

# REQUEST FOR BOARD ACTION

## HENDERSON COUNTY

### BOARD OF COMMISSIONERS

**MEETING DATE:** 16 October 2019

**SUBJECT:** Piney Ridge Drive Nuisance Case -- Chronic Violator

**PRESENTER:** Charles Russell Burrell, Toby Linville

**ATTACHMENT(S):** Most recent violation report; estimates

#### **SUMMARY OF REQUEST:**

On August 5, 2019, this Board voted to give notice to the property owner, Amanda Beveridge, that as a result of the condition in which she kept her property located at 583 Piney Ridge Drive (off Asheville Highway), she was a "chronic violator of the public nuisance ordinance", as required by N.C. Gen. Stat. §153A-140.2.

**§ 153A-140.2. Annual notice to chronic violators of public nuisance ordinance.** A county may notify a chronic violator of the county's public nuisance ordinance that, if the violator's property is found to be in violation of the ordinance, the county shall, without further notice in the calendar year in which notice is given, take action to remedy the violation, and the expense of the action shall become a lien upon the property and shall be collected as unpaid taxes. The notice shall be sent by certified mail. A chronic violator is a person who owns property whereupon, in the previous calendar year, the county gave notice of violation at least three times under any provision of the public nuisance ordinance.

Your Code Enforcement has made numerous visits to the site since the notice was delivered to Ms. Beveridge by certified mail (as well as by certified mail). Most recently, Code Enforcement staff again cited the owner for nuisance, for the same problems as before, on August 26, 2019. If the Board finds that insufficient (or no) progress has been made on remedying the nuisance, the Board may choose to "take action to remedy the violation", and take a lien on the property for the costs thereof.

In the event the Board chooses to proceed with cleanup, cost estimates for two scopes of work are included. If the Board chooses to proceed with cleanup, it should choose the scope of work that it believes is needed to remediate the nuisance.

Once that is done, it is suggested that staff be given discretion to execute a contract for the same, after direction from the Chairman on terms.

#### **BOARD ACTION REQUESTED:**

Henderson County Board of Commissioners  
Request for Board Action from  
Office of the County Attorney

Determination of whether to proceed with remedy of the nuisance at this time, and if so, the scope of the work.

If the Board is so inclined, the following motion is suggested:

***I move that staff contract for the immediate remedying of the nuisance as previously cited, and direct and authorize the Chairman and staff to execute contracts for the same.***

***The scope of the work should be as follows:*** \_\_\_\_\_



## Henderson County, North Carolina Code Enforcement Services

August 26, 2019

Ms. Amanda Beveridge  
145 McGuire Loop  
Pisgah Forest, NC 28768

NAME OF TENANT  
ADDRESS OF TENANT

**RE: NOTICE OF VIOLATION at 583 Piney Ridge Dr, Hendersonville NC**

Dear Ms. Beveridge:

Your property continues to be in violation of Chapter 52 of the Henderson County Code as a public nuisance as that term is defined in Chapter 52 (in this case, presence of open solid waste and maintaining an abandoned manufactured home without electricity).

Your tenant named above (and you) have been given a reasonable amount of time to comply with the three Notices of Violation for the . If the violations are not removed by September 16, 2019 the nuisance will be remedied by Henderson County. Given the extremely poor condition of the manufactured home, it may be that the only alternative which will remediate the nuisance will be the demolition of the remaining structure and removal of the waste of demolished structure. The cost of the remedial work will be levied against your property and a tax lien will be placed on the property for the cost of the demolition. If the tax bill is not paid, the property will be sold as a tax foreclosure.

The following violations should be abated within 15 days of this 9/16/19 notice:

**§52-03c** – Failure to keep solid waste properly contained and disposed

**§52-03g** – Abandoned manufactured home (no legally permitted utilities)

Please govern yourself accordingly.

Sincerely,

Mike Williams, CZO

Mike Williams  
Zoning Enforcement Officer  
100 N King St  
Hendersonville, North Carolina 28792  
[mikewilliams@hendersoncountync.org](mailto:mikewilliams@hendersoncountync.org)  
[www.hendersoncountync.org](http://www.hendersoncountync.org)  
828-698-6139

# GQC Demolition & Debris, L.L.C.

Specialty Demolition & Structures to 3 Stories

Nate Breeding, Proprietor

Ph: (828) 777-5433

[www.gqcdemo.com](http://www.gqcdemo.com)

**Toby Linville**

**Henderson County**

**Phone: 828-691-9948**

**Email: [tlinville@hendersoncountync.org](mailto:tlinville@hendersoncountync.org)**

**Site: 583 Piney Ridge Dr, Hendersonville NC**

**11 Sep 2019**

**Estimates for Renovations on site  
via Jeremy Wichterman, Master Carpenter  
and [www.homewyse.com](http://www.homewyse.com)**

**14x80 Mobile Home w contents & large deck, 12x20 shed full of garbage, site cleanup.**

Spoke with my contractor Jeremy Wichterman, who is a degreed master carpenter and has built a couple houses for me. He recommended looking prices on [www.homewyse.com](http://www.homewyse.com) for specific estimates on materials and labor, which is where he looks to make estimates on individual jobs.

The structure is in bad shape, needing a full renovation to be reasonably habitable. As a ballpark for a full renovation, Jeremy just completed a 14x60 that was in poor shape and the total there came to \$14,000.00 for the whole job, labor and materials. This included new low end kitchen cabinets (my est \$3-5k).

Numbers he gave me include:

\$3/ square foot for painting and roof coating (includes materials, I believe.)

Roof reseal would be about \$1200 plus materials on [homewyse.com](http://homewyse.com)

Also via [homewyse.com](http://homewyse.com), a membrane roof would cost about \$4800 on the median price

Sheetrock runs about \$8 a board, [homewyse.com](http://homewyse.com) demo and install about \$1.75 psqft plus painting.

Electrical work is about \$50/hr these days. I also saw plumbing work needed there.

Flooring via [homewyse.com](http://homewyse.com) for a 1000 sqft of flooring backer board installed is about \$4000

Linoeum runs about \$.87 psqft at Lowes, install is about \$3400 for 1000 sqft on [homewyse.com](http://homewyse.com).

A full bathroom renovation would probably run around \$2-3k plus electrical I would think.

Windows and doors run \$80-250 each and install is \$250 a door, window framing is about \$120 a window plus materials on [homewyse.com](http://homewyse.com).

With these numbers it becomes quickly evident that professional work there will take the total well above the demolition costs, which also include about \$700 to remove the shed with the garbage and site trash. The homeowner wasn't around when we visited but looking at his efforts on rehab at the time it doesn't look to me like he has the skill to do the work properly himself.

Nate Breeding

GQC Demolition & Debris LLC

(828)777-5433

[gqc.demolition@yahoo.com](mailto:gqc.demolition@yahoo.com)



**GQC Demolition & Debris, L.L.C.**  
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Toby Linville  
Henderson County  
Phone: 828-691-9948  
Email: [tlinville@hendersoncountync.org](mailto:tlinville@hendersoncountync.org)

Sites: 583 Piney Ridge Dr, Hendersonville NC

8 Aug 2019

**Quote for Demo and some site Cleanup**

**14x80 Mobile Home w contents & large deck, 12x20 shed full of garbage, site cleanup.**

**Recyclables & Salvage:**

- All Salvage, metal and otherwise becomes property of GQC Demolition & Debris unless otherwise excluded by owner.

**Items excluded in cleanup prices:**

- All Hazardous Materials, some fluids (oil tanks) and cinder block

**Permits:**

- Permits not included in above pricing.

**Site Preparation:**

- Septic tanks and fields must be marked with orange flagging/paint to avoid damage to working systems. Damage will be avoided with best efforts but is **not** guaranteed.
- All utilities must be disconnected before demolition begins. These include electricity, gas lines, oil lines, water & sewer.
- Natural gas lines must be disconnected at the street.

**Quote for Demolition & Removal:**

**\$4500.00**

Insurance information is on record with Henderson County and we are a registered vendor.

Thanks for the opportunity!

Nate Breeding  
GQC Demolition & Debris LLC  
(828)777-5433  
[gqc.demolition@yahoo.com](mailto:gqc.demolition@yahoo.com)

# Greene's Grading & Excavating

Stone Hauling - Dirt Hauling

828-691-5481

INVOICE NO. 2283

Toby L. Inville 691-9948

**INVOICE**

BILL TO Henderson County	SERVICE PERFORMED Greene's Grading + Excavating LLC	
ADDRESS	ADDRESS 3265 Evans Rd.	
CITY, STATE, ZIP	CITY, STATE, ZIP Hendersonville NC 28739	
CUSTOMER ORDER NO. tlinville@hencounty.org	SOLD BY Toby	DATE Aug 28, 2019

	Piney Ridge Circle - Mt Home		
	Take down and Remove		
	* 12' x 70' Trailer and 12' x 20' shed.		
	Remove all Garbage including		
	trailer and shed with contents.		
	Haul all Trash to Hen. Co. Dump		2800 00
	Plus whatever the dump Fee		1200
	Estimate 20 Tons at \$60 per ton		
			4000

# Greene's Grading & Excavating

Stone Hauling - Dirt Hauling  
828-691-5481

INVOICE NO. 2284

**INVOICE**

BILL TO Henderson County		SERVICE PERFORMED Greene's Grading & Excavating LLC	
ADDRESS		ADDRESS 3765 Evens Rd.	
CITY, STATE, ZIP		CITY, STATE, ZIP Hendersonville NC 28739	
CUSTOMER ORDER NO. Hlinville@hencount.org	SOLD BY Toby	TERMS	DATE 8-28-2019

	Repair *12' x 70' Trailer.		
1.	Rubberize roof to stop leaks		2500.00
2.	Install New windows and doors		3500.00
3.	Repair Window seals and Flooring plus what ever can't be detected until starting		4500.00
4.	Insulate under and around windows		500.00



# Proposal/Contract

Date	Contract #
9/12/2019	532

**P.O. Box 2469**  
**Hendersonville, NC 28793**  
 allisoncontractors@att.net

NC General Contractor License # 69372  
 NC Landscape License # 1526

<b>Customer Name &amp; Address</b>	<b>Project Name/Location</b>
Henderson County 100 N. King Street Hendersonville, NC 28792 Attn: Toby Linville	583 Piney Ridge Drive Hendersonville, NC Mobile Home and Building Demo

<b>Engineer</b>	<b>Plan Date</b>	<b>Terms</b>
N/A	N/A	Net 15

Description	U/M	Est. Qty	Unit Price	Total Bid
We propose to furnish the necessary supervision, labor, tools, equipment, insurance, materials, and traffic control to demo and dispose of offsite the existing single wide mobile home and building, seed and straw the disturbed areas.  ***Exclusions: This proposal does not include any surveying, staking or layout, testing, permits, any utility adjustments or relocations, removal or replacement of unsuitable material, or dewatering.	LS	1	13,500.00	13,500.00

<b>Total Bid</b>	<b>\$13,500.00</b>
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Any alteration or deviation from above specifications involving extra costs will be executed only upon written change order and will become an extra charge over and above the proposal/contract.

\*Unless a LUMP SUM (LS) price is stated it is understood and agreed upon that the above quantities are estimates only and payment shall be made on actual quantities at stated unit prices.

**Respectfully Submitted by: Robbie Allison**

\*Note - This proposal may be withdrawn by us if not accepted within 30 days.

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do this work as specified. Payments will be made as outlined above. All overdue balances over 30 days are subject to a 1 1/2% finance charge per month. Owner is responsible for any collection cost and/or court attorney fees if you default on balance. The customer, or corporate officers, personally guarantees payment for work completed.

**Signature & Title:** \_\_\_\_\_

**Date of Acceptance:** \_\_\_\_\_

Thank you for your business.





# Proposal/Contract

Date	Contract #
9/12/2019	533

**P.O. Box 2469**  
**Hendersonville, NC 28793**  
**allisoncontractors@att.net**

NC General Contractor License # 69372  
 NC Landscape License # 1526

<b>Customer Name &amp; Address</b>	<b>Project Name/Location</b>
Henderson County 100 N. King Street Hendersonville, NC 28792 Attn: Toby Linville	583 Piney Ridge Drive Single Wide Mobile Home Remodel Budget Numbers Only

<b>Engineer</b>	<b>Plan Date</b>	<b>Terms</b>
N/A	N/A	Net 15

Description	U/M	Est. Qty	Unit Price	Total Bid
- Clean trash out of house and do interior demo	LS	1	4,000.00	4,000.00
- Roof	LS	1	4,000.00	4,000.00
- Flooring	LS	1	3,000.00	3,000.00
- Inside Remodel (ceiling and walls)	LS	1	5,000.00	5,000.00
- Windows and Doors	LS	1	3,000.00	3,000.00
- Electrical and Plumbing	LS	1	4,000.00	4,000.00
- Bathroom and Kitchen Fixtures (toilets and sinks)	LS	1	2,000.00	2,000.00

<b>Total Bid</b>	\$25,000.00
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**Signature & Title:** \_\_\_\_\_

**Date of Acceptance:** \_\_\_\_\_

Thank you for your business.



## Henderson County, North Carolina Code Enforcement Services

Under §52-5 of the Henderson County Code, a "Public Nuisance" is defined as:

Any activity or failure to act that adversely affects the public and shall include, but is not limited to, any condition which poses an immediate and direct hazard to human health if left unheeded due to the existence of the condition itself or due to the immediate threat of transmission of disease through insects, animals, or other means of transmission or infections.

If the finding of "chronic public nuisance" for these tracts is made, county staff will notify the property owner and post the property. After that has taken place, this Board may be asked to authorize the remedying of the violation as allowed by the statute quoted above.

Motion:

*I move that the Board find that the two properties listed in this agenda item are chronic violators of the County's public nuisance ordinance.*

**Original Notification of Violation Expired: 11/24/16**

Sincerely,

Mike Williams, CZO

Authorization of Service

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Officer

Date/Time

Mike Williams  
Zoning Enforcement Officer  
100 N King St  
Hendersonville, North Carolina 28792  
[mikewilliams@hendersoncountync.org](mailto:mikewilliams@hendersoncountync.org)  
[www.hendersoncountync.org](http://www.hendersoncountync.org)  
828-698-6139