

MINUTES
REGULAR MEETING OF THE CITY OF CLEVELAND
BUILDING BOARD OF ADJUSTMENT AND APPEALS
TUESDAY, MARCH 21, 2017 AT 5:15 PM
DES CONFERENCE ROOM IN THE DEVELOPMENT AND ENGINEERING
SERVICES ANNEX BUILDING AT 200 2ND STREET NE

The regular monthly meeting of the Building Board of Adjustment and Appeals was called to order at 5:15 pm by Chairman Dennis Epperson.

Membership present included Dennis Epperson, Chairman; Chris Lyles, Donald Humes, Jim Williams, and Dustin Hawkins. City Personnel in attendance included, Bryan Turner, Chief Building Official; Tina Bishop, Building Inspector; and Peggy Hathcock, Building Division Technician. Others in attendance included Suzie Gilbert, Sammy Hughes, Jerome Shepherd, and Joe V. Williams.

The minutes from the February 7, 2017, meeting were presented. Jim Williams made a motion that they be accepted, Donald Humes seconded the motion and the vote passed unanimously.

The operating procedures were presented to the Board during a scheduled work session. Jim Williams made a motion that the operating procedures be accepted, Chris Lyles seconded the motion. The Board voted unanimously for the adoption of the procedures.

Sammy Hughes requested an appeal for the condemnation of the structures that are located at 1620 Aurora Ave. SE, and 1630 Aurora Ave. SE. Sammy Hughes, Suzie Gilbert, and Jerome Shepherd were present for this appeal. Jerome Shepherd, addressed the Board as Mr. Hughes's attorney. The argument was made that these two properties would be viable rental property if the owner was given the opportunity to fix them up. The pictures of the structures were presented to the Board and the fact that the structures were also on the methamphetamine registry for RidMeth.org was also presented. The attorney challenged the Chief Building Official and Mr. Turner's knowledge of the Tennessee Code Annotated when Mr. Turner presented with the direct quotes from the TCA. The work that had commenced on the structure had been done without the proper licensure and without consideration of the previous methamphetamine contamination. After further discussion from the Board, Jim Williams made a motion to uphold the City's decision to condemn for demolition 1620 Aurora Ave. SE. Chris Lyles seconded the motion, and the Board agreed unanimously. Jim Williams also made a motion to uphold the City's decision to condemn for demolition 1630 Aurora Ave. SE. Dustin Hawkins seconded the motion, and the Board passed it with a unanimous vote.

Dennis Epperson had to leave the meeting at 5:40 pm due to extensive hail damage that had just occurred at his home. The meeting still had a quorum after he left, so the meeting continued.

Joe V. Williams requested an appeal for the condemnation of the structure located at 545 2nd Street NE. Mr. Joe V. Williams informed the Board that he had scheduled a gentleman, Mr. Jack Bell, to demolish the structure, however, Mr. Bell had succumbed to a heart attack and died, so the structure was still standing. Mr. Joe V. Williams addressed the Board with his desire to keep the foundation and just tear down the building. His hope was that he could sell the lot with the completed basement and so that the new owner could build upon the existing foundation. The Board discussed the possibility that the foundation could remain there untouched for years and become an

area of contention with the neighbors and the homeless. Mr. Turner told Mr. Joe V. Williams that it would not be permissible to keep the foundation and just tear down the structure. Mr. Joe V. Williams made his argument that it may make the lot more appealing to potential owners, however; Mr. Turner told him that the new owner may not want a foundation there that would limit the size and shape of the structure that they may want to construct. The Board sided with Mr. Turner. Dustin Hawkins made a motion to uphold the City's recommendation for full condemnation & demolition of the structure. Jim Williams seconded the motion, and it passed unanimously. (Dennis Epperson was not present for this vote.)

Hearing no further business, the meeting adjourned.