BEFORE THE TOWN OF BLACK MOUNTAIN TOWN COUNCIL
BUNCOMBE COUNTY, NC

HONGQIN WEI APPEAL OF	)	
ORDER TO TAKE CORRECTIVE ACTION	)	
850 BLUE RIDGE ROAD	)	ORDER
BLACK MOUNTAIN, NC 28711	)	

THIS MATTER came up for hearing before the Town of Black Mountain Town Council (sometimes referred to hereinafter as "Council") on 9 April 9 2026 upon the appeal of Hongqin Wei of the Town of Black Mountain Building Inspector's order to take corrective action regarding the damaged building ("Building") at 850 Blue Ridge Road, Black Mountain, NC 28711 ("850 Blue Ridge Road");

Based upon the information and evidence presented and after hearing all of the evidence, the Council does hereby make the following **FINDINGS OF FACT**:

1. Hongqin Wei ("Wei") appealed the Town of Black Mountain Building Inspector's order to take corrective action to demolish the Building and remove all debris ("Appeal").

2. All required notices were mailed and published, and signs were properly posted regarding this Appeal.

3. Jennifer Tipton, Senior Admin ("Senior Admin"), and Rick Burton, Building Inspector ("Building Inspector") appeared for the Town.

4. Kevin Wei, brother of Hongqin Wei, appeared as the representative for the Appellant ("Appellant").

5. The Town admitted the Record of the case into evidence without objection and it was accepted by Mayor Michael Sobol, the presiding officer.

6. The Building at 850 Blue Ridge Road, a nonresidential building, was severely damaged after Tropical Storm Helene in September of 2024.

7. The Appellant was sent a Notice of Substantial Damage Determination for 850 Blue Ridge Road, dated December 17, 2024. The notice provided a substantial damage assessment, instructions for appealing the determination, and an offer to the property owner meet with the Floodplain Administrator to discuss the requirements and potential options for bringing the building into compliance with the Flood Damage Prevention Ordinance. This notice was not appealed.

8. The Town communicated with TetraTech about reaching out to the Appellant to potentially apply for the Private Property Debris Removal Program.

9. The Appellant was sent a letter detailing the unsafe conditions in accordance with NCGS §160D-1118 (Defects in buildings to be corrected), dated July 31, 2025.

10. The 31 July 31 2025, letter stated that the unsafe conditions needed to be permitted, repaired, completed and inspected, or the entire Building needed to be demolished within ninety days of receipt of the letter. Notice of the unsafe character of the Building was posted by the Town on the exterior wall of the structure.

11. The Appellant sent a response dated October 24, 2025, in response to the July 31, 2025, letter of unsafe conditions.

12. The Appellant noted that the property was in a unique situation as NCDOT planned to acquire the property due to the proposed I-40 interchange project.

13. Based on the unique situation noted by the Appellant, the Appellant asked for a delay in any permit application or processing as pursuing repairs for a building that is expected to be demolished would result in unnecessary financial and administrative burden.

14. Because Appellant failed to take corrective action as requested for the Building, the Appellant was sent a letter dated November 4, 2025, regarding a condemnation hearing that would be held on November 14, 2025, in accordance with NCGS §160D-1121.

15. The Appellant sent a response dated November 12, 2025, requesting an extension of time to comply.

16. The condemnation hearing was held on November 14, 2025, in accordance with NCGS §160D-1121, addressing the concerns of the Building at 850 Blue Ridge Road. The hearing was held at 304 Black Mountain Avenue and Senior Administrative and Building Official were in attendance.

17. The Building Inspector found that no actions have been taken to repair the property and that due to the condition of the Building, the Building is a blight, is attracting illicit activity, rodent and animal infestation, homeless activity, and is a severe safety and fire hazard. Further delay could not be granted.

18. The Building Inspector officially condemned the Building and ordered the Building to be demolished within forty-five days of receipt of the Order to Take Corrective Action.

19. The Order to Take Corrective Action, in accordance with NCGS §160D-1122, dated November 17, 2025, was sent to the Appellant.

20. The Appellant filed an appeal dated 26 November 2025 to the Town Council.

21. At the hearing, Appellant did not present any experts or witnesses who could testify in any way to rebut the findings of the Building Inspector. Appellant's only contention was to dispute the remedy required to address the condition of the Building.

22. The Building is a fire or safety hazard.

23. The Building is dangerous to life, health, or other property.

NOW, THEREFORE, based on the foregoing **FINDINGS OF FACT**, the Council hereby makes the following **CONCLUSIONS OF LAW**:

1. This Council has jurisdiction under NCGS §160D-1123 to decide appeals of any order received under NCGS §160D-1122.

2. Because the Building located at 850 Blue Ridge Road is a fire or safety hazard and otherwise dangerous to life, health, or other property, it must be promptly remedied by Appellant as prescribed below.

3. Appellant must within sixty (60) days of the date of this Order fully install at her expense a fence that is attached to the Building in its entirety and covers all openings and otherwise ensures that the Building is vacant and not accessible to any member of the public. The fence must allow air flow and visibility to the interior of the Building. If the Appellant fails to timely install the fencing, then the Building without further notice to the Appellant may be immediately demolished at the expense of Appellant.

4. The Town Council retains the right to revisit this matter if any conditions change or to exercise all remedies available by law, including NCGS 160D-1125.

NOW, THEREFORE, based on the forgoing **FINDINGS OF FACT AND CONCLUSIONS OF LAW,** the Town of Black Mountain by and through its Town Council **ORDERS** as follows:

Upon motion and second, this Council affirms, by a vote of 3-0 of the voting Council members present, the Building at 850 Blue Ridge Road is a fire and safety hazard and is dangerous to life, health, or other property. The Appellant shall timely complete the corrective action set forth above.

This the _____ day of _____, 2026.

Town of Black Mountain Town Council

By:

_____

C. Michael Sobol, Mayor