

NORTH CAROLINA) WINSTON-SALEM CITY COUNCIL
FORSYTH COUNTY)
) ZONING PETITION OF
) Twin City Bible Church
) FOR A SPECIAL USE PERMIT
) (W-3347)

I, Emily Ide, am in opposition of the aforementioned special use permit request pursuant to the following reasons attached hereto, which are germane to the four findings set forth in Section B.6-1.5(F) of the UDO. (Please attach your statement relating to the four findings when submitting this document, and be sure to include your name at the top of each page of your statement.)

I believe I have standing in this matter because (check all that apply):

I am the applicant.

I am an agent of the applicant.

I live within 500 feet of any portion of the subject property for which the special use permit is requested. (Please note that your proximity to the subject property does not automatically confer standing. If necessary, be prepared at the hearing to articulate your status as an aggrieved party who will suffer special damages).

Other (If you require additional space, please attach a separate sheet, and be sure to include your name at the top of each additional page):

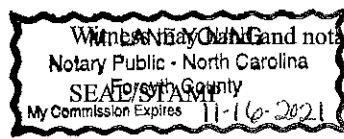
I understand that if I am not present at the public hearing scheduled for the consideration of the special use permit request by the City Council, this verified motion shall constitute hearsay, and Council may refrain from considering this motion.

This the 11th day of December, 2017.

emily ide
Print Name: Emily Ide

STATE OF NORTH CAROLINA
Forsyth COUNTY

Forsyth Lane Young a Notary Public of Forsyth County, NC, do hereby certify that Emily Ide personally appeared before me this day and acknowledged the execution of the foregoing Verified Motion.



Witness my hand and notarial seal this the 11 day of December, 2017

M Lane Young Notary Public

My commission expires 11-16, 2021

Emily Ide

Leonard Ryden Burr Real Estate

Cell: 336.978.5818

emily.ide@golrb.com**2341 Cherokee Lane**

Winston Salem, NC 27103

 Map  Mortgage Info**\$329,900**

Active

4 Bedrooms**3/1** Bathrooms**1950** Year Built**2200 - 2600** SqFt**0.23** Acres**Stick/Site Built** Type

© TriadMLS

1 / 30

Ardmore at it's Finest! Completely Remodeled Charmer waiting for you! 4BR/3.5BA Open Floor Concept w/2 Master Suites. MBR on ML & 2nd. Hdws on ML, New Carpet on 2nd, Vinyl Plank in Fin BSMT. Fresh int & ext paint. New Fixtures. New Kitchen cabinets, marble counters, tile backsplash, lighting, SS appls, Pantry & Vaulted Ceilings. NEW: Plumbing & Electrical, Roof, Windows, Deck, Heat Pumps. LR open to DR & Kit. Beautifully tiled All NEW BA's. Family room in Walk-out BSMT. B/O.

About 2341 Cherokee, Winston Salem, NC 27103

Directions: Hawthorne Rd to R on Ebert St, R on Cherokee Lane.

General Description

List Price:

\$329,900

Status:

Active

MLS Number:

857811

Tax Parcel Id Number:

6824-18-8533.00

County :

Forsyth

Subdivision Name:

Ardmore

Zoning:

RS7

Story Number:

2

Style:

Traditional

Built Information:

Existing

Basement YN:

Yes

Foundation:

Basement

Fireplace:

0

Garage/Carport:

/None

Total Htd SF:

2200 - 2600

Htd SF Main:

800 - 1100

Htd SF 2 Fl:

700 - 900

Fin Bsmt SF:

500 - 700

Full Baths Main:

1

Full Baths Upper:

2

Full Baths Lower:

0

Half Baths Main:

1

Half Baths Upper:

0

Half Baths Lower:

0

Unfin Bsmt SF:

100 - 300

Room Information

Room Information

Living Room:

Main Level 14ft 2in X 14ft 0in

Master Bedroom:

Second Level 14ft 6in X 12ft 4in

Dining Room:

Main Level 14ft 2in X 10ft 0in

3rd Bedroom:

Second Level 14ft 6in X 12ft 4in

Kitchen:

Main Level 13ft 2in X 13ft 2in

4th Bedroom:

Second Level 12ft 6in X 10ft 3in

Master Bedroom:

Main Level 14ft 6in X 12ft 4in

Den:

Basement Level 14ft 0in X 11ft 6in

Laundry:

Basement Level 11ft 0in X 10ft 0in

Den:

Basement Level 15ft 6in X 10ft 0in

Features

Exterior Finish:

Remarks

Exterior Features:

Deck, Garden Space

Interior Features:

Dryer Connection, Laundry Room - Basement, Pantry, Washer Connection

Appliances:

Built-in Microwave, Dishwasher

Flooring:

Carpet, Tile, Vinyl, Wood

Parking:

Driveway

Utilities

Heating:

Forced Warm Air, Heat Pump

Heating Fuel:

Electric

Cooling:

Central

Water Heater:

Electric

Water:

Public

Sewer:

Public

Informational

Home Owner Assoc:

No

Tax Map:

618846

Tax Block:

1705

Emily Ide

Leonard Ryden Burr Real Estate

Cell: 336.978.5818

emily.ide@golrb.com**2326 Cherokee Lane**

Winston Salem, NC 27103-4830

 Map  Mortgage Info**\$339,900**

Pending

4 Bedrooms**2/1 Bathrooms****2017 Year Built****2100 - 2500 SqFt****0.26 Acres****Stick/Site Built** Type

© TriadMLS

1 / 1

Beautifully designed Industrial Modern home by Pappas Builders. Additional photos will be posted in late fall. Come see what's been happening in Ardmore at the corner of Cherokee and Ebert. We have 1 new and 1 renovated home sold, 1 renovated home under contract, 1 custom build under contract and we are beginning a spec on lot 6. We have two lots left and I would love to talk with you about what Pappas Builders has to offer. Great opportunity to pick your paint, cabinets and flooring design.

About 2326 Cherokee, Winston Salem, NC 27103

Directions: Stratford Road to Miller Street. Cross over Hawthorne, continue on Miller and turn Right on Cherokee.

General Description

List Price:

\$339,900

Status:

Pending

MLS Number:

840590

Tax Parcel Id Number:

tbd

County :

Forsyth

Subdivision Name:

Ardmore

Zoning:

RS9

Story Number:

2

Built Information:

New

Completion Date:

2017-12-12

Basement YN:

No

Foundation:

Crawl Space

Fireplace:

0

Garage/Carport:

2/Attached Garage

Total Htd SF:

2100 - 2500

Htd SF Main:

1000 - 1300

Htd SF 2 Fl:

1000 - 1300

Full Baths Main:

0

Full Baths Upper:

2

Full Baths Lower:

0

Half Baths Main:

1

Half Baths Upper:

0

Half Baths Lower:

0

Lot Dimensions:

75 x 149 x 74 x 150

Elementary School:

Call School Board

Middle School:

Call School Board

High School:

Call School Board

Room Information

Great:

Main Level 25ft 4in X 17ft

Kitchen:

Main Level 15ft X 14ft 2in

4th Bedroom:

Main Level 15ft X 11ft 4in

Entry:

Main Level 10ft X 6ft

Laundry:

Main Level 7ft 8in X 5ft 10in

Master Bedroom:

Second Level 25ft 4in X 14ft 2in

2nd Bedroom:

Second Level 11ft X 13ft

3rd Bedroom:

Second Level 14ft X 13ft

Features

Exterior Finish:

Brick

Exterior Features:

Patio, Paved Drive, Porch, Security Lighting

Interior Features:

Built-in Shelves, Ceiling Fan(s), Dead Bolt(s), Dryer Connection, Garage Door Opener(s), Laundry Room - Main Level, Pantry, Security System, Smoke Alarm, Solid Surface Counter, Vaulted Ceilings, Washer Connection

Appliances:

Built-in Microwave, Dishwasher, Disposal, Exhaust Fan, Slide-In Oven/Range

Flooring:

Carpet, Tile, Wood

Parking:

Driveway, Garage

Utilities

Heating:

Heat Pump, Multi-Zone

Heating Fuel:

Electric

Cooling:

Central, Multi-Zoned

Water Heater:

Electric

Water:

Public

Sewer:

Public

Informational

Home Owner Assoc:

No

Tax Year:

2,017

Tax Data:

Tax Rate:

0.0000

Tax Amount:

0.00

Tax Value:

0.00

Type of Sale:

Owner Sale

Seller Rep.:

Owned property for less than one year

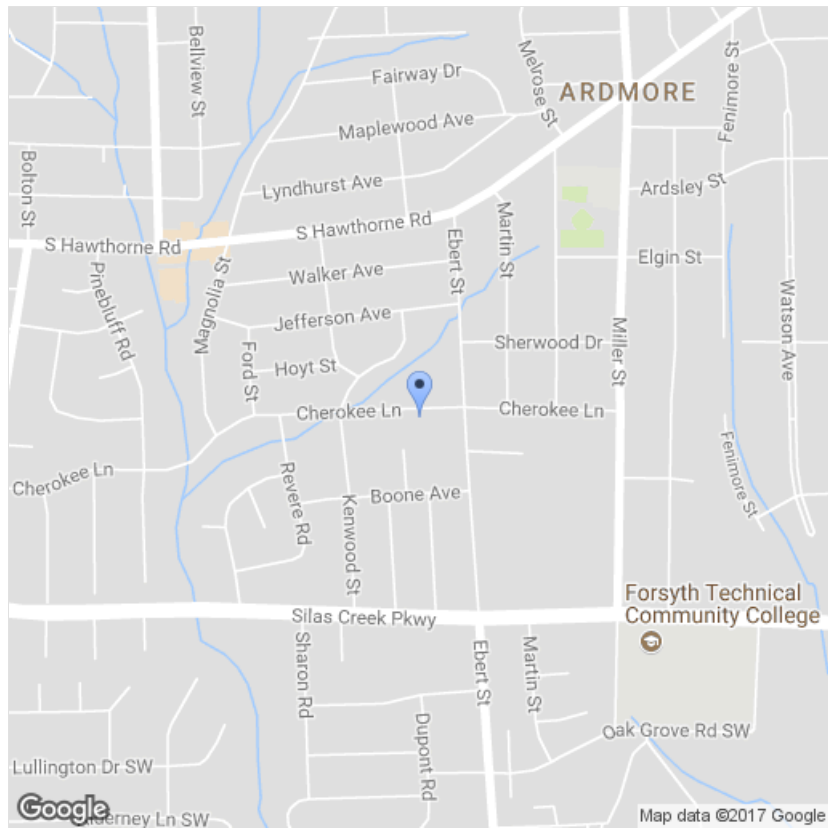
List Office:

Coldwell Banker Triad Stratford

Notes for you and your agent

Add note...

+ Add Note



All information courtesy of Emily Ide

Emily Ide

Leonard Ryden Burr Real Estate

Cell: 336.978.5818

emily.ide@golrb.com**2304 Cherokee Lane**

Winston Salem, NC 27103

[Map](#) [Mortgage Info](#)**\$379,000**

Closed

5 Bedrooms**3/0** Bathrooms**2016** Year Built**2400 - 2900** SqFt**0.34** Acres**Stick/Site Built** Type

© TriadMLS

1 / 30

NEW Craftsman style bungalow conveniently located near parks, hospitals and downtown. Open Floorplan with 5 Bed, 3FB, Office and 2 Car Garage. 5th Bedrm also makes great Playroom. ML features Mstr Suite, 9' Ceilings, Hardwds, Tile, Granite Counters & ML Laundry. Lot's of outdoor living w/Lg Covered Porch, Deck & Screened Porch. Buy now & personalize your color palate. Looking further down the road, there are 5 other lots to choose from. Quality Craftsmanship & Experience by Pappas Builders, Inc.

About 2304 Cherokee, Winston Salem, NC 27103

Directions: Stratford Road to Miller Street. Cross over Hawthorne and turn Right on Cherokee. The home is on the corner of Cherokee and Ebert.

General Description

List Price:

\$384,500

Close Price:

\$379,000

Closed Date:

06/01/2017

Status:

Closed

MLS Number:

804641

Tax Parcel Id Number:

6824-28-3342.00

County :

Forsyth

Subdivision Name:

Ardmore

Zoning:

RS9

City Limits YN:

Yes

Legal Description:

Lot 1 Ardmore 1

Story Number:

1.5

Style:

Bungalow

Built Information:

New

Basement YN:

No

Foundation:

Crawl Space

Attic Description:

Eave Storage, Floored Attic, Walk in Attic

Fireplace:

1/Great Room

Garage/Carport:

2/Attached Garage

Total Htd SF:

2,667

Htd SF Main:

1,425

Htd SF 2 Fl:

1,242

Full Baths Main:

2

Full Baths Upper:

1

Full Baths Lower:

0

Half Baths Main:

0

Half Baths Upper:

0

Half Baths Lower:

0

Lot Dimensions:

75.03 x 195.12 x 74.8 x 197.12

Elementary School:

Call School Board

Middle School:

Call School Board

High School:

Call School Board

Room Information

Dining Room:

Main Level 10ft 8in X 15ft 0in

Kitchen:

Main Level 12ft 4in X 15ft 0in

Great:

Main Level 16ft 0in X 15ft 0in

Master Bedroom:

Main Level 13ft 7in X 15ft 0in

4th Bedroom:

Main Level 13ft 0in X 11ft 11in

Entry:

Main Level 6ft 0in X 7ft 5in

Laundry:

Main Level 6ft 0in X 6ft 2in

2nd Bedroom:

Second Level 12ft 0in X 13ft 0in

3rd Bedroom:

Second Level 12ft 0in X 12ft 8in

4th Bedroom:

Main Level 11ft 0in X 12ft 8in

5th Bedroom:

Second Level 13ft 4in X 19ft 0in

Office:

Second Level 13ft 0in X 13ft 8in

Features

Exterior Finish:

Brick, Vinyl

Exterior Features:

Patio, Paved Drive, Porch, Screened Porch

Interior Features:

Ceiling Fan(s), CO Detector, Dead Bolt(s), Dryer Connection, Garage Door Opener(s), Gas Logs, Laundry Room - Main Level, Pantry, Security System, Smoke Alarm, Solid Surface Counter, Washer Connection

Appliances:

Built-in Microwave, Dishwasher, Disposal, Draft Range, Slide-In Oven/Range

Miscellaneous:

Great Room

Flooring:

Carpet, Tile, Wood

Utilities

Utilities

Heating:

Forced Warm Air

Heating Fuel:

Natural Gas

Cooling:

Central

Water Heater:

Gas

Water:

Public

Sewer:

Public

Energy Features:

Insulated Windows

Informational

Home Owner Assoc:

No

Tax Year:

2,016

Tax Rate:

0.0000

Tax Amount:

0.00

Tax Value:

0.00

Type of Sale:

Owner Sale

Seller Rep.:

Owned property for less than one year

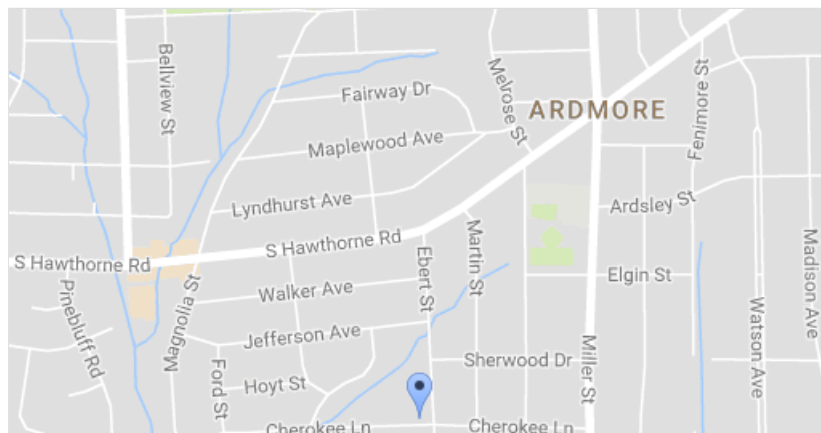
List Office:

Coldwell Banker Triad Stratford

Notes for you and your agent

Add note...

+ Add Note



Emily Ide

Leonard Ryden Burr Real Estate
Cell: 336.978.5818
emily.ide@golrb.com

2320 Cherokee Lane

Winston Salem, NC 27103-4830

 Map   Mortgage Info

\$326,750

Closed

3 Bedrooms

3/0 Bathrooms

1928 Year Built

2400 - 2900 SqFt

0.36 Acres

Stick/Site Built Type



1 / 30

PRICED TO SELL! Ardmore Bungalow COMPLETELY RENOVATED! All the modern conveniences while still maintaining that Ardmore charm. ML features an Open Floorplan, Kitchen w/Oversized Granite Island, Soft Close Cabinetry, SS Appl, Wood FP, Deck, Patio & 2 Car Garage. Mstr Bdrm w/Side Porch Entry, Lavish Bath & Walk-in Closet. LL features Rec. Rm w/Kitchenette, Wood FP, Full Bath w/Tile Floor & Granite Top Vanity, 2nd Laundry, Office, Wkshop & 1 Car Garage. New HVAC, Roof, Wood Floors and so much more! HW Incl.

About 2320 Cherokee, Winston Salem, NC 27103

Directions: Stratford Road to Miller Street. Cross over Hawthorne and turn Right on Cherokee.

General Description

List Price:

\$329,900

Close Price:

\$326,750

Closed Date:

08/04/2017

Status:

Closed

MLS Number:

806286

Tax Parcel Id Number:

6824-28-0298

County :

Forsyth

Subdivision Name:

Ardmore

Zoning:

RS9

Legal Description:

Lot 4 Ardmore 1

Story Number:

1

Built Information:

Existing

Basement YN:

Yes

Foundation:

Basement, Full

Fireplace:

2/Basement, Great Room

Garage/Carport:

3/Attached Garage, Basement Garage

Total Htd SF:

2,670

Htd SF Main:

1,724

Fin Bsmt SF:

946

Full Baths Main:

2

Full Baths Upper:

0

Full Baths Lower:

1

Half Baths Main:

0

Half Baths Upper:

0

Half Baths Lower:

0

Lot Dimensions:

74.7 x 149.8 x 74.7 x 149.9

Elementary School:

Call School Board

Middle School:

Call School Board

High School:

Call School Board

Additional School Info Zone:

Confirm with WSFCS

Unfin Bsmt SF:

864

Room Information

Dining Room:

Main Level 9ft 3in X 8ft 7in

Kitchen:

Main Level 13ft 0in X 17ft 6in

Great:

Main Level 14ft 0in X 17ft 6in

Entry:

Main Level 8ft 0in X 10ft 0in

Master Bedroom:

Main Level 12ft 0in X 16ft 0in

2nd Bedroom:

Main Level 14ft 0in X 10ft 6in

3rd Bedroom:

Main Level 10ft 0in X 15ft 0in

Laundry:

Main Level 5ft 0in X 9ft 8in

Recreation Room:

Basement Level 17ft 0in X 26ft 0in

Laundry:

Basement Level 8ft 5in X 10ft 4in

Office:

Basement Level 13ft 0in X 12ft 6in

Workshop:

Basement Level 19ft 4in X 23ft 0in

Features

Exterior Finish:

Vinyl

Exterior Features:

Deck, Patio, Paved Drive, Porch, Security Lighting

Interior Features:

2nd Washer Connection, Built-in Shelves, CO Detector, Dead Bolt(s), Dryer Connection, Garage Door Opener(s), Inlaw Suite, Kitchen Island, Laundry Room - Basement, Laundry Room - Main Level, Pantry, Security System, Smoke Alarm, Solid Surface Counter, Washer Connection

Appliances:

Built-in Microwave, Dishwasher, Disposal, Exhaust Fan, Slide-In Oven/Range

Miscellaneous:

Great Room

Flooring:

Carpet, Laminate, Tile, Wood

Utilities

Heating:

Forced Warm Air

Heating Fuel:

Natural Gas

Cooling:

Central

Water Heater:

Electric

Water:

Public

Sewer:

Public

Energy Features:

Insulated Doors

Informational

Home Owner Assoc:

No

Tax Lot:

4

Tax Year:

2,015

Tax Rate:

0.0000

Tax Amount:

0.00

Tax Value:

0.00

Type of Sale:

Owner Sale

Seller Rep.:

Owned property for less than one year

List Office:

Coldwell Banker Triad Stratford

Notes for you and your agent

Add note...

+ Add Note



Emily Ide

Leonard Ryden Burr Real Estate

Cell: 336.978.5818

emily.ide@golrb.com**2340 Cherokee Lane**

Winston Salem, NC 27103

 Map  Mortgage Info**\$299,900**

Closed

4 Bedrooms**3/1** Bathrooms**1955** Year Built**2300 - 2700** SqFt**0.26** Acres**Stick/Site Built** Type

1 / 19

Ardmore Location. Complete Remodel w/2nd Flr addition. New Hardwoods, Tile & Carpet. All New Plumbing, Electrical, Windows, Roof, Drywall, w/2 new Heat Pumps & mini-split in bsmt. Open Floor Plan. New Kit: Cabinets, marble, tile backsplash, pantry, SS appls. New Bathrooms: tiled floors, tiled tub/showers, new vanities. Tons of Detail! New Fixtures, Int & Ext Paint. Hardie Board Type Siding. Trex Deck. Covered front porch. 2 Master BR's. Den on 2nd Floor & 9'Ceilings. Playroom in bsmt w/Laundry & closet.

About 2340 Cherokee, Winston Salem, NC 27103

Directions: Hawthorne Rd to R on Ebert Street to R on Cherokee Lane. Home is on the Left.

General Description

List Price:

\$299,900

Close Price:

\$299,900

Closed Date:

05/10/2017

Status:

Closed

MLS Number:

826697

Tax Parcel Id Number:

6824-18-8332.00

County :

Forsyth

Subdivision Name:

Ardmore

Zoning:

RS9

Story Number:

2

Style:

Traditional

Built Information:

Existing

Basement YN:

Yes

Foundation:

Basement

Fireplace:

0

Garage/Carport:

/None

Total Htd SF:

2,560

Htd SF Main:

1,030

Htd SF 2 Fl:

1,030

Fin Bsmt SF:

500

Full Baths Main:

1

Full Baths Upper:

2

Full Baths Lower:

0

Half Baths Main:

1

Half Baths Upper:

0

Half Baths Lower:

0

Additional School Info Zone:

check w/WSFC for choices

Unfin Bsmt SF:

530

Room Information

Great:

Main Level 23ft 0in X 20ft 6in

Master Bedroom:

Main Level 16ft 0in X 13ft 0in

Den:

Second Level 16ft 8in X 10ft 0in

Master Bedroom:

Second Level 13ft 8in X 13ft 0in

Playroom:

Basement Level 17ft 8in X 16ft 0in

2nd Bedroom:

Second Level 14ft 0in X 11ft 6in

Laundry:

Basement Level 7ft 0in X 5ft 0in

3rd Bedroom:

Second Level 14ft 0in X 11ft 6in

Other:

Basement Level 12ft 0in X 5ft 0in

Features

Exterior Finish:

Cementeous Siding

Exterior Features:

Covered Porch, Deck, Garden Space, Paved Drive, Porch

Interior Features:

Dryer Connection, Laundry Room - Basement, Pantry, Washer Connection

Appliances:

Built-in Microwave, Dishwasher

Flooring:

Carpet, Tile, Wood

Parking:

Driveway, Paved

Utilities

Heating:

Heat Pump

Heating Fuel:

Electric

Cooling:

Central

Water Heater:

Electric

Water:

Public

Sewer:

Public

Informational

Home Owner Assoc:

N/A

NO

Tax Block:

380800

Tax Lot:

4W

Tax Year:

2,016

Tax Rate:

1.3160

Tax Amount:

1,263.00

Tax Value:

95,900.00

Type of Sale:

Owner Sale

Seller Rep.:

Owned property for less than one year

Financing Option:

Cash, Conventional, FHA, VA

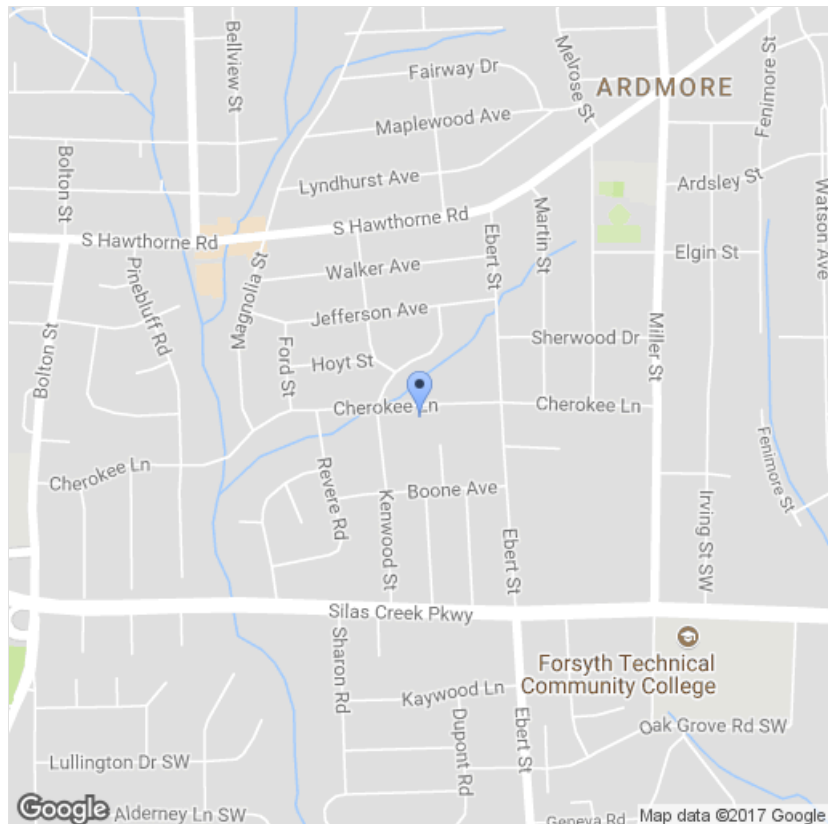
List Office:

Your Home Team

Notes for you and your agent

Add note...

+ Add Note



Emily Ide

Leonard Ryden Burr Real Estate

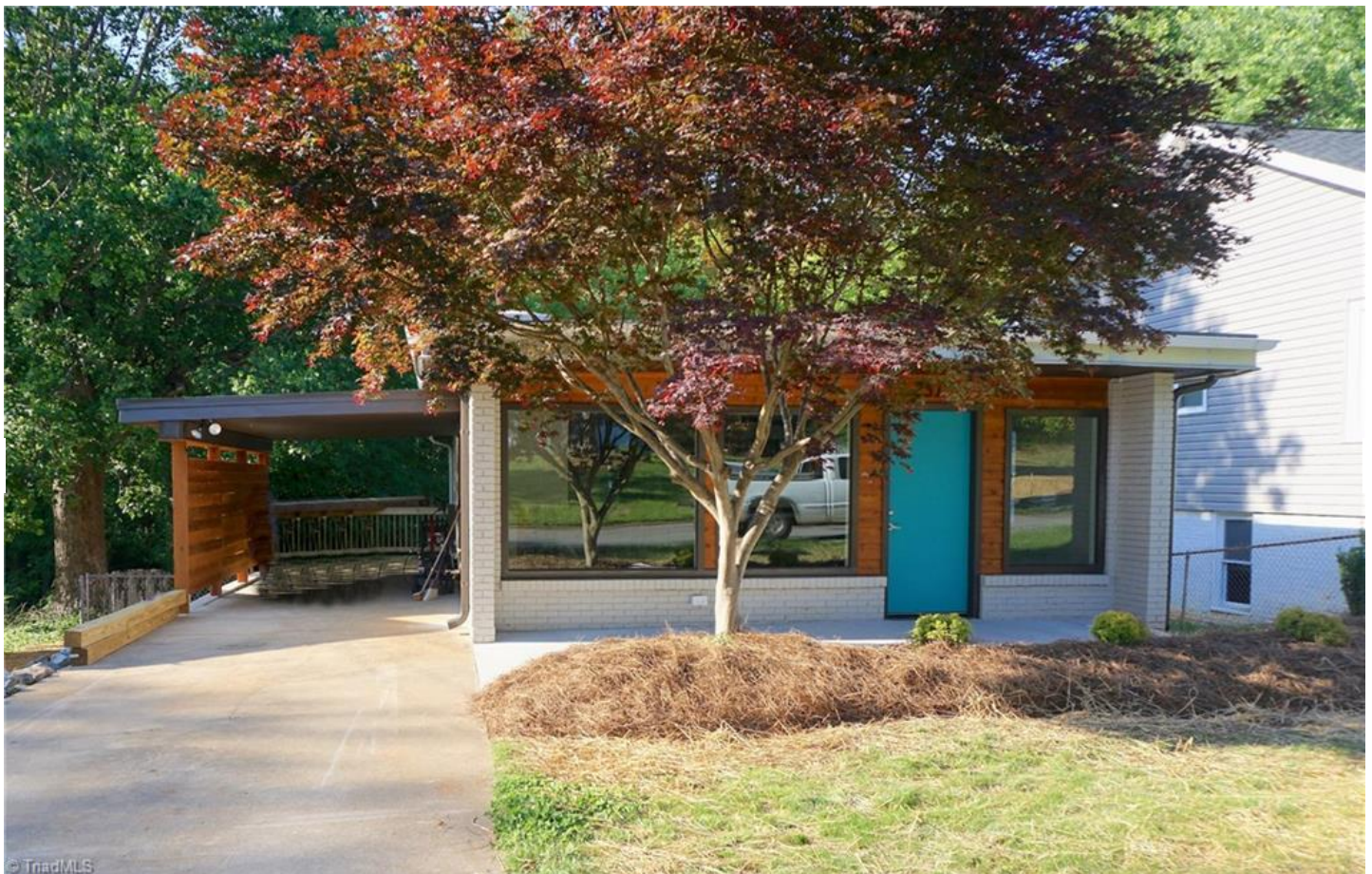
Cell: 336.978.5818

emily.ide@golrb.com**2315 Cherokee Lane**

Winston Salem, NC 27103-4829

 Map  Mortgage Info**\$240,000**

Closed

3 Bedrooms**2/1** Bathrooms**1955** Year Built**1900 - 2400** SqFt**0.17** Acres**Stick/Site Built** Type

1 / 12

Completely Renovated Mid Century Modern Brick Home with all the in town conveniences. Open floorplan with lots of natural light. ML features kitchen with new cabinetry, granite countertops, island, SS appl. & pantry. Hardwood floors thruout ML & tile in all baths and laundry. Mstr on main w/FB featuring oversized tile shower stall, dining rm, great rm w/FP and bath. LL features two bedrooms, oversized bonus rm w/FP and laundry. LL rear entrance leads to private fenced back yard with patio. HW Included

About 2315 Cherokee, Winston Salem, NC 27103

Directions: Stratford Rd to Miller Street, cross over Hawthorne, turn Right onto Cherokee, 2315 Cherokee on Right

General Description

List Price:

\$269,500

Close Price:

\$240,000

Closed Date:

05/17/2017

Status:

Closed

MLS Number:

826767

Tax Parcel Id Number:

6824-28-0594

County :

Forsyth

Subdivision Name:

Ardmore

Zoning:

RS7

City Limits YN:

Yes

Story Number:

1

Built Information:

Existing

Basement YN:

Yes

Foundation:

Basement

Fireplace:

2/Basement, Great Room

Garage/Carport:

1/Attached Carport

Total Htd SF:

2,200

Htd SF Main:

1,100

Fin Bsmt SF:

1,100

Full Baths Main:

1

Full Baths Upper:

0

Full Baths Lower:

1

Half Baths Main:

1

Half Baths Upper:

0

Half Baths Lower:

0

Lot Dimensions:

49 x 152 x 50 x 153

Unfin Bsmt SF:

0

Room Information

Great:

Main Level 20ft 6in X 13ft 6in

Dining Room:

Main Level 10ft X 10ft

Kitchen:

Main Level 10ft 6in X 12ft

Master Bedroom:

Main Level 20ft 6in X 12ft 4in

2nd Bedroom:

Basement Level 12ft X 12ft

3rd Bedroom:

Basement Level 12ft X 12ft

Bonus:

Lower Level 14ft 6in X 20ft

Laundry:

Basement Level 5ft X 6ft

Features

Exterior Finish:

Brick

Exterior Features:

Accent Lighting, Deck, Fenced, Patio, Paved Drive, Porch, Security Lighting, Storage Building(s)

Interior Features:

Ceiling Fan(s), CO Detector, Dead Bolt(s), Dryer Connection, Gas Logs, Kitchen Island, Laundry Room - Basement, Pantry, Smoke Alarm, Solid Surface Counter, Washer Connection

Appliances:

Built-in Microwave, Dishwasher, Disposal, Exhaust Fan, Slide-In Oven/Range

Flooring:

Carpet, Tile, Wood

Parking:

Carport

Utilities

Heating:

Forced Warm Air, Multi-Zone

Heating Fuel:

Natural Gas

Cooling:

Central, Multi-Zoned

Water Heater:

Electric

Water:

Public

Sewer:

Public

Energy Features:

Insulated Doors, Insulated Windows

Informational

Home Owner Assoc:

No

Top Block:

Tax Block:

1795

Tax Lot:

15

Tax Year:

2,016

Tax Rate:

0.0132

Tax Amount:

1,534.46

Tax Value:

116,600.00

Type of Sale:

Owner Sale

Seller Rep.:

Owned property for less than one year

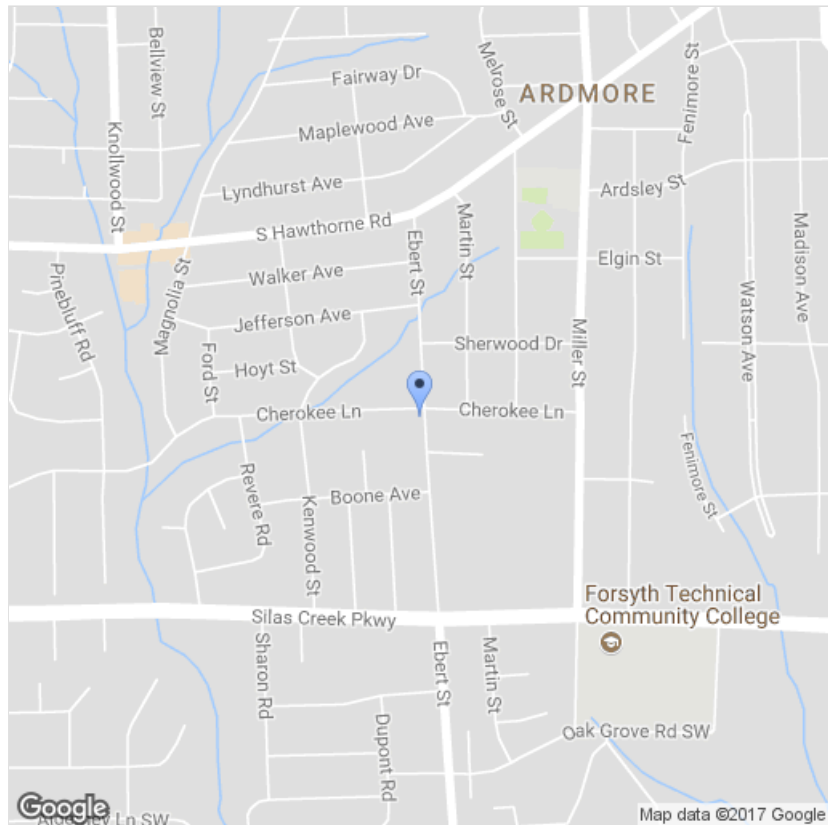
List Office:

Coldwell Banker Triad Stratford

Notes for you and your agent

Add note...

+ Add Note



All information courtesy of Emily Ide

Emily Ide

125 Millers Crossing Ct

Winston Salem, NC 27103

December 8, 2017

Attn: Melanie Johnson

City Secretary

P.O. Box 2511

Winston-Salem, NC 27102

Dear Ms. Johnson,

Please find a verified motion in opposition to the proposed wireless transmission tower (special use permit W-3347).

Sincerely,

Emily Ide

Applicant has not met its burden of demonstrating “that the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity.”

The applicant must establish that the proposed use will not substantially injure the value of adjoining or abutting property, and as detailed below, it has not met its burden.

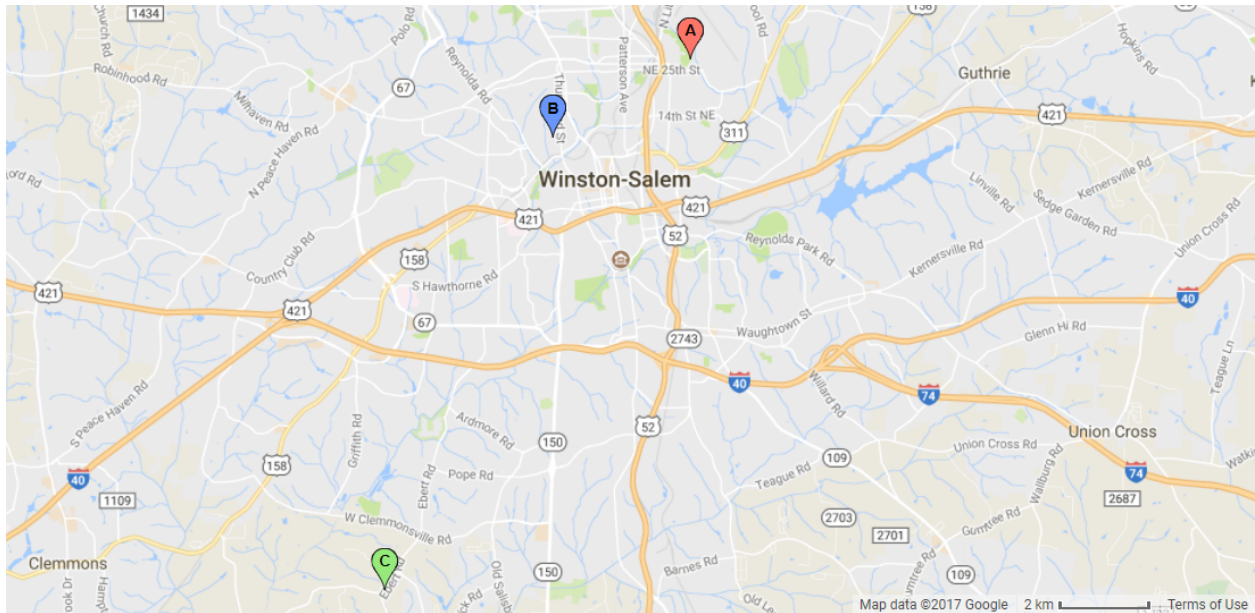
First, the City-County Planning Board Staff report does not support an affirmative finding that the use will not substantially injure the value of adjoining or abutting property or is a public necessity.¹ Therefore, it is incumbent on the applicant to prove this point to the city council.

Second, the applicant does not provide any evidence about the impact of the proposed tower type on property values. The applicant instead relies exclusively on analysis about monopole, mast, and lattice towers, i.e. tower types that are different from the proposed stealth “slick stick” tower. The applicant has not provided evidence establishing that analysis of different tower types should be an allowable substitute for analysis about the actual tower type under consideration. The applicant has also provided no evidence of the impact of this tower type in comparable locations.

Third, the evidence provided by the applicant for comparisons did not address towers and properties in the immediate vicinity of the location under consideration, but rather focused on towers and properties in other parts of the city. As shown in Figure 1, none of the three locations of the other towers presented for comparison are in Ardmore, and instead are in other parts of Winston-Salem, including near an airport. None of the locations chosen for comparison are in the same ward as the proposed site. The applicant’s study did not even include information with respect to existing cellular towers close by to the proposed site that potentially affects the same neighborhood.

¹ See City-County Planning Board Staff Report, Docket #: W-3347, Staff Gary Roberts Jr, AICP.

Figure 1: Locations of Towers Chosen for Comparison by Applicant



Note: Addresses shown in map are as follows: A (2620 Rochester St, Winston-Salem, NC 27105), B (2005 Row St, Winston-Salem, NC 27105), and C (Fraternity Church Rd & Ebert Rd, Winston-Salem, NC 27127).

Fourth, the properties presented by the applicant in its analysis do not provide a reasonable level of comparison to the single-family housing found at the proposed site. Of the three sites chosen for comparison, the applicant notes, that in the first “the City of Winston-Salem owns most of the adjacent/abutting properties.” In the second, the property “is surrounded with vacant land” and “a mobile home park.” And, in the third, the only developed directly adjacent to multiple single-family homes, there was no comparable data because “[the properties] are all under the same ownership and operate as a rental property.”² None of these represent comparable neighborhoods to the property in question which is residential in nature, with many owner-occupied houses.

Fifth, the applicant’s analyst argues that the proposed transmission tower will not negatively impact property values in adjoining or abutting properties because there are existing above-ground utilities.³ Specifically, the applicant’s analyst claims, “all of the properties have significant visual impact from other existing infrastructure.”⁴ This is a false statement. There are

² Michael P. Berkowitz, “Impact Study Proposed Cell Tower Twin City Bible Site 1337 Ebert Street Winston-Salem, Forsyth County, North Carolina,” September 22, 2017, p.18-20.

³ “The infrastructure in the area includes above ground utilities. The power lines observed represent a larger visual footprint than the proposed tower.” Michael P. Berkowitz, “Impact Study Proposed Cell Tower Twin City Bible Site 1337 Ebert Street Winston-Salem, Forsyth County, North Carolina,” September 22, 2017.

⁴ Berkowitz, p. 22.

Emily Ide

multiple locations within Ardmore with buried utility lines in the immediate vicinity of the proposed tower. For example, the development at Millers Crossing (Figure 2) and the development at Teagues Crossing (see Figure 3) both were developed specifically to avoid the visual impact of raised utilities. Applicant has presented evidence (see Simulated View from Location 8) that the proposed tower will be visible from at least one of these locations. The applicant has given no evidence that transmission towers do not negatively impact properties with buried utilities.

Figure 2: Millers Crossing



Figure 3: Teagues Crossing



Sixth, the applicant argues multiple times that the proposed transmission tower will not have a significant impact on property values because of a tree buffer. For example, the applicant argues, “most of the properties include significant screening from the proposed development;” “the properties along the eastern and northern boundaries all include tree buffers between the proposed development and these properties;” and “a significant wooded buffer between the proposed development and these properties.”⁵ However, as shown in the aerial photos provided by the applicant, the vast majority of the “wooded buffer” between the proposed transmission tower and the residential properties are not located on property owned by Twin City Bible Church. Furthermore, some of the screening is not located on land leased by the applicant. It is therefore beyond the means of the applicant to ensure these wooded buffers remain in the future. Thus, the screening should not be considered as a factor in the application review.

Seventh, the applicant provides no discussion about the impact on property value as a result of an impact on “curb appeal” for nearby residences, particularly those homes along Ebert Street that directly face the proposed tower and would have little to no landscape screening. The applicant makes no attempt to describe the potential impact that the proposed tower could have on properties with an immediate proximity to the tower. In particular, the applicant provides no evidence of the impact of this type of proposed transmission tower on residential properties with similar traffic patterns and existing above-ground utilities.

Eighth, the applicant dismisses concerns about the value impact on the adjacent property to the south without providing any substantive evidence. This property is undeveloped and zoned RS-9 for single-family homes. The applicant makes no statement and provides no evidence as to the potential impact on development of single-family homes on this property (i.e. its intended use as currently zoned), as well as related property values. The applicant argues that because the property is being marketed for higher-levels of development that this impact should not be considered. However, a property owner’s marketing decisions does not have any legal impact on current zoning, and therefore this should be irrelevant in this proceeding. Thus, the applicant has not provided sufficient evidence on the potential impact on this neighboring property for its currently zoned use. In summary, the applicant simply has not met its burden of demonstrating the absence of harm to property adjoining or abutting the proposed tower as required.

Moreover, the applicant does not provide sufficient evidence of the qualifications for the analyst it chose to use to evaluate the impact on property values. Specifically, the central question under consideration is whether the proposed use will have an impact on the neighboring residential properties, many of which are owner-occupied. However, the applicant’s analyst (Michael Berkowitz) does not list any experience with appraising residential properties in his statement of qualifications which would attest to his ability to make these claims, instead listing experience with properties such as golf courses and warehouses.⁶ The applicant’s analyst holds

⁵ Berkowitz, pp. 12-14, 22.

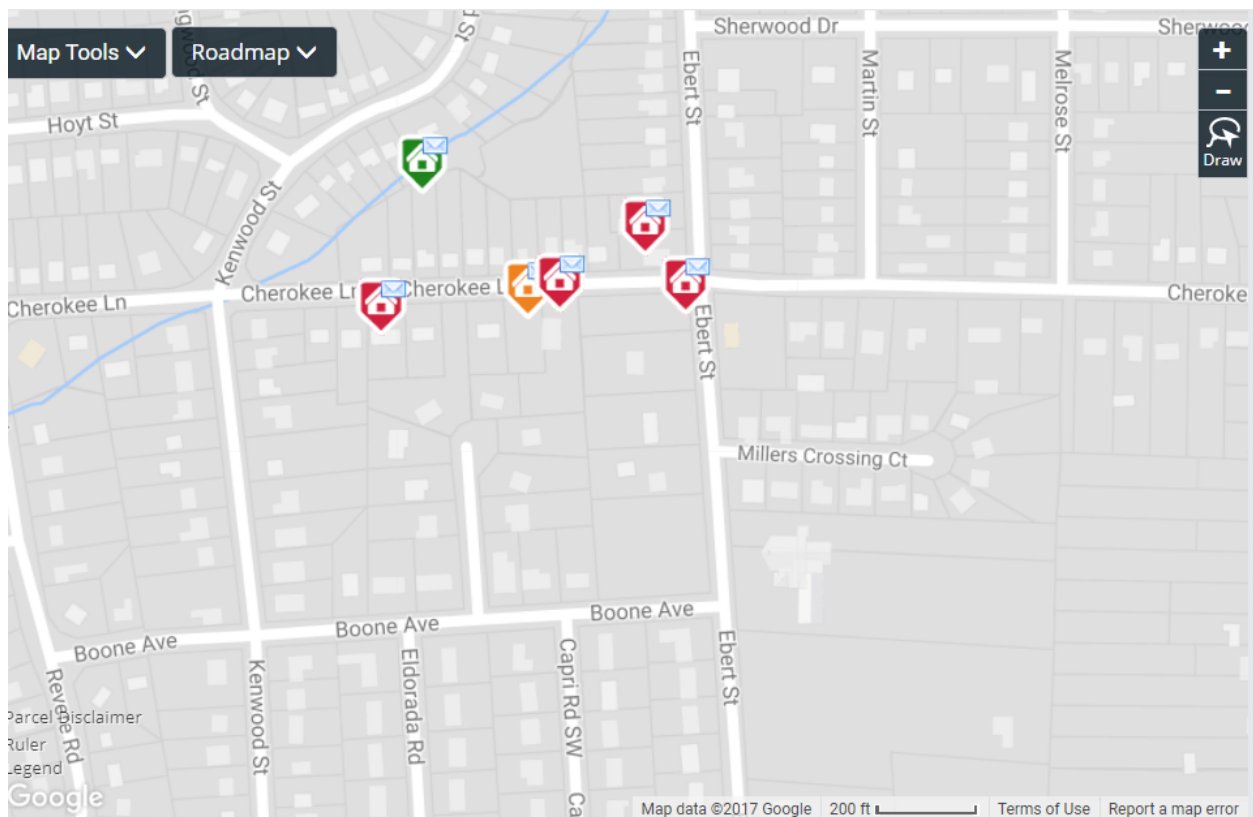
⁶ Berkowitz, pp. 33-34.

Emily Ide

a North Carolina “general real estate” appraiser’s license, which does not require residential appraisal experience hours to obtain.⁷

Further undermining the applicant’s analyst’s relevant expertise, is his claim that “there was little to no evidence of revitalization in the area.”⁸ This statement is contradicted by recent real estate activity. As shown in Figure 4 and detailed in Appendix A, there are multiple homes either being remodeled or newly constructed in the immediate vicinity of the proposed tower. There are also newly built sidewalks and drainage systems. Therefore, the applicant’s analyst’s statement suggests a poor understanding of this neighborhood and a lack of local knowledge necessary to support his claims. The analyst also does not provide evidence of past experience or familiarity with the neighborhood in his qualifications and does not provide any evidence of being an active local residential real estate appraiser.

Figure 4: New construction and remodels in immediate vicinity of proposed tower (December 2017)



In addition, the fact that the applicant’s analyst made a provably false statement regarding factors affecting the assessment of impact on property values (i.e. the false statement, detailed above, that “all of the properties have significant visual impact from other existing

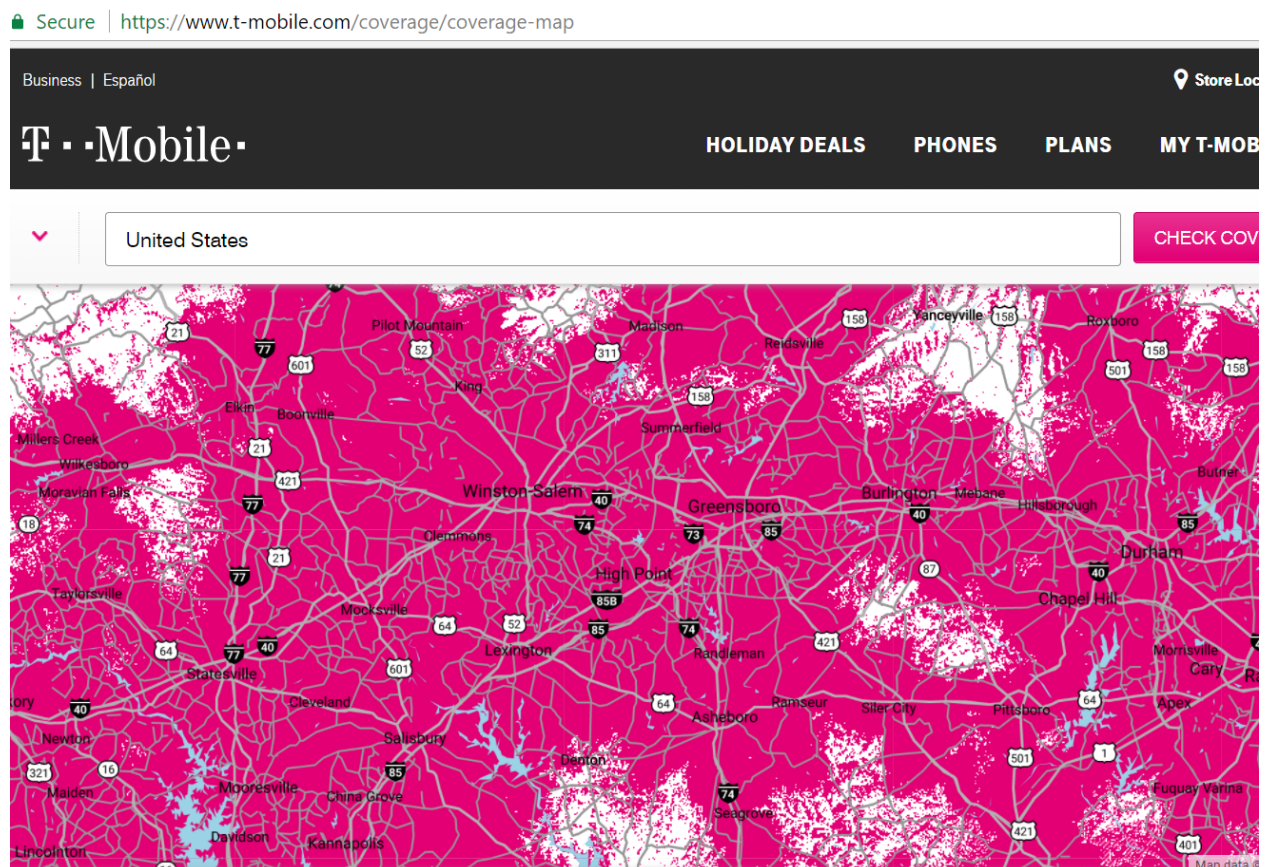
⁷ See North Carolina Appraisal Board, “How to Become An Appraiser,” n.d., http://www.ncappraisalboard.org/application-information/become_appraiser.htm (accessed December 6, 2017).

⁸ Berkowitz, p. 8.

infrastructure”) should call into serious question the rigorousness of his analysis, the quality of his data, the soundness of his judgement, and the validity of his conclusions.

The applicants have also not proved that the use is a public necessity. The applicant alleged that building the transmission tower is necessary to support coverage for the T-Mobile wireless network. However, T-Mobile provides public access to its coverage maps. As shown in Figure 5, T-Mobile advertises that it has full coverage in the relevant areas of the Ardmore neighborhood in Winston-Salem. Moreover, even if there were gaps in coverage for a particular mobile carrier, that would not necessarily entail a public necessity unless there were no coverage options from alternative carriers or available comparable services.

Figure 5: T-Mobile Coverage of Winston-Salem (December 5, 2017)



The North Carolina Court of Appeals has established that a city may deny an application for a special use permit to erect a telecommunications tower if the petitioner fails to establish a *prima facie* case that the value of adjoining properties will not be adversely affected. In *SBA v. City of Asheville City Council* the court affirmed the legality of the city council’s findings that the applicant had not met its burden to prove that the proposed tower would not adversely affect property values by providing inadequate comparisons. The court writes: “Although petitioners presented evidence regarding the effect of telecommunications towers on the value of property in other parts of the city, petitioners did not produce evidence regarding properties adjacent to

Emily Ide

the proposed site, nor any evidence regarding the effects of any existing tower near or adjacent to one of the neighborhoods at issue.”⁹

Similarly, in *American Towers Inc. v. Town of Morrisville*, the Court affirmed the legality of the city’s decision to find that a “petitioner’s evidence on the issue of whether the proposed telecommunications tower would substantially injure the value of the adjoining property to be deficient.”¹⁰ For example, the city noted that the applicant “did not take into account any potential loss of value due to the loss of ‘curb appeal’ with the tower rising above the adjoining residential neighborhood.”

In both *SBA* and *American Towers*, the North Carolina Appeals Court has upheld that cities may determine that an applicant has not met the burden of proof that property values will not be adversely impacted when they deliver evidence that fully addresses characteristics unique to the proposed tower and location. The applicant for the proposed tower in Ardmore has numerous and similar deficiencies in its application and the city council should therefore reject its application.

⁹ *SBA, Inc. v. City of Asheville City Council*, 141 N.C. App. 19, 23, 539 S.E.2d 18, 20 (2000).

¹⁰ *Am. Towers, Inc. v. Town of Morrisville*, 222 N.C. App. 638, 641, 731 S.E.2d 698, 701 (2012).

The location and character of the use, if developed according to the application and plan submitted and approved, would not be in harmony with the area in which it is to be located and in general conformity with Legacy 2030.

First, the proposed tower would have a negative visual impact on the surrounding properties in Ardmore that is not in harmony with the character of the neighborhood as a whole. The Ardmore neighborhood, which was listed on the National Register of Historic Places in 2004, is “the city’s first automobile suburb with the oldest historic resources in the neighborhood dating from 1910.”¹¹ Building the proposed tower would substantially alter the visual characteristic of the neighborhood, which is largely residential. Even the City-County Planning Board Staff report finds that “the proposed transmission tower will have some visual impact on the surrounding properties.”¹² However, the applicant provides little to no evidence for why the proposed tower, which would be substantially different than any other above-ground infrastructure, would be in harmony with the neighborhood.¹³

The board of the Ardmore Neighborhood Association (ANA) unanimously opposes the proposed transmission tower because both the appearance and use is not in harmony with the neighborhood. The proposed 150-foot metal transmission tower would establish a commercial enterprise in the midst of a residential area that would visually change the aesthetics of our neighborhood. Other transmission towers serving our neighborhood are located in heavy commercial areas, such as the Forsyth Medical Center, the Thruway Shopping Center, and the Marketplace Mall. This proposed tower is less than 1,500 feet from Silas Creek Parkway, where there are alternative commercial sites that would be more harmonious than among residential properties. In addition, the proposed tower is out of harmony because there are no similar wireless transmission towers in the neighborhood, and there are no other structures of this height in a residential area of Ardmore. Ultimately, harmony is a somewhat subjective assessment. Given the ANA’s local expertise on the Ardmore neighborhood, as well as its goal to promote harmony and ability to represent the views of the Ardmore community, particularly on preserving the residential nature of the neighborhood, the city council should give weight to the ANA Board’s conclusions.

Second, in addition to being out of harmony with the Ardmore neighborhood as a whole, the proposed 150-foot tower would be visually jarring and out-of-place in the specific location where the applicant has proposed building. As noted earlier, there are at least two residential developments near the proposed tower (Millers Crossing and Teagues Crossing) where there are

¹¹ City-County Planning Board, Southwest Winston-Salem Area Plan Update, 2016, p. 15, http://www.cityofws.org/Portals/0/pdf/planning/publications/area-plans/Southwest_WS_Area_Plan_20161026.pdf.

¹² See City-County Planning Board Staff Report, Docket #: W-3347, Staff Gary Roberts Jr, AICP.

¹³ “In the case of the proposed development, all of the properties have significant visual impact from other existing infrastructure and from the developments along the corridor. Many include significant screening to mitigate these factors. These factors contribute to our conclusion that the proposed developed is in harmony with development patterns along Ebert Street and other secondary roads in the area.” Berkowitz, p. 22.

buried utilities. Underground utilities add value to residential real estate because they are more visually appealing. For example, one peer-reviewed study found that installing underground utilities “was found to increase house price by 2.9 percent when other property characteristics were held constant.”¹⁴ Building a transmission tower in areas of the Ardmore neighborhood designed specifically to avoid the appearance of above-ground infrastructure, especially a wireless tower that would be substantially larger and more prominent than any other above-ground physical infrastructure, would not be in harmony with these specific areas of Ardmore.

The applicant argues that the existence of street lights in these developments suggests that a wireless transmission tower might still be in harmony. However, not all above ground infrastructure has the same visual impact. Some types of physical infrastructure, such as street lights, have been proven to add value to residential real estate as well as increase safety.¹⁵ Therefore, the decision to add visual improvements, such as street lights, should not be taken as evidence that the proposed tower would be in harmony with areas of the neighborhood with underground utilities, especially given that one is traditionally considered an asset while the other a detriment. Instead, given that these residential developments were built specifically to hide above-ground utilities, it is reasonable to conclude that adding a 150-foot metal tower that is substantially taller than anything else in the vicinity is not in harmony.

Third, the proposed tower would be out of harmony with the intended residential use of the undeveloped property to the south of the Twin City Bible Church. This property is zoned residential, and adding a transmission tower may limit the viability of attracting a residential developer for this property. The city should consider this factor when making decisions about harmony because the Southwest Area Plan states that “design and appearance improvements create a positive visual image and encourage private reinvestment in an area.”¹⁶

The North Carolina Court of Appeals has established that a city may deny an application for a special use permit to erect a telecommunications tower if a city requires an application to be in harmony with the neighborhood and the petitioner’s submission does not meet its standard. For example, in *SBA v. City of Asheville City Council*, the Court found that the city acted lawfully when it “determined petitioners failed to show the proposed use of the land would be in harmony with the scale, bulk, and character of the area or neighborhood.”¹⁷ Specifically, the Court noted that the city council was within its authority when it “concluded the impact of the proposed tower would be felt primarily by surrounding residential areas...and that the tower

¹⁴ Ben McNair and Peter Abelson (2010), “Estimating the Value of Undergrounding Electricity and Telecommunications Networks,” *The Australian Economic Review*, Vol. 43, No. 4, pp. 376–88.

¹⁵ See, for example, Funlola Famuyiwa and Gabriel Kayode Babawale (2014), “Hedonic values of physical infrastructure in house rentals,” *Journal of Facilities Management*, Vol. 12, No. 3, pp.211-230, <https://doi.org/10.1108/JFM-05-2013-0027>.

¹⁶ City-County Planning Board, Southwest Winston-Salem Area Plan Update, 2016, p. 15, http://www.cityofws.org/Portals/0/pdf/planning/publications/area-plans/Southwest_WS_Area_Plan_20161026.pdf.

¹⁷ 141 N.C. App. 19, 539 S.E.2d 18 (2000).

Emily Ide

would far exceed the average 40-foot height of all existing structures along [the relevant street] and nearby residential areas.”¹⁸ Given that similar circumstances exist at the proposed location under consideration, we ask that the city council reject this application.

¹⁸ 141 N.C. App. 19, 539 S.E.2d 18 (2000).

Emily Ide

Appendix A: Details of new construction and remodels in immediate vicinity of proposed tower