Town of Black Mountain
Planning & Development
304 Black Mountain Avenue • Black Mountain • North Carolina • 28711
Phone: 828-419-9300 • Fax: 828-669-2030 • TDD: 1-800-735-2962

March 20, 2026

Mayor and Town Council
160 Midland Avenue
Black Mountain, NC 28711

VIA Email

RE: 850 Blue Ridge Road Appeal to the Town Council

Dear Mayor and Town Council,

Pursuant to NCGS §160D-405(e), please find enclosed the Record in the above-referenced case, which I am transmitting to the Town Council. If you have any questions, please do not hesitate to contact me.

Sincerely,

Jennifer Tipton
Senior Admin

Enclosures:

CC: Hongqin Wei and Kevin Wei
Mayor and Town Council
Craig Justus, Esq.
Rick Burton, Senior Building Official
Michelle Kennedy, Planning Director
Brian Gulden, Esq.

BEFORE THE TOWN OF BLACK MOUNTAIN TOWN COUNCIL
BUNCOMBE COUNTY

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

RECORD

Substantial Damage Report (October 31, 2024).....1

Email from Rick Burton to remove all utilities (December 10, 2024).....2

Notice of Substantial Determination (December 17, 2024).....3

Email from Jessica Trotman to Tetra Tech re: 850 Blue Ridge Road (April 2, 2025).....5

Letter of Unsafe Conditions (July 31, 2025).....9

Response to Letter of Unsafe Conditions (October 24, 2025).....11

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Appeal of Order to Take Corrective Action (November 26, 2025).....20

Email from Kevin Wei re: forwarding of Appeal (November 27, 2025).....22

Email from Jennifer Tipton confirming receipt of Appeal (December 1, 2025).....23

Email from Rick Burton that structure needs to be boarded (December 1, 2025).....25

Email from Kevin Wei re: additional information (December 2, 2025).....27

Email from Kevin Wei re: date of Appeal (February 9, 2026).....31

Substantial Damage Estimator

Subdivision

Subdivision		**Elev. of Lowest Floor**	
Parcel #	060972386000000		ft.
Lot #		**Datum**	

Community

NFIP Community Name	Town of Black Mountain		
NFIP Community ID #	370033		
Latitude	35.607600	**Longitude**	-82.340200

Structure Address

Owner's Name	WEI , HONGQIN
Street Address	850 Blue Ridge Road
City	Black Mountain
County/Parish	Buncombe
State	North Carolina
Zip	28711
Phone	(000) 000-0000



Structure Information

Year of Construction	1990
Use	Strip Mall
Quality	Average

Damage Information

Date of Assessment	10/31/2024	**Date of Damage**	09/27/2024	**Structure Information**
Inspector Name		**Cause of Damage**	Flood	
Inspector Phone	0000000000	**Duration of Flood**	18 Hours	
		Est. Depth of Flood Above Lowest Floor	5.25	

NFIP Information

Firm Panel #	Suffix	Date of FIRM Panel	Firm Zone	BFE	Regulatory Floodway
3710060900	J	01/06/2010	AE	2,284.20	No

Percent Damaged

Basis for Value of Structure	Percent Damaged	Basis for Cost of Repairs
$2,272,320.00	77.6 %	$1,762,560.00
Computed Actual Cash Value	**Substantially Damaged**	Computed Damages

Damage Summary

Replacement Cost	$2,880,000.00	**Computed Damages**	$1,762,560.00
Depreciation %	21.1 %	**Percent of Existing Improvements and Repairs Pre-Disaster**	0.0 %
Computed Actual Cash Value*	$2,272,320.00	**Repair/Reconstruction %**	77.6 %
		Other Depreciation Explanation	

*** Per FEMA Publication 213, Actual Cash Value may be used as Market Value.**

Optional User Entered Data

Professional Market Appraisal	$0.00	**Contractor Estimate**	
Tax Assessed Value	$0.00	$0.00	
Factor Adjustment	0	**Community Estimate**	
Adjusted Tax Assessed Value	$0.00	$0.00	

Authorized Local Official : _____ Signature

Authorized Local Official : Anne Phillip, FPA Printed Name

Jennifer Tipton

From: Rick Burton
Sent: Tuesday, December 10, 2024 10:46 AM
To: Jennifer Tipton
Subject: 850 Blue Ridge RD

Please send request to remove all utilities from 850 Blue Ridge Rd Sent from my iPad

Town of Black Mountain
Planning & Development
160 Midland Avenue • Black Mountain • North Carolina • 28711
Phone: 828-419-9300 • Fax: 828-669-2030 • TDD: 1-800-735-2962

NOTICE OF SUBSTANTIAL DAMAGE DETERMINATION FOR

850 BLUE RIDGE RD

December 17, 2024

Dear HONGQIN WEI,

The Town of Black Mountain has reviewed the Substantial Damage assessment completed for your residential structure located at 850 BLUE RIDGE RD, Black Mountain, NC 28711 (PIN 060972386000000). The damage was sustained because of Tropical Storm Helene, *September 26-27, 2024.*

This structure is located within a mapped Special Flood Hazard Area on the Flood Insurance Rate Map (FIRM), Map number 3710061900J panel 0619 with an effective date of 1/6/2010. Since the structure is within the 1% Annual Chance of Flooding area, also known as the 100-year floodplain, it is regulated by the Town's Flood Damage Prevention Ordinance (FDPO).

Substantial Damage is defined by the Federal Emergency Management Agency (FEMA) as:

> Damage of any origin sustained by a structure whereby the cost of restoring the structure to its pre-damage condition would equal or exceed 50% of the market value of the structure before the damage occurred

As required by our Flood Damage Prevention Ordinance, we have conducted substantial damage assessments of all structures in the Town's 100-year floodplain. A determination of substantial damage is made by comparing the estimate of the proposed cost of repairs to the pre-damage market value of the structure (excluding land value). When the cost of repairs equals or exceeds 50 percent of the pre-damage market value of the structure, the damages are considered Substantial Damage.

As a result of this Substantial Damage determination, you are required to bring the whole structure into compliance with the flood damage-resistant provisions of the Town of Black Mountain Land Use Code Section 2.3 Flood Damage Prevention Ordinance (FDPO). You may also choose to demolish the structure and rebuild according to the requirements of the FDPO.

Please see the attached Substantial Damage assessment of your structure. **You may appeal this determination by submitting an appraisal by a licensed NC appraiser and cost estimates from contractors for the repairs needed to restore the structure to its pre-damaged condition.** I will

review your appeal submittal to determine if the cost estimates and appraisal show that the needed repairs do not constitute 50% or more of the pre-damaged market value of the structure.

I would be pleased to meet with you and your designated representative (architect/builder) to discuss the requirements and potential options for bringing the home into compliance. There are several aspects that must be addressed to achieve compliance. The most significant requirement is that the top of the lowest habitable floor, as defined in the regulations/code, must be elevated to or above the regulatory flood protection elevation, which is base flood elevation (BFE) plus 2 feet. You may wish to contact your insurance agent to understand how raising the lowest floor higher than the minimum required elevation can reduce National Flood Insurance Program (NFIP) flood insurance premiums.

Please contact me to discuss the requirements to repair your Substantially Damaged structure according to the Town's Flood Damage Prevention Ordinance requirements.

Sincerely,

Anne Phillip
Floodplain Administrator
Town of Black Mountain
828-419-9374
Anne.phillip@tobm.org

Jennifer Tipton

From: Jessica Trotman
Sent: Wednesday, April 2, 2025 12:36 PM
To: Sims, Michelle
Cc: Jennifer Tipton
Subject: RE: 850 Blue Ridge Road

Yes, that would be amazing. The building is dangerous as it is and needs to come down. Thank you for your help!

Jessica

From: Sims, Michelle <MICHELLE.SIMS@tetratech.com>
Sent: Wednesday, April 2, 2025 12:11 PM
To: Jessica Trotman <jessica.trotman@tobm.org>
Subject: Re: 850 Blue Ridge Road

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning, I do not see this address nor the parcel number in our PPDR application system. Do you want us to reach out to them? I see the registered owner lives in Los Angeles.

Best Regards,

Michelle Sims | Program Manager

Pronouns: she, her, hers
Mobile **+1 (512) 905-5502** | michelle.sims@tetratech.com

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TETRA TECH

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From: Jessica Trotman <jessica.trotman@tobm.org>
Sent: Wednesday, April 2, 2025 9:19 AM
To: Sims, Michelle <MICHELLE.SIMS@tetratech.com>
Subject: 850 Blue Ridge Road

⚠ **CAUTION:** This email originated from an external sender. Verify the source before opening links or attachments. ⚠

Hi Michelle – Can you tell me if an application for PPDR as been submitted for this address?

Thank you!

Jessica Trotman, MSEH, MPH
Town of Black Mountain
Assistant Town Manager
828.419.9300 ext. 370
www.townofblackmountain.org

Hurricane Helene Recovery Resources
www.blackmountainrecovery.org

Jennifer Tipton

From: Sims, Michelle <MICHELLE.SIMS@tetratech.com>
Sent: Wednesday, April 2, 2025 12:41 PM
To: Jessica Trotman
Cc: Jennifer Tipton
Subject: Re: 850 Blue Ridge Road

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

We will do our best to make contact - I don't suppose you have any contact info for the owner on your end?

Best Regards,
Michelle Sims | Program Manager
Pronouns: she, her, hers
Mobile **+1 (512) 905-5502** | michelle.sims@tetratech.com
Tetra Tech | *Leading with Science®* | tetratech.com |



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Cc: Jennifer Tipton <jennifer.tipton@tobm.org>
Subject: RE: 850 Blue Ridge Road

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Good morning, I do not see this address nor the parcel number in our PPDR application system. Do you want us to reach out to them? I see the registered owner lives in Los Angeles.

Best Regards,
Michelle Sims | Program Manager
Pronouns: she, her, hers
Mobile **+1 (512) 905-5502** | michelle.sims@tetratech.com
Tetra Tech | *Leading with Science®* | tetratech.com |



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Thank you!

Jessica Trotman, MSEH, MPH
Town of Black Mountain
Assistant Town Manager
828.419.9300 ext. 370
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Town of Black Mountain
Planning & Development
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July 31, 2025

Hongqin Wei
822 N Hazard Ave, Apt 305N
Los Angeles, CA 90063

Dear Property Owner,

This letter is in reference to property you own at 850 Blue Ridge Road, Black Mountain, NC 28711.

In accordance with NCGS §106D-1118 (Defects in buildings to be corrected), "When a local inspector finds any defects in a building, or finds that the building has not been constructed in accordance with the applicable State and local laws, or that a building because of its condition is dangerous or contains fire hazardous conditions, it shall be the inspector's duty to notify the owner or occupant of the building of its defects, hazardous conditions, or failure to comply with the law. The owner or occupant shall each immediately remedy the defects, hazardous conditions, or violations of law in the property."

The inspector has found that the property you own at 850 Blue Ridge Road poses a health and safety risk and is structurally unsound due to damage from flood waters. A list of corrections needed is below:

- Significant foundation damage
- Electrical system damage
- Structural damage
- HVAC damage

The overall condition is unsafe and inhabitable.

The unsafe conditions need to be permitted, repaired, completed, and inspected or the entire structure needs to be demolished within ninety (90) days of receipt of this letter.

If you have any questions, you may contact our office Monday through Friday, 8:00 a.m. to 5:00 p.m. at (828) 419-9300

Sincerely,
Charles "Rick" Burton, Building Inspector
Town of Black Mountain

October 24, 2025

To: Planning & Development Department
Town of Black Mountain
304 Black Mountain Ave.
Black Mountain, NC 28711

Subject: Response to Letter Dated July 31, 2025 – 850 Blue Ridge Rd.

Dear Planning & Development Team,

I am writing in response to your letter dated July 31, 2025, regarding the property located at 850 Blue Ridge Rd in Black Mountain, which sustained significant damage during Hurricane Helene. I understand your request to obtain a permit for either repair or demolition.

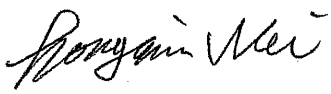
This property is in a unique situation. The North Carolina Department of Transportation (NCDOT) is preparing to construct a new roundabout at Blue Ridge Rd as part of the I-40 Interchange project, which has already been approved by the Black Mountain Town Council. NCDOT plans to acquire this property and remove the existing structure in the near future to make way for the roundabout.

Given these circumstances, it would be prudent to delay any permit application or processing at this time. Pursuing repairs for a building that is expected to be demolished would result in unnecessary financial and administrative burden.

Although the damage from Hurricane Helene has been devastating, we have not pursued or received any government assistance. We have consistently contributed substantial taxes to federal, state, county, and local entities over the years. We respectfully ask for your continued patience and understanding as we work through this exceptionally difficult time, marked by the most significant financial loss I have ever experienced. Any support or guidance you can offer—directly or indirectly—would be sincerely appreciated.

Thank you for your consideration.

Sincerely,



Hongqin Wei
822 N Hazard Ave, #305
Los Angeles, CA 90063

Town of Black Mountain
Planning & Development
304 Black Mountain Avenue • Black Mountain • North Carolina • 28711
Phone: 828-419-9300 • Fax: 828-669-2030 • TDD: 1-800-735-2962

November 4, 2025

Hongqin Wei
822 N Hazard Ave, Apt. 305N
Los Angeles, CA 90063

RE: Condemnation Procedures/Hearing in accordance with North Carolina General Statute 160D-211

Dear Property Owner,

As of this date, the ninety (90) day timeframe to notify us of your intentions to correct the unsafe conditions for 850 Blue Ridge Road as expired.

Pursuant to NCGS §160D-1121, this is a formal notice that a hearing will be held in the conference area of 304 Black Mountain Avenue, Unit A, Black Mountain, NC 28711 on Friday, November 14, 2025, at 3:00 p.m., at which time you will have the opportunity to present any testimony and/or evidence pertaining to this matter. You may have legal representation present.

Following the hearing, I may issue an order to abate the unsafe conditions and any other defects or to demolish the structure with whatever means that may be appropriate.

I appreciate your cooperation and am looking forward to a mutual agreement as to the solution of this dilemma.

Sincerely,

Rick Burton
Senior Building Official
Town of Black Mountain

FAX

TO: Mr. Rick Burton
Senior Building Official
Town of Black Mountain
Tel: 828-419-9300, Fax: 828-669-2030 ← not working. Fax: 828-669-4204 ← per Jennifer Tipton

DATE: November 12, 2025

FROM: Hongqin Wei
822 N Hazard Ave, #305
Los Angeles, CA 90063

SUBJECT: Request for Hearing Extension and Assistance Regarding 850 Blue Ridge Rd, Black Mountain, NC 28711

Dear Mr. Burton,

I am writing in response to your letter dated November 4 regarding the scheduled hearing on November 14 at your office. It appears from your letter that your department did not forward my October 24 letter to you before you wrote the letter. According to USPS tracking, my letter was delivered to your department on November 3. For your reference, I have attached both the tracking details and a copy of the original letter.

In that letter, I outlined the exceptional circumstances surrounding the property at 850 Blue Ridge Rd and respectfully requested additional time to address the matter. Given the short notice and the fact that I am currently in California, it is not feasible for me to attend the hearing in person within two days.

Should you require any further information, documentation, or clarification, please do not hesitate to contact me. I am committed to cooperating fully and responding to any inquiries to the best of my ability.

In light of the significant hardship I have endured due to Hurricane Helene—and the absence of support from local entities including Black Mountain—I respectfully request your department's discretion in granting an extension of time to comply. Additionally, I would greatly appreciate any guidance or recommendations regarding available assistance programs, grants, or other resources that may be applicable to my situation.

Thank you for your understanding and consideration.

Sincerely,

Hongqin Wei

Hongqin Wei

Attachments: 1. Letter dated October 24 to Planning and Development Department, Black Mountain.
2. USPS mail tracking details confirming delivery.

October 24, 2025

Attachment 1

To: Planning & Development Department
Town of Black Mountain
304 Black Mountain Ave.
Black Mountain, NC 28711

Subject: Response to Letter Dated July 31, 2025 – 850 Blue Ridge Rd.

Dear Planning & Development Team,

I am writing in response to your letter dated July 31, 2025, regarding the property located at 850 Blue Ridge Rd in Black Mountain, which sustained significant damage during Hurricane Helene. I understand your request to obtain a permit for either repair or demolition.

This property is in a unique situation. The North Carolina Department of Transportation (NCDOT) is preparing to construct a new roundabout at Blue Ridge Rd as part of the I-40 Interchange project, which has already been approved by the Black Mountain Town Council. NCDOT plans to acquire this property and remove the existing structure in the near future to make way for the roundabout.

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Thank you for your consideration.

Sincerely,

Hongqin Wei

Hongqin Wei
822 N Hazard Ave, #305
Los Angeles, CA 90063

/TrackConfirmAction?qtc_tLabels1=95890710527017919573 27

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95890710527017919573 27

Copy Add to Informed Delivery

Latest Update

Your item was delivered to an individual at the address at 2:02 pm on November 3, 2025 in BLACK MOUNTAIN, NC 28711.

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Attachment 2.

9589 0710 5270 1791 9573 27

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Black Mountain NC 28711

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☐ Adult Signature Required $ $0.00	
☐ Adult Signature Restricted Delivery $	
Postage $0.78	
$	10/28/2025
Total Postage and Fees	
$	

Sent To Planning & Development, Town of Black Mountain

Street and Apt. No., or PO Box No. 304 Black Mountain Ave

City, State, ZIP+4® Black Mountain, NC 28711

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

Delivered

Delivered, Left with Individual
BLACK MOUNTAIN, NC 28711
November 3, 2025, 2:02 pm

Redelivery Scheduled for Next Business Day
BLACK MOUNTAIN, NC 28711
November 1, 2025, 7:55 am

Arrived at Post Office
BLACK MOUNTAIN, NC 28711
November 1, 2025, 7:52 am

In Transit to Next Facility
October 31, 2025

Arrived at USPS Regional Origin Facility
LOS ANGELES CA DISTRIBUTION CENTER
October 28, 2025, 11:26 pm

Departed Post Office
LOS ANGELES, CA 90012
October 28, 2025, 6:59 pm

USPS in possession of item
LOS ANGELES, CA 90012
October 28, 2025, 4:14 pm

Hide Tracking History

What Do USPS Tracking Statuses Mean?

Search

TOWN OF BLACK MOUNTAIN
CONDEMNATION HEARING FOR HONGQIN WEI
IN THE MATTER OF PROPERTY LOCATED AT
850 BLUE RIDGE ROAD, BLACK MOUNTAIN, NC 28711

On Friday, November 14, 2025, at 3:00 p.m., an administrative hearing pursuant to NCGS §160D-1121, Action in the event of failure to take corrective action, was conducted in the conference room of the Planning and Development Department, 304 Black Mountain Avenue. The said property is also described as PIN #: 0609-72-3860.00000.

The purpose of this hearing is to address concerns of the structure located at 850 Blue Ridge Road and for property owner Hongqin Wei to be heard and present evidence in his defense in accordance with NCGS §160D-1121.

Staff Present:

Rick Burton, Senior Building Official
Jennifer Tipton, Senior Admin

The defendant was not present but did fax a letter asking for an extension of time to comply.

The property was severely damaged by Tropical Storm Helene on September 27, 2024. The structure suffered significant foundation damage, electrical system damage, severe structural damage, and hvac damage.

There were multiple programs available to property owners to assist with repairs and/or demolition of damaged structures. The Town did not offer any such programs, as all programs offered were of a federal government nature. The property owners contact information was given to Buncombe County for them to reach out about the Private Property Debris Removal Program.

In July 2025, no actions to repair, clean-up, or demolish the property had been taken. A notice of unsafe conditions was sent to the property owner and he was given ninety days to contact the Planning and Development Department to address how the unsafe conditions would be remedied. The property was posted as unsafe.

The property owner did not reach out to the town until the Planning and Development Department received a letter from the property owner dated October 24, 2025. The property owner stated that the property is to be acquired for the proposed interchange project and that he had not pursued or received any government assistance. The property owner asked for patience and understanding and asked for a delay in any permit application or processing at this time.

Mr. Burton read the letter and due to the condition of the building and the fact that the building is a blight, is attracting illicit activity, rodent and animal infestations, and homeless activity, and is a severe safety and fire hazard, he was not able to grant a delay.

TOWN OF BLACK MOUNTAIN
CONDEMNATION HEARING FOR HONGQIN WEI
IN THE MATTER OF PROPERTY LOCATED AT
850 BLUE RIDGE ROAD, BLACK MOUNTAIN, NC 28711

A letter was mailed to the property owner giving the date and time of the hearing. The property owner faxed a letter on November 12, 2025, again asking for an extension of time and noting that he had had no support from any local entity, including the town.

At the hearing, Mr. Burton referenced both letters and noted that the property owner had plenty of opportunities to apply for federal assistance and noted that the town did not provide assistance to any property owner, again, as all of the assistance was from the federal government. All of those programs have since closed. Mr. Burton also noted that the property owner had been given ninety days from when the letter of unsafe conditions was mailed and failed to notify the town until the day before the ninety days was set to expire.

Mr. Burton officially condemned the building and is ordering the building to be demolished within forty-five days of receipt of the Order to Take Corrective Action. If no action is taken after the forty-five days, then the town will abate the unsafe conditions and demolish the building.

With no further discussion, the administrative hearing was adjourned at 3:30 p.m.

_____

Charles R. Burton, Senior Building Official

CRB/jet

Town of Black Mountain
Planning & Development
304 Black Mountain Avenue • Black Mountain • North Carolina • 28711
Phone: 828-419-9300 • Fax: 828-669-2030 • TDD: 1-800-735-2962

November 17, 2025

Hongqin Wei
822 N Hazard Ave, #305
Los Angeles, CA 90063

Subject: Corrective Action Enforcement
850 Blue Ridge Road
PIN #0609-72-3860.00000

ORDER TO TAKE CORRECTIVE ACTION

Dear Mr. Wei,

In accordance with NCGS §160D-1122 (Order to Take Corrective Action), this letter is your official notification that I, the Town's Senior Building Official, find that your structure at 850 Blue Ridge Road is a safety and fire hazard. The building is a blight and is attracting illicit activity, vermin infestation, and homeless activity.

At the administrative hearing held on Friday, November 14, 2025, I, the Town's Senior Building Official, declared the following:

- The structure at 850 Blue Ridge Road is officially condemned
- The structure at 850 Blue Ridge Road is a severe threat to health and safety
- There has been ample opportunity to remedy the defects or to demolish the structure
- No extensions past the time given in this notice will be granted
- All assistance programs that were offered have since closed (please note that all of these were federal programs and the town did not offer any local assistance)
- You will have forty-five (45) days from the date of this notice to demolish the structure and clear all debris from the site

You are hereby given forty-five (45) days from the date of this notice to obtain a permit from Buncombe County Air Quality and a demolition permit from the Town of Black Mountain and demolish the structure and clear all debris from the site.

You may exercise your right to appeal this decision.

NCGS §160D-1123. APPEAL. Any owner who has received an order under NCGS §160D-1122 may appeal from the order to the governing body by giving notice in writing to the inspector to the local government clerk within 10 days following issuance of the order. In the absence of an appeal, the order of the inspector is final. The governing board shall hear an appeal in accordance with NCGS §106D-406 and render a decision within a reasonable time. The governing board may affirm, modify and affirm, or revoke the order.

NCGS §160D-1124. FAILURE TO COMPLY WITH ORDER. If the owner of a building or structure fails to comply with an order issued pursuant to NCGS §160D-1122 from which no appeal has been taken or fails to comply with an order of the governing board following an appeal, the owner is guilty of a Class I misdemeanor.

Failure to comply with the order will result in the Town moving forward with abatement of the unsafe conditions.

Please contact us in the event that you wish to exercise your right to appeal so that we may help process the proper documentation required.

Sincerely,

Charles R. Burton
Senior Building Official

/jt

FAX

TO: Governing Body of Black Mountain Planning and Development
Town of Black Mountain
Tel: 828-419-9300, Fax: 828-669-2030

Not working on 11/26/2025

FROM: Hongqin Wei, Owner of 850 Blue Ridge Rd,
822 N Hazard Ave, #305
Los Angeles, CA 90063

Fax to: Administration
Fax: 828-669-4204

DATE: November 26, 2025

please deliver the fax to Planning & Development Dept.

SUBJECT: Appeal of Building Official Charles R. Burton's Order to Demolish the Structure at 850 Blue Ridge Rd (Letter dated November 17, 2025),

Dear Governing Body Members,

I respectfully submit this appeal regarding Building Official Charles R. Burton's decision, dated November 17, 2025, ordering demolition of the structure at 850 Blue Ridge Rd. The consideration, hearing, and decision process has been flawed, unfair, and the ruling of demolition rather than repair or other remedies shows no justification. The following points illustrate these concerns (not an exclusive list):

1. Failure to acknowledge correspondence Mr. Burton did not acknowledge receipt of my letter dated 10/24/2025, which certified mail records confirm was received by the Department of Planning & Development on November 3, 2025. Nevertheless, on November 4, 2025, he issued his order without ever responding to or considering the contents of my letter.

Either the Department failed to forward my letter, or Mr. Burton disregarded it entirely. This omission denied me fair consideration and ignored my request for a time extension to pursue a repair or demolition permit.

2. Lack of proper communication channels Mr. Burton's letters provided no email address for timely responses. The fax number listed (828-669-2030) was non-functional, and attempts to fax via UPS failed. My letter had to be sent instead to the administration's fax number (828-669-4204) on 11/12/2025.

3. Unreasonable hearing notice Despite knowing I reside in California, Mr. Burton allowed only two days from receipt of his letter to attend a hearing scheduled for 11/14/2025. I faxed him on 11/12/2025 requesting a postponement, as I had no guidance on required materials, insufficient time to prepare, and no opportunity to secure legal representation.

4. False claim of a hearing Mr. Burton never responded to my fax and falsely claimed a hearing occurred. No hearing was held, nor was I notified of any denial of my postponement request. This

action violated basic fairness and state law, as postponements are routinely granted even in court proceedings.

5. Unjustified demolition ruling Mr. Burton's demolition order was issued without a hearing or justification. The building is structurally sound: steel framing, roof, slab, and foundation remain intact. Damage is limited to non-bearing wood partition walls. Repair is feasible. Furthermore, as the State DOT has proposed building a roundabout at this location, and the Town of Black Mountain appears to have approved the proposal, additional time is needed to coordinate with the State DOT to determine whether repair or another alternative is the most appropriate solution. If it becomes clear that the DOT will not build a roundabout there, I will proceed with repairing the building to meet all requirements.

6. Alternative remedies ignored Reasonable remedies exist to address safety concerns, such as installing a chain-link fence with privacy tarp. The property is isolated, buffered by concrete walls, earth berms, trees, and the Swannanoa River, with no foot traffic or nearby commercial activity. These measures would mitigate concerns while allowing time to reach a proper final solution.

If these points continue to be ignored without valid justification, I will appeal to the court to seek fairness regarding Mr. Burton's decision. I sincerely hope the Town of Black Mountain will not treat a long-time, tax-paying citizen so unfairly, especially in the aftermath of the unprecedented Helene disaster.

Thank you for your understanding and consideration.

Respectfully,

Hongqin Wei

Hongqin Wei, Owner of 850 Blue Ridge Rd

Jennifer Tipton

From: Kevin Wei <wkevinwei@gmail.com>
Sent: Thursday, November 27, 2025 4:51 PM
To: planning@tobm.org
Subject: Fwd: Appeal, 850 Blue Ridge Rd
Attachments: Apeal-2025-11-26.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

This email is from an unusual correspondent. Make sure this is someone you trust.

---------- Forwarded message ---------
From: **Kevin Wei** <wkevinwei@gmail.com>
Date: Thu, Nov 27, 2025, 9:26 AM
Subject: Appeal, 850 Blue Ridge Rd
To: <rick.burton@tobm.org>

Rick,

Since you never provided an email address but always provide a bad fax number to the property owner of 850 Blue Ridge Rd, she wanted to make sure you received her faxes sent to your administration office. You never acknowledged receiving them. This is frustrating at the least. I think I found your email address and she wanted me to forward those faxes to you to be sure you receive them.

Kevin Wei

Jennifer Tipton

From: Jennifer Tipton
Sent: Monday, December 1, 2025 8:07 AM
To: Kevin Wei; planning@tobm.org
Cc: Rick Burton
Subject: RE: Appeal, 850 Blue Ridge Rd

Good morning,

Yes, we have received all of your documentation. We have followed all of the statutes that we are required to follow. We will let you know when the appeal will be heard.

Thank you.

Jennifer Tipton
Senior Admin
828-419-9371

Town of Black Mountain, NC
304 Black Mountain Ave. | Black Mountain NC 28711
www.townofblackmountain.org

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Kevin Wei

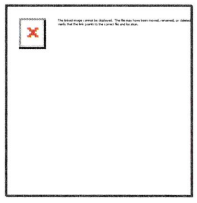
Jennifer Tipton

From: Rick Burton
Sent: Monday, December 1, 2025 12:36 PM
To: Jennifer Tipton; Michelle Kennedy; Russell Cate
Cc: wkevinwei@gmail.com
Subject: RE: Appeal, 850 Blue Ridge Rd

Jennifer,
Whether this goes to an appeal or not the structure will need to be boarded immediately. If not boarded it could be considered an imminent threat to the health, safety and welfare of the community and removed.

Illicit activity has been reported and it is VERY dangerous.

Rick Burton
rick.burton@tobm.org
828-419-9341
828-767-3667



Town of Black Mountain, NC
304 Black Mountain Ave. | Black Mountain NC 28711
www.townofblackmountain.org

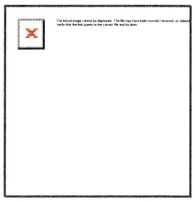
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828-419-9371



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Sent: Thursday, November 27, 2025 4:51 PM
To: planning@tobm.org
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Kevin Wei

Jennifer Tipton

From: Kevin Wei <wkevinwei@gmail.com>
Sent: Tuesday, December 2, 2025 7:43 AM
To: Rick Burton
Cc: Jennifer Tipton; Michelle Kennedy; Russell Cate
Subject: Re: Appeal, 850 Blue Ridge Rd

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Burton,

Please clarify the illicit activity you referenced and give details of the activity and when it occurred. If there are actual reports or evidence, I ask that you provide them rather than relying on general concerns or assumptions that could apply to almost any construction site. Should such activity have taken place, the property owner should have been notified immediately and appropriate mitigation steps discussed. In addition, the police should have been contacted, as they are responsible for protecting citizens from illicit activity. Property owners do not have the authority or means to arrest individuals engaged in such behavior.

At present, it is neither likely nor feasible for anyone to attempt living in the structure given the freezing temperatures. Installing chain-link fences with privacy tarps would serve as a practical temporary solution, consistent with standard construction site practices. Alternatively, boarding up the building's damaged doors, windows and other openings could be done, as you suggested yesterday or if deemed more preferable by you and others in your department.

The property is isolated, located outside of town, with no foot traffic or nearby commercial activity. It is further surrounded by concrete walls, earth berms with abundant trees, and the Swannanoa River. All these make the site much more secure than most construction sites. It is most reasonable to await clarity on whether the Department of Transportation will construct a roundabout at this location. If not, the building will be repaired promptly to meet all requirements, as it is a metal building with a strong steel framing structure intact, and the metal roof, metal walls, and concrete slab are sound. The primary damage is on the non-weight-bearing wood stud walls.

I urge you and your governing body to carefully review the six issues raised in the property owner's faxes dated November 26. The repeated provision of incorrect fax numbers, combined with the assertion in another email you sent me yesterday that your email address should have been easily found online is an additional issue, especially since you used different names in different letters. Even chatgpt wasn't sure and suggested the wrong email address. In addition, it is better to show some helpful suggestions and sympathy to a Helene victim who has already endured the largest financial loss of her lifetime, and to avoid any discrimination on this property and the disadvantaged group, the low income minority senior woman owner.

The fair and reasonable course of action is to pause the unjustified demolition order resulting from a process ridden with flaws. It is better to wait for more information on the DOT roundabout project. Doing so will avoid unnecessary waste of time, money, legal proceedings, etc.

Kevin Wei

On Mon, Dec 1, 2025 at 12:35 PM Rick Burton <rick.burton@tobm.org> wrote:

Jennifer,

Whether this goes to an appeal or not the structure will need to be boarded immediately. If not boarded it could be considered an imminent threat to the health, safety and welfare of the community and removed.

Illicit activity has been reported and it is VERY dangerous.

Rick Burton

rick.burton@tobm.org

828-419-9341

828-767-3667



Town of Black Mountain, NC

304 Black Mountain Ave. | Black Mountain NC 28711

www.townofblackmountain.org

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To: Kevin Wei <wkevinwei@gmail.com>; planning@tobm.org

Cc: Rick Burton <rick.burton@tobm.org>
Subject: RE: Appeal, 850 Blue Ridge Rd

Good morning,

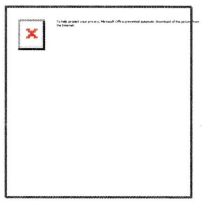
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Jennifer Tipton

Senior Admin

828-419-9371



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Kevin Wei

Jennifer Tipton

From: Kevin Wei <wkevinwei@gmail.com>
Sent: Monday, February 9, 2026 4:30 PM
To: Jennifer Tipton
Subject: Re: 850 Blue Ridge Road Appeal
Attachments: Out of country March 5.jpg; tickets back to the states April 1.jpg; Biltmore Village.jpg; Swannanoa River Rd.jpg

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Jennifer,

I wish the scheduling date had been checked with us in advance. Unfortunately, we are unable to attend the March 5 hearing, as we will be out of the country and will not return to the states until midnight on April 1. Our non-refundable travel tickets are attached for your reference. We therefore respectfully request that the hearing be rescheduled to a date no earlier than April 2.

In the unlikely event that a continuance cannot be granted, please provide the reasons for the record as we would be compelled to seek judicial review if an adverse decision is issued without even a single proper hearing, especially since the whole process so far has been ridden with flaws as shown in multiple faxes and emails before and the lack of justification for demolition rather than repairs or temporary boarding while awaiting further information regarding the DOT project.

Rick Burton's demand for both demolition AND boarding is unreasonable and contradictory as there is nothing to board up if demolition is done or if boarding is done, demolition needn't be done in any hurry if at all. Mr. Burton made multiple false assertions to justify his demand. For example, He alleged that individuals were living in the building and could not provide any evidence after repeated requests. My recent inspection found no evidence whatsoever—no water bottle, food containers, or personal items of any kind. Moreover, Police Deputy Chief Chris Kuhn could find today only one police report on or near 850 Blue Ridge Rd , a DWI case on Blue Ridge Rd on 8/5/2023.

Additionally, many similarly flood-damaged buildings, including those in ~20x higher-traffic areas such as the Biltmore Village near downtown Asheville, have not yet been repaired, boarded, or demolished. This reflects the broader understanding and patience shown by communities and governments toward victims of an unprecedented natural disaster. Photos are attached for reference.

Thank you for your careful consideration of this request.

Best regards,

Kevin Wei

On Fri, Feb 6, 2026 at 10:01 AM Jennifer Tipton <jennifer.tipton@tobm.org> wrote:

Good morning, Kevin,

I just wanted to reach out and let you know that the appeal hearing for 850 Blue Ridge Road has been scheduled for Thursday, March 5th at 6:00 p.m. at Town Hall, 160 Midland Avenue. This appeal will be before the Town Council.

Thank you.

Jennifer Tipton

Senior Admin

828-419-9371

Town of Black Mountain, NC

304 Black Mountain Ave. | Black Mountain NC 28711

www.townofblackmountain.org

E | Your ×

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Open with Google Docs

- **Day 1:** San Juan, Pr
  Mar 01, 2026 | Depart 07:30 PM
- **Day 2:** Tortola, British Virgin Islands
  Mar 02, 2026 | 08:00 AM To 05:00 PM
- **Day 3:** St Johns Antigua
  Mar 03, 2026 | 07:00 AM To 04:00 PM
- **Day 4:** Bridgetown, Barbados
  Mar 04, 2026 | 10:00 AM To 06:00 PM
- **Day 5:** St Lucia, Saint Lucia
  Mar 05, 2026 | 08:00 AM To 05:00 PM
- **Day 6:** Philipsburg St Maarten, Netherland Antilles
  Mar 06, 2026 | 09:00 AM To 06:00 PM
- **Day 7:** St Thomas, Vi
  Mar 07, 2026 | 08:00 AM To 05:00 PM
- **Day 8:** San Juan, Pr
  Mar 08, 2026 | Arrive 07:00 AM

Click to View Shore Excursions

$ Price Details

Cruise - 7 Nights | Caribbean Southern - Norwegian Cruise Line: Norwegian Epic

GUEST INFORMATION	CRUISE FARE	TAXES	TOTAL DUE
Mr Wuchang Kevin Wei	$494.10 USD	$170.00 USD	$664.10 USD
Ms Lei Shi	$494.10 USD	$170.00 USD	$664.10 USD
Grand Total All prices are in USD			**$1,328.20 USD**

Guest Information

Passenger 1

Name:
Mr Wuchang Kevin Wei

Email Address:
wkevinwei2@gmail.com

Date of Birth:
*/**/****

Home Phone:
+18283012021

Passenger 2

Page 2 / 5

Search

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[redacted]

Wednesday, April 1, 2026

SJU
San Juan
1:44 PM

AA 1665

CLT
Charlotte
6:00 PM

Seat:
Class: **Economy (B)**
Meals: **Food for purchase**

CLT
Charlotte
10:54 PM

AA 2605

AVL
Asheville
11:52 PM

Seat:
Class: **Economy (B)**
Meals:

Manage your trip

Your purchase

Wuchang Wei - AAdvantage® #: HV6****

y Forward

Search


COURTYARD
ABAKA


POSTED

CERTIFICATE OF SERVICE

This is to certify that the foregoing Record has been duly served by deposit of a copy of the same in the United States Mail, first-class, postage pre-paid, as well as by electronic mail, to the following:

Hongqin Wei
822 N Hazard Ave, #305
Los Angeles, CA 90063
wkevinwei@gmail.com

Mr. Craig Justus, PA
9 SW Pack Sq, Ste 301
Asheville, NC 28801
cjustus@wilkersonjustus.com

Mr. Brian Gulden, PA
11 N Market St
Asheville, NC 28801
bgulden@vwlawfirm.com

Mayor Mike Sobol
160 Midland Ave
Black Mountain, NC 28711
Mike.sobol@tobm.org

Vice Mayor Archie Pertiller
160 Midland Ave
Black Mountain, NC 28711
Archie.pertiller@tobm.org

Council Member Pam King
160 Midland Ave
Black Mountain, NC 28711
Pam.king@tobm.org

Council Member Alice Berry
160 Midland Ave
Black Mountain, NC 28711
Alice.berry@tobm.org

Council Member Doug Hay
160 Midland Ave
Black Mountain, NC 28711

Doug.hay@tobm.org

Council Member Ryan Stone
160 Midland Ave
Black Mountain, NC 28711
Ryan.stone@tobm.org

Wesley Barker, Town Clerk
160 Midland Ave
Black Mountain, NC 28711
Wesley.barker@tobm.org

Michelle Kennedy, Planning Director
304 Black Mountain Ave
Black Mountain, NC 28711
Michelle.kennedy@tobm.org

Rick Burton, Senior Building Official
304 Black Mountain Ave
Black Mountain, NC 28711
Rick.burton@tobm.org