

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: August 4, 2025

SUBJECT: Chronic Nuisance Property -

PRESENTER: Charles Russell Burrell

ATTACHMENT(S): Notices of violation (February 12, 2025, March 18, 2025; and June 3, 2025)
Letters sent to property owner (1 per violation)
Photos of the property
GIS oblique view of property

SUMMARY OF REQUEST:

Your Code Enforcement and Zoning Services Department has cited a particular parcel of property three times within the past year for violation of your nuisance ordinance, Chapter 52 of the Henderson County Code. The property is shown on your geographical information system as PIN 9557494748, with owner shown as “Sonya D. Cantrell”. A copy of each of the notices of violation is attached.

Under N.C.G.S. §153A-140.2,

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.

This matter would, in the worst case, come back before the Board before a contractor was hired to clear up the property under the authority noted above.

County staff will be present and prepared if requested to give further information on this matter.

BOARD ACTION REQUESTED:

Give notice to property owners under N.C.G.S. §153A-140.2.

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

I move that the Board give the owner(s) of the property which is the subject of this agenda item the notice provided for under N.C.G.S. §153A-140.2.



Henderson County, North Carolina Code Enforcement Services

February 12, 2025

Sonya Cantrell
230 Elson Ave
Hendersonville, NC 28739

1st Notice of Violation at 230 Elson Ave, PIN: 9557-49-4748

Dear Property Owner,

I have made a site visit to your property at 230 Elson Ave in response to citizen complaints. I observed many vehicles with no tags. I also observed lots of debris and solid waste. These are violations of the Henderson County Code of Ordinances. I am serving you with a 30-day Notice of Compliance on that property since you are the lawful property owners.

Section 52 of the Henderson County Code prohibits to prevent injury and illness to occupants of property and the public and to remove public nuisances. To provide county-wide standards for the abatement of public nuisances including, but not limited to solid waste, junked motor vehicles and abandoned manufactured homes. To establish responsibility of involved parties and assure that people are not unnecessarily exposed to dangers of public nuisances. Your Notice of Violation provides a final 30-day compliance period running through **March 12, 2025**. A \$50 per day fine has been accruing since the property was found to be in violation. Failure to abate these violations by **March 12, 2025**, will result in a warrant being issued against you for criminal and/or civil charges.

This matter should be relatively easy to resolve. Please contact me at (828) 694-6517 to discuss this issue and avoid further prosecution.

Respectfully,

Penny Sams

Lead Code Enforcement CZO

Penny Sams
Lead Code Enforcement
100 N King St
Hendersonville, North Carolina 28792
psams@hendersoncountync.gov
www.hendersoncountync.gov
(828) 694-6517

STATE OF NORTH CAROLINA, COUNTY OF HENDERSON
Notice of Violation and Declaration of Public Nuisance

Name of Violator / Property Owner: Sonya Cantrell
Street Address: 230 Eison Ave
PIN Number: 9857494748

On or about the 12 day of Feb, 2025, in the County of Henderson a violation of Henderson County Nuisance Ordinance Section 52 did occur by:

- ☐ §52-3 A. Improper sewage disposal to such degree that sewage or effluent is discharging onto the surface of the ground, backing up into a structure, or discharging into a body of water.
- ☐ §52-3 B. An unsecured opening caused by improperly abandoned cistern, well pit, sewage treatment system, unused or non-maintained swimming pool, mine shaft or tunnel.
- ☒ §52-3 C. Failure to keep waste, refuse or garbage in an enclosed building or properly contained in a closed, insect and rodent-proof container.
- ☐ §52-3 D. Accumulation of carcasses of animals, birds, or fish by failing to bury or otherwise dispose of in a sanitary manner within 24 hours after death.
- ☐ §52-3 E. Significant outdoor storage of solid waste.
- ☒ §52-3 F. Accumulations of rubbish or junk as to become dangerous or injurious to the health and safety of any individual or to the public.
- ☒ §52-3 G. Any junked motor vehicles without a current Vehicle Restoration Permit and/or any abandoned manufactured home.
- ☐ §52-3 H. Infestations of flies, fleas, cockroaches, lice, rats, mice, fly larvae, hookworm larvae or other insects, parasites or vermin.
- ☐ §52-3 I. Breeding grounds which support mosquito larvae and mosquitoes.
- ☐ §52-3 J. Use of a Recreational Vehicle as a primary residence without permitted electric, water and sewage connections.
- ☐ §52-3 K. Recreational vehicles used to store solid waste.
- ☐ §52-4 A. Improper outdoor storage location violation for zoning purposes.
- ☐ Other Zoning Violation (Section 42): _____
- ☐ Solid Waste Violation (Section 95): _____

Furthermore, the property mentioned above is hereby declared a Public Nuisance by Henderson County Code Enforcement Services and will remain so until the specific problem(s) is/are abated and approved by Code Enforcement Services at which time the Declaration of Public Nuisance will be dismissed. It is your responsibility to abate the existing problem on the property.

You have 30 days, ending on 3 / 12 / 25, to abate the current nuisance. Failure to legally abate the nuisance could result in a warrant being issued against you. Each day that the violation exists past the allotted time period shall constitute a separate violation. Per Section 1-14 of the Henderson County Code and NCGS 14-4, violation of the Code shall constitute a Class 3 misdemeanor for criminal violation and/or \$50 per day per violation for civil violation.

As the owner, occupant or person in control of the property mentioned it is your responsibility to bring the property into compliance with Henderson County ordinances. You are hereby ordered to bring the property into compliance by remedying the nuisance in a legal manner and notifying the Henderson County Code Enforcement Department once completed. If the property is not abated or remedied in accordance with this order, Henderson County will have the nuisance abated or removed at the expense of the owner under the provisions of North Carolina Statute 153A-140.2 and this ordinance.

Right to appeal: As the owner or occupant of the property, you may appeal this Declaration by filing a written request with the Zoning Board of Adjustment for an administrative hearing within ten calendar days of receiving this notice. Correspondence may be made by mail to 100 N King St. Hendersonville, NC 28792.

Please contact Officer: Penny Sams as soon as possible at 694-6517.

Owner Signature _____

Phone Number _____

Penny Sams
Zoning Enforcement Officer

2/12/25
Date

1435
ID#



Henderson County, North Carolina Code Enforcement Services

March 18, 2025

Sonya Cantrell
230 Elson Ave
Hendersonville, NC 28739

2nd Notice of Violation at 230 Elson Ave, PIN: 9557-49-4748

Dear Property Owner,

I have made another site visit to your property at 230 Elson Ave in response to citizen complaints. I observed many vehicles with no tags. I also observed lots of debris and solid waste. These are violations of the Henderson County Code of Ordinances. I am serving you with a 30-day Notice of Compliance on that property since you are the lawful property owners.

Section 52 of the Henderson County Code prohibits to prevent injury and illness to occupants of property and the public and to remove public nuisances. To provide county-wide standards for the abatement of public nuisances including, but not limited to solid waste, junked motor vehicles and abandoned manufactured homes. To establish responsibility of involved parties and assure that people are not unnecessarily exposed to dangers of public nuisances. Your Notice of Violation provides a final 30-day compliance period running through **April 18, 2025**. A \$50 per day fine has been accruing since the property was found to be in violation. Failure to abate these violations by **April 18, 2025**, will result in a warrant being issued against you for criminal and/or civil charges. Please remember this is your second violation and fines are occurring.

This matter should be relatively easy to resolve. Please contact me at (828) 694-6517 to discuss this issue and avoid further prosecution.

Respectfully,

Penny Sams

Lead Code Enforcement CZO

Penny Sams
Lead Code Enforcement
100 N King St
Hendersonville, North Carolina 28792
psams@hendersoncountync.gov
www.hendersoncountync.gov
(828) 694-6517

STATE OF NORTH CAROLINA, COUNTY OF HENDERSON
Notice of Violation and Declaration of Public Nuisance

Name of Violator / Property Owner: Sonya Cantrell
Street Address: 230 Eason Ave
PIN Number: 9557494748

On or about the 18th day of March, 2025, in the County of Henderson a violation of Henderson County Nuisance Ordinance Section 52 did occur by:

- ☐ §52-3 A. Improper sewage disposal to such degree that sewage or effluent is discharging onto the surface of the ground, backing up into a structure, or discharging into a body of water.
- ☐ §52-3 B. An unsecured opening caused by improperly abandoned cistern, well pit, sewage treatment system, unused or non-maintained swimming pool, mine shaft or tunnel.
- ☒ §52-3 C. Failure to keep waste, refuse or garbage in an enclosed building or properly contained in a closed, insect and rodent-proof container.
- ☐ §52-3 D. Accumulation of carcasses of animals, birds, or fish by failing to bury or otherwise dispose of in a sanitary manner within 24 hours after death.
- ☒ §52-3 E. Significant outdoor storage of solid waste.
- ☒ §52-3 F. Accumulations of rubbish or junk as to become dangerous or injurious to the health and safety of any individual or to the public.
- ☒ §52-3 G. Any junked motor vehicles without a current Vehicle Restoration Permit and/or any abandoned manufactured home.
- ☐ §52-3 H. Infestations of flies, fleas, cockroaches, lice, rats, mice, fly larvae, hookworm larvae or other insects, parasites or vermin.
- ☐ §52-3 I. Breeding grounds which support mosquito larvae and mosquitoes.
- ☐ §52-3 J. Use of a Recreational Vehicle as a primary residence without permitted electric, water and sewage connections.
- ☐ §52-3 K. Recreational vehicles used to store solid waste.
- ☐ §52-4 A. Improper outdoor storage location violation for zoning purposes.
- ☐ Other Zoning Violation (Section 42): _____
- ☐ Solid Waste Violation (Section 95): _____

Furthermore, the property mentioned above is hereby declared a Public Nuisance by Henderson County Code Enforcement Services and will remain so until the specific problem(s) is/are abated and approved by Code Enforcement Services at which time the Declaration of Public Nuisance will be dismissed. It is your responsibility to abate the existing problem on the property.

You have 30 days, ending on 4/18/25, to abate the current nuisance. Failure to legally abate the nuisance could result in a warrant being issued against you. Each day that the violation exists past the allotted time period shall constitute a separate violation. Per Section 1-14 of the Henderson County Code and NCGS 14-4, violation of the Code shall constitute a Class 3 misdemeanor for criminal violation and/or \$50 per day per violation for civil violation.

As the owner, occupant or person in control of the property mentioned it is your responsibility to bring the property into compliance with Henderson County ordinances. You are hereby ordered to bring the property into compliance by remedying the nuisance in a legal manner and notifying the Henderson County Code Enforcement Department once completed. If the property is not abated or remedied in accordance with this order, Henderson County will have the nuisance abated or removed at the expense of the owner under the provisions of North Carolina Statute 153A-140.2 and this ordinance.

Right to appeal: As the owner or occupant of the property, you may appeal this Declaration by filing a written request with the Zoning Board of Adjustment for an administrative hearing within ten calendar days of receiving this notice. Correspondence may be made by mail to 100 N King St. Hendersonville, NC 28792.

Please contact Officer: Penny Sams as soon as possible at 694 6517.

Owner Signature _____

Phone Number _____

Penny Sams
Zoning Enforcement Officer

3/18/25
Date

1435
ID#



Henderson County, North Carolina Code Enforcement Services

June 3, 2025

Sonya Cantrell
230 Elson Ave
Hendersonville, NC 28739

3rd and Final Notice of Violation at 230 Elson Ave, PIN: 9557-49-4748

Dear Property Owner,

I have made another site visit to your property at 230 Elson Ave in response to citizen complaints. I observed many vehicles with no tags. I also observed lots of debris and solid waste. These are violations of the Henderson County Code of Ordinances. I am serving you with a 30-day Notice of Compliance on that property since you are the lawful property owners.

Section 52 of the Henderson County Code prohibits to prevent injury and illness to occupants of property and the public and to remove public nuisances. To provide county-wide standards for the abatement of public nuisances including, but not limited to solid waste, junked motor vehicles and abandoned manufactured homes. To establish responsibility of involved parties and assure that people are not unnecessarily exposed to dangers of public nuisances. Your Notice of Violation provides a final 30-day compliance period running through **July 3, 2025**. A \$50 per day fine has been accruing since the property was found to be in violation. Failure to abate these violations by **July 3, 2025**, will result in a warrant being issued against you for criminal and/or civil charges. Please remember this is your third and final violation, and fines are occurring.

This matter should be relatively easy to resolve. Please contact me at (828) 694-6517 to discuss this issue and avoid further prosecution.

Respectfully,

Penny Sams

Lead Code Enforcement CZO

Penny Sams
Lead Code Enforcement
100 N King St
Hendersonville, North Carolina 28792
psams@hendersoncountync.gov
www.hendersoncountync.gov
(828) 694-6517

STATE OF NORTH CAROLINA, COUNTY OF HENDERSON
Notice of Violation and Declaration of Public Nuisance

Name of Violator / Property Owner: Sonya, Cantrell
Street Address: 230 Eison Ave
PIN Number: 9557499748

On or about the 3RD day of June, 2020, in the County of Henderson a violation of Henderson County Nuisance Ordinance Section 52 did occur by:

- ☐ §52-3 A. Improper sewage disposal to such degree that sewage or effluent is discharging onto the surface of the ground, backing up into a structure, or discharging into a body of water.
- ☐ §52-3 B. An unsecured opening caused by improperly abandoned cistern, well pit, sewage treatment system, unused or non-maintained swimming pool, mine shaft or tunnel.
- ☒ §52-3 C. Failure to keep waste, refuse or garbage in an enclosed building or properly contained in a closed, insect and rodent-proof container.
- ☐ §52-3 D. Accumulation of carcasses of animals, birds, or fish by failing to bury or otherwise dispose of in a sanitary manner within 24 hours after death.
- ☒ §52-3 E. Significant outdoor storage of solid waste.
- ☒ §52-3 F. Accumulations of rubbish or junk as to become dangerous or injurious to the health and safety of any individual or to the public.
- ☒ §52-3 G. Any junked motor vehicles without a current Vehicle Restoration Permit and/or any abandoned manufactured home.
- ☐ §52-3 H. Infestations of flies, fleas, cockroaches, lice, rats, mice, fly larvae, hookworm larvae or other insects, parasites or vermin.
- ☐ §52-3 I. Breeding grounds which support mosquito larvae and mosquitoes.
- ☐ §52-3 J. Use of a Recreational Vehicle as a primary residence without permitted electric, water and sewage connections.
- ☐ §52-3 K. Recreational vehicles used to store solid waste.
- ☐ §52-4 A. Improper outdoor storage location violation for zoning purposes.
- ☐ Other Zoning Violation (Section 42): _____
- ☐ Solid Waste Violation (Section 95): _____

Furthermore, the property mentioned above is hereby declared a Public Nuisance by Henderson County Code Enforcement Services and will remain so until the specific problem(s) is/are abated and approved by Code Enforcement Services at which time the Declaration of Public Nuisance will be dismissed. It is your responsibility to abate the existing problem on the property.

You have 30 days, ending on 7/3/25 to abate the current nuisance. Failure to legally abate the nuisance could result in a warrant being issued against you. Each day that the violation exists past the allotted time period shall constitute a separate violation. Per Section 1-14 of the Henderson County Code and NCGS 14-4, violation of the Code shall constitute a Class 3 misdemeanor for criminal violation and/or \$50 per day per violation for civil violation.

As the owner, occupant or person in control of the property mentioned it is your responsibility to bring the property into compliance with Henderson County ordinances. You are hereby ordered to bring the property into compliance by remedying the nuisance in a legal manner and notifying the Henderson County Code Enforcement Department once completed. If the property is not abated or remedied in accordance with this order, Henderson County will have the nuisance abated or removed at the expense of the owner under the provisions of North Carolina Statute 153A-140.2 and this ordinance.

Right to appeal: As the owner or occupant of the property, you may appeal this Declaration by filing a written request with the Zoning Board of Adjustment for an administrative hearing within ten calendar days of receiving this notice. Correspondence may be made by mail to 100 N King St. Hendersonville, NC 28792.

Please contact Officer: Penny Sams as soon as possible at 694-6517.

Owner Signature _____

Phone Number _____

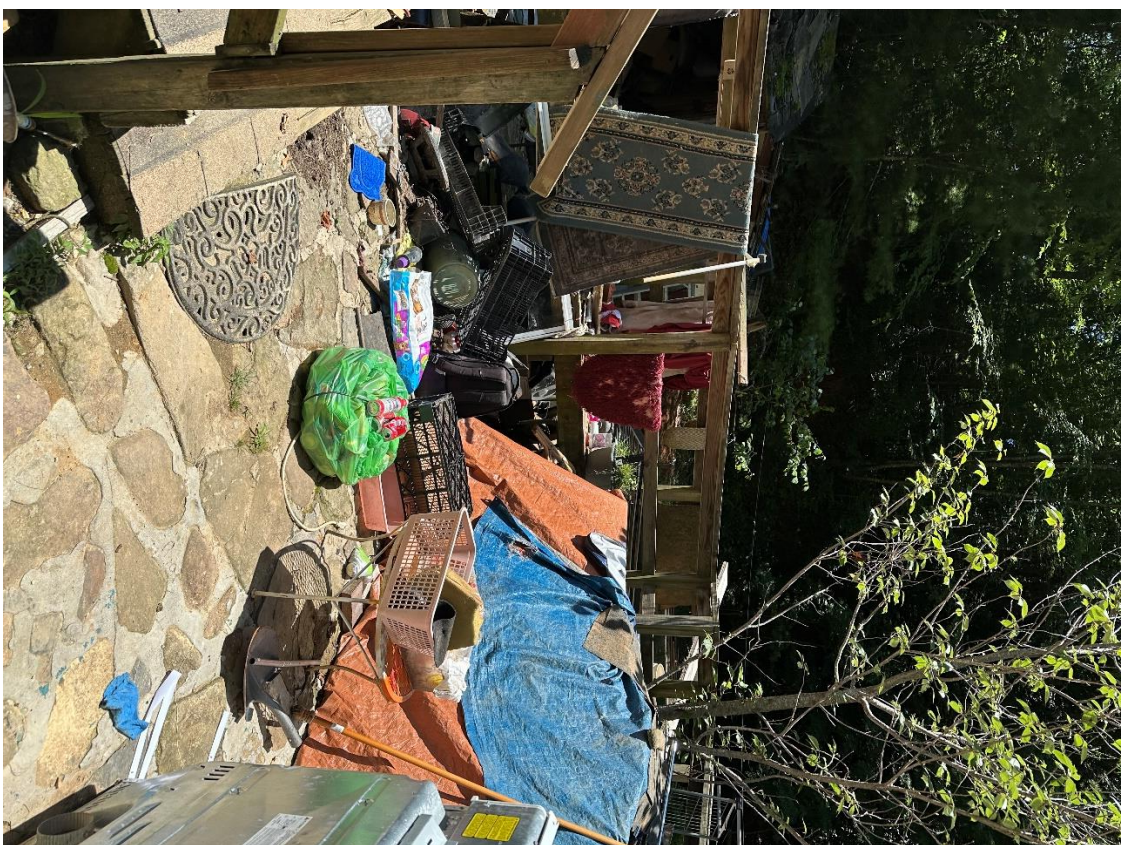
Penny Sams
Zoning Enforcement Officer

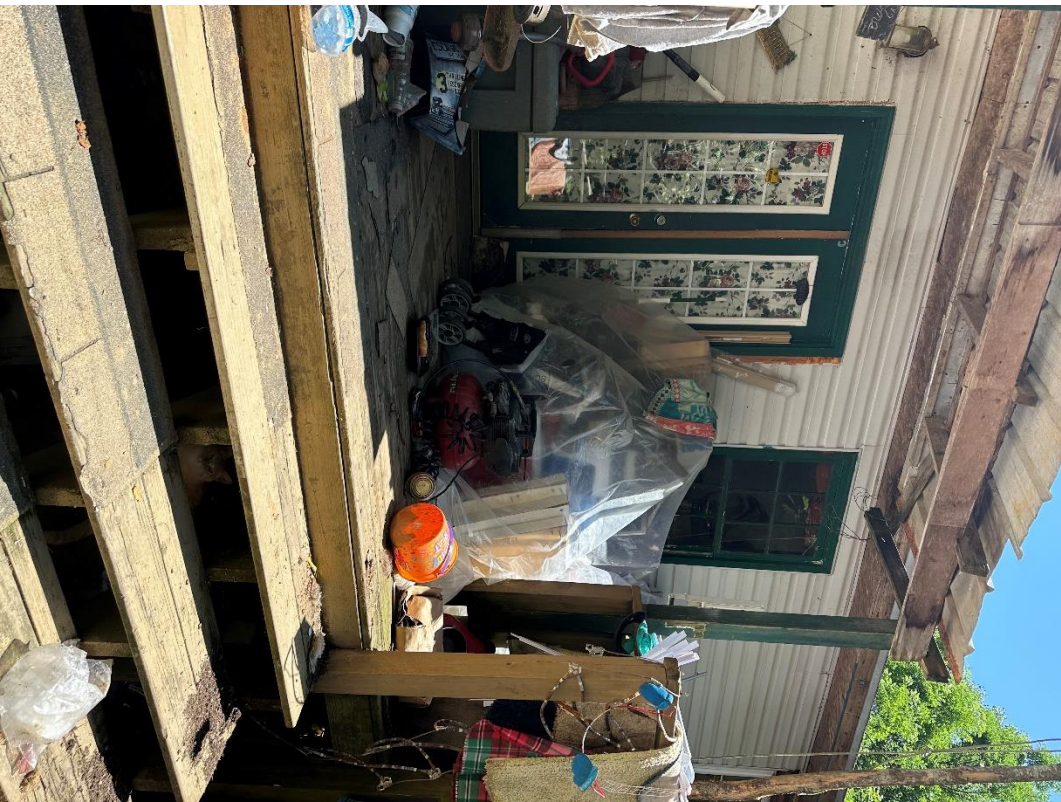
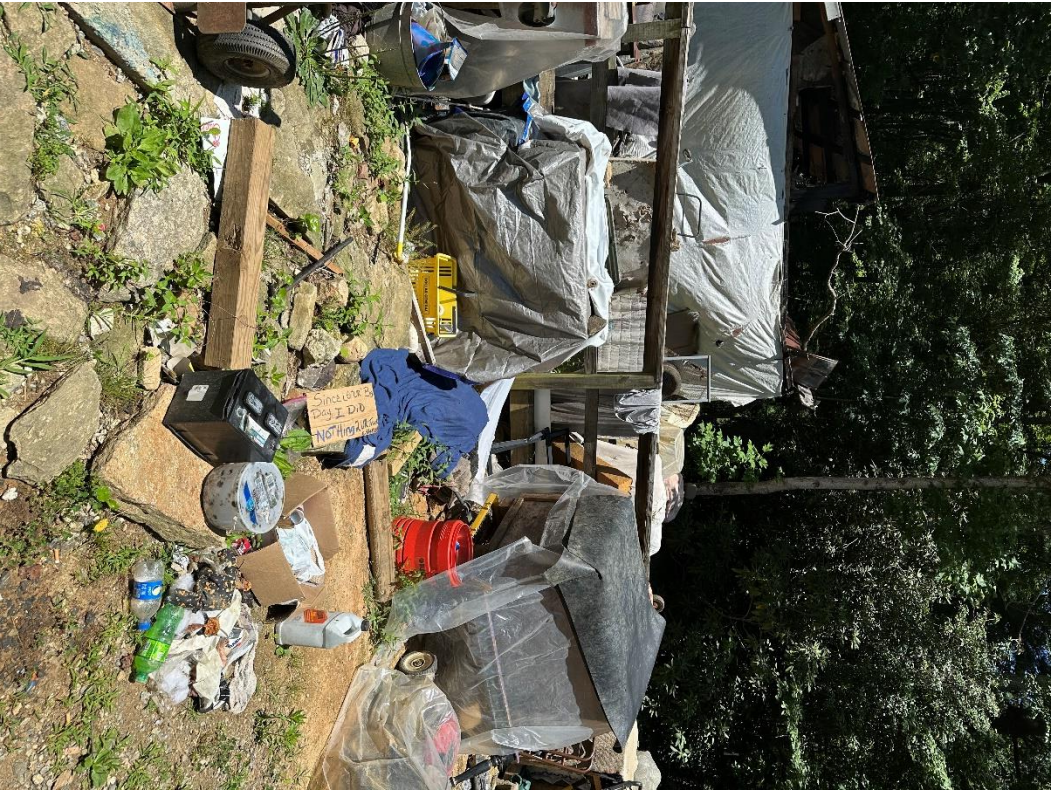
6/3/25
Date

1435
ID#









230 Elson Ave View from East



01/04/2024