

**APPROVED**

OAK RIDGE BOARD OF BUILDING  
AND HOUSING CODE APPEALS

MINUTES

DATE: September 12, 2013

LOCATION: Municipal Building Training Room

PRESIDING: Bruce Leforce

PRESENT: Bruce Leforce, Joseph Lee, Amy Seiber, Philip Nipper, Hugh Ward, Aaron Wells

PRESENT: City of Oak Ridge: Denny Boss, Alicia Baily, Citizens: Patricia Warren, Anderson Co. Commissioner Steven Mead

ABSENT: John Russell

- I. Meeting Started 3:00pm - Ms. Amy Seiber took the Roll.
- II. August 8, 2013 Minutes: Motion to approve by Philip Nipper and seconded by Hugh Ward. Motion passed unanimously.
- III. Hearing of Cases:
  - a. **Case# 13-04 – 1021 Oak Ridge Turnpike Oak Ridge, TN 37830** (4th HEARING) Known as: Price Florist Legal Address: Subdivision: BLOCK 18CD PARCEL 31 100 HC 43.00 ZONING: B2 (Building Owner: Patricia Warren of 560 Caryonah Road Crossville, TN 38571) Complaint: This vacant commercial structure has been declared unfit for human occupation and use per ORPMC §13-205(3) because (a) Defects in the structure which increase the hazards of fire, accident or other calamities. (b) Dilapidation and decay exists. (f) Structure in severe disrepair. (g) Lack of adequate facilities for egress in case of fire or panic. The BBHCA decision to order repair or demolition was tabled in August, 2013 for the last time to allow the owner a chance to sale damaged property or show plan of demo or repair. Denny Boss re-introduced the case from the last hearing and yielded the floor. Patricia Warren (building owner) disclosed she was unable to sale the property despite several offers. She further indicated that she had hired a contractor (First Place Finish, Laurel Patrick) to help determine the best course of action by next week and she would provide the decision information then. Bruce LeForce indicated all extensions have been exhausted and a decision had to be made presently. Joseph Lee made motion the building be ordered immediately vacated and demolished within sixty (60 days) per adopted codes, Seconded by Aaron Wells. Discussion – Philip Nipper reminded the owner (Patricia Warren) that the BBHCA has bent over backwards to try helping her and this was her 4<sup>th</sup> time before the Board. Patricia agreed. Motion Passed unanimously. Further follow up discussion with Patricia on usual administrative processes.
- IV. Unfinished Business
  - a. **Walk-in per Denny Boss Case# 13-06 – 109 Jellico Ln. Oak Ridge, TN 37830** Legal Address: Map: 099J Grp: E Ctrl Map: 099I Parcel: 011.00 PI: S/I: 000 Subdivision: BLOCK 0C09 LOT 0036 (owned by: WILLIAMS, PAUL H ETUX C/O GARY WILLIAMS of 461 Raccoon Valley Rd Powell, TN 37849) Complaint: Unfit for Human Occupation or Use and an order to demolish nuisance structure. Denny Boss provided reason why he asked owners to be present. Board decided that no action by the board is required. Discussion between owners

and the board about why case was not scheduled. Clarification of procedure by Bruce LeForce and ruled no official hearing of this case will be performed.

V. New Business  
none

VI. Public Comment & Communications

Kimberly Bell - spoke Indicating she had made offer to purchase Price Florist and wanted to be alerted on future property cases.

Steven Mead, Anderson Co. Commissioner – spoke about a concern of possible imminent domain practices in the City of Oak Ridge. He provided his understanding of Tennessee Law regarding that subject. He indicated the City's effort to seize property doesn't meet the requirements of State Law. He further indicated he heard that the city was ordering demolitions based solely on the lack of working toilets in a house. Members of the Board strongly objected to that insinuation and further contested any activity of imminent domain legal or otherwise.

- a. Distribute BBHCA Rules and Procedures tabled
- b. Distribute/Discuss State of Tennessee Opinion No. 13-61 Mandatory Sprinkler Requirement for Residential Dwellings tabled

Being no further business, Aaron Wells made motion to adjourn, Seconded by Joseph Lee. No Discussion, motion passed unanimously.

Meeting adjourned at 3:45 p.m.



Amy Seiber  
Secretary