

OAK RIDGE BOARD OF BUILDING  
AND HOUSING CODE APPEALS

MINUTES

**APPROVED**

DATE: June 12, 2014

LOCATION: Municipal Building Training Room

PRESIDING: Philip Nipper

PRESENT: Joseph Lee, Amy Seiber, Philip Nipper, Aaron Wells

ALSO PRESENT: City of Oak Ridge: Matthew Widner, Council Woman Anne Garcia Garland  
See attached visitor sign in sheet

ABSENT: Bruce LeForce

- I. Meeting started at 3:00 p.m. - Ms. Amy Seiber took the roll (quorum)
- II. Approval of the May 8, 2014 Minutes: Motion to approve by Joseph Lee; seconded by Aaron Wells; no discussion; motion passed unanimously.
- III. Hearing of Cases:
  - a. **Case# 14-01: 123 E. Tyrone Rd Oak Ridge, TN 37830 (3<sup>rd</sup> Hearing)** Legal Address: Map: 100A Grp: B Ctrl Map: 100A Parcel: 035.00 PI: S/I: 000 Subdivision: BLOCK OF 17 LOT 374A Class: 08 – COMMERCIAL. (Owned by: MA, SHIU-YEN WANG AND TA-SHUN ETAL - PO BOX 6993 OAK RIDGE, TN 37831) Complaint: This partially occupied commercial structure was declared Unfit for Human Occupation or Use because of it being in violation of ORPMC §13-205. The BBHCA decision to order repair or demolition was tabled for thirty (30) additional calendar days to allow the owner time to sell damaged property or show plan of demo or repair. Deadline for required plan of action expires on June 7, 2014.
  - b. **Case# 14-02: 135 E. Tyrone Rd Oak Ridge, TN 37830 (3<sup>rd</sup> Hearing)** Legal Address: Map: 100A Grp: B Ctrl Map: 100A Parcel: 034.00 PI: S/I: 000 Subdivision: BLOCK OF 17 LOT 374B Class: 08 – COMMERCIAL. (Owned by: MA, SHIU-YEN WANG AND TA-SHUN ETAL - P O BOX 6993 OAK RIDGE, TN 37831) Complaint: This partially occupied commercial structure was declared Unfit for Human Occupation or Use because of it being in violation of ORPMC §13-205. The BBHCA decision to order repair or demolition was tabled for thirty (30) additional calendar days to allow the owner time to sell damaged property or show plan of demo or repair. Deadline for required plan of action expires on June 7, 2014.
  - c. Exclusion of Manufactured Structure (a.k.a Magic Wok)

**Both Cases (14-01 and 14-02) heard together as being one building:** Matthew Widner introduced the cases by indicating the owners have submitted an acceptable remediation plan on June 9, 2014 as approved by Denny Boss and concluded with a staff recommendation that any Board order for repairs or demolition be deferred until November 2014. The condition of this recommendation is that the owners follow through with an agreement to complete the partial demolition and have building permit application for remediation either on file or issued by December 2014. The owner's representative (Noel Peterson) agreed to the recommended time frame and further offered explanation of their submitted plan. Mr. Peterson indicated the owners planned

on beginning demolition within ninety (90) days from the meeting. Joseph Lee questioned if there are applicable timelines for the decision to repair or demolish the unfit structure. Philip Nipper clarified the ordinance language and answered his interpretation of the cases that no decision has ever been made on ordering repair or demolition; so therefore, the question timelines do not apply. Mr. Widner confirmed a deferment of any decision is compliant with City ordinance if that is the choice of the Board. Aaron Wells made motion to defer any further action on the cases until the November 2014 meeting; seconded by Amy Seiber; no discussion, motion passed unanimously. Mr. Widner summarized the agreement with the owners what the City expectation was along with time frames. Understood and agreed upon by Mr. Peterson.

IV. Unfinished Business  
None

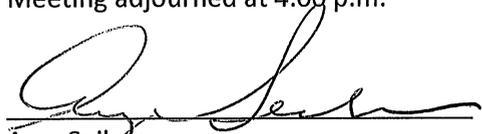
V. New Business  
None

VI. Public Comment & Communications

- a. Several citizens of the community and neighbors present at the meeting complained about the condition of 103 Turner Rd requesting something to be done immediately to remediate the abandoned property. Matt Widner indicated that Code Enforcement action had just began on the property and indicated the owner of this property is the same owner as 140 Windham Rd (case # 13-07), which is currently in Appeals Court. Further discussion between the Board members and public resulting in a motion being made by Aaron Wells to require City Code Enforcement to secure the structure located at 103 Turner Rd and address the trash, debris, and deep freeze on the porch as soon as legally possible; seconded by Joseph Lee; no further discussion; motion passed unanimously.

Being no further business, Joseph Lee made motion to adjourn; seconded by Amy Seiber; no discussion; motion passed unanimously.

Meeting adjourned at 4:00 p.m.



Amy Seiber  
Secretary