SEVIERVILLE BOARD OF ZONING APPEALS

December 20, 2018

5:00 P. M.

Council Hall
Sevierville Civic Center
130 Gary Wade Boulevard
Sevierville, TN 37862
Board of Zoning Appeals  
December 20, 2018 Agenda 

Hearing 

A. Call to Order 

1. Hearing - Mr. and Mrs. Thomas Johns request a hearing regarding notice of violation of Title 13, Chapter 1, Section 103 of the Sevierville Municipal Code at property in their ownership at 503 Fred Sales Place (City). 

B. Adjournment
13-103. Overgrown and dirty lots.

(1) Prohibition. Pursuant to the authority granted to municipalities under Tennessee Code Annotated § 6-54-13, it shall be unlawful for any owner of record of real property to create, maintain, or permit to be maintained on such property the growth of trees, vines, grass, underbrush and/or the accumulations

1Municipal code references
Littering streets, etc.: § 16-207.
Wastewater treatment: title 18, chapter 2.

13-2

of debris, trash, litter, or garbage or any combination of the proceeding elements so as to endanger the health, safety, or welfare of other citizens or to encourage the infestation of rats and other harmful animals.
November 20, 2018

Thomas Johns Sr.
503 Fred Sales Pl.
Sevierville TN, 37876

Re: Zoning violations at property located at 503 Fred Sales Pl., Sevierville, TN. Also identified by Tax Map C17N, Parcel 038.00

Mr. Johns,

This letter serves as a notice dated November 20, 2018. The above described property has been inspected by the Department of Code Enforcement and is in violation of Section 13-103 of the Sevierville Municipal Code. Section 13-103 states in part: It shall be unlawful within the City for any person owning, leasing, occupying or having control of the property, regardless of whether the property is a vacant lot or contains any form of structure, to permit the accumulation of debris, trash, litter, abandoned appliances or any combination of the preceding elements so as to endanger the health, safety, or welfare of occupants or other citizens or to encourage the infestation of rodents and other harmful animals, to an extent that a nuisance is created.

You will have ten (10) days after receiving this notice to remedy the conditions on the property. Failure to remedy these conditions within this period will force the Department of Code Enforcement for the City to cause these conditions to be remedied and the cost thereof be assessed against the owner of the property.

The City has determined that it will cost approximately fifteen hundred dollars ($1,500) for the City to have the violation remedied. Once again you will have ten (10) days to correct the violation on the property. Otherwise the City will proceed to have the property cleaned up and you will be billed for the work.

You may return a copy of this notice to me with a written request for a hearing if you so desire.

This notice is hereby given by Eric Denton, Department of Code Enforcement for the City of Sevierville. If you should have any questions regarding this notice, please feel free to contact me at 865-453-5504.

Sincerely,

Eric Denton
Codes Enforcement Officer
November 29, 2018

To: Mr. Eric Denton
   Codes Enforcement Officer
   City of Sevierville
   Department of Code Enforcement
   120 Gary Wade Blvd., P.O. Box 5500
   Sevierville, TN 37864

Re: Zoning violations at property located at 503 Fred Sales Pl., Sevierville, TN. Also identified by Tax Map C17N, Parcel 038.00

Dear Mr. Denton,

This letter is in response to yours dated November 20, 2018 that we didn’t receive until November 28, 2018—most likely due to its being postmarked from Knoxville on November 26, 2018.

Firstly, based upon the above, we consider your 10-day time demand to have begun on November 28, 2018, the day we received your letter, not the date of November 20, 2018 as noted in your letter.

Secondly, you falsely base your notice on the descriptive words “accumulation of debris, trash, litter, abandoned appliances or any combination of the preceding elements” to describe our property kept in our home’s carport area.

In point of fact, neither you, nor your representative, has bothered to inspect any of the items contained on our property—which in this case is an accumulation of items used in various projects—and whose items and quantity have varied over the 41 years they’ve been located there—with no one ever having objected to this in the past!

Your “drive by” inspection of our home for the first time in 41 years is both unwarranted and appalling, made particularly egregious by your “big city” tactics in attacking the tax paying citizens you’re supposed to be serving.

Therefore, with this letter, we are requesting a hearing to present our side of this issue, and until resolved, will not abide by your unjust and unwarranted threats.

Finally, we would like to respectfully remind you that we are both in our 70’s working full time jobs to pay the taxes that pay your salary, and consider your offensive letter and tactics unworthy of someone representing our great city, and is why both of us will, without a doubt, be voting against everyone in our city government who allowed you to do this in the first place.

Shame On You,

Mr. and Mrs. Thomas Johns Sr.
503 Fred Sales Pl.
Sevierville, TN 37876

1 of 2
December 7, 2018

Thomas Johns Sr.
503 Fred Sales Pl
Sevierville, TN 37876

Re: Request for hearing on Code Enforcement Case CE-2018-5

Mr. Johns,

Your request for hearing on your case has been granted. A meeting with the Sevierville Board of Zoning Appeals has been set for December 20th, 2018 at 5:00PM. The location of this meeting is the Sevierville Civic Center, 130 Gary Wade Blvd, Sevierville, TN. You or your representative will need to be present at this meeting in order to have your case heard. If you or your representative do not appear, the original order will stand, and you will need to remedy the conditions.

If you have comments or questions regarding the above information, please feel free to contact me in my office 865-868-0935.

Sincerely,

David Black
Building Official