AGENDA

COMMUNITY DEVELOPMENT/HOUSING/GENERAL GOVERNMENT COMMITTEE

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

COMMITTEE ROOM

Room 239, City Hall

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

GENERAL AGENDA

G-1. CONSIDERATION OF ADDITIONAL FINANCING FOR THE DEVELOPMENT OF SINGLE-FAMILY HOUSING (SOUTHEAST WARD):

a. RESOLUTION AUTHORIZING ADDITIONAL FINANCING FOR DEVELOPMENT IN THE RIDGEWOOD PLACE SUBDIVISION TO S.G. ATKINS COMMUNITY DEVELOPMENT CORPORATION. [$1,325,000.]


G-2. RESOLUTION AUTHORIZING UP TO $236,000 IN ADDITIONAL PERMANENT FINANCING FOR THE DEVELOPMENT OF 64 UNITS OF RENTAL HOUSING FOR FAMILIES, TO BE KNOWN AS ROCKWOOD AT OLIVER’S CROSSING APARTMENTS (SOUTH WARD).

G-3. ORDINANCE REVISING CHAPTER B OF THE UNIFIED DEVELOPMENT ORDINANCES TO AMEND REGULATIONS FOR ACCESSORY DWELLINGS - UDO-267 - Proposal of the City-County Planning and Development Services Staff [Recommended by Planning Board.]
CONSENT AGENDA

C-1. ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF A STRUCTURE PURSUANT TO CHAPTER 10, ARTICLE V, SECTION 10-203(f)(1) OF THE CODE OF THE CITY OF WINSTON-SALEM: [Repairs less than 50% of value of structure (<50) six months].

   a. Chicago Title Insurance Company 1451 Addison Avenue
   b. Winston Salem Presbytery 117 Dellabrook Road
   c. Walter R. Nelson 210 Wake Drive
   d. RMBM, Inc. 1206 23rd Street
   e. Vicki L. Stennis 2703 Glenhaven Lane
   f. Gwendolyn A. Thompson 3037 Colgate Drive
   g. Darryl W. and Tammy Cherry 1695 Ashley School Circle

C-2. ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF A STRUCTURE PURSUANT TO CHAPTER 10, ARTICLE V, SECTION 10-203(f)(2) OF THE CODE OF THE CITY OF WINSTON-SALEM: [Repairs more than 50% of value of structure (>50) six months].

   a. Salem View Property Management LLC 4309 Erie Drive
   b. Maria Rita Carretero 117 N. Dunleith Avenue
   c. James Benjamin, Heirs 1318 N. Jackson Avenue
   d. Jose Martin Doroteo Cruz and Maciel Banos 421 Barbara Jane Avenue
   e. Taryton Lopez Thacker 1012 Goldfloss Street
   f. Marie Cole and Nathan Littlejohn 1220 N. Jackson Avenue
   g. Carnella Gay Dunlap 1538 E. 22nd Street
   h. Mabe Atkins and Rydman Inc. 5705 Robin Wood Lane
i. Next Property, LLC 942 New Hope Lane

j. Kevin S. Wolfe 3703 Maverick St. (Accy. Bldg.)

k. Silverleaf Properties, LLC 2126 School Street

C-3. ORDINANCE ORDERING THE COMMUNITY AND BUSINESS DEVELOPMENT DEPARTMENT OF THE CITY OF WINSTON-SALEM TO REMOVE OR DEMOLISH STRUCTURE UNFIT FOR HUMAN HABITATION AND, OTHERWISE, TO EFFECTUATE THE PURPOSE OF CHAPTER 10, ARTICLE V OF THE WINSTON-SALEM CITY CODE: [Repairs more than 65% of value of structure (>65)].

a. Salvador Garcia Díaz and 2516 Ansonia Street
Leonarda Lorenzo Morales
Date: April 27, 2016
To: The City Manager
From: D. Ritchie Brooks, Director, Community and Business Development

**Council Action Requested:**
Authorize additional financing for development of single-family housing in Ridgewood Place (Southeast Ward)

**Summary of Information:**

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

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

**Committee Action:**

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

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

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

1. **Purpose** – Interim financing for the development of vacant lots in the Ridgewood Place subdivision, located near Hines Drive and I-40, and financing for homebuyer assistance for eligible buyers.

2. **Amount** – A total of up to $1,325,000, to be derived from HOME Investment Partnership funds and local funds, for development of up to ten single-family houses for owner-occupancy, subject to determination of final cost and eligibility and continued availability of HOME and local funds through project completion.

3. **Terms and Conditions – Homebuyer Assistance** – Up to $14,800 will be available to each buyer who is eligible under the HOME Program. Up to $10,000 will be available to other buyers. The loan will be a subordinate, deferred loan that bears interest at 0% per annum. Repayment is deferred until the property is sold or transferred, the property ceases to be owner-occupied, or the first mortgage is paid in full. The loan will be evidenced by a Promissory Note and Deed of Trust. Basic underwriting criteria and program requirements and Other HOME Program Terms and Conditions of the HOME Subsidy Assistance Program will apply.

4. **Terms and Conditions – Interim Financing** – Interim financing may be used as a construction loan of up to $110,000 per house for HOME-assisted houses and up to $125,000 per house for local-funded houses to construct up to ten single-family houses for owner-occupancy. Each house must be pre-sold to a buyer. Funds may be used for construction, associated fees, e.g. permits, connection fees, and developer fee. Each loan will be evidenced by a Promissory Note and Deed of Trust. The loan will be a deferred loan, will bear interest at 0% per annum, and will be due upon sale of the house to the buyer.

5. **Fees** – The developer will be responsible for all fees and closing costs as well as the City’s direct legal and other expenses associated with processing the loan documents.

6. **Other Financing** - The developer will provide or otherwise attain commitments for the balance of the cost to develop and construct single-family housing.

7. **Subdivision and Construction Standards** - Financing eligibility requires attainment of zoning, subdivision, site plan, and erosion control plan approvals as applicable. Construction shall comply with all applicable state and local building codes and the restrictive covenants of the Ridgewood Place subdivision. This commitment is subject to review and approval of the scope of work and specifications and construction contract by the Community and Business Development Department of the City.

8. **Other Conditions** – The developer must comply with all applicable regulatory requirements of the HOME program, including, but not limited to, Environmental Review, Davis-Bacon,
Section 3, HUD Contractor-Consultant certification standing, Minority/Women Business Enterprise (M/WBE), subrecipients, and fair housing regulations.
RESOLUTION AUTHORIZING ADDITIONAL FINANCING FOR DEVELOPMENT IN THE RIDGEWOOD PLACE SUBDIVISION TO S.G. ATKINS COMMUNITY DEVELOPMENT CORPORATION

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

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

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

BE IT FURTHER RESOLVED, by the City Council, that the City Manager is authorized to review and approve the final terms and conditions of the project financing, construction loans, and homebuyer assistance and to execute contracts and documents necessary to carry out the activities herein authorized.
ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE CITY OF WINSTON-SALEM, NORTH CAROLINA FOR THE FISCAL YEAR 2015-2016

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


Special Revenue Funds

HOME Investment Partnership Fund
   Existing Program Balances $-325,000
   Ridgewood Project 325,000

Housing Finance Assistance Fund
   Transfer to Capital Projects Fund $25,000

Total Special Revenue Funds Expenditures $25,000

Capital Projects Fund

Housing Development Projects
   Housing/Neighborhood Development $-650,000
   Ridgewood Project 675,000

Total Capital Projects Fund Expenditures $25,000

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

Special Revenue Funds

Housing Finance Assistance Fund
  Fund Balance Appropriation $25,000

Total Special Revenue Funds Revenues $25,000

Capital Projects Fund

Housing Development Projects
  Transfer from Housing Finance Assistance Fund $25,000

Total Capital Projects Fund Expenditures $25,000

SECTION 3. That this amendment to the Project Budget Ordinance shall become effective as of the date of adoption.
City Council – Action Request Form

Date: April 25, 2016
To: The City Manager
From: D. Ritchie Brooks, Director, Community and Business Development

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

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

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

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

Committee Action:

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The development consists of 32 two-bedroom and 32 three-bedroom units and serves families with incomes below 60% of area median income. Thirty-three of the units are targeted to households with incomes below 50% of area median income. Amenities include a community room with kitchen, computer center with high-speed internet, laundry room, playground, tot lot, gazebo, and picnic area with grill. In addition to the City’s funds, project funding includes $5.2 million in federal tax credits, a $1.65 million bank loan, a $680,000 state tax credit loan, $396,000 in owner investment, and $340,000 in deferred developer fees.
RESOLUTION AUTHORIZING ADDITIONAL PERMANENT FINANCING FOR A 64-UNIT FAMILY RENTAL DEVELOPMENT KNOWN AS ROCKWOOD AT OLIVER’S CROSSING

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

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

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

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

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

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<tr>
<td>TO:</td>
<td>The Honorable Mayor and City Council</td>
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<td>FROM:</td>
<td>A. Paul Norby, Director of Planning and Development Services</td>
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**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:**

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<td>TOMMY HICKS, ARNOLD KING, CLARENCE LAMBE, DARRYL LITTLE, PAUL MULLICAN, BRENDA SMITH</td>
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<tr>
<td>AGAINST:</td>
<td>GEORGE BRYAN, MELYNGA DUNIGAN</td>
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<td>SITE PLAN ACTION:</td>
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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.
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**
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
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
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.
PLANNING BOARD RECOMMENDED PROPOSAL
TO ELIMINATE KINSHIP PROVISIONS

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

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

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

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

2-6 ACCESSORY USES

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

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

(1) Occupancy Requirements. A zoning permit for an attached accessory dwelling shall be conditioned upon the property owner signing a statement verifying that one of the occupancy requirements is being met. The zoning permit shall automatically terminate when the occupancy requirement is no longer met. [Reserved]

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

(b) Relation. The principal dwelling unit or the attached accessory unit shall be occupied by the following categories of persons: [Reserved]

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

(ii) Adopted Person. A son or daughter by legal adoption, or the adoptive parents of the head of the household or such person's spouse, whether spouse is living or deceased; [Reserved]
(iii) **Other Dependent.** A dependent of the head of the household or of such person's spouse as defined by the North Carolina Department of Revenue; or, [Reserved]

(iv) **Servant.** A servant employed on the premises and the servant's family, but only if such servant receives more than one half of his/her annual gross income in return for services rendered on the premises. [Reserved]

(2) **Structure.** The principal building shall not be altered in any way so as to appear from a public street to be multiple family housing.

(a) **Prohibited Alterations.** Prohibited alterations include, but are not limited to: multiple entranceways, multiple mailboxes, or multiple nameplates.

(b) **Access.** Wherever feasible and consistent with the State Residential Building Code, access to the accessory dwelling unit shall be by means of existing doors.

(c) **Stairways.** No new stairways to upper floors are permitted on any side of a building which faces a public street.

(d) **Utilities.** Electric and/or gas utilities shall be supplied to both units through a single meter.

(3) **Size of Unit.** An attached accessory dwelling unit shall occupy no more than fifty percent (50%) of the heated floor area of the principal building, but in no case be greater than one thousand (1,000) square feet. The sum of all accessory uses, including home occupations, in a principal residential building shall not exceed fifty percent (50%) of the total floor area of the building.

(4) **Parking.** Parking for the attached accessory dwelling shall be served by the same driveway as the principal dwelling.

(5) **Number of Accessory Dwellings.** No more than one accessory dwelling, whether attached or detached, shall be located on a lot.

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

(1) **Occupancy Requirements.** A Special Use Permit for the detached accessory dwelling must be approved by the Board of Adjustment in accordance with the requirements of Section B.6-1.4. In addition, the applicant must submit a statement verifying that the occupancy requirements of this section are being met. The permit shall automatically terminate with the termination of occupancy by such persons. The principal dwelling unit or the detached accessory unit shall be occupied by the following categories of persons: [Reserved]

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

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

(b) Adopted Person. .....A son or daughter by legal adoption, or the adoptive parents of the head of the household or such person's spouse, whether spouse is living or deceased; [Reserved]

(c) Other Dependent. .....A dependent of the head of the household or of such person's spouse as defined by the North Carolina Department of Revenue; or, [Reserved]

(d) Servant. .....A servant employed on the premises and the servant's family, but only if such servant receives more than one-half of his/her annual gross income in return for services rendered on the premises: [Reserved]

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

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

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

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

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

Section 2. This ordinance shall be effective upon adoption.
<table>
<thead>
<tr>
<th>Municipality</th>
<th>Acc. Dwellings Permitted in Single-Family Zoning</th>
<th>Allowed by Right or Another Process</th>
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<tr>
<td>Charlotte</td>
<td>Yes</td>
<td>By Right</td>
</tr>
<tr>
<td>Raleigh</td>
<td>No</td>
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<tr>
<td>Greensboro</td>
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<tr>
<td>Durham</td>
<td>Yes</td>
<td>By Right</td>
</tr>
<tr>
<td>Winston-Salem</td>
<td>Yes</td>
<td>By Right (attached); BOA (detached)</td>
</tr>
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<td>Fayetteville</td>
<td>Yes</td>
<td>By Right</td>
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<tr>
<td>Cary</td>
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<tr>
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<tr>
<td>High Point</td>
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<td>Special Use Permit, City Council</td>
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<tr>
<td>Asheville</td>
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<td>By Right</td>
</tr>
<tr>
<td>Concord</td>
<td>Yes</td>
<td>Special Use Permit, Planning &amp; Zoning Commission</td>
</tr>
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<td>Gastonia</td>
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<td>By Right</td>
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<td>Jacksonville</td>
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<tr>
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<tr>
<td>Wilson</td>
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<td>Huntersville</td>
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<tr>
<td>Indian Trail</td>
<td>Yes</td>
<td>By Right</td>
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<tr>
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<tr>
<td>Sanford</td>
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Cross-Section of existing and proposed Accessory Dwelling Unit setbacks for a lot in RS-9 zoning

Existing Ordinance

- R.O.W
- 40' Height Limit
- 20' Front Setback
- Principal Residence
- Accessory Dwelling
- Property Line

Proposed Ordinance

- R.O.W
- 40' Height Limit
- 20' Front Setback
- Principal Residence
- Accessory Dwelling
- Property Line
- 24' Height Limit
- 12.5' Rear Setback
Comparison of Potential Accessory Dwelling Unit Setbacks for a 9,100 Square Foot Single Family Residential Lot (RS-9 Zoning)

- **Current JDO Accessory Unit Setbacks (3' Side, 3' Rear)**
- **Proposed Draft Accessory Unit Setbacks (7' Side, Rear Equal to 1/2 Principal Residence Setback)**
- **Principal Residence Setback**

**Principal Residence**
- 25' x 45'
- 13' setback
- 40' height

**Accessory Unit**
- 10' x 30'
- 7' setback

**Residential Street**
- 65' width
- 140' length
**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'
Existing Ordinance Example
Lot Size: 10,454 sf
Accessory Unit Size: 522 sf
Lot Coverage of Accessory Unit: 5%
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
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%

Side Setback: 7’
Rear Setback: 2’
Existing Ordinance Example
Lot Size: 16,552 sf
Max Accessory Unit Size: 827 sf
Lot Coverage of Accessory Unit: 5%
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%

Rear Setback: 12.5'
20' Setback
Side Setback: 7'
Potential Building Area
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
- Orange: Under 9000 Square Feet
- Blue: 9000 Square Feet or Larger

Plot Date: 1/5/2016
## Representative Single Family Lot Size Ranges for Selected Neighborhoods in GMA 2

<table>
<thead>
<tr>
<th>Neighborhood Name</th>
<th>Representative Lot Size Ranges</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ardmore</td>
<td>8,000-11,000 SF</td>
</tr>
<tr>
<td>Buena Vista</td>
<td>16,000-22,000 SF</td>
</tr>
<tr>
<td>East Winston</td>
<td>5,500-8,000 SF</td>
</tr>
<tr>
<td>Greenway</td>
<td>7,500-11,000 SF</td>
</tr>
<tr>
<td>Konnoak</td>
<td>7,500-13,000 SF</td>
</tr>
<tr>
<td>Washington Park</td>
<td>7,000-10,000 SF</td>
</tr>
<tr>
<td>Waughtown</td>
<td>7,500-10,000 SF</td>
</tr>
<tr>
<td>West End</td>
<td>6,500-14,000 SF</td>
</tr>
<tr>
<td>West Salem</td>
<td>5,000-9,000 SF</td>
</tr>
</tbody>
</table>
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
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,
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 loopholes addressed that would permit predator developers from exploiting the use of Accessory Dwellings in established older neighborhoods.

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

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

If the purpose of these revisions is to permit "gentle density" in older neighborhoods, this
requirement will effectively exclude such Accessory Buildings in many older neighborhoods from being used as an Accessory Dwelling. Is there not a less restrictive approach that would place some size restrictions without totally excluding entire neighborhoods from using their Accessory Buildings?

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

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

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

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

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

HOW IS THE CITY and COUNTY GOING TO REGULATE the minimum square footage of lots for Accessory Dwellings via UDO 267 if this vital information is not even listed consistently on all of the Forsyth County Tax Records? That is, how can minimum lot sizes be regulated for Accessory Dwellings if this information may not be on the Property Tax Record. And, the Konnoak Hills Community Association does not think that the property owner should have to bear the burden of obtaining this information to satisfy UDO 267 required minimum lot sizes for Accessory Dwellings—when the Forsyth Co. Tax Office should already have this data in their records and properly recorded. As such, this entire issue needs to be addressed in relationship to revising UDO 267.
Thank you for reading these concerns from the Konnoak Hills Community Association regarding revising UDO 267, and we regret that some of our members are unable to attend the Feb. 11th City-County Planning Public Hearing on UDO 267.

Sincerely yours,

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

Date: April 27, 2016
To: The City Manager
From: D. Ritchie Brooks, Community and Business Development

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

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

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

Committee Action:

<table>
<thead>
<tr>
<th>Committee</th>
<th>Action</th>
<th>Against</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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

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

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

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

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

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

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

cc  Ritchie Brooks, Director, Community and Business Development  
Preserve Forsyth
ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF A STRUCTURE
PURSUANT TO CHAPTER 10, ARTICLE V, SECTION 10-203((f)(1) OF THE CODE OF
THE CITY OF WINSTON-SALEM

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

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

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

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

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

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

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

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

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

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

INSTRUMENT DRAWN BY:

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

CASE SUMMARY - HOUSING FILE NO. 2013020863
PROPERTY ADDRESS 1451 ADDISON AV
TAX BLOCK 1119 LOT(s) 102
WARD EAST
PROPERTY OWNER(s) CHICAGO TITLE INSURANCE COMPANY
LIS PENDENS __13M2127__ FILED 09/26/2013____

DUE PROCESS

1. The current Complaint and Notice of Hearing was issued _03/28/2013_ and service was obtained by certified mail x regular x post x hand delivery ___, and publication ___ on _04/05/2013_. The Hearing was held on _4/29/2013_ and the owner/agent appeared and/or contacted the Community and Business Development Department regarding the complaint yes x no ___.

2. The Finding and Order was issued on _5/8/2013_ and service was obtained by certified x regular x post x hand delivery ___, and publication ___ on _05/14/2013_. The Order directed the owner to vacate and close or repair the dwelling within 30 days from receipt. Time for compliance expired on _06/14/2013_. The dwelling was found vacated and closed on _07/18/2013___.

3. The dwelling became eligible for demolition under the six (6) month rule on _01/18/2014_.

4. The notification letter was sent _04/18/2016__ advising the owner that the Community Development/Housing/General Government Committee of the City Council would be considering demolition of this dwelling at their meeting on _05/10/2016_. The notice further advised that if they intended to request an extension of time, they should present evidence of their intent to the Community and Business Development Director prior to the Committee meeting. Director was contacted yes ___ no x ___.

COMMENTS (if any)

COUNCIL CONSIDERATION

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

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

Based on the above information it is recommended that an Ordinance be adopted to cause this dwelling to be repaired or demolished and removed within ninety (90) days. This structure can be repaired under In Rem provisions of the Minimum Housing Code with City Council approval.
<table>
<thead>
<tr>
<th>VIOL NBR</th>
<th>VIOLATION DESCRIPTION</th>
<th>STATUS/ORDINANCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>761649</td>
<td>REPAIR, REPLACE OR REMOVE GUTTERS AND DOWNSPOUTS</td>
<td>MINOR V-10-197(G)(6)</td>
</tr>
<tr>
<td>761658</td>
<td>REPAIR SOFFIT AND/OR FACIA</td>
<td>MINOR V-10-197(G)(6)</td>
</tr>
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<td>761647</td>
<td>REPLACE BROKEN WINDOW PANES</td>
<td>UNFIT V-10-197(B)(4)</td>
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<td>761650</td>
<td>REPAIR DOOR - REAR SLIDING--BASENENT REAR --REAR ENTRY</td>
<td>UNFIT V-10-197(A)(15)</td>
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<td>761652</td>
<td>REPAIR DEFECTIVE LIGHT FIXTURES</td>
<td>UNFIT V-10-197(F)(1)</td>
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<td>761653</td>
<td>REPAIR LAVATORY AND/OR FIXTURES</td>
<td>UNFIT V-10-197(D)(10)</td>
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<td>761655</td>
<td>REPAIR HOLES IN WALLS AND CEILINGS</td>
<td>UNFIT V-10-197(G)(4)</td>
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<td>761656</td>
<td>REPAIR DEFECTIVE FLOORING</td>
<td>UNFIT V-10-197(G)(2)</td>
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<td>761657</td>
<td>REPAIR OR REPLACE LOOSE FLOOR COVERING</td>
<td>UNFIT V-10-197(G)(2)</td>
</tr>
</tbody>
</table>
CD-Plus Report - Code Case Images

CODE  CASE NBR  IMAGE DATE
2013020863  2/18/2013

IMAGE DESCRIPTION
1451 Addison Avenue

CODE  CASE NBR  IMAGE DATE
2013020863  2/18/2013

IMAGE DESCRIPTION
1451 Addison Avenue

CODE  CASE NBR  IMAGE DATE
2013020863  4/27/2016

IMAGE DESCRIPTION
1451 Addison Avenue
C-1.a.      DRAFT

CODE CASE NBR       IMAGE DATE
2013020863          4/27/2016

IMAGE DESCRIPTION
1451 Addison Avenue

CODE CASE NBR       IMAGE DATE
2013020863          4/27/2016

IMAGE DESCRIPTION
1451 Addison Avenue
**YOUR TRIP TO:**
1451 Addison Ave, Winston Salem, NC 27105

<table>
<thead>
<tr>
<th>Time</th>
<th>Distance</th>
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</thead>
<tbody>
<tr>
<td>7 MIN</td>
<td>2.4 MI</td>
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</tbody>
</table>

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

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

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

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

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

5. Turn **right** onto N Liberty St.
   - Then 0.68 miles
   - 1.53 total mile

6. Turn **right** onto E 14th St.
   - Then 0.84 miles
   - 2.37 total mile

7. Turn **left** onto Addison Ave.
   - Then 0.05 miles
   - 2.42 total mile

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

---

Use of directions and maps is subject to our [Terms of Use](https://www.mapquest.com/directions/list/1/us/nc/winston-salem/27101-4000/100-e-1st-st-36.094891,-80.2...). We don’t guarantee accuracy, route conditions or usability. You assume all risk of use.
C-1.a.     DRAFT
DUE PROCESS

1. The current **Complaint and Notice of Hearing** was issued _04/04/2011_ and service was obtained by certified mail x regular x post x hand delivery__, and publication___ on _04/14/2011_. The Hearing was held on _5/4/2011_ and the owner/agent appeared and/or contacted the Community and Business Development Department regarding the complaint yes___ no___.

2. The **Finding and Order** was issued on _5/16/2011_ and service was obtained by certified x regular x post x hand delivery__, and publication ___ on _05/18/2011_. The Order directed the owner to vacate and close or repair the dwelling within 30 days from receipt. Time for compliance expired on _06/18/2011_. The dwelling was found vacated and closed on _06/30/2011_.

3. The dwelling became eligible for demolition under the six (6) month rule on _12/30/2011_.

4. The notification letter was sent _04/18/2016_ advising the owner that the **Community Development/Housing/General Government Committee** of the City Council would be considering demolition of this dwelling at their meeting on _05/10/2016_. The notice further advised that if they intended to request an extension of time, they should present evidence of their intent to the Community and Business Development Director prior to the Committee meeting. Director was contacted yes_____ no_x_.

COMMENTS (if any)

COUNCIL CONSIDERATION

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

Estimated cost to repair _$8,016.00_ Fair market value _$75,373.00_

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

**CASE NO:** 2011030253  
**NEIGHBORHOOD CONSERVATION OFFICER:**  
**JIMMY MULLINS - (336)734-1263**  

**117 DELLABROOK RD**

<table>
<thead>
<tr>
<th>VIOL NBR</th>
<th>VIOLATION DESCRIPTION</th>
<th>STATUS/ORDINANCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>698962</td>
<td>OTHER - OIL NEEDED FOR HEATING SYSTEM</td>
<td>MINOR V-10-197</td>
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<tr>
<td>698970</td>
<td>PAINT OR TREAT EXTERIOR WOOD WITH PROTECTIVE COATING</td>
<td>MINOR V-10-197(G)(3)</td>
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<tr>
<td>698973</td>
<td>REPAIR CHIMNEY - INSTALL CAP.</td>
<td>MINOR V-10-197(E)(5)</td>
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<tr>
<td>698975</td>
<td>OTHER - REPAIR CLOSET DOORS.</td>
<td>MINOR V-10-197</td>
</tr>
<tr>
<td>698951</td>
<td>OTHER - REPAIR DOOR KNOB ON AT RIGHT REAR BEDROOM DOOR.</td>
<td>UNFIT V-10-197</td>
</tr>
<tr>
<td>698952</td>
<td>REPAIR PLUMBING LEAK IN BATH - MASTER AND FULL</td>
<td>UNFIT V-10-197(D)(15)</td>
</tr>
<tr>
<td>698953</td>
<td>OTHER - UNCLOG FULL BATHROOM DRAINS.</td>
<td>UNFIT V-10-197</td>
</tr>
<tr>
<td>698954</td>
<td>PROVIDE OPERABLE SMOKE DETECTOR - EACH BEDROOM,HALL,AND LEVEL(BASEMENT)</td>
<td>UNFIT V-10-197(L)(1)</td>
</tr>
<tr>
<td>698955</td>
<td>OTHER - REPLACE WINDOWS SASH DETERIORATED</td>
<td>UNFIT V-10-197</td>
</tr>
<tr>
<td>698956</td>
<td>REPAIR OR REPLACE SCREENS ON DOORS - AND INSTALL HARDWARE.</td>
<td>UNFIT V-10-197(B)(3)</td>
</tr>
<tr>
<td>698958</td>
<td>REPAIR OR REPLACE LOOSE FLOOR COVERING - AT KITCHEN</td>
<td>UNFIT V-10-197(G)(2)</td>
</tr>
<tr>
<td>698959</td>
<td>WEATHERSTRIP DOORS</td>
<td>UNFIT V-10-197(B)(4)</td>
</tr>
<tr>
<td>698960</td>
<td>PROVIDE SAFE HANDRAILS TO SERVE EXITS</td>
<td>UNFIT V-10-197(C)(2)</td>
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<tr>
<td>698964</td>
<td>REPAIR DEFECTIVE SWITCHES AND/OR OUTLETS TO INCLUDE COVERS - FRONT BEDROOM SWITCH FOR CLOSET LIGHT FIXTURE.</td>
<td>UNFIT V-10-197(F)(1)</td>
</tr>
<tr>
<td>698965</td>
<td>OTHER - REMOVE SPACE HEATER IN UNIT.</td>
<td>UNFIT V-10-197</td>
</tr>
<tr>
<td>698966</td>
<td>OTHER - REMOVE EXTENTION CORDS IN UNIT.</td>
<td>UNFIT V-10-197</td>
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698967 REPAIR SOFFIT AND/OR FACIA - REAR OF UNIT.
   UNFIT V-10-197(G)(6)

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

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

698972 OTHER - INSTALL HANDRAIL FOR BASEMENT STEPS, EXTERIOR.
   UNFIT V-10-197
CD-Plus Report - Code Case Images

<table>
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<tr>
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<th>IMAGE DATE</th>
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</table>

**IMAGE DESCRIPTION**

117 DELLABROOK ROAD

---

**IMAGE DESCRIPTION**

117 DELLABROOK ROAD

---

**IMAGE DESCRIPTION**

117 DELLABROOK ROAD
<table>
<thead>
<tr>
<th>CODE CASE NBR</th>
<th>IMAGE DATE</th>
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<tbody>
<tr>
<td>2011030253</td>
<td>4/20/2016</td>
</tr>
</tbody>
</table>

**IMAGE DESCRIPTION**

117 DELLABROOK ROAD

---

**IMAGE DESCRIPTION**

117 DELLABROOK ROAD

---

**IMAGE DESCRIPTION**

117 DELLABROOK ROAD
YOUR TRIP TO:
117 Dellabrook Rd, Winston Salem, NC 27105-6822

7 MIN | 2.5 MI 🚌
Trip time based on traffic conditions as of 10:20 AM on April 27, 2016. Current Traffic: Moderate

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

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

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

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

5. Turn right onto N Liberty St.
   Then 0.68 miles .................................................. 1.53 total mile

6. Turn right onto E 14th St.
   Then 0.72 miles .................................................. 2.25 total mile

7. Turn left onto Dellabrook Rd.
   Then 0.23 miles .................................................. 2.48 total mile

8. Turn slight right to stay on Dellabrook Rd.
   Then 0.03 miles .................................................. 2.50 total mile

9. 117 DELLABROOK RD is on the right.

---

Terms of Use. We don’t guarantee accuracy, route conditions or usability. You assume all risk of use.
**DUE PROCESS**

1. The current **Complaint and Notice of Hearing** was issued _06/05/2015_ and service was obtained by certified mail x regular x post x hand delivery__, and publication _x_ on _06/11/2015_. The Hearing was held on 7/6/2015 and the owner/agent appeared_ and/or contacted the Community and Business Development Department regarding the complaint yes___ no___.

2. The **Finding and Order** was issued on 8/11/2015 and service was obtained by certified x regular x post x hand delivery__, and publication _x_ on _08/20/2015_. The Order directed the owner to **vacate and close or repair** the dwelling within 30 days from receipt. Time for compliance expired on _09/20/2015_. The dwelling was found vacated and closed on _11/13/2015_.

3. The dwelling became eligible for demolition under the six (6) month rule on _05/13/2016_.

4. The notification letter was sent _04/21/2016_ advising the owner that the **Community Development/Housing/General Government Committee** of the City Council would be considering demolition of this dwelling at their meeting on _05/10/2016_. The notice further advised that if they intended to request an extension of time, they should present evidence of their intent to the Community and Business Development Director prior to the Committee meeting. Director was contacted yes____ no x__.

**COMMENTS (if any)**

**COUNCIL CONSIDERATION**

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

Estimated cost to repair $3,850.00  Fair market value $45,539.00

Based on the above information it is recommended that an Ordinance be adopted to cause this dwelling to be **repaired or demolished and removed within ninety (90) days.** This structure can be repaired under **In Rem provisions of the Minimum Housing Code** with City Council approval.
<table>
<thead>
<tr>
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<th>VIOLATION DESCRIPTION</th>
<th>STATUS/ORDINANCE</th>
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<tbody>
<tr>
<td>828405</td>
<td>REPAIR DOOR - BACK DOOR @ GARAGE</td>
<td>MINOR V-10-197(A)(15)</td>
</tr>
<tr>
<td>828406</td>
<td>OTHER - PLANTS/VEGETATION GROWING FROM ROOF</td>
<td>MINOR V-10-197</td>
</tr>
<tr>
<td>828407</td>
<td>PROVIDE ADEQUATE SERVICE EQUIPMENT AND LIGHTING PANEL - REPAIR/REPLACE PANEL COVER</td>
<td>UNFIT V-10-197(F)(10)</td>
</tr>
<tr>
<td>828412</td>
<td>OTHER - REPAIR/REPLACE CAPS FOR WELLS (OPEN WELLS IN BACK)</td>
<td>UNFIT HAZARDOUS V-10-197</td>
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<tr>
<td>CODE CASE NBR</td>
<td>IMAGE DATE</td>
<td>IMAGE DESCRIPTION</td>
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</tr>
<tr>
<td>2015052100</td>
<td>5/27/2015</td>
<td>210 WAKE DRIVE</td>
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<table>
<thead>
<tr>
<th>CODE CASE NBR</th>
<th>IMAGE DATE</th>
<th>IMAGE DESCRIPTION</th>
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<tr>
<td>2015052100</td>
<td>5/27/2015</td>
<td>210 WAKE DRIVE</td>
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C-1.c. DRAFT

CODE CASE NBR IMAGE DATE
2015052100 4/21/2016

IMAGE DESCRIPTION
210 WAKE DRIVE
CODE CASE NBR  IMAGE DATE
2015052100  4/21/2016

IMAGE DESCRIPTION
210 WAKE DRIVE

CODE CASE NBR  IMAGE DATE
2015052100  4/21/2016

IMAGE DESCRIPTION
210 WAKE DRIVE

CODE CASE NBR  IMAGE DATE
2015052100  4/21/2016

IMAGE DESCRIPTION
210 WAKE DRIVE
YOUR TRIP TO:
210 Wake Dr, Winston Salem, NC 27106

14 MIN | 5.3 MI 🚗
Trip time based on traffic conditions as of 11:14 AM on April 27, 2016. Current Traffic: Heavy

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

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

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

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

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

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

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

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

9. 210 WAKE DR is on the left.

Use of directions and maps is subject to our Terms of Use. We don’t guarantee accuracy, route conditions or usability. You assume all risk of use.
CODE ENFORCEMENT PURSUANT TO SEC. 10-203(f)(1) OF THE HOUSING CODE

CASE SUMMARY - HOUSING FILE NO. 2014052605
PROPERTY ADDRESS 1206 TWENTY-THIRD ST
TAX BLOCK 0330 LOT(s) 138
WARD NORTHEAST
PROPERTY OWNER(s) RMBM INC
LIS PENDENS _16m33_ FILED_1/6/2016_

DUE PROCESS

1. The current Complaint and Notice of Hearing was issued _6/11/2015_ and service was obtained by certified mail x regular x post x hand delivery__, and publication___ on _6/16/2015_. The Hearing was held on _7/1/2015_ and the owner/agent appeared and/or contacted the Community and Business Development Department regarding the complaint yes___ no_x_.

2. The Finding and Order was issued on _10/21/2015_ and service was obtained by certified x regular x post x hand delivery___, and publication ___ on _10/29/2015_. The Order directed the owner to vacate and close or repair the dwelling within 30 days from receipt. Time for compliance expired on _11/29/2015_. The dwelling was found vacated and closed on _11/29/2015_.

3. The dwelling became eligible for demolition under the six (6) month rule on _4/20/2015_

4. The notification letter was sent _4/25/2016_ advising the owner that the Community Development/Housing/General Government Committee of the City Council would be considering demolition of this dwelling at their meeting on _5/10/2016_. The notice further advised that if they intended to request an extension of time, they should present evidence of their intent to the Community and Business Development Director prior to the Committee meeting. Director was contacted yes____ no_x_.

COMMENTS (if any)

COUNCIL CONSIDERATION

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

Estimated cost to repair $6,062 Fair market value $19,662

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

-115-
<table>
<thead>
<tr>
<th>VIOL NBR</th>
<th>VIOLATION DESCRIPTION</th>
<th>STATUS/ORDINANCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>803791</td>
<td>REPLACE BROKEN WINDOW PANES - FRONT BLD.</td>
<td>MINOR V-10-197(B)(4)</td>
</tr>
<tr>
<td>803786</td>
<td>REPAIR OR REPLACE SCREENS ON DOORS -</td>
<td>UNFIT V-10-197(B)(3)</td>
</tr>
<tr>
<td>803787</td>
<td>REPAIR OR REPLACE SCREENS ON WINDOWS -</td>
<td>UNFIT V-10-197(B)(3)</td>
</tr>
<tr>
<td>803788</td>
<td>WEATHERSTRIP DOORS -</td>
<td>UNFIT V-10-197(B)(4)</td>
</tr>
<tr>
<td>803789</td>
<td>REPAIR WINDOW LOCKS -</td>
<td>UNFIT V-10-197(B)(4)</td>
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<tr>
<td>803790</td>
<td>OTHER - REPAIR OR REPLACE WINDOWS MUST BE OPERABLE</td>
<td>UNFIT V-10-197</td>
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<tr>
<td>803793</td>
<td>REPAIR DEFECTIVE FLOORING - REPAIR OR REPLACE FLOORING KITCHEN BY WASHER</td>
<td>UNFIT V-10-197(G)(2)</td>
</tr>
<tr>
<td>803794</td>
<td>OTHER - ---PROVIDE HANDLE FOR SHUT OFF ON WATER TO WASHER---</td>
<td>UNFIT V-10-197</td>
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<tr>
<td>803795</td>
<td>REPAIR FURNACE -</td>
<td>UNFIT V-10-197(E)(2)</td>
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<tr>
<td>803797</td>
<td>REPAIR LOCKSETS - ---EXTERIOR DOORS---</td>
<td>UNFIT V-10-197(B)(4)</td>
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<tr>
<td>803798</td>
<td>RESEAT COMMODE - LEAKING AT BASE</td>
<td>UNFIT V-10-197(D)(10)</td>
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<tr>
<td>803799</td>
<td>REPAIR KITCHEN SINK, FIXTURES AND/OR DRAIN - ---DRAIN LEAKING UNDER KITCHEN SINK---</td>
<td>UNFIT V-10-197(D)(10)</td>
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<tr>
<td>803800</td>
<td>REPAIR LAVATORY AND/OR FIXTURES - REPAIR LEAK DRAIN UNDER BATHROOM SINK</td>
<td>UNFIT V-10-197(D)(10)</td>
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<td>803801</td>
<td>REPLACE LOOSE WALL AND CEILING MATERIALS - ---REPAIR OR REPLACE KITCHEN CEILING TILES---</td>
<td>UNFIT V-10-197(G)(4)</td>
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<tr>
<td>803802</td>
<td>REPAIR DOOR - ---REMOVE 2/4S LOCKING KITCHEN DOOR---</td>
<td>UNFIT V-10-197(A)(15)</td>
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## CD-Plus Report - Code Case Images

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<td>2/5/2016</td>
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<td>2014052605</td>
<td>4/27/2016</td>
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<tr>
<td>2014052605</td>
<td>4/27/2016</td>
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</table>

### IMAGE DESCRIPTION

1206 23rd Street
Driving directions to 1206 E 23rd St, Winston-Salem, NC 27105-5408 on Yahoo Maps, ...

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

Head toward N Church St on E 1st St
Go for 45 ft

Turn left onto S Church St
Go for 0.2 mi

Turn right onto Cemetery St
Go for 229 ft

Turn right onto S Main St SE
Go for 141 ft

Take ramp onto I-40-BR E
Go for 0.6 mi

Take exit 6B toward NC-8 N/Mount Airy/Smith Reynolds Airport onto US-52 N/US-311 N (John M Gold Fwy)
Go for 0.9 mi

Continue on US-52 (John M Gold Fwy)
Go for 1.4 mi

Take exit 111A toward 28th St
Go for 0.1 mi

Turn right onto N Cleveland Ave
Go for 0.2 mi

Turn left onto E 23rd St
Go for 78 ft

Arrive at E 23rd St. Your destination is on the right.

1206 E 23rd St, Winston-Salem, NC 27105-5408

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.
DUE PROCESS

1. The current Complaint and Notice of Hearing was issued _5/18/2015_ and service was obtained by certified mail x regular x post x hand delivery__, and publication___ on _5/20/2015_. The Hearing was held on _6/17/2015_ and the owner/agent appeared and/or contacted the Community and Business Development Department regarding the complaint yes___ no_.

2. The Finding and Order was issued on _8/25/2015_ and service was obtained by certified x regular x post x hand delivery__, and publication ___ on _8/29/2015_. The Order directed the owner to vacate and close or repair the dwelling within 30 days from receipt. Time for compliance expired on _9/29/2015_. The dwelling was found vacated and closed on _9/29/2015_.

3. The dwelling became eligible for demolition under the six (6) month rule on _3/25/2016_.

4. The notification letter was sent _4/25/2016_ advising the owner that the Community Development/Housing/General Government Committee of the City Council would be considering demolition of this dwelling at their meeting on _5/10/2016_. The notice further advised that if they intended to request an extension of time, they should present evidence of their intent to the Community and Business Development Director prior to the Committee meeting. Director was contacted yes___ no_.

COMMENTS (if any)

COUNCIL CONSIDERATION

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

Estimated cost to repair $12,712 Fair market value $81,550

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

### CASE NO: 2015051036

#### NEIGHBORHOOD CONSERVATION OFFICER:

OLA BROWN - (336)734-1260

2703 GLENHAVEN (ON VILLAGE TRAIL) LN

<table>
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<tr>
<th>VIOL NBR</th>
<th>VIOLATION DESCRIPTION</th>
<th>STATUS/ORDINANCE</th>
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<tbody>
<tr>
<td>827173</td>
<td>MAINTAIN FLOORS, WALLS - FIXTURES IN CLEAN AND SANITARY CONDITION - WATER DAMAGE THROUGHOUT - RESIDUE (APPEARING TO BE MOLD AND MILDEW) OFFENSIVE ODOR (WALLS INCLUDING SUPPORTING MEMBERS, OUTSIDE AND BEHIND SHEET ROCK); CEILINGS, BASEBOARDS, CABINETS, SHELVES, ETC.</td>
<td>UNFIT V-10-197(H)(4)</td>
</tr>
<tr>
<td>827182</td>
<td>REPAIR HOLES IN WALLS AND CEILINGS - WATER DAMAGE THROUGHOUT (BEDROOMS, MASTER BATHROOM, KITCHEN, LIBRARY, STUDY, HALL, ETC.)</td>
<td>UNFIT V-10-197(G)(4)</td>
</tr>
<tr>
<td>827183</td>
<td>REPAIR PLUMBING LEAK IN BATH - MASTER BATHROOM SINK</td>
<td>UNFIT V-10-197(D)(15)</td>
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<tr>
<td>827592</td>
<td>REPAIR DEFECTIVE FLOORING - WATER DAMAGED (BATHROOMS, BEDROOMS, STUDY, LIBRARY, KITCHEN, HALL, ETC.)</td>
<td>UNFIT V-10-197(G)(2)</td>
</tr>
<tr>
<td>827593</td>
<td>REPAIR OR REPLACE LOOSE FLOOR COVERING - WATER DAMAGED (BATHROOMS, BEDROOMS, HALL, KITCHEN, STUDY, LIBRARY, ETC.)</td>
<td>UNFIT V-10-197(G)(2)</td>
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<tr>
<td>827594</td>
<td>PROVIDE OPERABLE SMOKE DETECTOR - MAKE OPERABLE AT EACH BEDROOM AND OUTSIDE SLEEPING AREA</td>
<td>UNFIT V-10-197(L)(1)</td>
</tr>
<tr>
<td>827595</td>
<td>REPLACE LOOSE WALL AND CEILING MATERIALS - BATHTUB WALL AT COMMON (HALL) BATH - DISPLACED TILE; CEILING AT HALL</td>
<td>UNFIT V-10-197(G)(4)</td>
</tr>
<tr>
<td>827596</td>
<td>SECURE COMMODE TO FLOOR - COMMON (HALL) BATH</td>
<td>UNFIT V-10-197(D)(4)</td>
</tr>
<tr>
<td>827597</td>
<td>REPAIR DEFECTIVE SWITCHES AND/OR OUTLETS TO INCLUDE COVERS - NO GFI AT KITCHEN COUNTER TOP; EXISTING TWO-PRONG PLUGS READING OPEN GROUND</td>
<td>UNFIT V-10-197(F)(1)</td>
</tr>
<tr>
<td>827598</td>
<td>REPAIR KITCHEN CABINETS - WATER DAMAGED (COVERED WITH RESIDUE INSIDE AND OUT)</td>
<td>UNFIT V-10-197(A)(16)</td>
</tr>
<tr>
<td>827599</td>
<td>REPAIR KITCHEN SINK, FIXTURES AND/OR DRAIN - INOPERABLE GARBAGE DISPOSAL</td>
<td>UNFIT V-10-197(D)(10)</td>
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<tr>
<td>827601</td>
<td>PROVIDE R-19 CEILING INSULATION - ABOVE DROPPED CEILING</td>
<td>UNFIT V-10-197(I)</td>
</tr>
<tr>
<td>827603</td>
<td>REPAIR HOLES IN WALLS AND CEILINGS - DROPPED CEILING DOWNSTAIRS (WATER DAMAGED AND DISPLACED)</td>
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-125-
UNFIT V-10-197(G)(4)

827604 REPAIR LAVATORY AND/OR FIXTURES - DAMAGED BATHROOM VANITY AT MASTER BEDROOM
   UNFIT V-10-197(D)(10)

827605 REPLACE BROKEN WINDOW PANES -
   UNFIT V-10-197(B)(4)
2703 Glenhaven Lane

2703 Glenhaven Lane

2703 Glenhaven Lane
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</table>

**IMAGE DESCRIPTION**

2703 Glenhaven Lane
CODE CASE NBR | IMAGE DATE  
---|---
2015051036 | 4/27/2016

IMAGE DESCRIPTION
2703 Glenhaven Lane
Driving directions to 2703 Glenhaven Ln, Winston-Salem, NC 27106-2318 on Yahoo Maps.

When using any driving directions or map, it is a good idea to double check and make sure the road still exists, watch out for construction, and follow all traffic safety precautions. This is only to be used as an aid in planning.
CODE ENFORCEMENT PURSUANT TO SEC. 10-203(f)(1) OF THE HOUSING CODE

CASE SUMMARY - HOUSING FILE NO. 2011040184
PROPERTY ADDRESS 3037 COLGATE DR
TAX BLOCK 2938 LOT(s) 285
WARD NORTHEAST
PROPERTY OWNER(s) GWENDOLYN A. THOMPSON
LIS PENDENS _11m2575_ FILED_8/31/2011_

DUE PROCESS

1. The current Complaint and Notice of Hearing was issued _5/20/2011_ and service was obtained by certified mail x regular x post x hand delivery __, and publication___ on _6/30/2011_. The Hearing was held on _6/20/2011_ and the owner/agent appeared and/or contacted the Community and Business Development Department regarding the complaint yes___ no_x_.

2. The Finding and Order was issued on _7/19/2011_ and service was obtained by certified x regular x post x hand delivery __, and publication ___ on _7/29/2011_. The Order directed the owner to vacate and close or repair the dwelling within 30 days from receipt. Time for compliance expired on _8/29/2011_. The dwelling was found vacated and closed on _9/26/2011_.

3. The dwelling became eligible for demolition under the six (6) month rule on _3/26/2012_.

4. The notification letter was sent _5/10/2016_ advising the owner that the Community Development/Housing/General Government Committee of the City Council would be considering demolition of this dwelling at their meeting on _5/16/2016_. The notice further advised that if they intended to request an extension of time, they should present evidence of their intent to the Community and Business Development Director prior to the Committee meeting. Director was contacted yes___ no_x_.

COMMENTS (if any)

COUNCIL CONSIDERATION

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

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

CASE NO:  2011040184

3037  COLGATE DR

<table>
<thead>
<tr>
<th>VIOL NBR</th>
<th>VIOLATION DESCRIPTION</th>
<th>STATUS/ORDINANCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>701676</td>
<td>REPAIR OR REPLACE SCREENS ON WINDOWS</td>
<td>- MINOR V-10-197(B)(3)</td>
</tr>
<tr>
<td>701675</td>
<td>REGLAZE WINDOWS</td>
<td>- UNFIT V-10-197(B)(4)</td>
</tr>
<tr>
<td>701677</td>
<td>REPAIR OR REPLACE ROOF COVERING</td>
<td>- UNFIT V-10-197(G)(6)</td>
</tr>
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## CD-Plus Report - Code Case Images

<table>
<thead>
<tr>
<th>CODE CASE NBR</th>
<th>IMAGE DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011040184</td>
<td>1/13/2016</td>
</tr>
</tbody>
</table>

**IMAGE DESCRIPTION**
3037 Colgate Drive

<table>
<thead>
<tr>
<th>CODE CASE NBR</th>
<th>IMAGE DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011040184</td>
<td>4/18/2016</td>
</tr>
</tbody>
</table>

**IMAGE DESCRIPTION**
3037 Colgate Drive
Driving directions to 3037 Colgate Dr, Winston-Salem, NC 27105-4014 on Yahoo Maps, ...

4/18/2016

https://maps.yahoo.com/obp/directions/?lat=36.11652221396643&lon=-80.224399566650...
CODE ENFORCEMENT PURSUANT TO SEC. 10-203(f)(1) OF THE HOUSING CODE

CASE SUMMARY - HOUSING FILE NO. 2011080909
PROPERTY ADDRESS 1695 ASHLEY SCHOOL CR
TAX BLOCK 1471 LOT(s) 278
WARD NORTHEAST
PROPERTY OWNER(s) DARRYL W CHERRY TAMMY J CHERRY
LIS PENDENS _12m36_ FILED _1/11/2012_

DUE PROCESS
1. The current Complaint and Notice of Hearing was issued _9/16/2011_ and service was obtained by certified mail x regular x post x hand delivery__, and publication___ on _10/17/2011_. The Hearing was held on _1/19/2012_ and the owner/agent appeared and/or contacted the Community and Business Development Department regarding the complaint yes___ no_x__.

2. The Finding and Order was issued on _12/21/2011_ and service was obtained by certified x regular x post x hand delivery____, and publication ___ on _12/31/2011_. The Order directed the owner to vacate and close or repair the dwelling within 30 days from receipt. Time for compliance expired on _1/31/2012_. The dwelling was found vacated and closed on _3/16/2012_.

3. The dwelling became eligible for demolition under the six (6) month rule on _9/16/2012_.

4. The notification letter was sent _4/19/2016_ advising the owner that the Community Development/Housing/General Government Committee of the City Council would be considering demolition of this dwelling at their meeting on _5/10/2016_. The notice further advised that if they intended to request an extension of time, they should present evidence of their intent to the Community and Business Development Director prior to the Committee meeting. Director was contacted yes____ no_x__.

COMMENTS (if any)

COUNCIL CONSIDERATION

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

Estimated cost to repair $5,678 Fair market value $19,060
Based on the above information it is recommended that an Ordinance be adopted to cause this dwelling to be repaired or demolished and removed within ninety (90) days. This structure can be repaired under In Rem provisions of the Minimum Housing Code with City Council approval.
<table>
<thead>
<tr>
<th>VIOL NBR</th>
<th>VIOLATION DESCRIPTION</th>
<th>STATUS/ORDINANCE</th>
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</thead>
<tbody>
<tr>
<td>715978</td>
<td>REPAIR SOFFIT AND/OR FACIA</td>
<td>MINOR V-10-197(G)(6)</td>
</tr>
<tr>
<td>715982</td>
<td>REPAIR, REPLACE OR REMOVE GUTTERS AND DOWNSPOUTS - REPAIR ND CLEAN OUT</td>
<td>MINOR V-10-197(G)(6)</td>
</tr>
<tr>
<td>715986</td>
<td>PAINT OR TREAT EXTERIOR WOOD WITH PROTECTIVE COATING - TRIM, WINDOW FRAMES</td>
<td>MINOR V-10-197(G)(3)</td>
</tr>
<tr>
<td>715984</td>
<td>REPLACE BROKEN WINDOW PANES</td>
<td>UNFIT V-10-197(B)(4)</td>
</tr>
<tr>
<td>715985</td>
<td>REGLAZE WINDOWS</td>
<td>UNFIT V-10-197(B)(4)</td>
</tr>
<tr>
<td>715987</td>
<td>INSTALL HANDRAIL AT REAR STEPS</td>
<td>UNFIT V-10-197(G)(8)</td>
</tr>
</tbody>
</table>
CD-Plus Report - Code Case Images

<table>
<thead>
<tr>
<th>CODE CASE NBR</th>
<th>IMAGE DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011080909</td>
<td>1/14/2016</td>
</tr>
</tbody>
</table>

IMAGE DESCRIPTION

DESCRIPTION FOR DSC00120.JPG

[Image of a house with boarded windows and a fallen tree]
YOUR TRIP TO:
1695 Ashley School Cir, Winston Salem, NC 27105

8 MIN | 2.7 MI
Trip time based on traffic conditions as of 3:56 PM on April 26, 2016. Current Traffic: Moderate

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

2. Take the 1st left onto N Chestnut St.
   If you reach Patterson Ave you've gone a little too far.
   Then 0.21 miles

3. Take the 1st right onto E 3rd St.
   E 3rd St is 0.1 miles past E 2nd St.
   If you reach E 4th St you've gone a little too far.
   Then 0.06 miles

4. Take the 1st left onto Patterson Ave.
   If you reach Linden St you've gone about 0.1 miles too far.
   Then 0.51 miles

5. Turn right onto N Liberty St.
   N Liberty St is just past N Martin Luther King Jr Dr.
   If you reach E 9th St you've gone a little too far.
   Then 0.68 miles

6. Turn right onto E 14th St.
   E 14th St is just past Old Northwest Blvd.
   If you reach E 15th St you've gone a little too far.
   Then 0.52 miles

7. Turn left onto N Jackson Ave.
   If you are on E 14th St and reach Hattie Ave you've gone a little too far.
   Then 0.30 miles

8. Take the 2nd right onto Bethlehem Ln.
   Bethlehem Ln is just past Hattie Ave.
   If you reach 20th St you've gone a little too far.
   Then 0.13 miles

9. Bethlehem Ln becomes Ashley School Cir.
   Then 0.22 miles

10. 1695 ASHLEY SCHOOL CIR.
    If you reach N Jackson Ave you've gone a little too far.
City Council – Action Request Form

Date: April 27, 2016
To: The City Manager
From: D. Ritchie Brooks, Community and Business Development

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

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

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

Committee Action:

<table>
<thead>
<tr>
<th>Committee</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>For</td>
<td></td>
</tr>
<tr>
<td>Against</td>
<td></td>
</tr>
</tbody>
</table>

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

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

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

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

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

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

cc Ritchie Brooks, Director, Community and Business Development
Preserve Forsyth
ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF A STRUCTURE PURSUANT TO CHAPTER 10, ARTICLE V, SECTION 10-203((f)(2) OF THE CODE OF THE CITY OF WINSTON-SALEM

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

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

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

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

WHEREAS, the Mayor and City Council hereby finds that:

(1) Six months has passed since the structure was vacated and closed pursuant to the previous order.

(2) The property owner has abandoned the intent and purpose to repair, alter or improve the dwelling in said order to render it fit for human habitation.

(3) The continuation of said structure in its vacated status will be inimical to health, safety, morals and welfare of the City in that the dwelling will continue to deteriorate, will create a fire and safety hazard, will be a threat to children and vagrants, will attract persons intent on criminal activities, will cause or contribute to blight and the deterioration of the property values in the area and will render unavailable property and dwelling which may otherwise have been available to
ease the persistent shortage of decent and affordable housing in this State and City.

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

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

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

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

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

INSTRUMENT DRAWN BY:

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

CASE SUMMARY - HOUSING FILE NO. 2014052744
PROPERTY ADDRESS 4309 ERIE DR
TAX BLOCK 3471 LOT(s) 074B
WARD NORTHWEST
PROPERTY OWNER(s) SALEM VIEW PROPERTY MANAGEMENT LLC
LIS PENDENS _14M2131__ FILED __12/11/2014__________

DUE PROCESS

1. The current Complaint and Notice of Hearing was issued _06/23/2014_ and service was obtained by certified mail x regular x post x hand delivery ___ publication ___ on _06/30/2014_. The hearing was held on 7/23/2014 and the owner/agent appeared and/or contacted the Community and Business Development Department regarding the complaint yes__ no_x_.

2. The Finding and Order was issued on 11/11/2014 and service was obtained by certified mail x regular x post x hand delivery ___ publication ___ on _11/21/2014_. The Order directed the owner to vacate and close or repair the dwelling with 30 days from receipt. Time for compliance expired on __12/21/2014__. The dwelling was found vacated and closed on _03/27/2015_.

3. The dwelling became eligible for demolition under the six (6) month rule on __09/27/2015___.

4. The notification letter was sent _04/19/2016_ advising the owner that the Community and Development/Housing/General Government Committee of the City Council would be considering demolition of this dwelling at their meeting on _05/10/2016_. The notice further advised that if they intended to request an extension of time, they should present evidence of their intent to the Community and Business Development Director prior to the Committee meeting. Director was contacted yes__ no_x__.

COMMENTS:

COUNCIL CONSIDERATION

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

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

Based on the above information it is recommended that an Ordinance be adopted to cause this dwelling to be demolished and removed within ninety (90) days.
### CASE NO: 2014052744
#### NEIGHBORHOOD CONSERVATION OFFICER:
QUIVETTE POWELL - (336)734-1277

<table>
<thead>
<tr>
<th>VIOL NBR</th>
<th>VIOLATION DESCRIPTION</th>
<th>STATUS/ORDINANCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>803966</td>
<td>REPAIR OR REPLACE DEFECTIVE SIDING</td>
<td>COMPLIED V-10-197(G)(3)</td>
</tr>
<tr>
<td>803968</td>
<td>REPAIR SOFFIT AND/OR FACIA</td>
<td>COMPLIED V-10-197(G)(6)</td>
</tr>
<tr>
<td>803975</td>
<td>REPAIR OR REPLACE DEFECTIVE SIDING - FINISH WALL CONNECTING GARAGE AND MASTER BEDROOM</td>
<td>COMPLIED V-10-197(G)(3)</td>
</tr>
<tr>
<td>803982</td>
<td>PAINT WALLS AND CEILINGS - UNFINISHED DRYWALL THROUGHOUT RESIDENCE</td>
<td>MINOR V-10-197(G)(4)</td>
</tr>
<tr>
<td>803959</td>
<td>REPAIR KITCHEN CABINETS - HOLES IN CABINETS UNDER SINK; AND SIDE WALL BETWEEN SINK AND STOVE</td>
<td>UNFIT V-10-197(A)(16)</td>
</tr>
<tr>
<td>803960</td>
<td>REPAIR LOCKSETS - AT BEDROOM DOOR AND CLOSET IN BEDROOM</td>
<td>UNFIT V-10-197(B)(4)</td>
</tr>
<tr>
<td>803961</td>
<td>WEATHERSTRIP DOORS - SIDE DOOR</td>
<td>UNFIT V-10-197(B)(4)</td>
</tr>
<tr>
<td>803962</td>
<td>PROVIDE SAFE HANDRAILS TO SERVE EXITS - SIDE STEPS</td>
<td>UNFIT V-10-197(C)(2)</td>
</tr>
<tr>
<td>803963</td>
<td>REPAIR PLUMBING LEAK IN KITCHEN</td>
<td>UNFIT V-10-197(D)(15)</td>
</tr>
<tr>
<td>803964</td>
<td>REPAIR DEFECTIVE LIGHT FIXTURES</td>
<td>UNFIT V-10-197(F)(1)</td>
</tr>
<tr>
<td>803965</td>
<td>REPAIR DEFECTIVE SWITCHES AND/OR OUTLETS TO INCLUDE COVERS - BEHIND WASHING MACHINE; LIVING ROOM; BEDROOM</td>
<td>UNFIT V-10-197(F)(1)</td>
</tr>
<tr>
<td>803967</td>
<td>PROVIDE OPERABLE SMOKE DETECTOR</td>
<td>UNFIT V-10-197(L)(1)</td>
</tr>
<tr>
<td>803969</td>
<td>PROVIDE SAFE STEPS TO SERVE EXITS - BACK DOOR AT MASTER BEDROOM</td>
<td>UNFIT V-10-197(C)(2)</td>
</tr>
<tr>
<td>803970</td>
<td>REPAIR HOLES IN WALLS AND CEILINGS - HOLES IN WALLS AND CEILING THROUGHOUT THE RESIDENCE</td>
<td>UNFIT V-10-197(G)(4)</td>
</tr>
<tr>
<td>803971</td>
<td>REPAIR DEFECTIVE FLOORING - KITCHEN</td>
<td>UNFIT V-10-197(G)(2)</td>
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</tbody>
</table>
803972 REPAIR PLUMBING LEAK IN BATH - COMMODE LEAKING AROUND BASE AND UNDER STRUCTURE
   UNFIT V-10-197(D)(15)

803973 OTHER - INSTALLED AIR CONDITIONING INOPERABLE
   UNFIT V-10-197

803974 REPAIR DEFECTIVE LIGHT FIXTURES - NO PORCH LIGHT
   UNFIT V-10-197(F)(1)
CD-Plus Report - Code Case Images

<table>
<thead>
<tr>
<th>CODE CASE NBR</th>
<th>IMAGE DATE</th>
<th>IMAGE DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014052744</td>
<td>4/27/2016</td>
<td>4309 Erie Drive</td>
</tr>
</tbody>
</table>

4309 Erie Drive
### YOUR TRIP TO:
4309 Erie Dr, Winston Salem, NC 27106

**18 MIN | 8.3 MI ✈**

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

<table>
<thead>
<tr>
<th>Step</th>
<th>Direction</th>
<th>Distance</th>
<th>Total Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Start out going <strong>west</strong> on E 1st toward N Church St.</td>
<td>0.05 miles</td>
<td>0.05 total mile</td>
</tr>
<tr>
<td>2.</td>
<td>Turn <strong>right</strong> onto N Main St.</td>
<td>0.36 miles</td>
<td>0.41 total mile</td>
</tr>
<tr>
<td>3.</td>
<td>Turn <strong>left</strong> onto W 5th St.</td>
<td>0.17 miles</td>
<td>0.58 total mile</td>
</tr>
<tr>
<td>4.</td>
<td>Turn <strong>right</strong> onto N Cherry St.</td>
<td>0.64 miles</td>
<td>1.22 total mile</td>
</tr>
<tr>
<td>5.</td>
<td>N Cherry St becomes University Pkwy.</td>
<td>2.50 miles</td>
<td>3.72 total mile</td>
</tr>
<tr>
<td>6.</td>
<td>Turn <strong>slight right</strong> onto ramp.</td>
<td>0.13 miles</td>
<td>3.85 total mile</td>
</tr>
<tr>
<td>7.</td>
<td>Turn <strong>left</strong> onto Polo Rd.</td>
<td>1.16 miles</td>
<td>5.02 total mile</td>
</tr>
<tr>
<td>8.</td>
<td>Turn <strong>right</strong> onto Reynolda Rd/NC-67.</td>
<td>1.65 miles</td>
<td>6.67 total mile</td>
</tr>
<tr>
<td>9.</td>
<td>Turn <strong>left</strong> onto Yadkinville Rd.</td>
<td>1.21 miles</td>
<td>7.87 total mile</td>
</tr>
<tr>
<td>10.</td>
<td>Turn <strong>left</strong> onto Shattalon Dr.</td>
<td>0.22 miles</td>
<td>8.10 total mile</td>
</tr>
<tr>
<td>11.</td>
<td>Take the 2nd <strong>left</strong> onto Old Pfafftown Rd.</td>
<td>0.10 miles</td>
<td>8.20 total mile</td>
</tr>
</tbody>
</table>

https://www.mapquest.com/directions/list/1/us/nc/winston-salem/27101-4000/100-e-1st-st-36.094891,-80.2...
12. Take the 1st right onto Erie Dr (Portions unpaved).

Then 0.07 miles

13. 4309 ERIE DR is on the left.

se of directions and maps is subject to our Terms of Use. We don't guarantee accuracy, route conditions or usability. You assume all risk of use.
DUE PROCESS

1. The current Complaint and Notice of Hearing was issued _01/24/2014_ and service was obtained by certified mail x regular x post x hand delivery ___ publication ___ on _02/03/2014_. The hearing was held on 2/24/2014 and the owner/agent appeared and/or contacted the Community and Business Development Department regarding the complaint yes no x. 

2. The Finding and Order was issued on 5/13/2014 and service was obtained by certified mail x regular x post x hand delivery __ publication ___ on _05/16/2014_. The Order directed the owner to vacate and close or repair the dwelling with 30 days from receipt. Time for compliance expired on _06/16/2014_. The dwelling was found vacated and closed on _07/08/2014_. 

3. The dwelling became eligible for demolition under the six (6) month rule on _01/08/2015_. 

4. The notification letter was sent _04/18/2016_ advising the owner that the Community and Development/Housing/General Government Committee of the City Council would be considering demolition of this dwelling at their meeting on _05/10/2016_. The notice further advised that if they intended to request an extension of time, they should present evidence of their intent to the Community and Business Development Director prior to the Committee meeting. Director was contacted yes x no __. 

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

COUNCIL CONSIDERATION

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

Estimated cost to repair _$13,324.00_ Fair market value _$17,397.00_. 

Based on the above information it is recommended that an Ordinance be adopted to cause this dwelling to be demolished and removed within ninety (90) days.
<table>
<thead>
<tr>
<th>VIOL NBR</th>
<th>VIOLATION DESCRIPTION</th>
<th>STATUS/ORDINANCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>781004</td>
<td>REPAIR OR REPLACE DEFECTIVE SIDING</td>
<td>MINOR V-10-197(G)(3)</td>
</tr>
<tr>
<td>781009</td>
<td>REPAIR, REPLACE OR REMOVE GUTTERS AND DOWNSPOUTS</td>
<td>MINOR V-10-197(G)(6)</td>
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<tr>
<td>781002</td>
<td>REPAIR OR REPLACE SCREENS ON DOORS</td>
<td>UNFIT V-10-197(B)(3)</td>
</tr>
<tr>
<td>781003</td>
<td>REPAIR OR REPLACE FRONT PORCH FLOOR</td>
<td>UNFIT V-10-197(G)(7)</td>
</tr>
<tr>
<td>781005</td>
<td>REPLACE DEFECTIVE SHEATHING</td>
<td>UNFIT V-10-197(G)(6)</td>
</tr>
<tr>
<td>781007</td>
<td>REPAIR OR REPLACE ROOF COVERING</td>
<td>UNFIT V-10-197(G)(6)</td>
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<tr>
<td>781008</td>
<td>REPAIR OR REPLACE FRONT PORCH RAILINGS</td>
<td>UNFIT V-10-197(G)(7)</td>
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<td>781010</td>
<td>REPAIR SOFFIT AND/OR FACIA</td>
<td>UNFIT V-10-197(G)(6)</td>
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<td>781011</td>
<td>REPLACE DEFECTIVE RAFTERS</td>
<td>UNFIT V-10-197(G)(6)</td>
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<td>781012</td>
<td>REPAIR FOUNDATION</td>
<td>UNFIT V-10-197(G)(1)</td>
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<td>IMAGE DATE</td>
<td>IMAGE DESCRIPTION</td>
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<td>117 N. DUNLEITH AVENUE</td>
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<table>
<thead>
<tr>
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### C-2.b. DRAFT

<table>
<thead>
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<td>4/20/2016</td>
</tr>
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</table>

**IMAGE DESCRIPTION**

117 N. DUNLEITH AVENUE

---

**CODE CASE NBR**

2013081093

**IMAGE DATE**

4/20/2016

**IMAGE DESCRIPTION**

117 N. DUNLEITH AVENUE
YOUR TRIP TO:
117 N Dunleith Ave, Winston Salem, NC 27101-4517

4 MIN | 1.3 MI 🚗
Trip time based on traffic conditions as of 9:41 AM on April 27, 2016. Current Traffic: Moderate

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

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

3. Take the 1st right onto E 3rd St. Pass through 1 roundabout.
   Then 0.86 miles
   1.13 total mile

4. Turn right onto Dunleith Ave.
   Then 0.13 miles
   1.26 total mile

5. 117 N DUNLEITH AVE is on the left.

Use of directions and maps is subject to our Terms of Use. We don’t guarantee accuracy, route conditions or usability. You assume all risk of use.
**CODE ENFORCEMENT PURSUANT TO SEC. 10-203(f)(2) OF THE HOUSING CODE**

**CASE SUMMARY - HOUSING FILE NO. 2011051477**

**PROPERTY ADDRESS** 1318 N JACKSON AV

**TAX BLOCK** 0416 **LOT(s)** 020

**WARD** EAST

**PROPERTY OWNER(s)** JAMES BENJAMIN, HEIRS

**LIS PENDENS** 15M30 FILED 01/09/2015

**DUE PROCESS**

1. The current Complaint and Notice of Hearing was issued _10/13/2014_ and service was obtained by certified mail x regular x post x hand delivery publication _x_ on _10/23/2014_. The hearing was held on _11/12/2014_ and the owner/agent appeared and/or contacted the Community and Business Development Department regarding the complaint yes no _x_.

2. The **Finding and Order** was issued on _12/10/2014_ and service was obtained by certified mail x regular x post x hand delivery publication _x_ on _01/05/2015_. The **Order** directed the owner to **vacate and close or repair** the dwelling with 30 days from receipt. Time for compliance expired on _02/05/2015_. The dwelling was found vacated and closed on _04/09/2015_.

3. The dwelling became eligible for demolition under the six (6) month rule on _10/09/2015_.

4. The notification letter was sent _04/18/2016_ advising the owner that the **Community and Development/Housing/General Government Committee** of the City Council would be considering demolition of this dwelling at their meeting on _05/10/2016_. The notice further advised that if they intended to request an extension of time, they should present evidence of their intent to the Community and Business Development Director prior to the Committee meeting. Director was contacted yes no _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 _$8,349.00_ Fair market value _$6,003.00_

Based on the above information it is recommended that an Ordinance be adopted to cause this dwelling to be **demolished and removed within ninety (90) days**.
<table>
<thead>
<tr>
<th>VIOL NBR</th>
<th>VIOLATION DESCRIPTION</th>
<th>STATUS/ORDINANCE</th>
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<tbody>
<tr>
<td>706186</td>
<td>REPAIR FRONT SCREEN DOOR</td>
<td>COMPLIED V-10-197(A)(15)</td>
</tr>
<tr>
<td>706199</td>
<td>REPAIR BACK DOOR HARDWARE (HANDLE)</td>
<td>COMPLIED V-10-197</td>
</tr>
<tr>
<td>706204</td>
<td>RECAULK TUB</td>
<td>MINOR V-10-197</td>
</tr>
<tr>
<td>706195</td>
<td>REPAIR KITCHEN FAUCET</td>
<td>MINOR V-10-197</td>
</tr>
<tr>
<td>706202</td>
<td>REPAIR FOUNDATION TO INCLUDE VENTS AT BACK OF HOUSE</td>
<td>UNFIT V-10-197</td>
</tr>
<tr>
<td>706203</td>
<td>PROVIDE PROPER DISCHARGE TUBE TO HOT WATER HEATER</td>
<td>UNFIT V-10-197</td>
</tr>
<tr>
<td>706187</td>
<td>REPAIR WINDOW LOCKS</td>
<td>UNFIT V-10-197(B)(4)</td>
</tr>
<tr>
<td>706188</td>
<td>REPAIR WINDOW BALANCES</td>
<td>UNFIT V-10-197</td>
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<tr>
<td>706190</td>
<td>PROVIDE OPERABLE SMOKE DETECTOR</td>
<td>UNFIT V-10-197</td>
</tr>
<tr>
<td>706193</td>
<td>REPAIR ROOF LEAK (BATHROOM)</td>
<td>UNFIT V-10-197</td>
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<tr>
<td>706194</td>
<td>REPAIR BATHROOM CEILING</td>
<td>UNFIT V-10-197</td>
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<tr>
<td>706196</td>
<td>REPAIR LEAK UNDER KITCHEN SINK</td>
<td>UNFIT V-10-197</td>
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<td>706197</td>
<td>SECURE COMMODE TO FLOOR</td>
<td>UNFIT V-10-197(D)(4)</td>
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<tr>
<td>706198</td>
<td>REPAIR PLUMBING LEAK UNDER STRUCTURE</td>
<td>UNFIT V-10-197</td>
</tr>
<tr>
<td>706200</td>
<td>REPAIR OR REPLACE SCREENS ON WINDOWS</td>
<td>UNFIT V-10-197(B)(3)</td>
</tr>
<tr>
<td>706201</td>
<td>REPAIR LIGHT IN KITCHEN</td>
<td>UNFIT V-10-197</td>
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# CD-Plus Report - Code Case Images

<table>
<thead>
<tr>
<th>CODE CASE NBR</th>
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<tbody>
<tr>
<td>2011051477</td>
<td>4/20/2016</td>
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</table>

**IMAGE DESCRIPTION**

1318 N. JACKSON AVENUE

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<table>
<thead>
<tr>
<th>CODE CASE NBR</th>
<th>IMAGE DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011051477</td>
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</table>

**IMAGE DESCRIPTION**

1318 N. JACKSON AVENUE

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<table>
<thead>
<tr>
<th>CODE CASE NBR</th>
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</tr>
</thead>
<tbody>
<tr>
<td>2011051477</td>
<td>4/20/2016</td>
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</table>

**IMAGE DESCRIPTION**

1318 N. JACKSON AVENUE
C-2.c. DRAFT

CODE CASE NBR: 2011051477
IMAGE DATE: 4/20/2016

IMAGE DESCRIPTION:
1318 N. JACKSON AVENUE

NOTICE OF PROPOSED DEMOLITION

[Document Image]

Page 2
YOUR TRIP TO:
1318 N Jackson Ave, Winston Salem, NC 27101-1736

5 MIN | 2.1 MI 🚌
Trip time based on traffic conditions as of 9:44 AM on April 27, 2016. Current Traffic: Moderate

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

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

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

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

5. Turn right onto N Liberty St.
   Then 0.68 miles 1.53 total mile

6. Turn right onto E 14th St.
   Then 0.50 miles 2.03 total mile

7. Turn right onto N Jackson Ave.
   Then 0.09 miles 2.12 total mile

8. 1318 N JACKSON AVE is on the right.

Use of directions and maps is subject to our Terms of Use. We don’t guarantee accuracy, route conditions or usability. You assume all risk of use.
CODE ENFORCEMENT PURSUANT TO SEC. 10-203(f)(2) OF THE HOUSING CODE

CASE SUMMARY - HOUSING FILE NO. 201100843
PROPERTY ADDRESS 421 BARBARA JANE AV
TAX BLOCK 0828 LOT(s) 026
WARD EAST
PROPERTY OWNER(s) JOSE MARTIN DOROTEO CRUZ MACIEL BANOS GONZALEZ
LIS PENDENS 12M467 FILED 02/14/2012

DUE PROCESS

1. The current Complaint and Notice of Hearing was issued 12/16/2011 and service was obtained by certified mail x regular x post x hand delivery x publication x on 12/22/2011. The hearing was held on 1/17/2012 and the owner/agent appeared and/or contacted the Community and Business Development Department regarding the complaint yes no.

2. The Finding and Order was issued on 1/23/2012 and service was obtained by certified mail x regular x post x hand delivery x publication x on 01/26/2012. The Order directed the owner to vacate and close or repair the dwelling with 30 days from receipt. Time for compliance expired on 02/26/2012. The dwelling was found vacated and closed on 03/08/2012.

3. The dwelling became eligible for demolition under the six (6) month rule on 09/08/2012.

4. The notification letter was sent 04/18/2016 advising the owner that the Community and Development/Housing/General Government Committee of the City Council would be considering demolition of this dwelling at their meeting on 05/10/2016. The notice further advised that if they intended to request an extension of time, they should present evidence of their intent to the Community and Business Development Director prior to the Committee meeting. Director was contacted yes no.

COMMENTS:

COUNCIL CONSIDERATION

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

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

Based on the above information it is recommended that an Ordinance be adopted to cause this dwelling to be demolished and removed within ninety (90) days.
<table>
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<th>VIOL NBR</th>
<th>VIOLATION DESCRIPTION</th>
<th>STATUS/ORDINANCE</th>
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<tbody>
<tr>
<td>722341</td>
<td>REPLACE BROKEN WINDOW PANES</td>
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<tr>
<td>722342</td>
<td>PAINT OR TREAT EXTERIOR WOOD WITH PROTECTIVE COATING</td>
<td>MINOR V-10-197(G)(3)</td>
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<tr>
<td>722343</td>
<td>REPAIR OR REPLACE DEFECTIVE SIDING</td>
<td>MINOR V-10-197(G)(3)</td>
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<tr>
<td>722339</td>
<td>REPAIR OR REPLACE SCREENS ON DOORS</td>
<td>UNFIT V-10-197(B)(3)</td>
</tr>
<tr>
<td>722340</td>
<td>REPAIR OR REPLACE SCREENS ON WINDOWS</td>
<td>UNFIT V-10-197(B)(3)</td>
</tr>
<tr>
<td>722344</td>
<td>REPLACE DEFECTIVE SHEATHING</td>
<td>UNFIT V-10-197(G)(6)</td>
</tr>
<tr>
<td>722345</td>
<td>REPAIR OR REPLACE ROOF COVERING</td>
<td>UNFIT V-10-197(G)(6)</td>
</tr>
<tr>
<td>722346</td>
<td>REPAIR OR REPLACE FRONT PORCH CEILING</td>
<td>UNFIT V-10-197(G)(7)</td>
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<td>CODE CASE NBR</td>
<td>IMAGE DATE</td>
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<td>2011100843</td>
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**IMAGE DESCRIPTION**
DESCRIPTION FOR 000_0001[5]

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**IMAGE DESCRIPTION**
421 BARBARA JANE AVENUE

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**IMAGE DESCRIPTION**
421 BARBARA JANE AVENUE
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<tbody>
<tr>
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</table>

**IMAGE DESCRIPTION**

421 BARBARA JANE AVENUE
YOUR TRIP TO:
421 Barbara Jane Ave, Winston Salem, NC 27101

7 MIN  |  4.3 MI  
Trip time based on traffic conditions as of 9:47 AM on April 27, 2016. Current Traffic: Light

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

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

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

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

   Then 2.61 miles 2.85 total mile

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

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

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

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

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

Use of directions and maps is subject to our Terms of Use. We don’t guarantee accuracy, route conditions or usability. You assume all risk of use.
CODE ENFORCEMENT PURSUANT TO SEC. 10-203(f)(2) OF THE HOUSING CODE

CASE SUMMARY - HOUSING FILE NO. 2013120898
PROPERTY ADDRESS 1012 GOLDFLOSS ST
TAX BLOCK 0753 LOT(s) 105
WARD SOUTHEAST
PROPERTY OWNER(s) TARYTON LOPEZ THACKER
LIS PENDENS 14M895___FILED 06/09/2014___

DUE PROCESS

1. The current Complaint and Notice of Hearing was issued _01/27/2014_ and service was obtained by certified mail x regular x post x hand delivery ___ publication __ on _01/30/2014_. The hearing was held on _2/26/2014_ and the owner/agent appeared and/or contacted the Community and Business Development Department regarding the complaint yes__ no_.

2. The Finding and Order was issued on _5/1/2014_ and service was obtained by certified mail x regular x post x hand delivery __ publication ___ on _05/02/2014_. The Order directed the owner to vacate and close or repair the dwelling with _30_ days from receipt. Time for compliance expired on _06/02/2014_. The dwelling was found vacated and closed on _09/02/2014_.

3. The dwelling became eligible for demolition under the six (6) month rule on _03/02/2015_.

4. The notification letter was sent _04/18/2016_ advising the owner that the Community and Development/Housing/General Government Committee of the City Council would be considering demolition of this dwelling at their meeting on _05/10/2016_. The notice further advised that if they intended to request an extension of time, they should present evidence of their intent to the Community and Business Development Director prior to the Committee meeting. Director was contacted yes___ no___.

COMMENTS:

COUNCIL CONSIDERATION

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

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

Based on the above information it is recommended that an Ordinance be adopted to cause this dwelling to be demolished and removed within ninety (90) days.
# Code Deficiencies - Exhibit A

**Case No:** 2013120898  
**Neighborhood Conservation Officer:**  
GREG PARKER - (336)734-1267

**1012 Goldfloss St**

<table>
<thead>
<tr>
<th>Violation Number</th>
<th>Violation Description</th>
<th>Status/Ordinance</th>
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</thead>
<tbody>
<tr>
<td>791614</td>
<td>Paint Walls and Ceilings</td>
<td>Minor V-10-197(G)(4)</td>
</tr>
<tr>
<td>791606</td>
<td>Repair Kitchen Cabinets</td>
<td>Unfit V-10-197(A)(16)</td>
</tr>
<tr>
<td>791607</td>
<td>Repair or Replace Screens on Doors</td>
<td>Unfit V-10-197(B)(3)</td>
</tr>
<tr>
<td>791608</td>
<td>Replace Broken Window Panes</td>
<td>Unfit V-10-197(B)(4)</td>
</tr>
<tr>
<td>791609</td>
<td>Repair or Replace Loose Floor Covering</td>
<td>Unfit V-10-197(G)(2)</td>
</tr>
<tr>
<td>791610</td>
<td>Repair Defective Light Fixtures</td>
<td>Unfit V-10-197(F)(1)</td>
</tr>
<tr>
<td>791611</td>
<td>Repair Holes in Walls and Ceilings</td>
<td>Unfit V-10-197(G)(4)</td>
</tr>
<tr>
<td>791612</td>
<td>Replace Loose Wall and Ceiling Materials</td>
<td>Unfit V-10-197(G)(4)</td>
</tr>
<tr>
<td>791613</td>
<td>Provide Operable Smoke Detector</td>
<td>Unfit V-10-197(L)(1)</td>
</tr>
<tr>
<td>791604</td>
<td>Remove and Replace Fire Damaged Portion of Structure</td>
<td>Unfit Hazardous V-4-89(4)</td>
</tr>
<tr>
<td>791605</td>
<td>Exterior and Interior Framing Must Be Inspected Before Covering with Wall and Ceiling Materials</td>
<td>Unfit Hazardous V-4-91</td>
</tr>
<tr>
<td>CODE CASE NBR</td>
<td>IMAGE DATE</td>
<td>IMAGE DESCRIPTION</td>
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C-2.e.  DRAFT

CODE CASE NBR  IMAGE DATE
2013120898   4/27/2016

IMAGE DESCRIPTION
DESCRIPTION FOR DSC00026.JPG

-192-
YOUR TRIP TO:
1012 Goldfloss St, Winston Salem, NC 27107

7 MIN | 3.2 MI
Trip time based on traffic conditions as of 10:09 AM on April 27, 2016. Current Traffic: Moderate

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

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

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

   Then 0.95 miles
   1.97 total mile

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

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

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

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

9. 1012 GOLDFLOSS ST is on the right.

Use of directions and maps is subject to our Terms of Use. We don’t guarantee accuracy, route conditions or usability. You assume all risk of use.
CODE ENFORCEMENT PURSUANT TO SEC. 10-203(f)(2) OF THE HOUSING
CODE

CASE SUMMARY - HOUSING FILE NO. 2012030657
PROPERTY ADDRESS 1220 N JACKSON AV
TAX BLOCK 0416 LOT(s) 042A
WARD EAST
PROPERTY OWNER(s) MARIE COLE NATHAN LITTLEJOHN
LIS PENDENS _15M29____ FILED__01/09/2015____

DUE PROCESS

1. The current Complaint and Notice of Hearing was issued _10/13/2014_ and
   service was obtained by certified mail x regular x post x hand delivery____
   publication x on _10/23/2014_. The hearing was held on _11/12/2014_
   and the owner/agent appeared and/or contacted the Community and Business
   Development Department regarding the complaint yes__ no_x_.

2. The Finding and Order was issued on _12/10/2014_ and service was obtained by
   certified mail x regular x post x hand delivery __ publication __ on _01/15/2015_.
   The Order directed the owner to vacate and close or repair the dwelling with 30
   days from receipt. Time for compliance expired on _02/15/2015_. The dwelling was found
   vacated and closed on _05/26/2015_.

3. The dwelling became eligible for demolition under the six (6) month rule on
   _11/26/2015_.

4. The notification letter was sent _04/18/2016_ advising the owner that the Community
   and Development/Housing/General Government Committee of the City Council
   would be considering demolition of this dwelling at their meeting on _05/10/2016_.
   The notice further advised that if they intended to request an extension of time, they
   should present evidence of their intent to the Community and Business Development
   Director prior to the Committee meeting. Director was contacted yes__ no_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 $7,452.00 Fair market value $4,234.00

Based on the above information it is recommended that an Ordinance be adopted to
cause this dwelling to be demolished and removed within ninety (90) days.
<table>
<thead>
<tr>
<th>VIOL NBR</th>
<th>VIOLATION DESCRIPTION</th>
<th>STATUS/ORDINANCE</th>
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<tbody>
<tr>
<td>732409</td>
<td>PAINT OR TREAT EXTERIOR WOOD WITH PROTECTIVE COATING</td>
<td>MINOR V-10-197(G)(3)</td>
</tr>
<tr>
<td>732406</td>
<td>CONNECT TO CITY SEWER SYSTEM</td>
<td>UNFIT V-10-197(D)(1)</td>
</tr>
<tr>
<td>732407</td>
<td>OTHER - PROVIDE HOT WATER</td>
<td>UNFIT V-10-197</td>
</tr>
<tr>
<td>732408</td>
<td>REPAIR DEFECTIVE LIGHT FIXTURES</td>
<td>UNFIT V-10-197(F)(1)</td>
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<td>732410</td>
<td>REPAIR HOLES IN WALLS AND CEILINGS - BED ROOM AT FRONT</td>
<td>UNFIT V-10-197(G)(4)</td>
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<td>732412</td>
<td>PROVIDE OPERABLE SMOKE DETECTOR</td>
<td>UNFIT V-10-197(L)(1)</td>
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<td>732403</td>
<td>REPAIR OR REPLACE SCREENS ON WINDOWS</td>
<td>UNFIT V-10-197(B)(3)</td>
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<td>732404</td>
<td>WEATHERSTRIP DOORS</td>
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<td>732405</td>
<td>REPAIR LAVATORY AND/OR FIXTURES - HOLE IN CABINET</td>
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<td>732411</td>
<td>REPAIR OR REPLACE REAR PORCH FLOOR</td>
<td>UNFIT HAZARDOUS V-10-197(G)(7)</td>
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## CD-Plus Report - Code Case Images

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<tr>
<td></td>
<td></td>
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<td>1220 N. JACKSON AVENUE</td>
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WINSTON SALEM
CD-Plus Report - Code Case Images
Printed on 4/27/2016 10:11:42 AM
Page 1
**CODE CASE NBR** 2012030657  
**IMAGE DATE** 4/20/2016  

**IMAGE DESCRIPTION**  
1220 N. JACKSON AVENUE

---

**CODE CASE NBR** 2012030657  
**IMAGE DATE** 4/20/2016  

**IMAGE DESCRIPTION**  
1220 N. JACKSON AVENUE
YOUR TRIP TO:
1220 N Jackson Ave, Winston Salem, NC 27101-1736

5 MIN | 1.9 MI 🗺
Trip time based on traffic conditions as of 11:51 AM on April 27, 2016. Current Traffic: Moderate

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

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

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

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

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

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

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

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

9. 1220 N JACKSON AVE is on the left.

Use of directions and maps is subject to our Terms of Use. We don’t guarantee accuracy, route conditions or usability. You assume all risk of use.
C-2.f. DRAFT
CODE ENFORCEMENT PURSUANT TO SEC. 10-203(f)(2) OF THE HOUSING CODE

CASE SUMMARY - HOUSING FILE NO. 201201341
PROPERTY ADDRESS 1538 E TWENTY-SECOND ST
TAX BLOCK 1475 LOT(s) 104
WARD NORTHEAST
PROPERTY OWNER(s) CARNELLA GAY DUNLAP
LIS PENDENS _12m2337_ FILED 8/29/2012

DUE PROCESS

1. The current Complaint and Notice of Hearing was issued _11/14/2012_ and service was obtained by certified mail x regular x post x hand delivery ___ publication ___ on _11/19/2012_. The hearing was held on _12/14/2012_ and the owner/agent appeared and/or contacted the Community and Business Development Department regarding the complaint yes no x.

2. The Finding and Order was issued on _12/27/2012_ and service was obtained by certified mail x regular x post x hand delivery ___ publication ___ on _12/29/2012_. The Order directed the owner to vacate and close or repair the dwelling with 30 days from receipt. Time for compliance expired on _1/29/2013_. The dwelling was found vacated and closed on _1/29/2013_.

3. The dwelling became eligible for demolition under the six (6) month rule on _6/29/2013_.

4. The notification letter was sent 4/25/2016 advising the owner that the Community and Development/Housing/General Government Committee of the City Council would be considering demolition of this dwelling at their meeting on _5/10/2016_. The notice further advised that if they intended to request an extension of time, they should present evidence of their intent to the Community and Business Development Director prior to the Committee meeting. Director was contacted yes no 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 $10,615 Fair market value $2,679

Based on the above information it is recommended that an Ordinance be adopted to cause this dwelling to be demolished and removed within ninety (90) days.
## CODE DEFICIENCIES - EXHIBIT A

**CASE NO: 2012101341**

**NEIGHBORHOOD CONSERVATION OFFICER:**

SHAWN HELM - (336)734-1271

1538 E TWENTY-SECOND ST

### VIOL NBR  VIOLATION DESCRIPTION  STATUS/ORDINANCE

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<td>REPLACE BROKEN WINDOW PANES -</td>
<td>UNFIT V-10-197(B)(4)</td>
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<td>752644</td>
<td>REPAIR DOOR - EXTERIOR</td>
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<td>752645</td>
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<td>REPAIR OR REPLACE SCREENS ON DOORS -</td>
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<td>REPAIR SOFFIT AND/OR FACIA -</td>
<td>UNFIT V-10-197(G)(6)</td>
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<td>PROVIDE R-19 CEILING INSULATION -</td>
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CD-Plus Report - Code Case Images

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IMAGE DESCRIPTION
DESCRIPTION FOR DSC00191.JPG

WINSTON SALEM
CD-Plus for Windows 98/2000/XP

Printed on 4/25/2016 9:36:03 AM
Driving directions to 1538 E 22nd St, Winston-Salem, NC 27105-5406 on Yahoo Maps, ...

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

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

CASE SUMMARY - HOUSING FILE NO. 2012061038
PROPERTY ADDRESS 5705 ROBIN WOOD LN
TAX BLOCK 2034 LOT(s) 027E
WARD NORTHEAST
PROPERTY OWNER(s) MABE, ATKINS & RYDMAN INC
LIS PENDENS _12m2337_ FILED 8/29/2012

DUE PROCESS

1. The current Complaint and Notice of Hearing was issued _6/21/2012_ and service was obtained by certified mail x regular x post x hand delivery __ publication ___ on _6/26/2012_. The hearing was held on _7/23/2012_ and the owner/agent appeared and/or contacted the Community and Business Development Department regarding the complaint yes__ no_.

2. The Finding and Order was issued on _8/9/2012_ and service was obtained by certified mail x regular x post x hand delivery ___ publication ___ on _8/11/2012_. The Order directed the owner to vacate and close or repair the dwelling with _30_ days from receipt. Time for compliance expired on _9/11/2012_. The dwelling was found vacated and closed on _9/14/2012_.

3. The dwelling became eligible for demolition under the six (6) month rule on _3/14/2013_.

4. The notification letter was sent _4/25/2016_ advising the owner that the Community and Development/Housing/General Government Committee of the City Council would be considering demolition of this dwelling at their meeting on _5/10/2016_. The notice further advised that if they intended to request an extension of time, they should present evidence of their intent to the Community and Business Development Director prior to the Committee meeting. Director was contacted yes__ no_.

COMMENTS:

COUNCIL CONSIDERATION

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

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

Based on the above information it is recommended that an Ordinance be adopted to cause this dwelling to be demolished and removed within ninety (90) days.
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<td>PAINT OR TREAT EXTERIOR WOOD WITH PROTECTIVE COATING</td>
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<td>REPAIR THRESHOLD</td>
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<td>819732</td>
<td>REPAIR OR REPLACE LOOSE FLOOR COVERING</td>
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<td>LOOSE SIDING SOUTH SIDE.</td>
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<td>REPAIR ROOF LEAK</td>
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<td>740954</td>
<td>REPAIR FOUNDATION</td>
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<td>819726</td>
<td>REPLACE BROKEN WINDOW PANES</td>
<td>BROKEN WINDOW PANES. WINDOW, GROUND LEVEL, SOUTH SIDE. WINDOW, NORTHEAST, BACK ENTRANCE.</td>
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<td>819729</td>
<td>PROVIDE SAFE STEPS TO SERVE EXITS</td>
<td>REPAIR PLATES WELDED TO EXTERIOR STAIRWAY SERVICING SECOND FLOOR OVERHANG STEP TREAD CREATING TRIP HAZARD.</td>
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<td>EXPOSED WIRING.</td>
<td>THROUGHOUT. MISSING COVER PLATES. EXPOSED WIRING NOT TERMINATED WITH CAPS, TAPE, IN BOX WITH COVER PLATE. MISSING BLANKS IN ELECTRICAL PANEL.</td>
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<td>HOLE IN FOUNDATION AT GROUND LEVEL, EAST SIDE.</td>
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UNFIT V-10-197(G)(1)

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

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

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

UNFIT 10-197(H)(8)
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IMAGE DESCRIPTION
5705 Robin Wood Lane
Driving directions to 5705 Robin Wood Ln, Winston-Salem, NC 27105-1316 on Yahoo ...
CODE ENFORCEMENT PURSUANT TO SEC. 10-203(f)(2) OF THE HOUSING CODE

CASE SUMMARY - HOUSING FILE NO. 2014020830
PROPERTY ADDRESS 942 NEW HOPE LN.
TAX BLOCK 0306 LOT(s) 018L
WARD NORTHEAST
PROPERTY OWNER(s) NEXT PROPERTY LLC
LIS PENDENS _14m1301_ FILED _7/10/2014_

DUE PROCESS

1. The current Complaint and Notice of Hearing was issued _3/6/2014_ and service was obtained by certified mail _x_ regular _x_ post _x_ hand delivery ___ publication ___ on _4/17/2014_. The hearing was held on _4/7/2014_ and the owner/agent appeared and/or contacted the Community and Business Development Department regarding the complaint yes _no_.

2. The Finding and Order was issued on _6/11/2014_ and service was obtained by certified mail _x_ regular _x_ post _x_ hand delivery ___ publication ___ on _6/17/2014_. The Order directed the owner to vacate and close or repair the dwelling with _30_ days from receipt. Time for compliance expired on _7/17/2014_. The dwelling was found vacated and closed on ___.

3. The dwelling became eligible for demolition under the six (6) month rule on _1/28/2015_.

4. The notification letter was sent _4/21/2016_ advising the owner that the Community and Development/Housing/General Government Committee of the City Council would be considering demolition of this dwelling at their meeting on _5/10/2016_. The notice further advised that if they intended to request an extension of time, they should present evidence of their intent to the Community and Business Development Director prior to the Committee meeting. Director was contacted yes _no_.

COMMENTS:

COUNCIL CONSIDERATION

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

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

Based on the above information it is recommended that an Ordinance be adopted to cause this dwelling to be demolished and removed within ninety (90) days.
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<td>OTHER - ---REPLACE ALL MISSING WINDOWS---</td>
<td>UNFIT V-10-197</td>
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<td>794574</td>
<td>WEATHERSTRIP DOORS -</td>
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<td>794575</td>
<td>REPAIR DOOR - FRONT STORM, WILL NOT SEAL, BROKEN HANDLE---</td>
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<td>OTHER - ---PROVIDE OUTSIDE COVER ELECTRICAL BOX---</td>
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<td>794578</td>
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<td>794579</td>
<td>REPAIR DEFECTIVE FLOORING - ---SUB FLOORING BATHROOM---</td>
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<td>794580</td>
<td>REPAIR OR REPLACE LOOSE FLOOR COVERING - ---KITCHEN TILE---</td>
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### IMAGE DESCRIPTION

942 New Hope Lane

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### IMAGE

![Image of 942 New Hope Lane](image-url)

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### IMAGE

![Image of 942 New Hope Lane](image-url)
Driving directions to 942 New Hope Ln, Winston-Salem, NC 27105-6156:

1. Head toward S Chestnut St on E 1st St, Go for 305 ft
2. Turn left onto N Chestnut St, Go for 0.2 mi
3. Turn right onto E 3rd St, Go for 337 ft
4. Turn left onto Patterson Ave, Go for 0.5 mi
5. Turn right onto N Liberty St, Go for 0.9 mi
6. Turn right onto New Hope Ln NE, Go for 0.1 mi

Arrive at New Hope Ln NE. Your destination is on the right.

When using any driving directions or map, it is a good idea to double check and make sure the road still exists, watch out for construction, and follow all traffic safety precautions. This is only to be used as an aid in planning.
CODE ENFORCEMENT PURSUANT TO SEC. 10-203(f)(2) OF THE HOUSING CODE

CASE SUMMARY - HOUSING FILE NO. 2011071644
PROPERTY ADDRESS 3703 MAVERICK ST  ACCY
TAX BLOCK 2089 LOT(s) 037
WARD NORTH
PROPERTY OWNER(s) KEVIN S WOLFE
LIS PENDENS _11m3267__ FILED_11/17/2011__

DUE PROCESS

1. The current Complaint and Notice of Hearing was issued _9/8/2011__ and service was obtained by certified mail x regular x post x hand delivery___ publication ___ on _9/20/2011_. The hearing was held on _10/10/2011_ and the owner/agent appeared and/or contacted the Community and Business Development Department regarding the complaint yes__ no__.

2. The **Finding and Order** was issued on _10/14/2011_ and service was obtained by certified mail x regular x post x hand delivery __ publication ___ on _10/17/2011_. The Order directed the owner to **vacate and close or repair** the dwelling with _30_ days from receipt. Time for compliance expired on _11/17/2011_. The dwelling was found vacated and closed on _11/17/2011_.

3. The dwelling became eligible for demolition under the six (6) month rule on _5/17/2012_.

4. The notification letter was sent _4/20/2016_ advising the owner that the **Community and Development/Housing/General Government Committee** of the City Council would be considering demolition of this dwelling at their meeting on _5/10/2016_. The notice further advised that if they intended to request an extension of time, they should present evidence of their intent to the Community and Business Development Director prior to the Committee meeting. Director was contacted yes___ no 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 **$6,066** Fair market value **$100**

Based on the above information it is recommended that an Ordinance be adopted to cause this dwelling to be **demolished and removed within ninety (90) days.**
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<td>713502</td>
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<td>UNFIT V-10-197(B)(4)</td>
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<td>REPAIR OR REMOVE ACCESSORY BUILDING</td>
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**IMAGE DESCRIPTION**

3703 Maverick St. Accy

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**IMAGE DESCRIPTION**

3703 Maverick St. Accy

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**IMAGE DESCRIPTION**

3703 Maverick St. Accy
Driving directions to 3703 Maverick St, Winston-Salem, NC 27106-2223 on Yahoo Maps...

When using any driving directions or map, it is a good idea to double check and make sure the road still exists, watch out for construction, and follow all traffic safety precautions. This is only to be used as an aid in planning.
CODE ENFORCEMENT PURSUANT TO SEC. 10-203(f)(2) OF THE HOUSING CODE

CASE SUMMARY - HOUSING FILE NO. 201111016
PROPERTY ADDRESS 2126 SCHOOL ST
TAX BLOCK 3016 LOT(s) 005A
WARD NORTHEAST
PROPERTY OWNER(s) SILVERLEAF PROPERTIES LLC
LIS PENDENS _12m744__FILED__2/23/2012__

DUE PROCESS

1. The current Complaint and Notice of Hearing was issued _1/4/2012_ and service was obtained by certified mail x regular x post x hand delivery__, and publication___ on _1/9/2012_. The Hearing was held on 2/3/2012 and the owner/agent appeared and/or contacted the Community and Business Development Department regarding the complaint yes___ no____.

2. The Finding and Order was issued on 2/8/2012 and service was obtained by certified x regular x post x hand delivery__, and publication ___ on _2/18/2012_. The Order directed the owner to vacate and close or repair the dwelling within 30 days from receipt. Time for compliance expired on _3/18/2012_. The dwelling was found vacated and closed on _3/27/2012_.

3. The dwelling became eligible for demolition under the six (6) month rule on _9/27/2012_.

4. The notification letter was sent _April 19, 2016_ advising the owner that the Community Development/Housing/General Government Committee of the City Council would be considering demolition of this dwelling at their meeting on _May 10, 2016_. The notice further advised that if they intended to request an extension of time, they should present evidence of their intent to the Community and Business Development Director prior to the Committee meeting. Director was contacted yes____ no_.

COMMENTS (if any)

COUNCIL CONSIDERATION

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

Estimated cost to repair $7,876 Fair market value $3,000
Based on the above information it is recommended that an Ordinance be adopted to cause this dwelling to be demolished and removed within ninety (90) days.
# CODE DEFICIENCIES - EXHIBIT A

**CASE NO:** 201111016  
**NEIGHBORHOOD CONSERVATION OFFICER:**  
**SHAWN HELM - (336)734-1271**  
**2126 SCHOOL ST**

<table>
<thead>
<tr>
<th>VIOL NBR</th>
<th>VIOLATION DESCRIPTION</th>
<th>STATUS/ORDINANCE</th>
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<tbody>
<tr>
<td>725283</td>
<td>PROVIDE ADEQUATE SERVICE EQUIPMENT AND LIGHTING PANEL</td>
<td>- UNFIT V-10-197(F)(10)</td>
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<tr>
<td>725284</td>
<td>REPAIR FOUNDATION - BACK BLD</td>
<td>UNFIT V-10-197(G)(1)</td>
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<td>725285</td>
<td>REPAIR OR REPLACE DEFECTIVE SIDING - BACK BLD</td>
<td>UNFIT V-10-197(G)(3)</td>
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<tr>
<td>725286</td>
<td>REPLACE DEFECTIVE SHEATHING</td>
<td>UNFIT V-10-197(G)(6)</td>
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<tr>
<td>725287</td>
<td>REPAIR HOLES IN WALLS AND CEILINGS - DRYWALL</td>
<td>UNFIT V-10-197(G)(4)</td>
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<tr>
<td>725288</td>
<td>PROVIDE TWO MEANS OF EGRESS FROM EACH DWELLING UNIT</td>
<td>UNFIT V-10-197(C)(1)</td>
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<tr>
<td>725289</td>
<td>PROVIDE SAFE PLATFORMS TO SERVE EXIT</td>
<td>UNFIT V-10-197(C)(2)</td>
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<tr>
<td>725290</td>
<td>PROVIDE R-19 CEILING INSULATION</td>
<td>UNFIT V-10-197(I)</td>
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CD-Plus Report - Code Case Images

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<td>1/14/2016</td>
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**IMAGE DESCRIPTION**

DESCRIPTION FOR DSC00129.JPG

WINSTON SALEM
CD-Plus for Windows 98/2000/XP
Printed on 4/19/2016 3:52:10 PM
Page 1
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.
Date: April 27, 2016

To: The City Manager

From: D. Ritchie Brooks, Community and Business Development

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

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

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

<table>
<thead>
<tr>
<th>Owner</th>
<th>Property Location</th>
<th>Block &amp; Lot(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salvador Garcia Diaz</td>
<td>2516 Ansonia Street</td>
<td>1215, 150</td>
</tr>
<tr>
<td>&amp; Leonarda Lorenzo Morales</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Committee Action:

Committee Action

For

Against

Remarks:
TO: Candace Dobson  
FROM: Michelle M. McCullough  
DATE: April 28, 2016  
SUBJECT: Demolitions for May 16, 2016  

Community Development/Housing/General Government Committee Meeting

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

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

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

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

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

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

cc Ritchie Brooks, Director, Community and Business Development  
Preserve Forsyth
ORDINANCE ORDERING THE COMMUNITY AND BUSINESS DEVELOPMENT DEPARTMENT OF THE CITY OF WINSTON-SALEM TO REMOVE OR DEMOLISH STRUCTURE UNFIT FOR HUMAN HABITATION AND, OTHERWISE, TO EFFECTUATE THE PURPOSE OF CHAPTER 10, ARTICLE V OF THE WINSTON-SALEM CITY CODE

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

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

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

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

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

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

INSTRUMENT DRAWN BY

CITY ATTORNEY
CASE SUMMARY - HOUSING FILE NO. 2013120421
PROPERTY ADDRESS 2516 ANSONIA ST
TAX BLOCK 1215 LOT(s) 150
WARD NORTHEAST
PROPERTY OWNER(s) SALVADOR GARCIA DIAZ
LEONARDA LORENZO MORALES
LIS PENDENS _________FILED_________

DUE PROCESS

1. The current Complaint and Notice of Hearing was issued _10/26/2015_ and service was obtained by certified mail ___ regular _x_ post_____ hand delivery_____, and publication _x_ on _11/5/2015_. The Hearing was held on 11/25/2015 and the owner/agent appeared and/or contacted the Community and Business Development Department regarding the complaint. yes____ no_.

2. The Finding and Order was issued on __12/15/2015_ and service was obtained by certified mail ____ regular ___ post _x__ hand delivery ____ and publication _x_ on _1/21/2016_. The Order directed the owner to vacate and close or repair the dwelling within 30 days from receipt. Time for compliance expired on _2/21/2016_.

3. The notification letter was sent _4/8/2016_ advising the owner that the Community Development/Housing/General Government Committee of the City Council would be considering demolition of this dwelling at their meeting on _5/10/2016_. The notice further advised that if they intended to request an extension of time, they should present evidence of their intent to the Community and Business Development Director prior to the Committee meeting. Director was contacted yes___ no_.

COMMENTS (if any)

COUNCIL CONSIDERATION

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

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

Based on the above information, it is recommended that an Ordinance be adopted to cause this dwelling to be removed or demolished.
<table>
<thead>
<tr>
<th>VIOL NBR</th>
<th>VIOLATION DESCRIPTION</th>
<th>STATUS/ORDINANCE</th>
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<tr>
<td>791493</td>
<td>THE REPAIR OF THE STRUCTURE WILL EXCEED SIXTY-FIVE PERCENT (65%) OF THE VALUE</td>
<td>DEMO V-97-(B)(2)</td>
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<td>791486</td>
<td>PAINT WALLS AND CEILINGS - ---THROUGH-OUT BLD.---</td>
<td>MINOR V-10-197(G)(4)</td>
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<td>791490</td>
<td>PAINT OR TREAT EXTERIOR WOOD WITH PROTECTIVE COATING</td>
<td>MINOR V-10-197(G)(3)</td>
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<tr>
<td>791473</td>
<td>PROVIDE DOOR - ---EXTERIOR DOORS---</td>
<td>UNFIT V-10-197(A)(15)</td>
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<td>791474</td>
<td>REPAIR DOOR - ---BEDROOM DOORS---</td>
<td>UNFIT V-10-197(A)(15)</td>
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<td>791475</td>
<td>REPAIR DOOR - ---BEDROOM DOORS---</td>
<td>UNFIT V-10-197(A)(15)</td>
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<td>791476</td>
<td>REPAIR LOCKSETS</td>
<td>UNFIT V-10-197(B)(4)</td>
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<td>791477</td>
<td>REPAIR DEFECTIVE LIGHT FIXTURES</td>
<td>UNFIT V-10-197(F)(1)</td>
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<td>791479</td>
<td>OTHER - ---REPAIR OR REPLACE DAMAGED FLOOR COVERING---</td>
<td>UNFIT V-10-197</td>
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<tr>
<td>791480</td>
<td>REMOVE AND REPLACE FIRE DAMAGED PORTION OF STRUCTURE</td>
<td>UNFIT V-4-89(4)</td>
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<td>791481</td>
<td>REPAIR KITCHEN CABINETS</td>
<td>UNFIT V-10-197(A)(16)</td>
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<td>791482</td>
<td>REPAIR KITCHEN SINK, FIXTURES AND/OR DRAIN</td>
<td>UNFIT V-10-197(D)(10)</td>
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<td>791483</td>
<td>REPAIR LAVATORY AND/OR FIXTURES</td>
<td>UNFIT V-10-197(D)(10)</td>
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<td>791484</td>
<td>REPAIR HOLES IN WALLS AND CEILINGS - ---FIRE DAMAGE---</td>
<td>UNFIT V-10-197(G)(4)</td>
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<td>791485</td>
<td>REPLACE LOOSE WALL AND CEILING MATERIALS - ---FIRE DAMAGE THROUGH-OUT BLD.---</td>
<td>UNFIT V-10-197(G)(4)</td>
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<td>791487</td>
<td>MAINTAIN FLOORS, WALLS - FIXTURES IN CLEAN AND SANITARY CONDITION</td>
<td>UNFIT V-10-197(H)(4)</td>
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791488 PROVIDE OPERABLE SMOKE DETECTOR -
   UNFIT V-10-197(L)(1)

791489 PROVIDE R-19 CEILING INSULATION -
   UNFIT V-10-197(I)

791491 PROVIDE ADEQUATE SERVICE EQUIPMENT AND LIGHTING PANEL -
   UNFIT V-10-197(F)(10)

791492 REPAIR DEFECTIVE SWITCHES AND/OR OUTLETS TO INCLUDE COVERS -
   UNFIT V-10-197(F)(1)

791494 PROVIDE ACCESS DOOR TO ATTIC -
   UNFIT V-10-197(G)(6)

790779 REPLACE BROKEN WINDOW PANES - ---PANES AND FRAMES---
   UNFIT V-10-197(B)(4)

822653 PROVIDE DOOR - PROVIDE SCREEN DOORS
   UNFIT V-10-197(A)(15)

822654 REPAIR OR REPLACE DEFECTIVE SIDING -
   UNFIT V-10-197(G)(3)

822656 REPAIR SOFFIT AND/OR FACIA - BURNED PORTION AT FRONT OF PROPERTY
   UNFIT V-10-197(G)(6)

822657 REPAIR OR REPLACE SCREENS ON WINDOWS -
   UNFIT V-10-197(B)(3)

822658 REPAIR FOUNDATION - HOLE AT FOUNDATION AT REAR NEAR PORCH STEPS
   UNFIT V-10-197(G)(1)
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**IMAGE DESCRIPTION**

2516 Ansonia Street

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<td>3/25/2015</td>
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</table>

**IMAGE DESCRIPTION**

2516 Ansonia Street

<table>
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<tbody>
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</table>

**IMAGE DESCRIPTION**

2516 Ansonia Street
IMAGE DESCRIPTION
2516 Ansonia Street
Driving directions to 2516 Ansonia St, Winston-Salem, NC 27105-4610 on Yahoo Maps, ... 4/8/2016
