

## City Council – Action Request Form

**Date:** 2/12/2024

**To:** Mayor, Mayor Pro Tempore, and Members of the City Council

**From:** Patrice Toney, Assistant City Manager  
Shantell McClam, Neighborhood Services Department, Director  
Bryan Chaney, Neighborhood Services Department, CE Project Supervisor

**Council Action Requested:**

The adoption of an Ordinance ordering the Community Development Department 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.

**Strategic Focus Area:** Livable Neighborhoods

**Strategic Objective:** Improve Character and Condition of Neighborhoods

**Strategic Plan Action Item:** No

**Key Work Item:** Yes



**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 MORE THAN FIFTY PERCENT OF VALUE  
OF STRUCTURE (>50%) SIX MONTHS**

<b>Owner</b>	<b>Property Location</b>	<b>Block &amp; Lot(s)</b>
Patio Court Apartments LLC	113 Lakeview Blvd	3193 013A

**Committee Action:**

<b>Committee</b>	CD/H/GG – 2/12/24	<b>Action</b>	Held in Committee until 4/8/24
	<u>CD/H/GG – 4/8/24</u>		<u>4/8/24 - Unanimous</u>

<b>For</b>	<u>4/8/24 - Approval</u>	<b>Against</b>	

**Remarks:**

Held in Committee until 4/8/24  
Approved 4/8/24

**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 Neighborhood Services 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 Neighborhood Services 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 City Clerk 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:**

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**CITY ATTORNEY**



Neighborhood Services Department

City of Winston-Salem  
P.O. Box 2511  
Winston-Salem, NC 27102  
336-722-8000  
CityofWS.org

CODE ENFORCEMENT PURSUANT TO HOUSING CODE:      SEC. 10-203(e)  
     SEC. 10-203(f)(1)  
  X   SEC. 10-203(f)(2)

**CASE SUMMARY:**

**HOUSING FILE NO.:** CE-H-HZ-12-12-0361  
**PROPERTY ADDRESS:** 113 LAKEVIEW BLVD  
**WARD:** EAST  
**PROPERTY OWNER(S):** PATIO COURT APARTMENTS LLC  
**LIS PENDENS #:** 18M106 **DATE LIS PENDENS FILED:** 1/25/2018

**DUE PROCESS:**

1. The current **Complaint and Notice of Hearing** was issued 1/23/2013 and service was obtained by   X   certified mail;   X   regular;   X   posting;      hand delivery and      publication on 2/2/2013. The Hearing was held on 2/22/2013 and the owner/agent      did   X   did not appear and/or contact the Community Development Department regarding the complaint.
2. The **Finding and Order** was issued on 3/12/2013 and service was obtained by   X   certified;   X   regular;   X   posting;      hand delivery, and      publication on. The Order directed the owner to **vacate and close or repair** the dwelling within **30** days from receipt. The time for compliance expired on 4/12/2013. The dwelling was found vacated and closed on 4/12/2013.
3. The dwelling became eligible for demolition under the   X   six (6) month rule      65% rule on 10/12/2013.
4. The notification letter was sent on 12/19/2013 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 2/12/2013. The notice further advised that if the owner(s) intended to request an extension of time, they should present evidence of their intent to the Neighborhood Services Director prior to the Committee meeting. The Director      was   X   was not contacted. Additionally, the owners of the property agreed to bring the property into compliance with the city's Minimum Housing Code pursuant to a forbearance agreement which the owners did not comply with.

**COMMENTS (if any):**

**COUNCIL CONSIDERATION:**

**The estimated cost to make repairs to needed to render this dwelling fit for human habitation:**

- exceeds sixty-five percent (65%) of the value of the dwelling.
- is less than fifty percent (<50%) of the present value of the dwelling.
- X   is more than fifty percent (>50%) of the present value of the dwelling.

**Estimated cost to repair structure \$15,603.11 Fair market value of structure \$25,000**

**Based on the above information it is recommended that an Ordinance be adopted to cause this dwelling to be:**

- removed or demolished.
- repaired or demolished and removed within ninety (90) days or, if eligible, repaired under In Rem provisions of the Minimum Housing Code with City Council approval.
- X   demolished and removed within ninety (90) days.

# PROPERTY DESCRIPTION EXHIBIT



Winston-Salem

Neighborhood Services  
Department

City of Winston-Salem  
P.O. Box 2511  
Winston-Salem, NC 27102  
336-722-8000  
CityofWS.org

Property on which housing ordered demolished pursuant to Ordinance adopted the

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

## 113 LAKEVIEW BLVD

The housing located at **PIN NO. 6846-33-7127.000** as hereinafter described,

OWNER NAME: PATIO COURT APARTMENTS LLC

The above described lot being known and designated as

**PIN NO. 6846-33-7127.000**

said map being recorded in the Office of the Register of Deeds of Forsyth County, North Carolina.

The above described property being known as **PIN NO. 6846-33-7127.000** as shown on the Forsyth County Map in the Office of the Tax Supervisor, Forsyth County Government Center, 201 N. Chestnut Street, Winston-Salem, NC.



**Winston-Salem**

Neighborhood Services  
Department

City of Winston-Salem  
P.O. Box 2511  
Winston-Salem, NC 27102  
336-722-8000  
CityofWS.org

**CODE DEFICIENCIES - EXHIBIT A**

**CASE NO: CE-H-HZ-12-12-0361**

**NEIGH. CONSERVATION OFFICER: Shawn Helm - 336-734-1271**

**LOCATION: 113 LAKE VIEW BV, WINSTON-SALEM, NC 27105**

<b>Violation</b>	<b>Status</b>	<b>Date</b>	<b>Comments</b>
REPAIR DOOR	UNFIT	12/06/2012	
REPAIR KITCHEN CABINETS	UNFIT	12/06/2012	
REPAIR OR REPLACE SCREENS ON WINDOWS	UNFIT	12/06/2012	
REPAIR LAVATORY AND/OR FIXTURES	UNFIT	12/06/2012	
REPAIR TUB FIXTURES	UNFIT	12/06/2012	
PROVIDE HEATING FACILITY	UNFIT	12/06/2012	
REPAIR OR REPLACE SCREENS ON DOORS	UNFIT	12/06/2012	
REPAIR DEFECTIVE LIGHT FIXTURES	UNFIT	12/06/2012	
REPAIR OR REPLACE DEFECTIVE SIDING	MINOR	12/06/2012	
PAINT WALLS AND CEILINGS	MINOR	12/06/2012	
REPLACE DEFECTIVE SHEATHING	UNFIT	12/06/2012	FRONT PORCH
REPAIR OR REPLACE ROOF COVERING	UNFIT	12/06/2012	FRONT PORCH
REPAIR OR REPLACE STEPS AT INTERIOR	UNFIT	12/06/2012	
REPAIR OR REPLACE HANDRAIL AT INTERIOR STEPS	UNFIT	12/06/2012	
PROVIDE OPERABLE SMOKE DETECTOR	UNFIT	12/06/2012	
REPAIR DEFECTIVE LIGHT FIXTURES	UNFIT HAZARDOUS	12/06/2012	EXTERIOR--BARE WIRES
REPAIR DEFECTIVE FLOORING	UNFIT HAZARDOUS	12/06/2012	





203

113

111

28 Mar 2024





**Historic Resources  
Commission**

Bryce A. Stuart Municipal Building  
100 E. First Street  
P.O. Box 2511  
Winston-Salem, NC 27102  
CityLink 311 (336.727.8000)  
Fax 336.748.3163  
www.forsythcountyhrc.org

# Memorandum

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**TO:** Tiffany Harris  
**FROM:** Michelle M. McCullough, Historic Resources Staff  
**DATE:** January 31, 2024  
**SUBJECT:** Demolitions for February 12, 2024  
Community Development/Housing/General Government Committee Meeting

Historic Resources staff has reviewed the four properties that are scheduled to go before the Community Development/Housing/General Government Committee on February 7, 2024 for demolition consideration. Per the list provided by Community Development, the proposed demolitions are:

1. 5020 Rushland Drive – West Ward
2. 261, 263, 265, 267 Harrington Circle (all connected – fire) – East Ward
3. 211, 213 Lakeview Boulevard (all connected) – East Ward
4. 111, 113 Lakeview Boulevard (all connected) – East Ward

**Local Historic Landmarks or Local Historic/Historic Overlay Districts or National Register Historic Districts**

None of the buildings are Local Historic Landmarks or located within a locally designated historic district or have been designated to the National Register of Historic Places. Therefore, there are no recommendations for these structures currently.

cc Preservation Forsyth



**From:** Tiffany Harris <tiffanyt@cityofws.org>  
**Sent:** Wednesday, January 31, 2024 1:13 PM  
**To:** Michelle McCullough <michellem@cityofws.org>  
**Subject:** Demolitions

Hi Michelle,

I hope you are doing well. The properties listed below are going to Committee February 12th for demolition consideration. Is it possible to have the report by February 7<sup>th</sup>?

5020 Rushland Drive



261, 263, 265, 267 Harrington Circle – all connected – fire damage



211, 213 Lakeview Boulevard – all connected



111, 113 Lakeview Boulevard – all connected



Tiffany P. Harris  
Senior Administrative Assistant  
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[www.cityofws.org](http://www.cityofws.org)  
[tiffanyt@cityofws.org](mailto:tiffanyt@cityofws.org)

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