



CITY OF HENDERSONVILLE PLANNING BOARD AGENDA ITEM SUMMARY

SUBMITTER: Lew Holloway

MEETING DATE: 5/01/2025

AGENDA SECTION: NEW BUSINESS

DEPARTMENT: Community
Development

TITLE OF ITEM: Notice Of Condemnation Order – *Lew Holloway, Community Development Director*

SUGGESTED MOTION(S):

I move that City Council adopt an ordinance ordering that 201 Sugarloaf Road be vacated and closed by order of the City of Hendersonville Code Enforcement Officer for failure to correct violations of the Section 12-40 of the City of Hendersonville Code of Ordinances – Maintenance and repair standards for nonresidential buildings and structures, and their premises.

SUMMARY:

201 Sugarloaf Road, known as the Cascades Mountain Resort, was issued a Notice of Violation complaint on December 13th, 2024 wherein a series of violations, observed on a December 4th, 2024 site visit, of Section 12-40 of the City's Code of Ordinances were presented to the property owners. The Notice established a administrative hearing date of January 8th, 2025 for the Code Enforcement Officer to determine the validity of the complaint. The Administrative Hearing was continued from January 8th to February 13th to allow time to begin remediating the violations. No discernable progress being made when the meeting was reconvened, a Findings of Fact and an associated Order to Repair were issued on February 28th. The Order established the documented violations of the code and provided that those violations must be remediated by March 28th. Upon an inspection conducted on March 28th it was observed that all major violations persisted. At this time the Fire Marshall, under the authority granted that position by state statute, closed the facility because of the life-safety concerns around the Fire Suppression system. The attached ordinance layers the authority of the City's Code Enforcement officer onto the Fire Marshall, affirming the condemnation of the building until all of the violations of the City's Code of Ordinance, including but not limited to Fire Code violations, must be remediated to reopen the building.

ATTACHMENTS:

Condemnation Order Ordinance