

AGENDA
WINSTON-SALEM ZONING BOARD OF ADJUSTMENT
2:00 P.M. - PUBLIC MEETING ROOM - BRYCE A. STUART MUNICIPAL BUILDING
Thursday, February 4, 2016

NOTE: ALL cases on the Zoning Board of Adjustment agenda are quasi-judicial in nature; as a result, NO communications should take place between yourself and the Zoning Board of Adjustments members prior to the public hearing.

- 1. PLEDGE OF ALLEGIANCE**
- 2. ROLL CALL OF MEMBERS**
- 3. OPENING REMARKS**
- 4. APPROVAL OF MINUTES**
- 5. WITHDRAWAL OR CONTINUANCE REQUESTS**
- 6. HEARING & DETERMINATION OF CASES**

A. MANUFACTURED HOME RENEWALS (CONSENT)

MICHAEL MOSER
TAMMY MOSER
(PHYLLIS BROGDEN)

Case # **5223**

Request permission to continue to place a Manufactured Home, Class A on a .54-acre tract of land located at 244 Matthews Street, approximately 400 feet northeast of Virginia Lake Road. Property is zoned RS9. Tax Block 2028, Tax Lot 202.

- Application – Case #5223
- Picture of Sign Posting(s) - Case #5223
- Other Site Photos - Case #5223

LOTTIE CORBIN

Case # **5235**

Request permission to continue to place a Manufactured Home, Class A on a 1.08-acre tract of land located at 4999 Shattalon Drive, at the intersection of Shattalon Drive and Oak Grove Circle. Property is zoned RS-9. Tax Block 3490, Tax Lots 208A and 208B.

- Application – Case #5235
- Picture of Sign Posting(s) - Case #5235
- Other Site Photos - Case #5235

PRESTON STRINGER

Case # **5238**

Request permission to continue to place a Manufactured Home, Class A on a .34-acre tract of land located at 4140 Tise Avenue, approximately 100 feet south of Ontario Street. Property is zoned RS-9. Tax Block 1505, Tax Lots 104 and 105.

- Application – Case #5238
- Picture of Sign Posting(s) - Case #5238
- Other Site Photos - Case #5238

**B. MANUFACTURED HOME RENEWALS (NONCONSENT)
No Applications**

**C. OTHER SPECIAL USE PERMIT RENEWALS
No Applications**

**D. SPECIAL USE PERMITS FOR MANUFACTURED HOMES (NEW)
No Applications**

**E. OTHER SPECIAL USE PERMITS (NEW)
No Applications**

F. VARIANCES

WARD CALDWELL

Case # **5233**

Request variance of side yard requirements on a .20 acre tract of land located at 1215 Brookstown Ave., approximately 250 feet north west of West Fifth St. Property is zoned RSQ HO. Tax Block 0129 Lot 102.

- Application – Case #5233
- Staff Report – Case #5233
- Site Plan – Case #5233
- Elevations – Case #5233
- Picture of Sign Posting(s) - Case #5233
- Other Site Photos - Case #5233

G. APPEALS

SAMUEL TUTTLE
FILLY'S
DAWN TUTTLE
(STEVE SMITH)

Case # **5193**

Appealing zoning officer's decision regarding notice of violation and use on a .7 acre tract of land located 1495 W Fourth St, approximately 900 feet south of Interstate 40. Property is zoned HB. Block 0654 Lot 320.

- Application – Case #5193
- Notice of Appeal – Case #5193
- Picture of Sign Posting(s) - Case #5193
- Other Site Photos - Case #5193

JORDAN GWYN
Case # **5206**

Appealing HRC decision to replace vinyl windows on a .17 acre tract of land located at 1410 West First St. 650 feet east of West End Blvd. Zoned RSQ HO, Block 1068 Lot 020.

- Application – Case #5206
- COA Application – Case #5206
- Picture of Sign Posting(s) - Case #5206
- Other Site Photos - Case #5206

JAMES GLASS
(NING LIU)

Case # **5227**

Appealing Zoning officer decision to revoke home occupation permit on a .77 acre tract of land located at 3206 Polo Rd. Property is zoned RS9. Block 3410 lot 069D

- Application – Case #5227
- Letter from Appellant – Case #5227
- Picture of Sign Posting(s) - Case #5227
- Other Site Photos - Case #5227

7. UNFINISHED BUSINESS



100 East First Street
Winston-Salem, NC 27101
(336) 727-2628

Case # 5223

CITY ZONING BOARD OF ADJUSTMENT SPECIAL USE PERMIT (RENEWAL) APPLICATION

Prop Addr: 244 MATTHEWS ST
WINSTON-SALEM, NC 27105 -

Owner: MICHAEL MOSER
Address: 1076 HILLVIEW DR
KING., NC 27021-

Phone.: (336)972-1336 x

Applicant: PHYLLIS BROGDEN

Address: 244 MATTHEWS ST
WINSTON SALEM, NC 27105

Phone:

Details:

MANUFACTURED HOME RENEWAL-CONSENT
CLASS A

The above owner or applicant is requesting that this renewal application be presented to, and heard by the Winston-Salem Zoning Board of Adjustment at a meeting to be held on **2/4/2016, at 2:00 P.M.**, in the **Bryce A. Stuart Municipal Building Public Meeting Room, Suite 530, Fifth Floor of City Hall South, 100 E. First Street, Winston-Salem, NC.**

As part of your application, and included in your filing fee of \$50.00, a legal notice is published in the Winston-Salem Journal and the Inspections division furnishes you with a sign(s) which must be posted in a conspicuous place on the premises prior to the date of the hearing. The sign(s) must be attached to sufficient support and be clearly visible from a public street. If the property is located on the corner of two public streets or has frontage on more than one public street, a sign needs to be placed on each public street. If the property is on a private street or access easement, a second sign or lead in sign will need to be placed at the public street.

SIGN POSTING DATE IS 1/24/2016 BY 9:00 A.M. THE SIGN MUST BE LEFT UP UNTIL AFTER THE PUBLIC HEARING. Failure to comply with these posting instructions will result in delay of the application and postponement of the hearing and decision to a later scheduled public hearing.

MICHAEL MOSER
TAMMY MOSER
(PHYLLIS BROGDEN)

Case # 5223

Request permission to continue to place a Manufactured Home, Class A on a .54-acre tract of land located at 244 Matthews Street, approximately 400 feet northeast of Virginia Lake Road. Property is zoned RS9. Tax Block 2028, Tax Lot 202.

I HAVE READ THE ABOVE INFORMATION AND UNDERSTAND THE REQUIREMENTS

I hereby certify that all of the information contained in this application for a Special Use Permit Renewal is correct. If executed by an individual for a corporate entity, I certify that I am duly authorized to sign on behalf of the corporate entity.

Applicant Signature

Date



City of Winston-Salem
ZONING BOARD OF ADJUSTMENT
For Information Call: 727-2101
REQUEST FOR: SPECIAL USE PERMIT
RENEWAL - MANUFACTURED HOME
PUBLIC HEARING CASE#4
FEBRUARY 4, 2016 5223
2:00 PM - FIFTH FLOOR - BRUCE A. STUART MUNICIPAL BUILDING



100 East First Street
Winston-Salem, NC 27101
(336) 727-2628

Case # 5235

CITY ZONING BOARD OF ADJUSTMENT SPECIAL USE PERMIT (RENEWAL) APPLICATION

Prop Addr: 4999 SHATTALON DR
WINSTON-SALEM, NC 27106 -

Owner: LOTTIE CORBIN
Address: 6205 SHORELINE DR
SAINT PETERSBURG., FL 33708-

Phone.: (336)712-6799 x

Applicant:
Address:

Phone:

Details:

MANUFACTURED HOME RENEWAL-CONSENT
CLASS A

The above owner or applicant is requesting that at this renewal application be presented to, and heard by the Winston-Salem Zoning Board of Adjustment at a meeting to be held on **2/4/2016**, at **2:00 P.M.**, in the **Bryce A. Stuart Municipal Building Public Meeting Room, Suite 530, Fifth Floor of City Hall South, 100 E. First Street, Winston-Salem, NC.**

As part of your application, and included in your filing fee of \$50.00, a legal notice is published in the Winston-Salem Journal and the Inspections division furnishes you with a sign(s) which must be posted in a conspicuous place on the premises prior to the date of the hearing. The sign(s) must be attached to sufficient support and be clearly visible from a public street. If the property is located on the corner of two public streets or has frontage on more than one public street, a sign needs to be placed on each public street. If the property is on a private street or access easement, a second sign or lead in sign will need to be placed at the public street.

SIGN POSTING DATE IS 1/24/2016 BY 9:00 A.M. THE SIGN MUST BE LEFT UP UNTIL AFTER THE PUBLIC HEARING. Failure to comply with these posting instructions will result in delay of the application and postponement of the hearing and decision to a later scheduled public hearing.

LOTTIE CORBIN

Case # 5235

Request permission to continue to place a Manufactured Home, Class A on a 1.08-acre tract of land located at 4999 Shattalon Drive, at the intersection of Shattalon Drive and Oak Grove Circle. Property is zoned RS-9. Tax Block 3490, Tax Lots 208A and 208B.

I HAVE READ THE ABOVE INFORMATION AND UNDERSTAND THE REQUIREMENTS

I hereby certify that all of the information contained in this application for a Special Use Permit Renewal is correct. If executed by an individual for a corporate entity, I certify that I am duly authorized to sign on behalf of the corporate entity.

Applicant Signature

Date

City of Winston-Salem
ZONING BOARD OF ADJUSTMENT
For Information Call: 727-2101

REQUEST FOR: SPECIAL USE PERMIT—
MANUFACTURED HOME RENEWAL

PUBLIC HEARING
FEBRUARY 4, 2016 CASE # 5235

2:00 PM - FIFTH FLOOR - BRYCE A. STUART MUNICIPAL BUILDING





100 East First Street
Winston-Salem, NC 27101
(336) 727-2628

Case # 5238

CITY ZONING BOARD OF ADJUSTMENT SPECIAL USE PERMIT (RENEWAL) APPLICATION

Prop Addr: 4140 T ISE AVE
WINSTON-SALEM, NC 27105 -

Owner: PRESTON STRINGER
Address: 1675 LITTLE CREEK CIR
WINSTON-SALEM,, NC 2710 3-

Phone.: (336)782-3939 x

Applicant:

Address:

Phone:

Details:

MANUFACTURED HOME RENEWAL-CONSENT
CLASS A

The above owner or applicant is requesting th at this renewal application be presented to, and heard by the Winston-Salem Zoning Board of Adjustment at a meeting to be held on **2/4/2016**, at **2:00 P.M.**, in the **Bryce A. Stuart Municipal Building Public Meeting Room, Suite 530, Fifth Floor of City Hall South, 100 E. First Street , Winston-Salem, NC.**

As part of your application, and included in your filing fee of \$50.00, a legal notice is published in the Winston-Salem Journal and the Inspections division furnishes you with a sign(s) which must be posted in a conspicuous place on the premises prior to the date of the hearing. The sign(s) must be attached to sufficient support and be clearly visible from a public street. If the property is located on the corner of two public streets or has frontage on more than one public street, a sign needs to be placed on each public street. If the property is on a private street or access easement, a second sign or lead in sign will need to be placed at the public street.

SIGN POSTING DATE IS 1/25/2016 BY 9:00 A.M. THE SIGN MUST BE LEFT UP UNTIL AFTER THE PUBLIC HEARING. Failure to comply with these posting instructions will result in delay of the application and postponement of the hearing and decision to a later scheduled public hearing.

PRESTON STRINGER

Case # 5238

Request permission to continue to place a Manufactured Home, Class A on a .34-acre tract of land located at 4140 Tise Avenue, approximately 100 feet south of Ontario Street. Property is zoned RS-9. Tax Block 1505, Tax Lots 104 and 105.

I HAVE READ THE ABOVE INFORMATION AND UNDERSTAND THE REQUIREMENTS

I hereby certify that all of the information contained in this application for a Special Use Permit Renewal is correct. If executed by an individual for a corporate entity, I certify that I am duly authorized to sign on behalf of the corporate entity.

Applicant Signature

Date



City of Winston-Salem
ZONING BOARD OF ADJUSTMENT
For Information Call: 727-2101
REQUEST FOR: SPECIAL USE PERMIT
MANUFACTURED HOME
PUBLIC HEARING CASE #
FEBRUARY 4, 2016 5238
2:00 PM - FIFTH FLOOR - BRYCE A. STUART MUNICIPAL BUILDING



100 East First Street
Winston-Salem, NC 27101
(336) 727-2628

Case # 5233

CITY ZONING BOARD OF ADJUSTMENT VARIANCE APPLICATION

Prop Addr: 1215 BROOK STOWN AVE
WINSTON-SALEM, NC 27101 -

Owner: WARD CALDWELL
Address: 1215 BROOKSTOWN AVE
WINSTON-SALEM,, NC 2710 1-

Phone.: (336)757-2272 x

Applicant:

Address:

Phone:

Details:

Lot Dimensions:

Description: Side yard requirment is 5 feet, requesting variance of 2.3 feet

The above owner or applicant is requesting that this application be presented to, and heard by the Winston-Salem Zoning Board of Adjustment at a meeting to be held on **2/4/2016, at 2:00 P.M.**, in the **Bryce A. Stuart Municipal Building Public Meeting Room, Suite 530, Fifth Floor of City Hall South, 100 E. First Street , Winston-Salem, NC.**

As part of your application, and included in your filing fee of \$200.00, a legal notice is published in the Winston-Salem Journal and the Inspections division furnishes you with a sign(s) which must be posted in a conspicuous place on the premises prior to the date of the hearing. The sign(s) must be attached to sufficient support and be clearly visible from a public street. If the property is located on the corner of two public streets or has frontage on more than one public street, a sign needs to be placed on each public street. If the property is on a private street or access easement, a second sign or lead in sign will need to be placed at the public street.

SIGN POSTING DATE IS 1/24/2016 BY 9:00 A.M. THE SIGN MUST BE LEFT UP UNTIL AFTER THE PUBLIC HEARING. Failure to comply with these posting instructions will result in delay of the application and postponement of the hearing and decision to a later scheduled public hearing.

Remember that Variances can be approved only when there is practical difficulty or unnecessary hardship in meeting zoning requirements, with the difficulties resulting from subdividing land before the law was adopted, or from an act of a public agency, or from some cause beyond the control of the owner.

WARD CALDWELL

Case # 5233

Request variance of side yard requirements on a .20 acre tract of land located at 1215 Brookstown Ave., approximately 250 feet north west of West Fifth St. Property is zoned RSQ HO. Tax Block 0129 Lot 102.

I HAVE READ THE ABOVE INFORMATION AND UNDERSTAND THE REQUIREMENTS

I hereby certify that all of the information contained in this application for a Variance is correct. If executed by an individual for a corporate entity, I certify that I am duly authorized to sign on behalf of the corporate entity.

Applicant Signature

Date

**CITY OF WINSTON-SALEM ZONING BOARD OF ADJUSTMENT
REQUEST FOR VARIANCE STAFF REPORT
FEBRUARY 4, 2016**

CASE #:	5233	VARIANCE REQUEST:	Approximate 1.33-foot variance of the side setback requirements for single-family structures in a RSQ zoning district
STAFF:	Desmond C. Corley		
PETITIONER(S):	Ward Caldwell		
		LOCATION:	1215 Brookstown Avenue (0.2 acre, approximately 250 feet northwest of W Fifth Street)

ANALYSIS:

The *Unified Development Ordinances* (UDO) contains certain dimensional requirements for each of the zoning districts created by its adoption. Requests for variance of these dimensional requirements must go before the Board of Adjustment.

The subject property is zoned RSQ HO, a district within which setbacks for single-family residential structures are fifteen (15) feet in the front, fifteen (15) feet in the rear, five (5) feet on one side, and fifteen (15) feet combined for both sides. The existing (nonconforming) house is set back approximately 2.71 feet from the eastern property line, but it meets all other dimensional requirements of the district. The petitioner proposes to construct an enclosed porch on the northeastern corner, approximately 3.67 feet from the aforementioned property line.

A variance may only be approved upon a finding of practical difficulty or unnecessary hardship in meeting the dimensional requirements of the UDO. Such hardship must be the result of the recorded platting or deeding of land or any building constructed and completed prior to the adoption of the UDO, from any act of a public agency, or from natural conditions beyond the control of the property owner. The applicant must demonstrate *all* of the following:

- a) The unnecessary hardship would result from the strict application of the UDO¹;
- b) The hardship results from the conditions that are peculiar to the property, such as location, size or topography²;
- c) The hardship did not result from actions taken by the applicant or the property owner³; and
- d) The requested variance is consistent with the spirit, purpose and intent of the UDO, such that public safety is secured, and substantial justice is achieved.

¹It shall not be necessary to demonstrate that, in the absence of a variance, no reasonable use can be made of the property.

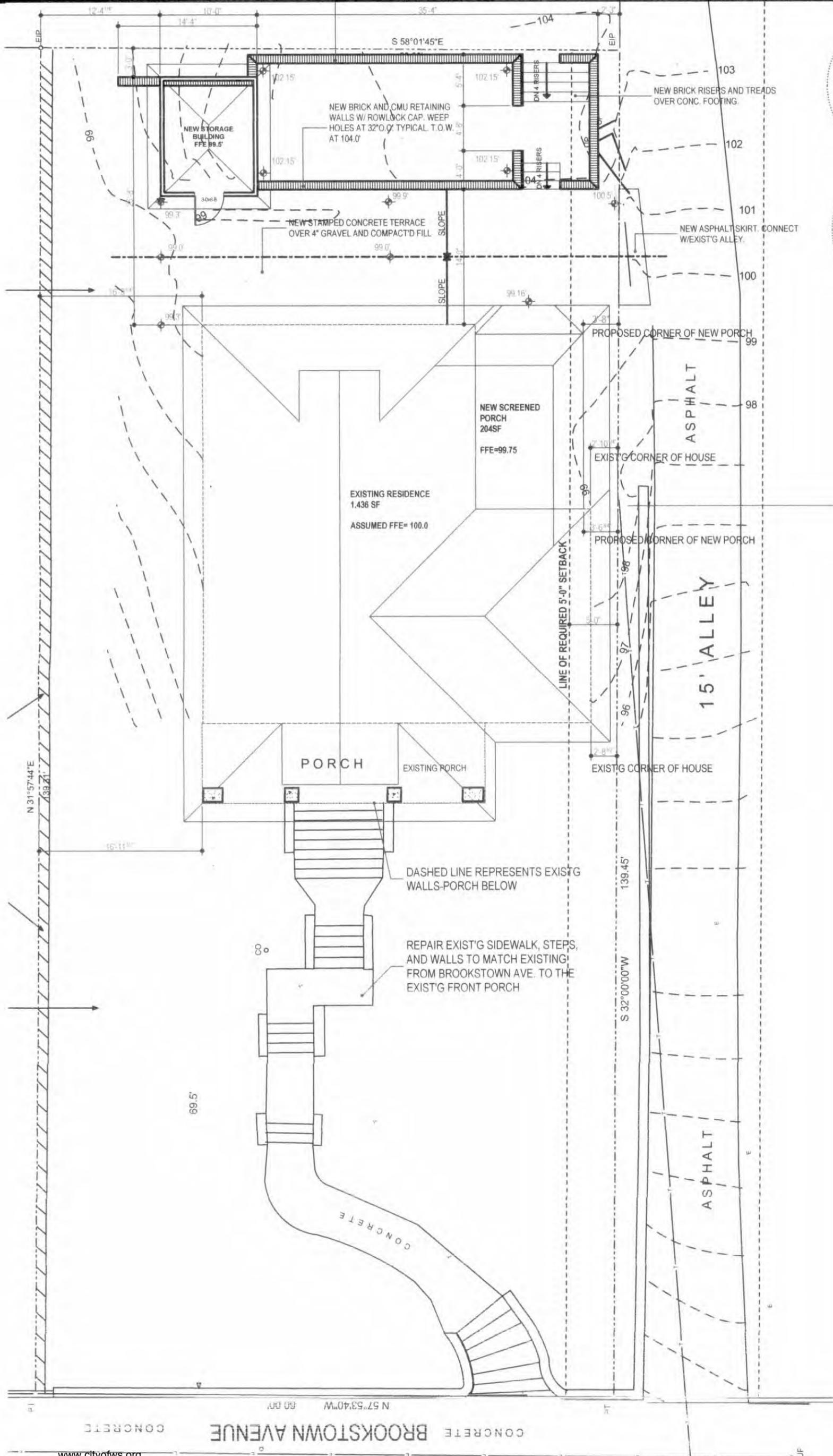
²Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.

³The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.

It is Staff's opinion that a hardship is found in the platting or deeding of this land prior to the adoption of the UDO. Records from the Forsyth County Register of Deeds show that this lot was recorded in 1919. In addition, Forsyth County tax records indicate that the original house was completed in 1920, prior to the adoption of the UDO. Further, the extension of the eastern wall to include the porch does not exacerbate the nonconformity of the house because it is farther away from the property line than the closest point on the existing footprint.

RECOMMENDATION: Approval

A variance shall be granted only with reference to conditions and circumstances peculiar to the property involved. If the Board of Adjustment denies an application for variance, it shall enter the reasons for the denial in the minutes of the meeting at which the action was taken. [Chapter B, Section 6-1.4(B)(6)]



SITE PLAN
 SCALE: 1" = 10'



ILLUSTRATION 10.1: EXISTING SOUTHEAST PERSPECTIVE



ILLUSTRATION 10.2: EXISTING NORTHEAST PERSPECTIVE

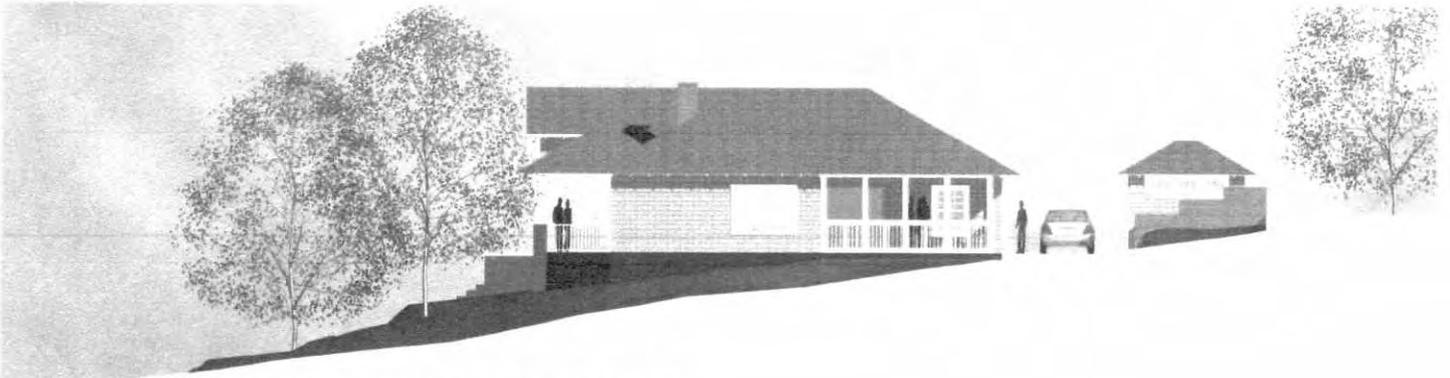


ILLUSTRATION 11: PROPOSED EAST ELEVATION FROM THE ALLEY

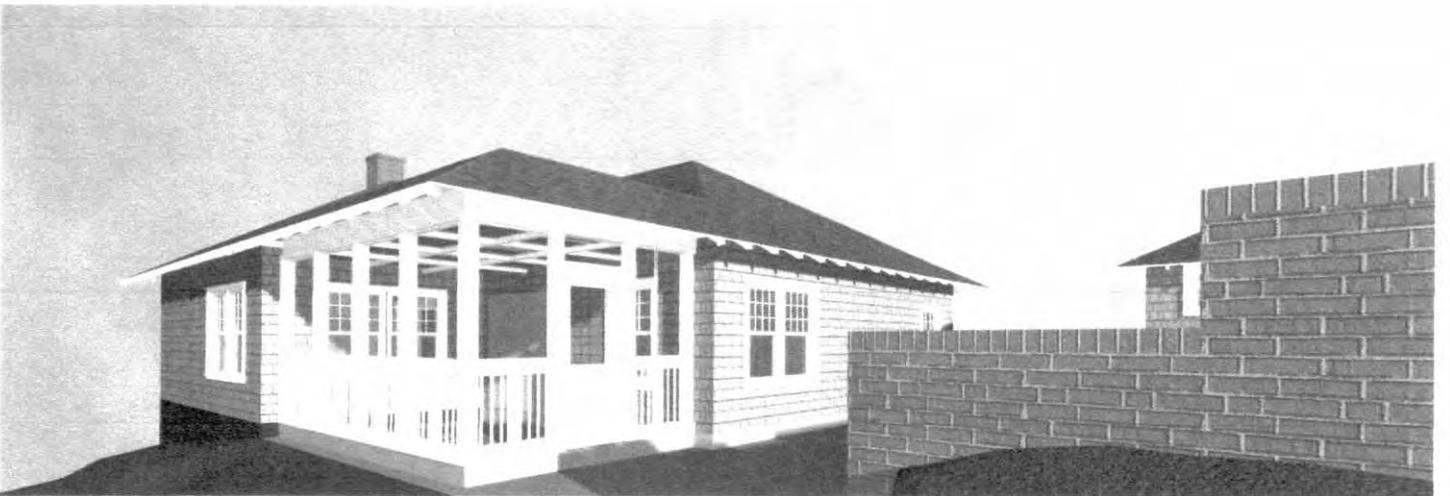


ILLUSTRATION 12: PROPOSED NORTHEAST ELEVATION

City of Winston-Salem
ZONING BOARD OF ADJUSTMENT
For Information Call: 727-2101

REQUEST FOR: *VARIANCE OF*
SIDE YARD SET BACKS

PUBLIC HEARING CASE#

FEBRUARY 4, 2016 / 5233

2:00 PM - FIFTH FLOOR - BRYCE A. STUART BUILDING











100 East First Street
Winston-Salem, NC 27101
(336) 727-2628

Case # 5193

CITY ZONING BOARD OF ADJUSTMENT APPEAL APPLICATION

Prop Addr: 1495 W FOURTH ST
WINSTON-SALEM, NC 27101 -

Owner: SAMUEL TUTTLE
Address: 2697 PARK OAK DR
CLEMMONS,, NC 27012-

Phone.:

Applicant: STEVE SMITH
Address: 500 OLIVE ST
WINSTON SALEM, NC 27103
Phone: (336)760-2252 x

Details:

Zoning Officer Decision/Interpretation

Description: decision regarding notice of violation and use.

The above owner or applicant is requesting that this application be presented to, and heard by the Winston-Salem Zoning Board of Adjustment at a meeting to be held on **2/4/2016, at 2:00 P.M.**, in the **Bryce A. Stuart Municipal Building Public Meeting Room, Suite 530, Fifth Floor of City Hall South, 100 E. First Street , Winston-Salem, NC.**

As part of your application, and included in your filing fee of \$200.00, a legal notice is published in the Winston-Salem Journal and the Inspections division furnishes you with a sign(s) which must be posted in a conspicuous place on the premises prior to the date of the hearing (no sign(s) is(are) required for appeals of the Housing Administrator). The sign(s) must be attached to sufficient support and be clearly visible from a public street. If the property is located on the corner of two public streets or has frontage on more than one public street, a sign needs to be placed on each public street. If the property is on a private street or access easement, a second sign or lead in sign will need to be placed at the public street.

SIGN POSTING DATE IS 1/25/2016 BY 9:00 A.M. THE SIGN MUST BE LEFT UP UNTIL AFTER THE PUBLIC HEARING. Failure to comply with these posting instructions will result in delay of the application and postponement of the hearing and decision to a later scheduled public hearing.

In applying for an appeal of the Zoning Officer or the decision of the Historic Properties Commission you must present a written statement of your appeal detailing your appeal request. Any other evidence that you would like for the Zoning Board of Adjustment to consider must also be presented when the application is made to allow the Board sufficient time to review that information prior to the scheduled hearing date.

SAMUEL TUTTLE
DAWN TUTTLE
FILLY'S
(STEVE SMITH)
Case # 5193

Appealing zoning officers decision regarding notice of violation and use on a .7 acre tract of land located 1495 W Fourth St, approximately 900 feet south of Interstate 40. Property is zoned HB. Block 0654 Lot 320.

I HAVE READ THE ABOVE INFORMATION AND UNDERSTAND THE REQUIREMENTS

I hereby certify that all of the information contained in this application for an Appeal is correct. If executed by an individual for a corporate entity, I certify that I am duly authorized to sign on behalf of the corporate entity.

Applicant Signature

Date

STATE OF NORTH CAROLINA
COUNTY OF FORSYTH

BEFORE THE CITY OF WINSTON-
SALEM ZONING BOARD OF
ADJUSTMENTS
INSPECTIONS CASE NO.: 5531
FILE NO.:

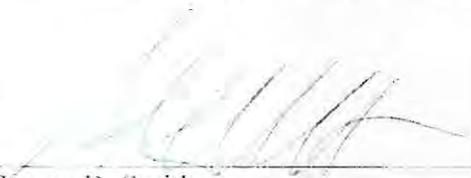
IN THE MATTER OF:
RE: Property located at
1495 W. Fourth St. (400 Peters Creek Pwky)
Referenced as Tax Lot(s); 320, Tax Block 0654

NOTICE OF APPEAL

Property Owners and Business Owners, identified in the Violation letter dated the 9th day of October, 2015 served by Zoning Inspector For the Director of Inspections Amy Lanier (the "Letter") having been served by certified mail and posting on the 9th day of October, 2015, hereby files and serves, through undersigned counsel, their Notice of Appeal to The Board of Adjustment to the finding(s) of the Zoning Inspector For the Director of Inspections Amy Lanier as follows:

1. That adequate evidence was not presented in order for Ms. Lanier, Zoning Inspector For The Director of Inspections, to make an adequate decision in determining that the property was in violation of the UDO stated in the Letter.
2. The Letter does not state sufficient facts to give notice to the parties named to take actions to abate any violations.
3. The Letter fails to identify and notice the appropriate business owner doing business at the above-referenced property address.
4. The property owners and business owners identified in the Letter are authorized to occupy and conduct business as an Adult Establishment in the HB zoning district in that the aforementioned use has been "grandfathered" and exempt from compliance under the referenced zoning code.

This the 5 day of November, 2015.



Steven D. Smith
Attorney for Property Owners and Business Owners

OF COUNSEL:

Smith Law Group, PLLC
500 Olive Street
Winston-Salem, NC 27103
(336) 760-2252

CASE 5193

STATE OF NORTH CAROLINA

COUNTY OF FORSYTH

BEFORE THE CITY OF WINSTON-
SALEM ZONING BOARD OF
ADJUSTMENTS
INSPECTIONS CASE NO.: 5531
FILE NO.:

IN THE MATTER OF:
RE: Property located at
1495 W. Fourth St. (400 Peters Creek Pwky)
Referenced as Tax Lot(s); 320, Tax Block 0654

CERTIFICATE OF SERVICE

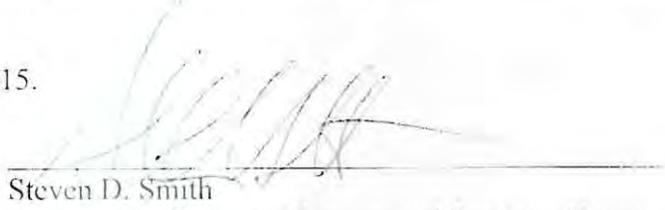
This is to certify that the undersigned has this date served this pleading in the above-entitled action upon all other parties to this cause by:

_____ Hand delivering a copy hereof, properly addressed to the parties or attorney(s) for said parties;

or by

 x _____ Depositing a copy hereof in a first class postpaid wrapper in a post office or official depository under the exclusive care and custody of the United States Post Office Department, properly addressed to the parties or the attorney(s) for said parties.

This the 2th day of November, 2015.



Steven D. Smith
Attorney for Property Owners and Business Owners

OF COUNSEL:

Smith Law Group, PLLC
500 Olive Street
Winston-Salem, NC 27103
(336) 760-2252

Addressee(s):

Chris Murphy
Winston-Salem/Forsyth County Inspections Division
100 E. First Street, Suite 328
Winston-Salem, NC 27101

Anargiros "Jerry" N. Kontos
Assistant City Attorney
P.O. Box 2511
Winston-Salem, NC 27102

2MIN 2XDAY
2min2x.org

CARE FOR YOUR LOVED ONE,
CARE FOR YOURSELF.
www.arp.org

Filly's
GENTLEMEN'S CLUB

NOW OPEN
Great Drink Specials

Filly's

UTO WORLD
Winston-Salem
OPEN SUN 12-3

City of Winston-Salem
ZONING BOARD OF ADJUSTMENT
For Information Call: 727-2101
REQUEST FOR: APPEAL OF ZONING
OFFICER DECISION
PUBLIC HEARING CASE#
FEBRUARY 4, 2016 5193
2:00 PM - FIFTH FLOOR - BRYCE A. STUART MUNICIPAL BUILDING



100 East First Street
Winston-Salem, NC 27101
(336) 727-2628

Case # 5206

CITY ZONING BOARD OF ADJUSTMENT APPEAL APPLICATION

Prop Addr: 1410 W FIRST ST
WINSTON-SALEM, NC 27101 -

Owner: JORDAN GWYN
Address: 1410 W FIRST ST.
WINSTON-SALEM,, NC 2710 1-

Phone.: (336)755-7167 x

Applicant:

Address:

Phone:

Details:

Historic Resources Commission (HRC)

Description: Appeal HRC decision regarding vinyl windows

The above owner or applicant is requesting that this application be presented to, and heard by the Winston-Salem Zoning Board of Adjustment at a meeting to be held on **2/4/2016**, at **2:00 P.M.**, in the **Bryce A. Stuart Municipal Building Public Meeting Room, Suite 530, Fifth Floor of City Hall South, 100 E. First Street , Winston-Salem, NC.**

As part of your application, and included in your filing fee of \$200.00, a legal notice is published in the Winston-Salem Journal and the Inspections division furnishes you with a sign(s) which must be posted in a conspicuous place on the premises prior to the date of the hearing (no sign(s) is(are) required for appeals of the Housing Administrator). The sign(s) must be attached to sufficient support and be clearly visible from a public street. If the property is located on the corner of two public streets or has frontage on more than one public street, a sign needs to be placed on each public street. If the property is on a private street or access easement, a second sign or lead in sign will need to be placed at the public street.

SIGN POSTING DATE IS 1/24/2015 BY 9:00 A.M. THE SIGN MUST BE LEFT UP UNTIL AFTER THE PUBLIC HEARING. Failure to comply with these posting instructions will result in delay of the application and postponement of the hearing and decision to a later scheduled public hearing.

In applying for an appeal of the Zoning Office or the decision of the Historic Properties Commission you must present a written statement of your appeal detailing your appeal request. Any other evidence that you would like for the Zoning Board of Adjustment to consider must also be presented when the application is made to allow the Board sufficient time to review that information prior to the scheduled hearing date.

JORDAN GWYN

Case # **5206** Appealing HRC decision to replace vinyl windows on a .17 acre tract of land located at 1410 West First St. 650 feet east of West End Blvd. Zoned RSQ HO, Block 1068 Lot 020.

I HAVE READ THE ABOVE INFORMATION AND UNDERSTAND THE REQUIREMENTS

I hereby certify that all of the information contained in this application for an Appeal is correct. If executed by an individual for a corporate entity, I certify that I am duly authorized to sign on behalf of the corporate entity.

Applicant Signature

Date

FEE \$200.00

City of Winston-Salem

ZONING BOARD OF ADJUSTMENT

For Information Call: 727-2101

REQUEST FOR: APPEAL A DECISION
OF THE HISTORIC RESOURCES
COMMISSION
PUBLIC HEARING

FEBRUARY 4, 2016

CASE
5206

2:00 PM - FIFTH FLOOR - BRYCE A. STUART MUNICIPAL BUILDING



**Forsyth County
Historic Resources
Commission**

Office Use Only	
Case Number:	_____
Historic Name:	_____
NR/LHL#:	_____
Application Accepted as Complete:	_____

**Certificate of Appropriateness Application
Major Work**

Property Address: 1410 W. 1st St. **TAX PIN#:** 6825-64-6956.00

Local Historic Landmark: Yes No **Landmark Name:** _____

Local Historic or Historic Overlay District: No Old Salem Bethabara West End

Name of Applicant/Contact: Jordan Gwyn

Email Address: jordangwyn@gmail.com **Telephone Number (Daytime):** (336) 755-7167

Mailing Address (Street or Box): 1410 W. 1st St.

City: Winston-Salem **State:** NC **Zip:** 27101

Property Owner (if different from above): _____

Email Address: _____ **Telephone Number (Daytime):** _____

Mailing Address (Street or Box): _____

City: _____ **State:** _____ **Zip:** _____

Type of Work (Check all that apply):

- Relocation Exterior Alteration New Construction or Addition
 Demolition Landscaping/Site Alteration Interior Alteration (Local Historic Landmarks Only)

Is this an after-the-fact application (an application for a project that has been initiated or completed prior to obtaining the required COA from the Commission in violation of the UDO)? Yes No

The application is not complete without the required fee.

Submission Requirements Checklist

The application along with all supporting information must be filed at least twenty-one (21) days prior to the next regularly scheduled meeting of the Forsyth County Historic Resources Commission. The Commission meets the first Wednesday of each month at 4:00 pm in the Public Meeting Room, Room 530, Fifth Floor, Bryce A. Stuart Municipal Building, 100 East First Street, Winston-Salem, NC.

- Sixteen (16) Copies of Application.** Submit sixteen (16) copies of the application and all supporting documentation. Additionally, a digital file of the application and supporting documentation, including photographs, is encouraged and may be submitted via email or in DVD format. Please contact Commission staff for details on digital submission information. Commission staff can review digital submission; however, a COA will not be processed until an original signed application is received.
- Detailed Description of Project.** Attach a detailed description of the activity for which you are seeking a Certificate of Appropriateness. Handwritten descriptions will not be accepted.
- Drawings, Samples, Site Plans, Specifications, Etc.** Submit plans, elevations, photographs, or other illustrative information necessary to explain the application. Such information may include detailed plans showing existing and proposed conditions, material samples or product information, descriptions of building materials, landscaping/site plans, photographs, etc. Architectural drawings, construction details, landscape plans, etc. must be legible, but printed on paper no larger than 11"x17". Refer to the reverse side of this form for further details on information to be submitted.
- List of Adjoining Property Owners** (not applicable for Local Historic Landmark properties). Submit a list of the names, mailing addresses, and tax block/lot numbers of property owners within 100 feet on all sides of the property, including across the street. This information may be obtained from the Forsyth County Tax Office at (336) 703-2300 or on the county's website at <http://www.forsyth.cc/tax/geodata.aspx>.

Note: Applications that do not provide adequate documentation or required materials will be noted as incomplete and may result in delays in the Commission's hearing of the application and/or denial of the request. Revisions made to the applications after the submittal deadline and prior to the Commission hearing may be continued to the following month's hearing. The Commission reserves the right to require additional information if it believes that the submission of such information is necessary to understand the nature of the intended activity.

Signature of Applicant/Contact: Jordan O. Gwyn **Date:** June 10, 2015

Information To Be Submitted With Application

Relocation

- Describe any site features that will be altered or disturbed, including foundations, walls, fences, driveways, walks, vegetation, etc.
- If the structure is to be relocated within a District or Landmark property, describe the new site and any proposed changes, and submit a site plan, landscape plan, etc. of the relocated structure on the proposed new site.

Demolition

- Describe any site features that will be altered or disturbed, including foundations, walls, fences, driveways, walks, vegetation, etc.
- Describe in what condition the site will be left after demolition.

Exterior Alteration

Describe clearly and in detail all work to be done. Include the following items where appropriate:

- Sketches, photographs, specifications, product literature, or other description of proposed exterior changes. Scaled drawings will be required for major changes in design for such items as roofs, façades, porches, or prominent architectural features.
- Paint color selections (Old Salem, Bethabara, and Local Historic Landmarks).
- Color and type of brick and/or mortar to be used.
- Samples of proposed materials when the original material will not be retained.
- Description of construction methods.

Landscaping/Site Alteration

Describe clearly and in detail all work to be done. Include the following items where appropriate:

- Site information including the location of trees (6" dbh* in the Old Salem and Bethabara Historic Districts, and on Local Historic Landmark properties; 8" dbh in the West End Historic Overlay District), parking areas (including driveways), walls, fences, outbuildings, or other such features where major site improvements are proposed.
- Landscape plan with measured distances/dimensions for new parking areas or other major site alterations.
- For landscape plantings, descriptions of proposed species.
- Provide approximate diameter of trees 6" dbh and larger (Old Salem, Bethabara, Local Historic Landmarks) and 8" dbh and larger (West End) proposed for removal, as well as the species and reason(s) for the request.

New Construction or Addition

Describe the nature of the proposed project. Include the following items where appropriate:

- Site plan showing building footprint and distances to property lines.
- Scaled elevation drawings of each facade, including description of fenestration and specifications that clearly show the proposed appearance of the project.
- Photograph(s) of the site.
- Paint color selections (Old Salem, Bethabara, and Local Historic Landmarks).
- Specifications, samples, and/or other description(s) of materials to be used.
- Drawings and description(s) of site alterations including fences, walls, walks, lighting, mechanical equipment, pavement, patios, decks, etc.
- In the case of reconstructing a documented historic structure, submit a summary of the history of the site. Historical documentation and physical evidence regarding the proposed reconstruction should be submitted.

Interior Alteration (Local Historic Landmarks only)

- Sketches, photographs, specifications, product literature, or other description of proposed changes to the interior space. Accurate scaled drawings will be required for major alterations.
- Paint color selections.
- Samples of proposed materials when the original material will not be retained.
- Description of construction methods.

* dbh = diameter at breast height (4½' from ground level)

Return Application To:

Historic Resources Commission P.O. Box 2511 Winston-Salem, North Carolina 27102

Tuesday, June 10, 2015

To the Historic Resource Commission of Forsyth County:

Hello, my name is Jordan Gwyn and I purchased the property at 1410 W 1st Street. I closed on this home on April 22, 2015.

The real estate agent that I used was Laura Farrell of Ardmore Realty. Shortly after moving in, I contracted to have the 15 inefficient and inoperable windows replaced. The existing windows were unsafe and dangerous due to their inability to be opened and cracked window panes. Additionally, they posed a health hazard attributable to cracked and peeling lead paint (See Exhibit A).

On May 20, 2015 my contractor was accosted by an irate woman who attempted to enter my home without knocking. She yelled at him that he was not allowed to use the windows that he was almost finished installing. She represented herself to be from the West End Historic District. In short order, she called the City and had a much more reasonable and civilized lady show up and explain that this house was in the West End Historic District.

THIS was the first time that I had any knowledge of being in West End Historic District. In spite of using a licensed Winston-Salem real estate professional and a licensed Winston-Salem attorney for the closing and purchase, at NO time was it ever disclosed to me that this home was in this historic district. Had I known this information, I would have submitted any and all required paperwork prior to completing this work! To date, my real estate agent contends I am not in West End Historic District, but in Ardmore rather (local historic district). See Exhibits B & C.

I am 23 years old, just one year out of college, and making my first home purchase. I, in no way, wanted to run afoul of any laws or historical guidelines.

The replacement windows that I purchased and had installed (totally unaware of any historic guidelines) manufactured by Simonton Windows. Their model is 5050 Reflections, and they are vinyl, double-hung replacement windows with sashes (6/0, with a small window on the back of the house being 4/0). See Exhibit D.

I am requesting that the HRC accept this COA. Please note only 4 of the 15 windows replaced are actually visible. The top 2 windows were not ordered at the same time as the rest of the windows. They were ordered after I found out about my home's placement in West End and I have ordered wood replacement windows for those. I find it also important to note that (as I am sure you all are well aware) I am the very last house included in the historic district on my side of the street. To my north and west are commercial properties (an insurance agency and a law firm) and to my east sits a multi-family property.

Due to the fact that I was NOT made aware that I was in the West End Historic District until AFTER the fact and have incurred significant costs to replace the dangerous windows it is financially impossible for me to remove and replace the windows for a second time because the surround is vinyl.

I will in the future abide by any and all historical requirements and restrictions. Thank you for your time and attention to this matter.

Sincerely,

Jordan O. Gwyn

www.cityofws.org

Adjoining Properties:

North –

Name: K&K Insurance / Robert L. Gray House (West End Inventory #446)
Address: 1411 W 1st St., Winston-Salem, NC 27101
TAX PIN#: 6825-65-6113.00
Property Owner: SCOSR General Properties LLC
Property Owner Address: PO Box 20189, Winston-Salem, NC 27120

South –

Name: W.M. Ferebee House (West End Inventory #562)
Address: 106 S. Sunset Drive, Winston-Salem, NC
TAX PIN#: 6825-64-6883.00
Property Owner: Steve R. Latham
Property Owner Address: 6429 N. Shadow Bluff Drive, Tucson, AZ 85704

East –

Name: Duplex (West End Inventory #449)
Address: 1406-1408 W 1st St., Winston-Salem, NC 27101
TAX PIN#: 6825-64-7909.00
Property Owner(s): Kelly Larrimore & Crews Stafford
Property Owner Address: 835 Sedge Garden Road, Kernersville, NC 27284

West –

Name: Atkinson Law Firm
Address: 1416 First St., Winston-Salem, NC 27101
TAX PIN#: 6825-64-5995.00
Property Owner: MCMM, LLC
Property Owner Address: 1410 W 1st St., Winston-Salem, NC 27101

Exhibit A



Cracked/peeling paint and cracked pane that fell out upon removal.



Cracked pane.

Exhibit A



Both top windows
are dilapidated and
falling in.

Exhibit C

The screenshot shows a Gmail interface in a browser window. The address bar displays the URL <https://mail.google.com/mail/u/0/#inbox/14dda57cbd29222>. The Gmail header includes the search bar, the name "Jordan", and notification settings. The email subject is "Fwd: RE: West End Historic Overlay District-1410 West First Street". The email is from "Jordan Gwyn" and is dated "Jun 9 (1 day ago)". The recipient is "Laura Farrell". The email body contains the following text:

Hey Laura,

I got your email a couple of weeks ago reminding me that I am in the Ardmore district. The city and others (i.e. neighbors that keep complaining) seem to think otherwise. See below.

They are saying I am in West End Historic District. The first I had heard this was a couple of weeks ago when I got a letter the city sent to the Rays and they passed on to me about my windows. The tree thing is taken care of (considering Duke did that) but is there anything you can do or any insight you can offer to help me with the window situation?

My number is [336-755-7167](tel:336-755-7167)

Thank you.

A hand-drawn cloud highlights the subject line and the first part of the email body, including the text "I'll see what or who I can contact to resolve this..... you are one of the first Ardmore homes ever built." which is not present in the original email text.

Exhibit D

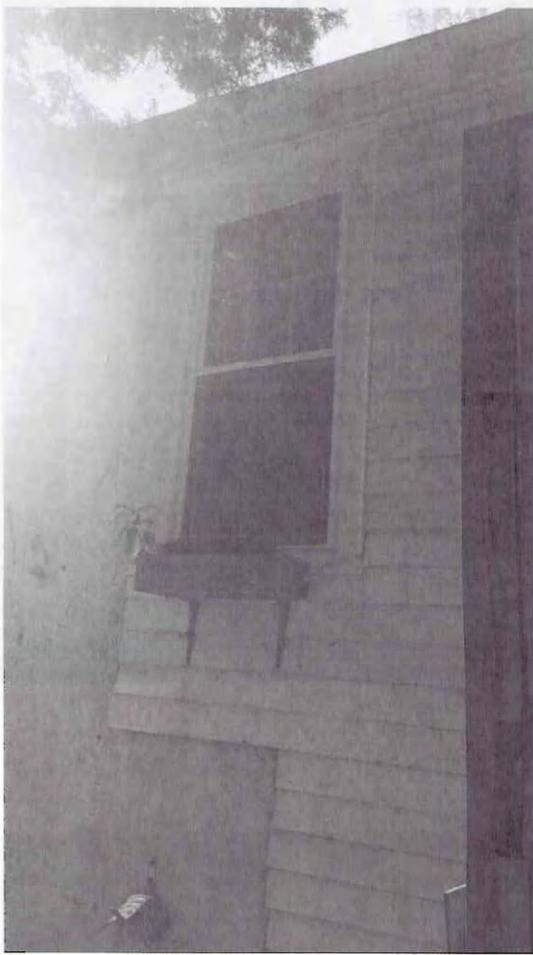


New windows on East side of the house.



Exhibit D

New windows on back of the house.



New windows on East side of the house

October 3, 2015

April Johnson, Historic Resource Coordinator
100 East First Street
Winston-Salem, NC 27101

RE: Certificate of Appropriateness - 1410 W. 1st Street

Hi April,

I am submitting a **formal** Certificate of Appropriateness (after-the-fact) for the replacement of 11 windows on the east, west, and rear elevations of my property at 1410 W. 1st Street. This is a contributing property and #450 – the Mooney-Moore house – on the West End Inventory.

I am proposing to the commission the replacement of these 11 windows because they are inoperative, clad with many, many coats of paint, and in disrepair.

The proposed new windows will be similar in placement, size, scale and detailing to the existing windows on the home. The new windows will have the same grid pattern (6/1) as the windows being replaced. The windows are manufactured by Simonton Windows. Their model is 5050 Reflections and they are vinyl, double-hung replacement windows with a 6/1 grid pattern. Per *The Guidelines* "...a substitute material may be considered in secondary locations if the appearance of the window components will match those of the original in dimension, profile, and finish (p. 83)."

Enclosed, you will find a \$75 check for the required after-the-fact fee, the Certificate of Appropriateness Application for Major Work, and supporting documentation.

Contact me at (336) 755-7167 or via email at jordangwyn@gmail.com if you have any questions regarding this application.

Best,

Jordan O. Gwyn



Forsyth County Historic Resources Commission

Office Use Only	
Case Number:	_____
Historic Name:	_____
NR/LHL#:	_____
Application Accepted as Complete:	_____

Certificate of Appropriateness Application Major Work

Property Address: 1410 W. 1st Street **TAX PIN#:** 6825-64-6956.00

Local Historic Landmark: Yes No **Landmark Name:** _____

Local Historic or Historic Overlay District: No Old Salem Bethabara West End

Name of Applicant/Contact: Jordan Gwyn

Email Address: jordangwyn@gmail.com **Telephone Number (Daytime):** 336-755-7167

Mailing Address (Street or Box): 1410 W. 1st Street

City: Winston-Salem **State:** NC **Zip:** 27101

Property Owner (if different from above): _____

Email Address: _____ **Telephone Number (Daytime):** _____

Mailing Address (Street or Box): _____

City: _____ **State:** _____ **Zip:** _____

Type of Work (Check all that apply):

- Relocation Exterior Alteration New Construction or Addition
 Demolition Landscaping/Site Alteration Interior Alteration (Local Historic Landmarks Only)

Is this an after-the-fact application (an application for a project that has been initiated or completed prior to obtaining the required COA from the Commission in violation of the UDO)? Yes No

The application is not complete without the required fee.

Submission Requirements Checklist

The application along with all supporting information must be filed at least twenty-one (21) days prior to the next regularly scheduled meeting of the Forsyth County Historic Resources Commission. The Commission meets the first Wednesday of each month at 4:00 pm in the Public Meeting Room, Room 530, Fifth Floor, Bryce A. Stuart Municipal Building, 100 East First Street, Winston-Salem, NC.

- Sixteen (16) Copies of Application.** Submit sixteen (16) copies of the application and all supporting documentation. Additionally, a digital file of the application and supporting documentation, including photographs, is encouraged and may be submitted via email or in DVD format. Please contact Commission staff for details on digital submission information. Commission staff can review digital submission; however, a COA will not be processed until an original signed application is received.
- Detailed Description of Project.** Attach a detailed description of the activity for which you are seeking a Certificate of Appropriateness. Handwritten descriptions will not be accepted.
- Drawings, Samples, Site Plans, Specifications, Etc.** Submit plans, elevations, photographs, or other illustrative information necessary to explain the application. Such information may include detailed plans showing existing and proposed conditions, material samples or product information, descriptions of building materials, landscaping/site plans, photographs, etc. Architectural drawings, construction details, landscape plans, etc. must be legible, but printed on paper no larger than 11"x17". Refer to the reverse side of this form for further details on information to be submitted.
- List of Adjoining Property Owners** (not applicable for Local Historic Landmark properties). Submit a list of the names, mailing addresses, and tax block/lot numbers of property owners within 100 feet on all sides of the property, including across the street. This information may be obtained from the Forsyth County Tax Office at (336) 703-2300 or on the county's website at <http://www.forsyth.cc/tax/geodata.aspx>.

Note: Applications that do not provide adequate documentation or required materials will be noted as incomplete and may result in delays in the Commission's hearing of the application and/or denial of the request. Revisions made to the applications after the submittal deadline and prior to the Commission hearing may be continued to the following month's hearing. The Commission reserves the right to require additional information if it believes that the submission of such information is necessary to understand the nature of the intended activity.

Signature of Applicant/Contact: Jordan Gwyn **Date:** 10/25/91
www.cityofws.org

Information To Be Submitted With Application

Relocation

- Describe any site features that will be altered or disturbed, including foundations, walls, fences, driveways, walks, vegetation, etc.
- If the structure is to be relocated within a District or Landmark property, describe the new site and any proposed changes, and submit a site plan, landscape plan, etc. of the relocated structure on the proposed new site.

Demolition

- Describe any site features that will be altered or disturbed, including foundations, walls, fences, driveways, walks, vegetation, etc.
- Describe in what condition the site will be left after demolition.

Exterior Alteration

Describe clearly and in detail all work to be done. Include the following items where appropriate:

- Sketches, photographs, specifications, product literature, or other description of proposed exterior changes. Scaled drawings will be required for major changes in design for such items as roofs, façades, porches, or prominent architectural features.
- Paint color selections (Old Salem, Bethabara, and Local Historic Landmarks).
- Color and type of brick and/or mortar to be used.
- Samples of proposed materials when the original material will not be retained.
- Description of construction methods.

Landscaping/Site Alteration

Describe clearly and in detail all work to be done. Include the following items where appropriate:

- Site information including the location of trees (6" dbh* in the Old Salem and Bethabara Historic Districts, and on Local Historic Landmark properties; 8" dbh in the West End Historic Overlay District), parking areas (including driveways), walls, fences, outbuildings, or other such features where major site improvements are proposed.
- Landscape plan with measured distances/dimensions for new parking areas or other major site alterations.
- For landscape plantings, descriptions of proposed species.
- Provide approximate diameter of trees 6" dbh and larger (Old Salem, Bethabara, Local Historic Landmarks) and 8" dbh and larger (West End) proposed for removal, as well as the species and reason(s) for the request.

New Construction or Addition

Describe the nature of the proposed project. Include the following items where appropriate:

- Site plan showing building footprint and distances to property lines.
- Scaled elevation drawings of each facade, including description of fenestration and specifications that clearly show the proposed appearance of the project.
- Photograph(s) of the site.
- Paint color selections (Old Salem, Bethabara, and Local Historic Landmarks).
- Specifications, samples, and/or other description(s) of materials to be used.
- Drawings and description(s) of site alterations including fences, walls, walks, lighting, mechanical equipment, pavement, patios, decks, etc.
- In the case of reconstructing a documented historic structure, submit a summary of the history of the site. Historical documentation and physical evidence regarding the proposed reconstruction should be submitted.

Interior Alteration (Local Historic Landmarks only)

- Sketches, photographs, specifications, product literature, or other description of proposed changes to the interior space. Accurate scaled drawings will be required for major alterations.
- Paint color selections.
- Samples of proposed materials when the original material will not be retained.
- Description of construction methods.

* dbh = diameter at breast height (4½' from ground level)

Return Application To:
Historic Resources Commission P.O. Box 2511 Winston-Salem, North Carolina 27102

Forsyth County Historic Resource Commission

Applicant: Jordan Gwyn
Address: 1410 W. 1st Street
Inventory #450 – Mooney-Moore House
(Contributing)
Date: November 4, 2015

Agenda

- Proposed Scope of Work
- Supporting Evidence
 1. Location of the home within the West End Historic Overlay District
 2. Visibility From the Street; “Key Character-Defining Elevations”
 3. Previous Alterations to the Exterior
 4. Precedent
 5. Lead Check
- Listing of Property Owners Within 100 feet

Proposed Scope of Work

- Replacement of 11 inoperative windows on the sides and rear of the property.
- The proposed new windows will be similar in placement, size, scale and detailing to the existing windows on the home.
- The new windows will have the same grid pattern as the ones being replaced (6/1 grid pattern).

Supporting Evidence

1. Location of Home within the West End Historic Overlay District



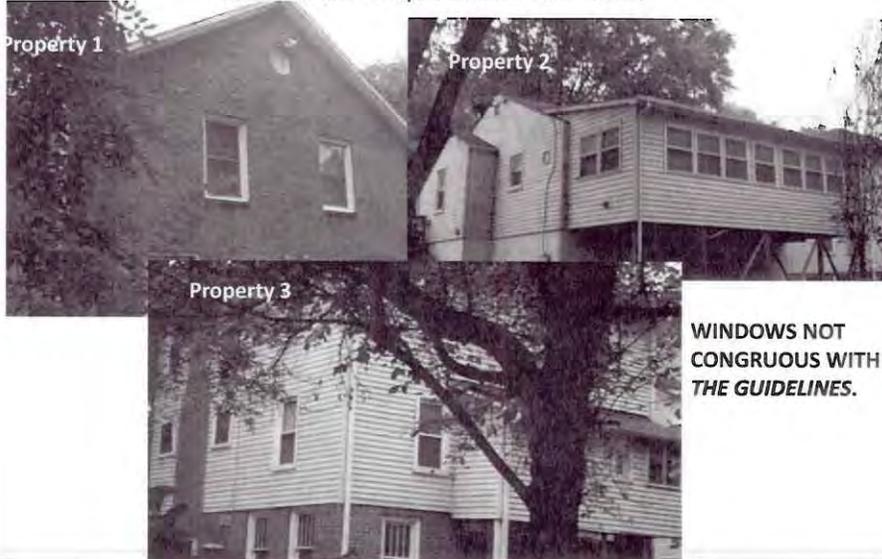
1. Location of Home within the West End Historic Overlay District



1410 W. 1st St.

1. Location of Home within the West End Historic Overlay District

View from the back yard at 1410 W. 1st Street



2. Visibility from the Street

Excerpt from page 29 of *The Guidelines*

CHARACTER-DEFINING

Throughout these *Guidelines*, reference is made to the character of a building or its character-defining features. Character refers to all those visual aspects and physical features that comprise the appearance of a historic building. Character-defining elements include the overall shape of the building, its materials, craftsmanship, decorative details, interior spaces and features, as well as the various aspects of its site and environment. Examples of features that could be considered character-defining include openings, roofs and related features, projections (porch, balcony, chimneys), trim, and windows. Other character-defining features are related to the material or craftsmanship involved in the construction, such as brickwork, wood siding, mortar joints, stucco surfaces, and architectural details.

Character-defining elevations or façades are defined as the sides of a building that are most visible from the street. These usually include the front of a building and possibly one or both sides of a building. This does not mean that certain sides or rear elevations are less important to overall character; however, the Commission may grant more latitude to certain projects if they are located on a side that is not visible from the street.

VISIBILITY

It is important to distinguish between highly visible areas and areas of lower visibility. Areas of high visibility can be seen from any type of street or vista within the District. Examples of highly visible areas include front yards, lots on corners, and areas that are visible from streets at higher elevations (including rear and side yards in some cases). A building on a corner lot could have as many as three highly visible elevations; whereas a house in the middle of a block may have only one highly visible elevation.

An area of low visibility includes the rear and possibly side elevations or any portions of the property that are not highly visible from any type of street or vista within the District. Applications for proposed projects in low visibility areas are given more latitude by the Commission.



Above is an example of a house with three highly visible elevations.



2. Visibility from the Street

Traveling west on W. 1st Street.....

12th District
12th District
12th District

2. Visibility from the Street



Source: Google Earth

2. Visibility from the Street



Source: Google Earth

2. Visibility from the Street



Source: Google Earth

2. Visibility from the Street



Source: Google Earth

2. Visibility from the Street

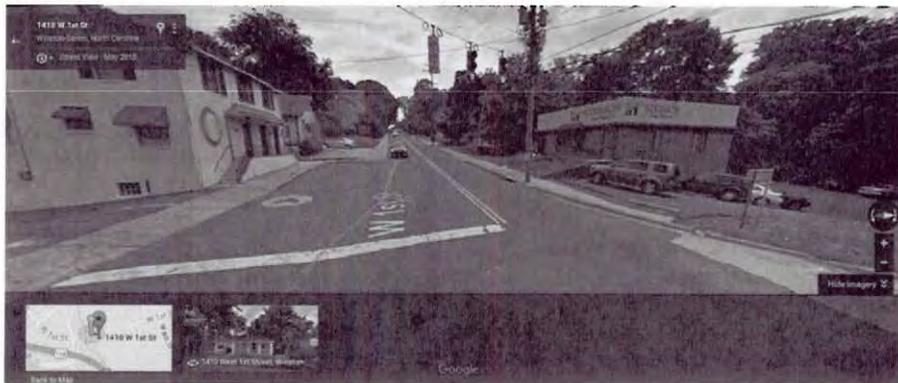


Source: Google Earth

2. Visibility from the Street

Traveling east on W. 1st Street.....

2. Visibility from the Street



Source: Google Earth

2. Visibility from the Street



Source: Google Earth

2. Visibility from the Street



Source: Google Earth

3. Previous Alterations to the Exterior



Existing vinyl siding on the east elevation of the home.

4. Precedent

•Let's take a look at 9 COAs between 2004 – 2010

- 523 Summit Street
- 138 N. Sunset Drive
- 294 West End Boulevard
- 1281 West 4th Street
- 1113 West 4th Street
- 922 Carolina Avenue
- 626 Summit Street
- 1012 West 5th Street
- 914 West End Boulevard

Case: MW-W030/04

Applicant: Robert Galloway Ruffin Jr.

Address: 523 Summit Street

Inventory #109 – Pepper-McClung House (Contributing)

Outcome: Vinyl replacement window deemed 'minor work' and approved at the Pepper McClung house.



Case: MW-WE009/05

Applicant: Edna and Eileen Williams

Address: 138 N. Sunset Drive

Inventory #408 – Bert L. Chipman House (Contributing)

Outcome: Forsyth Co. HRC issued COA for minor work to install new vinyl windows on side and rear elevations.



Case: MW-WEO13/05

Applicant: Keith Stone

Address: 294 West End Blvd.

Inventory #91 – Brown House (Contributing)

Outcome: Approved a COA for replacement windows. Replacement windows approved were Anderson (or similar quality windows); the exact windows to be installed hadn't been decided by the applicant at the time of approval.



Case: W008-06

Applicant: Ben Holder/Hol Mac Properties

Address: 1281 W. 4th Street

Inventory #487 – Kerner E. Shore House (Contributing)

Outcome: COA approved to replace 13 inoperative windows on the rear and sides of the structure with vinyl replacement windows. Commission noted "flexibility for work on rear elevations."



Case: MWW035-2007

Applicant: William A. and Doris Wise

Address: 1113 W. 4th Street – has a porte-cochere on the side of the house – “character-defining feature”

Inventory #368 – Crawford-Hanes-Watkins House (Contributing)

Outcome: Contributing structure approved for 23 Anderson vinyl replacement windows.



Case: W006-08

Applicant: James G. Teta, Jr.

Address: 922 Carolina Avenue

Inventory #256 – Thomas-Lambert House (Contributing)

Outcome: COA approved for after-the-fact work on noncharacter-defining portions of the house (rear and side) that were not visible from the street. ...The proposed new windows on the rear elevation of the structure would be similar in placement, size, scale, and detailing to existing windows on the house. While the windows would not be wood, their location on a noncharacter-defining portion of the property allowed the use of such substitute materials.



Case: MWWW033-08

Applicant: James R. & Debbie L. Fox

Address: 626 Summit Street

Inventory #124 – G.W. Orr House (Contributing)

Outcome: 'Minor work' COA approved for replacement windows on west, south rear, and rear elevations of the home.



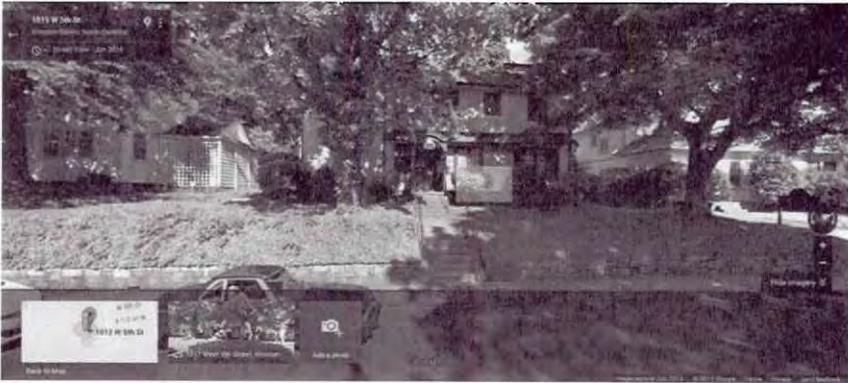
Case: MWW2012-031

Applicant: Scott Sechler

Address: 1012 W. 5th Street

Inventory #181 – H.B. Taylor House (Contributing)

Outcome: COA approved to remove 2 windows and replace with flat frame aluminum clad windows.



Case: W007-10

Applicant: Kashif Mansori for Mansori LLC

Address: 914 West End Boulevard

Inventory #383 – Dr. Eugene P. Gray House (Contributing)

Outcome: After-the-fact window replacement COA approved. Same material as original windows used on key character-defining elevations while substitute material for window replacement was approved for the noncharacter-defining elevations.



5. Lead Check

On Saturday, October 3, 2015, I conducted an at-home lead paint test on a sample of windows removed from the home.

The test result was positive for the presence of lead.

The test was the 3M brand Lead Check Swabs purchased from Lowe's Hardware.

The presence of lead in a home can pose serious health concerns for the home's inhabitants.

Property Owners Within 100 Feet

COA CASE	PH	OWNER	MAILING ADDRESS	PO BOX	CITY/STATE	ZIP	COMPANY/LLC	STREET ADDRESS	TIME	ENBT
COA2015-047	8525-44-7060-00	CELESTINE MOHR	1704 W 10TH ST		WINSTON-SALEM NC	27101		1402 W 14TH ST	06A2015-0	FALSE
COA2015-047	8525-44-0900-00	DAVID JOHNSON	400 WESTOAK TRL		WINSTON-SALEM NC	27108		1402 W 14TH ST	06A2015-0	FALSE
COA2015-047	8525-44-7000-00	LARIBOUNT BULLY STANDARD CREWS	600 SIDA GARDEN RD		KENNESAW GA	30144		1402 W 14TH ST	06A2015-0	FALSE
COA2015-047	8525-44-7000-00	LATAM STEVE S	6421 N SHELTON BLVD SE		TUCSON AZ	85704		1402 W 14TH ST	06A2015-0	FALSE
COA2015-047	8525-44-0700-00	LADWNEY WILLIAM PIERCE	100 S SUNSET DR		WINSTON-SALEM NC	27101		1402 W 14TH ST	06A2015-0	FALSE
COA2015-047	8525-44-7100-00	ORIGIN INVESTMENTS INC	PO BOX	30180	WINSTON-SALEM NC	27120	ORIGIN INVESTMENTS INC	1402 W 14TH ST	06A2015-0	FALSE
COA2015-047	8525-44-6110-00	COUSA GENERAL PROPERTIES LLC	PO BOX	20180	WINSTON-SALEM NC	27120		1402 W 14TH ST	06A2015-0	FALSE
COA2015-047	8525-44-8100-00	WINSTON-SALEM/FORTEBEN COUNTY BOARD OF EDUCATION	PO BOX	2513	WINSTON-SALEM NC	27101	BLUNSON ELEM	1402 W 14TH ST	06A2015-0	FALSE

Property Owners Within 100 Feet

Property ID	Address	Owner Name	Phone Number	City	State	Zip
1001	1001 N. Main St.	John Doe	555-123-4567	Springfield	MA	01103
1002	1002 N. Main St.	Jane Smith	555-987-6543	Springfield	MA	01103
1003	1003 N. Main St.	Bob Johnson	555-234-5678	Springfield	MA	01103
1004	1004 N. Main St.	Alice Brown	555-345-6789	Springfield	MA	01103
1005	1005 N. Main St.	Charlie White	555-456-7890	Springfield	MA	01103
1006	1006 N. Main St.	Diana Green	555-567-8901	Springfield	MA	01103
1007	1007 N. Main St.	Frank Black	555-678-9012	Springfield	MA	01103
1008	1008 N. Main St.	Grace King	555-789-0123	Springfield	MA	01103
1009	1009 N. Main St.	Henry Lee	555-890-1234	Springfield	MA	01103
1010	1010 N. Main St.	Ivy Hill	555-901-2345	Springfield	MA	01103



100 East First Street
Winston-Salem, NC 27101
(336) 727-2628

Case # 5227

CITY ZONING BOARD OF ADJUSTMENT APPEAL APPLICATION

Prop Addr: 3206 POLO RD
WINSTON-SALEM, NC 27106 -

Owner: JAMES GLASS
Address: 2695 GRIFFIN RD
RURAL HALL,, NC 27045-

Phone.:

Applicant: NING LIU
Address: 3206 POLO RD
WINSTON SALEM, NC 27106
Phone: (336)382-7455 x

Details:

Zoning Officer Decision/Interpretation

Description: Appeal of Officers decision to revoke home occupation permit.

The above owner or applicant is requesting that this application be presented to, and heard by the Winston-Salem Zoning Board of Adjustment at a meeting to be held on **2/4/2016**, at **2:00 P.M.**, in the **Bryce A. Stuart Municipal Building Public Meeting Room, Suite 530, Fifth Floor of City Hall South, 100 E. First Street , Winston-Salem, NC.**

As part of your application, and included in your filing fee of \$200.00, a legal notice is published in the Winston-Salem Journal and the Inspections division furnishes you with a sign(s) which must be posted in a conspicuous place on the premises prior to the date of the hearing (no sign(s) is(are) required for appeals of the Housing Administrator). The sign(s) must be attached to sufficient support and be clearly visible from a public street. If the property is located on the corner of two public streets or has frontage on more than one public street, a sign needs to be placed on each public street. If the property is on a private street or access easement, a second sign or lead in sign will need to be placed at the public street.

SIGN POSTING DATE IS 1/24/2016 BY 9:00 A.M. THE SIGN MUST BE LEFT UP UNTIL AFTER THE PUBLIC HEARING. Failure to comply with these posting instructions will result in delay of the application and postponement of the hearing and decision to a later scheduled public hearing.

In applying for an appeal of the Zoning Officer or the decision of the Historic Properties Commission you must present a written statement of your appeal detailing your appeal request. Any other evidence that you would like for the Zoning Board of Adjustment to consider must also be presented when the application is made to allow the Board sufficient time to review that information prior to the scheduled hearing date.

JAMES GLASS
(NING LIU)

Case # 5227

Appealing Zoning officer decision to revoke home occupation permit on a .77 acre tract of land located at 3206 Polo Rd. Property is zoned RS9. Block 3410 lot 069D

I HAVE READ THE ABOVE INFORMATION AND UNDERSTAND THE REQUIREMENTS

I hereby certify that all of the information contained in this application for an Appeal is correct. If executed by an individual for a corporate entity, I certify that I am duly authorized to sign on behalf of the corporate entity.

Applicant Signature

Date

Dear Madame/Sir,

We, the residents of 3206 Polo Rd, have been accused of violations concerning the zoning regulations. We have decided to appeal to ask for a chance to tell our side of the story.

On December 5th, 2015, when Ning was working around the house, Mr. Jeff Hunter came and told him that we had some complaints and that he was instructed to revoke our permit. Ning explained to him that we had decided to renovate our house and that the permit was to be pulled out that following Monday. He invited him to go inside the house to look around to make sure what he said was true. Mr. Hunter said that it would not be necessary and that he would be back with another inspector next week. The following Monday or maybe Tuesday, three inspectors came to the property. We were told that there had been five complaints in the past five years of living on the property. We asked for the complaint details but were refused. When they entered our home, they saw that we had a fully furnished living room, kitchen, bathroom, and our washing machine was running. There were also two baskets of dirty clothes that had to be washed. In the piano room, we had some paint, brushes, a floor sanding machine. We have three bedrooms, one full of shoes, clothes, and small things, one where my nephew lives. The last room was clear and ready to be renovated. We told the inspectors that we were temporarily staying in my son's apartment. We planned to move back as soon as renovations were completed. However, the inspectors had already made their own mind and told us that since we did not live there we could not park our vehicles there at all. One of the inspectors ignored our explanations and facts and told us that since we did not live there, we could not park there at all.

We also have some materials for renovation in the house but all the materials are under the roof and not put outside. As for the vehicles, we are not wealthy people, our vehicles are used for both personal needs and work. We drive these vehicles to buy groceries and we drive them to construction sites. This is the situation that most American working class people have. We have three vehicles, two for us and one for my nephew. I would also like to point out that everyday, our adjacent neighbor has more than seven vehicles parking on their property, along with two trailers, and they share the same driveway with the neighbor who complained about us. I showed the inspectors those vehicles. I asked why our neighbor can park much more than we do, he told me it was because no one complained. When we first moved into Polo road five years ago, our neighbor filed a complaint to the city that we had eight people living in our home. The city social service came twice and found only us and our two kids. We never have had more than four people in the house. The other few previous complaints have already been addressed and solved with Mr. Hunter and they should not be used again against us .

CASE 5227

The next day, Sen went to the inspection office to ask for a copy of the complaints and was told that it was not a public record. She asked how to appeal, and was told she could not appeal without an inspection recommendation. She tried to ask for more information from the front desk clerk, but one inspector came over and tell her to leave the inspection lobby. She is a regular customer there; most people there know her well and all were surprised to hear that remark.

We feel strongly that there is some bias against us and we want to tell our side of the story.

With Regards,

Sen Li
Ning Liu

A handwritten signature in black ink, appearing to be a stylized representation of the names Sen Li and Ning Liu. The signature consists of several fluid, connected strokes.

City of Winston-Salem
ZONING BOARD OF ADJUSTMENT
For Information Call: 727-2101

REQUEST FOR: *APPEAL OF
ZONING OFFICER'S DECISION*

PUBLIC HEARING CASE#

FEBRUARY 4, 2016 . 5227 .

2:00 PM - FIFTH FLOOR - BRYCE A. STUART MUNICIPAL BUILDING



City of Winston-Salem
ZONING BOARD OF ADJUSTMENT
For Information Call: 727-2101
REQUEST FOR: APPEAL OF ZONING OFFICER'S DECISION
PUBLIC HEARING CASE #5227
FEBRUARY 4, 2016
2:00 PM - FIFTH FLOOR - BRYCE A. STUART MUNICIPAL BUILDING