

OAK RIDGE BOARD OF BUILDING
AND HOUSING CODE APPEALS

MINUTES

APPROVED

DATE: September 11, 2014
LOCATION: Municipal Building Training Room
PRESIDING: Philip Nipper
PRESENT: Joseph Lee, Amy Seiber, Philip Nipper, Leonard Vaughen, Phil Yager, Aaron Wells
ALSO PRESENT: City of Oak Ridge: Matthew Widner, Citizens (see attached visitor sign-in sheet)
ABSENT: Bruce LeForce

- I. Meeting started at 3:00 p.m. - Ms. Amy Seiber took the roll.
- II. Approval of the August 14, 2014 Minutes: Motion to approve as amended by Joseph Lee (correcting attendee list); seconded by Leonard Vaughen; no discussion; motion passed unanimously.
- III. Hearing of Cases:
 - a. **Case# 14-11: 103 Turner Rd Oak Ridge, TN 37830** Legal Address: Map: 0940 Grp: A Ctrl Map: 0940 Parcel: 051.00 PI: S/I: 000 Subdivision: BLOCK OF18 LOT 0013. (Owned by: MILLER, L C AND WIFE KATHLEEN of 140 Windham Rd Oak Ridge, TN 37830) Complaint: Unfit for Human Occupation or Use - Vacant single family residential dwelling in violation of ORPMC §13-205. Matt Widner introduced the case and provided a historical summary of events that led up to the hearing. Mr. Widner reported that house interior structure and exterior property areas have been cleaned up and building secured and concluded that the environmental notice of violations has been corrected. Mr. Widner also concluded that even though the interior structure has been cleaned up, it remains unfit for human occupation and use and should be ordered vacated because of chronic foundation failure noted in the basement, water damage with ceiling failure on main floor, excessive mold, lacks adequate ventilation, light, air, heat or sanitary facilities. Owner's Representative, Mark Scarbrough confirmed he agrees with the unfit condition of the structure and requested at least sixty (60) days to determine the best option for either repair, moving or demolition. Marcia Zehner confirmed she is Kathy Miller's caretaker and executor of the property and indicated Mr. Scarbrough is the point of contact for this property. Leonard Vaughen questioned Mr. Scarbrough about his qualifications and clarified his role in the determination of project outcomes. Aaron Wells clarified what violations currently exist with the exterior structure and concluded no interior violations have been officially identified. Mr. Widner explained that an interior notice of violation was never issued because of the understanding that the building was to be moved or demolished by the owner making any such notice a moot point. Joseph Lee made motion to declare the structure unfit for human occupation and use and vacated per ORPMC §13-205(3&4); seconded by Aaron Wells; no discussion; motion passed unanimously. Joseph Lee made a motion that the exterior structure violations be repaired within ninety (90) days; seconded by Amy Seiber; discussion as to how to proceed with any repair order to the interior. Philip Nipper suggested it would be best to not issue a repair order, but to simply allow owner thirty (30) days to decide on a plan to present for the Board. Mr. Lee withdrew his motion for repair. After further discussion, Mr. Nipper opened the floor to the public for comment. Aaron Wells made a motion to repair noticed exterior violations within ninety (90) days; seconded by Mr. Lee; no discussion; motion passed unanimously.

- b. **Case# 14-12: 103 Bennett Ln Oak Ridge, TN 37830** Legal Address: Map: 105E Grp: A Ctrl Map: 105E Parcel: 057.00 Pl: S/I: 000 Subdivision: BLOCK 0L11 LOT 0013. (Owned by: WARD, GREGORY S AND WIFE DEANNA S of 111 Trenton Dr. Oak Ridge, TN 37830) Complaint: Unfit for Human Occupation or Use - Occupied single family residential dwelling in violation of ORPMC §13-205. Matt Widner introduced the case as a complaint from ORPD and provided a case history leading up to the hearing. Mr. Widner confirmed the property was occupied by a squatter and all utilities were still active in an unsafe, unfit condition because of excessive water damage throughout and collapsing roof/ceiling components. The owner, Greg Ward claimed he did not know the property was in such bad condition and does not object to it being declared unfit. Aaron Wells made motion to declare the structure unfit for human occupation and use and ordered vacated per ORPMC §13-205(3&4); seconded by Joseph Lee; no discussion, motion passed unanimously. Mr. Lee asked Mr. Ward what his intentions were for the structure and clarified what would be required to remove the unfit for human occupation order. Mr. Lee stated he believes the damage exceeds 50% the value and could be ordered demolished but will not pursue that if an insurance repair is still possible. Mr. Lee made a motion that the structure be repaired within ninety (90) days; seconded by Aaron Wells; discussion by the Board as to the time actually necessary for repairs; motion passed unanimously.

IV. Unfinished Business

- a. **Case# 14-08: 102 Union Rd. Appeal – Leonard Vaughn** reported his follow-up observation of the case, concluding work has progressed nicely.

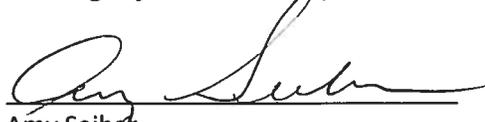
V. New Business

VI. Public Comment & Communications

- a. Public Comment by: Barry Cox about 140 Windham Rd and the owner of the property.
b. Public Comment by: Patty Cox about 140 Windham Rd tree removal activity and other concerns.

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

Meeting adjourned at 4:23 p.m.



Amy Seiber
Secretary



City of Oak Ridge, TN
Board of Building and Housing Code of Appeals
VISITOR SIGN-IN

HEARING DATE: 11 September 2014

Name (please print)	Affiliation or Case#	Do you wish to comment? Yes/No	Do you need special assistance? Yes/No
<i>Mark Seabrook</i>	<i>Representative for ^{outside} Ms. M. 11/4</i>	<i>Yes/No</i>	<i>Yes/No</i>
..	..	<i>Yes please</i>	<i>No</i>
<i>Marcia Lehner</i>
<i>Dugory Ward</i>			
<i>Jennifer Hines</i>	<i>Turner Rd</i>	<i>Yes</i>	<i>No</i>
<i>Roger + Kathy Paycock</i>	..	<i>NO</i>	<i>NO</i>
<i>Patty Cox</i>	<i>Turner Rd/Windham Rd</i>	<i>Yes</i>	
<i>Barry Cox</i>	..	<i>Yes</i>	<i>No</i>
<i>Nancy Smith Terry</i>			
<i>Janet Townsend</i>	<i>103 Turner Rd - representing neighbor at 101 Turner Rd</i>	<i>NO</i>	<i>NO</i>