

# APPROVED

## OAK RIDGE BOARD OF BUILDING AND HOUSING CODE APPEALS

### MINUTES

DATE: June 9, 2011

LOCATION: Municipal Building Training Room

PRESIDING: John Russell

PRESENT: Joseph Lee, Philip Nipper, John Russell, Amy Seiber, Hugh Ward.

ALSO

PRESENT: City of Oak Ridge: Kay Littlejohn. Citizens: Mr. Scott Helus, Mr. Tim Pratt.

ABSENT: Aaron Wells, Dr. Bruce LeForce

Ms. Littlejohn took roll.

Ms. Littlejohn presented the minutes from the meeting on April 14, 2011. Mr. Lee made a motion to accept the minutes of April 14, 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. Mr. Helus was present. There are still seven items remaining to be taken care of: 1) Construction debris under the addition area. 2) Roof overhang is exposed on addition. 3) No steps. 4) No rodent protection underneath addition. 5) Vegetation growing under siding. 6) Soffit incomplete. 7) Brush on side of house needs to be cleared. City Staff recommends allowing Mr. Helus 30 days from 06/09/11 to complete repairs. Mr. Lee questioned Mr. Helus about a 30 day time frame. Mr. Helus has a contractor and he stated he would have to consult his contractor, they are currently working on the interior. Mr. Lee made a motion to allow Mr. Helus 30 days to complete the exterior repairs. Mr. Ward 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 summary and the case recommendation. There are seven items remaining to be taken care of: 1) handrail for stairs 2) hole in exterior wall 3) downspouts missing 4) soffit incomplete 5) fascia not painted 6) deck needs protective treatment 7) fence

needs repairs. The city staff recommends allowing Mr. Sisson 30 days to complete repairs. Mr. Lee made a motion to allow Mr. Sisson 30 days to complete the repairs. Ms. Seiber 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, Mr. Russell, Mr. Ward and Ms. Seiber voting yes. Mr. Nipper abstained.. Four yes votes, one abstain. Motion passed.

New Cases:

**Case No. 11-11**

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

Ms. Littlejohn presented the case. The city recommends allowing 30 days to complete painting. Other violations were noted such as gutters, and overgrown vegetation. Mr. Nipper made a motion to allow Ms. Breazeale 30 days to present a plan to correct the violation or to complete needed repairs. Mr. Lee seconded the motion. Motion passed unanimously.

**Case No. 11-12**

William K & Nancy H Byrne, 759 W Outer Drive, violation to Sections 304.5 Foundation/basement; 304.6 Exterior walls; 304.13/15 Windows/doors; 304.12 Handrails/guardrails; 304.2 Protective treatment; and 301.3 Vacant structure of the International Property Maintenance Code.

Ms. Littlejohn presented the case. Discussion ensued about the structure being habitable. Mr. Lee stated that there appears to be little to no interest of the property owners to maintain this structure. This property has had citations for 10 years and currently has almost \$20,000 in liens according to information supplied by the city staff. Ms. Littlejohn requested the board to allow 30 days for an interior inspection. Mr. Lee stated he does not feel an extension of time is warranted in this case. Mr. Lee made a motion to declare the structure at 759 West Outer Drive, to be 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. The motion passed unanimously.

Mr. Lee made a motion that the structure located at 759 West Outer Drive, be ordered demolished under City Code Section 13-205(5). Mr. Ward seconded the motion. The motion passed unanimously.

**Case No. 11-13**

Betty Rule, 129 Westlook Circle, violation to Section 13-205 Unfit structure of the City of Oak Ridge Code of Ordinances.

Ms. Littlejohn presented the case. Mr. Tim Pratt was present to represent Ms. Rule. Mr. Pratt stated that the owner is currently involved in legal action with the home insurance company and payment for damages has not been made. Discussion ensued as to what the owner intends to do with this property. Mr. Lee made a motion to allow Ms. Rule 30 days to either submit a repair schedule to city staff or to obtain a demolition permit for this structure and to report back to the board at the next scheduled meeting, 07/14/11. Mr. Nipper seconded the motion. Motion passed unanimously.

**New Business:** The board stated concerns about Mr. Wells attendance record at meetings.

**Unfinished Business:** None

**Communications and Miscellaneous Business:**

Status of Open Cases:

- 107 Atlanta Road: Noted repairs complete May 16, 2011. A new notice for additional issues at the property has been sent.
- 118 Atlanta Road: 30 additional days allowed at June 9, 2011 board meeting.
- 109 East Holston Lane: Noted repairs complete May 16, 2011.
- 110 East Malta Road: 30 additional days allowed at June 9, 2011 board meeting.
- 169-171 West Wadsworth Circle: Property has been sold to new owners as of April 22, 2011 and new roof and new siding have been installed.

Meeting adjourned at 4:25 p.m.



Amy Seiber  
Secretary