

APPROVED

OAK RIDGE BOARD OF BUILDING AND HOUSING CODE APPEALS

MINUTES

DATE: July 14, 2011

LOCATION: Municipal Building Training Room

PRESIDING: Dr. Bruce Leforce

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

ALSO PRESENT: City of Oak Ridge: Kay Littlejohn, Tim Cochran. Citizens: Mr. John Preston representative for Robert Kennedy, Ms. Kim Moore.

ABSENT: John Russell

Ms. Littlejohn took roll.

Ms. Littlejohn presented the minutes from the meeting on June 9, 2011. Mr. Lee made a motion to accept the minutes of June 9, 2011. Mr. Nipper seconded the motion. Motion passed unanimously.

Hearing of Cases:

Continued cases

Case No. 11-08

Scott Helus, 118 Atlanta Road, violation to Section 304.2 Protective treatment of the International Property Maintenance Code, and Section 105.3.2 Time limitation of application of the International Building Code.

Ms. Littlejohn presented the case. On June 9, 2011 Mr. Helus was given 30 days by the Board to complete exterior repairs. Exterior repairs have not been done. Case was postponed until 08/11/11 Board Meeting to allow Mr. Helus to appear before the Board. Mr. Lee made a motion to ask Mr. Helus to attend 08/11/11 Board meeting to address exterior violations that have not been repaired. Mr. Nipper seconded the motion. Motion passed unanimously.

Case No. 11-10

Reginald R. Sisson, 110 E. Malta Road, violation to Sections 302.7 Accessory structures; 304.6 Exterior walls; 304.7 Roofs and drainage; 304.9 Overhang extensions; 304.12 Handrails and guards; and 304.15 Doors of the International Property Maintenance Code.

Ms. Littlejohn presented the case. No exterior work has been completed. Mr. Lee made a motion to send Mr. Sisson a formal notice to request his attendance at the 08/11/11 meeting. Mr. Ward seconded the motion. Mr. Nipper abstained from any discussion or vote on this case due to his friendship with Mr. Sisson. The motion passed with Mr. Lee, Dr. Leforce, Mr. Ward, Mr. Wells and Ms. Seiber voting yes. Mr. Nipper abstained. Five yes votes, one abstain. Motion passed.

Case No. 11-11

Margaret Breazeale, 223-225 Hillside Road, violation to Section 303.2 Exterior paint of the International Property Maintenance Code.

Mr. Cochran presented the case. The exterior still needs painting. Other violations were noted such as gutters, soffits, and overgrown vegetation. Ms. Breazeale spoke with Mr. Cochran and stated she does not have the funds and due to ill health she has no way to complete repairs. She is trying to obtain assistance from service projects this summer. Mr. Nipper made a motion to defer this case until 08/11/11 to allow Ms. Breazeale to possibly obtain assistance. Mr. Lee seconded the motion. Motion passed unanimously.

New Cases:

Case No. 11-14

Charles L. Mason, 103 Willard Lane, violation to Sections 304.2 Roof/drainage; 304.6 Exterior walls; 304.7 Exterior paint of the International Property Maintenance Code.

Ms. Littlejohn presented the case and a letter received on 07/14/11 from Mr. Mason. City staff recommends allowing Mr. Mason 60 days to complete repairs.

Mr. Lee made a motion to accept staffs recommendation and allow Mr. Mason 60 days for repairs. Mr. Wells seconded the motion. Mr. Lee amended his motion to allow Mr. Mason until September 7, 2011 to complete repairs and to report to the Board with the status of repairs at the September 8, 2011 Board Meeting. Mr. Nipper seconded the amendment to the motion.

Amendment passed unanimously. Motion passed unanimously.

Case No. 11-15

Mr. & Mrs. W. E. Fullam, Sr., 120-122 Jarrett Lane, violation to Sections 304.7 Roof/drainage; 304.5/16 Foundation/basement; 304.13/15 Windows/doors of the International Property Maintenance Code.

Mr. Cochran presented the case. Discussion ensued about the vacancy of the property and City staff having to mow property. Mr. Lee made a motion that the property located at 120-122 Jarrett Lane should be declared unfit for human occupation or use under City Code Section 13-205(3) and that the structure should be declared a nuisance under City Code Section 13-205(4). Mr. Nipper seconded the motion. Motion passed unanimously.

Mr. Lee asked Mr. Cochran if the staff has had any feedback from the owners of this property. Mr. Cochran stated only that the notice of the Board Meeting was signed and returned. Since a copy of that notice was not included in the Board packet there was some concern as to whether the owners had been properly notified. Mr. Lee asked if an interior inspection has been done. Mr. Cochran said none to date. Notices will be sent to the owners that the property has been deemed unfit and a nuisance, a request for an interior inspection and a notice of the August 11, 2011 Board Meeting.

Case No. 11-16

Barbara Lynne J Handley, 112 Mason Lane, violation to Sections 304.7 Roof/drainage; 304.5/16 Foundation/basement; 304.12 & 305.4/5 Porches/railings; 304.10 Stairways, decks, porches, balconies; of the International Property Maintenance Code.

Mr. John Preston was present to represent Robert Kennedy. Mr. Preston presented photos and information on ongoing repairs. Mr. Nipper inquired as to the roof, deck, and gutters time frame. Mr. Preston stated roof should be finished by September 30, 2011. The hole in the wall should be repaired by September 30, 2011. The deck should be repaired by December 31, 2011. Mr. Lee made a motion to defer action on this case until the August 11, 2011 Board meeting to allow Mr. Kennedy to be present. Mr. Ward seconded the motion. Motion passed unanimously.

Case No. 11-17

Mr. & Mrs. Ogle Moore, 109 Ivy Lane, violation to Sections 304.13/15 Windows/doors; 304.2 Protective treatment; of the International Property Maintenance Code.

Ms. Kim Moore was present. This property was damaged by vandals and the case is currently still in court. Assistance with repairs is expected from VARP and the vandals. Owner hopes to live in this house eventually. Property has been vacant for seven years. Mr. Lee questioned Ms. Moore as to what are the future plans for this property after case resolved and repairs completed. Ms. Moore stated she would like to live in this home. Mr. Cochran stated that this property also needs handrails, soffit repairs and window repairs. Ms. Moore said she should be able to secure the broken windows with plywood within 30 days.

Mr. Lee made a motion to allow Ms. Moore until the August 11, 2011 Board Meeting to present a plan to correct all exterior code violations including the soffit, windows and handrails. Mr. Nipper seconded the motion. Mr. Nipper stated concern that the only item on the report was the windows. Discussion ensued as to the violations. Motion passed five in favor one opposed. Mr. Lee, Dr. Leforce, Mr. Nipper, Mr. Ward, and Ms. Seiber voted in favor. Mr. Wells opposed.

New Business:

Unfinished Business: None

Communications and Miscellaneous Business:

Status of Open Cases:

Case 11-13; 129 Westlook Circle has been sold and will be closing this month.

Case 11-12; 759 W. Outer Drive is in the process of demolition paperwork being finished.

Mr. Nipper questioned why minutes and agendas of the Board meetings are not being posted to the website.

Mr. Lee stated he is pleased with the follow up being presented but would like to see the information presented in a spreadsheet showing current cases and status.

Mr. Lee asked about the status of Hillside and Hunter Circle cases (Applewood Apartments). Ms. Littlejohn said she would refer the question to the legal department. Mr. Lee requested an update from the legal department as to the current status of these cases to be presented at the August board meeting if possible.

Meeting Adjourned at 4:20 p.m.



Amy Seiber
Secretary