



# The Metropolitan Government of Nashville and Davidson County

## Board of Fire and Building Code Appeals

Meeting Date:	<b>Tuesday – May 10, 2022</b>
Place:	Development Service Conference Center- Metro Office Building-800 2 <sup>nd</sup> Ave South
Time:	9:00 A.M.

FIRE AND BUILDING BOARD MEMBERS	MEMBER TERM EXPIRES	MEMBER ATTENDANCE	STAFF PRESENT
Rich McCoy John Finch-Vice Chairman Christopher Bainbridge Cal Nielson Phil Ponder Marina Ntoupi Jonathan Woodside Vacant	March 1, 2022 March 1, 2022 March 1, 2025 March 1, 2022 April 1, 2025 March 1, 2022	Present Absent Present Present Present Present Present	Terresita Burkes Barbara Demonbreun Wade Hill Macy Amos Byron Hall Theresa Hayes

AGENDA TOPICS
<ul style="list-style-type: none"> <li>I. Call Meeting To Order</li> <li>II. Appeal Cases</li> <li>III. Other Business</li> <li>IV. Approval of Last Month’s Minutes</li> <li>V. Adjournment</li> </ul>

I. CALL THE MEETING TO ORDER

II. <b><u>APPEAL CASES</u></b>
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**Appeal Case No. 20210068922**

Site Address: **111 C Sadler Court  
NASHVILLE, TN 37210**

Represented by: Saul Solomon  
Vincent Gioiella

Map/Parcel Number: 106134C90000CO

**Appellant: Vincent M. Gioiella**

Parcel Owner: O.I.C. 111 Sadler Court Townhomes

**Code Provision:** 2012 IFC 503.1.2 Additional access. The fire code official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access. 2018 NFPA 1 section 18.2.3.3 Multiple Access Roads. More than one fire department access road shall be provided when it is determined by the AHJ that access by a single road could be impaired by vehicle congestion, condition of terrain, climate conditions, or other factors that could limit access.

**Applicant Appeals:** Property is zoned: R6: One and two Family - (6,000 Square Foot Lot) / Multi-Ovly: and the lot size is 7,841 square feet, fitting the documented criteria to build two. It was not flagged before I purchased it and codes have not been changed. It was rejected stating 'new construction not allowed due to health, safety and general welfare concerns with rail traffic blocking access to the development'. If that is the case, there is no difference building one instead of two.

**Case is being remanded originally heard November 9, 2021**

Discussion:

Motion: **Approve  
w/Stipulation**  
First: Bainbridge  
Second: Ponder

Approved / Denied  
**Approved w/Stipulation  
6-0  
Sprinkler both units**

**Appeal Case No. 20220021127**

Site Address: **410 Chestnut Street  
Nashville, TN 37203**

Represented by: Erin Asa  
Derrick Schmidt

Map/Parcel Number: 10503033100

**Appellant: Erin Asa**

Parcel Owner: Nashville Phase II Property Holder, LLC

**Code Provision:** 2018 IBC Section 2411 Heavy Timber Construction, 2304.11.3 Floors. Floors shall be without concealed spaces.

**Applicant Appeals:** Appellant wishes to incorporate clarifications on this as offered in the 2021 IBC

**Case deferred from 4/12/22 meeting- meeting was cancelled due to no quorum**

Discussion:

Motion: **Approve**  
  
First: Nielson  
Second: Bainbridge

Approved / Denied:  
  
**Approved  
6-0**

**Appeal Case No. 20220021713**

Represented by: Ted Kromer

Site Address: **202 6<sup>th</sup> Avenue North  
Nashville, TN 37219**

Map/Parcel Number: 09306102600

**Appellant: Ted Kromer**

Parcel Owner: Cornerstone Associates, LLC

**Code Provision:** The 2018 IBC - Table 705.8 does not allow any openings in exterior walls with a fire separation distance of 0 feet to less than 3 feet.

**Applicant Appeals:** Appellant proposes to have openings for windows in exterior wall located on the property line with no fire separation distance.

**Case deferred from 4/12/22 meeting -meeting was cancelled due to no quorum**

Discussion:	Motion: <b>Deny</b>  First: Ntoupi Second: Bainbridge	Approved / Denied:  <b>Denied 5-1</b>
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**Appeal Case No. 20220021799**

Represented by: Matt Vineyard  
Mark Hults

Site Address: **1320 Adams Street  
Nashville, TN 37208**

Map/Parcel Number: 08209025100

**Appellant: Matt Vineyard**

Parcel Owner: Neuoff Owner, LLC

**Code Provision:** IBC2012 1024.1 General. Luminous egress path markings. Approved luminous path markings delineating the exit path shall be provided in high rise buildings of Group A, B, E, I, M, and R-1 occupancies in accordance with Sections 1024.1 through 1024.5.

**Applicant Appeals:** Applicant proposes alternate to luminous strips

**Case deferred from 4/12/22 meeting -meeting was cancelled due to no quorum**

Discussion:	Motion: <b>Approve / With Stipulation</b>  First: Bainbridge Second: Nielson	Approved / Denied: <b>Approved/ With stipulation</b>  <b>Directional markings</b>
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**Appeal Case No. 20220023595**

Represented by: Curtis Lesh

Site Address: **209 Broadway  
Nashville, TN 37201**

Map/Parcel Number: 09306404500

**Appellant: Curtis Lesh**

Parcel Owner: BB Broadway, LLC

**Code Provision:** The 2018 IBC - Section 505.2.1 limits the aggregate area of a mezzanine or mezzanines in Type IV construction to one third of the floor area of that room or space in which they are located.

**Applicant Appeals:** Appellant proposes to construct mezzanine greater than one third of the floor area as allowed per 2018 IBC - Section 505.2.1.

Discussion:	Motion: <b>Deny</b>  First: Bainbridge Second: Ntoui	Approved / Denied:  <b>Denied 6-0</b>
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**Appeal Case No. 20220027931**

Represented by: Billy Austin  
Ross Kirby

Site Address: **1806 Division Street  
Nashville, TN 37203**

Map/Parcel Number: 09216021900

**Appellant: Billy Austin**

Parcel Owner: Sounds Perfect, LLC

**Code Provision:** Per the 2018 NFPA 1 Fire Code, as adopted and amended by Metro Nashville, Section 18.2.3.3 New residential developments of multi-family dwellings, apartments, and townhouses with more than 100 dwelling units shall provide two separate and remote fire department access roads (except where equipped with an approved automatic sprinkler, where the total dwelling units can increase to 200). •Per the 2018 NFPA 1 Fire Code, as adopted and amended by Metro Nashville, Section 18.2.3.5.1: Where the vertical distance between the lowest level of fire department access and the highest roof surface exceeds 30 feet, approved aerial fire apparatus access roads in accordance with 18.2.3.5.1.1 shall be provided. •Per the 2018 NFPA 1 Fire Code, as adopted and amended by Metro Nashville, Section 18.2.3.5.1.1, amendments (2) and (3): Aerial fire apparatus roads shall be positioned parallel to the entire longest side of the building. The AHJ shall determine which side and locations of the required access road. Overhead utility lines or other obstructions shall not be located over aerial fire apparatus roads or between the fire apparatus access and the building.

**Applicant Appeals:** Applicant appeals requirements of noted 2018 NFPA 1 Sections related to aerial fire apparatus roads: The proposed project is a Type IA construction, 32-story high-rise comprised of approximately 220 residential units and some commercial studio space. Developed properties on three (3) sides, as well as overhead utility and power lines along the Division Street frontage, surround the proposed project. Because the project has no recourse for compliance with 18.2.3.3 (provision of two fire apparatus access roads), and because

the project will be served by fire service access elevators and elevator lobbies for fighting fires from within the building, as is typical for high rises of this scale, the applicant requests relief from the requirement that the single fire apparatus access road that can be provided along Division Street must also serve as an aerial apparatus access.

Discussion:

Motion: **Deny**

Approved / Denied:

First: Bainbridge  
Second: Ponder

**Denied  
6-0**

III. OTHER BUSINESS

Approval of Minutes:

Changes:  
Approval By:

Signature of Chairman \_\_\_\_\_

IV. MOTION FOR ADJOURNMENT: