

Desmond Corley

From: Julie Magness <julie.l.magness@gmail.com>
Sent: Tuesday, May 25, 2021 11:24 AM
To: Desmond Corley; Keith Huff
Subject: [EXTERNAL] Zoning Request W3481

I have some current ordinance questions and very specific concerns about an approved accessory use at this location. Could we arrange a phone call?
336-682-5861

In short, I am concerned about:

1. Where will storm water from any additional impervious surface go? I know that small residential lots are not big enough to trigger controls, but it can be damaging to immediate neighbors as many Ardmore properties are graded away from the street and have no way to direct water to the storm water system, unless they installed pump systems. Would that even be legal?

2. I know that the side and rear set back requirement for a garage is minimal, perhaps 3 feet? Is it currently different for an occupied building?

3. Would a current property survey be required before an accessory use was allowed? Many homes in Ardmore are grandfathered because they do not meet current setback requirements, fences and driveways often encroach on neighbors property by 6 inches to as much as 3 feet. Real Estate agents actually encourage homeowners not to have property surveyed as it can bring up all kinds of irregularity questions. Existing uses are often readily accepted or not even known, but would a new use be allowed if the use took advantage of a long standing encroachment?

4. Would an accessory use be allowed if it adds to a safety issue by adding to existing use of street parking? (I am told by a homeowner in the 700 block of Hawthorne Road that there were 3 accidents last week, and accidents are frequent.) Sight distance and speeding contribute to the problem. For example, if a car is parked on Hawthorne Rd, a car pulls out onto Hawthorne, the first car traveling that direction can see the car pulling out and slow. However, a second car behind might not see the need to slow and rear ends the car that can see. I imagine a traffic report would back that up.

This particular site currently has absolutely no way to have more than 2 cars parked on the property without juggling cars onto Hawthorne Road while a 3 would pull out, unless they block the sidewalk. Even if a two car parking pad between the house and garage/accessory use were installed, I don't see a way that two cars can be parked on the front/side property and allow egress. There is no ally access to the building in question, which might make such a request more feasible. Few allies are still active in Winston-Salem, by design, which might be biting us now in retrospect.

5. The two street accesses of the 1/2 circular drive at this location are so close together that even a smaller compact car such as a Toyota Corolla is too long to park in between. While the public street is open to anyone that wants to park there, regular use of spaces in front of neighbors might mean that they do not have a place to put garbage, yard waste, recycling carts, leaves, or brush. What if two or three homes in the same stretch might all have accessory use buildings creating more street parking needs? Even if increased density means we eventually eliminate curbside city services, garbage collection is always going to be needed and I don't see us ever going back to back yard collections.

6. Is there a maximum impervious surface percentage for residential property? The property where this case is being requested already has added a 1/2 circle driveway, as well as a 1/2 car width parking pad type extension to the existing driveway) There is no way to add a wider pad as it is sitting right on top of the adjacent property line. If parking is added behind the home, there is going to be very little pervious surface left. very little pervious surface will remain. Again, will a neighbor now have flooding in their basement? It happens in Ardmore.

(A side note to how serious this can be as an unintended consequence: I replace my deck with a screened porch. The additional roof contributed to flooding my back door neighbor's yard. I tried creating a 10' X 12' yard waste compost pile that started mostly with leaves. The force of the water just goes around it. I have had much better success with adding three 55 gallon rain barrels and this helps quite a bit. I am diligent about draining the barrels between rains. It is useful when we have not had rain, but when we have, I drain the two catching the screened porch roof water to the center under the porch as this dirt is mostly dry. But I came up with this solution and voluntarily attend to it. The next owner of this property might not.) It was my right to put the porch on. Does that make it my right to flood my neighbors' yard so badly that the mud my flooding creates, turning a once grassy area into a muddy mess?

What if three homes whos properties drain into the small, mostly dry creek that run behind homes on Ebert put in accessory uses and add driveway extension to parking pads to facilitate them? It would not take much to put at the very least, any garages, storage units, and even back porches under water when it rains. New flood plains? New insurance? Parts of the property that can no longer be used?

In conclusion, I do not think this particular request should be granted as I think the site location will produce an unfair burden on the neighbors as well as creating additional traffic safety problems leading to an increase in accidents.

As this case relates to the long term zoning question of zoning by right, I think that many inner urban situations would create very expensive consequences, and a case-by-case consideration will always be needed for accessory use dwellings.

I look forward to the opportunity to discuss this with you in greater detail.

Best,
Julie Magness

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