

MINUTES

BOARD OF FIRE AND BUILDING CODE APPEALS

DATE:	TUESDAY November 12, 2019	
TIME:	9:00 A.M.	
PLACE:	800 2nd Ave. So. Metro Howard. Conference Center	
<u>TERM EXPIRES</u>	<u>BOARD MEMBERS</u>	
3/1/2021	Rich McCoy - Chairman	Present
3/1/2021	Rodney Wilson - Vice Chairman	Present
3/1/2023	Randy Clark	Absent
3/1/2021	John Finch	Present
3/1/2021	Cal Nielson	Present
3/1/2022	Jonathan Woodside	Absent
3/1/2022	Christopher Bainbridge	Absent
3/1/2023	John Cloninger	Present
3/1/2023	Phil Ponder	Present
I.	Macy Amos, Byron Hall, Joe Almond, Wade Hill and Barbara Sloss	
II.		
III.		

2019-0045724	<p>Kline Swinney Associates, appellant for the property located at 610 DEW ST 37206, being further identified as being map/parcel 09304013700, appeals the decision of the Director of Codes and Building Safety as it applies to the proposed 2 apartment buildings with 4 stories each with podiums and approximately 100,000sf each. Appellant appealed the 2012 IBC 1203.2 Attic spaces. Enclosed attics and enclosed rafter spaces formed where ceilings are applied directly to the underside of roof framing members shall have cross ventilation for each separate space by ventilation openings protected against the entrance of rain and snow. Blocking and bridging shall be arranged so as not to interfere with the movement of air. An airspace of not less than 1 inch shall be provided between the insulation and the roof sheathing. The net free ventilating area shall not be less than 1/150th of the area of the space ventilated</p>	
Present	<p>NO SHOW- Motion to deny – Wilson/Ponder – DENIED 6/0</p>	s
2019-0045989	<p>Kelly Cathey, appellant for the property located at 12770 El Camino Ste 200, being further identified as being map/parcel 93050A00100CO, appeals the decision of the Director of Codes and Building Safety as it applies to the proposed To construct Nashville Yards Gardendale Tower 1 and Parking Garage Appellant Appealed the Applicant to appeal the following 2012 IBC requirements and proposes following modifications as allowed in the 2018 IBC. Appeal #1) 2012 IBC - [F] 403.3.2 Water supply to required fire pumps. Required fire pumps shall be supplied by connections to no fewer than two water mains located in different streets. Appeal #2) 909.21.1 Pressurization requirements. Elevator hoist ways shall be pressurized to comply with the 2012 International Building Code. Appeal #3) 2012 IBC 3007.1 General. Where required by Section 403.6.1, every floor of the building shall be served by fire service access elevators complying with Sections 3007.1 through 3007.10. Appeal #4) 2012 IBC 3007.7.1 Access. The fire service access elevator lobby shall have direct access to an enclosure for an interior exit stairway.</p>	
	<p>APPELLANT WITHDREW APPEAL</p>	

2019-0051937	<p>Brandon Bell, appellant for the property located at 3419 MURPHY RD 37203, being further identified as being map/parcel 10406005800, appeals the decision of the Director of Codes and Building Safety as it applies to the proposed 15-story R-2 Apartment structure and a 12-story R-1 Hotel above a 4-Story below grade S-2 Pa. Appellant appealed the IBC [F] 403.3.2 Water Supply to required fire pumps. Required fire pumps shall be supplied by connections to no fewer than two water mains located in different streets.</p>	
Present	<p>Brandon Bell, Levi Sciara – Motion to approve with stips to have interconnected water supply lines connecting two buildings for redundancy – Wilson/Ponder – APPROVED WITH STIPS 6/0</p>	
2019-0052202	<p>Victoria Parker, appellant for the property located at 1701 GRAND AVE 37212, being further identified as being map/parcel 10404012800, appeals the decision of the Director of Codes and Building Safety as it applies to the proposed appeal for a future 10-story commercial office tower, mixed-use retail and parking garage project - Appellant Appealed the Per 2012 IBC Section 1024, Luminous Egress Path Markings -- required in high-rise buildings of this occupancy type</p>	
Present	<p>Victoria Parker – Motion to approve – Wilson/Ponder – APPROVED 6/0</p>	
2019-0058456	<p>Roy Hasle, appellant for the property located at 1001 16TH AVE S 37203, being further identified as being map/parcel 10404017300, appeals the decision of the Director of Codes and Building Safety as it applies to the proposed 72,772 sf hotel building with parking structure on lower levels, 1 below grade and 2 above. Appellant appealed the 2012 IBC 510.2 horizontal building separation allowance. A building shall be considered as separate and distinct buildings for the purpose of determining area limitations, continuity of firewalls, limitations of number of stories and type of construction where all of the following conditions are met: 1..., 2. The building below the horizontal assembly is not greater than one story above grade plane. 3-7...</p>	
Present	<p>Breck Hamn – Motion to approve – Wilson/Ponder –</p>	

	APPROVED 6/0	
2019-0058957	Rootarch, PLLC , appellant for the property located at 3206 B WEST END CIR 37203 , being further identified as being map/parcel 104023T90000CO , appeals the decision of the Director of Codes and Building Safety as it applies to the proposed 4 Townhomes 2 Duplexes with driveway and raised walkway between. Appellant appealed the 2012 IRC Table R302.1(1) Exterior Walls - 1 hour fire rating is required when the fire separation distance is less than 5' and no wall openings are allowed when the fire separation distance is less than 3'.	
Present	John Root – Approved with stip to provide a 13 R dry pipe sprinkler system below deck that was created – Wilson/Finch – APPROVED WITH STIPS 6/0	
2019-0060500	Mindy Beth Johnson , appellant for the property located at 269 RIVERSIDE DR 37206 , being further identified as being map/parcel 08311015700 , appeals the decision of the Director of Codes and Building Safety as it applies to the proposed Short term rental permit application . Appellant appealed the 2012 IRC Section R310 Emergency Escape and Rescue Openings. R310.1.2 Minimum Opening Height. The minimum net clear opening height shall be 24 inches.	
Present	Mindy Johnson – Motion to Deny – Finch/Ponder – DENIED 6/0	
2019-0061821	Cara Grzelak , appellant for the property located at 2943 JENRY DR 37214 , being further identified as being map/parcel 085140B00400CO , appeals the decision of the Director of Codes and Building Safety as it applies to the proposed Construction of single-family residence. Appellant appealed the 2012 IRC Section R305 Ceiling Height. R305.1 Minimum Height. Habitable space, hallways, bathrooms, toilet rooms, laundry rooms and portions of basements containing these spaces shall have a ceiling height of not less than 7 feet. Exception: 1) For rooms with sloped ceilings, at least 50 percent of the required floor area of the room must have a ceiling height of at	

	least 7 feet and no portion of the required floor area may have a ceiling height of less than 5 feet.	
	No Show – Motion to Defer til December 10, 2019 meeting – Wilson/Finch – DEFER 6/0	
20190062463	Rebecca Shew , appellant for the property located at 7114 CHARLOTTE PIKE 37209 , being further identified as being map/parcel 10200006500 , appeals the decision of the Director of Codes and Building Safety as it applies to the proposed construction of R-2 Occupancy multi-family of Type 5A construction, five total structures. Appellant appealed the 2012 IBC Section 505 Mezzanines, 505.2.1 Area Limitations. The aggregate area of a mezzanine or mezzanines within a room shall be not greater than one third of the floor area of that room or space in which they are located.	
Present	Rebecca Shew – Motion to approve – Wilson/Ponder – APPROVED 6/0	
2019-0064552	J. Kent Marshall , appellant for the property located at 1221 BROADWAY 37203 , being further identified as being map/parcel 09309015500 , appeals the decision of the Director of Codes and Building Safety as it applies to the proposed future 24-story multi-tenant office tower with parking garage above and below grade. Appellant appealed the following - (1) IBC 2012 definition of Fire Separation Distance, specifically distance being measured to the centerline of an alley; (2) IBC 2012 403.3.2 Fire pump water supply provided by no fewer than two water mains; (3) IBC 2012 909.21.1 specific elevator hoist way pressurization requirements; (4) IBC 2012 3007.1 requires fire service elevator to serve every floor; (5) IBC 2012 3007.7.1 fire service access elevator lobby shall have direct access to an enclosure for an interior exit stairway	
Present	Brian Hatfield, Kent Marshall – Motion to approve – 1. Approved – Wilson/Ponder – APPROVED 6/0 2. Approved with stip to add a second waterline from Broadway for fire pump – Wilson/Ponder – APPROVED WITH STIPS 6/0 3. Approved – Wilson/Cloninger – APPROVED 6/0 4. APPROVED – Wilson/Ponder –	

	APPROVED 6/0 5. Approved – Ponder/Wilson – APPROVED 6/0	
2019-0064953	<p>DAAD-Group, appellant for the property located at 1131 4TH AVE S 37210, being further identified as being map/parcel 10503033100, appeals the decision of the Director of Codes and Building Safety as it applies to the proposed 196,000sf 5 story Construction Type 4 office building. Appellant appealed the 2012 IBC 602.4 Type 4 construction (heavy timber, HT) is that type of construction in which the exterior walls are of noncombustible materials and the interior building elements are of solid or laminated wood without concealed spaces. The details of Type 4 construction shall comply with the provisions of this section. Fire retardant treated wood framing complying with section 2303.2 shall be permitted within exterior wall assemblies with a 2 hr. rating or less. Minimum solid sawn nominal dimensions are required for structures built using Type 4 construction (HT). For glued-laminated members the equivalent net finished width and depths corresponding to the minimum nominal width and depths of solid sawn lumber are required as specified in table 602.4</p>	
Present	Dale Brackeen – Motion to approve with stip must meet all Cross Laminated requirements of the 2018 IBC – Finch/Wilson – APPROVED WITH STIPS	
2019-0065421	<p>Mark Bixler, appellant for the property located at 50 MUSIC SQ W 37203, being further identified as being map/parcel 092160F00100CO, appeals the decision of the Director of Codes and Building Safety as it applies to the proposed new R-1 Hotel with ground floor food & beverage. Appellant appealed the 2012 IBC 510.2 Horizontal building separation allowance. A building shall be considered as separate and distinct buildings for the purpose of determining area limitations, continuity of fire walls, limitation of number of stories and type of construction where are of the following conditions are met: 1 buildings are separated with a horizontal assembly having a fire-resistance rating of not less than 3 hours, 2. The building below the horizontal assembly is not greater than one story above grade plane. 3....., 4....., 5..., 6....., 7.....</p>	

	NO SHOW – Motion to defer til December 10, 2019 meeting – Nielson/Finch – DEFERRED 6/0	
2019-0066080	Mike Howard , appellant for the property located at 0 COWAN ST 37207 , being further identified as being map/parcel 082100A00300CO , appeals the decision of the Director of Codes and Building Safety as it applies to the proposed future 7-story mixed-use residential apartment with ground level retail development with parking. Appellant appealed the - IBC 2012, Section 510.2 Horizontal building separation allowance, Item 2: The building below the horizontal assembly is not greater than one story above grade plane.	
Present	Mike Howard and Toigun Far – Motion to approve – Wilson/Ponder – APPROVED/6/0	
2019-0066097	Mike Howard , appellant for the property located at 0 COWAN ST 37207 , being further identified as being map/parcel 082100A00400CO , appeals the decision of the Director of Codes and Building Safety as it applies to the proposed future 7-story mixed-use residential apartment with ground level retail development with parking garage. Appellant appealed the following -- IBC 2012, Section 510.2 Horizontal building separation allowance, Item 2: The building below the horizontal assembly is not greater than one story above grade plane.	
Present	Mike Howard and Toigun Far – Motion to approve Wilson/Ponder – APPROVED 6/0	
2019-0066119	Phelan Stow-IT, LLC , appellant for the property located at 7860 LEARNING LN 37221 , being further identified as being map/parcel 15500009000 , appeals the decision of the Director of Codes and Building Safety as it applies to the proposed 3 story 71,290sf self storage facility . Appellant appealed the 2012 IBC 1109.12.3 point of sale and service counters. Where counters are provided for sales or distribution of goods or services, at least one of each type provided shall be accessible. 2009 ICC A117.1 section 904 Sales and Service Counter 904.3.1 Parallel Approach. A portion of the counter surface 36 inches minimum in length and 36 inches maximum in height above	

	the floor shall be provided. 904.3.2 Forward Approach A portion of the counter surface 30 inches minimum in length and 36 inches maximum in height above the floor shall be provided.	
	No Show – Motion to defer til December 10, 2019 meeting – Wilson/Ponder – APPROVED 6/0	
2019-0066217	Gennadi Kaboulov , appellant for the property located at 700 TRAL ST 37208 , being further identified as being map/parcel 081083K00100CO , appeals the decision of the Director of Codes and Building Safety as it applies to the proposed new 18 unit townhouse development in 3 buildings per master permit 2018024419 and separate building permit. Appellant appealed the 2012 IRC R311.3 Floors and landings at exterior egress doors. There shall be a landing or floor on each side of each exterior door. The width of each landing shall be not less than the door served. Every landing shall have a minimum dimension of 36 inches measured in the direction of travel.	
Present	Gennadi Kaboulov – Motion to deny – Finch/Ponder – DENIED 6/0	
2019-0067031 Motion _____ 1st _____ 2nd _____	CBD Yerbabuena LLC , appellant for the property located at 4536 NOLENSVILLE PIKE 37211 , being further identified as being map/parcel 14711003400 , appeals the decision of the Director of Codes and Building Safety as it applies to the proposed 1200sf Mercantile CDB Yerbabuena llc Appellant appealed the local amendments to the 2012 IBC 2002.7 Public Facilities. Customers, patrons, and visitors shall be provided with public toilet facilities in structures and tenant spaces intended for public utilization. Public toilet facilities shall be located not more than one story above or below the space required to be provided with public toilet facilities and the path of travel to such facilities shall not exceed a distance of 500 feet. The path of travel to the public facilities shall not pass through a stock room or similar room.	
	APPEAL WITHDRAWN	

V.

VI.

VII.

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.