage points while increasing performance of all subgroups

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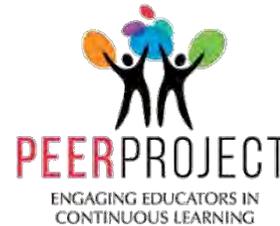


Expanded WS/FCS early intervention, focused on pre-K to 3rd grade at-risk students and lower-performing schools:

- Pre-K expansion
- Early literacy initiatives
- Instructional support initiatives



- Kate B. Reynolds Charitable Trust investing \$30-\$40M over 10-15 years
- Build foundation for success by end of kindergarten
- Focused on children ages 0 to 6, their families and caregivers



- 5-year, \$2 million commitment by Winston-Salem Foundation
- Supporting all local educators
- 2015-2016 launch



- Development and alignment of community resources
- Focus on common goals and outcomes
- Share expertise, best practices through national Cradle to Career network

G-1. DRAFT

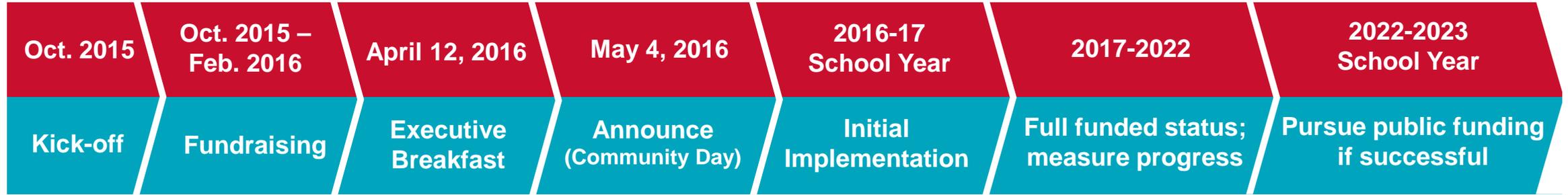
Community Leadership is Critical

- Developing youth/future leaders is shared public/private responsibility
- Resources needed to enable WS/FCS to accelerate closing of gaps, address issues key to community strength and economic development
- Corporate/community leaders must provide momentum for change

“Our foundation gives more money to education than to any other cause in the United States because it's the best lever we've seen for giving every child in America a chance to make the most of their lives.”

– Bill and Melinda Gates, 2015 Annual Letter

Timeline



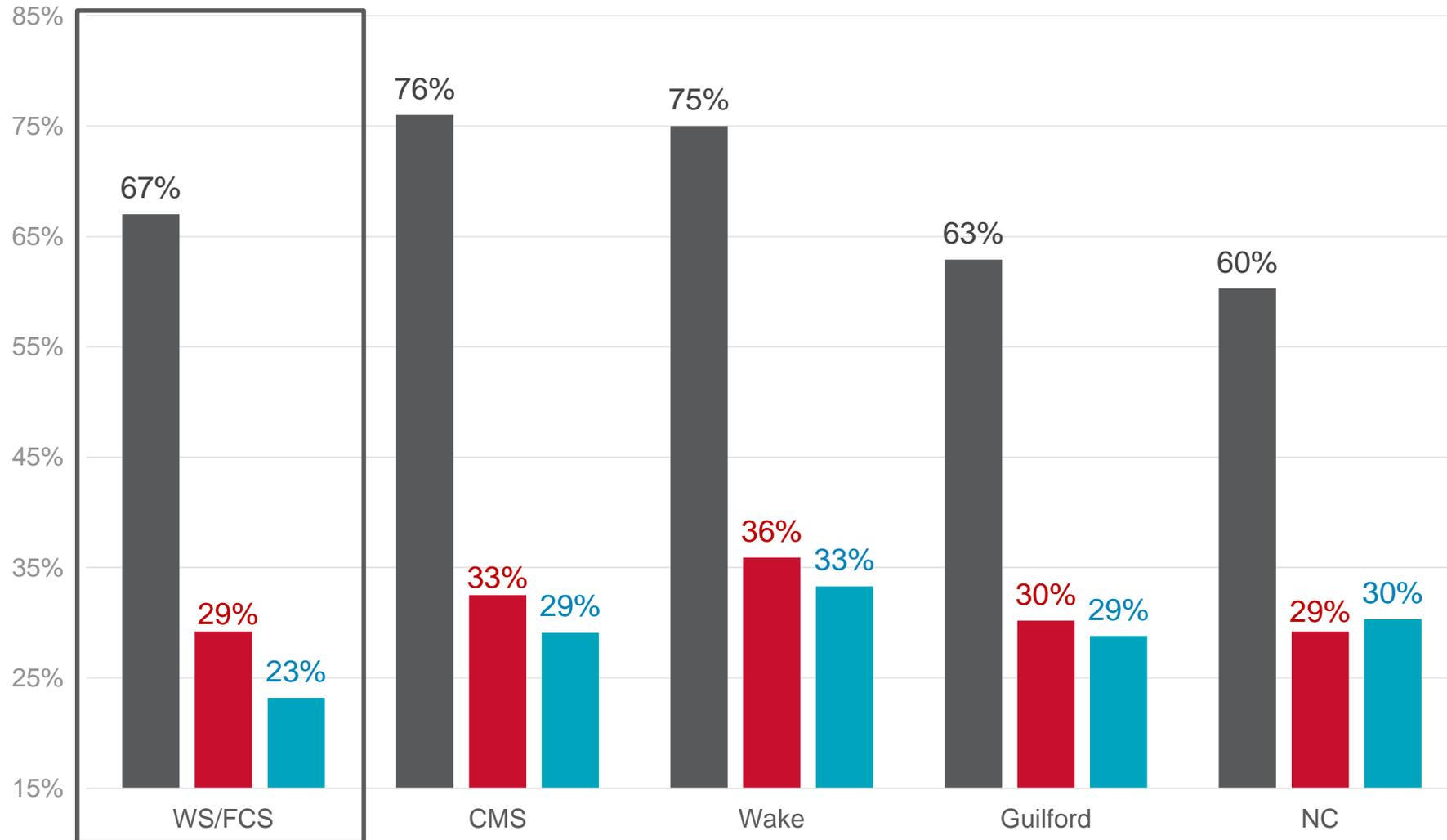


Appendix

2014-2015 College and Career Ready (CCR) Results

■ White ■ Black ■ Hispanic

3rd Grade Reading Proficiency (Levels 4-5)

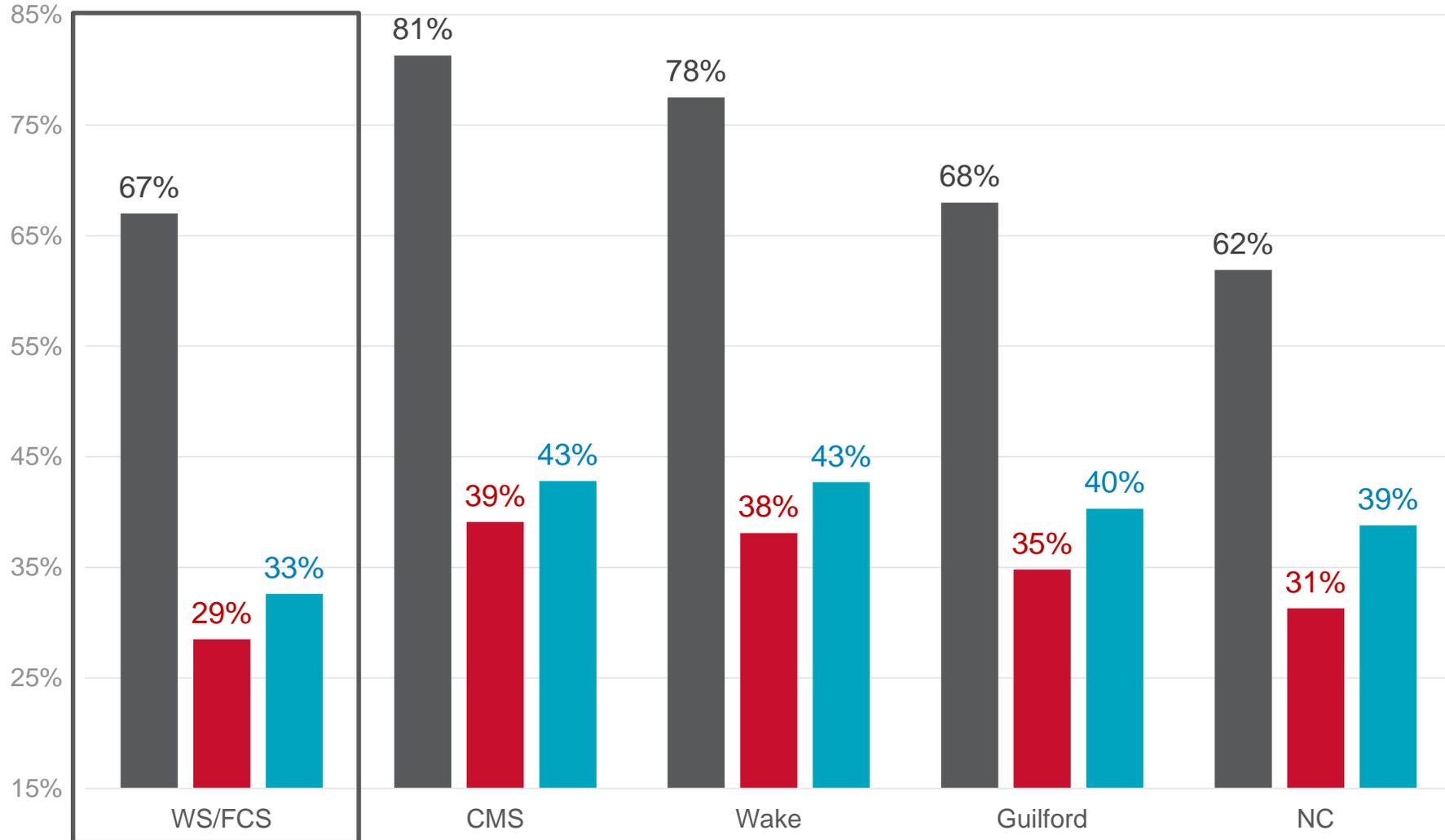


Note: Proficiency is defined as scoring a level 3, 4, or 5. Level 4-5 scores are the top two-thirds of the proficiency range.

2014-2015 College and Career Ready (CCR) Results

■ White ■ Black ■ Hispanic

English II Proficiency (Levels 4-5)

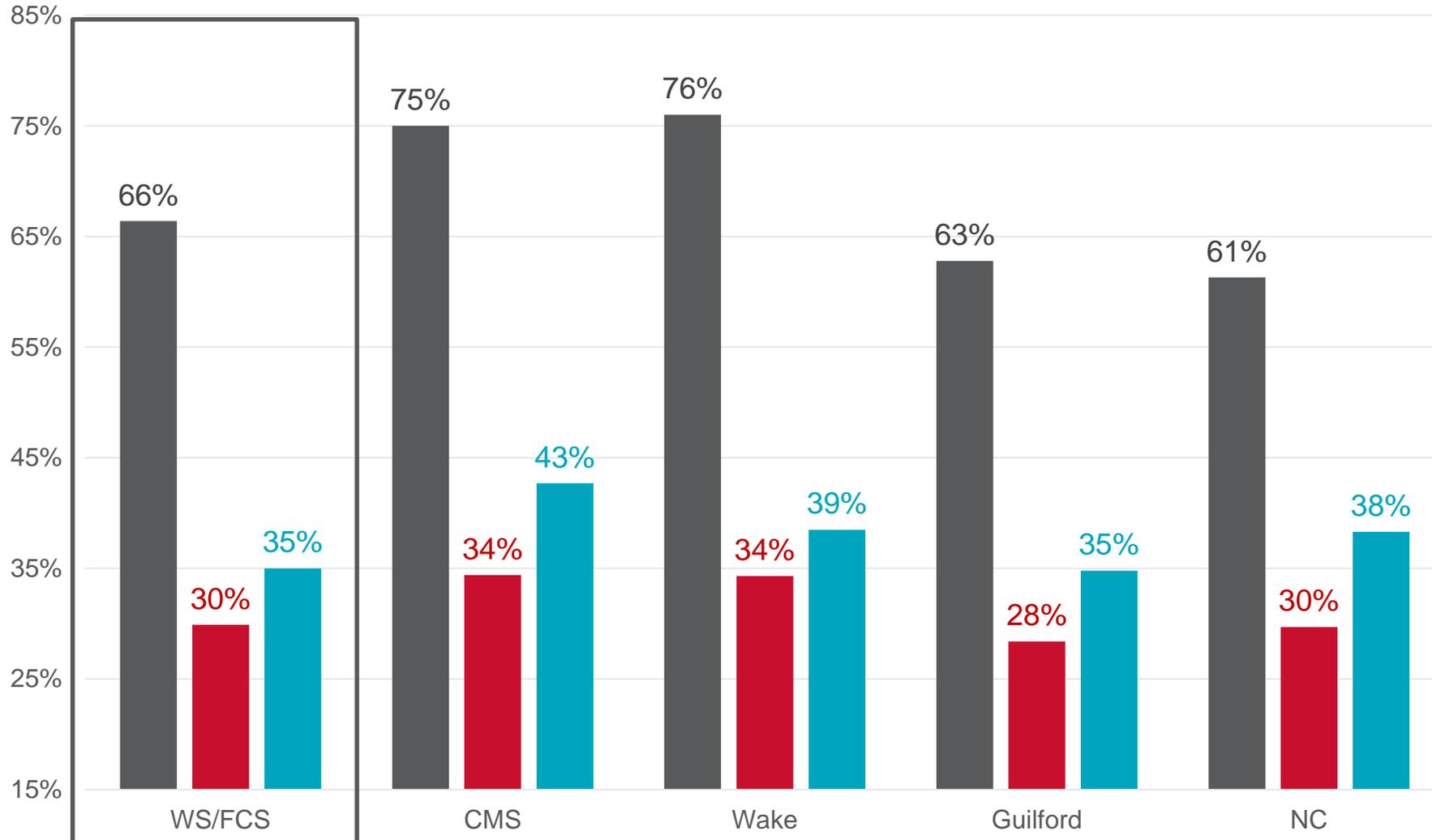


Note: Proficiency is defined as scoring a level 3, 4, or 5. Level 4-5 scores are the top two-thirds of the proficiency range.

2014-2015 College and Career Ready (CCR) Results

■ White ■ Black ■ Hispanic

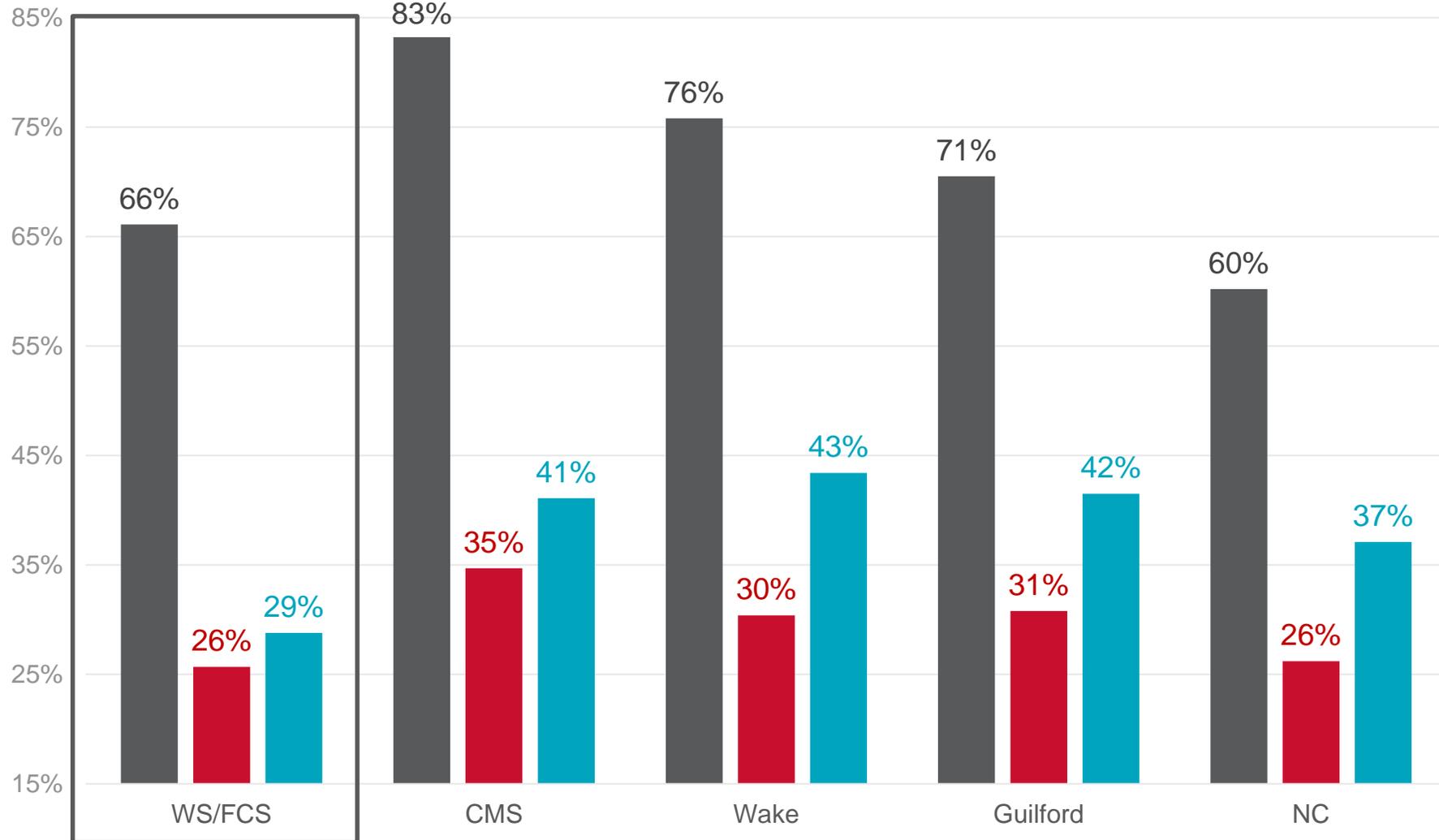
3rd Grade Math Proficiency (Levels 4-5)



Note: Proficiency is defined as scoring a level 3, 4, or 5. Level 4-5 scores are the top two-thirds of the proficiency range.

2014-2015 College and Career Ready (CCR) Results

White Black Hispanic
Algebra I Proficiency (Levels 4-5)



Note: Proficiency is defined as scoring a level 3, 4, or 5. Level 4-5 scores are the top two-thirds of the proficiency range.

School System Comparisons

	WS/FCS	CMS	Wake	Guilford	NC
Students ¹	54,000	145,000	156,000	72,000	1,520,000
Schools ²	80	169	175	126	2,583
Teachers ¹	3,500	8,900	10,500	4,800	95,000
Student/Teacher ratio ³	15:1	16:1	15:1	15:1	16:1
Per Pupil Expenditure ¹	\$8631	\$8044	\$7880	\$9212	\$8477
Families Below Federal Poverty Level by City ⁴	24.1%	16.7%	16.6%	19.6%	17.2%
White ⁵	41%	30%	48%	35%	51%
Black ⁵	29%	40%	24%	41%	26%
Hispanic ⁵	23%	21%	16%	14%	15%
Other ⁵	7%	9%	11%	10%	8%

¹ <http://apps.schools.nc.gov/statisticalprofile>

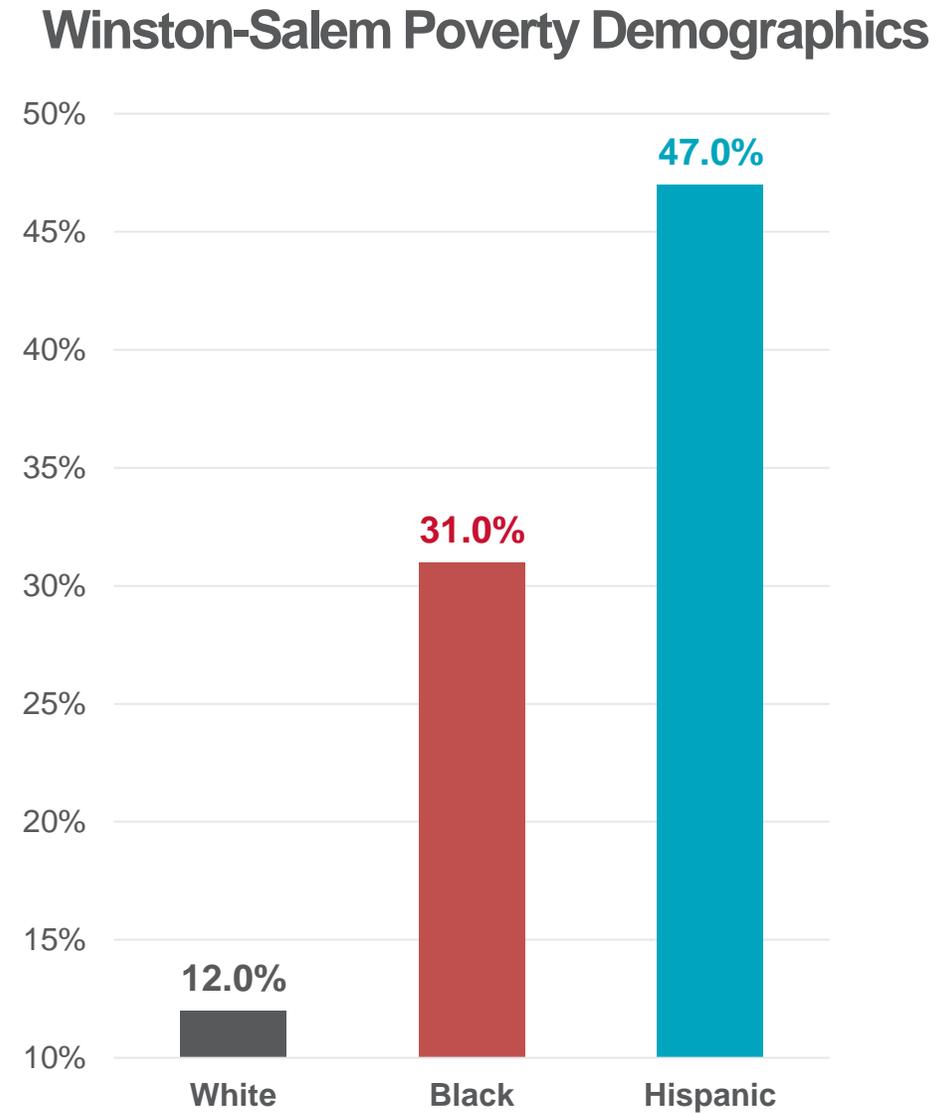
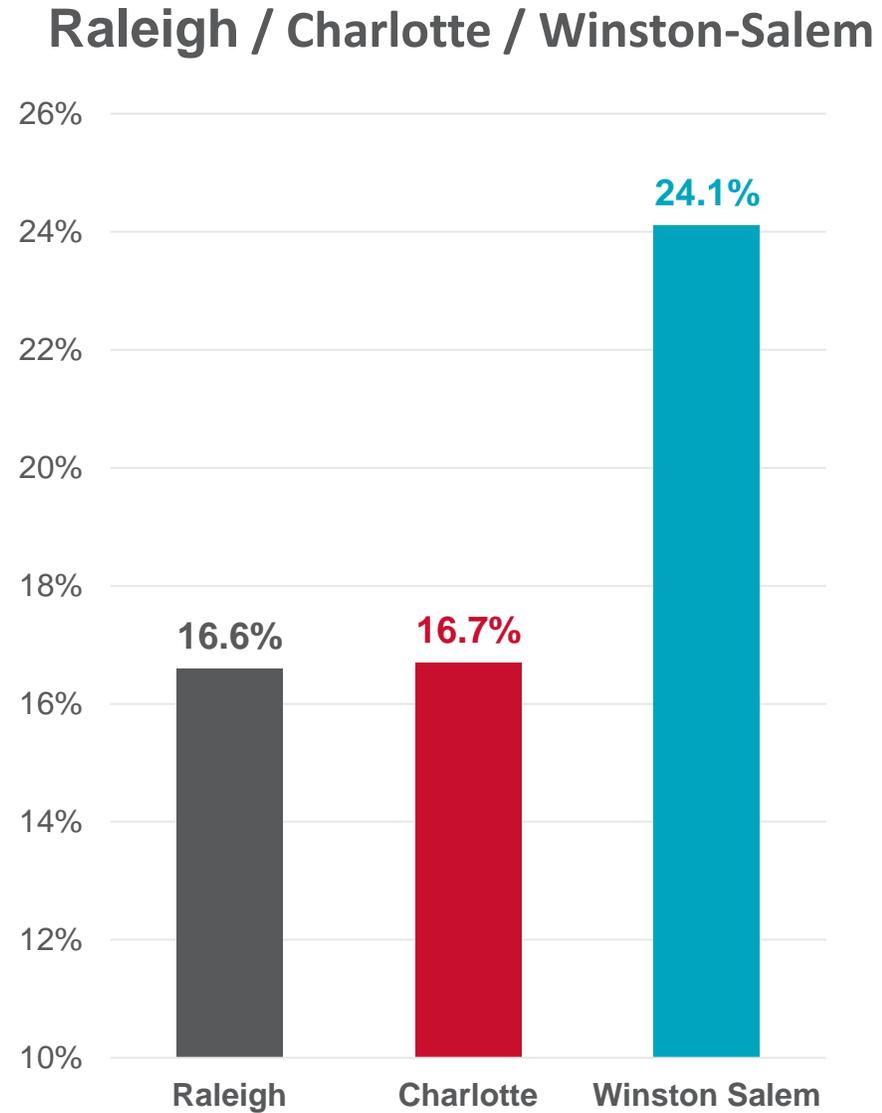
² <http://apps.schools.nc.gov/eddie>

³ Calculated from numbers in chart

⁴ U.S. Census Bureau 2014 American Community Survey abstracts for Winston-Salem, Charlotte, Raleigh, Greensboro and N.C.

⁵ <http://www.ncpublicschools.org/fbs/accounting/data/>

Percent of Residents in Poverty: City Snapshots



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Forsyth County preschool snapshot

WINSTON-SALEM
JOURNAL

Editorial – Nov. 29, 2015

Preschool Programs: Children wait for rare open slots

“Only about 1,300 of Forsyth County’s almost 4,000 4-year-olds are in pre-K programs through Winston-Salem/Forsyth County Schools or in Head Start or N.C. Pre-K, publicly funded programs that serve low-income families. Another 200 to 300 are enrolled in licensed home care or private centers, according to state records.

“... But what’s even more concerning is that, as of last month, there’s a waiting list, 500 or 600 deep in Forsyth County alone, of parents who want their children to be in Head Start or N.C. Pre-K... Private centers have not taken up the slack. There’s a wait there, too, even if they were affordable to all.”

The New York Times

“Early childhood experiences can be very consequential for children’s long-term social, emotional and cognitive development... And because those influence educational success and later earnings, early childhood experiences cast a lifelong shadow.”

“Class Differences in Child-Rearing Are on the Rise,” by Claire Cain Miller, Dec. 17, 2015. Quoting Stanford University professor Sean F. Miller



THE PEW CHARITABLE TRUSTS

“High quality pre-k can no longer be considered a luxury... experts believe that all children need the benefits of a high-quality pre-k education in order to succeed... Children who enter school behind their peers often stay behind.”

“Why All Children Benefit from Pre-K,” June 15, 2005



“We all know there’s a connection between fighting poverty and expanding access to early childhood education. Children who attend pre-K are more likely to graduate from high school, attend college, be employed at age 40 and earn higher wages. Indeed, economists estimate that for every \$1 we invest in early childhood education, we yield \$7 in return on investment.”

“Getting Pre-K in the USA, ” David Elliot, May 28, 2014

“Research shows that preschool programs – if they’re of high quality – can provide an enormous boost that changes children’s lives forever.

“We know that preschool can provide the developmentally stimulating experiences that many children growing up in poverty lack.

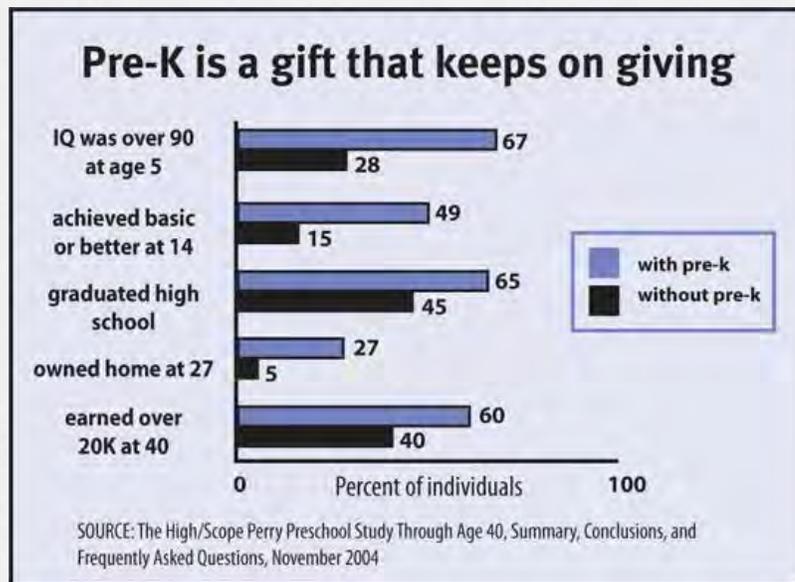
“Economic cost-benefit analyses... produced eye-opening results.”

- College at a much higher rate
- Decreases in grade retention and special education services
- Teenagers who make better choices and have fewer early pregnancies and juvenile arrests
- Higher education attainment and earnings

“How Preschool Fights Poverty,” by Cynthia E. Lamy, *Educational Leadership*, Volume 7, No. 8, May 2013

(ASCD is a nonprofit association whose members include superintendents, principals, teachers, professors and advocates)

“A large and growing body of research shows that investing in high-quality pre-kindergarten education yields benefits for children, schools and communities.”



“The Research on Pre-K,” prepared by Chrisanne Gayle, 2008

(CPE is an initiative of the National School Boards Assn.)

“Pre-k has significant, persistent benefits...

“Early childhood education should be a collaboration between providers, schools, school boards and the community. Close collaboration with the community – especially parents, Head Start and other early childhood providers – is necessary in order to develop programs that best meet the community’s needs.”

“Starting out right: pre-K and kindergarten at a glance,” summary of study written and researched by Jim Hull, updated Feb. 2012



“... many educators are discovering that reform efforts in K-12 education systems are sometimes too little and too late.

By the time children reach kindergarten, they are already far behind their peers in skills and measures of school readiness. These educational gaps tend to be much more difficult and costly to close as children advance through elementary, middle and high school.”

Benefits per \$1 Invested per Participant (2002 dollars)		
High/Scope Project (at age 27)	Abecedarian Project (at age 22)	Chicago Child-Parent Centers (at age 21)
\$8.74	\$3.78	\$10.15
Source: Committee for Economic Development, 2006		

“Pre-kindergarten: What the research shows,”
Eileen M. O’Brien and Chuck Dervarics, March 2007

Research Links for Further Reading

http://www.nytimes.com/2015/12/18/upshot/rich-children-and-poor-ones-are-raised-very-differently.html?action=click&contentCollection=us®ion=rank&module=package&version=highlights&contentPlacement=5&pgtype=sectionfront&_r=0

http://www.journalnow.com/news/local/today-s-classroom-preschool-needs-going-unmet-but-what-can/article_58e04a59-31c0-52e4-9fbd-1f128e7e9b55.html

http://www.journalnow.com/opinion/editorials/editorial-preschool-programs-children-wait-for-rare-open-slots/article_82ee4666-6799-5af4-a85e-58bf92e1b681.html

<https://www.yahoo.com/parenting/is-preschool-necessary-the-great-1318434736095286.html>

<http://nieer.org/resources/research/PreschoolLastingEffects.pdf>

<http://www.ascd.org/publications/educational-leadership/may13/vol70/num08/How-Preschool-Fights-Poverty.aspx>

<http://talkpoverty.org/2014/05/28/elliott/>

<http://www.centerforpubliceducation.org/Main-Menu/Pre-kindergarten/Pre-Kindergarten>

<http://www.centerforpubliceducation.org/Main-Menu/Pre-kindergarten/Pre-Kindergarten/Pre-kindergarten-What-the-research-shows.html>

<http://www.centerforpubliceducation.org/Main-Menu/Organizing-a-school/Starting-Out-Right-Pre-K-and-Kindergarten>

<http://www.pewtrusts.org/en/research-and-analysis/fact-sheets/2005/06/15/why-all-children-benefit-from-prek>

<http://www.uft.org/editorials/proven-benefits-full-day-pre-k>



*See forwarded to a similar resolution in August
Allen*

Reynolds American Inc.

Andrew D. Gilchrist
Executive Vice President
Chief Financial Officer

June 8, 2016

Mayor Allen Joines
Suite 150, City Hall
101 N. Main Street
Winston-Salem, N.C. 27101

Dear Mayor Joines:

As you know, we recently announced the new Project Impact community initiative, which will provide additional operating funds to Winston-Salem/Forsyth County Schools over the next six years to address critical student achievement gaps. While still in the early stages of soliciting support, the initiative already has commitments of over \$22 million toward its \$45 million goal.

Attached is a copy of a draft resolution supporting Project Impact to be voted on by the Forsyth County Commissioners on June 13. I am writing to ask if you or the city council would be willing to consider taking a similar action. A public endorsement by Winston-Salem's mayor and the city council would be very helpful in continuing to heighten awareness of local education issues, and building support for Project Impact.

As you are well aware, strengthening local education is an essential element of local economic development – and an important issue to the community, its families and local businesses. The results and quality of our schools are critical to creating a favorable environment for economic development, for local business, and talent recruiting and retention.

Project Impact's purpose is to improve third-grade reading and math proficiency, starting with pre-kindergarten programs, and to close literacy gaps within WS/FC Schools as compared to other North Carolina urban school districts. Project Impact's leaders and donors share the school system's sense of urgency about responding to critical needs of high-poverty schools and students with proficiency gaps. Project Impact is a catalyst for change, enabling our public schools to implement programs and measure their effectiveness in reaching key education goals.

I would welcome the opportunity to discuss this inquiry with you. We believe Project Impact will give our schools the resources they need to help create the future talent and leaders this community needs to flourish in the future.

Thank you for your time and consideration.

Sincerely,

Andrew D. Gilchrist

Enclosure

**FORSYTH COUNTY
BOARD OF COMMISSIONERS**

**BRIEFING
DRAFT**

MEETING DATE: JUNE 13, 2016

AGENDA ITEM NUMBER: 15

SUBJECT: RESOLUTION IN SUPPORT OF "PROJECT IMPACT", A COMMUNITY INITIATIVE TO PROVIDE ADDITIONAL OPERATING FUNDS TO WINSTON-SALEM/FORSYTH COUNTY SCHOOLS TO ADDRESS CRITICAL STUDENT ACHIEVEMENT GAPS

COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:

SUMMARY OF INFORMATION:

ATTACHMENTS: YES NO

SIGNATURE: _____ DATE: _____
COUNTY MANAGER

RESOLUTION IN SUPPORT OF "PROJECT IMPACT", A COMMUNITY INITIATIVE TO PROVIDE ADDITIONAL OPERATING FUNDS TO WINSTON-SALEM/FORSYTH COUNTY SCHOOLS TO ADDRESS CRITICAL STUDENT ACHIEVEMENT GAPS

WHEREAS, a new community initiative called "Project Impact" proposes to inject \$45 million into Winston-Salem/Forsyth County Schools to address critical student achievement gaps over the next six years; and

WHEREAS, Project Impact, which will begin in the 2016-2017 school year, was conceived of by a group of local business leaders and currently has commitments for \$22 million of the \$45 million goal; and

WHEREAS, Project Impact will allow the school system to serve hundreds more children in its prekindergarten program; and

WHEREAS, Head Start and N.C. Pre-K, publicly funded programs that serve low-income families, currently each have a waiting list of 500 to 600 children in Forsyth County; and

WHEREAS, longer term goals of Project Impact are improvement in third grade reading and math proficiency, narrowing achievement gaps, and higher graduation rates; and

WHEREAS, if the Project Impact initiative proves successful, the goal would be to transition to public funding after six years;

NOW, THEREFORE, BE IT RESOLVED that the Forsyth County Board of Commissioners hereby recognizes and ratifies the contributions of sponsors, businesses, foundations, and individuals in support of Project Impact.

Adopted this 13th day of June 2016.

City Council – Action Request Form

Date: June 30, 2016

To: The City Manager

From: Angela I. Carmon, City Attorney

Council Action Requested:

Adoption of an Ordinance Amending Chapter 2 of the City Code Entitled “Administration” (Piedmont Triad Airport Authority)

Summary of Information:

The Piedmont Triad Airport Authority (“Authority”), formerly known as the Greensboro-High Point Authority, was duly created pursuant to Chapter 98 of the 1941 Public-Local Laws of North Carolina, which has been amended over the years. One such amendment occurred in 1985.

At that time, the session laws were amended to authorize the appointment of one resident voter by the City Council of the City of Winston-Salem. It has been the practice of the City for the appointments to be made by the City Council upon recommendation of the Mayor Pro Tempore. The purpose of the attached ordinance amendment is to formally establish a written procedure, consistent with the aforementioned practice, for making said appointment. Said appointment may be made from the membership of the City Council thereby permitting a council member to serve as the City Council’s appointee just like a county commissioner is permitted to serve as the County Commissioner’s appointee.

The attached ordinance amendment is recommended for your approval.

Committee Action:

Committee	_____	Action	_____
For	_____	Against	_____

Remarks:

**ORDINANCE AMENDING CHAPTER 2 OF THE CITY CODE ENTITLED
“ADMINISTRATION”**

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

Section 1. A Division 7 shall be created to read as follows:

DIVISION 7: Piedmont Triad Airport Authority

Sec. 2-191. Purpose.

The Piedmont Triad Airport Authority (“Authority”), formerly known as the Greensboro-High Point Authority, was duly created under and pursuant to Chapter 98 of the 1941 Public-Local Laws of North Carolina, as amended by Chapter 601 of the 1943 Session Laws, Chapter 137 of the 1945 Session Laws, Chapter 1198 of the 1957 Session Laws, Chapter 793 of the 1969 Session Laws, Chapter 1078 of the 1979 Session Laws, and Chapter 594 of the 1985 Session Laws. The session laws were amended in 1985 to authorize the appointment of one resident voter by the City Council of the City of Winston-Salem. The purpose of this ordinance is to establish the procedure for making said appointment.

Sec. 2-192. Appointment.

Per Chapter 594 of the 1985 Session Laws, the City Council of the City of Winston-Salem (“City Council”) shall appoint one member of the Authority. Said member must be a resident voter of the city. The city appointee to the Authority shall be appointed by the City Council upon recommendation of the Mayor Pro Tempore. The City Council may appoint a council member as the city’s appointee to the Authority.

Sec. 2-193. Duties.

The city appointee to the Authority shall perform such duties as set forth in the session laws and other governing policies and procedures of the Authority.

Sec. 2-194. Term of office; vacancy; compensation.

The city appointee shall to the Authority shall serve a term of three years. The appointee shall be a resident voter of the city and shall serve until replaced by a successor. Any vacancy resulting from a cause other than the expiration of a term shall be filled only for the unexpired portion of the term. An appointee to such partial term may serve for the partial term plus one additional three-year term. For purposes of this section, service of less than 50 percent of a normal term shall not be deemed a term, and service for 50 percent or more shall be deemed a term. The appointee shall serve without compensation.

Sec. 2-195. Removal.

The city appointee to the Authority shall serve at the pleasure of the Mayor and City Council, and maybe removed by the Mayor and City Council.

Section 2. This ordinance shall become effective upon adoption and shall apply to the City Council's post adoption appointments to the Authority. The term of the current city appointee is scheduled to expire in August of 2016.

TO: Mayor Allen Joines and Members of the City Council
FROM: A. Paul Norby, Director of Planning and Development Services
DATE: August 2, 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

Planning and Development Services staff gave a presentation on UDO-267 (a text amendment to revise accessory dwelling provisions) at the May 10 Community Development/Housing/General Government Committee meeting. This amendment is necessary to ensure that our accessory dwelling provisions reflect current case law, community desires, and *Legacy 2030* recommendations. Following the May 10 meeting, Committee Chair Leight asked that Council be provided a list of key decisions regarding specific provisions of the proposed ordinance, to help focus discussions at the August CD/H/GG meeting. Questions regarding key ordinance provisions are as follows:

General Questions

- Allow detached accessory dwellings at all, or prohibit entirely?
- If detached accessory dwellings are allowed, should a Special Use Permit from the Board of Adjustment be required (as in both the existing and proposed draft ordinance)?
- Set a maximum number of people who may live in an accessory unit? (The proposed ordinance prohibits more than two adults from living in a unit.)

Minimum Lot Size

- Only allow detached units on lots larger than 9,000 square feet in size, or a different minimum lot size?
- Only allow detached units on lots where the principal residence occupies no more than 30% of the total lot area, as the current proposal suggests?

Maximum Size of Accessory Units

- Set the maximum size limit for accessory units at 1,000 square feet as proposed?
- Allow a maximum accessory unit size of 1,500 square feet in Growth Management Area 3 (Suburban Neighborhoods) on lots with at least 40,000 square feet (almost 1 acre) as proposed?

Setback Requirements for Accessory Units

- Set a minimum rear setback for detached accessory units at 50% of the required rear setback for the primary residence, as proposed?
- Require a setback of 20 feet between the principal residence on the lot and an accessory dwelling as proposed?
(Note: Existing accessory structures with less than the required setbacks must request a variance from the Board of Adjustment, according to the draft ordinance)

Other Requirements

- Set an accessory unit height limit of 24 feet as proposed? (accommodates a unit above a detached garage, for example)
- Only allow variances from certain ordinance requirements to be granted for lots which are more than 9,000 square feet in size, as proposed?
- If variances are allowed, limit variances only to structures existing prior to the adoption of UDO-267, as proposed?

Staff will be available at the August 9, 2016 Community Development/Housing/General Government Committee meeting to assist the Committee in its discussion on this item.

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; Glora D. Whisenhunt; Everette Witherspoon; County Manager: Dudley Watts, Jr.

City-County Planning Board: Arnold G. King, Chair; Allan Youn, Chair; George M. Bryan, Jr.; Melynda Dumigan; Tommy Hicks; Clarence R. Lamb, 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

PLANNING STAFF PROPOSAL
RECOMMENDED FOR DENIAL BY 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 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
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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 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]~~

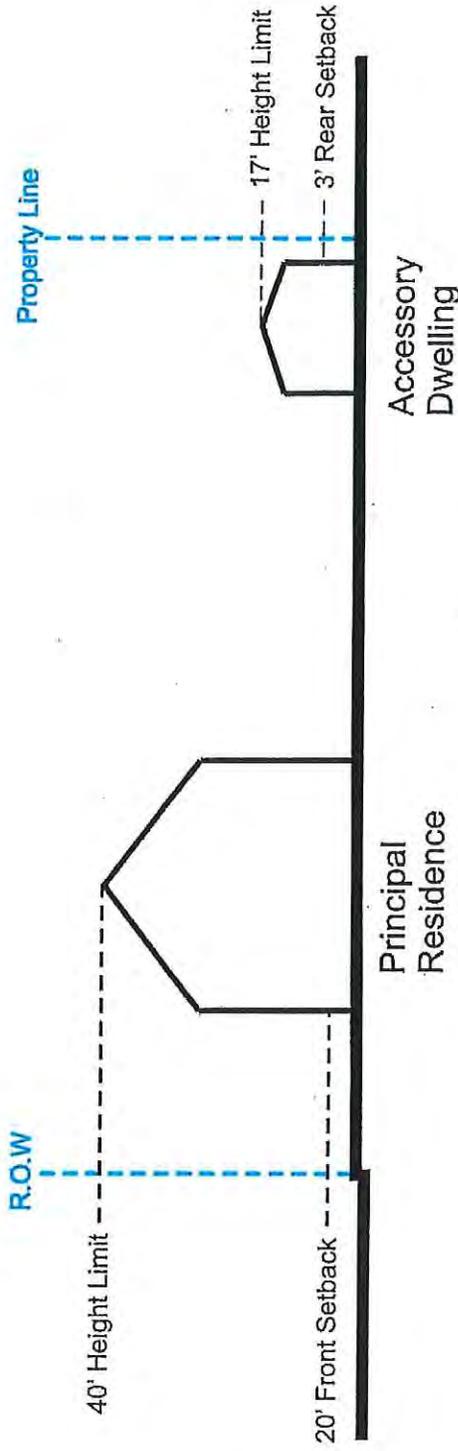
~~Relative (W). Any relative under the civil law of the first, second, or third degree of kinship to the head of the household owning or occupying the principal dwelling on the lot, or to the spouse (whether living or deceased) of the head of the household; [Reserved]~~

- (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.

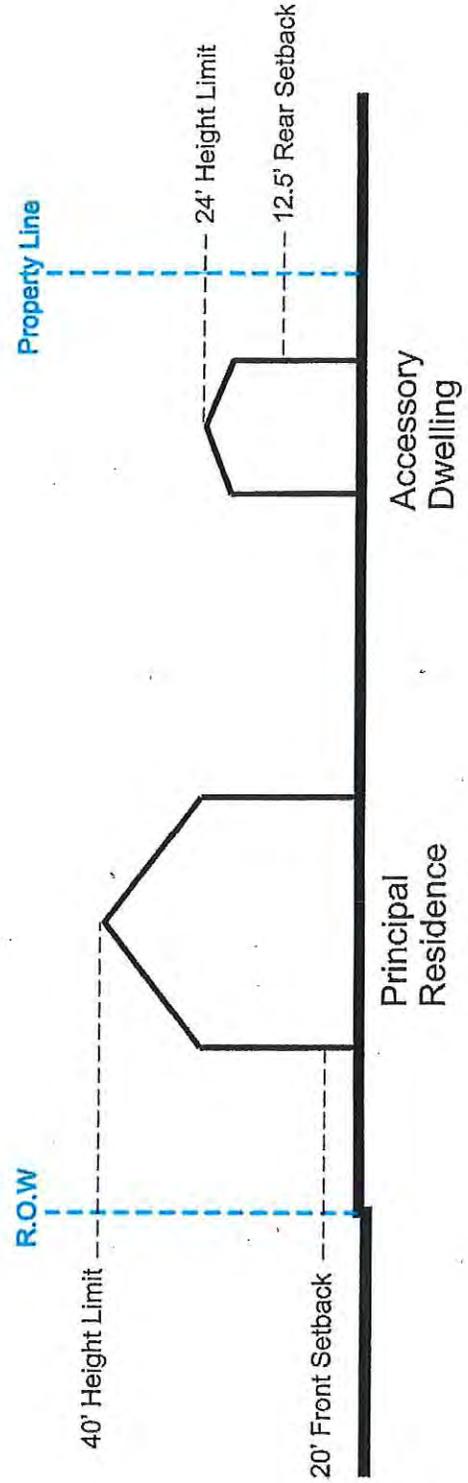
Section 2. This ordinance shall be effective upon adoption.

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



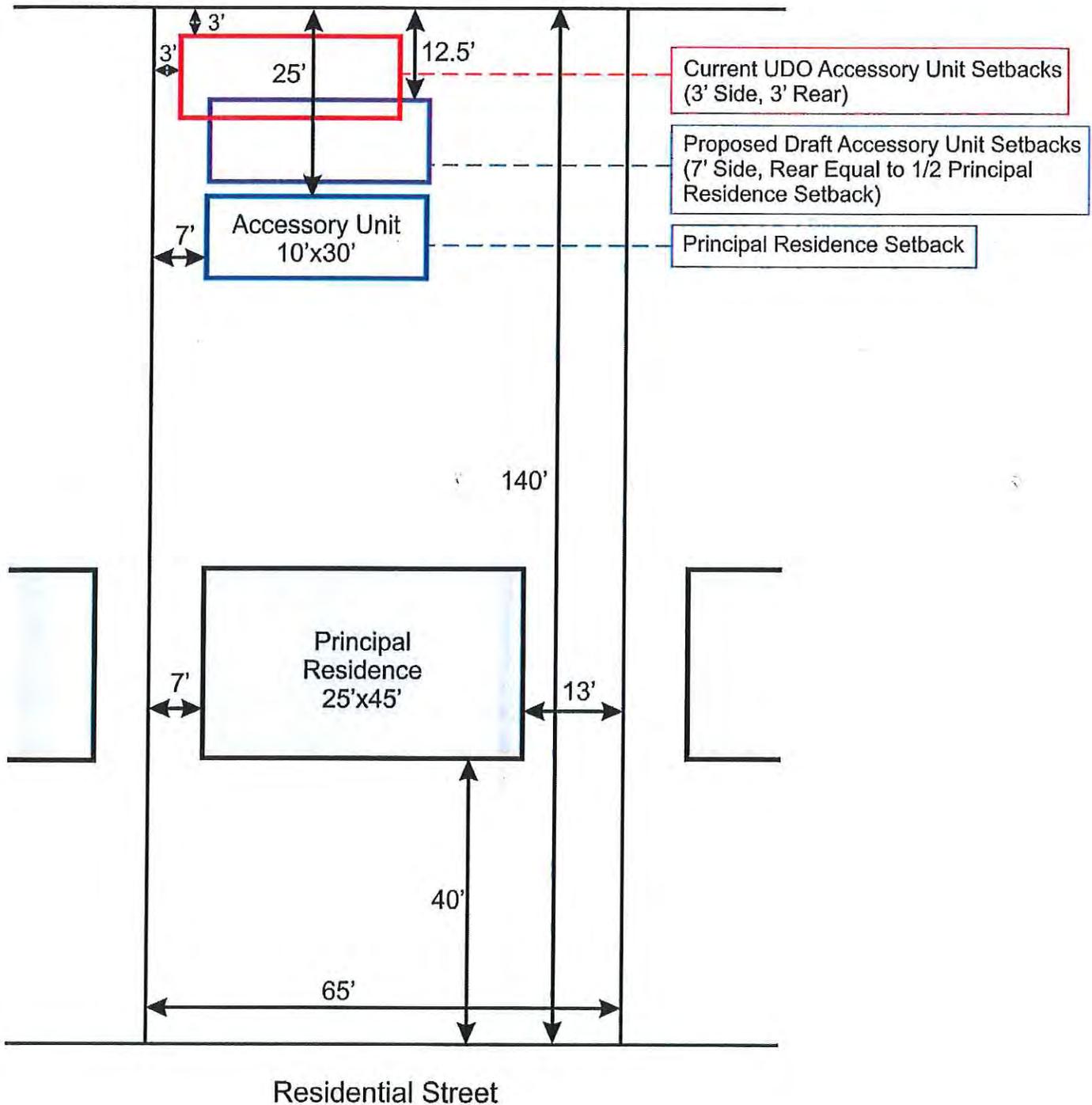
Existing Ordinance



Proposed Ordinance

G-3. DRAFT

**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

-87-

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

-88-

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

-89-

GASTON ST

G-3.
DRAFT

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

-90-

Rear Setback: 2'

RS9

Side Setback: 7'



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

-16-

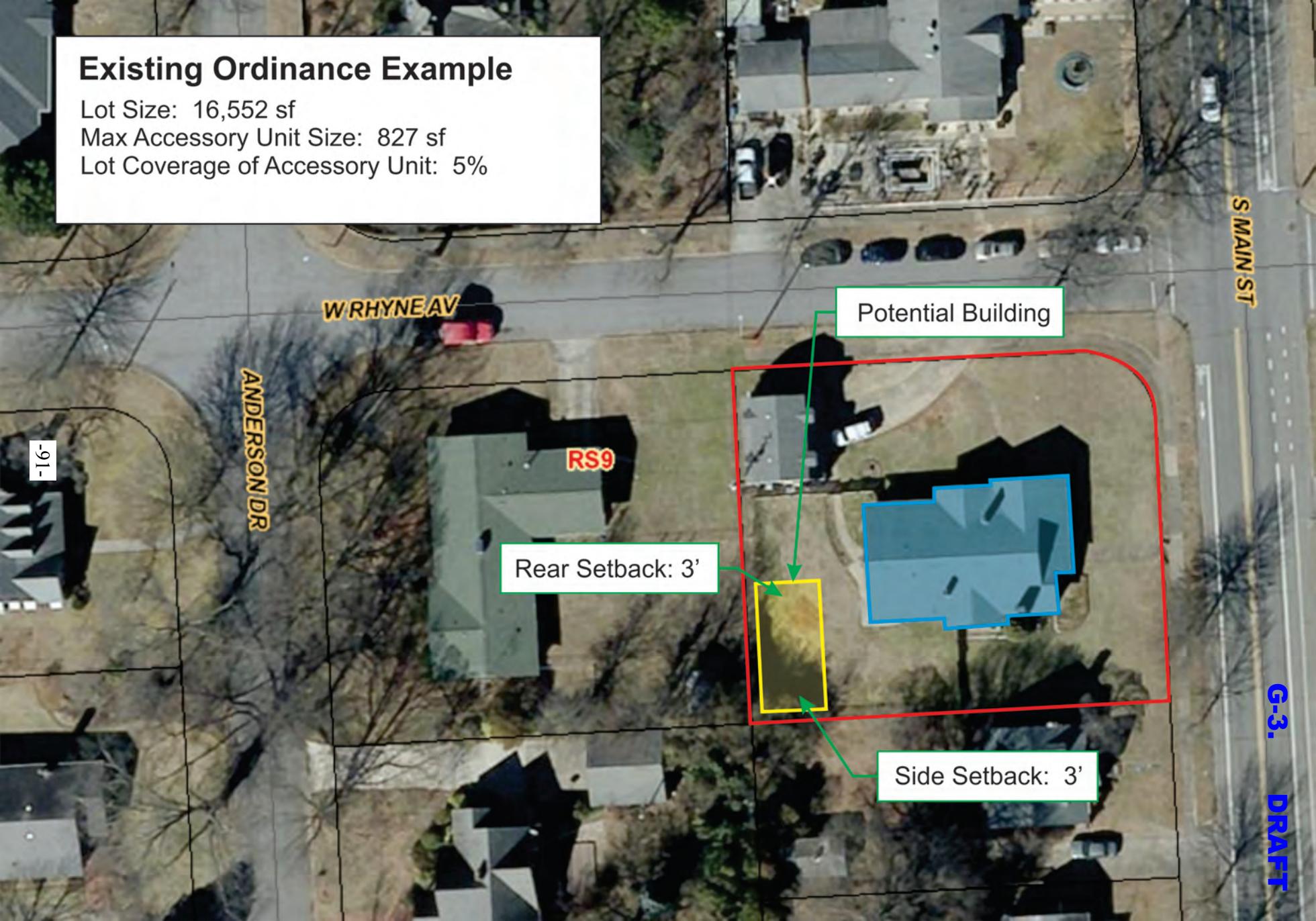
RS9

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

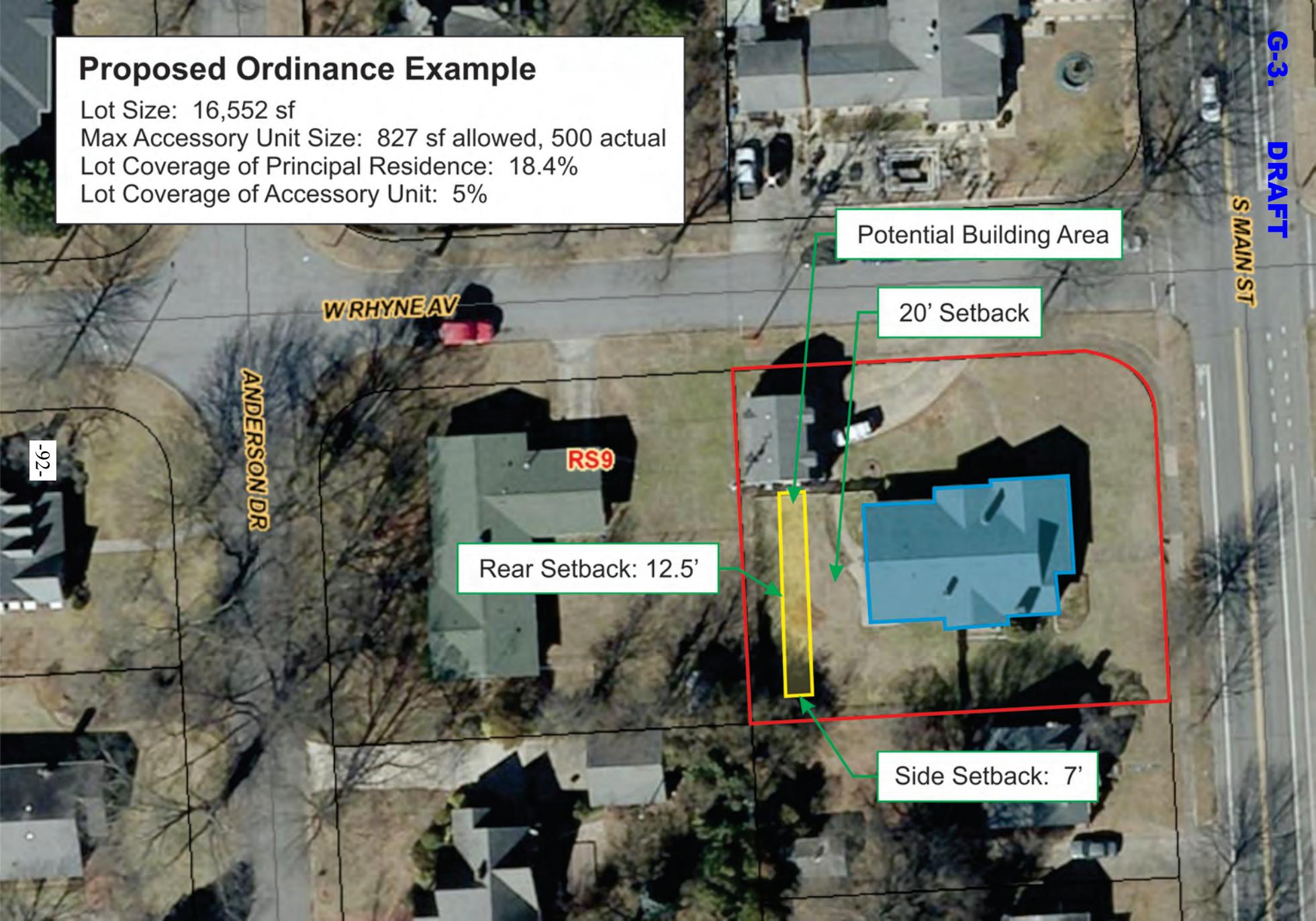
Potential Building Area

20' Setback

Rear Setback: 12.5'

Side Setback: 7'

-92-



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.

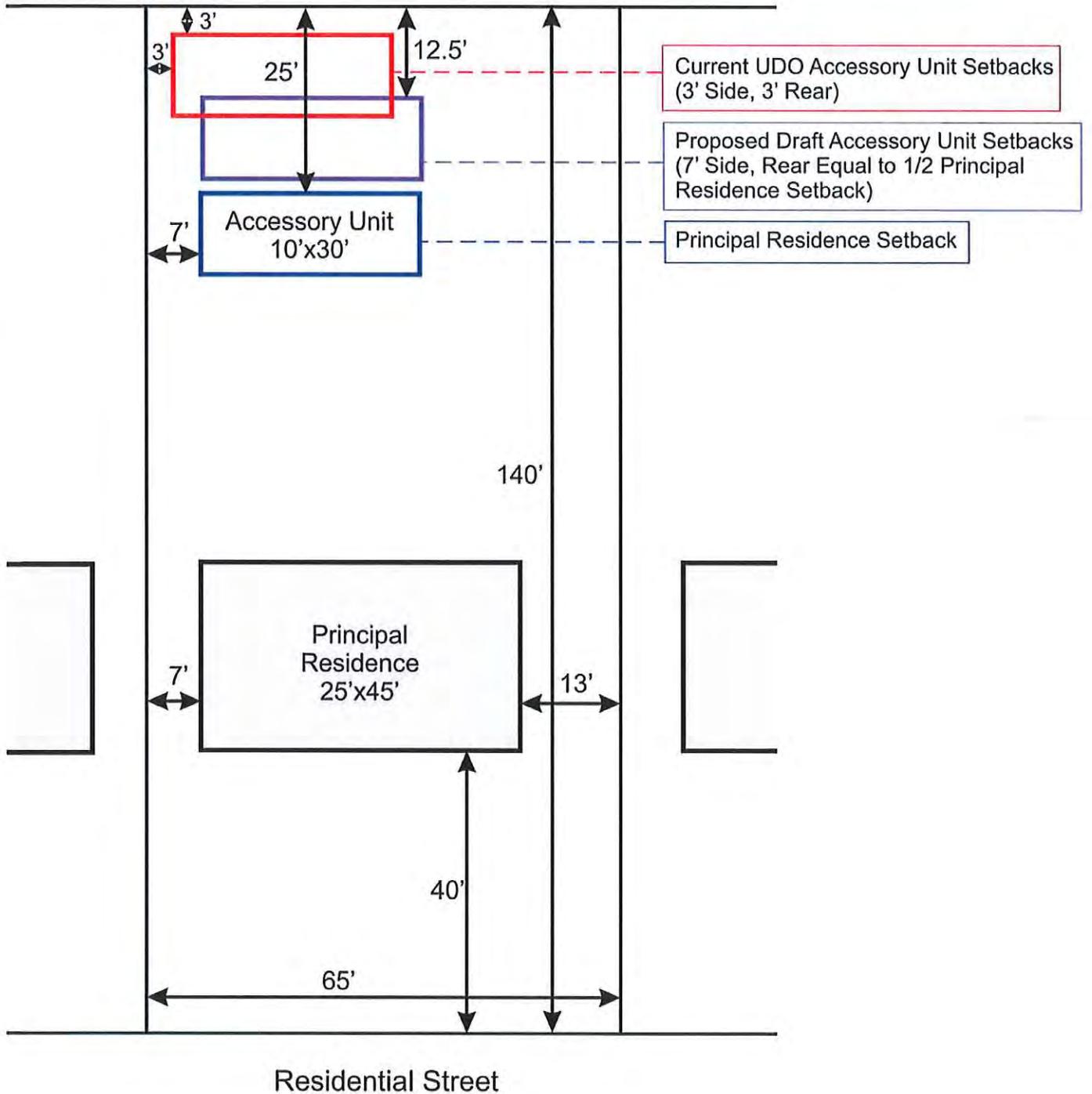
7. Is it possible to limit accessory structures to only being allowed in conjunction with principal residences that are at least 5 years old? Conversely, can you limit accessory units to only being used in conjunction with new subdivisions? The Attorney’s Office believes such regulations would not be 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.

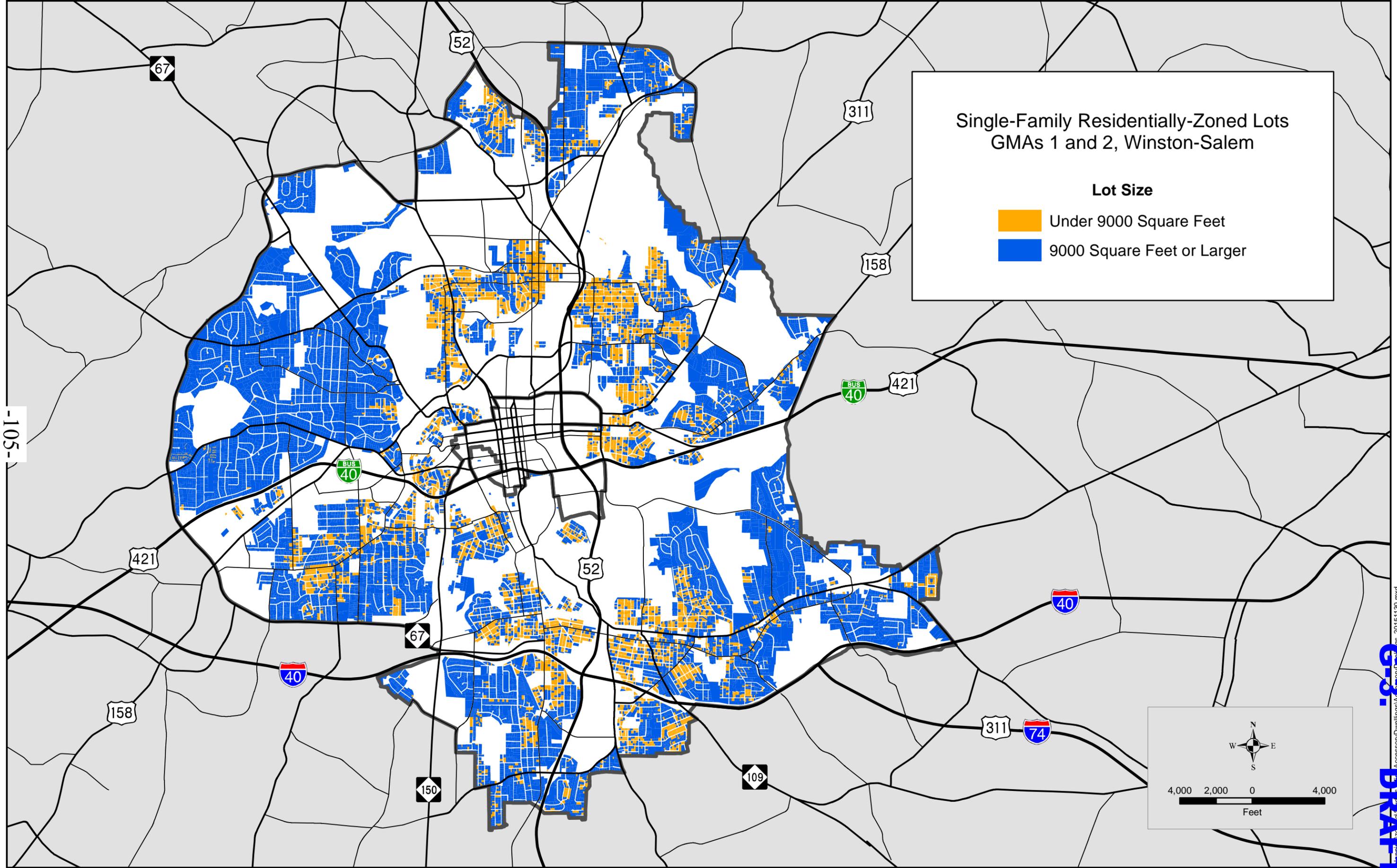
In addition to the parking requirement and attached accessory dwelling limitations discussed in questions 1 and 6 above, the Planning staff could support the following additional measures as ways to minimize the impacts of accessory dwellings:

- 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)

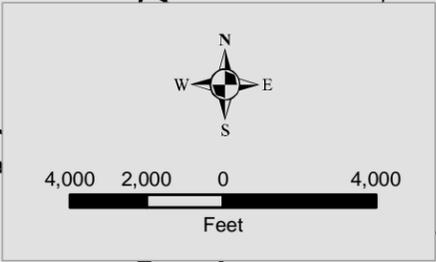




Single-Family Residentially-Zoned Lots
GMAs 1 and 2, Winston-Salem

Lot Size

- Under 9000 Square Feet
- 9000 Square Feet or Larger



-105-

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

Please see Finance G-5 for printed material on this item.

City Council – Action Request Form-

Date: July 27, 2016

To: The City Manager

From: D. Ritchie Brooks

Council Action Requested:

Ordinance rescinding an Ordinance adopted on August 15, 2011, ordering demolition of housing located at 1915 E. 26th Street, Block 1218, Lot 186, owned by C.W. Myers Trading Post, Inc.

Summary of Information:

On August 15, 2011, the City Council of the City of Winston-Salem adopted an Ordinance to cause the dwelling located at 1915 E. 26th Street to be demolished. This action was taken as a result of the owner’s failure to comply with a duly-issued Order to repair or demolish the housing which was considered to be unfit for human habitation as prescribed in the Housing Code of the City of Winston-Salem.

After the Ordinance was adopted, the owner made the necessary repairs to render the dwelling fit for human habitation as prescribed in the Housing code of the City of Winston-Salem.

The owner has requested that the City Council of the City of Winston-Salem rescind the Ordinance adopted on August 15, 2011, requiring the demolition of the property located at 1915 E. 26th Street, only as it relates to that property thereby allowing the ordinance of record relating to said property to be cancelled (Deed Book 3054, Page(s) 720).

Committee Action:

Committee	_____	Action	_____
For	_____	Against	_____

Remarks: _____

**AN ORDINANCE RESCINDING AN ORDINANCE ADOPTED ON
ORDERING THE DEMOLITION OF A DWELLING**

WHEREAS, on August 15, 2011, the City Council of the City of Winston-Salem adopted an ordinance requiring C.W. Myers Trading Post, Inc. owner(s) of the property located at 1915 E. 26th Street, Block 1218, Lot 186, to demolish said dwelling because it was unfit for human habitation and the estimated cost of making the necessary repairs are more than sixty-five percent (65) of the dwelling’s value; and

WHEREAS, the owner made the necessary repairs or demolished the property to render said dwelling fit for human habitation as prescribed in the Housing Code of the City of Winston-Salem.

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

Section 1. The provisions of the ordinance D-Ch.4 adopted on August 15, 2011, recorded in Deed Book 3054, at page(s) 720 relating to the demolition of the property owned by C.W. Myers Trading Post, Inc. located at 1915 E. 26th Street, Block 1218, Lot 186, is hereby rescinded thereby releasing said property, and only said property, from the demolition ordinance and permitting such to be canceled of record upon the recording of this ordinance.

Section 2. This Ordinance shall become effective upon its adoption and a copy certified by the Secretary of the City of Winston-Salem, shall be recorded in the Office of the Register of Deed of Forsyth County, North Carolina, and shall be indexed in the name of C.W. Myers Trading Post, Inc. in the grantor index as provided by law.

INSTRUMENT DRAWN BY

CITY ATTORNEY

CDPR0002 - Single Image Print

CD-Plus Report - Code Case Images

<u>CODE CASE NBR</u>	<u>IMAGE DESCRIPTION</u>
2009120192	DEMOLITION OF 1915 E. 26TH STREET BY CITY

<u>IMAGE DATE</u>
2/2/2012



**AN ORDINANCE RESCINDING AN ORDINANCE ADOPTED ON
ORDERING THE DEMOLITION OF A DWELLING**

WHEREAS, on May 16, 2016, the City Council of the City of Winston-Salem adopted an ordinance requiring Salem View Property Management LLC owner(s) of the property located at 4309 Erie Drive, Block 3471, Lot 074B, to demolish said dwelling because it was unfit for human habitation and the estimated cost of making the necessary repairs are more than fifty percent (50%) of the dwelling’s value; and

WHEREAS, the owner made the necessary repairs or demolished the property to render said dwelling fit for human habitation as prescribed in the Housing Code of the City of Winston-Salem.

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

Section 1. The provisions of the ordinance D-Ch.4 adopted on May 16, 2016, recorded in Deed Book 3291, at page(s) 2185 relating to the demolition of the property owned by Salem View Management LLC. located at 4309 Erie Drive, Block 3471, Lot 074B, is hereby rescinded thereby releasing said property, and only said property, from the demolition ordinance and permitting such to be canceled of record upon the recording of this ordinance.

Section 2. This Ordinance shall become effective upon its adoption and a copy certified by the Secretary of the City of Winston-Salem, shall be recorded in the Office of the Register of Deed of Forsyth County, North Carolina, and shall be indexed in the name of Salem View Property Management LLC in the grantor index as provided by law.

INSTRUMENT DRAWN BY

CITY ATTORNEY

CDPR0002 - Single Image Print

CD-Plus Report - Code Case Images

<u>CODE CASE NBR</u>	<u>IMAGE DESCRIPTION</u>
2014052744	final demo of 4309 Erie Drive

<u>IMAGE DATE</u>
7/27/2016



City Council – Action Request Form

Date: July 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)
E V Ferrell, heirs	100 Powers Road, bldg.#2	3425, 002T
Patsy Ann Cason	1025 Louise Road	2377, 059
Zachariah Richardson, heirs	117 E. 24 th Street	1668, 004B
Priscilla S. Thornton Williams	664 Mount Vernon Avenue	1555, 104
Douglas & Joy Wilson	305 Forest Hill Avenue	1929, 030
Donald Lindsay Snyder, Jr.	217 S. Green Street	0643, 353D

Committee Action:

Committee	_____	Action	_____
For	_____	Against	_____
Remarks:	_____		

TO: Tiffany Harris
FROM: Michelle M. McCullough
DATE: July 21, 2016
SUBJECT: Demolitions for August 9, 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 August 9, 2016 for demolition consideration:

117 E. 24th Street
 217 S. Green Street **West Salem Historic District**
 664 Mt. Vernon Ave.
 2227 Tryon Street **Waughtown-Belview Historic District**
 919 Crowder Street
 305 Forest Hill Avenue
 618 E. 16th Street
 2701 Patria Street (accy. bldg.)
 0 Circle Drive (accy. bldg.)
 100 Powers Road, Bldg #2
 1903 Maryland Avenue
 1235 Hattie Avenue
 3641 Yale Avenue (accy. bldg.)

While it appears that most of the properties were built prior to 1966, several are located within National Register Historic Districts. The following are the National Register properties: 217 S. Green Street is located in the West Salem Historic District and 2227 Tryon Street is located in the Waughtown-Belview Historic District.

Historic Resources staff has concerns about the loss of structures in so many of the City's National Register 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.

C-2. DRAFT

2

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. 2014030172
 PROPERTY ADDRESS 100 POWERS RD BLDG 2
 TAX BLOCK 3425 LOT(s) 002T
 WARD NORTHWEST
 PROPERTY OWNER(s) E V FERRELL, HEIRS
 LIS PENDENS 16M235 FILED 02/02/2016

DUE PROCESS

1. The current **Complaint and Notice of Hearing** was issued 11/23/2015 and service was obtained by certified mail regular post hand delivery___, and publication___ on 12/03/2015. The Hearing was held on 12/23/2015 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 12/29/2015 and service was obtained by certified regular post hand delivery___, and publication ___ on 01/04/2016. The Order directed the owner to **vacate and close or repair** the dwelling within 30 days from receipt. Time for compliance expired on 02/04/2016. The dwelling was found vacated and closed on 02/04/2016.
3. The dwelling became eligible for demolition under the six (6) month rule on 08/04/2016.
4. The notification letter was sent 07/12/2016 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 08/09/2016. 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 \$16,043.00 Fair market value \$164,638.00

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.**

CODE DEFICIENCIES - EXHIBIT A

CASE NO: 2014030172

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

100 POWERS RD BLDG 2

VIOL NBR VIOLATION DESCRIPTION
STATUS/ORDINANCE795944 REPLACE BROKEN WINDOW PANES -
COMPLIED V-10-197(B)(4)795946 REGLAZE WINDOWS -
COMPLIED V-10-197(B)(4)795949 REPAIR, REPLACE OR REMOVE GUTTERS AND DOWNSPOUTS -
MINOR V-10-197(G)(6)795950 PAINT OR TREAT EXTERIOR WOOD WITH PROTECTIVE COATING -
MINOR V-10-197(G)(3)795947 REPAIR OR REPLACE SCREENS ON WINDOWS -
UNFIT V-10-197(B)(3)795951 REPAIR OR REPLACE DEFECTIVE SIDING -
UNFIT V-10-197(G)(3)795956 OTHER - DEFECTIVE WINDOW UNITS NOT WEATHER TIGHT; DECAYED WINDOW
SILLS; SEC. 10-197(B)(4)
UNFIT V-10-197841659 VACANT STRUCTURES. ALL VACANT STRUCTURES SHALL BE MAINTAINED SECURE AT ALL
TIMES. 10-197(h)(8) - WINDOW ON BACK OF BUILDING OPEN AND PERMITTING ENTRY INTO THE
STRUCTURE.
UNFIT V-10-197841660 RAFTERS SHALL NOT BE ROTTED, BROKEN, SAGGING OR HAVE IMPROPERLY SUPPORTED
ENDS. 10-197(G)(6)a - ROTTED RAFTERS ON SHED ROOF, SOUTH SIDE.
UNFIT V-10-197841661 EVERY RAIL SHALL BE FIRMLY FASTENED AND MAINTAINED IN GOOD CONDITION. 10-
197(i)(8)c - RAIL MISSING FROM STEPS BETWEEN THE BUILDING AND THE STREET. POSTS EXIST
BUT RAIL MISSING.
UNFIT V-10-197

CD-Plus Report - Code Case Images

CODE CASE NBR IMAGE DATE
2014030172 3/5/2014

IMAGE DESCRIPTION

DESCRIPTION FOR IMG_3311.JPG



CODE CASE NBR IMAGE DATE
2014030172 3/5/2014

IMAGE DESCRIPTION

DESCRIPTION FOR IMG_3318.JPG



CODE CASE NBR IMAGE DATE
2014030172 3/5/2014

IMAGE DESCRIPTION

DESCRIPTION FOR IMG_3316.JPG



C-2.a. DRAFT

CODE CASE NBR IMAGE DATE
2014030172 3/5/2014

IMAGE DESCRIPTION

DESCRIPTION FOR IMG_3314.JPG



CODE CASE NBR IMAGE DATE
2014030172 3/5/2014

IMAGE DESCRIPTION

DESCRIPTION FOR IMG_3312.JPG



CODE CASE NBR IMAGE DATE
2014030172 7/21/2016

IMAGE DESCRIPTION



CODE CASE NBR IMAGE DATE
2014030172 7/21/2016

IMAGE DESCRIPTION



CODE CASE NBR IMAGE DATE
2014030172 7/21/2016

IMAGE DESCRIPTION



CODE CASE NBR IMAGE DATE
2014030172 7/21/2016

IMAGE DESCRIPTION



C-2.a. DRAFT

CODE CASE NBR IMAGE DATE
2014030172 7/21/2016

IMAGE DESCRIPTION



CODE CASE NBR IMAGE DATE
2014030172 7/21/2016

IMAGE DESCRIPTION



CODE CASE NBR IMAGE DATE
2014030172 7/21/2016

IMAGE DESCRIPTION



CODE CASE NBR IMAGE DATE
2014030172 7/21/2016

IMAGE DESCRIPTION



CODE CASE NBR IMAGE DATE
2014030172 7/21/2016

IMAGE DESCRIPTION



CODE CASE NBR IMAGE DATE
2014030172 7/21/2016

IMAGE DESCRIPTION



C-2.a. DRAFT

CODE CASE NBR IMAGE DATE
2014030172 7/21/2016

IMAGE DESCRIPTION



CODE CASE NBR IMAGE DATE
2014030172 7/21/2016

IMAGE DESCRIPTION



CODE CASE NBR IMAGE DATE
2014030172 7/21/2016

IMAGE DESCRIPTION



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

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Ad



- A** 100 E 1st St, Winston-Salem, NC 27101-4037
- B** 100 Powers Rd, Winston-Salem, NC 27106-3616

Enter notes here

255

Total Distance: 6.17 mi— Total Time: 19 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 left onto Polo Rd	Go for 0.2 mi Hide
	Turn slightly right onto Ransom Rd	Go for 0.4 mi Hide

C-2.a. DRAFT

 Keep right onto Ransom Rd	Go for 0.6 mi	Hide
 Turn left onto Powers Rd	Go for 318 ft	Hide
Arrive at Powers Rd. Your destination is on the left.		Hide
 100 Powers Rd, Winston-Salem, NC 27106-3616	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. 2011070182
 PROPERTY ADDRESS 1025 LOUISE RD
 TAX BLOCK 2377 LOT(s) 059
 WARD SOUTHEAST
 PROPERTY OWNER(s) PATSY ANN CASON
 LIS PENDENS 12M909 FILED 03/07/2012

DUE PROCESS

1. The current **Complaint and Notice of Hearing** was issued 01/04/2012 and service was obtained by certified mail regular post hand delivery___, and publication on 01/12/2012. 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 2/14/2012 and service was obtained by certified regular post hand delivery___, and publication on 02/23/2012. The Order directed the owner to **vacate and close or repair** the dwelling within **30** days from receipt. Time for compliance expired on 03/23/2012. The dwelling was found vacated and closed on 05/15/2012.
3. The dwelling became eligible for demolition under the six (6) month rule on 11/15/2012.
4. The notification letter was sent 07/21/2016 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 08/09/2016. 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 \$3,795.00 Fair market value \$18,741.00

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: 2011070182****NEIGHBORHOOD CONSERVATION OFFICER:
DARYL GREEN - (336)734-1276****1025 LOUISE RD****VIOL NBR VIOLATION DESCRIPTION
STATUS/ORDINANCE**

710873 PAINT WALLS AND CEILINGS - INSIDE ENTIRE HOUSE(ALL ROOMS)
MINOR V-10-197(G)(4)

710878 OTHER - SENT LETTER TO SECURE
MINOR V-10-197

710867 REPLACE BROKEN WINDOW PANES -
UNFIT V-10-197(B)(4)

710868 REPAIR OR REPLACE DEFECTIVE SIDING -
UNFIT V-10-197(G)(3)

710869 REPAIR KITCHEN CABINETS -
UNFIT V-10-197(A)(16)

710870 REPLACE BROKEN WINDOW PANES - SIDE AND REAR
UNFIT V-10-197(B)(4)

710871 OTHER - PROVIDE VENT COVERS TO ALL VENT INSIDE FOR HEAT AND AIR
UNFIT V-10-197

710872 REPAIR HOLES IN WALLS AND CEILINGS - IN KITCHEN HALL LIVING RM DEN UPSTAIRS BED
ROOMS DOWNSTAIRS BED RM BATH
UNFIT V-10-197(G)(4)

710874 INSTALL CRAWL SPACE DOOR -
UNFIT V-10-197(G)(1)

710875 REPAIR OR REPLACE ROOF COVERING -
UNFIT V-10-197(G)(6)

710876 PROVIDE DOOR - SIDE AND REAR
UNFIT V-10-197(A)(15)

710877 REPLACE LOOSE WALL AND CEILING MATERIALS - BED ROOM AND LIVING RM
UNFIT V-10-197(G)(4)

CD-Plus Report - Code Case Images

CODE CASE NBR IMAGE DATE
2011070182 7/22/2016

IMAGE DESCRIPTION



CODE CASE NBR IMAGE DATE
2011070182 7/22/2016

IMAGE DESCRIPTION



CODE CASE NBR IMAGE DATE
2011070182 7/22/2016

IMAGE DESCRIPTION



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

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- B** 1025 Louise Rd, Winston-Salem, NC 27107-5424

Enter notes here

255

Total Distance: 5.09 mi— Total Time: 10 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 0.4 mi Hide
	Take exit 6A toward NC-8 S/Lexington/High Point onto US-52 S/US-311 S (John M Gold Fwy)	Go for 2.5 mi Hide
	Take exit 107A toward US-311 S/Greensboro/High Point onto I-40 E	Go for 0.8 mi Hide
	Take exit 195 toward Thomasville/NC-109 N/Clemmons Rd	Go for 0.2 mi Hide
	Continue on I-40 E	Go for 0.5 mi Hide
	Turn right onto Thomasville Rd (NC-109)	Go for 0.2 mi Hide
	Turn right onto Louise Rd	Go for 0.3 mi Hide
	Arrive at Louise Rd. Your destination is on the right.	Hide
B	1025 Louise Rd, Winston-Salem, NC 27107-5424	Expand All

C-2.b. DRAFT

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. 2014052310
PROPERTY ADDRESS 117 E TWENTY-FOURTH ST
TAX BLOCK 1668 LOT(s) 004B
WARD NORTHEAST
PROPERTY OWNER(s) ZACHARIAH RICHARDSON, HEIRS
LIS PENDENS 14M1487 FILED 8/5/2014

DUE PROCESS

1. The current Complaint and Notice of Hearing was issued 6/2/2014 and service was obtained by certified mail regular post hand delivery ___ publication ___ on 6/12/2014. The hearing was held on 7/2/2014 and the owner/agent appeared and/or contacted the Community and Business Development Department regarding the complaint yes___ nox.
2. The **Finding and Order** was issued on 7/3/2014 and service was obtained by certified mail regular post hand delivery ___ publication ___ on 7/13/2014. The **Order** directed the owner to **vacate and close or repair** the dwelling with **30** days from receipt. Time for compliance expired on 8/13/2014. The dwelling was found vacated and closed on 11/14/2014.
3. The dwelling became eligible for demolition under the six (6) month rule on 4/14/2015.
4. The notification letter was sent 7/20/2016 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 8/9/2016. 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 **less than fifty percent (<50%)** of the present value of the dwelling.

Estimated cost to repair \$1,265 Fair market value \$26,490

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: 2014052310

**NEIGHBORHOOD CONSERVATION OFFICER:
KELLY SPEAKS - (336)734-1273**

117 E TWENTY-FOURTH ST

**VIOL NBR VIOLATION DESCRIPTION
STATUS/ORDINANCE**

803446 PAINT OR TREAT EXTERIOR WOOD WITH PROTECTIVE COATING -
MINOR V-10-197(G)(3)

803449 REPAIR SOFFIT AND/OR FACIA -
MINOR V-10-197(G)(6)

803447 REPAIR OR REPLACE ROOF COVERING - FRONT OF HOUSE
UNFIT V-10-197(G)(6)

803448 REPAIR OR REPLACE FRONT PORCH CEILING - BEAM ROTTEN
UNFIT V-10-197(G)(7)

803450 REPLACE DEFECTIVE RAFTERS -
UNFIT V-10-197(G)(6)

CD-Plus Report - Code Case Images

CODE CASE NBR IMAGE DATE
2014052310 5/21/2014

IMAGE DESCRIPTION
117 E. 24th Street



CODE CASE NBR IMAGE DATE
2014052310 7/21/2016

IMAGE DESCRIPTION
117 E. 24th Street



CODE CASE NBR IMAGE DATE
2014052310 7/21/2016

IMAGE DESCRIPTION
117 E. 24th Street



C-2.c. DRAFT

CODE CASE NBR IMAGE DATE
2014052310 7/21/2016

IMAGE DESCRIPTION
117 E. 24th Street



CODE CASE NBR IMAGE DATE
2014052310 7/21/2016

IMAGE DESCRIPTION
117 E. 24th Street



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 Directions Only
Print

B. Winston-Salem Hotels NC booking.com/Winston-Salem-Hotels Low-Priced Winston-Salem Hotels. Save More Money with Our Hot Deals!

Ad

YAHOO!
MAPS

A 100 E 1st St, Winston-Salem, NC 27101-4037

B 117 E 24th St, Winston-Salem, NC 27105-5201

Total Distance: 1.98 mi— Total Time: 9 mins

Enter notes here

255

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 1.3 mi	Hide
Turn slightly left onto NE Greenway Ave	Go for 472 ft	Hide
Turn right onto Okalina Ave	Go for 0.2 mi	Hide
Continue on E 24th St	Go for 321 ft	Hide
Arrive at E 24th St. Your destination is on the right.		Hide

B 117 E 24th St, Winston-Salem, NC 27105-5201 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. **2015051724**
PROPERTY ADDRESS **664 MOUNT VERNON AV**
TAX BLOCK **1555** **LOT(s)** **104**
WARD **EAST**
PROPERTY OWNER(s) **PRISCILLA A THORNTON WILLIAMS**
LIS PENDENS **16m237** **FILED** **2/2/2016**

DUE PROCESS

1. The current **Complaint and Notice of Hearing** was issued **10/21/2015** and service was obtained by certified mail regular post hand delivery___, and publication___ on **11/20/2015**. The Hearing was held on **12/23/2015** 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 **12/30/2015** and service was obtained by certified regular post hand delivery___, and publication ___ on **1/9/2015**. The Order directed the owner to **vacate and close or repair** the dwelling within **30** days from receipt. Time for compliance expired on **2/9/2015**. The dwelling was found vacated and closed on .
3. The dwelling became eligible for demolition under the six (6) month rule on **7/9/2015**.
4. The notification letter was sent **7/19/2015** 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 **8/9/2015**. 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 **\$7,109**

Fair market value **\$14,438**

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.**

CODE DEFICIENCIES - EXHIBIT A

CASE NO: 2015051724

NEIGHBORHOOD CONSERVATION OFFICER:

JIMMY MULLINS - (336)734-1263

664 MOUNT VERNON AV

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

827919	REPAIR OR REPLACE LOOSE FLOOR COVERING - KITCHEN MINOR V-10-197(G)(2)
--------	--

827920	REPLACE LOOSE WALL AND CEILING MATERIALS - WALLS THOUGHOUT MINOR V-10-197(G)(4)
--------	--

827930	REPAIR OR REPLACE DEFECTIVE SIDING - REAR OF HOUSE MINOR V-10-197(G)(3)
--------	--

827931	REPAIR, REPLACE OR REMOVE GUTTERS AND DOWNSPOUTS - MINOR V-10-197(G)(6)
--------	--

827917	WEATHERSTRIP DOORS - UNFIT V-10-197(B)(4)
--------	--

827918	REPAIR DEFECTIVE LIGHT FIXTURES - LIGHTS UNFIT V-10-197(F)(1)
--------	--

827921	OTHER - REPAIR A/C UNIT UNFIT V-10-197
--------	---

827922	OTHER - REPAIR THEOSTRAT UNFIT V-10-197
--------	--

827923	REPAIR DEFECTIVE FLOORING - BATHROOM UNFIT V-10-197(G)(2)
--------	--

827924	REPAIR LAVATORY AND/OR FIXTURES - DRAIN STOPPED-UP UNFIT V-10-197(D)(10)
--------	---

827925	REPAIR TUB FIXTURES - NOT WORKING UNFIT V-10-197(D)(10)
--------	--

827926	REPAIR HOLES IN WALLS AND CEILINGS - CEILING IN BDR.RT. UNFIT V-10-197(G)(4)
--------	---

827927	REPAIR WINDOW LOCKS - UNFIT V-10-197(B)(4)
--------	---

827928	REPAIR ROOF LEAK - BDR RT. UNFIT V-10-197(G)(6)
--------	--

827929	PROVIDE OPERABLE SMOKE DETECTOR - UNFIT V-10-197(L)(1)
--------	---

827932	REPAIR CRAWL SPACE DOOR - UNFIT V-10-197(G)(1)
--------	---

CD-Plus Report - Code Case Images

CODE CASE NBR IMAGE DATE
2015051724 6/1/2016

IMAGE DESCRIPTION

664 Mt. Vernon Avenue



CODE CASE NBR IMAGE DATE
2015051724 6/1/2016

IMAGE DESCRIPTION

664 Mt. Vernon Avenue



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 664 Mount Vernon Ave, Winston-Salem, NC 27101-3518

Enter notes here

255

Total Distance: 2.59 mi— Total Time: 10 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 0.9 mi Hide
↶	Turn left onto Old Greensboro Rd	Go for 0.6 mi Hide
↶	Turn left onto Glenbrook Dr	Go for 0.2 mi Hide
↷	Turn right onto Mt Vernon Ave	Go for 101 ft Hide
	Arrive at Mt Vernon Ave. Your destination is on the right.	Hide
B	664 Mount Vernon Ave, Winston-Salem, NC 27101-3518	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. 2012080986
PROPERTY ADDRESS 305 FOREST HILL AV
TAX BLOCK 1929 **LOT(s)** 030
WARD NORTH
PROPERTY OWNER(s) DOUGLAS B. & JOY C. WILSON
LIS PENDENS 12m3212 FILED 12/12/12

DUE PROCESS

1. The current **Complaint and Notice of Hearing** was issued 10/11/2012 and service was obtained by certified mail regular post hand delivery___, and publication___ on 10/12/2012. The Hearing was held on 11/12/2012 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 11/14/2012 and service was obtained by certified regular post hand delivery___, and publication ___ on 11/24/2012. The Order directed the owner to **vacate and close or repair** the dwelling within 30 days from receipt. Time for compliance expired on 12/24/2012. The dwelling was found vacated and closed on ___.
3. The dwelling became eligible for demolition under the six (6) month rule on 1/7/2013.
4. The notification letter was sent 7/18/2016 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 8/9/2016. 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 \$5,529

Fair market value \$38,278

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.**

CODE DEFICIENCIES - EXHIBIT A

CASE NO: 2012080986

NEIGHBORHOOD CONSERVATION OFFICER:

OLA BROWN - (336)734-1260

305 FOREST HILL AV

VIOL NBR VIOLATION DESCRIPTION
STATUS/ORDINANCE

745891 REPAIR OR REPLACE SCREENS ON DOORS - BACK
MINOR V-10-197(B)(3)

745895 REPAIR OR REPLACE DEFECTIVE SIDING -
MINOR V-10-197(G)(3)

745899 REPAIR OR REPLACE LOOSE FLOOR COVERING -
MINOR V-10-197(G)(2)

745890 PROVIDE DOOR - BACK DOOR TO INCLUDE FRAME
UNFIT V-10-197(A)(15)

745892 REPAIR OR REPLACE SCREENS ON WINDOWS -
UNFIT V-10-197(B)(3)

745893 REPAIR FOUNDATION VENTS - RIGHT SIDE
UNFIT V-10-197(H)(6)(B)

745894 REPAIR SOFFIT AND/OR FACIA - BACK
UNFIT V-10-197(G)(6)

745896 REPAIR ROOF LEAK -
UNFIT V-10-197(G)(6)

745897 REPLACE LOOSE WALL AND CEILING MATERIALS - THROUGHOUT HOUSE
UNFIT V-10-197(G)(4)

745898 PROVIDE OPERABLE SMOKE DETECTOR -
UNFIT V-10-197(L)(1)

745900 REPAIR DEFECTIVE LIGHT FIXTURES - THROUGHOUT HOUSE
UNFIT V-10-197(F)(1)

CODE CASE NBR IMAGE DATE
2012080986 3/8/2016

IMAGE DESCRIPTION

305 Forest Hill Avenue



CODE CASE NBR IMAGE DATE
2012080986 3/8/2016

IMAGE DESCRIPTION

305 Forest Hill Avenue



CODE CASE NBR IMAGE DATE
2012080986 3/8/2016

IMAGE DESCRIPTION

305 Forest Hill Avenue



C-2.e. DRAFT

CODE CASE NBR IMAGE DATE
2012080986 3/8/2016

IMAGE DESCRIPTION

305 Forest Hill Avenue



CODE CASE NBR IMAGE DATE
2012080986 3/8/2016

IMAGE DESCRIPTION

305 Forest Hill Avenue



CODE CASE NBR IMAGE DATE
2012080986 3/8/2016

IMAGE DESCRIPTION

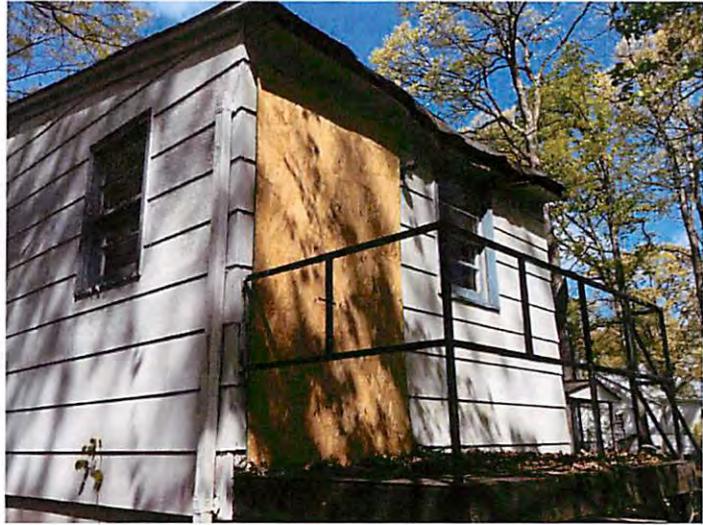
305 Forest Hill Avenue



CODE CASE NBR IMAGE DATE
2012080986 4/9/2016

IMAGE DESCRIPTION

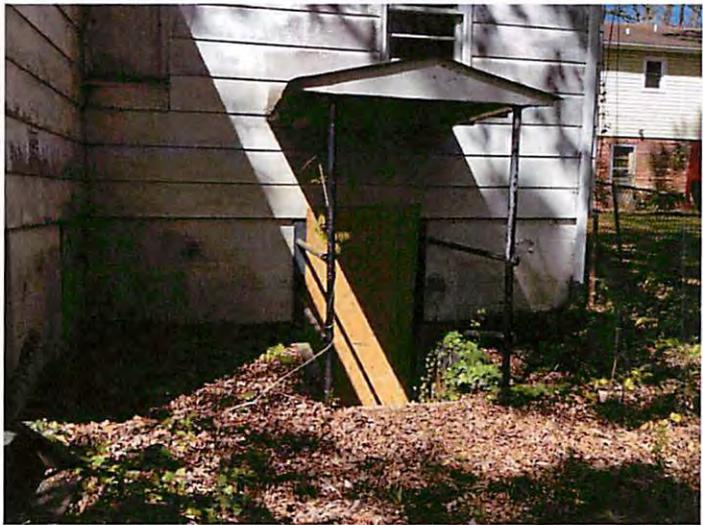
305 Forest Hill Avenue



CODE CASE NBR IMAGE DATE
2012080986 4/9/2016

IMAGE DESCRIPTION

305 Forest Hill Avenue



CODE CASE NBR IMAGE DATE
2012080986 4/9/2016

IMAGE DESCRIPTION

305 Forest Hill Avenue



C-2.e. DRAFT

<u>CODE CASE NBR</u>	<u>IMAGE DATE</u>
2012080986	4/9/2016

IMAGE DESCRIPTION

305 Forest Hill Avenue



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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 305 Forest Hill Ave, Winston-Salem, NC 27105-3517

B 100 E 1st St, Winston-Salem, NC 27101-4037

Enter notes here

255

Total Distance: 4.89 mi— Total Time: 10 mins

A	305 Forest Hill Ave, Winston-Salem, NC 27105-3517	Expand All
	Head toward Forty-Foot St on Forest Hills Ave	Go for 0.3 mi Hide
↶	Turn left onto Indiana Ave	Go for 0.4 mi Hide
↶	Turn slightly left onto Akron Dr	Go for 0.4 mi Hide
↗	Turn right and take ramp onto US-52 S (John M Gold Fwy) toward NC -8 S	Go for 3.1 mi Hide
↘	Take exit 109B toward US-158 W/US-421 N/NC-150 W/DOWNTOWN onto I-40-BR W	Go for 0.4 mi Hide
↘	Take exit 5D toward Main Street/DOWNTOWN/First St	Go for 0.2 mi Hide
↘	Turn right onto S Main St SE	Go for 367 ft Hide
↘	Turn right onto E 1st St	Go for 288 ft Hide
	Arrive at E 1st St. Your destination is on the right.	Hide
B	100 E 1st St, Winston-Salem, NC 27101-4037	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. 2013100964
PROPERTY ADDRESS 217 S. GREEN ST
TAX BLOCK 0643 **LOT(s)** 353D
WARD SOUTH
PROPERTY OWNER(s) DONALD LINDSAY SNYDER JR.
LIS PENDENS 14m410 FILED 4/2/2014

DUE PROCESS

1. The current **Complaint and Notice of Hearing** was issued 12/17/2013 and service was obtained by certified mail regular post hand delivery___, and publication___ on 12/30/2013 . The Hearing was held on 1/17/2014 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 2/24/2014 and service was obtained by certified regular post hand delivery___, and publication ___ on 3/6/2014 . The Order directed the owner to **vacate and close or repair** the dwelling within **30** days from receipt. Time for compliance expired on 4/6/2014 . The dwelling was found vacated and closed on 6/4/2014 .
3. The dwelling became eligible for demolition under the six (6) month rule on 11/4/2014 .
4. The notification letter was sent 7/19/2016 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 8/9/2016 . 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 \$5,964 Fair market value \$23,601
 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.**

CODE DEFICIENCIES - EXHIBIT A

CASE NO: 2013100964

**NEIGHBORHOOD CONSERVATION OFFICER:
BRYAN WATTERS - (336)734-1270**

217 S GREEN ST

**VIOL NBR VIOLATION DESCRIPTION
STATUS/ORDINANCE**

787111 REGLAZE WINDOWS -
MINOR V-10-197(B)(4)

787109 REPAIR OR REPLACE FRONT PORCH FLOOR -
UNFIT V-10-197(G)(7)

787110 REPAIR OR REPLACE FRONT PORCH CEILING -
UNFIT V-10-197(G)(7)

787112 REPLACE BROKEN WINDOW PANES - DOOR AT PORCH
UNFIT V-10-197(B)(4)

787113 REPAIR DOOR - BASEMENT
UNFIT V-10-197(A)(15)

787114 PROVIDE SAFE HANDRAILS TO SERVE EXITS - REAR
UNFIT V-10-197(C)(2)

CD-Plus Report - Code Case Images

CODE CASE NBR IMAGE DATE
2013100964 3/27/2014

IMAGE DESCRIPTION

217 S. Green Street



CODE CASE NBR IMAGE DATE
2013100964 3/27/2014

IMAGE DESCRIPTION

217 S. Green Street



CODE CASE NBR IMAGE DATE
2013100964 3/27/2014

IMAGE DESCRIPTION

217 S. Green Street



C-2.f. DRAFT

CODE CASE NBR IMAGE DATE
2013100964 3/27/2014

IMAGE DESCRIPTION

217 S. Green Street



CODE CASE NBR IMAGE DATE
2013100964 6/9/2015

IMAGE DESCRIPTION

217 S. Green Street



CODE CASE NBR IMAGE DATE
2013100964 6/9/2015

IMAGE DESCRIPTION

217 S. Green Street



CODE CASE NBR IMAGE DATE
2013100964 6/9/2015

IMAGE DESCRIPTION

217 S. Green Street



CODE CASE NBR IMAGE DATE
2013100964 6/9/2015

IMAGE DESCRIPTION

217 S. Green Street



CODE CASE NBR IMAGE DATE
2013100964 4/7/2016

IMAGE DESCRIPTION

217 S. Green Street



C-2.f. DRAFT

CODE CASE NBR IMAGE DATE
2013100964 4/7/2016

IMAGE DESCRIPTION
217 S. Green Street



CODE CASE NBR IMAGE DATE
2013100964 4/7/2016

IMAGE DESCRIPTION
217 S. Green Street



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

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Ad



- A** 100 E 1st St, Winston-Salem, NC 27101-4037
- B** 217 S Green St, Winston-Salem, NC 27101-5030

Enter notes here

255

Total Distance: 0.9 mi— Total Time: 4 mins

A	100 E 1st St, Winston-Salem, NC 27101-4037	Expand All
	Head toward N Church St on E 1st St	Go for 0.1 mi Hide
↶	Turn left onto S Liberty St	Go for 52 ft Hide
⬆	Take ramp onto I-40-BR W toward US-158 W/US-421 N	Go for 0.4 mi Hide
↘	Take exit 5B toward Broad St	Go for 0.1 mi Hide
↶	Turn left onto S Broad St	Go for 0.2 mi Hide
↘	Turn right onto Cotton St	Go for 249 ft Hide
↘	Turn right onto S Green St	Go for 246 ft Hide
	Arrive at S Green St. Your destination is on the right.	Hide
B	217 S Green St, Winston-Salem, NC 27101-5030	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: July 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)
Marianne Dehart	0 Circle Drive (accy. bldg..)	2021, 012
Rufino & Lucia Santa Maria	2227 Tryon Street	1833, 112B

Committee Action:

Committee	_____	Action	_____
For	_____	Against	_____
Remarks:	_____		

TO: Tiffany Harris
FROM: Michelle M. McCullough
DATE: July 21, 2016
SUBJECT: Demolitions for August 9, 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 August 9, 2016 for demolition consideration:

117 E. 24th Street
 217 S. Green Street **West Salem Historic District**
 664 Mt. Vernon Ave.
 2227 Tryon Street **Waughtown-Belview Historic District**
 919 Crowder Street
 305 Forest Hill Avenue
 618 E. 16th Street
 2701 Patria Street (accy. bldg.)
 0 Circle Drive (accy. bldg.)
 100 Powers Road, Bldg #2
 1903 Maryland Avenue
 1235 Hattie Avenue
 3641 Yale Avenue (accy. bldg.)

While it appears that most of the properties were built prior to 1966, several are located within National Register Historic Districts. The following are the National Register properties: 217 S. Green Street is located in the West Salem Historic District and 2227 Tryon Street is located in the Waughtown-Belview Historic District.

Historic Resources staff has concerns about the loss of structures in so many of the City's National Register 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.

C-3. DRAFT

2

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. 201111013
PROPERTY ADDRESS 0 CIRCLE DR C BLK BLDG
TAX BLOCK 2021 LOT(s) 012
WARD NORTHEAST
PROPERTY OWNER(s) MARIANNE DEHART
LIS PENDENS 12M743 FILED 02/23/2012

DUE PROCESS

1. The current Complaint and Notice of Hearing was issued 01/04/2012 and service was obtained by certified mail regular post hand delivery ___ publication ___ on 01/14/2012. 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 x.
2. The **Finding and Order** was issued on 2/8/2012 and service was obtained by certified mail regular post hand delivery ___ publication ___ on 02/18/2012. The **Order** directed the owner to **vacate and close or repair** the dwelling with **30** days from receipt. Time for compliance expired on 03/18/2012. The dwelling was found vacated and closed on 03/27/2012.
3. The dwelling became eligible for demolition under the six (6) month rule on 09/27/2012.
4. The notification letter was sent 07/12/2016 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 08/09/2016. 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 \$5,088.75

Fair market value \$500.00

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: 2011111013

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

0 CIRCLE DR C BLK BLDG

**VIOL NBR VIOLATION DESCRIPTION
 STATUS/ORDINANCE**

725274 PROVIDE DOOR - 2 DOORS
UNFIT V-10-197(A)(15)

725275 REPLACE BROKEN WINDOW PANES - BROKEN OR MISSING
UNFIT V-10-197(B)(4)

725276 REPLACE DEFECTIVE SHEATHING -
UNFIT V-10-197(G)(6)

725277 REPAIR OR REPLACE ROOF COVERING -
UNFIT V-10-197(G)(6)

CD-Plus Report - Code Case Images

CODE CASE NBR IMAGE DATE
20111111013 11/29/2011

IMAGE DESCRIPTION

DESCRIPTION FOR 101_4741[1]



CODE CASE NBR IMAGE DATE
20111111013 11/29/2011

IMAGE DESCRIPTION

DESCRIPTION FOR 101_4738[1]



CODE CASE NBR IMAGE DATE
20111111013 11/29/2011

IMAGE DESCRIPTION

DESCRIPTION FOR 101_4740[1]



C-3.a. DRAFT

CODE CASE NBR IMAGE DATE
2011111013 11/29/2011

IMAGE DESCRIPTION

DESCRIPTION FOR 101_4739[1]



CODE CASE NBR IMAGE DATE
2011111013 1/14/2016

IMAGE DESCRIPTION

DESCRIPTION FOR DSC00133.JPG



CODE CASE NBR IMAGE DATE
2011111013 7/21/2016

IMAGE DESCRIPTION



CODE CASE NBR IMAGE DATE
2011111013 7/21/2016

IMAGE DESCRIPTION



CODE CASE NBR IMAGE DATE
2011111013 7/21/2016

IMAGE DESCRIPTION



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

CASE SUMMARY - HOUSING FILE NO. 2015060507
PROPERTY ADDRESS 2227 TRYON ST
TAX BLOCK 1833 **LOT(s)** 112B
WARD SOUTHEAST
PROPERTY OWNER(s) RUFINO & LUCIA SANTA MARIA
LIS PENDENS 15M1134 FILED 8/12/2015

DUE PROCESS

1. The current Complaint and Notice of Hearing was issued 6/19/2015 and service was obtained by certified mail regular post hand delivery ___ publication ___ on 6/29/2015. The hearing was held on 7/20/2015 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 8/3/2015 and service was obtained by certified mail regular post hand delivery ___ publication ___ on 8/10/2015 The **Order** directed the owner to **vacate and close or repair** the dwelling with **30** days from receipt. Time for compliance expired on 9/10/2015. The dwelling was found vacated and closed on 2/8/2016.
3. The dwelling became eligible for demolition under the six (6) month rule on 7/8/2016.
4. The notification letter was sent 7/19/2016 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 8/9/2016. 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 \$6,768 Fair market value \$6,739

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: 2015060507****NEIGHBORHOOD CONSERVATION OFFICER:
GREG PARKER - (336)734-1267****2227 TRYON ST****VIOL NBR VIOLATION DESCRIPTION
STATUS/ORDINANCE**

- 829404 REPAIR DEFECTIVE LIGHT FIXTURES - LIVING ROOM, LAUNDRY ROOM
UNFIT V-10-197(F)(1)
- 829405 OTHER - REPAIR BASE BOARD HEAT
UNFIT V-10-197
- 829406 PROVIDE OPERABLE SMOKE DETECTOR - IN ALL BED ROOMS AND OUTSIDE LIVING AREA
UNFIT V-10-197(L)(1)
- 829407 REPAIR DOOR - IN LIVING ROOM
UNFIT V-10-197(A)(15)
- 829408 REPAIR CRAWL SPACE DOOR - ON BOTH SIDE OF THE HOUSE
UNFIT V-10-197(G)(1)
- 829410 REPLACE LOOSE WALL AND CEILING MATERIALS - IN BATH ROOM
UNFIT V-10-197(G)(4)
- 829411 REPAIR DEFECTIVE LIGHT FIXTURES - IN BATH ROOM
UNFIT V-10-197(F)(1)
- 829412 REPAIR PLUMBING LEAK IN BATH - TUB
UNFIT V-10-197(D)(15)
- 829413 OTHER - PROVIDE CAULKING AROUND TUB
UNFIT V-10-197
- 829414 REPAIR DOOR - DOOR KNOB ON BED ROOM DOOR #2
UNFIT V-10-197(A)(15)
- 829416 REPAIR DOOR - REPAIR DOOR BED ROOM#2
UNFIT V-10-197(A)(15)
- 829417 HAVE STRUCTURE EXTERMINATED OF INSECTS, RODENTS - OTHER PESTS - (RATS)
UNFIT V-10-197
- 829418 REPAIR DEFECTIVE SWITCHES AND/OR OUTLETS TO INCLUDE COVERS - IN KITCHEN
UNFIT V-10-197(F)(1)
- 829419 REPAIR DEFECTIVE FLOORING - IN KITCHEN
UNFIT V-10-197(G)(2)
- 829420 REPAIR KITCHEN CABINETS -
UNFIT V-10-197(A)(16)
- 829421 REPAIR DEFECTIVE LIGHT FIXTURES - IN HALL
UNFIT V-10-197(F)(1)

C-3.b. DRAFT

829422 WEATHERSTRIP DOORS -
UNFIT V-10-197(B)(4)

829423 REPLACE LOOSE WALL AND CEILING MATERIALS - LAUNDRY ROOM
UNFIT V-10-197(G)(4)

829424 REPAIR DEFECTIVE FLOORING - HOLE IN FLOOR IN REAR BED ROOM
UNFIT V-10-197(G)(2)

829425 REPAIR WINDOW LOCKS - ALL WINDOWS WERE NEEDED
UNFIT V-10-197(B)(4)

829426 OTHER - MAKE ALL WINDOWS AIRTIGHT
UNFIT V-10-197

829427 REPAIR DEFECTIVE SWITCHES AND/OR OUTLETS TO INCLUDE COVERS - LIVING ROOM
UNFIT V-10-197(F)(1)

829428 REPAIR OR REPLACE SCREENS ON DOORS - IN FRONT
UNFIT V-10-197(B)(3)

829429 OTHER - SECURE COVER IN ELECT BOX OUTSIDE
UNFIT V-10-197

829431 REPAIR FOUNDATION - IN REAR HOLE
UNFIT V-10-197(G)(1)

829432 REPAIR FOUNDATION - IN REAR HOLE
UNFIT V-10-197(G)(1)

829433 REPAIR THRESHOLD - IN REAR
UNFIT V-10-197(B)(4)

829434 REPAIR SOFFIT AND/OR FACIA -
UNFIT V-10-197(G)(6)

829435 REPAIR SOFFIT AND/OR FACIA -
UNFIT V-10-197(G)(6)

829436 OTHER - REPAIR AWNING OVER FRONT PORCH
UNFIT V-10-197

829437 REPAIR PLUMBING LEAK IN KITCHEN -
UNFIT V-10-197(D)(15)

829438 REPAIR PLUMBING LEAK IN BATH -
UNFIT V-10-197(D)(15)

CD-Plus Report - Code Case Images

CODE CASE NBR IMAGE DATE
2015060507 7/27/2016

IMAGE DESCRIPTION



CODE CASE NBR IMAGE DATE
2015060507 7/27/2016

IMAGE DESCRIPTION



CODE CASE NBR IMAGE DATE
2015060507 7/27/2016

IMAGE DESCRIPTION



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

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- A 100 E 1st St, Winston-Salem, NC 27101-4037
- B 2227 Tryon St, Winston-Salem, NC 27107-3522

Enter notes here

255

Total Distance: 3.93 mi— Total Time: 10 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 0.4 mi Hide
	Take exit 6A toward NC-8 S/Lexington/High Point onto US-52 S/US-311 S (John M Gold Fwy)	Go for 1.4 mi Hide
	Take exit 108A toward Waughtown St	Go for 0.2 mi Hide
	Turn left onto Waughtown St	Go for 1.5 mi Hide
	Turn right onto Tryon St	Go for 390 ft Hide
	Arrive at Tryon St. Your destination is on the left.	Hide
B	2227 Tryon St, Winston-Salem, NC 27107-3522	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: July 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)
Doretha P. Edwards	618 E. 16 th Street	0275, 012
Fate S. Jeffries, heirs	919 Crowder Street	0964, 020
Frances & Christine Blevins	3641 Yale Avenue (accy. bldg.)	2359, 142
Charlie Colter, heirs	1903 Maryland Avenue	1268, 025
Linda Sandler	1235 Hattie Avenue	0835, 058
Jerry Allen Shepherd	2701 Patria Street (accy. bldg. #2)	1727, 459
Sonya Mitchell Smith, heirs	2713 N. Glenn Avenue	1170, 007
Ethel C. Sell	4001 Bethania Station Road (bldg. 1of3)	3457, 122A

Committee Action:

Committee	_____	Action	_____
For	_____	Against	_____
Remarks:	_____		

TO: Tiffany Harris
FROM: Michelle M. McCullough
DATE: July 21, 2016
SUBJECT: Demolitions for August 9, 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 August 9, 2016 for demolition consideration:

117 E. 24th Street
 217 S. Green Street **West Salem Historic District**
 664 Mt. Vernon Ave.
 2227 Tryon Street **Waughtown-Belview Historic District**
 919 Crowder Street
 305 Forest Hill Avenue
 618 E. 16th Street
 2701 Patria Street (accy. bldg.)
 0 Circle Drive (accy. bldg.)
 100 Powers Road, Bldg #2
 1903 Maryland Avenue
 1235 Hattie Avenue
 3641 Yale Avenue (accy. bldg.)

While it appears that most of the properties were built prior to 1966, several are located within National Register Historic Districts. The following are the National Register properties: 217 S. Green Street is located in the West Salem Historic District and 2227 Tryon Street is located in the Waughtown-Belview Historic District.

Historic Resources staff has concerns about the loss of structures in so many of the City's National Register 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.

C-4. DRAFT

2

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 CODE

CASE SUMMARY - HOUSING FILE NO. 2012040166
 PROPERTY ADDRESS 618 E SIXTEENTH ST
 TAX BLOCK 0275 LOT(s) 012
 WARD NORTHEAST
 PROPERTY OWNER(s) DORETHA P EDWARDS
 LIS PENDENS 16M1237 FILED 07/25/2016

DUE PROCESS

1. The current **Complaint and Notice of Hearing** was issued 5/3/2016 and service was obtained by certified mail regular post hand delivery _____, and publication on 5/12/2016. The Hearing was held on 6/2/2016 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 6/2/2016 and service was obtained by certified mail regular post hand delivery _____ and publication on 7/20/2016. The **Order** directed the owner to **vacate and close or repair** the dwelling within 20 days from receipt. Time for compliance expired on 8/8/2016.
3. The notification letter was sent 7/20/2016 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 8/9/2016. 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 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 \$18,722 Fair market value \$ 17,574

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: 2012040166

NEIGHBORHOOD CONSERVATION OFFICER:

KELLY SPEAKS - (336)734-1273

618 E SIXTEENTH ST

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

733734 THE REPAIR OF THE STRUCTURE WILL EXCEED SIXTY-FIVE PERCENT (65%) OF THE VALUE -

DEMO V-97-(B)(2)

733727 REPAIR OR REPLACE LOOSE FLOOR COVERING -

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

733728 REPAIR HOLES IN WALLS AND CEILINGS -

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

733731 PAINT OR TREAT EXTERIOR WOOD WITH PROTECTIVE COATING -

MINOR V-10-197(G)(3)

733732 REPAIR OR REPLACE DEFECTIVE SIDING -

MINOR V-10-197(G)(3)

733733 PAINT WALLS AND CEILINGS -

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

733700 REPAIR DOOR - BOTH ENT.

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

733701 PROVIDE WORKSPACE IN KITCHEN -

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

733702 PROVIDE SHELVING IN KITCHEN -

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

733703 REPAIR KITCHEN CABINETS -

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

733704 REPAIR LOCKSETS - THOUGHOUT

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

733705 REPAIR WINDOW LOCKS -

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

733706 REPAIR OR REPLACE SCREENS ON DOORS -

UNFIT V-10-197(B)(3)

733707 REPAIR OR REPLACE SCREENS ON WINDOWS -

UNFIT V-10-197(B)(3)

733708 REPLACE BROKEN WINDOW PANES -

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

733709 REPAIR THRESHOLD -

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

C-4.a. DRAFT

- 733710 WEATHERSTRIP DOORS -
UNFIT V-10-197(B)(4)
- 733711 PROVIDE SAFE HANDRAILS TO SERVE EXITS -
UNFIT V-10-197(C)(2)
- 733712 REPAIR OR REPLACE WATER HEATER -
UNFIT V-10-197(D)(8)
- 733713 SECURE COMMODORE TO FLOOR -
UNFIT V-10-197(D)(4)
- 733714 REPAIR KITCHEN SINK, FIXTURES AND/OR DRAIN -
UNFIT V-10-197(D)(10)
- 733715 REPAIR LAVATORY AND/OR FIXTURES -
UNFIT V-10-197(D)(10)
- 733716 REPAIR TUB FIXTURES -
UNFIT V-10-197(D)(10)
- 733717 CLOSE THIMBLE WITH MASONRY -
UNFIT V-10-197(E)(12)
- 733718 PROVIDE HEATING FACILITY -
UNFIT V-10-197(E)(1)
- 733719 PROVIDE ADEQUATE SERVICE EQUIPMENT AND LIGHTING PANEL -
UNFIT V-10-197(F)(10)
- 733721 REPAIR DEFECTIVE SWITCHES AND/OR OUTLETS TO INCLUDE COVERS -
UNFIT V-10-197(F)(1)
- 733722 REPAIR DEFECTIVE LIGHT FIXTURES -
UNFIT V-10-197(F)(1)
- 733723 REPAIR FOUNDATION -
UNFIT V-10-197(G)(1)
- 733725 REPAIR FOUNDATION VENTS -
UNFIT V-10-197(H)(6)(B)
- 733726 REPAIR DEFECTIVE FLOORING -
UNFIT V-10-197(G)(2)
- 733729 PROVIDE OPERABLE SMOKE DETECTOR -
UNFIT V-10-197(L)(1)

CODE CASE NBR IMAGE DATE
2012040166 4/3/2012

IMAGE DESCRIPTION
618 16th Street



CODE CASE NBR IMAGE DATE
2012040166 7/21/2016

IMAGE DESCRIPTION
618 16th Street



CODE CASE NBR IMAGE DATE
2012040166 7/21/2016

IMAGE DESCRIPTION
618 16th Street



C-4.a. DRAFT

CODE CASE NBR IMAGE DATE
2012040166 7/21/2016

IMAGE DESCRIPTION
618 16th Street



CODE CASE NBR IMAGE DATE
2012040166 7/21/2016

IMAGE DESCRIPTION
618 16th Street



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

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Ad



- A** 100 E 1st St, Winston-Salem, NC 27101-4037
- B** 618 E 16th St, Winston-Salem, NC 27105-6166

Enter notes here

255

Total Distance: 1.78 mi— Total Time: 9 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 0.8 mi Hide
↶	Turn left onto E 16th St	Go for 0.2 mi Hide
Arrive at E 16th St. Your destination is on the left.		Hide
B	618 E 16th St, Winston-Salem, NC 27105-6166	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(e) OF THE HOUSING CODE

CASE SUMMARY - HOUSING FILE NO. 2015101004
 PROPERTY ADDRESS 919 CROWDER ST
 TAX BLOCK 0964 LOT(s) 020
 WARD SOUTHEAST
 PROPERTY OWNER(s) FATE S. JEFFRIES, HEIRS
 LIS PENDENS 16M985 FILED 6/6/2016

DUE PROCESS

1. The current **Complaint and Notice of Hearing** was issued 2/11/2016 and service was obtained by certified mail regular post hand delivery _____, and publication on 3/17/2016. The Hearing was held on 4/11/2016 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 4/14/2016 and service was obtained by certified mail regular post hand delivery _____ and publication on 6/23/2016. The **Order** directed the owner to **vacate and close or repair** the dwelling within **30** days from receipt. Time for compliance expired on 7/23/2016.
3. The notification letter was sent 7/20/2016 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 8/9/2016. 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 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 \$ 29,940.00

Fair market value \$ 2,653.00

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: 2015101004

NEIGHBORHOOD CONSERVATION OFFICER:
DARYL GREEN - (336)734-1276

919 CROWDER ST

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

840533	THE REPAIR OF THE STRUCTURE WILL EXCEED SIXTY-FIVE PERCENT (65%) OF THE VALUE - DEMO V-97-(B)(2)
--------	---

840531	REPAIR DOOR - FRONT AND REAR UNFIT V-10-197(A)(15)
--------	---

840532	PROVIDE R-19 CEILING INSULATION - UNFIT V-10-197(I)
--------	--

840534	REMOVE AND REPLACE FIRE DAMAGED PORTION OF STRUCTURE - UNFIT V-4-89(4)
--------	---

840535	PROVIDE REQUIRED FIRE-RESISTANCE PROTECTION TO PARTY WALLS AND CEILINGS - UNFIT 702.3/SBC
--------	--

840536	REPAIR OR REPLACE ROOF COVERING - UNFIT V-10-197(G)(6)
--------	---

840537	REPLACE DEFECTIVE RAFTERS - UNFIT V-10-197(G)(6)
--------	---

840538	REPAIR SOFFIT AND/OR FACIA - UNFIT V-10-197(G)(6)
--------	--

840539	REPLACE DEFECTIVE SHEATHING - UNFIT V-10-197(G)(6)
--------	---

840540	REPAIR, REPLACE OR REMOVE GUTTERS AND DOWNSPOUTS - UNFIT V-10-197(G)(6)
--------	--

840541	REPAIR FOUNDATION - UNFIT V-10-197(G)(1)
--------	---

840542	REPLACE BROKEN WINDOW PANES - UNFIT V-10-197(B)(4)
--------	---

840543	REPLACE LOOSE WALL AND CEILING MATERIALS - UNFIT V-10-197(G)(4)
--------	--

840544	REPAIR HOLES IN WALLS AND CEILINGS - UNFIT V-10-197(G)(4)
--------	--

840545	PROVIDE ADEQUATE SERVICE EQUIPMENT AND LIGHTING PANEL - UNFIT V-10-197(F)(10)
--------	--

840546	REPAIR DEFECTIVE LIGHT FIXTURES - UNFIT V-10-197(F)(1)
--------	---

C-4.b. DRAFT

840547 REPAIR DEFECTIVE SWITCHES AND/OR OUTLETS TO INCLUDE COVERS -
UNFIT V-10-197(F)(1)

840549 EXTERIOR AND INTERIOR FRAMING MUST BE INSPECTED BEFORE COVERING WITH WALL
AND CEILING MATERIALS -
UNFIT V-4-91

840550 REPAIR OR REPLACE REAR PORCH CEILING -
UNFIT V-10-197(G)(7)

840551 REPAIR OR REPLACE FRONT PORCH CEILING -
UNFIT V-10-197(G)(7)

CD-Plus Report - Code Case Images

CODE CASE NBR IMAGE DATE
2015101004 10/26/2015

IMAGE DESCRIPTION

919 Crowder Street



CODE CASE NBR IMAGE DATE
2015101004 10/26/2015

IMAGE DESCRIPTION

919 Crowder Street



CODE CASE NBR IMAGE DATE
2015101004 10/26/2015

IMAGE DESCRIPTION

919 Crowder Street



C-4.b. DRAFT

CODE CASE NBR IMAGE DATE
2015101004 10/26/2015

IMAGE DESCRIPTION

919 Crowder Street



CODE CASE NBR IMAGE DATE
2015101004 10/26/2015

IMAGE DESCRIPTION

919 Crowder Street



CODE CASE NBR IMAGE DATE
2015101004 10/26/2015

IMAGE DESCRIPTION

919 Crowder Street



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Ad



- A** 100 E 1st St, Winston-Salem, NC 27101-4037
- B** 919 Crowder St, Winston-Salem, NC 27107-4211

Enter notes here

255

Total Distance: 4.23 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 0.4 mi Hide
	Take exit 6A toward NC-8 S/Lexington/High Point onto US-52 S/US-311 S (John M Gold Fwy)	Go for 2.5 mi Hide
	Take exit 107A toward US-311 S/Greensboro/High Point onto I-40 E	Go for 0.8 mi Hide
	Take exit 195 toward Thomasville/NC-109 N/Clemmons Rd	Go for 0.2 mi Hide
	Continue on I-40 E	Go for 0.1 mi Hide
	Arrive at I-40 E. Your destination is on the right.	Hide
B	919 Crowder St, Winston-Salem, NC 27107-4211	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(e) OF THE HOUSING CODECASE SUMMARY - HOUSING FILE NO. 2015120640

PROPERTY ADDRESS 3641 YALE AV ACC BLDG
 TAX BLOCK 2359 LOT(s) 142
 WARD SOUTHEAST
 PROPERTY OWNER(s) FRANCES R BLEVINS CHRISTINE BLEVINS
 LIS PENDENS 16M785 FILED 04/26/2016

DUE PROCESS

1. The current **Complaint and Notice of Hearing** was issued 03/02/2016 and service was obtained by certified mail regular post hand delivery _____, and publication _____ on 03/08/2016. The Hearing was held on 4/1/2016 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 4/6/2016 and service was obtained by certified mail regular post hand delivery _____ and publication _____ on 04/15/2016. The **Order** directed the owner to **vacate and close or repair** the dwelling within **30** days from receipt. Time for compliance expired on 05/15/2016.
3. The notification letter was sent 07/12/2016 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 08/09/2016. 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 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 \$ 2,999.00

Fair market value \$ 500.00

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: 2015120640

NEIGHBORHOOD CONSERVATION OFFICER:
DARYL GREEN - (336)734-1276

3641 YALE AV ACC BLDG

VIOL NBR VIOLATION DESCRIPTION
 STATUS/ORDINANCE

843462 THE REPAIR OF THE STRUCTURE WILL EXCEED SIXTY-FIVE PERCENT (65%) OF THE VALUE -
 DEMO V-97-(B)(2)

843459 REPAIR OR REPLACE ROOF COVERING -
 UNFIT V-10-197(G)(6)

843460 REPLACE DEFECTIVE SHEATHING -
 UNFIT V-10-197(G)(6)

843461 REPAIR OR REPLACE DEFECTIVE SIDING -
 UNFIT V-10-197(G)(3)

CD-Plus Report - Code Case Images

CODE CASE NBR IMAGE DATE
2015120640 12/17/2015

IMAGE DESCRIPTION

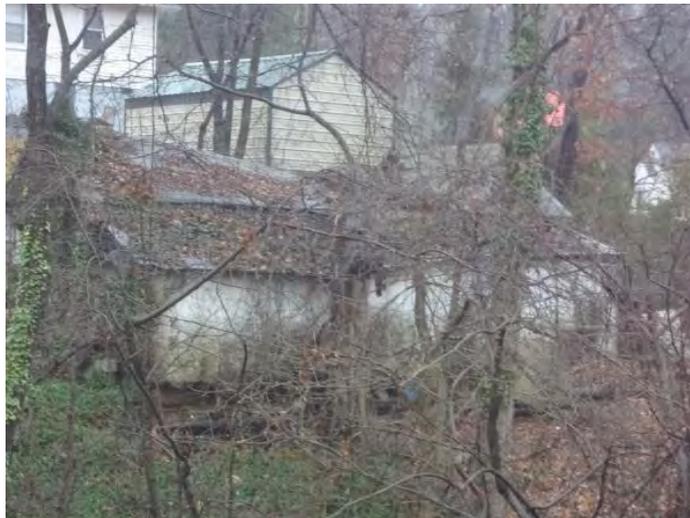
DESCRIPTION FOR DSC06149.JPG



CODE CASE NBR IMAGE DATE
2015120640 12/17/2015

IMAGE DESCRIPTION

DESCRIPTION FOR DSC06148.JPG



CODE CASE NBR IMAGE DATE
2015120640 7/22/2016

IMAGE DESCRIPTION



C-4.c. DRAFT

CODE CASE NBR IMAGE DATE
2015120640 7/22/2016

IMAGE DESCRIPTION



CODE CASE NBR IMAGE DATE
2015120640 7/22/2016

IMAGE DESCRIPTION



CODE CASE NBR IMAGE DATE
2015120640 7/22/2016

IMAGE DESCRIPTION



CODE CASE NBR
2015120640

IMAGE DATE
7/22/2016

IMAGE DESCRIPTION



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Ad



- A** 100 E 1st St, Winston-Salem, NC 27101-4037
- B** 3641 Yale Ave, Winston-Salem, NC 27107-5270

Enter notes here

255

Total Distance: 4.77 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 0.4 mi Hide
↘	Take exit 6A toward NC-8 S/Lexington/High Point onto US-52 S/US-311 S (John M Gold Fwy)	Go for 2.5 mi Hide
↑	Continue on US-52 (John M Gold Fwy)	Go for 0.8 mi Hide
↘	Take exit 105 toward Clemmonsville Rd	Go for 0.2 mi Hide
↶	Turn left onto E Clemmonsville Rd	Go for 0.2 mi Hide
↷	Turn right onto Cornell Blvd	Go for 347 ft Hide
↷	Turn right onto Yale Ave	Go for 0.3 mi Hide
	Arrive at Yale Ave. Your destination is on the left.	Hide
B	3641 Yale Ave, Winston-Salem, NC 27107-5270	Expand All

C-4.c. DRAFT

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(e) OF THE HOUSING CODE

CASE SUMMARY - HOUSING FILE NO. 2015092451
 PROPERTY ADDRESS 1903 MARYLAND AV
 TAX BLOCK 1268 LOT(s) 025
 WARD EAST
 PROPERTY OWNER(s) CHARLIE COLTER, HEIRS
 LIS PENDENS 16M950 FILED 06/06/2016

DUE PROCESS

1. The current **Complaint and Notice of Hearing** was issued 03/31/2016 and service was obtained by certified mail regular post hand delivery _____, and publication on 04/17/2016. The Hearing was held on 5/2/2016 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 6/15/2016 and service was obtained by certified mail regular post hand delivery _____ and publication on 05/26/2016. The **Order** directed the owner to **vacate and close or repair** the dwelling within **30** days from receipt. Time for compliance expired on 06/26/2016.
3. The notification letter was sent 07/12/2016 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 08/09/2016. 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 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 \$ 23,525.00

Fair market value \$ 16,285.00

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: 2015092451

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

1903 MARYLAND AV

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

838657 THE REPAIR OF THE STRUCTURE WILL EXCEED SIXTY-FIVE PERCENT (65%) OF THE VALUE -

DEMO V-97-(B)(2)

838642 PAINT WALLS AND CEILINGS -

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

838643 REPLACE LOOSE WALL AND CEILING MATERIALS - THOUGHOUT

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

838645 REPAIR, REPLACE OR REMOVE GUTTERS AND DOWNSPOUTS -

MINOR V-10-197(G)(6)

838652 REPAIR SOFFIT AND/OR FACIA -

MINOR V-10-197(G)(6)

838656 REPAIR OR REPLACE DEFECTIVE SIDING -

MINOR V-10-197(G)(3)

838640 REPAIR DOOR - BACK

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

838641 REPLACE BROKEN WINDOW PANES -

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

838644 REPAIR DEFECTIVE SWITCHES AND/OR OUTLETS TO INCLUDE COVERS -

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

838646 REPAIR LAVATORY AND/OR FIXTURES -

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

838647 REPAIR COMMODE - BOTH

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

838648 REPAIR PLUMBING LEAK UNDER STRUCTURE -

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

838649 REPAIR DEFECTIVE FLOORING -

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

838650 REPLACE DEFECTIVE JOISTS -

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

838651 REPAIR FOUNDATION - BLOCK WALLS

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

838653 REPAIR OR REPLACE REAR PORCH FLOOR -

UNFIT V-10-197(G)(7)

C-4.d. DRAFT

838654 REPAIR OR REPLACE STEPS AT REAR -
UNFIT V-10-197(G)(8)

838655 REPAIR KITCHEN CABINETS -
UNFIT V-10-197(A)(16)

CD-Plus Report - Code Case Images

CODE CASE NBR IMAGE DATE
2015092451 9/24/2015

IMAGE DESCRIPTION

DESCRIPTION FOR 1903 MARYLAND 003.JPG



CODE CASE NBR IMAGE DATE
2015092451 9/24/2015

IMAGE DESCRIPTION

DESCRIPTION FOR 1903 MARYLAND 004.JPG



CODE CASE NBR IMAGE DATE
2015092451 9/24/2015

IMAGE DESCRIPTION

DESCRIPTION FOR 1903 MARYLAND 005.JPG



C-4.d. DRAFT

CODE CASE NBR IMAGE DATE
2015092451 9/24/2015

IMAGE DESCRIPTION

DESCRIPTION FOR 1903 MARYLAND 009.JPG



CODE CASE NBR IMAGE DATE
2015092451 9/24/2015

IMAGE DESCRIPTION

DESCRIPTION FOR 1903 MARYLAND 006.JPG



CODE CASE NBR IMAGE DATE
2015092451 9/24/2015

IMAGE DESCRIPTION

DESCRIPTION FOR 1903 MARYLAND 008.JPG



CODE CASE NBR IMAGE DATE
2015092451 9/24/2015

IMAGE DESCRIPTION

DESCRIPTION FOR 1903 MARYLAND 011.JPG



CODE CASE NBR IMAGE DATE
2015092451 9/24/2015

IMAGE DESCRIPTION

DESCRIPTION FOR 1903 MARYLAND 010.JPG



CODE CASE NBR IMAGE DATE
2015092451 9/24/2015

IMAGE DESCRIPTION

DESCRIPTION FOR 1903 MARYLAND 007.JPG



C-4.d. DRAFT

CODE CASE NBR IMAGE DATE
2015092451 9/24/2015

IMAGE DESCRIPTION

DESCRIPTION FOR 1903 MARYLAND 012.JPG



CODE CASE NBR IMAGE DATE
2015092451 7/21/2016

IMAGE DESCRIPTION



CODE CASE NBR IMAGE DATE
2015092451 7/21/2016

IMAGE DESCRIPTION



CODE CASE NBR
2015092451

IMAGE DATE
7/21/2016

IMAGE DESCRIPTION



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Ad



- A** 100 E 1st St, Winston-Salem, NC 27101-4037
- B** 1903 Maryland Ave, Winston-Salem, NC 27101-4617

Enter notes here

255

Total Distance: 1.54 mi— Total Time: 6 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 0.8 mi Hide
↷	Turn right onto N Martin Luther King Jr Dr	Go for 262 ft Hide
↶	Turn left onto E 3rd St	Go for 0.4 mi Hide
↷	Turn right onto Terrace Ave	Go for 318 ft Hide
	Arrive at Terrace Ave. Your destination is on the left.	Hide
B	1903 Maryland Ave, Winston-Salem, NC 27101-4617	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(e) OF THE HOUSING CODE

CASE SUMMARY - HOUSING FILE NO. 2016010278
 PROPERTY ADDRESS 1235 HATTIE AV
 TAX BLOCK 0835 LOT(s) 058
 WARD EAST
 PROPERTY OWNER(s) LINDA SANDLER
 LIS PENDENS 16M452 FILED 03/16/2016

DUE PROCESS

1. The current **Complaint and Notice of Hearing** was issued 02/04/2016 and service was obtained by certified mail regular post hand delivery _____, and publication on 02/11/2016. The Hearing was held on 3/7/2016 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 3/11/2016 and service was obtained by certified mail regular post hand delivery _____ and publication on 03/17/2016. The **Order** directed the owner to **vacate and close or repair** the dwelling within **30** days from receipt. Time for compliance expired on 04/17/2016.
3. The notification letter was sent 07/12/2016 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 08/09/2016. 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 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 \$ 22,579.00

Fair market value \$8,920.00

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: 2016010278

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

1235 HATTIE AV

VIOL NBR VIOLATION DESCRIPTION
STATUS/ORDINANCE844358 THE REPAIR OF THE STRUCTURE WILL EXCEED SIXTY-FIVE PERCENT (65%) OF THE VALUE -
DEMO V-97-(B)(2)844339 REPLACE LOOSE WALL AND CEILING MATERIALS - THOUGHTOUT
MINOR V-10-197(G)(4)844340 REPAIR OR REPLACE LOOSE FLOOR COVERING - THOUGHTOUT
MINOR V-10-197(G)(2)844348 REPAIR DOOR - INTERIOR
MINOR V-10-197(A)(15)844349 PAINT WALLS AND CEILINGS - THOUGHOUT
MINOR V-10-197(G)(4)844353 MAINTAIN FLOORS, WALLS - FIXTURES IN CLEAN AND SANITARY CONDITION - CLEAN
TRASH FROM INSIDE HOUSE
MINOR V-10-197(H)(4)844356 REPAIR OR REPLACE DEFECTIVE SIDING -
MINOR V-10-197(G)(3)844338 REPAIR DOOR - FRONT ENTRY
UNFIT V-10-197(A)(15)844341 REPAIR DEFECTIVE SWITCHES AND/OR OUTLETS TO INCLUDE COVERS - COVER PLATES
UNFIT V-10-197(F)(1)844342 REPAIR OR REPLACE WATER HEATER -
UNFIT V-10-197(D)(8)844343 WEATHERSTRIP DOORS -
UNFIT V-10-197(B)(4)844344 REPAIR KITCHEN CABINETS -
UNFIT V-10-197(A)(16)844345 REPAIR KITCHEN SINK, FIXTURES AND/OR DRAIN -
UNFIT V-10-197(D)(10)844346 REPAIR DEFECTIVE LIGHT FIXTURES -
UNFIT V-10-197(F)(1)844347 PROVIDE OPERABLE SMOKE DETECTOR -
UNFIT V-10-197(L)(1)

844350 SECURE COMMUNE TO FLOOR -

C-4.e. DRAFT

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

844351 REPAIR LAVATORY AND/OR FIXTURES -
UNFIT V-10-197(D)(10)

844352 REPAIR TUB FIXTURES -
UNFIT V-10-197(D)(10)

844354 REPAIR FOUNDATION -
UNFIT V-10-197(G)(1)

844355 REPAIR DEFECTIVE LIGHT FIXTURES - BASEMENT EXPOSED WIRING
UNFIT V-10-197(F)(1)

844357 PROVIDE DOOR - BASEMENT
UNFIT V-10-197(A)(15)

CD-Plus Report - Code Case Images

CODE CASE NBR IMAGE DATE
2016010278 7/21/2016

IMAGE DESCRIPTION



CODE CASE NBR IMAGE DATE
2016010278 7/21/2016

IMAGE DESCRIPTION



CODE CASE NBR IMAGE DATE
2016010278 7/21/2016

IMAGE DESCRIPTION



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Ad



- A** 100 E 1st St, Winston-Salem, NC 27101-4037
- B** 1235 Hattie Ave, Winston-Salem, NC 27101-1841

Enter notes here

255

Total Distance: 2.25 mi— Total Time: 10 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 0.7 mi Hide
↷	Turn right onto E 14th St	Go for 0.6 mi Hide
↷	Turn right onto Hattie Ave	Go for 0.2 mi Hide
	Arrive at Hattie Ave. Your destination is on the left.	Hide
B	1235 Hattie Ave, Winston-Salem, NC 27101-1841	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(e) OF THE HOUSING CODECASE SUMMARY - HOUSING FILE NO. 2016020856

PROPERTY ADDRESS 2701 PATRIA ST ACCESS #2
 TAX BLOCK 1727 LOT(s) 459
 WARD SOUTHEAST
 PROPERTY OWNER(s) JERRY ALLEN SHEPHERD
 LIS PENDENS 16M796 FILED 04/26/2016

DUE PROCESS

1. The current **Complaint and Notice of Hearing** was issued 03/07/2016 and service was obtained by certified mail regular post hand delivery _____, and publication _____ on 03/17/2016. The Hearing was held on 4/6/2016 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 4/12/2016 and service was obtained by certified mail regular post hand delivery _____ and publication _____ on 04/22/2016. The **Order** directed the owner to **vacate and close or repair** the dwelling within **30** days from receipt. Time for compliance expired on 05/22/2016.
3. The notification letter was sent 07/12/2016 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 08/09/2016. 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 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 \$ 1,656.00

Fair market value \$ 100.00

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: 2016020856

**NEIGHBORHOOD CONSERVATION OFFICER:
DARYL GREEN - (336)734-1276**

2701 PATRIA ST ACCESS #2

**VIOL NBR VIOLATION DESCRIPTION
STATUS/ORDINANCE**

846528 THE REPAIR OF THE STRUCTURE WILL EXCEED SIXTY-FIVE PERCENT (65%) OF THE VALUE -
DEMO V-97-(B)(2)

846526 PAINT OR TREAT EXTERIOR WOOD WITH PROTECTIVE COATING -
MINOR V-10-197(G)(3)

846527 REPAIR OR REPLACE ROOF COVERING -
UNFIT V-10-197(G)(6)

CD-Plus Report - Code Case Images

CODE CASE NBR IMAGE DATE
2016020856 2/16/2016

IMAGE DESCRIPTION

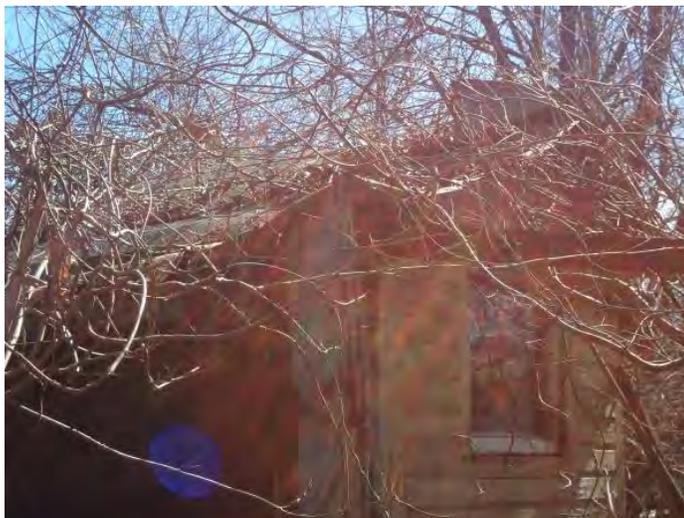
DESCRIPTION FOR DSC06807.JPG



CODE CASE NBR IMAGE DATE
2016020856 2/16/2016

IMAGE DESCRIPTION

DESCRIPTION FOR DSC06808.JPG



CODE CASE NBR IMAGE DATE
2016020856 2/16/2016

IMAGE DESCRIPTION

DESCRIPTION FOR DSC06806.JPG



C-4.f. DRAFT

CODE CASE NBR IMAGE DATE
2016020856 7/22/2016

IMAGE DESCRIPTION



CODE CASE NBR IMAGE DATE
2016020856 7/22/2016

IMAGE DESCRIPTION



CODE CASE NBR IMAGE DATE
2016020856 7/22/2016

IMAGE DESCRIPTION



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Ad



- A** 100 E 1st St, Winston-Salem, NC 27101-4037
- B** 2701 Patria St, Winston-Salem, NC 27127-4043

Enter notes here

255

Total Distance: 2.51 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 0.1 mi Hide
↶	Turn left onto S Liberty St	Go for 0.3 mi Hide
↑	Continue on Old Salem Rd	Go for 0.6 mi Hide
EXIT ↷	Take the 2nd exit from Old Salem Rd roundabout onto S Main St SE	Go for 1.4 mi Hide
↶	Turn left onto E Lemly St	Go for 0.2 mi Hide
	Arrive at E Lemly St. Your destination is on the right.	Hide
B	2701 Patria St, Winston-Salem, NC 27127-4043	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(e) OF THE HOUSING CODECASE SUMMARY - HOUSING FILE NO. 2015040355PROPERTY ADDRESS 2713 N GLENN AVTAX BLOCK 1170 LOT(s) 007WARD NORTHEASTPROPERTY OWNER(s) SONYA MITCHELL SMITH, HEIRSLIS PENDENS 16M1248 FILED 07/25/2016DUE PROCESS

1. The current **Complaint and Notice of Hearing** was issued 5/3/2016 and service was obtained by certified mail regular post hand delivery _____, and publication on 6/21/2016. The Hearing was held on 6/2/2016 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 6/23/2016 and service was obtained by certified mail regular post hand delivery _____ and publication on 7/20/2016. The **Order** directed the owner to **vacate and close or repair** the dwelling within 20 days from receipt. Time for compliance expired on 8/8/2016.
3. The notification letter was sent 7/20/2016 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 8/9/2016. 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 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 \$36,409Fair market value \$ 10,000

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: 2015040355

NEIGHBORHOOD CONSERVATION OFFICER:

KELLY SPEAKS - (336)734-1273

2713 N GLENN AV

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

823419	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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823403	REPAIR DEFECTIVE LIGHT FIXTURES	-
	MINOR V-10-197(F)(1)	

823407	PROVIDE JUNCTION BOXES	-
	MINOR V-10-197(F)(5)	

823411	REPAIR SOFFIT AND/OR FACIA	-
	MINOR V-10-197(G)(6)	

823396	PROVIDE DOOR	-
	UNFIT V-10-197(A)(15)	

823397	PROVIDE WORKSPACE IN KITCHEN	-
	UNFIT V-10-197(A)(16)	

823398	REPAIR KITCHEN CABINETS	-
	UNFIT V-10-197(A)(16)	

823399	REPAIR LOCKSETS	-
	UNFIT V-10-197(B)(4)	

823400	REPLACE BROKEN WINDOW PANES	-
	UNFIT V-10-197(B)(4)	

823401	PROVIDE HEATING FACILITY	-
	UNFIT V-10-197(E)(1)	

823402	REPAIR LAVATORY AND/OR FIXTURES	-
	UNFIT V-10-197(D)(10)	

823404	REPAIR DEFECTIVE LIGHT FIXTURES	-
	UNFIT V-10-197(F)(1)	

823405	PROVIDE ADEQUATE SERVICE EQUIPMENT AND LIGHTING PANEL	-
	UNFIT V-10-197(F)(10)	

823406	REPAIR OR REPLACE DEFECTIVE SIDING	-
	UNFIT V-10-197(G)(3)	

823408	REPAIR HOLES IN WALLS AND CEILINGS	-
	UNFIT V-10-197(G)(4)	

823409	REPLACE DEFECTIVE JOISTS	-
	UNFIT V-10-197(G)(2)	

C-4.g. DRAFT

823410 REPLACE DEFECTIVE RAFTERS -
UNFIT V-10-197(G)(6)

823412 REPLACE DEFECTIVE SHEATHING -
UNFIT V-10-197(G)(6)

823413 REPAIR OR REPLACE ROOF COVERING -
UNFIT V-10-197(G)(6)

823414 REPAIR ROOF LEAK -
UNFIT V-10-197(G)(6)

823415 REPAIR OR REPLACE REAR PORCH FLOOR -
UNFIT V-10-197(G)(7)

823416 REPAIR OR REPLACE REAR PORCH RAILINGS -
UNFIT V-10-197(G)(7)

823417 REMOVE AND REPLACE FIRE DAMAGED PORTION OF STRUCTURE -
UNFIT V-4-89(4)

823418 PROVIDE R-19 CEILING INSULATION -
UNFIT V-10-197(I)

823420 REMOVE AND REPLACE FIRE DAMAGED PORTION OF STRUCTURE -
UNFIT V-4-89(4)

CODE CASE NBR IMAGE DATE
2015040355 4/11/2015

IMAGE DESCRIPTION
2713 N. Glenn Ave



CODE CASE NBR IMAGE DATE
2015040355 7/21/2016

IMAGE DESCRIPTION
2713 N. Glenn Ave



CODE CASE NBR IMAGE DATE
2015040355 7/21/2016

IMAGE DESCRIPTION
2713 N. Glenn Ave



C-4.g. DRAFT

CODE CASE NBR
2015040355

IMAGE DATE
7/21/2016

IMAGE DESCRIPTION
2713 N. Glenn Ave



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Ad



- A** 100 E 1st St, Winston-Salem, NC 27101-4037
- B** 2713 N Glenn Ave, Winston-Salem, NC 27105-4406

Enter notes here

255

Total Distance: 2.18 mi— Total Time: 10 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 1.7 mi Hide
↷	Turn right onto E 27th St	Go for 374 ft Hide
↶	Turn left onto N Glenn Ave	Go for 193 ft Hide
	Arrive at N Glenn Ave. Your destination is on the right.	Hide
B	2713 N Glenn Ave, Winston-Salem, NC 27105-4406	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(e) OF THE HOUSING CODECASE SUMMARY - HOUSING FILE NO. 2016021142

PROPERTY ADDRESS 4001 BETHANIA STATION RD (bldg. 1of3)
 TAX BLOCK 3457 LOT(s) 122A
 WARD NORTH
 PROPERTY OWNER(s) ETHEL C SELL
 LIS PENDENS 16M771 FILED 04/26/2016

DUE PROCESS

1. The current **Complaint and Notice of Hearing** was issued 03/08/2016 and service was obtained by certified mail regular post hand delivery _____, and publication _____ on 03/18/2016. The Hearing was held on 4/7/2016 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 4/11/2016 and service was obtained by certified mail regular post hand delivery _____ and publication _____ on 04/25/2016. The **Order** directed the owner to **vacate and close or repair** the dwelling within **30** days from receipt. Time for compliance expired on 05/25/2016.
3. The notification letter was sent 07/19/2016 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 08/09/2016. 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 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 \$ 6,700.00

Fair market value \$ 10,000.00

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: 2016021142

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

4001 BETHANIA STATION RD (BLDG 1 OF 3)

VIOL NBR VIOLATION DESCRIPTION
STATUS/ORDINANCE

846951 THE REPAIR OF THE STRUCTURE WILL EXCEED SIXTY-FIVE PERCENT (65%) OF THE VALUE -

DEMO V-97-(B)(2)

846935 REGLAZE WINDOWS - 24 WINDOWS

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

846950 PAINT OR TREAT EXTERIOR WOOD WITH PROTECTIVE COATING - TRIM (WINDOW
FRAMING, DOORS, ETC.)

MINOR V-10-197(G)(3)

846911 REPAIR OR REPLACE ROOF COVERING -

UNFIT V-10-197(G)(6)

846913 REPLACE DEFECTIVE SHEATHING -

UNFIT V-10-197(G)(6)

846914 REPLACE DEFECTIVE RAFTERS -

UNFIT V-10-197(G)(6)

846915 REPAIR SOFFIT AND/OR FACIA -

UNFIT V-10-197(G)(6)

846917 REPAIR OR REPLACE DEFECTIVE SIDING -

UNFIT V-10-197(G)(3)

846928 PROVIDE DOOR - 2 EXTERIOR

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

846929 REPAIR LOCKSETS - AT 3 EXTERIOR DOORS

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

846930 REPAIR OR REPLACE SCREENS ON DOORS - 4 SCREEN DOORS OR STORM

UNFIT V-10-197(B)(3)

846931 REPAIR THRESHOLD - AT 3 DOORS

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

846932 REPAIR OR REPLACE FRONT PORCH FLOOR - 3 PORCHES

UNFIT V-10-197(G)(7)

846933 REPAIR OR REPLACE REAR PORCH FLOOR - 1 PORCH

UNFIT V-10-197(G)(7)

846934 REPAIR OR REPLACE SCREENS ON WINDOWS - 8 WINDOWS

UNFIT V-10-197(B)(3)

846936 OTHER - 1 WINDOW UNIT OUT (BOARDED)

UNFIT V-10-197

C-4.h. DRAFT

846949 PROVIDE R-19 CEILING INSULATION -
UNFIT V-10-197(l)

CODE CASE NBR IMAGE DATE
2016021142 7/21/2016

IMAGE DESCRIPTION



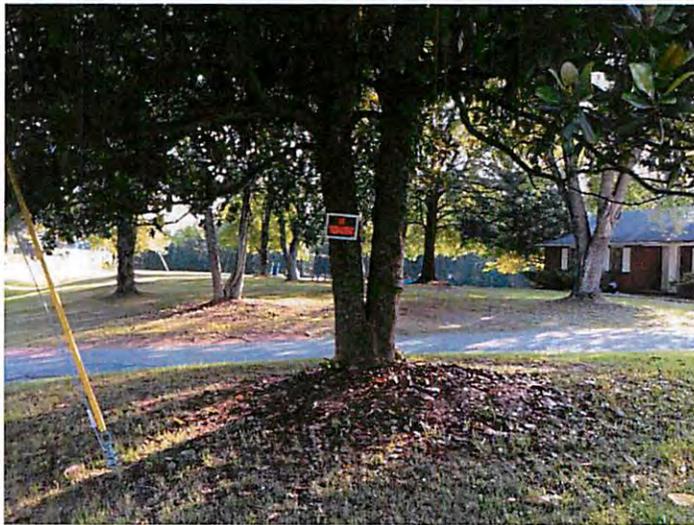
CODE CASE NBR IMAGE DATE
2016021142 7/21/2016

IMAGE DESCRIPTION



CODE CASE NBR IMAGE DATE
2016021142 7/21/2016

IMAGE DESCRIPTION



C-4.h. DRAFT

CODE CASE NBR IMAGE DATE
2016021142 7/21/2016

IMAGE DESCRIPTION



CODE CASE NBR IMAGE DATE
2016021142 7/21/2016

IMAGE DESCRIPTION



CODE CASE NBR IMAGE DATE
2016021142 7/21/2016

IMAGE DESCRIPTION



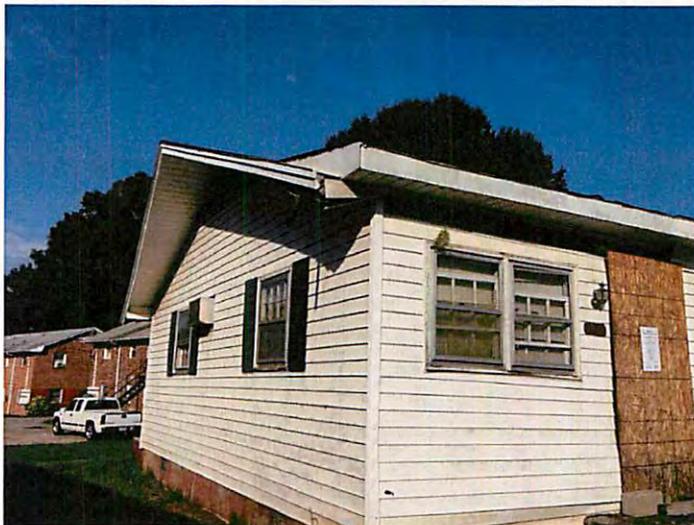
CODE CASE NBR IMAGE DATE
2016021142 7/21/2016

IMAGE DESCRIPTION



CODE CASE NBR IMAGE DATE
2016021142 7/21/2016

IMAGE DESCRIPTION



CODE CASE NBR IMAGE DATE
2016021142 7/21/2016

IMAGE DESCRIPTION



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Ad



- A** 100 E 1st St, Winston-Salem, NC 27101-4037
- B** 4001 Bethania Station Rd, Winston-Salem, NC 27106-2401

Enter notes here

255

Total Distance: 7.08 mi— Total Time: 19 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 1.2 mi Hide
	Turn right onto Bethania Station Rd	Go for 0.4 mi Hide
	Turn right onto Bethania Station Ct	Go for 154 ft Hide
	Arrive at Bethania Station Ct. Your destination is on the left.	Hide

C-4.h. DRAFT



4001 Bethania Station Rd, Winston-Salem, NC 27106-2401

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SUMMARY OF MINUTES

COMMUNITY DEVELOPMENT/HOUSING/GENERAL GOVERNMENT COMMITTEE

4:30 p.m., Tuesday, June 14, 2016

COMMITTEE ROOM

Room 239, City Hall

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

OTHERS PRESENT: Council Member Derwin L. Montgomery

Chair Leight called the meeting to order and stated that without objection, the Committee would first consider the Consent Agenda. She indicated Items C-2(a) pulled for compliance, C-2(b), C-2(e), C-2(g) C-2(h), C-3(m) and C-7 for discussion.

Council Member Besse made a motion to approve the balance of the Consent Agenda. The motion was duly seconded by Council Member MacIntosh and carried unanimously.

CONSENT AGENDA

C-1. CONSIDERATION OF ORDINANCE RESCINDING AN ORDINANCE ORDERING THE DEMOLITION OF A DWELLING:

a. C.W. Myers Trading Post, Inc. 2008 E. 25th Street

C-2. 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. Saul Guinto Salinas 3917 Ogburn Avenue

Staff indicated that Item C-2(a) had been brought into compliance.

c. Donald Shortt 2219 Booker Street

d. Teresa Pfau 112 S. Gordon Drive

f. Rebecca S. Cumbo 2049 Lincoln Avenue

b. Paul and Clara Cloud

1448 Emerald Street

Mrs. Stephanie Stimpson, Code Enforcement Senior Officer gave a presentation on this item.

Mrs. Lynn Holton, attorney for Mr. Cloud, 301 N. Main Street, Suite 804 provided information on this item and stated Mr. Cloud has been working on the property and everything on the code deficiency list is complete. He has paid the taxes and he is near completion.

In response to Council Member MacIntosh, Mrs. Holton stated the repairs will be done within the 90 day allowance and that includes the inspection.

In response to Council Member Montgomery, Mr. Paul Cloud, 3551 Shallow Road, owner of the property stated he had bad tenants and they damaged the house.

Council Member Adams requested Staff provide upon completion reports and visuals be given to Council to review as evidence of the repairs being completed. Initially, schedule follow-ups after grace periods to repair have been granted.

Council Member Adams made a motion to approve this item. The motion was duly seconded by Council Member MacIntosh and carried unanimously.

e. Triad Residential Solutions, LLC

1708 Thurmond Street

Mr. Ritchie Brooks, Director Community Business and Development gave a presentation on this item and has spoken to a potential buyer of this property. He stated this property is in the TURN Program area and may be eligible to apply for financing through this program for the repairs.

Council Member Adams requested Council continue with the order provided by the staff to provide the 90 days to complete repairs.

Council Member Adams made a motion to approve this item. The motion was duly seconded by Council Member MacIntosh and carried unanimously.

g. Bruce Hayden Alderman, Heirs

2066 Queen Street

Council Member Besse gave a brief presentation on this item and stated he spoke with staff and this is an in rem situation. The property owners may not be aware of this status. He suggested delay the order for six months.

In response to Council Member MacIntosh, Mrs. Stimpson stated we would have to get some type of abatement order to get inside to the property to conduct an assessment in the event the property owners cannot be contacted.

Council Member Besse made a motion to approve the six months delay. The motion was duly seconded by Council Member MacIntosh and carried unanimously.

h. Queen Esther James

133 W. Acadia Avenue

Mrs. Stimpson gave a brief presentation on this item.

Mrs. Sherri York, 139 W. Arcadia Avenue, a general contractor, gave a brief presentation on the status of this item and reported the property has been vacant for 10 years.

Mrs. Queen James, 2961 Woodwork Drive, owner of the property stated she has owned the house for many years and has not lived there in the last five years. She intends on selling the property due to a lack of funds for repairs.

In response to Council Member MacIntosh, Mrs. Stimpson stated the \$5,000 total provided on the order is for the violation fees cited by the City and not for repairs. The repairs exceed far more than this amount.

Mr. Derwick Paige, Assistant City Manager, requested staff inquire about the property being eligible for the TURN program.

Council Member Adams made a motion to approve the 90 day demolition order for the owner to pursue a sale or make efforts to repair. The motion was duly seconded by Council Member MacIntosh and carried unanimously.

C-3. 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]*.

m. Carmelo Marion and Noyola Marin 1611 Cherry Street

Michelle McCullough, Supervisor Planning Department, gave a brief presentation on this property.

Council Member Adams stated this property has historical value and needs to be restored.

Mrs. Stimpson gave a presentation on this item and informed Council there has been no correspondence from the property owner.

Council Member Montgomery stated the property owners should give themselves ample amount of time before a demolition order is cited to do repairs and that Council is notified of historical properties.

In response to Chair Leight, Mrs. McCullough stated staff may be able to provide a map to Council prior to the demolition orders.

Council Member Adams made a motion to approve the 90 day order. The motion was duly seconded by Council Member MacIntosh and carried unanimously.

- a. Basil and Tammy Phibbs 746 Glencoe Steet
- b. C.W. Myers Trading Post Inc. 2554 Manchester Street
- c. John L. Morris 1410 E. 4th Street

- | | | |
|----|-----------------------------|---|
| d. | Raul and Amanda Lio | 1237 N. Dunleith Avenue |
| e. | Raul and Amanda Lio | 214 W. 24 th Street |
| f. | RCH Properties, LLC | 534 N. Graham Avenue |
| g. | James and Carmen Redmon | 5069 Shattalon Drive
(Trailer Only) |
| h. | Quether Stefan Wilkins, Jr. | 836 Rich Avenue |
| i. | Gwendolyn J. Idol | 2530 Willard Road |
| j. | Hawkeye Properties, LLC | 1524 E. 14 th Street |
| k. | Doretha E. Holmes | 860 Rich Avenue |
| l. | Hunter and Mary Ellen James | 5581 Beck Church Road
Accessory Building |

C-7. 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). Continued from the April and May meetings of finance and Community Development/Housing/General Government Committees.

Mrs. Carolyn Scoggins, 110 S. Stratford Road, representative for the developer stated the additional funds came from the developer and not from any additional source.

Mr. Brooks stated the City was contacted about the cost over-runs and the request was made for the additional assistance.

In response to Council Member MacIntosh, Mr. Brooks stated the term of the loan is 20 years.

This item was denied in the Finance Committee Meeting.

Council Member Besse made a motion to send this item forward without a recommendation. The motion was duly seconded by Council Member Adams and carried unanimously.

C-8. APPROVAL OF COMMUNITY DEVELOPMENT/HOUSING/GENERAL GOVERNMENT COMMITTEE SUMMARY OF MINUTES – *May 10, 2016.*

GENERAL AGENDA

G-1. RESOLUTION ADOPTING THE PROPOSED SOUTHWEST WINSTON-SALEM AREA PLAN UPDATE. [Recommended by the Planning Board]. *Public Hearing: August 1, 2016.*

Kelly Bennett, Lead Coordinator for Southwest Manor gave a presentation on this item.

In response to Council Member MacIntosh, Mr. Bennett stated the Goat Farm is zoned RS9. The owners want it developed as retail versus the residents want it to remain residential.

Council Member Besse made a motion to approve this item. The motion was duly seconded by Council Member MacIntosh and carried unanimously.

G-2. RESOLUTION APPROVING THE DRAFT MASTER PLAN FOR HAPPY HILL PARK.

Ms. Courtney Driver, City Manager's Office, gave the presentation on this item.

In response to Council Member Besse, Ms. Driver stated this plan is a concept design.

Council Member Besse made a motion to approve this item. The motion was duly seconded by Council Member MacIntosh and carried unanimously.

ADJOURNMENT: 5:51 p.m.

