

## APPEALS

### BOARD OF FIRE AND BUILDING CODE APPEALS

<b>DATE:</b>	<b>TUESDAY- October 13, 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 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-68</b></p>	<p><b>Andrew M Stone</b>, appellant for the property located at <b>7934 River Road Pike</b>, being further identified as being map / parcel <b>07800011000</b>, appeals the decision of the null as it applies to the proposed <b>New Single Family Residence</b> (unknown square footage). Appellant appealed the 2006 IFC appendix d103.2 requires fire apparatus access roads shall not exceed 10 percent in grade.</p>
<p><b>Deferred</b></p>	
<p><b>201B-69</b></p>	<p><b>Tim Carley</b>, appellant for the property located at <b>2102 Gallatin Pike</b>, being further identified as being map / parcel <b>02600012100</b>, appeals the decision of the Director of Codes and Building Safety as it applies to the Reference CACR 201445401: <b>to rehab and convert existing long john silvers to cook out restaurant</b>. Type 5-B Construction, Un-Sprinkled, ~2,699 sq ft, Group A-2, OL ~91.. Appellant appealed the 1.) ICC/ANSI a117.1-2003 section 604.3 clearance requires 56 inches minimum front clearance for a water closet measured perpendicular from the rear wall. 2.) ICC/ANSI a117.1-2003 section 606.2 clear floor space (and section 306.3) requires knee and toe clearance beneath an element between 9 inches and 27 inches above the floor....</p>
<p><b>Deferred</b></p>	
<p><b>2015B-76</b></p>	<p><b>Jonathan Torode/Arthur Holmer</b>, appellant for the property located at <b>1903 Division St</b>, being further identified as being map / parcel <b>09216026100</b>, appeals the decision of the Director of Codes and Building</p>

	<p>Safety as it applies to <b>rehab existing structure and construct a new addition with deck for a restaurant.</b></p> <p>Appellant appealed the 2006 IBC - table 704.8 does not allow unprotected or protected openings where the fire separation distance is between 0 feet to 3 feet; 2) 2006 IBC- table 602 require a 1 hour fire rated exterior wall where located less than 5 feet from a property line for assembly occupancies</p>
<b>Deferred</b>	
<b>2015B-77</b>	<p><b>Bobby Huffine</b>, appellant for the property located at <b>3134 Dickerson Pike</b>, being further identified as being map / parcel <b>06004011200</b>, appeals the decision of the Director of Codes and Building Safety as it applies to the <b>appealing clear floor space at sink</b>. Appellant appealed the retail occupancy-3200sf appeal covers two toilets - 2003 ANSI a117.1 606 lavatories and sinks section 606.2 clear floor space. a clear floor space complying with section 305.3 (30"x48"), positioned for forward approach shall be provided.</p>
<b>2015B-79</b>	<p><b>Yancy Lovelace</b>, appellant for the property located at <b>1704 Dorothy Pl</b>, being further identified as being map / parcel <b>10408031100</b>, appeals the decision of the Director of Codes and Building Safety as it applies to the <b>Fire Separation Distance Appeal</b>. Appellant appealed the two story, 8360sf office building located in a historic district. Business occupancy-type 5 construction over storage occupancy s-1 (parking) type</p>

	<p>a1 construction, un-spinkled. per 2006 IBC table 704.8 maximum area of exterior wall openings-1)does not allow opening within 3' to 5' of property line. 2) Allows only 10% wall openings between 5' and 10' of property line.</p>
<p><b>2015B-80</b></p>	<p><b>Rick Shepherd</b>, appellant for the property located at <b>70 Music Sq W</b>, being further identified as being map / parcel <b>10404024100</b>, appeals the decision of the Director of Codes and Building Safety as it applies to <b>residential below the podium and areas of refuge</b>. Appellant appealed the 230 unit apartment development r-2 occupancy type 3a construction type over a 3 hour podium with 294 space parking garage s-2 occupancy type 1a construction type below. 1) 2006 IBC 509.2 exceptions: 2) multiple group a uses, each with an occupant load of less than 300, or group b or m uses shall be permitted, in addition to those uses incidental to the operation of the building (including storage areas), provided that the entire structure below the horizontal assembly is protected throughout by an approved automatic sprinkler system. 2)2006 IBC 1007.3 exit stairways. in order to be considered part of an accessible means of egress, an exit stairway shall have a clear width of 48 inches (1219 mm) minimum between handrails and shall either 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.`</p>

<p><b>2015B-81</b></p>	<p><b>Ken Koett</b>, appellant for the property located at <b>111 Acklen Park Dr</b>, being further identified as being map / parcel <b>10402041300</b>, appeals the decision of the Director of Codes and Building Safety as it applies to the new R-2 development known as <b>Westmont Apartments</b> under construction per 201313574. Appellant appealed the 1) ICC/ANSI a117.1-2003 604.5.1 fixed side wall grab bars. Fixed sidewall grab bars shall be 42 inches minimum in length, located 12 inches maximum from the rear wall and extending 54 inches minimum from the rear wall. 2) ICC/ANSI a117.1-2003 404.2.3.1 swinging doors. Swinging doors shall have maneuvering clearances complying with table 404.2.3.1. 48" maneuvering clearance is required on the pull side latch approach.</p>
<p><b>2015B-82</b></p>	<p><b>Tracey Ford</b>, appellant for the property located at <b>1610 21st Ave S</b>, being further identified as being map / parcel <b>10408012800</b>, appeals the decision of the Director of Codes and Building Safety as it applies to the construction of a <b>new multi-use multi-family facility</b>. Appellant appealed the IBC 704.2 states 'projections shall not extend beyond the distance determined by the following two method, whichever results in the lesser projection: 1. a point one-third the distance to the lot line from an assumed vertical plane located where protected openings are required in accordance with section 704.8. 2. More than 12 inches into areas where openings are prohibited.</p>

<p><b>2015B-83</b></p>	<p><b>Chad Tuck</b>, appellant for the property located at <b>2305 Sterling Rd</b>, being further identified as being map / parcel <b>11702023600</b>, appeals the decision of the Director of Codes and Building Safety as it applies to the 2 single family residences. Appellant appealed the metro code of laws prohibits refund on a building permit since the permit has already been inspected and the permit has expired due to time restraints.</p>
<p><b>2015B-84</b></p>	<p><b>Lesley Beeman, Jr.</b>, appellant for the property located at <b>2948 Sidco Dr</b> , being further identified as being map / parcel <b>11816002800</b>, appeals the decision of the Director of Codes and Building Safety as it applies to the Reference CACR 201513200 Tenant fit-out minor exterior renovations, interior renovations and additions to an existing two story, ~17,351 sq. ft. concrete tee building for <b>Group A-2 and B uses with an occupant load of approximately 236, formerly used as an office building</b>. Appellant appealed the 2012 IBC 1109.2 toilet and bathing facilities. Each toilet and bathing room shall be accessible.</p>
<p><b>2015B-85</b></p>	<p><b>Paul J. Plummer</b>, appellant for the property located at <b>516 6th Ave S</b>, being further identified as being map / parcel <b>09310022800</b>, appeals the decision of the Director of Codes and Building Safety as it applies to construction of "<b>SIXTH AND LEA</b>" consisting of a <b>300 - unit apartment complex with attached parking</b></p>

	<p><b>garage and ground level retail.</b> Appellant appealed the</p> <p>1) 2006 IBC - section 403.3.1 allow in other than groups f-1, m and s-1 , type 1b construction shall be allowed to be reduced to type 2a. ; 2) 2006 IBC - table 503 allows r-2 occupancies of 11 stories which may be increased one story with sprinkler systems and unlimited area. ; 3) 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.</p>
<p><b>2015b-86</b></p>	<p><b>Troy Williams</b>, appellant for the property located at <b>501 Sylvan St</b>, being further identified as being map / parcel <b>09304007500</b>, appeals the decision of the Director of Codes and Building Safety as it applies to appealing the requirement for <b>clear space at dryer</b>. Appellant appealed the project consist of a 4 story, 68 unit apartment complex for MDHA. Residential r-2, 5a constuction, and fully sprinklered. ANSI a117.1 section 611.2 clear floor space. a clear floor space complying with section 305, positioned for parallel approach, and the centerline of the clear floor space shall be centered on the appliance.</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.