

City of Murfreesboro
Construction Board of Adjustments & Appeals Minutes
January 24, 2023

Board Members Present:

Mike Picklesimer, Chairman

Lyle Lynch, Vice Chairman

Ben Blake

Ryan Maloney

Carolyn Lester

Staff Present:

Kevin Jones, Assistant Director of Building & Codes

Precious Parham, Administrative Assistant I

Mr. Michael Picklesimer called the meeting to order at 1:00pm. The first item was to review and approve the minutes of the August 23, 2022 meeting. Ms. Carolyn Lester made a motion that the minutes be adopted with the notation of the change for “drop of” in the second paragraph on the second page, to drop offs and four lines down “addition” to be changed to additional bathrooms. Her motion received a second from Mr. Picklesimer and carried unanimously.

The next item of business was to hear an Appeal of the Decision or Determination order of notice of the Building Official. Mr. Picklesimer then asked Mr. Kevin Jones to present the case for the city.

Mr. Jones explained that the property located at 404 South Kings Highway is currently a small church in which Building and Codes received a call about because the roof was failing. Building and Codes performed an inspection along with meeting a contractor on site in December of 2021, which resulted in Building and Codes creating a substandard report and sending it to the owner of the property.

The substandard report required the owner to get a structural engineer involved to see exactly what was going on with the structure. Bob Warren provided a report in May 2022. Upon review of the report, Building and Codes made the decision to issue a demolition order for the structure. The demolition order was sent to the owner in August 2022 and the owner of the property at the time called September 30, 2022, to let us know that she sold the property.

Once Building and Codes was made aware the property sold, we notified the new owner, Mr. Dedrick Messenger on October 13, 2022. Mr. Messenger appealed the decision for demolition in November as he was not aware the notice existed.

Mr. Messenger then presented his side of the case, explaining that he basically needed more time since he was unaware of the situation before he obtained the property.

Mr. Jones informed Mr. Messenger that after speaking with our planning department staff that if he were to demolish the property, they cannot rebuild that church back on that lot due to setback parking requirements, etc.; but there is potential to repair/renovate it up to a certain percent.

Mr. Picklesimer asked if the building was secure in which Mr. Messenger and Mr. Jones said it is secure and not occupied at the time. Mr. Lynch then asked if it was legal for anyone to go into the building under the demolition notice. Mr. Jones explained that the city also condemned it at the time the demolition notice was issued because the building is not structurally sound.

Ms. Lester then asked Mr. Jones if it was just the roof that was the issue, to which Mr. Jones responded that it is just the ceiling and the roof. He then explained that the structure was initially a single-family home, where the center partition - which was a load bearing wall was removed to turn it into a sanctuary/worship area. Mr. Jones further explained that once they did that, over the years it caused sagging and is very noticeable.

Mr. Maloney referred to the structural report regarding repairing the LVL beams and asked Mr. Jones if this was a viable option from a code's perspective. Mr. Jones then said if the option was made with a structural engineer's recommendation, then he believes it would satisfy the needs of codes.

Mr. Picklesimer suggested to give them more time since they are in a difficult situation. Mr. Maloney then asked Mr. Messenger what his expectations were or how much time he would be expecting to get the situation rectified. Mr. Messenger stated that he doesn't know time frame right now given the information that he would not be able to build the building out.

Mr. Blake verified that in order to congregate there, the roof must be secure, to which Mr. Jones replied by saying we don't want the building occupied at all until it can be fixed. Mr. Lynch then asked when does the clock stop regarding the extension. Mr. Jones followed up by saying it depends on the motion, what the board decides.

Mr. Maloney made a motion to defer the demolition for 180 days, allow Mr. Messenger time to determine a course and if at that time the work isn't complete, he can come back before the board and give an update on progress. Ms. Lester made a second and the motion carried unanimously.

Mr. Jones finished the meeting with staff reports announcing that Mr. Robert Holtz has since took a new position as director of Community Development. There was no other business, so the meeting was adjourned.