

**AGENDA**  
**SPECIAL CALLED MEETING OF THE CITY OF CLEVELAND**  
**BUILDING BOARD OF ADJUSTMENT AND APPEALS**  
**TUESDAY, FEBRUARY 7, 2017 AT 5:15 PM**  
**CLEVELAND MUNICIPAL BUILDING, 190 CHURCH STREET NE**

**Welcome and Roll Call of Members**

**1. Minutes**

- a. **Minutes from October 20, 2016**

**2. Public Hearings**

**3. Old Business**

**4. New Business**

- a. **Dean Helsdon requests an appeal for the condemnation of the structure located at 1255 Wildwood Avenue SE, (Parcel ID 057L J 016.00).**
- b. **Jerry Jones requests an appeal for the condemnation of the structure located at 370 Dooley Street NE, (Parcel ID 057D F 018.00).**

**5. Other Projects**

**6. Board Members Report**

**7. Adjourned**

**MINUTES**  
**SPECIAL CALLED MEETING OF THE CITY OF CLEVELAND**  
**BUILDING BOARD OF ADJUSTMENT AND APPEALS**  
**THURSDAY, OCTOBER 20, 2016 AT 5:15 PM**  
**CLEVELAND MUNICIPAL BUILDING, 190 CHURCH STREET NE**

The special called meeting of the Building Board of Adjustment and Appeals was called to order at 5:13 pm by Bryan Turner, Chief Building Official of the City of Cleveland.

Dennis Epperson was appointed Chairman for the meeting.

Membership present included Donald Humes, Chris Lyle, Dennis Epperson, and Dustin Hawkins. Absent from the meeting were Brent Pettit, Jim Williams, and Kent Berry.

Staff present included Melinda Carroll, Assistant City Manager; Joel Prince, Codes Enforcement Officer; Tina Bishop, Building Inspector; Bryan Turner, Chief Building Official; and Peggy Hathcock, Building Division Technician.

Others present in the audience included Joyanna Love, *The Cleveland Daily Banner*; James Stanfield, and Tina Stanfield.

The minutes from the meeting that was held on July 13, 2011, were presented for approval by the Board. Donald Humes made a motion to approve the minutes. Dustin Hawkins seconded the motion. The minutes were approved with a unanimous vote.

**There were no Public Hearings to be presented.**

**There was not any Old Business to address.**

**In New Business:**

- a. **Michael H. Bailey, the owner of the property located at 1101 Lang Street SE, (Parcel ID 057L L 001.00); requested an appeal for the condemnation of the structure. Due to the untimely death of Mr. Bailey, this appeal was withdrawn until the heir of this property could be located.**
  
- b. **Robert Overbay, the owner of the property located at 1665 Chippewa Avenue SE, (Parcel ID 057L T 022.00); was represented at the meeting by Tina Stanfield. They requested an appeal for the condemnation of the structure.**

Tina Stanfield addressed the Board and stated that she had reconsidered her appeal and decided to go ahead with demolition of the structure. She stated that she was having a

difficult time getting into the structure to remove her personal items. The staff that was present assured her that they would speak with the Police Department so that she could gain entry to remove her personal items. She told that she had until November 4, 2016, to remove all of her items. She proceeded to complete the necessary paperwork with Tina Bishop, for the demolition.

Hearing no other business, Donald Humes made a motion to adjourn the meeting. Chris Lyle seconded the motion. The meeting was adjourned with an unanimous vote.

1255 Wildwood Avenue SE

Dean Helsdon

057L J 016.00



## **Contents of Packet for 1255 Wildwood Avenue**

*Printed front to back*

**Page 1 – Request for hearing from property owner**

**Pages 2-3 – Case notes**

**Page 4 – Property record information from the tax assessor (Does not reflect new owner as of date printed.)**

**Pages 5-7 – Warranty Deed of new owner**

**Pages 8-12 – Case photos of property**

**Pages 13-14 – Structural Engineer Report**

**Pages 15-16 – Notice to owner**

**Page 17 – Email correspondence from independent contractor providing cost estimate for repairs**



**From:** [Bryan Turner](#)  
**To:** [Tina Rymer](#)  
**Subject:** Fwd: 1245 & 1255 Wildwood Ave  
**Date:** Thursday, January 19, 2017 10:51:04 AM

---

Bryan Turner  
Chief Building Official  
City of Cleveland, TN

Begin forwarded message:

**From:** dean helsdon <[77djk7@gmail.com](mailto:77djk7@gmail.com)>  
**Date:** January 19, 2017 at 9:54:59 AM EST  
**To:** Bryan Turner <[bturner@clevelandtn.gov](mailto:bturner@clevelandtn.gov)>  
**Subject:** RE: Re: Fwd: 1245 & 1255 Wildwood Ave

Ty I will proceed with demolition on 1245 and will appeal the 1255

On Jan 19, 2017 9:42 AM, "Bryan Turner" <[bturner@clevelandtn.gov](mailto:bturner@clevelandtn.gov)> wrote:

Dean, after discussing with my department head and taking a look at 1255 Wildwood again, I still think that the improvements to the structure will require more than 50% of the value of the structure, and will still recommend demolition of the property. I do agree that it is in better shape than 1245 Wildwood and the tax assessor's value is higher, but I have assessed it to the best of my abilities and I feel that in accordance with the Cleveland Municipal Code it fits the criteria for demolition. If you choose to appeal, then you will have the opportunity to discuss with the board why you disagree with my assessment. They have the ability to overturn my decision if they feel that I am not correctly interpreting the code. You have 20 days to appeal from the time of the notice, but since we have been discussing this property I will reset that time period to 20 days from today.

Thanks

**Bryan Turner** | *Chief Building Official*

City of Cleveland, TN | Development & Engineering

Mobile: [423.457.3095](tel:423.457.3095) | Permit Office: [423.479.1913](tel:423.479.1913)

[clevelandtn.gov/building](http://clevelandtn.gov/building) | [Connect with us on Facebook](#)

# CASE FIELD REPORT

Cleveland, TN/ Code Enforcement

Assigned  
To:  
Turner,  
Bryan

**CE15-740**

Location of Violation: 1255 WILDWOOD AVE SE APN# 057L J 016.00 000  
CLEVELAND, TN 37311

CDBG Custom Location Field Custom Field  
NO District 2 Structure Type: single family home  
Parcel ID#: 057L J 016.00 000

Owner Address (if different) Hm:  
Name: Helsdon, Richard Dean and Kelly 242 Cohulla Road SE Wk:  
Business: Cleveland, TN 37323 Cell: 423-650-5027

Entry Date	Note Action Date	Type	Officer	Note/Activity
01/19/2017	2017-01-19	Note	Turner, Bryan	Spoke with and had email correspondence with Dean today. He is going to begin the removal of 1245 but is disputing the condemnation no repair possible of this building (1255) and requests a hearing of the board. Bryan will schedule this. TRB
01/03/2017	2017-01-03	Note	Turner, Bryan	Spoke with Dean at length today regarding both properties. For this particular property he does dispute the condemnation no repair possible. He feels this one would not take half the assessed value to repair. Bryan and I will go look at this one again today and re-evaluate. The assessor's office does have this one valued at about \$25K.
01/03/2017	2017-01-03	Note	Turner, Bryan	Notice of condemnation was sent out 12/30/2016. Need to post the building.
12/30/2016	2016-12-30	Note	Turner, Bryan	I spoke with Dee Burris last week, and his estimate is that it will take \$50,000 to repair the structure. This is far above 50% of the value of the structure. For that reason, the house will be condemned for demolition. BT
12/20/2016	2016-12-20	Note	Turner, Bryan	I received the engineer's report last week but there are some discrepancies in the report. The engineer lists out several structural deficiencies in his report, but then at the end of the letter says that there are no structural liabilities. It appears that the legal language in this letter might be prohibiting me from getting an accurate report. I will contact Dean Helsdon and explain to him the conflicts in this report and see if the engineer can clarify. In the meantime, I have asked Dee Burris as an independent contractor to provide an estimate of the cost based on his experience to provide a baseline in determining if the cost of repairs will be more than 50% of the value of the structure. BT
12/16/2016	2016-12-16	Note	Turner, Bryan	In Bryan's review of the structural engineer report, the engineer of record has made several contradictory statements and did not provide the information needed to actually correct the deficiencies. We will need to address this with Dean.
12/16/2016	2016-12-13	Note	Turner, Bryan	Received structural engineer report from Dean
12/05/2016	2016-11-07	Note	Turner, Bryan	I am uploading the photos that were taken at the Wildwood properties by Josh and Adam on 11/7/16. I am unsure which photos go to which property so I am uploading all to each case. TRB
11/15/2016	2016-11-15	Note	Turner, Bryan	Building inspectors Josh Holder and Adam Donegan inspected this property on 11/7/16 with Dean Helsdon present. Both agree that substantial work will need to be done in order to bring this up to livable conditions. The first step is that a survey needs to be completed to see what at what elevation the house sits since it is in the floodplain. I spoke with Dean about this today and he said he has already talked to Richmond Surveying about this and will have a survey soon.
11/02/2016	2016-11-02	Note	Turner, Bryan	Received call from Dean Helsdon regarding the email I sent. He will schedule with us to do a walk thru in the next few weeks.
11/02/2016	2016-11-02	Note	Turner, Bryan	Spoke to Dean Helsdon today as he was in the office regarding something else. I re-iterated to him that he would need to get permits for the work he is doing to this structure. Since it has sat vacant for so long and is in a dilapidated condition. I explained we need to do a walk through to determine the amount of work to be performed and that the work he was proposing to do would need to be inspected. I will follow up with an email to him of our conversation. TRB
10/19/2016	2016-10-14	Note	Turner, Bryan	Spoke with Dean Helsdon on a job site today and asked what his plan was for these properties he has purchased on Wildwood Ave. On the one that was burned he is dismantling the building and selling the exterior materials that survived the fire to an architectural material supplier. For the two houses at 1245/1255 Wildwood Ave. his plan is to rehabilitate those properties for rental purposes. I am sending him a letter requesting to let us walk through and evaluate whether permits would be required for the work. I will also send him the flood plain information I have on these. TRB
04/13/2016	2016-04-13	Note	Turner, Bryan	Talked with John Kimball at length regarding the three properties we have cases on for Wildwood for this owner. The owner, Doyle James Foster is recently deceased. His widow, April Foster, is the personal rep of the estate. Her address is 362 King Den Drive NW, Cleveland, 37312. Franklin Chancey represents the estate. His address is PO Box 42, Cleveland, 37364-0042. We should copy him on any notices sent. The plan of action for all the properties is to sell them all to satisfy a mortgage held with BB&T. If not able to find a buyer within 90 days, they will try to action all the

property as a whole, rather than just per parcel. Bender Realty currently has the properties listed. John Kimball spoke with Franklin Chancey and he asked that we allow them the 90 days to try to get the property sold. We will continue the cases until July 1st and follow up with John Kimball on the status.

03/15/2016 2016-03-15 Note Turner, Bryan Discovered this property is in the flood zone. Attaching files.  
02/08/2016 2016-02-15 Note Turner, Bryan Bryan emailed John Kimball to find out if we have new owners yet.  
01/11/2016 2016-01-11 Note Turner, Bryan Moving followup date out again. These properties were auctioned. Waiting to see results.  
11/09/2015 2015-11-04 Note Turner, Bryan Josh spoke to the owner of the adjacent commercial property, and was told that all of these contiguous properties would be sold after the first of the year. I will wait till January to investigate further so as not to interfere with the potential sale of the property to an owner who might be willing to take care of the problems with the site.

**Follow-up**

**INVESTIGATION:**

# Unofficial Property Record Card - Bradley County, TN

## General Property Data

Parcel ID 057L J 016.00 000  
Prior Parcel ID Y -  
Property Owner FOSTER DOYLE JAMES  
Mailing Address 1225 WILDWOOD AVE SE  
City CLEVELAND  
Mailing State TN Zip 37311  
Parcel Zoning CH

Account Number 29301  
Lot Number  
Property Location 1255 WILDWOOD AVE SE  
Property Use PT 08  
Most Recent Sale Date 3/26/2012  
Legal Reference 2091-836  
Grantor  
Sale Price 0  
Land Area 0.000 acres

## Current Property Assessment

Card 1 Value	Building Value 25,000	Xtra Features Value 0	Land Value 10,200
	Total Value 35,200	Assessed Value 14,080	Agricultural Credit 0
	Full Market Value 35,200		

## Building Description

Building Style DUPLEX # of Living Units 2 Year Built 1920 Building Grade AVERAGE Building Condition Fair Finished Area (SF) 1266 Number Rooms 0 # of 3/4 Baths 0	Foundation Type CONT FOOT Frame Type NONE Roof Structure GABLE/HIP Roof Cover COMP SHINGLE Siding COMMON BRICK Interior Walls PLSTRD DIR # of Bedrooms 0 # of 1/2 Baths 0	Flooring Type CARPET COMBO Basement Floor N/A Heating Type NONE Heating Fuel BEL AVG Air Conditioning 0% # of Bsmt Garages 0 # of Full Baths 0 # of Other Fixtures 6
---	--	---

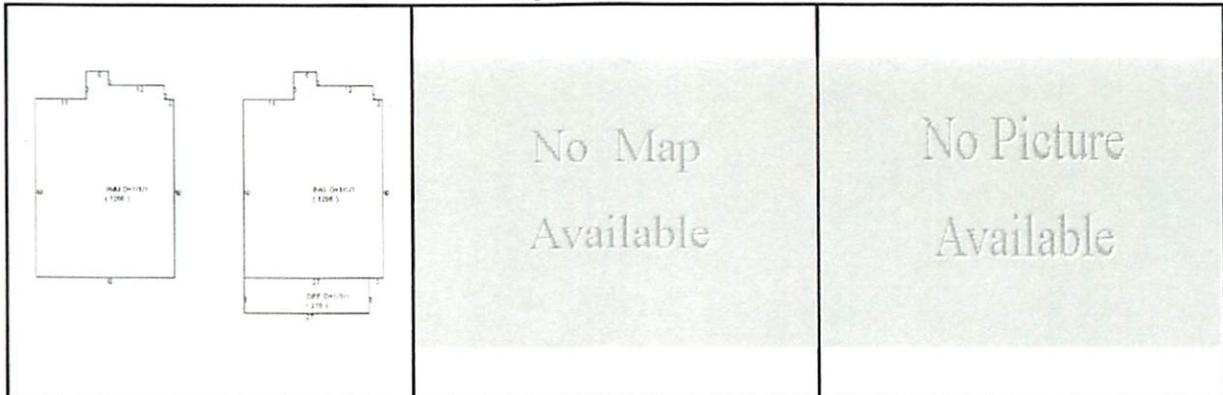
## Legal Description

Subdivision	Lot	Plat Book
Plat Page	Legal Description	District 138
City	State TN	Zip

## Narrative Description of Property

This property contains 0.000 acres of land mainly classified as PT 08 with a(n) DUPLEX style building, built about 1920, having COMMON BRICK exterior and COMP SHINGLE roof cover, with 2 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.

Cleveland  
Abstract

3

The information identifying the preparer is included solely for the purpose of complying with the requirements of T.C.A. 66-24-115.

✓ PREPARED BY: GEORGE N. MCCOIN, ATTORNEY AT LAW  
10 CHURCH STREET, SUITE 200, CLEVELAND, TN 37311 423/339-3042

By preparation of this deed no representation is being made as to the status of the title of the real estate or the accuracy of the information of covenants or warranties in this deed. Any representations as to the status of the title, legal description or other matters are made solely by separate written title report or title insurance exclusively for the benefit of the parties named therein.

✓ TAX MAP NO:  
TRACT 1: M-057L-J-17  
TRACT 2: M-057L-J-16  
TRACT 3: M-057L-J-22 & 23

PROPERTY ADDRESS:	OWNER'S NAME & ADDRESS:	MORTGAGEE:
TR 1: 1245 WILDWOOD AVE CLEVELAND, TN 37311	RICHARD DEAN HELSDON KELLY HELSDON	
TR 2: 1255 WILDWOOD AVE CLEVELAND, TN 37311	242 Cohulla Rd SE Cleveland TN 37323	
TR 3: 1211 WILDWOOD AVE CLEVELAND, TN 37311		

Send Tax Bills To: (xx) ✓

### WARRANTY DEED

FOR AND IN CONSIDERATION OF THE SUM OF TEN DOLLARS (\$10.00), and other good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged, I, APRIL FOSTER PERSONAL REPRESENTATIVE OF ESTATE OF DOYLE JAMES FOSTER, (Probate file 2014-PR-71 in the Probate division of the Chancery Court in Bradley County, Tennessee) acting pursuant to the powers and to the directions granted to me by orders of the Court do now this day bargained and sold, and do hereby sell, transfer and convey unto RICHARD DEAN HELSDON AND WIFE, KELLY HELSDON the following described real estate:

#### TRACT 1: M-057L-J-17

Located in the 4th Civil District of Bradley Co., Tennessee, in the 3rd Ward of the City of Cleveland, Tennessee, to-wit:

LOT SEVEN (7), LOUISVILLE LAND COMPANY'S BLUFF SPRINGS ADDITION as set out in Plat Book 1, page 124, in the Register's Office of Bradley Co., Tennessee.  
BEGINNING at the southwest corner of Lot No. 6, thence running along the east side of Wildwood Avenue 53 feet to a corner on an alley; thence with said alley eastwardly 150 feet to a corner with A. W. Foster lot; thence along another alley 53 feet to corner of a portion of Lot No. 6, owned by A. W. Foster; thence with and along said line West 90 feet to a stake; thence North 3 feet to a stake bordering along the west side of Lot 6; thence West 60 feet along the line of Lot No. 6 now or formerly of Rhoda Ann Foster to the beginning.

BEING THE SAME PROPERTY conveyed by warranty deed from David Baxter to D. J. Foster and Alvin Lee Foster in Book 1970, page 24 and by quitclaim deed from Frances Foster sole heir at law of Alvin L. Foster, deceased June 15, 2011; to Doyle James Foster as recorded May 9, 2012 in Book 2096, page 157, in the Register's Office of Bradley Co., Tennessee.

SUBJECT to restrictions as set out in Misc. Book 187, page 537, and Misc. Book 187, page 540, in the Register's Office of Bradley Co., Tennessee.

SUBJECT to notations as set out on plat of record.

SUBJECT to any applicable governmental zoning ordinances or subdivision regulations in effect thereon.

#### TRACT 2: M-057L-J-16

Located in the 4th Civil District of Bradley Co., Tennessee, in the 3rd Ward of the City of Cleveland, Tennessee, to-wit:

LOT EIGHT (8), LOUISVILLE LAND COMPANY'S BLUFF SPRINGS ADDITION as set out in Plat Book 1, page 124, in the Register's Office of Bradley Co., Tennessee.

BEGINNING on the northwest corner of the herein conveyed lot in the intersection of the south line of an alley with the East line of wildwood Pike road; thence southwardly with the east line of

Wildwood Pike Road; thence southwardly with the east line of said pike road 53 feet to the northwest corner of Lot 9 of said subdivision or addition; thence the said lot extends eastwardly of uniform width a distance of 150 feet to land of Arlie Foster. BOUNDED on the north by an alley; East by Foster; South by lot 9; and on the West by Wildwood Pike Road sometimes called Wildwood Avenue.

ALSO CONVEYED is the right to maintain sewer line across Lot 9 which is the adjoining lot to the main sewer in this vicinity.

BEING the same property conveyed by quitclaim deed from Frances Foster, Shirley Foster, Doyle James Foster, Athena Gilbert and Rhoda Ann Foster to Doyle James Foster as recorded on April 19, 2012 in Book 2091, page 836, in the Register's Office of Bradley Co., Tennessee.

SUBJECT to water line easement as set out in Deed Book 54, page 316, in the Register's Office of Bradley Co., Tennessee.

SUBJECT to notations as set out on plat of record.

SUBJECT to any applicable governmental zoning ordinances or subdivision regulations in effect thereon.

**TRACT 3: M-057L-1-22 & 23**

Located in the 4th Civil District of Bradley Co., Tennessee, in the 3rd Ward of the City of Cleveland, Tennessee, to-wit:

LOTS TWO AND THREE (2&3), LOUISVILLE LAND COMPANY'S BLUFF SPRINGS ADDITION as set out in Plat Book 1, page 124, in the Register's Office of Bradley Co., Tennessee. BOUNDED on the North by Lot 1; East by alley; South by Lot 4 and West by Wildwood Ave a/k/a Wildwood and Waterville Pike Road.

LESS AND EXCEPT that portion of Lot 2 now known as East Street, SE.

BEING a portion of the same property conveyed by quitclaim deed from Frances Foster, Shirley Foster, Doyle James Foster, Athena Gilbert and Rhoda Ann Foster to Doyle James Foster as recorded on May 9, 2012 in Book 2096, page 167, in the Register's Office of Bradley Co., Tennessee.

SUBJECT to notations as set out on plat of record.

SUBJECT to any applicable governmental zoning ordinances or subdivision regulations in effect thereon.

**HELSDON**

TO HAVE AND TO HOLD said real estate unto RICHARD DEAN HELSDON AND WIFE, KELLY

~~HELSDON~~ <sup>Helsdon</sup> their heirs and assigns, forever in fee simple. Grantor covenants that she is seized and possessed of said real estate; that it has good and lawful right to sell and convey the same; that the title thereto is clear, free and unencumbered; and that it will forever warrant and defend the same against all lawful claims of all persons whomsoever.

WITNESS my signature this 30th day of September, 2016.

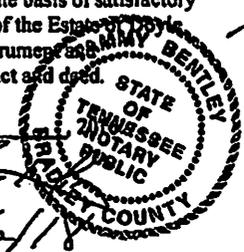
*April Foster*  
APRIL FOSTER PERSONAL REPRESENTATIVE  
OF ESTATE OF DOYLE JAMES FOSTER

STATE OF TENNESSEE:  
COUNTY OF BRADLEY:

Before me personally appeared APRIL FOSTER PERSONAL REPRESENTATIVE OF ESTATE OF DOYLE JAMES FOSTER to me known (or proved to me on the basis of satisfactory evidence) to be the person described herein, and to be a Personal Representative of the Estate of Doyle James Foster, deceased, and who, being so authorized executed the foregoing instrument and acknowledged that she executed the same as Personal Representative as her free act and deed.

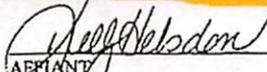
WITNESS my hand and seal at office, this the 30th day of Sept

*[Signature]*  
Notary Public  
My commission expires 09/6/18

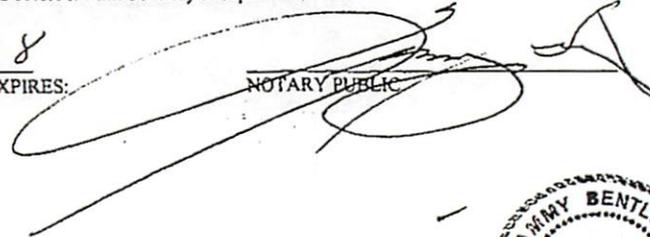


STATE OF TN:  
COUNTY OF BRADLEY:

I hereby swear or affirm that the actual consideration for their transfer or the value of the property transferred, whichever is greater is \$16,000.00.

  
AFFIANT

Sworn to and subscribed before me this 30th day of September, 2016.

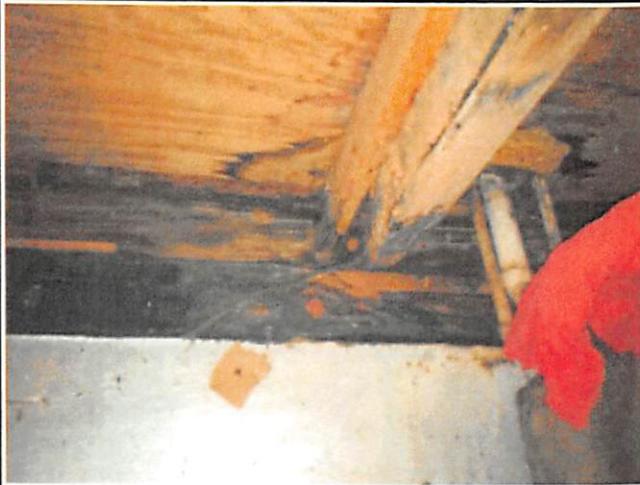
9/6/18  
MY COMMISSION EXPIRES:   
NOTARY PUBLIC



BK/PG: 2403/29-31  
16012286

3 PGS-ALL DEEDS	
BONNIE BATCH: 179090	
10/03/2016 - 08:35 AM	
VALUE	16000.00
MORTGAGE TAX	0.00
TRANSFER TAX	59.20
RECORDING FEE	15.00
DP FEE	2.00
REGISTER'S FEE	1.00
TOTAL AMOUNT	77.20

STATE OF TENNESSEE, BRADLEY COUNTY  
DINA SWAFFORD  
REGISTER OF DEEDS



Uploaded on: 12/05/2016 - 2016-11-07\_10.21.11.jpg

Mark as inactive



Uploaded on: 12/05/2016 - 2016-11-07\_10.21.33.jpg

Mark as inactive



Uploaded on: 12/05/2016 - 2016-11-07\_10.21.37.jpg

Mark as inactive



Uploaded on: 12/05/2016 - 2016-11-07\_10.21.44.jpg

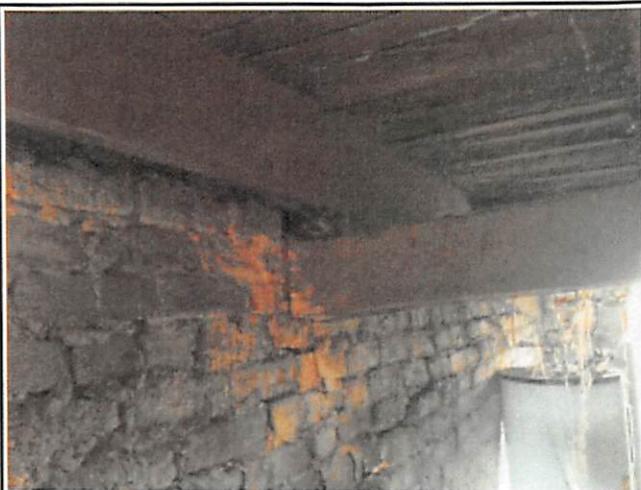
Mark as inactive



Uploaded on: 12/05/2016 - 2016-11-07\_10.22.24.jpg



Uploaded on: 12/05/2016 - 2016-11-07\_10.22.28.jpg



Uploaded on: 12/05/2016 - 2016-11-07\_10.22.50.jpg

Mark as inactive



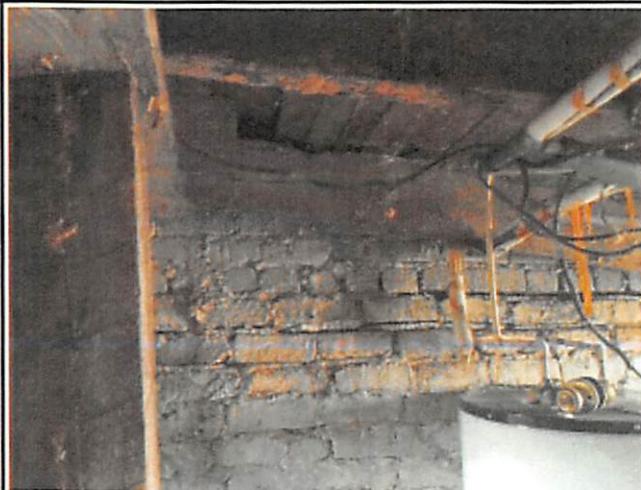
Uploaded on: 12/05/2016 - 2016-11-07\_10.22.57.jpg

Mark as inactive



Uploaded on: 12/05/2016 - 2016-11-07\_10.23.17.jpg

Mark as inactive



Uploaded on: 12/05/2016 - 2016-11-07\_10.23.19.jpg

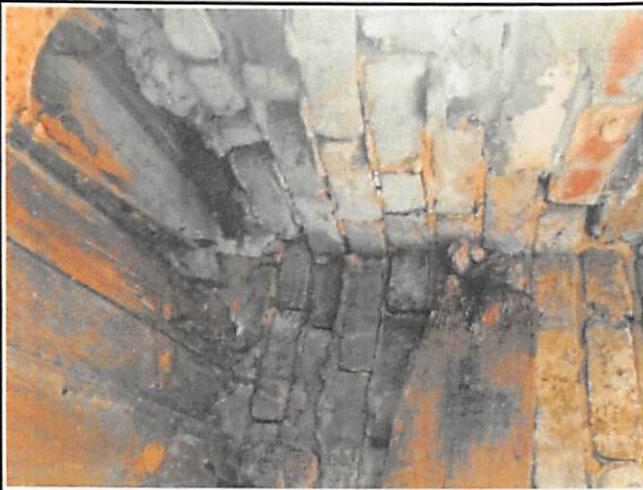
Mark as inactive



Uploaded on: 12/05/2016 - 2016-11-07\_10.23.22.jpg



Uploaded on: 12/05/2016 - 2016-11-07\_10.23.27.jpg



Uploaded on: 12/05/2016 - 2016-11-07\_10.23.36.jpg

Mark as inactive



Uploaded on: 12/05/2016 - 2016-11-07\_10.24.32.jpg

Mark as inactive



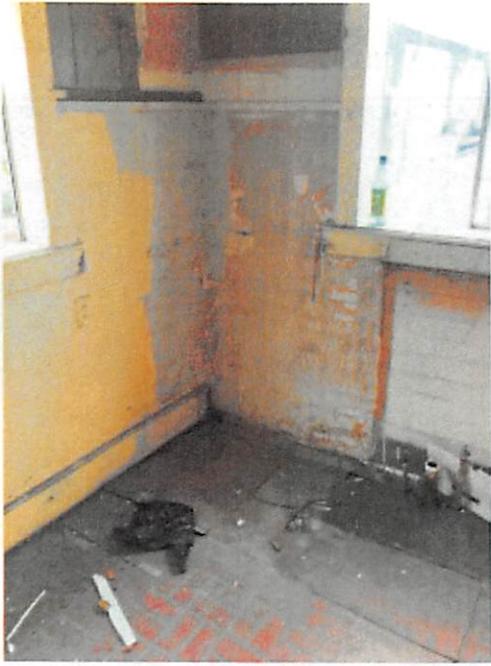
Uploaded on: 12/05/2016 - 2016-11-07\_10.24.35.jpg

Mark as inactive



Uploaded on: 12/05/2016 - 2016-11-07\_10.24.43.jpg

Mark as inactive



Uploaded on: 12/05/2016 - 2016-11-07\_10.25.04.jpg

Mark as inactive



Uploaded on: 12/05/2016 - 2016-11-07\_10.25.10.jpg

Mark as inactive



Uploaded on: 12/05/2016 - 2016-11-07\_10.25.15.jpg

Mark as inactive



Uploaded on: 12/05/2016 - 2016-11-07\_10.20.38.jpg

Mark as inactive



Uploaded on: 12/05/2016 - 2016-11-07\_10.20.47.jpg

Mark as inactive



Uploaded on: 12/05/2016 - 2016-11-07\_10.20.54.jpg

Mark as inactive

[Save changes](#)

## STRUCTURAL REPORT

1255 Wildwood Ave  
Cleveland, TN 37311

12/08/2016

This is to certify that I undertook first-hand inspection of the house to address general structural concerns.

### FOUNDATION

Drainage at the front and around the north exterior has been problematic (Photo 1). Proper routing of drainage via swales or drain tiles is needed. The front porch slab is intact and structurally robust. The retaining wall beneath the porch is bowed inward (Photo 2), but is unlikely to fail.

### FLOOR / FRAMING

Floor joists lack adequate bearing along the rear wall (Photo 3). A beam or lintel is needed for proper engagement and support. Framing and siding shall be replaced and reconstructed, as necessary, in accordance with 2012 IRC to resolve all structural compromises.

A large portion of roof structure has been replaced (Photo 4). It is my opinion that there are no structural liabilities. The house may be safely rehabilitated.

The undersigned is relieved of liability if this deliverable is released to a third party. Liability in any case is limited to the fee paid for services. Any associated inspection is limited to accessible areas. Systems are not to be dismantled. While every effort is made to ensure accurate results, it is acknowledged that defects and omissions could go undetected. Payment for services is considered acceptance of these terms. Reports and drawings are invalid without payment in full.



STATE OF TENNESSEE  
DEPARTMENT OF  
COMMERCE AND INSURANCE

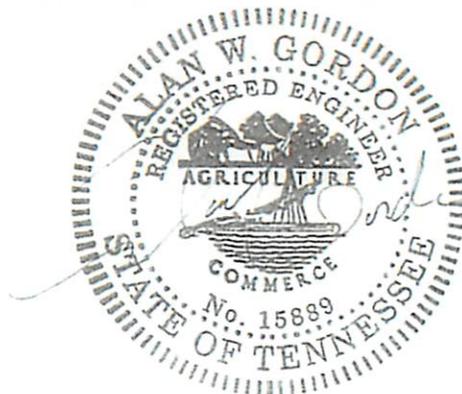


ALAN W GORDON

ID NUMBER 15889  
LIC STATUS ACTIVE  
EXPIRATION DATE October 31, 2017

STATE BOARD OF ARCHITECTURAL AND ENGINEERING  
EXAMINERS  
PROFESSIONAL ENGINEER

THIS IS TO CERTIFY THAT ALL REQUIREMENTS  
OF THE STATE OF TENNESSEE HAVE BEEN MET



12/08/2016



Photo 1: Drainage has been problematic.



Photo 2: Retaining wall beneath the porch is bowed inward.



Photo 3: Floor joists lack adequate bearing along the rear wall.



Photo 4: A large portion of roof structure has been replaced.

1255 Wildwood Ave  
Cleveland, TN 37311

# 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



12/30/2016

Richard Dean and Kelly Helsdon  
242 Cohulla Road SE  
Cleveland, TN 37323

Re: 1255 WILDWOOD AVE SE, CLEVELAND, TN 37311, 057L J 016.00

In our previous communications regarding this property we discussed the various violations and deficiencies to the structure. In conversations with staff, you have expressed a desire to rehabilitate the structure and estimated that the cost of repairs would be around \$5,000. Upon our request you provided an engineer's report that attempted to assess the current condition of the structure. The report was contradictory in that it listed various structural repairs that were necessary, but then stated that there were no structural liabilities. Due to this inconclusive report, the City of Cleveland consulted with an independent third party contractor, who was asked to perform a street assessment of the property, look at case file photos, as well as review the engineer's report to provide a rough estimate as to the cost of repairs. It was his opinion that the structure would take at least \$50,000 to repair.

Section 13-305 of the City of Cleveland Municipal Code states: "(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.

It is my determination that the structural repairs would far exceed 50% of the value of the structure based on the value sworn on the deed at the time of purchase and the value of the building from the tax assessor's records. Therefore, in accordance with Section 13-305 as stated above, the structure is hereby condemned for demolition.

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 end of business 02/06/2017. The structure will 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, 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 upon receipt of this notice. 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 matter 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: engineer's report, estimate from contractor

## Bryan Turner

---

**From:** Robert (Dee) Burris <burriskonstruction@gmail.com>  
**Sent:** Wednesday, December 21, 2016 7:51 PM  
**To:** Bryan Turner  
**Cc:** Tina Rymer  
**Subject:** Re: 1245 & 1255 Wildwood Avenue

Bryan, I reviewed the engineers report and viewed the properties from across the street. I cannot see anyway of rehabilitating these properties. I disagree with the engineers report as to the fact they are structurally sound.

As per your request as to the cost to repair, it is difficult because I could not leave anything other than the footing and they would have to be approved by a structural engineer after he demolition of the block. But to place a figure on them I would have to say \$50,000 each.

On Tue, Dec 20, 2016 at 1:58 PM, Bryan Turner <[bturner@clevelandtn.gov](mailto:bturner@clevelandtn.gov)> wrote:

Hey Dee,

I need to get an independent contractor's cost estimate on an approximate cost to repair each of the structures at 1245 and 1255 Wildwood Avenue. For purposes of establishing a record I want to make it clear that there will be no compensation for your estimate. This will need to be an approximation based on assessment from the street and the engineer's report I have attached. If this is not enough information to form a reasonable estimation of the costs then please let me know, as you do not have permission to go on to the property at this time.

Thanks

**Bryan Turner** | *Chief Building Official*

City of Cleveland, TN | Development & Engineering

Mobile: [423.457.3095](tel:423.457.3095) | Permit Office: [423.479.1913](tel:423.479.1913)

[clevelandtn.gov/building](http://clevelandtn.gov/building) | [Connect with us on Facebook](#)

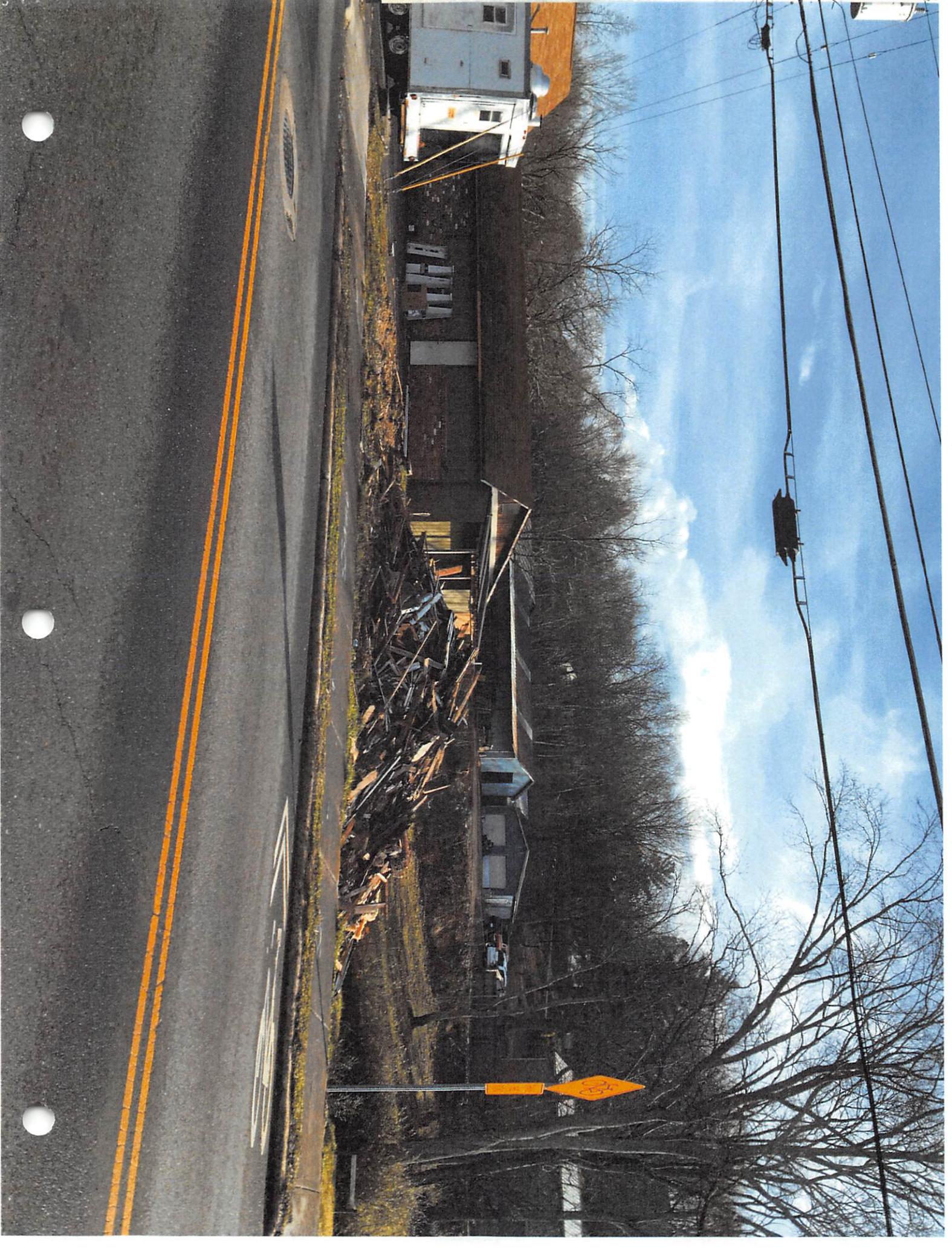
--  
Dee Burris











370 Dooley Street NE

Jerry Jones

057D F 018.00

## **Contents of Packet for 370 Dooley Street**

### ***Printed front to back***

**Page 1 – Request for hearing from property owner. (There are two page 1's; the page printed with the packet lost half the content due to a margin conflict. Rather than re-print, I added an additional copy to the packet.)**

**Page 2 – Case notes**

**Page 3 – Property record information from the tax assessor**

**Pages 4-6 – Photos of the property from the case file**

**Pages 7-8 – Notice to owner of condemnation and demolition**

**Pages 9-10 – Notice to owner that the City of Cleveland boarded the property in response to vagrancy and fire**

**Page 11 – Copy of arrest report of vagrant residing on premises. (This was after the property had been boarded up and condemned signs were posted.)**

**Pages 12-16 – There was a previous codes case on this property in 2011. Former building official Mary Baier had tried to work with the owner. Pages 12 and 13 were email correspondence between Gil Frederick, then fire inspector, Criss Caywood, Codes Enforcement Officer and Mary Baier. Pages 14 and 15 are the letter sent to the owner by Mary Baier. After the letter, it was determined the owner would repair the building and building permit was issued. There were no improvements made to the structure.**



3740 Bow St NE  
Cleveland, TN 37312

ADJUSTMENTS AND APPEALS  
LAND 37311

FILE OUR APPEAL REGARDING  
LOYST. WE NEED TIME  
ESTIMATES.  
FOR YOUR CONSIDERATION.

WITH FAMILY IN  
WHERE WE HAD  
WE PLAN TO TRAVEL SOON.

Sincerely,  
*King Jones*  
*Francis Jones*



2 Bishop  
UP  
ADJUSTMENT APPEALS  
NE  
311



# CASE FIELD REPORT

Cleveland, TN/ Code Enforcement

Assigned  
To:  
Turner,  
Bryan

**CE16-1103**

Location of Violation: 370 DOOLEY ST NE APN# 057D F 018.00 000  
CLEVELAND, TN 37311

CDBG Custom Location Field Custom Field  
NO District: 2 Structure Type: commercial building  
Parcel ID#: 057D F 018.00

Owner Address (if different) Hm:  
Name: Jones, Jerry & Frances 3740 Bow Street NE Wk:  
Business: Cleveland, TN 37312 Cell: 828-980-2885

Entry Date	Note Action Date	Type	Officer	Note/Activity
01/25/2017	2017-01-25	Note	Turner, Bryan	Jerry Jones came in to talk to Bryan today about the condemnation. He wanted to know if Bryan would reconsider his determination. Bryan told him no and he would just have to continue with his appeal to the board.
01/19/2017	2017-01-19	Note	Turner, Bryan	Was on my way to 650 4th St, which is right beside 370 Dooley, when I noticed a lady standing in between the two buildings and appeared to be talking to someone inside the 370 Dooley building. I pulled up and asked what she was doing. She was talking to a guy who was hanging out in the portion of the building along the back wall where the roof had caved in. She said he was drunk and asking her for a cigarette. I called the police and they came and arrested the man. TRB
01/17/2017	2017-01-13	Note	Turner, Bryan	Owner has appealed the condemnation. They have requested time to obtain a TN licensed architect or engineer to provide a report to reach code compliance. IPCM Section 111.3 states the hearing is to be held within 20 days of the appeal which would be Thursday, 2/2/17. We will contact the board members and get the hearing scheduled.
01/06/2017	2017-01-06	Note	Turner, Bryan	Bryan established through email that the city would not entertain having this property deeded to the city. If the owner does not voluntarily take down, this will proceed as normal.
12/29/2016	2016-12-28	Note	Turner, Bryan	Received call today from Kevin Douglas asking if I had sent the demo contractor list. I had not, as I was out sick. I called to let him know this and to let him know I would have Bryan send it to him. He told me that they had a relative go to the property and give them an idea of how much it would cost to demo the building. Not long after that conversation I received a call from codes enforcement officer Joel Prince, stating there were people (renters) trying to get in the structure to get their belongings out and wanted to know if they were allowed to do that. I said there should be no renters for that building and let me call the owner to confirm. I called the son in law, Mr. Douglas, and asked if they were renting to ppl. He stated absolutely not, but did say when his relative was there to do the estimate they saw some people in the building. I called Joel back to let him know. As we were talking, it was discovered that Public Works had boarded up the wrong building. They boarded up the rental unit that is located at 563 Central Ave where a structure fire had occurred on 12-13-16. I told Joel we had not started a case on that one yet and the ppl could get their stuff out of there, however someone needed to go to 370 Dooley and remove the vagrants from that building once again.
12/29/2016	2016-12-26	Note	Turner, Bryan	Received call from Kevin Douglas, (828)980-2885 kevinfran1@yahoo.com) I believe son-in-law to the owners of the property. They had just received the first certified notice. I also let him know there was another on the way due to the fact the property was to be boarded up by public works before they would have received the first notice. He wanted to know what their options are. I explained the process. I also made it clear the liability involved for the owners in allowing the property to be an attractive nuisance. I told him I would email him the list of demo contractors that I have so they could be getting quotes and deciding what they wanted to do. TRB
12/22/2016	2016-12-22	Note	Turner, Bryan	Notice mailed to owner to inform them PW is boarding property today. Once we get the bill for this we need to send it John Kimball to file the lien for it. TRB
12/21/2016	2016-12-21	Note	Turner, Bryan	Received a call from codes enforcement officer Joel Prince stating vagrants were arrested in the building yesterday. They had started warning fires once again. This building is within a few feet of an adjoining apartment building and is an immediate danger. The notice of condemnation was mailed certified mail yesterday so the owner has not had time to receive it. We are going to proceed with the boarding and securing of the structure tomorrow through public works. We will address this through Section 109.1 Imminent Danger and specifically 109.2 Temporary Safeguards. There was a phone number listed for the owners on the building permit that was issued in 2011. I called it and did not get an answer or an answering machine to leave a message. TRB
12/19/2016	2016-12-19	Note	Turner, Bryan	This came to us thru Fire Marshal Ben Atchley. They responded to vagrants with a warning fire inside the unsecured building on 12/16/16. There was a case against this property for the same thing back in 2011 but from the records I found it was not condemned at that time. It looks as though there was a building permit issued to put a roof on the building for this address in September 2011 but no record of inspections. The building is dilapidated, unsecured and beyond repair. I will post the building condemned today and send the notice of condemnation to the owner.

# Unofficial Property Record Card - Bradley County, TN

## General Property Data

Parcel ID 057D F 018.00 000  
Prior Parcel ID -  
Property Owner JONES JERRY S  
FRANCES C  
Mailing Address 3740 BOW N E

Account Number 27455  
Lot Number  
Property Location 370 DOOLEY ST NE  
Property Use PT 09  
Most Recent Sale Date 3/25/1971  
Legal Reference 0173-0731  
Grantor  
Sale Price 0  
Land Area 0.000 acres

City CLEVELAND  
Mailing State TN Zip 37312  
ParcelZoning CH

## Current Property Assessment

Card 1 Value	Building Value 7,100	Xtra Features Value 0	Land Value 6,000
	Total Value 13,100	Assessed Value 5,240	Agricultural Credit 0
	Full Market Value 13,100		

## Building Description

Building Style SERV SALES  
# of Living Units 1  
Year Built 1930  
Building Grade BELOW AVERAG  
Building Condition Fair  
Finished Area (SF) 1100  
Number Rooms 3  
# of 3/4 Baths 0

Foundation Type CONT FOOT  
Frame Type NONE  
Roof Structure FLAT  
Roof Cover BLT-UP COMP  
Siding CONC BLK/BRK  
Interior Walls UNFINISHED  
# of Bedrooms 0  
# of 1/2 Baths 0

Flooring Type CONC FINISH  
Basement Floor N/A  
Heating Type NONE  
Heating Fuel BEL AVG  
Air Conditioning 0%  
# of Bsmt Garages 0  
# of Full Baths 0  
# of Other Fixtures 4

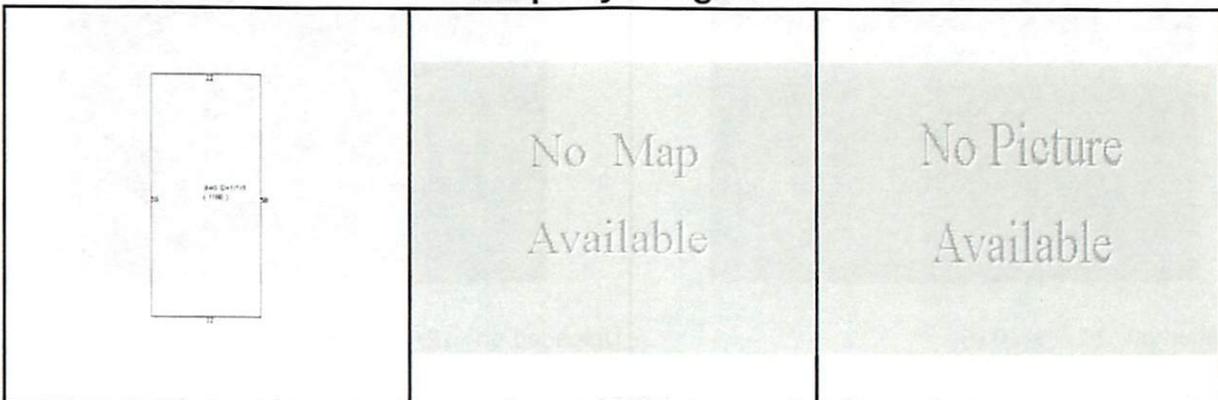
## Legal Description

Subdivision	Lot	Plat Book
Plat Page	Legal Description	District 138
City	State TN	Zip

## Narrative Description of Property

This property contains 0.000 acres of land mainly classified as PT 09 with a(n) SERV SALES style building, built about 1930 , having CONC BLK/BRK exterior and BLT-UP COMP roof cover, with 1 unit(s), 3 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

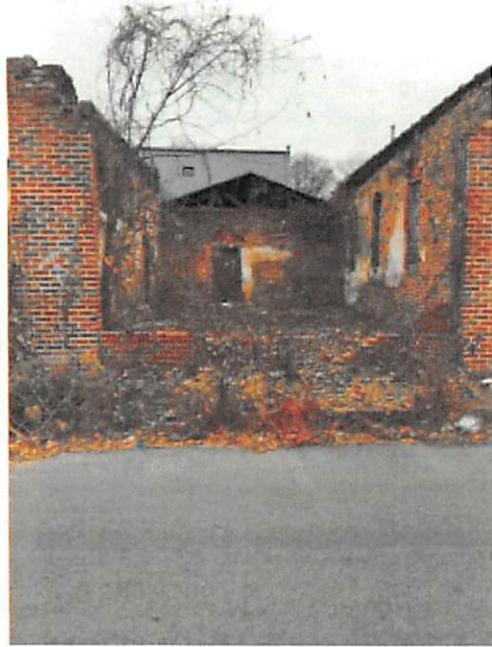
## Property Images



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



Uploaded on: 12/19/2016 -  
File\_Dec\_19\_3\_32\_51\_PM.jpeg



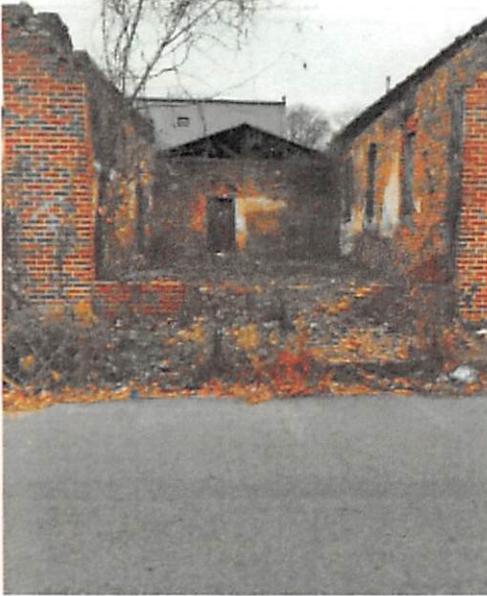
Uploaded on: 12/19/2016 -  
File\_Dec\_19\_3\_34\_15\_PM.jpeg



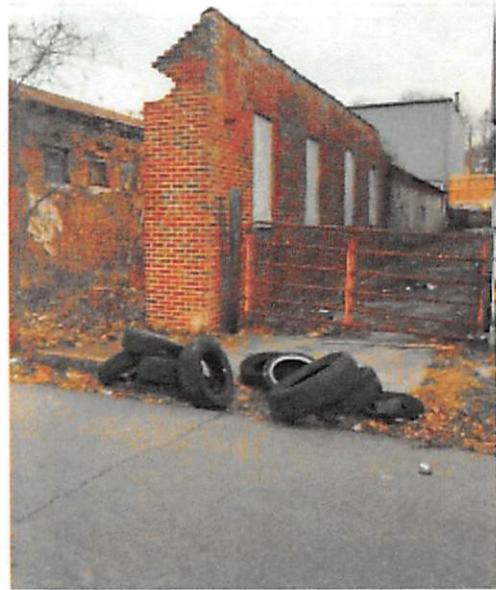
Uploaded on: 12/19/2016 -  
Photo\_Dec\_19\_3\_29\_05\_PM.jpg



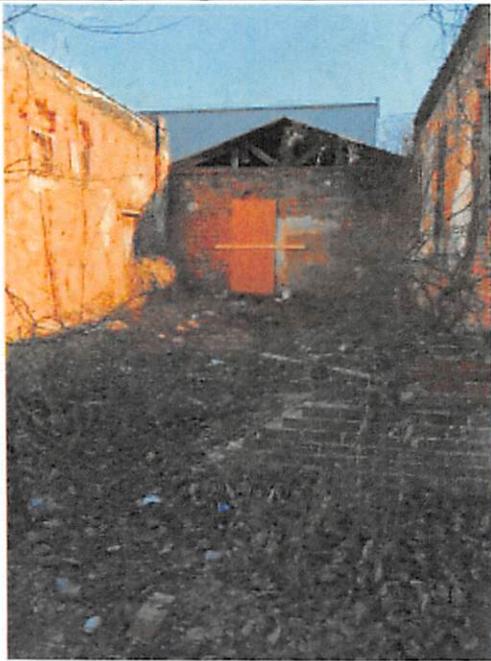
Uploaded on: 12/19/2016 -  
Photo\_Dec\_19\_3\_29\_20\_PM.jpg



Uploaded on: 12/19/2016 -  
Photo\_Dec\_19\_3\_30\_02\_PM.jpg



Uploaded on: 12/19/2016 -  
Photo\_Dec\_19\_3\_30\_17\_PM.jpg



Uploaded on: 12/30/2016 -  
Photo\_Dec\_30\_12\_08\_40\_PM\_1\_.jpg  
Boarded up 12-29-16 by PW



Uploaded on: 12/30/2016 -  
Photo\_Dec\_30\_12\_09\_06\_PM.jpg  
Boarded up 12-29-16 by PW



Uploaded on: 12/30/2016 -  
Photo\_Dec\_30\_12\_08\_40\_PM.jpg  
Boarded up 12-29-16 by PW



Uploaded on: 01/19/2017 - 370\_Dooley-  
Officer\_arresting\_vagrant\_Jan\_19\_4\_11\_43\_PM.jpeg  
Officer arresting vagrant 1-19-17

# City of Cleveland

CLEVELAND TENNESSEE  
Development & Engineering Services

Bryan Turner  
Chief Building Official  
bturner@clevelandtn.gov

185 Second Street NE  
Cleveland, TN 37311  
(423) 479-1913



12/20/2016

Jerry & Frances Jones  
3740 Bow Street NE  
Cleveland, TN 37312

Re: 370 DOOLEY ST NE, CLEVELAND, TN 37311

An inspection of the property on 12/19/2016 at the location referenced above and legally identified as Parcel ID number 057D F 018.00, indicates the commercial building, 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 that it has recently suffered damage from a warming fire due to vagrants inhabiting the unsecured building. Also, in its current condition it promotes blight to the area and provides a potential haven for criminal activity.

Section 13-305 of the City of Cleveland Municipal Code states: "(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.

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 end of business Friday, January 20, 2016. The structure will 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 upon receipt of this notice. 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 matter 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

# City of Cleveland

CLEVELAND TENNESSEE  
Development & Engineering Services



Bryan Turner  
Chief Building Official  
bturner@clevelandtn.gov  
Cell: (423) 457-3095

185 Second Street NE  
Cleveland, TN 37311  
Office (423) 479-1913  
Fax: (423) 559-3373

12/22/2016

Jerry & Frances Jones  
3740 Bow Street NE  
Cleveland, TN 37312

**Re: 370 DOOLEY ST NE, CLEVELAND, TN 37311**

An initial inspection of the property on 12/19/2016, in response to notice from the Cleveland Fire Department of a warming fire set by vagrants, at the location referenced above and legally identified as Parcel ID number 057D F 018.00, indicated the structure, being the commercial building, is in violation of the 2012 IPMC 108.1.5 as amended and adopted by reference in Section 12-901 of the City of Cleveland Municipal Code and was determined dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy, to the extent that it is unreasonable to repair the structure in that it has recently suffered damage from a warming fire due to vagrants inhabiting the unsecured building. Also, in its current condition it promotes blight to the area and has provided a haven for criminal activity.

The structure was posted Condemned and a Notice of Condemnation was mailed certified and regular mail to you, the owner of record, on Tuesday, December 20, 2016, to make you aware of the status of the property and allow you time to secure the structure and complete the demolition. However, we were notified today, Wednesday, December 21, 2016, through the City of Cleveland Codes Enforcement Division that vagrants, three of whom were arrested, have once again gained access to the unsecured building and started warming fires. I attempted contact through a phone number I obtained from a past case file on record for you and there was no answer and no way to leave a message. Since you would not have had time to receive the aforementioned notice, and due to the proximity of this building to an inhabited, adjoining apartment building, the potential for imminent danger is present and constitutes the need for immediate emergency measures by the City of Cleveland.

The building has been ordered immediately boarded up, including but not limited to, any unsecured openings, to render it temporarily secured. This will be done by the City of

Cleveland Public Works Department and all costs incurred will be charged as a lien against the real estate on which the structure is located.

Should you have any questions please contact Tina Rymer Bishop at 423-650-3768 or via email at [trymer@clevelandtn.gov](mailto:trymer@clevelandtn.gov).

Thank you,



Bryan Turner  
Chief Building Official



Tina Rymer Bishop  
Building Inspector

## ARREST REPORT

ARREST

ARRESTEE

CHARGES

NARRATIVE

Agency ORI TN0060100	Arrest Number: 2017-2785	Case Number 2017-2785	Court Date	
Agency Name: CLEVELAND POLICE DEPARTMENT	Date/Time Arrest 01/19/2017 15:35:00	Reason <input checked="" type="checkbox"/> On View <input type="checkbox"/> Taken Into Custody <input type="checkbox"/> Summons/Cited		
Place of Arrest: 370 Dooley St Ne Cleveland TN 37311	Disposition (Under 18)	Multiple Clearance N NOT APPLICAI		
Booking Officer	Date/Time Booked	Arresting/Holding Officer: 304 Deanna Cochran		
Name (Last, First, Middle) Bruner Frederick L	DOB 07/26/1959	Age 57	Sex M	Race W
Hgt 600	Wgt 185	Eyes Unknown	Build	
Scars/Marks/Tattoos:	Ethnicity N	Address 385 Dooley St Ne Cleveland TN 373115519	City TN	State Zip Home Phone
SSN *****	OL #/State 115367234	TN		
Next of Kin	Resident Status: RESIDENT			
Doctor's Name	Phone	If Armed, Type of Weapon: UNARMED		
Occupation	Employer	Phone		
UCR 90J	Charge 90J TRESPASS OF REAL PROPERTY	F/M M	Statute: 39-14-405	
UCR	Charge	F/M	Statute:	
UCR	Charge	F/M	Statute:	
Release Date/Time	Releasing Officer	Agency Released To	Bond Release Info	Bond Amount

## Arrest Narrative

## Title Arrest Narrative

On 1/19/17 I was dispatched to 370 Dooley St NE in regards to an unwanted subject. Upon arrival I spoke with Ms Tina Bishop. Ms Bishop informed me she a Building Inspector for the City of Cleveland. Ms Bishop stated they had recently condemned the building of 370 Dooley St NE and that no one was permitted to be on the property. Ms Bishop stated she arrived on the property and saw a male near the back of the building. Myself and Officer Hodge made contact with the male, Mr Frederick Bruner. Mr Bruner stated he wasn't bothering anyone and did not want to leave. Officer Hodge then placed Mr Bruner into custody and I transported him to the Bradley County Justice Center where he was released to booking. The rear seat of my patrol car was checked prior to and after transport.

Mary Baier

---

**From:** Gil Frederick  
**Sent:** Tuesday, May 17, 2011 7:25 AM  
**To:** Mary Baier  
**Subject:** FW: Unsafe building  
**Attachments:** 370DooleyStNE.docx; Tennessee Property Data - Parcel Detail.htm

Mary,  
Here is the last e-mail I received from Criss at Codes Enforcement about the building at 370 Dooley St on May 25<sup>th</sup>. I was curious if anything has been forwarded to you about this property.

Thanks,



**Gil Frederick, Fire Inspector**  
Cleveland Fire Department

423-559-3340: Office 555 S. Ocoee St.  
423-472-9169: Fax Cleveland, TN 37311

---

**From:** Criss Caywood  
**Sent:** Friday, March 25, 2011 8:18 AM  
**To:** Mary Baier; Gary Hicks; Robert Harbison; David Bishop  
**Cc:** Gregory Thomas; Joel Prince; Mike Wesson; Gil Frederick; Mika Vaughn  
**Subject:** RE: Unsafe building

Hello,

I went by & inspected the building located at 370 Dooley St NE, the building is not structurally sound due to roof has caved in & the structure may have been damaged by fire many years ago. The building needs to be condemned for demolition so I am turning this report over to the building official for further action. Please see attachment for owner information.

Sincerely,  
Criss Caywood  
Codes Enforcement

---

**From:** Mary Baier  
**Sent:** Wednesday, March 23, 2011 4:53 PM  
**To:** Gary Hicks; Robert Harbison; David Bishop  
**Cc:** Gregory Thomas; Criss Caywood; Joel Prince; Mike Wesson; Gil Frederick; Mika Vaughn  
**Subject:** FW: Unsafe building

Gary,  
This report from the Fire Marshal is a good example of why we get a report every week from Donna Spatafore notifying us of any structure fires.  
Normally the Codes Enforcement goes to each structure in town that has a code violation and writes it up. Then makes a report of the damage and notifies the Building Official if it requires anything more than a regular notice of code violations.

This address needs an initial investigation form completed. Just like all damaged structures would.

If the code violation is great enough to require a Condemnation letter then I would be notified.  
So if the Fire Marshal's send me more of these I'll forward them on to you like this one.  
Thank you.

**Mary Baier**  
**Chief Building Official**  
**City of Cleveland, TN 37311**  
**C 423-593-5657**  
**W 423-479-1913**  
**F 423-559-3373**

**From:** Gil Frederick  
**Sent:** Thursday, March 17, 2011 8:05 AM  
**To:** Mary Baier  
**Subject:** Unsafe building

Please review the attached.

Thanks,



**Gil Frederick, Fire Inspector**  
Cleveland Fire Department

---

423-559-3340: Office 555 S. Ocoee St.  
423-472-9169: Fax Cleveland, TN 37311



City of Cleveland  
Community Development Department  
Building Inspections

Mary Baier  
Chief Building Official  
mbaier@cityofclevelandtn.com  
cell: (423)-593-5657

185 2nd Street N.E.  
Cleveland, TN 37311  
(423) 479-1913  
Fax: (423)559-3373

June 7, 2011

Jerry Jones  
3740 Bow St, NE  
Cleveland, TN 37312

Re: **370 Dooley Street, NE**

Dear Sir:

An investigation of the property identified as Map 057D, Group F, and Parcel 018.00 occurred on **March 25, 2011**. The investigation was conducted by **Mary Baier**, Chief Building Official, as defined in City of Cleveland Municipal Code Section 13-303. It is my duty to give notice that you are in violation of the International Property Maintenance Code 2006 & the Municipal Code of the City of Cleveland Section 13-314, and Section 13-305, under the authority of Tennessee Code Annotated.

The Building Official & Fire Inspector have determined that the building located at **370 Dooley St, NE** is substandard due to interior & exterior structure of building and upon receipt of this notice, must be brought into code compliance.

It shall be unlawful, as stated in 13-314 of the Municipal Codes of the City of Cleveland, TN, for any owner of record to create, maintain or permit to be maintained in the city structures which are unfit for human occupation due to dilapidation, defects increasing the hazards of fire, accident or other calamities, lack of ventilation, light or sanitary facilities, or due to other conditions rendering such dwellings unsafe or unsanitary, or dangerous or detrimental to the health, safety and morals, or otherwise inimical to the welfare of the residents of the city.

**Section 13-305(1) of the City of Cleveland Municipal Code, under the authority of Tennessee Code Annotated 6-54-113, states that "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 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**

**Section 13-305(2) of the City of Cleveland Municipal Code, under the authority of Tennessee Code Annotated 6-54-113, states that "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."**

The repair or demolition must begin within Sixty (60) days of receipt of this order (this excludes weekends and holidays), by obtaining a building permit and entering into a binding contract with a licensed contractor for the completion of the work required by this order. A building permit is required. If the property is not brought into the code requirements within the time allotted, the City of Cleveland may initiate due process proceedings to remove the building and charge the cost of the work as a lien on the property taxes payable on the property.

You have the right to an appeal of any determination to the Cleveland Board of Housing Adjustments and Appeals. This appeal must be in writing and filed within ten (10) days following the receipt of this notice. Appeal letter must be received at the Community Development Department at 185 2<sup>nd</sup> St NE, Cleveland, TN. Failure to appeal within this time shall, without exception, constitute a waiver of the right to a hearing. If you are not the property owner please notify me.

I look forward to working with you to resolve this situation. Feel free to contact me during normal business hours, 8 AM to 4 PM, Monday thru Friday at 423-479-1913.

Sincerely,



Mary Baier  
Chief Building Official  
City of Cleveland, TN



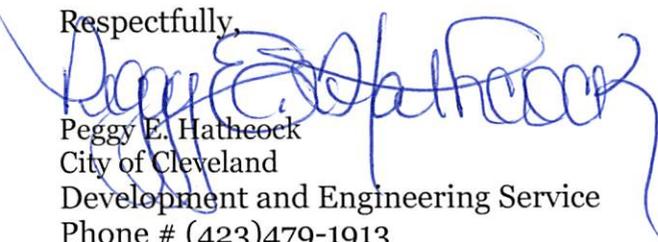
Good Afternoon Gentleman;

Thank you all for being willing to serve on the Building Board of Adjustment and Appeals. The building department received two separate complaints regarding potential code violations from the Cleveland Police Department. It was the determination of the Chief Building Official that those properties would need to be condemned for demolition. The owners of both of those properties would like to exercise their right to appeal to this board.

We will meet on February 7<sup>th</sup> @ 5:15 in the City Council Meeting Room. I will be sending you a copy of the actual agenda on Monday, however; I wanted you to be able to peruse the property information over the weekend.

Thank you for your service on this board.

Respectfully,



Peggy E. Hathecock  
City of Cleveland  
Development and Engineering Service  
Phone # (423)479-1913  
Mobile # (423)599-9249  
Fax # (423)559-3373

Building Board of Adjustment Appeal

Please Sign In

2/7/17

~~any other~~

Donna Jean

Donna Jean

Ma Bishop

Dustin Hawkins

Jim Williams

Building process of the world  
with

the world  
the world  
the world  
the world  
the world

LEGAL PUBLICATION  
PUBLIC NOTICE  
SPECIAL CALLED MEETING OF  
THE CITY OF CLEVELAND  
BUILDING BOARD OF  
ADJUSTMENT AND APPEALS  
TUESDAY, FEBRUARY 7, 2017 AT 5:15 PM  
CLEVELAND MUNICIPAL BUILDING  
190 CHURCH STREET NE

The Building Board of Adjustments and Appeals will consider the following items:

Dean Helsdon requests an appeal of the City of Cleveland's decision to demolish 1255 Wildwood Avenue (Tax Map 57L Group J Parcel 016.00). The property is zoned CH.

Jerry Jones requests and appeal of the City of Cleveland's decision to demolish 370 Doolley Street NE (Tax Map 057D Group F Parcel 018.00). This property is zoned CH. February 2, 2017