

# **PROPERTY MAINTENANCE**

## **AGENDA-MARCH 6, 2023**

### **APPROVAL OF THE FEBRUARY 6, 2023 MEETING MINUTES**

#### **PM VIOLATION**

A.) Southerland-1273 Kidwell Ridge Road Morristown, TN. 37814 (02-032-084.03 A-1 Zone)

#### **CONDEMNATION OF PROPERTY**

A.) Larry Mangum-4268 E. Morris Blvd. Morristown TN. 37813 (04-026-022.03 C-1 Zone)

#### **OTHER BUSINESS**

#### **ADJOURNMENT**

**Minutes**  
**Hamblen County Board of Zoning Appeals**  
**February 6, 2023**

**Members Present**

Charles Anderson, Vice Chairman  
Kyle Hale, Secretary  
Bill Hicks  
Edgar Gray  
Absent-John Hofer, Chairman

**Staff**

Tina Whitaker, Office Manager  
Donna Massey, administrative Asst.  
Lindsey Horn, Clerical Assistant  
Tommy McKinney, Codes Enforcement Officer  
Darrell Chase, Building Inspector  
Other guests (see attached record)

**Call to and Approval of the Minutes**

Mr. Charles Anderson called the meeting to order.

Mr. Kyle Hale made a motion to approve the January minutes. Mr. Edgar Gray seconded the motion. All in favor; motion carried.

**Administrative Interpretation**

- A.) Silas Taylor-8063 Whetsel Road Whitesburg 37891 (04-020-066.00 A-1 Zone)

Mr. Silas Taylor, Property owner, represented the request and was sworn in. Mr. Taylor is requesting to reside in the existing home until his new double wide home is placed on the property. At that time, he will have the older home removed. Mr. Hicks discussed about a timeframe and asked Mr. Taylor if six months would be enough time to move the old mobile home. Ms. Whitaker advised after Taylor receives his C/O (Certificate of Occupancy) we could give him the six months. Mr. Hale made a motion to approve and give six months to remove the old mobile home after receiving his certificate of occupancy. Mr. Hicks seconded the motion. All in favor; motion carried.

- B.) Donald Rhodes-8091 E. Andrew Johnson Hwy Whitesburg 37891 (03-0130-A-010.00 A-1 Zone)

Mr. Donald Rhodes, Property owner, represented the request and was sworn in. Mr. Rhodes is requesting to place a single wide mobile home on the property and remove an older home that sits in the front of the property. Mr. Hale made a motion to approve six months to remove the older home from the time of placing the new single wide mobile home and receiving his certificate of occupancy. Mr. Hicks seconded. All in favor; motion carried.

**Other Business**

None

**Adjournment**

With no further business, Mr. Anderson made a motion to adjourn the meeting. Mr. Gray seconded. All in favor; motion carried. Meeting adjourned.

## Property Maintenance violation for 1273 Kidwell Ridge Road

- Sent violation letter on 04/27/2022 for violation of Regulation 306.1 Accumulation of Rubbish and Garbage.
- A Mr. Southerland called and stated that he would be the one cleaning the property up and removing the cargo trailer.
- No progress was made on the property.
- Sent second letter 07/20/2022.
- Mr. Southerland again called and stated that he had been ill and could not make any progress on the cleanup. He said that he would get started and bring the property into compliance.
- There has been no progress in cleaning the property, the cargo trailer still remains and there has been no further correspondence.
- Property is still in violation.

Hamblen County Planning Commission  
511 W. 2nd North Street • Morristown, TN 37814  
Telephone: (423) 581-1373 • Fax: (423) 587-7089

**REPEAT NOTICE OF VIOLATION**  
**HAMBLEN COUNTY PROPERTY MAINTENANCE REGULATIONS**

**04/27/2022**

Janet Southerland  
1273 Kidwell Ridge Road  
Morristown TN 37814

**VIA: First Class Mail**

**RE: 1273 Kidwell Ridge Road (2-032-?-084.03-A1 Zone)**  
**Subdivision: GN Ivy Est                      Lot: 3**

**Notice of violation:** The property located on the above referenced parcel is again in violation of the Hamblen County Property Maintenance Regulations section(s) 306.1 Accumulation of Rubbish and Garbage . It is also in violation of the Hamblen County Zoning Regulation 6.11 Permitting (cargo trailer). You have 10 working days from the date shown above to bring this property into compliance or to contact this office for an approval of an extended amount of time.

**If you have questions, please call our office.**

**Purpose:** The purpose of this Property Maintenance Regulation is to ensure the health, safety and welfare of the residence of Hamblen County.

Please reference the attached documents for an itemized list of violations as well as complete details on fees/penalties or the appeals process.

**You have twenty (20) days to appeal this order to the Hamblen County Property Maintenance Board. All appeals are made with the Planning Commission office.**

Thank you in advance for your cooperation.

Respectfully,

Tommy McKinney  
Hamblen County Code Enforcement

Hamblen County Planning Commission  
511 W. 2nd North Street •Morristown, TN 37814  
Telephone: (423) 581-1373 •Fax: (423) 587-7089

**FINAL NOTICE OF VIOLATION**  
**HAMBLEN COUNTY PROPERTY MAINTENANCE**

**07/20/2022**

David & Janet Southerland  
1273 Kidwell Ridge Road  
Morristown TN 37814

**VIA: First Class Mail**

**RE: 1273 Kidwell Ridge Road (2-032-/-084.03-A1 Zone)**  
**Subdivision: GN Ivy Est                      Lot: 3**

**Notice of violation:** The property located on the above referenced parcel is still in violation of the Hamblen County Property Maintenance Regulations section(s) 306.1 Accumulation of rubbish and garbage. You have 10 days from the date shown above to bring this property into compliance or the matter will be referred to the County Attorney for review and citation to court.

**Purpose:** The purpose of this Property Maintenance Regulation is to ensure the health, safety and welfare of the residence of Hamblen County.

Please reference the attached documents for an itemized list of violations as well as complete details on fees/penalties or the appeals process.

**You have twenty (20) days to appeal this order to the Hamblen County Property Maintenance Board. All appeals are made with the Planning Commission office.**

Thank you in advance for your cooperation.

Tommy McKinney  
Hamblen County Code Enforcement



1273 Kidwell Ridge Road 01/23/2023





1273 Kidwell Ridge Road 01/23/2023



1273 Kidwell Ridge Road 01/23/2023



## **Section 306**

### **Rubbish and Garbage**

**306.1 Accumulation of rubbish or garbage**-All exterior property and premises of every structure shall be free from any accumulation of rubbish or garbage.

**306.2 Disposal of rubbish**- The safe and sanitary placement of rubbish curbside for collection by the Hamblen County Sanitation Department is permitted. No hazardous household waste, such as batteries, wet paint, shingles, animal or human feces, fuel, oxygen, propane tanks, oil and tires will be collected by the County Sanitation Department. Rubbish should be placed at places that will not cause personal property damage when collection is being performed.

**306.2.1 Refrigerators**- Refrigerators-the doors of refrigerators and similar equipment not in operation shall be removed before the items are discarded.

**306.3 Disposal of garbage**-Every occupant of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or approved garbage container

**306.3.1 Garbage facilities**-The owner of every dwelling shall supply one of the following: an approved mechanical food waste grinder in each dwelling unit; an approved incinerator unit in the structure available to the occupants in each dwelling unit; or an approved leak-proof, covered, outside garbage container.

**306.3.2 Containers**-The owner of every establishment producing garbage shall provide, and at all times cause to be utilized, approved leak-proof containers with close-fitting covers for the storage of such materials until removed from the premises for disposal.

## **Section 307**

### **Code Enforcement**

**307.1 – Enforcement Process** – The enforcement of this code will follow the following process:

- a) Code Violation Complaint Received
- b) Field Review by codes official
- c) Violation Identified and documented
- d) Notice of Violation Sent According to Provisions in Section 107. Ten (10) days given to correct violation or request addition time to correct violation or appeal the violation finding
- e) Second Field Review to Determine if Violation Corrected Within Time Allotted
- f) If violation not corrected, Code office issues Citation with fine, court costs and attorney's fees
- g) Court Action
- h) Return to Court if Order not followed

## Hamblen County Planning Commission

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Telephone: (423) 581-1373 • (423) 587-7089

### HAMBLEN COUNTY PROPERTY MAINTENANCE BOARD OF APPEALS APPLICATION

#### SUBMISSION INFORMATION

The following must accompany your completed application:

- When applicable, documents supporting the appeal
- \$50.00 Administrative Fee (may be refunded if board determines that the property is in compliance)
- Photographs of the site. Pictures may be submitted to [planning@co.hamblen.tn.us](mailto:planning@co.hamblen.tn.us)

#### GENERAL INFORMATION

Property Owner's Name: Larry Mangum Phone: (423) 312-0043

Address: 4285 E. Morris Blvd. Morristown, TN 37813

Applicant's Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Business Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

#### SUBJECT PROPERTY

Address: 4268 E. Morris Blvd. Morristown, TN 37813

Property Identification: District: 04 Tax Map: 026 Group: \_\_\_\_\_ Parcel(s) 022.03

Subdivision: Fox Farm Lot# \_\_\_\_\_ Zone: C-1

Property Is: ☐ Occupied ☒ Vacant ☐ Rental

#### APPEAL

Pursuant to Section 110.1 of the Hamblen County Property Maintenance Code, the undersigned hereby makes application to the Property Maintenance Board of Appeals, due to any or all of the following (additional information may be attached on separate pages):

Intent of Code or adopted rules has been incorrectly interpreted (provide explanation):

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Provisions of the Code do not fully apply (provide explanation):

The Structure is not in such disrepair that would require tearing down. It has been used for a storage facility on the farm until someone moved into it. It has fully functional plumbing and electrical. The electrical was examined since condemnation and found it was found not to be in such disrepair as to disconnect service. Requirements of Code are adequately satisfied by other means (provide explanation):

There should be no reason that the structure could not be used for hay or other farm storage and would be wasteful to tear down

#### Requesting an alternative to Code Compliance:

If you are requesting an alternative to the Code Compliance, describe the alternative and how the alternative will satisfy the Property Maintenance Code.

#### EXTENSION OF TIME REQUEST

Original Due Date: \_\_\_\_\_ Proposed Due Date: \_\_\_\_\_

Detail Reasons for Extension: \_\_\_\_\_

#### Signature of Owner:

By signing this application, the property owner, applicant, and/or contact person are indicating that all information contained in this application is complete and accurate to the best of his or her knowledge. This application is not valid unless signed by the property owner.

Larry Mangum  
Signature of Property Owner(s)

2/14/23  
Date

LARRY MANGUM  
Print Name of Property Owner(s)

2/14/23  
Date

Signature of Applicant/Agent

Print Name of Applicant/Agent

Date

Larry Mangum  
Signature of Contact Person

LARRY MANGUM  
Print Name of Contact Person

2/14/23  
Date

#### OFFICE USE ONLY

Case Number: \_\_\_\_\_ \$50.00 Paid-Receipt # 2/14/23

Date filed: 2/14/23 Application accepted by: IM / DM

Date of Appeal: MARCH 6, 23 Motion: \_\_\_\_\_

## Larry Mangum Property 4268 E Morris Blvd. Morristown TN 37813

- 01/17/2023 Received call from city Codes Enforcement Officer and an agent of the Department of Children's Services. They stated that there had been an arrest at 4268 Morris Blvd. The arrest was for child abuse and child neglect. DCS agent stated that the house that they were living in had no running water and that the roof was leaking very badly inside the structure. They also stated that the home was filthy and run down.
- 01/18/2023 I went to structure and made an assessment of the structure and also made pictures.
- 01/24/2023 Asked Darrell Chase, Building Inspector, to evaluate structure as well.
- 01/26/2023 After Mr. Chase' assessment, we started the condemnation process. Sent Mr. Mangum a packet with a copy of the zoning and Property Maintenance codes that were in violation. The packet also contained a 60 day Order of Condemnation Notice. This notice gives him 60 days to remove the structure. On this date I also met Mr. Mangum personally and discussed with him that he is to remove the structure. During this meeting I told Mr. Mangum that he had the right to appeal this by appearing in front of the Property Maintenance Appeals Board and how he could register for the meeting. I also stated to him that I would have the electrical service interrupted.
- 01/26/2023 After my meeting I proceeded to Holston Electric in Rogersville and asked them to cut the service to the structure. It was interrupted the next day.
- 02/10/2023 I did not hear from Mr. Mangum after that meeting so I sent him a letter reminding him that the structure is still condemned and he must comply with the demolition of the structure by 03/26/2023.
- 02/14/2023 Mr. Mangum came by the office and asked to be placed on the agenda for the March 6, 2023 Property Maintenance Appeals meeting. Mr. Mangum also stated that he did not want to remove the structure but to use it for storing hay and other things. Darrell Chase stated that he must bring an Engineer's Report which states that the structure is safe enough for storage. Mr. Mangum can bring this report to the board meeting. At that point the PMBA can decide what action needs to be taken by Mr. Mangum.

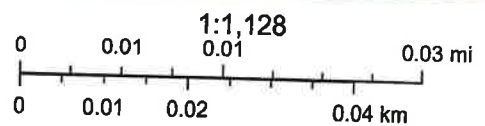


# Hamblen County - Parcel: 026 022.03



Date: February 15, 2023

County: Hamblen  
Owner: MANGUM LARRY  
Address: E MORRIS BLVD 4268  
Parcel Number: 026 022.03  
Deeded Acreage: 28.82  
Calculated Acreage: 0



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GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau,  
USDA, State of Tennessee, Comptroller of the Treasury, Office of Local  
Government (OLG)

## **Section 107**

### **Unsafe Structures and Equipment**

**107.1 General**-When a structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be condemned pursuant to the provisions of this code.

**107.1.1 Unsafe structures**-An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

**107.1.2 Unsafe equipment**-Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the premises or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structures.

**107.1.3 Structure unfit for human occupancy**-A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

**107.1.4 Unlawful Structures**-An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this code, or was erected, altered or occupied contrary to law.

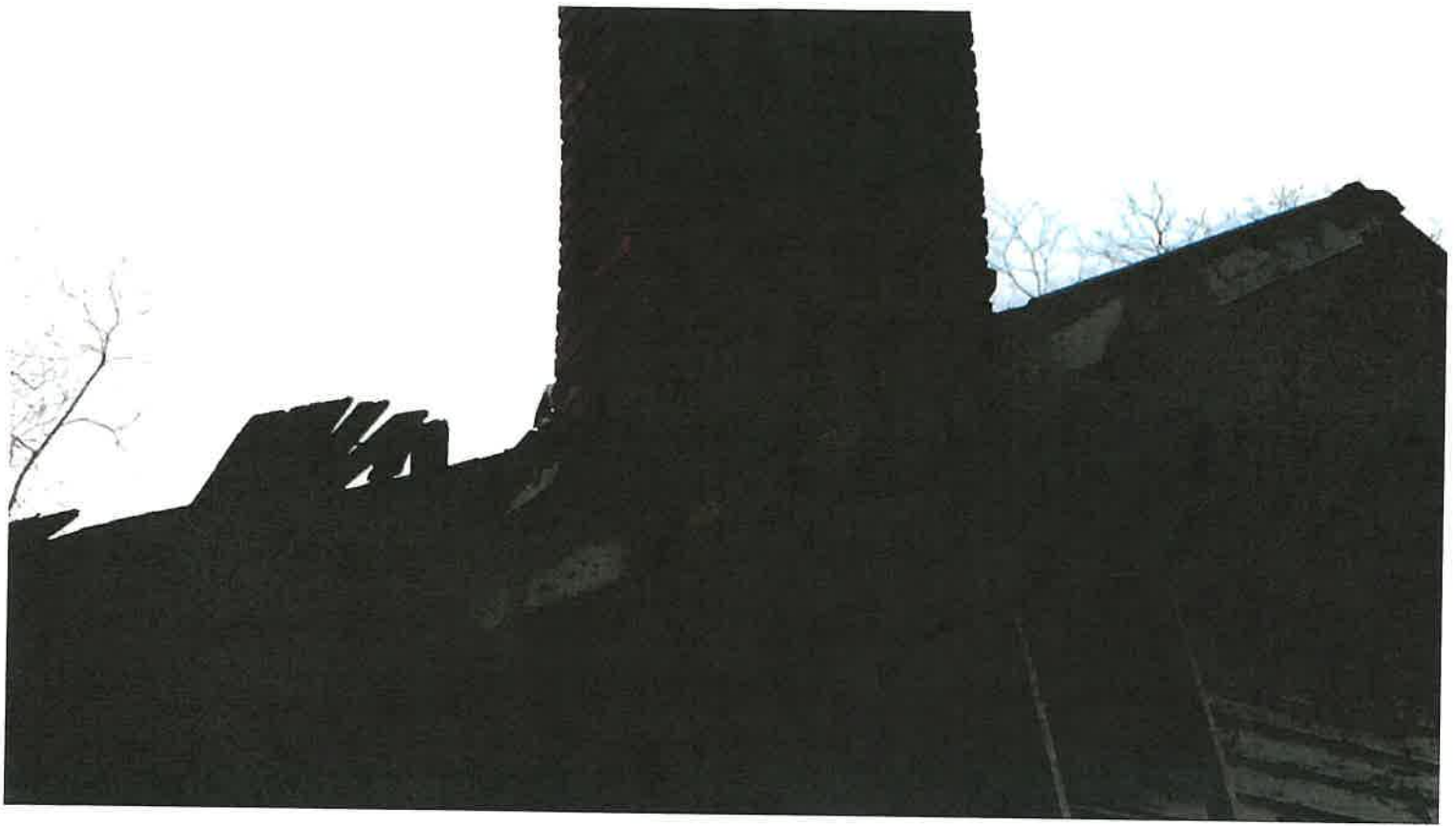
**107.1.5 Dangerous structure or premises**-For the purpose of this code, any structure or premises that has any or all of the conditions or defects described below shall be considered dangerous:

1. Any door, aisle, passageway, stair, exit or other means of egress that does not conform to the approved building or fire code of the jurisdiction as related to the requirements for existing buildings.
2. The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.
3. Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other





268 E Morris Blvd 01/18/2023



4268 E Morris Blvd 01/18/2023









4268 E Morris Blvd 01/18/2023