

Tarra Jolly

Subject: UDO-CC15
Attachments: UDO CC15 Planning Board.docx

From: Julie Magness <julie.l.magness@gmail.com>
Sent: Friday, November 5, 2021 10:20 AM
To: Tarra Jolly <tarraj@cityofws.org>; Aaron King <aaronk@cityofws.org>; Chris Murphy <chrism@cityofws.org>;
Desmond Corley <desmondc@cityofws.org>
Subject: [EXTERNAL] UDO-CC15

Please find attached my letter for inclusion in the packet for the November 10, 2021 planning board meeting.

Thank you.

Julie L Magness

630 Fenimore Street
Winston-Salem, NC 27103

Julie.L.Magness@gmail.com
336-682-5861

5 November 2021

I am opposed to the current version of proposed UDO-CC15. Community discussions about ADU's was 4 years ago. Where is the community awareness of the current significant changes proposed?

Additionally, I do not see any notification requirement that would allow review of plans so that concerns and current land use issues might be reviewed, or remediated.

I have the following concerns:

1. Setback changes. Set back requirements will drop to 5 feet for side and rear yards? Two houses on one single family RS-9 dwelling lot?

***By dropping the set back for an ADU, it seems like the next step is to allow addition requirements to drop from 7 feet to 5 feet setbacks? This seems like a potential hidden consequence.

Is the implementation of UDO-CC15 an attempt to eliminate single family zoning by way of precedent created by infill options?

Older urban band neighborhoods are at a huge disadvantage. Newer neighborhoods often have HOAs that do not allow for all the impacts of ADU's. Established neighborhoods would have an uphill battle to create an overlay or HOA as the boundaries are not preestablished. Older neighborhood home owners and buyers are going to be blindsided.

These neighborhoods already carry the burden of antiquated infrastructure. UDO CC15 will dump a greater share of a broken infrastructure from the City to the unsuspecting residents.

****Additionally, properties are often not surveyed in the current real estate market. Many urban band homes share fence lines that waver back and forth over property lines, or are even completely off by as much as 3 feet. Which property line is going to be used? The one that has not been challenged? OR the one actually on the books? Often, neighbors just agree to allow improper property line fences to exist as it is easier and far less expensive than correcting the property line. Some stretches of fence remain in place simply so that an adjacent neighbor has a fenced back yard. It is a neighbor-to-neighbor courtesy that is a part of community building.

Who is responsible for proof of setback prior to an AUD conversion/construction? Is the set back requirement going to be a good faith site plan point? The adjacent neighbor has no idea that they need to challenge it as the UDO does not require notice?

Will there be a requirement to fix encroaching fences, and driveways, or will they allow an ADU to contribute to an existing encroachment?

2. Occupancy numbers. It appears that this would open the door for potential boarding house to crop up in single family neighborhoods. 4 unrelated people living in the main house. 4 unrelated people living in the ADU. 8 unrelated people living in two structures OR in one home that has been divided into a main home and an accessory use. (Any number of related people could live in the same two units.) The proposed ordinance is unclear.
3. Until the most recent draft of this amendment, separate utility meters were not allowed. This now has a strike through. This clearly leads the way for duplexes in single family zoning.

Will multiple meters be required to be established and billed in one person's name?

4. Storm water impacts. While I recognize that anyone can build an addition or create impervious surface with patios, screened porches, and driveways with no storm water regulations, I also recognize that these same property changes can cause property and land use damages to adjacent homes due to our antiquated and often hidden storm water system. On small lots that are often only 0.2 acres, simply paving a driveway can flood a neighbor's basement. ADU's will contribute to these flooding issues, and adjacent neighbors will have no voice.

Hidden storm drains that must be maintained by a property owner are not on deeds, and this ordinance gives free reign to overburden an already inadequate system. Again, property owners are going to be blindsided.

5. Parking impacts. In many places, street parking by right might create inconveniences, while in others, it becomes prohibitive for sanitation collections, causes blocked sidewalks, as well as intersection and side street safety hazards. In a neighborhood such as Ardmore:

- *Many streets are so narrow that only one car can traverse if cars are parked on both sides of the street. Sometimes, someone has to back up to a driveway cut.

- *Shared driveways are not uncommon.

- * Houses are grandfathered with inadequate side set backs to allow for a driveway, and do not have front yard depth to install a parking pad.

- *Residents, on main roads such as Hawthorne, park on side streets on a regular basis, use their front yard grass, and block sidewalks. On streets such as Academy, cars simply cross the yellow line rather than slow on stretches where cars are parked. Many side streets routinely have cars parked right up to the intersection making turns difficult. It is doubtful that **increased** that street parking will have a traffic calming effects that I have heard mentioned as a resulting benefit.

In a neighborhood such as Ardmore, increased street parking will make sanitation pick up increasingly harder.

How will encouraged street parking density on these narrow streets impact emergency vehicle response?

There is nothing in this ordinance to consider inappropriate locations for additional parking burden.

I am not opposed to ADU's. I do think that many ADU's can co-exist well in the older urban band neighborhoods. However, I think the proposed ordinance does not provide enough protections for considerate neighborhood living. As written, I feel that the unintended consequences of the ordinance as written will degrade neighborhood vibrancy and quality of life, and potentially contribute to safety issues.

I am opposed to a blanket ADU ordinance that appears to eradicate single family zoning, and potentially contributes to emergency vehicle response times. We can have ADU's, but do a much better planning for community living, rather than setting neighbors up for division.

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