

## APPEALS

### BOARD OF FIRE AND BUILDING CODE APPEALS

<b>DATE:</b>	<b>TUESDAY- JUNE 9, 2015</b>	
<b>TIME:</b>	<b>9:00 A.M.</b>	
<b>PLACE:</b>	<b>800 2<sup>nd</sup> Ave. So. Metro Howard. Conference Center</b>	
<b><u>TERM</u> <u>EXPIRES</u></b>	<b><u>BOARD MEMBERS</u></b>	
<b>3/1/2018</b>	<b>John Olert, Chairman</b>	
<b>3/1/2017</b>	<b>Rich McCoy, Vice Chairman</b>	
<b>3/1/2017</b>	<b>Eddie Hutton</b>	
<b>3/1/2016</b>	<b>Bill Wamsley</b>	
<b>3/1/2016</b>	<b>Rodney Wilson</b>	
<b>3/1/2019</b>	<b>Randy Clark</b>	
<b>3/1/2017</b>	<b>Bill Steffenhagen</b>	
<b>3/1/2018</b>	<b>Katherine Gathings</b>	
<b>3/1/2018</b>	<b>John Finch</b>	
<b>ALSO PRESENT</b>		
<b>I.</b>		
<b>II.</b>		
<b>III.</b>		

<p><b>2015B-21</b></p>	<p><b>Danny Osman</b>, appellant for the property located at <b>7741 Highway 70 S</b>, being further identified as being map / parcel <b>12700030100</b>, appeals the decision of the Director of Codes and Building Safety as it applies to the renovation of existing building for use and occupancy as assembly. Appellant appealed the IBC 1015.1 requires two means of egress where the occupant load exceeds 50 people or where the common path of egress travel exceeds 75 feet -</p>
<p><b>2015B-31</b></p>	<p><b>Kenny Ellsworth</b>, appellant for the property located at <b>2110 Elliston Pl</b>, being further identified as being map / parcel <b>09215012700</b>, appeals the decision of the Director of Codes and Building Safety as it applies to the <b>new R-2 apartment development, 2110 Elliston</b>. Appellant appealed the IBC 1013.5 mechanical equipment. guards shall be provided where appliances, equipment, fans, roof hatch openings or other components that require service are located within 10 feet (3048 mm) of a roof edge or open side of a walking surface and such edge or open side is located more than 30 inches (762 mm) above the floor, roof or grade below.</p>
	<p><b>DEFERRED til June 9, 2015</b></p>
<p><b>2015B-40</b></p>	<p>Appellant appealed the mixed occupancy with 26 r-2 residential units and 2 mercantile/business/restaurant spaces with type 5a construction and full NFPA 13 in the mercantile areas and above. NFPA 13r will be installed in all other residential units. The 2006 IBC</p>

currently does not have a specific section concerning live/work spaces. The following is the 2012 IBC live/work section. Section 419 live/work units 419.1 general. A live/work unit shall comply with sections 419.1 through 419.9. Exception: dwelling or sleeping units that include an office that is less than 10 percent of the area of the dwelling unit are permitted to be classified as dwelling units with accessory occupancies in accordance with section 508.2. 419.1. 1. Limitations. The following shall apply to all live/work areas: 1. the live/work unit is permitted to be not greater than 3,000 square feet (279 m<sup>2</sup>) in area; 2. The nonresidential area is permitted to be not more than 50 percent of the area of each live/work unit; 3. The nonresidential area function shall be limited to the first or main floor only of the live/work unit; and 4. Not more than five nonresidential workers or employees are allowed to occupy the nonresidential area at any one time. 419.2 occupancies. Live/work units shall be classified as group r-2 occupancy. Separation requirements found in sections 420 and 508 shall not apply within the live/work unit where the live/work unit is in compliance with section 419. Nonresidential uses which would otherwise be classified as either a group h or s occupancy shall not be permitted in a live/work unit. Exception: storage shall be permitted in the live/work unit provided the aggregate area of storage in the nonresidential portion of the live/work unit shall be limited to 10 percent of the space dedicated to nonresidential activities 419.3 means of egress. Except as modified by this section, the means of egress components for a live/work unit shall be designed in

accordance with chapter 10 for the function served.

419.3.1 Egress capacity. The egress capacity for each element of the live/work unit shall be based on the occupant load for the function served in accordance with table 1004.1.1.

419.3.2 spiral stairways. Spiral stairways that conform to the requirements of section 1009.12 shall be permitted.

419.4 vertical openings. Floor openings between floor levels of a live/work unit are permitted without enclosure. [f]

419.5 fire protection. The live/work unit shall be provided with a monitored fire alarm system where required by section 907.2.9 and an automatic sprinkler system in accordance with section 903.2.8.

419.6 structural. Floor loading for the areas within a live/work unit shall be designed to conform to table 1607.1 based on the function within the space.

419.7 accessibility. Accessibility shall be designed in accordance with chapter 11 for the function served.

419.8 ventilation. The applicable ventilation requirements of the international mechanical code shall apply to each area within the live/work unit for the function within that space.

419.9 plumbing facilities. the nonresidential area of the live/work unit shall be provided with minimum plumbing facilities as specified by chapter 29, based on the function of the nonresidential area. Where the nonresidential area of the live/work unit is required to be accessible by section 1103.2.13, the plumbing fixtures specified by chapter 29 shall be accessible..


<p><b>2015B-41</b></p>	<p><b>Chuck Gannaway</b>, appellant for the property located at <b>340 Seven Springs Way</b>, being further identified as being map / parcel <b>16000028700</b>, appeals the decision of the Director of Codes and Building Safety as it applies to the <b>construction of business facility without areas of refuge</b>. Appellant appealed the IBC 1007.3 exempts accessible stair ways from areas of refuge in a sprinkled building.</p>
<p><b>2015B-42</b></p>	<p><b>Manuel Zeitlin</b>, appellant for the property located at <b>115 Woodmont Blvd</b>, being further identified as being map / parcel <b>11603001500</b>, appeals the decision of the Director of Codes and Building Safety as it applies to the new I-2 assisted living Alzheimer’s unit, known as <b>Abes Garden</b>, under construction per 201415845. Appellant appealed the IBC 1024.6 exit discharge, access to a public way. The exit discharge shall provide a direct and unobstructed access to a public way. One exit discharge is along a driveway with slope greater than 1:20 without compliant stairs or ramps.</p>
<p><b>2015B-43</b></p>	<p><b>Jason Gibson</b>, appellant for the property located at <b>1238 Martin St</b>, being further identified as being map / parcel <b>10507011300</b>, appeals the decision of the Director of Codes and Building Safety as it applies to the <b>construction of 56,000 s.f. residential / mixed-use facility</b>. Appellant appealed the 1. 2012 IBC section 419 includes code language for live / work units. 2. 2012 IBC section 1007.3 exceptions 2 and 3 exempt areas of</p>

	refuge from buildings equipped throughout with an automatic sprinkler system.
<b>2015B-44</b>	<b>Steve Johnson</b> , appellant for the property located at <b>0 Stone Brook Dr</b> , being further identified as being map / parcel <b>17100015900</b> , appeals the decision of the Fire Marshal as it applies to the to construct five story apartment building above parking garage. Appellant appealed the 2006 IFC - section d103.2 limits the slope on a fire apparatus access road to 12%.
<b>2015B-45</b>	<b>Davis Architects</b> , appellant for the property located at <b>501 5th Ave S</b> , being further identified as being map / parcel <b>09310023300</b> , appeals the decision of the Director of Codes and Building Safety as it applies to the for a proposed new residential development: " <b>Olmsted SoBro</b> ". Appellant appealed the 1.) 2006 thru 2012 IBC table 705.4 requires a 3-hr fire wall when separating r-2 occupancies, and a 2-hr fire wall when separating s-2 occupancies. Local metro amendment requires 4-hr fire walls regardless of occupancy type being separated. 2.) 2006 IBC table 715.4 requires fire door and fire shutter assemblies to have a fire protection rating consistent with the fire rating of the wall in which they are installed.

<p><b>2015B-46</b></p>	<p><b>Danny Ficarra/Richard Heidenreich</b>, appellant for the property located at <b>1300 4th Ave N</b> , being further identified as being map / parcel <b>08209019300</b>, appeals the decision of the Director of Codes and Building Safety as it applies to the master permit <b>to construct a three and four story multi-family residential apartment building and parking garage for " PDG - GERMANTOWN "</b>.</p> <p>Appellant appealed the 1) 2006 IBC - section 706.4 require fire walls to have a fire resistance rating of not less than four (4) hours as per local amendment. ;2) 2006 IBC - section 1007.3 require that in order for exit stairways to be considered part of an accessible means of egress, an exit stairway shall have a clear width of 48 inches minimum between handrails and shall incorporate an area of refuge within an enlarged floor-level landing or shall be accessed from either an area of refuge complying with section 1007.6 or a horizontal exit. ; 3) 2006 IBC - section 1026.1 require every sleeping room on the first, second, third and fourth story or within basements of group r occupancies shall have at least one operable window or exterior door approved for emergency egress or rescue. Such opening shall open directly into a public street, public alley, yard or court as per local amendment..</p>
<p><b>2015B-47</b></p>	<p><b>Danny Ficarra/Richard Heidenreich</b>, appellant for the property located at <b>1305 3rd Ave N</b>, being further identified as being map / parcel <b>08209019800</b>, appeals the decision of the Director of Codes and Building Safety as it applies to the Master permit <b>to construct a</b></p>

	<p><b>three, four and five story multi-family residential building for " PDG - GERMANTOWN "</b>. Appellant appealed the 1) 2006 IBC - section 706.4 require fire walls to have a fire resistance rating of not less than four (4) hours as per local amendment. ;2) 2006 IBC - section 1007.3 require that in order for exit stairways to be considered part of an accessible means of egress, an exit stairway shall have a clear width of 48 inches minimum between handrails and shall incorporate an area of refuge within an enlarged floor-level landing or shall be accessed from either an area of refuge complying with section 1007.6 or a horizontal exit. ; 3) 2006 IBC - section 1026.1 require every sleeping room on the first, second, third and fourth story or within basements of group r occupancies shall have at least one operable window or exterior door approved for emergency egress or rescue. Such opening shall open directly into a public street, public alley, yard or court as per local amendment.</p>
<p><b>2015B-48</b></p>	<p><b>Simon Barrow</b>, appellant for the property located at <b>5652 Granny White Pike</b> , being further identified as being map / parcel <b>15900026400</b>, appeals the decision of the Director of Codes and Building Safety as it applies to the construction of <b>40000 s.f. two story addition to existing church</b>. Appellant appealed the IBC 1104.5 states 'accessible routes shall coincide with or be located in the same area as a general circulation path. Where the circulation path is interior, the accessible route shall also be interior. IBC 1106.6 states "accessible parking spaces shall be located on the shortest accessible route of travel from adjacent parking to an accessible building</p>



	<p>entrance....where buildings have multiple accessible entrances with adjacent parking, accessible parking spaces shall be dispersed and located near the accessible entrances."</p>
<p><b>2015B-49</b></p>	<p><b>Bud Spiewak/Mark Bednarz</b>, appellant for the property located at <b>501 Church St</b>, being further identified as being map / parcel <b>09306108200</b>, appeals the decision of the Director of Codes and Building Safety as it applies to the to construct 45 story mixed use building consisting of apartments, condominiums and parking for" 505 Building " under Master Permit Application T201511196.. Appellant appealed the 2006 IBC and 2006 IFC - section 1017.4 prohibit the use of corridors to serve as supply, return, exhaust, relief or ventilation air ducts.</p>

V.

VI.

Minutes Approved: \_\_\_\_\_

Chairman

Date: \_\_\_\_\_

The meeting will be held at the “**DEVELOPMENT SERVICES CONFERENCE CENTER**” in the Metro Office Building at 800 2nd Ave. So.