



The Metropolitan Government of Nashville and Davidson County

Board of Fire and Building Code Appeals

Meeting Date: **Tuesday – April 11, 2023**
 Place: Development Service Conference Center- Metro Office Building- 800 President Ronald Reagan Way
 Time: 9:00 A.M.

FIRE AND BUILDING BOARD MEMBERS	MEMBER TERM EXPIRES	MEMBER ATTENDANCE	STAFF PRESENT
Andy Berry Ilke Hanloser Cal Nielson Marina Ntoupi - Chairman Tim Prow -Vice Chairman Devinder Sandhu Christopher Dunn Vacant Vacant	July 20, 2025 July 19, 2026 March 1, 2025 April 1, 2025 July 19, 2026 July 20, 2025 March 1, 2027	Present Absent Present Absent Present Present Present	Shannon Roberts Tessa Oritz-Marsh Macy Amos Joe Almon Maggie Lawrence Scott Summerville John Tyler Theresa Hayes

AGENDA TOPICS

- I. Call Meeting To Order
- II. Appeal Cases
- III. Other Business
- IV. Approval of Last Month’s Minutes
- V. Adjournment

I. CALL THE MEETING TO ORDER

II. APPEAL CASES

Appeal Case No. 20230019491

Represented by: Mark Bixler

Site Address: **97 Wallace Road
Nashville, TN 37211**

Map/Parcel Number: 13400031400

Appellant: Mark Bixler

Parcel Owner: SAI Partnership

Code Provision: Per 2018 IEBC 305.4.2 requirements, a complete change of occupancy requires Type B dwelling units on accessible floor levels, per IEBC 305.4, Exception not applying as work exceeds 50% of the building area.

Applicant Appeals: Due to existing conditions and room layouts, it is not feasible to convert all of the first floor units to Type B type, as extensive renovation work would be necessary to comply with the requirements - there are Type A units that will be provided, and proposal is to convert as many units as feasible to Type B units.

Discussion:

Stipulation :

**Remove door in all first floor Bathrooms (from vanity-tub-shower toilet compartment)
1st floor 9 units -type B modified (to remove wall between vanity and toilet) and to include 3 type A units as proposed**

Motion: Approve w/Stipulation

First: Berry
Second: Sandhu

Approved / Denied:

**Approved
w/Stipulation
5-0**

Appeal Case No. 20230019572

Represented by: Alan Lowe
Mark Booker

Site Address: **1214 Church Street
Nashville, TN 37246**

Map/Parcel Number: 09305012200

Appellant: Kevin Hensley

Parcel Owner: Metro Gov't NE Power Board

Code Provision: NFPA 30A section 4.3.2.3 limits above ground gasoline storage to 12,000 gallons.

Applicant Appeals: Appellant proposes replacing a 20,000-gallon underground diesel storage tank and a 20,000 gallon underground gasoline tank with above ground equivalent storage tanks. This level of storage is required for the operations of NES.

Discussion:

Stipulation:

**SPCC should reflect changes of new tank farm.
Quarterly communications with fire marshals office
Fire Marshals office to be informed of Haz Mat chain of command.**

Motion: Approve w/stipulation

First: Sandhu
Second: Dunn

Approved / Denied:

**Approved
w/Stipulation
5-0**

Appeal Case No. 20230019656

Site Address: **322 22nd Avenue North
Nashville, TN 37203**

Represented by: Steve Verner
Patrick Gerhart

Map/Parcel Number: 09211027500

Appellant: Patrick Gerhart

Parcel Owner: Murphy Avenue General Partnership

Code Provision: Per IBC 1028.1 Exit Discharge requirements: 'Exits shall discharge directly to the exterior of the building' ... this exit discharges underneath the second story of the building and travels almost 50 feet underneath the second story of the building before clearing and reaching a sidewalk

Applicant Appeals: Applicant believes they can provide a safe and protected exit discharge not at the perimeter but under a portion of the building through daylighting, sprinkler coverage, and appropriate fire rated construction.

Discussion:

Motion: Approve

Approved / Denied:

First: Nielson
Second: Berry

Approved
5-0

Appeal Case No. 20230019292

Site Address: **222 4th Avenue North
Nashville, TN 37219**

Represented by: Remick Moore

Map/Parcel Number: 09302316000

Appellant: Remick Moore

Parcel Owner: Connor Venture, LLC

Code Provision: #1, #2 IBC 1011.5.2 Riser Height and Tread Depth. Stair riser heights shall be 7' maximum and 4' minimum. #3 IBC Section 1015 Guards, 1015.3 Height. Required guards shall be not less than 42' high, measured vertically... from adjacent walking surfaces. (The dimensions listed are in inches, not in feet the software changed the symbology on me)- Per plans examiner.

Applicant Appeals: #1 There is a stair with 8 risers leading to a raised dining level on the first floor, that are 7 1/2' each in height as constructed. The applicant seeks permission to keep this stair as it is built. #2 First floor stair to a mezzanine has been constructed with risers 7 3/8' in height typical, with the first riser being 7 3/4' in height. The applicant seeks permission to keep this stair as it is built. #3 The guardrail at the edge of the mezzanine is 36' high as installed. The applicant seeks permission to keep this rail assembly as it is built. (The dimensions listed are in inches, not in feet - the software corrupted my symbology)- Per plans examiner.

Discussion:	Motion: Deny First: Berry Second: Nielson	Approved / Denied: <u>Denied</u> <u>5-0</u>
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<u>Appeal Case No. 20230020443</u>		Represented by: Robert J. Ruggles
Site Address: 2506 Dickerson Pike Nashville, TN 37207		
Map/Parcel Number: 07103017100		
Appellant: Robert J. Ruggles		
Parcel Owner: Dickerson Pike Self Storage, LLC		
<p>Code Provision: #1, #2) IBC 2902.3.3 Location of toilet facilities in occupancies other than malls. In occupancies other than covered and open mall buildings, the required public and employee toilet facilities shall be located not more than one story above or below the space required to be provided with toilet facilities, and the path of travel to such facilities shall not exceed 500 feet.</p> <p>#3) IBC 903.2.9 Group S-1. An automatic sprinkler system shall be provided throughout all buildings containing Group S-1 Occupancy where one of the following conditions exists: ... 5. A Group S-1 Occupancy used for storage of upholstered furniture or mattresses exceeds 2500 square feet.</p> <p>Applicant Appeals: #1) The applicant requests permission to provide 2 unisex restrooms located on the first floor of Building A to satisfy the plumbing fixture requirements for the entire site.</p> <p>#2) Building D has been revised from a single story to a 3 story S-1 climate-controlled building and the applicant wishes to forgo adding toilet facilities to this building per request #1 above.</p> <p>#3) The applicant seeks relief from this requirement, as the 2021 IBC has omitted condition no. 5 as a listed condition for sprinkler requirements. Buildings E and G currently incorporate fire walls to satisfy this requirement, which they would like to omit.</p>		

#1 and #2- Stipulation To add exterior restroom to building A	Motion: Approve w/stipulation First: Nielson Second: Dunn	Approved/Denied Approved w/ Stipulation 4-1 Oppose Oppose- Berry (for the record, Berry opposed #1 but good w/ #2)
#3 Sprinkler Requirement	Motion: Deny First: Prow Second: Berry	Approved/Denied Denied 5-0

III. OTHER BUSINESS		
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IV. Approval of Minutes: Changes: Approval By: Signature of Chairman _____	
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V. MOTION FOR ADJOURNMENT:		
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