

AGENDA
SPECIAL CALLED MEETING OF THE CITY OF CLEVELAND
BUILDING BOARD OF ADJUSTMENT AND APPEALS
TUESDAY, JUNE 6, 2017 AT 5:15 PM
DES CONFERENCE ROOM IN THE DEVELOPMENT AND ENGINEERING SERVICES
ANNEX BUILDING AT 200 2ND STREET NE

Welcome and Roll Call of Members

1. Minutes

- a. **Minutes from March 21, 2017**

2. Public Hearings

3. Old Business

4. New Business

- a. **Ken E. & Linda J. Lawson requests an appeal for the demolition order at 722 9th Street SE (Tax Map 57E Group L Parcel 027.00).**
- b. **Mickey & Jessica Chambers requests an appeal for the demolition order at 960 5th St SE (Tax Map 058H Group M Parcel 006.10).**

5. Other Projects

6. Board Members Report

7. Adjourned

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.

Contents of Packet for 722 9th Street SE

Page 1_Appeal Request

Page 2_Case Field Report and Notes

Page 3_Inspection Photo

Page 4_Assessor of Property Information

Pages 5-6_Deed

Pages 7-8_Notice to Owner(s)

City of Cleveland

CLEVELAND TENNESSEE
Development & Engineering Services



Bryan Turner
Chief Building Official
bturner@clevelandtn.gov

185 Second Street NE
Cleveland, TN 37311
(423) 457-3095

Application for Appeal Building Board of Adjustment and Appeals

Date Notice Received: 5/26/17

Application Date: 5/30/17

Property Owner(s): Ken & Linda Lawson

Owners' Address: 209 Wilson Lane
Cleveland, TN 37312

Owners' Phone No. 423.336.6811

Owners' Email: LJLawson@bellsouth.net

Address of property in violation: 722 9th St SE
Cleveland, TN 37311

Tax Parcel # (located on notice) 057E L 027.00

Indicate your statement of appeal below:

I feel the trailer can Reasonably be Rehabilitated.

FOR OFFICIAL USE ONLY

Hearing Date: Tuesday
6/6/17
@ 5:15 pm

Case Decision: _____

CASE FIELD REPORT**Cleveland, TN/ Code Enforcement**Assigned
To:
Turner,
Bryan**CE17-309**

Location of Violation:	722 9TH ST SE CLEVELAND, TN 37311	APN#	057E L 027.00 000
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CDBG	Custom Location Field	Custom Field
NO	District: 2	Structure Type: single family home District: 2 Parcel ID#: 057E L 027.00 000

Owner	Address (if different)	Hm:
Name: LAWSON KEN E & LINDA J,	PO BOX 5177	Wk:
Business:	CLEVELAND, TN 37320	Cell:

Open Violation(s)	Code Section
Building - Assessment of Case to Determine Violation	
Building - Condemnation: No Repair Possible	13-305 (2)

Entry Date	Note Action Date	Type	Officer	Note/Activity
05/30/2017 -		Violation	Turner, Bryan	Added: Building - Condemnation: No Repair Possible
05/30/2017	2017-05-30	Note	Turner, Bryan	Mr. Lawson came in today. He brought photos of the interior work he had done on the mobile home. I explained I had talked to Rosemary at the tax assessor's office and she had indicated the value of the mobile home at the time of assessment was \$1,200 and that it was our determination it would cost more than \$600 to make habitable. He stated he had all the materials already and had been working on the inside for some time. He knew the outside looked bad and there were a few windows to be replaced but he had those and was going to put them in and he was also working on cleaning the exterior. He wanted to appeal the condemnation. I completed the form for him and will get this added to the hearing we have coming up 6/6/2017. He knows to be there on that date and to bring photos of what he has done to date.
05/09/2017	2017-05-09	Note	Turner, Bryan	I signed this notice for Bryan. I needed to get it mailed as I will be out of the office until next week and he would not be back to the office before I left.
05/09/2017	2017-05-09	Note	Turner, Bryan	Talked with Rosemary at the assessor's office. The mobile home is valued at \$1,200. Condemned no repair possible. They will have until 5/29/17 to appeal and 6/8/17 for voluntary removal.
04/27/2017	2017-04-27	Note	Duncan, Laura	There is also another structure on the property that is a severely deteriorated mobile home. The mobile home has multiple windows that are missing and a tarp covering one busted window. The structure itself has no underpinning and is vacant. Please forward to the building department for their assessment
04/27/2017 -		Violation	Duncan, Laura	Added: Building - Assessment of Case to Determine Violation
04/27/2017 -		Case	Duncan, Laura	Initial Case Status Building: Code Enforcement Initiated (Proactive)
04/27/2017 -		Case	Duncan, Laura	Case Opened (Created)

Follow-up	06/06/2017	Hearing outcome?
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INVESTIGATION:

Case: CE17-309

Address	Date	Title	Description
722 9TH ST SE CLEVELAND TN 37311	04/27/2017	722_9TH_ST.JPG	



HOME SEARCH SUMMARY INTERIOR EXTERIOR SALES MAPS ABOUT

| Printable Record Card | Previous Assessment | Condo Info | Sales | Zoning | Comments |

First Card Previous Card Card 2 of 2

Location 722 9TH ST SE Subdivision CLEV LAND & IMP CO ADD #1 215

Current Property Mailing Address
 Owner LAWSON KEN E ETUX LINDA J City CLEVELAND
 Address PO BOX 5177 State TN
 Zip 37320
 Zoning R2

Current Property Sales Information
 Sale Date 6/4/2002 Legal Reference 1216-336
 Sale Price 40,000 Grantor(Seller)

Current Property Assessment
 Card 2 Value
 Year 2017 Building Value 1,200 Total Building Va
 Xtra Features Value 0 Xtra Features Va
 Land Area 1 Lot Priced Land Value 0 Land Va
 Total Value 1,200 Total Va

Narrative Description
 This property contains 1 Lot Priced of land mainly classified as PT 00 with a(n) MH 51 style building, built about 1944 , having UNFINISHED exterior and CORR METAL roof cover, residential unit(s), 0 total room(s), 0 total bedroom(s), 0 total bath(s), 0 total half bath(s), 0 total 3/4 bath(s).

Legal Description

Property Images

5/9/17 - spoke with Rosemary at assessors' office. The value on the mobile home is \$1,200 as indicated on card 2.

FILE
Prepared by David S. Humberd
Attorney, Cleveland, Tennessee

Tax ID No. M57E-L-27
Send Tax Bills To: Ken E Lawson
5600 Frontage Rd
Cleveland TN 37312

By preparation of this deed, David S. Humberd does not make any representation to the status of the title of the real estate or the accuracy of the information of covenants or warranties in the deed. Any representations by David S. Humberd as to the status of this title, legal description or other matters are made solely by separate written title report or title insurance exclusively for the benefit of the parties. Prepared from information furnished by the parties. It is your responsibility to record this instrument in the office of the register wherein the herein property lies.

FOR FIVE DOLLARS (\$5.00) and other valuable considerations to us paid, we,
BLAINE L. LAWSON and wife, BILLIE M. LAWSON have this day bargained and
sold, and do hereby sell, transfer and convey unto KEN E. LAWSON and wife, LINDA
J. LAWSON, their heirs and assigns, forever in fee simple, the following described real
estate located in the **Fourth** Civil District of **Bradley** County, Tennessee, to-wit:

BEING in the Third Ward of the City of Cleveland and described as being a
portion of Lot No. 215 as laid down in Plat of the Cleveland Land Improvement
Company's Addition NO. 1 to the City of Cleveland and being more particularly
described as BEGINNING at the junction of Gaut Street (formerly Harle Avenue) and
9th Street (formerly Raht Street) extending along and fronting on Gaut Street 50 feet;
thence extending in an Easterly direction 150 feet with what was formerly Ledford's lot
to an alley; thence in a Northern direction 50 feet to 9th Street (formerly Raht Street);
thence in a Westerly direction, 150 feet to the beginning corner. Said property is
bounded on the North by Ninth Street (formerly Raht Street); East by an alley; South by
what was formerly Ledford's property; and West by Gaut Street (formerly Harle
Avenue).

BEING part of the property conveyed to Grantors by deed recorded in Deed Book
342, page 957, ROBCT.

SUBJECT to any existing easements, restrictions of record.
SUBJECT to any governmental and subdivision ordinances or regulations in
effect thereon.

TO HAVE AND TO HOLD the said real estate unto the said KEN E. LAWSON
and wife, LINDA J. LAWSON, their heirs and assigns, forever in fee simple.

We covenant that we are lawfully seized and possessed of the said real estate; that we have a good and lawful right to sell and convey the same; that the title thereto is clear, free and unencumbered, and we will forever **WARRANT AND DEFEND** the title thereto against all lawful claims.

WITNESS our signatures this 4 day of June, ^{BK 1216 PG 337} 2002.

Blaine L. Lawson
BLAINE L. LAWSON

Billie M. Lawson
BILLIE M. LAWSON

STATE OF TENNESSEE)
COUNTY OF BRADLEY)

On this 4 day of June, 2002, before me personally appeared **BLAINE L. LAWSON** and wife, **BILLIE M. LAWSON**, to me known (or proved to me on the basis of satisfactory evidence) to be the person(s) described in and who executed the same as their free act and deed.

WITNESS my hand and Seal the day and year above written.

Kenneth E. Moss
Notary Public

My Commission Expires: 3-10-03



Affidavit of Value

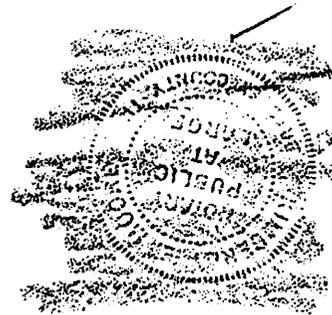
The undersigned hereby makes oath that \$70,000 is the greater of the actual consideration or value of the property hereinabove described as of the date of this instrument.

Blaine L. Lawson
Affiant

SWORN TO AND SUBSCRIBED before me
this 4 day of June, 2002.

Kenneth E. Moss
Notary Public

My Commission Expires: 3-10-03



State of Tennessee, County of BRADLEY
Received for record the 05 day of
JUNE 2002 at 11:00 AM. (RECH 102629)
Recorded in official records
Book 1216 pages 336- 337
State Tax \$ 148.00 Clerks Fee \$ 1.00
Recording \$ 12.00, Total \$ 161.00.
Register of Deeds HERMAN DOELL SNAFFORD
Deputy Register DINA SNAFFORD

City of Cleveland

CLEVELAND TENNESSEE
Development & Engineering Services

Bryan Turner
Chief Building Official
bturner@clevelandtn.gov

185 Second Street NE
Cleveland, TN 37311
(423) 457-3095



05/09/2017

KEN E & LINDA J LAWSON
PO BOX 5177
CLEVELAND, TN 37320

Re: 722 9TH ST SE, CLEVELAND, TN 37311

NOTICE OF CONDEMNATION NO REPAIR POSSIBLE

An initial inspection of the property on 04/27/2017, in response to a complaint or an assessment from the street, at the location referenced above and legally identified as Parcel ID number 057E L 027.00 000, indicates the single wide mobile home, as indicated in the attached photo, is so old, dilapidated, or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy, to the extent that it is unreasonable to repair the structure. It is considered a dangerous structure in accordance with the 2012 International Property Maintenance Code (IPMC) 108.1.5(7) as amended and adopted by reference in Section 12-901 of the Cleveland Municipal Code. The structure is neglected, damaged, dilapidated, unsecured and abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger and could become a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for the purpose of committing a nuisance or an unlawful act).

Section 13-305 of the Cleveland Municipal Code states the following in regard to reasonableness of repair versus demolition: "(1) If the repair, alteration or improvement of the structure can be made at a reasonable cost in relation to the value of the structure (not exceeding fifty percent [50%] of the reasonable value), requiring the owner, during the time specified in the order, to repair, alter, or improve such structure to render it fit for human occupancy or use or to vacate and close the structure for human occupancy or use; or (2) If the repair, alteration or improvement of said structure cannot be made at a reasonable cost in relation to the value of the structure (not to exceed fifty percent [50%] of the value of the premises), requiring the owner within the time specified in the order, to remove or demolish such structure. (See attached data from the Bradley County Assessor of Property.)

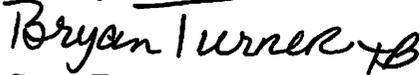
Pursuant to the 2012 IPMC 110.1 as amended and adopted by reference in Section 12-901 of the City of Cleveland Municipal Code, it is hereby ordered that the structure must be demolished and removed by the end of business day Thursday, June 8, 2017. This includes removal of any and all debris generated by the

demolition or removal, and stabilization of the area upon which the structure is located. The structure may be posted at each entrance with a placard as follows: ***"This structure is Unsafe and Its Occupancy has been Prohibited by the Building Official."*** It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making required repairs, removing the hazardous condition or demolishing the same.

You have the right to appeal this notice and order by filing a written application for appeal with the Building Board of Adjustment and Appeals for the City of Cleveland. The application for appeal must be filed within twenty (20) days from the date this notice was served. ***The appeal shall be based on a claim that the true intent of the code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of the code do not fully apply, or the requirements of the code are adequately satisfied by other means.*** The appeal can be hand delivered or mailed to 185 2nd Street NE, Cleveland, TN 37311, to my attention. At such time an appeal is received, a hearing date and time will be determined and all parties will be notified.

If you fail to demolish and remove the structure, the City of Cleveland will cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon the real estate. Please contact either myself at the number and email listed above, or Tina Rymer Bishop at 423-650-3768 or trymer@clevelandtn.gov to discuss this further. We look forward to working with you to resolve this matter.

Thank you,



Bryan Turner
Chief Building Official



Tina Rymer Bishop
Building Inspector

Attachment: Photo, Assessor of Property Information



Case: CE17-309	Address	Date	Title	Description
	722 9TH ST SE CLEVELAND TN 37311 04/27/2017 722_9TH_ST.JPG			

- HOME
- SEARCH
- SUMMARY
- INTERIOR
- EXTERIOR
- SALES
- MAPS
- ABOUT

| [Printable Record Card](#) | [Previous Assessment](#) | [Condo Info](#) | [Sales](#) | [Zoning](#) | [Comments](#)

[First Card](#)

[Previous Card](#)

Card 2 of 2

Location 722 9TH ST SE

Subdivision CLEV LAND & IMP CO ADD #1 215

Owner LAWSON KEN E ETUX LINDA J

Current Property Mailing Address

Address PO BOX 5177

City CLEVELAND
State TN
Zip 37320
Zoning R2

Sale Date 6/4/2002
Sale Price 40,000

Current Property Sales Information

Legal Reference 1216-336
Grantor(Seller)

Year 2017
Land Area 1 Lot Priced

Current Property Assessment

Card 2 Value

Building Value 1,200
Xtra Features Value 0
Land Value 0
Total Value 1,200

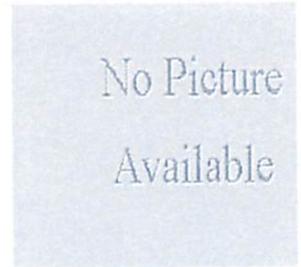
Total
Building Va
Xtra Features Va
Land Va
Total Va

Narrative Description

This property contains 1 Lot Priced of land mainly classified as PT 00 with a(n) MH 51 style building, built about 1944 , having UNFINISHED exterior and CORR METAL roof cover, residential unit(s), 0 total room(s), 0 total bedroom(s), 0 total bath(s), 0 total half bath(s), 0 total 3/4 bath(s).

Legal Description

Property Images



5/9/17 - spoke with Rosemary at assessors' office. The value on the mobile home is \$1,200 as indicated on card 2.

Address	Date	Title	Description
960 5th Street SE	06/06/2017	Photo day of hearing	



960 5th Street SE 06/06/2017 Photo day of hearing



Address	Date	Title	Description
960 5th Street SE	06/06/2017	Photo day of hearing	



Unofficial Property Record Card - Bradley, TN

General Property Data

Parcel ID 058H M 006.01 000	Account Number
Prior Parcel ID -	Property Location 960 5TH ST SE
Property Owner CHAMBERS MICKEY ETUX JESSICA	Property Use PT 00
Mailing Address 960 5TH ST SE	Most Recent Sale Date 3/9/2015
City CLEVELAND	Legal Reference 2289-135
Mailing State TN Zip 37311	Grantor CHAMBERS CHARLES J,
ParcelZoning R2	Sale Price 5
	Land Area 0.000 acres

Current Property Assessment

Card 1 Value	Building Value 0	Xtra Features Value 100	Land Value 3,000	Total Value 3,100
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Building Description

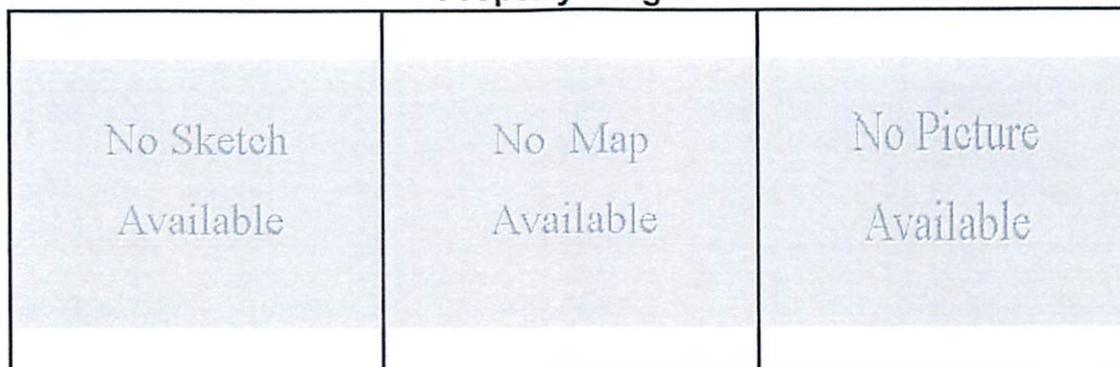
Building Style	Foundation Type	Flooring Type N/A
# of Living Units 0	Frame Type	Basement Floor N/A
Year Built N/A	Roof Structure	Heating Type N/A
Building Grade	Roof Cover	Heating Fuel N/A
Building Condition Average	Siding	Air Conditioning 0%
Finished Area (SF) N/A	Interior Walls N/A	# of Bsmt Garages 0
Number Rooms 0	# of Bedrooms 0	# of Full Baths 0
# of 3/4 Baths 0	# of 1/2 Baths 0	# of Other Fixtures 0

Legal Description

Narrative Description of Property

This property contains 0.000 acres of land mainly classified as PT 00 with a(n) style building, built about N/A , having exterior and roof cover, with 0 unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

Property Images



Disclaimer: This information is believed to be correct but is subject to change and is not warranted.

1. An existing mobile home, located on a single lot as the principal structure and serviced by public utilities on the effective date of this ordinance; or
 2. An approved mobile home park.
- D. Upgrade of substandard or single lot mobile home. A single mobile home, located on a lot of record as the principal structure on the effective date of this ordinance, may be upgraded by replacement under the following conditions:
1. The replacement mobile home unit is five (5) years old or less on the date the unit is placed on the lot;
 2. Complete skirting of the replacement unit, using weather resistant materials that are similar to the new mobile home.
- E. Non-conforming use--remedy. The owner or occupant of any non-conforming mobile home already placed on a lot, on or before _____ will be permitted to reside at the present location. However, if at any time the ownership or occupancy of either the lot or mobile home shall change or if such mobile home owner shall change, the owner shall be given a period not to exceed thirty (30) days in which to remove such mobile home and to comply with all provisions of this chapter.
- F. Administration and enforcement. It shall be the duty of the city building inspector to administer and enforce the provisions of this chapter. The city building inspector is hereby authorized and directed to make inspections to determine the condition of mobile home parks. The city building inspector shall have the power to enter at reasonable times upon any private or public property for the purpose of inspecting and investigating conditions relating to the enforcement of this ordinance.
- G. Compliance. To insure compliance with the provisions of the mobile home ordinance, utility services will be connected only when the mobile home has been found by the chief building inspector to meet applicable code requirements and the chief building inspector has issued the appropriate permit(s).
- Cleveland Utilities, Electric and Water Division, shall be presented with a copy of the mobile home permit, signed by the chief building inspector, as part of the owner(s) application for utility services. Should the owner or applicant fail to provide a signed copy of the



Google Earth





BRADLEY COUNTY, TN

Property Search Application

Map Tools:

[Property Search](#) [Property Details](#) [Maps](#)

Property

Account Number
27850

Parcel ID
057E L 027.00 000

Mailing Address
PO BOX 5177

City
CLEVELAND

State
TN

Zip
37320

Owner
LAWSON KEN E ETUX LINDA J

Total Value
\$39,400

For more information

[Bradley County Homepage](#)

[Assessment Details](#)

Census

Elected Officials



Copyright 2011 Bradley County, Tennessee
Mapdata: GEBCO World 380x400m Contours

Contents of Packet for 960 5th Street NE

Page 1_Appeal Request

Page 2_Case Field Report and Notes

Pages 3-5_Inspection Photos

Pages 6-7_Assessor of Property Information

Pages 8-10_Deed

Pages 11-14_Notice as sent to Owner(s)

City of Cleveland

CLEVELAND TENNESSEE
Development & Engineering Services

Bryan Turner
Chief Building Official
bturner@clevelandtn.gov



185 Second Street NE
Cleveland, TN 37311
(423) 457-3095

Application for Appeal Building Board of Adjustment and Appeals

Date Notice Received by Owner: 4/11/2017 Application Date: 4/29/2017
 Property Owner(s): Mickey Chambers & Jessica Chambers
 Owners' Address: 1017 11th Street
Cleveland, TN 37311
 Owners' Phone No. 423-310-1693
 Owners' Email: jcsprintgirl@yahoo.com
 Address of property in violation: 960 5th Street, SE
Cleveland, TN 37311
 Tax Parcel # (located on notice) 058H M 006.01.000

Please list your reasons for and evidence supporting this appeal below. This shall serve as your written affidavit. Supplemental material supporting this appeal may be attached to this form.

Willing to quit claim to Darrell + Bridgette Slade along with evidence from professional appraiser and licensed contractor of cost for improvements to bring to code. Also working with city councilman, Tommy Cassada and City Building Inspector, Brian Turner. Asking Stanley Thompson for new value. William "Billy" Thacker, professional appraiser providing value and contractor, Larry Hall, will provide amount to improve for inhabital dwelling. Roof is 3-5 years old and in good condition. Foundation is solid. We feel this could be a great home and add value to street. It was my grandmothers home for over 30 years. She worked hard for it and we would like to see it restored.

FOR OFFICIAL USE ONLY

Hearing Date: _____ Case Decision: _____

CASE FIELD REPORT

Cleveland, TN/ Code Enforcement

Assigned To:
Turner, Bryan
CE17-226

Location of Violation: 960 5th Street SE APN# 058H M 006.01 000

CDBG Custom Location Field Custom Field
NO Property Type: Residential Structure Type: single family home
District 2 District 2
Parcel ID#: 058H M 006.01 000

Owner Address (if different) Hm:
Name: Chambers, Mickey & Jessica 120 Driftwood Lane SE Wk:
Business: Old Fort, TN 37362-6205 Cell: 423-310-1693

Open Violation(s) Code Section
Building - Assessment of Case to Determine Violation
Building - Unsecured Vacant Structure 13-305 (1)
Building - Condemnation: No Repair Possible 13-305 (2)

Entry Date	Note Action Date	Type	Officer	Note/Activity
05/02/2017	2017-05-02	Note	Turner, Bryan	Received an application for appeal for the property yesterday when I was out of the office. I have emailed Jessica and Bridgette. Bridgette Bethune Slack is the lady who Jessica is wanting to sell the property to. Bridgette is aware of the shape the structure is in. Her uncle is Larry Hall, contractor, and he came out and looked at it and feels it could be reasonably repaired. I explained what they have going against them is the value of the property being at -0- by the tax assessor. It appears the value was requested to be lowered by the uncle who gifted them the property, several years before he deeded it to them. The value was lowered to -0- in 2012. They were deeded the property in March of 2015. The hearing will be the first Tuesday in June. (June 6th)
04/24/2017	2017-04-24	Note	Turner, Bryan	James Wehunt came to my office today to inquire about this property.
04/21/2017	2017-04-21	Note	Turner, Bryan	Received a call from Bridgette Bethune Slack that she may be purchasing this property and wanted to know what she could do with the building. I explained it was no repair possible and would have to come down. She then wanted to know if she could put a double wide on the property. I told her to call Corey for that information. I also emailed her a list of demo contractors.
04/12/2017	2017-04-12	Note	Turner, Bryan	The uncle to Jessica's husband came in to discuss the condemnation. I explained to him the same thing I did to Jessica and printed him off the assessor's information. He felt sure they were not going to appeal but was worried about getting it down by 5/11. I told him I would work with them on the timeline if they were having trouble finding someone to do the work. I emailed Jessica the demo contractor list and the appeal form. They are having some vandalism so I told him I would get it posted today. Josh is going to post it for me.
04/11/2017	2017-04-11	Note	Turner, Bryan	Received a call from Jessica Chambers. (423-310-1693 jcsprintgirl@yahoo.com). They were in the process of repairing the structure. I explained the tax assessor has the building valued at zero, therefore in accordance with the municipal code is deemed unfeasible to repair. I explained she could certainly appeal the condemnation but she would need to be prepared to present to the hearing board a structural report with proposed methods of repair prepared by a licensed architect or engineer. I am emailing her a list of demo contractors as well as the appeal form. She has until 5/1/17 to appeal. I also told her I would work with her on the demo timeline if she is having a difficult time getting an equipment operator out there since I know this is their busy time of the year.
04/07/2017	2017-04-07	Note	Turner, Bryan	Time up for appeal Monday 5/1/17. Time up for demo Thursday 5/11/17. The assessor has the building valued at -0-.
04/07/2017 -		Violation	Turner, Bryan	Added: Building - Unsecured Vacant Structure
04/07/2017 -		Violation	Turner, Bryan	Added: Building - Condemnation: No Repair Possible
04/06/2017	2017-04-06	Note	Duncan, Laura	on the way to a complaint I noticed the exterior of this structure looked severely dilapidated. The siding has come off and the foundation seems to be missing under the front left corner. The roof appears to be sagging throughout. The home seems to be vacant. Please forward to the building DEPT.
04/06/2017 -		Violation	Duncan, Laura	Added: Building - Assessment of Case to Determine Violation
04/06/2017 -		Case	Duncan, Laura	Initial Case Status Building: Code Enforcement Initiated (Proactive)
04/06/2017 -		Case	Duncan, Laura	Case Opened (Created)

Follow-up

Case: CE17-226

<i>Address</i>	<i>Date</i>	<i>Title</i>	<i>Description</i>
960 5th Street SE	04/06/2017	960_5TH_ST_2_.JPG	



Case: CE17-226

<i>Address</i>	<i>Date</i>	<i>Title</i>	<i>Description</i>
960 5th Street SE	04/06/2017	960_5TH_ST_4_.JPG	



Case: CE17-226

Address	Date	Title	Description
960 5th Street SE	04/06/2017	960_5TH_ST_3_.JPG	



Unofficial Property Record Card - Bradley, TN

General Property Data

Parcel ID 058H M 006.01 000	Account Number *
Prior Parcel ID -	Property Location 960 5TH ST SE
Property Owner CHAMBERS MICKEY ETUX JESSICA	Property Use PT 00
Mailing Address 960 5TH ST SE	Most Recent Sale Date 3/9/2015
City CLEVELAND	Legal Reference 2289-135
Mailing State TN Zip 37311	Grantor CHAMBERS CHARLES J,
ParcelZoning R2	Sale Price 5
	Land Area 0.000 acres

Current Property Assessment

Card 1 Value	Building Value 0	Xtra Features Value 100	Land Value 3,000	Total Value 3,100
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Building Description

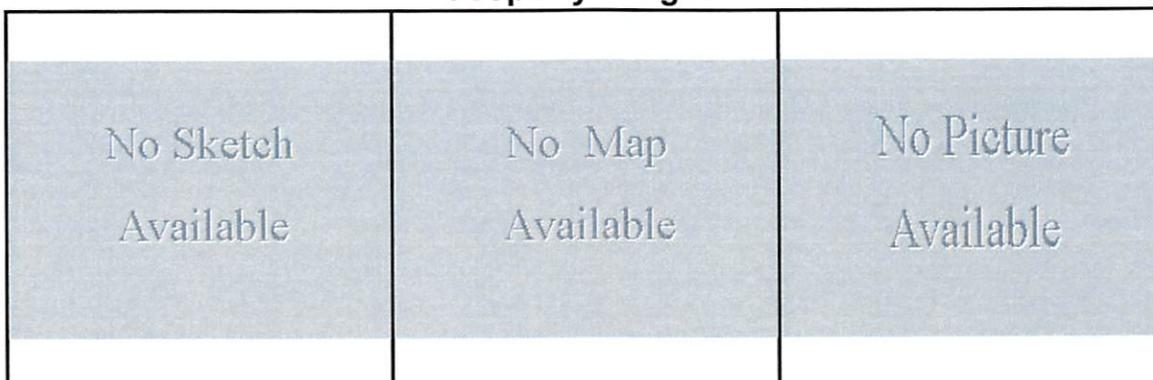
Building Style	Foundation Type	Flooring Type N/A
# of Living Units 0	Frame Type	Basement Floor N/A
Year Built N/A	Roof Structure	Heating Type N/A
Building Grade	Roof Cover	Heating Fuel N/A
Building Condition Average	Siding	Air Conditioning 0%
Finished Area (SF) N/A	Interior Walls N/A	# of Bsmt Garages 0
Number Rooms 0	# of Bedrooms 0	# of Full Baths 0
# of 3/4 Baths 0	# of 1/2 Baths 0	# of Other Fixtures 0

Legal Description

Narrative Description of Property

This property contains 0.000 acres of land mainly classified as PT 00 with a(n) style building, built about N/A , having exterior and roof cover, with 0 unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

Property Images



Disclaimer: This information is believed to be correct but is subject to change and is not warranted.

Previous Assessments

Year	Code	Building	Yard Items	Land Value	Acres	Special Land	Total
2016	RS - PT 00	0	100	3,000	0.00	0.00	3,100
2016	RS - PT 00	0	100	3,000	0.00	0.00	3,100
2015	RS - PT 00	0	100	3,000	0.00	0.00	3,100
2015	RS - PT 00	0	100	3,000	0.00	0.00	3,100
2015	RS - PT 00	0	100	3,000	0.00	0.00	3,100
2014	RS - PT 00	0	100	3,000	0.00	0.00	3,100
2014	RS - PT 00	0	100	3,000	0.00	0.00	3,100
2013	RS - PT 00	0	100	3,000	0.00	0.00	3,100
2013	RS - PT 00	0	100	3,000	0.00	0.00	3,100
2013	RS - PT 00	0	100	3,000	0.00	0.00	3,100
2012	RS - PT 00	0	100	2,800			2,900
2011	RS - PT 00	40,200		2,800			43,000
2010	RS - PT 00	40,200		2,800			43,000
2009	RS - PT 00	40,200		2,800			43,000
2008	RS - PT 00	27,700		2,400			30,100
2007	RS - PT 00	27,700		2,400			30,100
2006	RS - PT 00	27,700		2,400			30,100
2005	RS - PT 00	27,700		2,400			30,100
2004	RS - PT 00	23,600		2,300			25,900
2003	RS - PT 00	23,600		2,300			25,900

THIS INSTRUMENT WAS PREPARED WITHOUT TITLE SEARCH OR SURVEY BY:

Andrew J. Brown
William J. Brown & Associates, PLLC
23 North Ocoee St., P.O. Box 1001
Cleveland, TN 37364
Phone: (423) 476-4515

QUITCLAIM DEED

✓ **TAX I.D.:** 058H M 006.01 000

PROPERTY ADDRESS:

960 5th St. SE
Cleveland, TN 37311

ADDRESS NEW OWNER(S) AS FOLLOWS:

File!
Mickey Chambers and Jessica Chambers
120 Driftwood Lane
Old Fort, TN 37362

SEND TAX BILL TO:

✓ 120 Driftwood Lane
Old Fort, TN 37362

NOTICE: All parties to this instrument are hereby advised that this instrument should be recorded as soon as possible in the Register's Office for the county or counties in which the property is located.

WHEREAS, on July 18, 2005 Odis M. Chambers executed a Warranty Deed Reserving Life Estate wherein she conveyed all of her interest in the herein described property to Charles J. Chambers subject to her life estate reserved and retained in same;

AND WHEREAS, this Warranty Deed Reserving Life Estate was duly recorded in the Register's Office of Bradley County, Tennessee in Book 1554, Page 210-211;

AND WHEREAS, Odis M. Chambers died on November 4, 2010 and said death resulted in all of her interest in the herein described property being transferred and conveyed to Charles J. Chambers;

AND WHEREAS, Charles J. Chambers as fee simple owner of the herein described property as well as his wife Lois Chambers wish and desire to transfer any and all interest they may possess in the herein described real property and improvements to Mickey Chambers and wife Jessica Chambers, this conveyance is hereby made as follows.

FOR AND IN CONSIDERATION of the sum of Five Dollars (\$5.00), cash in hand paid by the hereinafter named Grantee, and other good and valuable considerations, the receipt of which is hereby acknowledged, we, Charles J. Chambers and wife Lois Chambers, hereinafter called "Grantor," have bargained and sold and by these presents do transfer, convey, and forever quitclaim unto Mickey Chambers and wife Jessica Chambers, hereinafter called

“Grantee,” their heirs and assigns, any and all interest we may have in the following described real property:

A CERTAIN TRACT OR PARCEL OF LAND IN THE FOURTH CIVIL DISTRICT OF BRADLEY COUNTY, STATE OF TENNESSEE, DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING at a stake marker in the south line of Greenwood Avenue, located 50 feet West of the intersection of the South line of Greenwood Avenue, and the West line of Edgewood Avenue; and running thence in a Westerly direction with and along the South line of Greenwood Avenue, 50 feet, more or less, to the northeast corner of Kenneth J. Brown, and thence extending back in a southerly direction, between parallel lines, 95 feet, more or less, to the North line of property formerly owned by Kenneth Lawson, now owned by the Grantor.

BOUNDED on the North by Greenwood Avenue, East by other lands of the Grantor, on the South by other lands of the Grantors, formerly Kenneth Lawson, and on the West by Kenneth J. Brown.

- ✓ BEING AND INTENDED TO BE the same real estate conveyed to Charles J. Chambers by Warranty Deed Reserving Life Estate from Odis M. Chambers dated July 18, 2005 and recorded in Deed Book 1554, Page 210-211, in the Register’s Office in Bradley County, Tennessee.

All property descriptions contained herein are taken from prior deeds as noted above and provided by Grantor.

TO HAVE AND TO HOLD PURSUANT TO THIS TRANSFER any and all interest we the Grantors may have in said real estate unto said Mickey Chambers and wife Jessica Chambers, their heirs and assigns, forever in fee simple. Lois Chambers enters into this conveyance for purposes of transferring and conveying any and all interest she may have acquired in said real property resulting from her marriage to Charles J. Chambers or as otherwise may have been aquired.

IN TESTIMONY WHEREOF, WITNESS my signature as evidenced below.

3-9-15
Date

3-9-2015
Date

Charles J. Chambers
Charles J. Chambers

Lois Chambers
Lois Chambers

STATE OF TENNESSEE)
COUNTY OF BRADLEY)

On this the 9th day of March, 2015, before me personally appeared Charles J. Chambers to me known to be the person described herein, and who executed the foregoing instrument, and acknowledged that she executed the same as her free act and deed.

WITNESS my hand and seal the day and year above written.

Taylor W. Pirchmoser
Notary Public

My Commission Expires: 9-4-18



STATE OF TENNESSEE)
COUNTY OF BRADLEY)

On this the 9th day of March, 2015, before me personally appeared Lois Chambers to me known to be the person described herein, and who executed the foregoing instrument, and acknowledged that she executed the same as her free act and deed.

WITNESS my hand and seal the day and year above written.

Taylor W. Pirchmoser
Notary Public

My Commission Expires: 9-4-18



AFFIDAVIT OF VALUE

* In accordance with T.C.A. § 67-4-409, I swear and affirm the actual consideration for this transfer is \$5.00.

Jim Cook
Affiant

Sworn to and subscribed before me this the 9th day of March, 2015.

Taylor W. Pirchmoser
Notary Public

My Commissions Expires: 9-4-18



BK/PG: 2289/135-137
15002712



3 PGS-AL-ALL DEEDS	
RHONDA BATCH: 155362	
03/09/2015 - 10:02 AM	
VALUE	5.00
MORTGAGE TAX	0.00
TRANSFER TAX	0.00
RECORDING FEE	15.00
DP FEE	2.00
REGISTER'S FEE	0.00
TOTAL AMOUNT	17.00

STATE OF TENNESSEE, BRADLEY COUNTY
DINA SWAFFORD
REGISTER OF DEEDS

-PREPARER MAKES NO REPRESENTATION AS TO TITLE-

City of Cleveland

CLEVELAND TENNESSEE
Development & Engineering Services

Bryan Turner
Chief Building Official
bturner@clevelandtn.gov

185 Second Street NE
Cleveland, TN 37311
(423) 457-3095



04/07/2017

Mickey & Jessica Chambers
120 Driftwood Lane
Old Fort, TN 37323

Re: 960 5TH ST SE, CLEVELAND, TN 37311

NOTICE OF CONDEMNATION NO REPAIR POSSIBLE

An inspection of the property, resulting from either a complaint or an assessment from the street, on 04/06/2017 at the location referenced above and legally identified as Parcel ID number 058H M 006.01, indicates the single family home, is so old, dilapidated, or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy, to the extent that it is unreasonable to repair the structure. In accordance with the 2012 International Property Maintenance Code (IPMC) 108.1.5(7) as amended and adopted by reference in Section 12-901 of the Cleveland Municipal Code, the building is neglected, damaged, dilapidated unsecured and abandoned so as to become an attractive nuisance to children who might play in the building to their danger, becomes a potential harbor for vagrants, criminals, or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.

Section 13-305 of the Cleveland Municipal Code states the following in regard to reasonableness of repair versus demolition: "(1) If the repair, alteration or improvement of the structure can be made at a reasonable cost in relation to the value of the structure (not exceeding fifty percent [50%] of the reasonable value), requiring the owner, during the time specified in the order, to repair, alter, or improve such structure to render it fit for human occupancy or use or to vacate and close the structure for human occupancy or use; or (2) If the repair, alteration or improvement of said structure cannot be made at a reasonable cost in relation to the value of the structure (not to exceed fifty percent [50%] of the value of the premises), requiring the owner within the time specified in the order, to remove or demolish such structure. (See attached data from the Bradley County Assessor of Property.)

Pursuant to the 2012 IPMC 110.1 as amended and adopted by reference in Section 12-901 of the City of Cleveland Municipal Code, it is hereby ordered that the structure must be demolished and removed by the end of business day Thursday, 05/11/2017. This includes removal of of any and all debris generated by the demolition and stabilization of the area upon which the structure is located. The structure may be posted at each entrance with a placard as follows: ***"This structure is Unsafe and Its Occupancy has been Prohibited by the Building Official."*** It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making required repairs, removing the hazardous condition or demolishing the same.

You have the right to appeal this notice and order by filing a written application for appeal with the Building Board of Adjustment and Appeals for the City of Cleveland. The application for appeal must be filed within twenty (20) days from the date this notice was served. ***The appeal shall be based on a claim that the true intent of the code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of the code do not fully apply, or the requirements of the code are adequately satisfied by other means.*** The appeal can be hand delivered or mailed to 185 2nd Street NE, Cleveland, TN 37311, to my attention. At such time an appeal is received, a hearing date and time would be determined and all parties will be notified.

If you fail to demolish and remove the structure, the City of Cleveland will cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon the real estate. Please contact either myself at the number and email listed above, or Tina Rymer Bishop at 423-650-3768 or trymer@clevelandtn.gov to discuss this further. We look forward to working with you to resolve this matter.

Thank you,



Bryan Turner
Chief Building Official



Tina Rymer Bishop
Building Inspector

Attachment: Photos, Assessor of Property Information



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