



The Metropolitan Government of Nashville and Davidson County

Board of Fire and Building Code Appeals

Meeting Date: **Tuesday – November 14, 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 Ntoupri - 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 Present Present Present Present Present Present	Sam Rider Shannon Roberts John Tyler Tessa Ortiz-Marsh Joe Almon Theresa Hayes

- AGENDA TOPICS
- I. **Call Meeting To Order**
 - II. **Open Public Comment Period**
 - III. **Appeal Cases**
 - IV. **Other Business**
 - V. **Approval Of Last Month’s Minutes**
 - VI. **Adjournment**

I. CALL THE MEETING TO ORDER

II. OPEN PUBLIC COMMENT PERIOD

PERSONS WHO WISH TO COMMENT ON MATTERS THAT ARE GERMANE TO ITEMS ON THE AGENDA, MUST SIGN UP PRIOR TO THE BEGINNING OF THE MEETING. PLEASE SEE SECRETARY FOR SIGN UP SHEET.

III. APPEAL CASES

Appeal Case No. 20230066441

Site Address: **1 Terminal Drive
Nashville, TN 37214**

Represented by: Tommy Meek
Rawls Butler
Wes Hunt

Map/Parcel Number: 10700005000

Appellant: Theresa Lind

Parcel Owner: Metropolitan Nashville Airport Authority

Code Provision: Per IBC Table 2902.1, drinking fountains are required for this project; Per IBC 1109.5.1, not fewer than two drinking fountains shall be provided....one for persons in a wheelchair, one for persons standing.

Applicant Appeals: In lieu of the drinking fountains, appellant is requesting the substitution of a water tap be provided in the kitchen.

Case was deferred from October 10, 2023, due to did not have a quorum.

Discussion:

Motion: Approve

Approved / Denied:

First: Sandhu
Second: Berry

Approved
7-0

Appeal Case No. 20230070299

Site Address: **214 Pitts Avenue
Nashville, TN 37138**

Represented by: Allen Dixon
Jerel Sensenig

Map/Parcel Number: 05316000700

Appellant: Jerel Sensenig

Parcel Owner: C323 Investments, LLC

Code Provision: 2018 IRC Section R305.1 Minimum height. Habitable space, hallways, and portions of basements containing these spaces shall have a ceiling height of not less than 7 feet. Bathrooms, toilets rooms and laundry rooms shall have a ceiling height of not less than 6 ft 8 inches.

Applicant Appeals: Owner purchased house with intent of finishing and converting basement to livable square footage. The inspector directed us that we needed to maintain a 6'8" clearance for headspace along with contacting an engineer. After doing so, the clients spent a substantial amount of money on framing, electrical and plumbing we were told the height needed to be 7 feet. We are hoping to get the 6'8" clearance passed as livable square footage. The area also has its own exit along with an egress window.

Case was deferred from October 10, 2023, due to did not have a quorum.

Discussion:

Stipulation: *The Board grants the relief requested conditioned upon the property being utilized as a single-family residence, and not short-term rental or other revenue generating asset. To ensure future compliance with this conditional approval the Appellant shall record the results of the Board's ruling in the Register of Deeds Office of Davidson County to ensure that the ruling is a matter of public record. If the subject property at 214 Pitts Avenue, Nashville is used for any other purpose other than a single-family residence the conditional relief will be revoked and the appeal will be considered denied.*

Motion: Approve W/
stipulation

First: Berry
Second: Prow

Approved / Denied:

**Approved w/
Stipulation
7-0**

Appeal Case No. 20230071575

Represented by: Grayson Adams

Site Address: **1316 Adams Street
Nashville, TN 37208**

Map/Parcel Number: 08209025100

Appellant: Jeffery Pinkston

Parcel Owner: Neuhoff Owner, LLC

Code Provision: To appeal the following corridor restrictions for a return air path: 'Per IBC 1020.5 Air movement in corridors: Corridors shall not serve as supply, return, exhaust, relief, or ventilation air ducts'; the design intent is to not have a corridor ceiling due to the existing structural conditions.

Applicant Appeals: Applicant proposes an alternate design using smoke dampers and smoke detectors to restrict the passage of smoke into the corridors.

Case was deferred from October 10, 2023, meeting due to did not have a quorum.

Discussion:

Motion: Approve

Approved / Denied:

First: Nielson
Second: Hanloser

**Approved 6-1
1-Berry- Recused**

Appeal Case No. 20230080959

Represented by: Sam Luckino
Redley Welch
Phillip Sutherland
Sam Register

Site Address: **5 City Blvd.
Nashville, TN 37209**

Map/Parcel Number: 092140B00100CO

Appellant: Sam Luckino

Parcel Owner: OC Nashville LP

Code Provision: 2018 IBC Section 1025 requires the exit path in hi-rise buildings of Group A, B, E, I-1, M or R-1 occupancies to be provided with luminous egress path markings. IBC 1025.4 Self-luminous and Photoluminescent. Luminous egress path markings shall be permitted to be made of any material, including paint, provided that an electrical charge is not required to maintain the required luminance.

Applicant Appeals: Appellant seeks relief from this requirement and offers a proposed alternative design which includes emergency generator power and battery back-up to provide the levels of illumination required by IBC 1008.3.4 and 1008.3.5.

Discussion:

Motion: Approve

Approved / Denied:

First: Prow
Second: Nielson

**Approved
7-0**

Appeal Case No. 20230084368

Represented by: Aimee Middleton

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

Map/Parcel Number: 08209025100

Appellant: Aimee Middleton

Parcel Owner: Neuhoff Owner, LLC

Code Provision: Per 2012 IBC 1208.2 Minimum Ceiling Heights - Occupiable spaces, habitable spaces, and corridors shall have a ceiling height of not less than 7 feet 6 inches (same requirement in 2018 IBC 1207.2)

Applicant Appeals: Due to structural framing and the mechanical system, there are two units (one on the second floor and one on the sixth floor) with a portion of the ceiling at 7 feet 2 inches

Discussion:

Note: Correct Address is 1315 Adams Street

Motion: Approve

First: Hanloser
Second: Sandhu

Approved / Denied:

Approved

6-1

1- Denied-Nielson

Appeal Case No. 20230084300

Represented by: Brad Province

Site Address: **12872 Old Hickory Blvd.
Nashville, TN 37013**

Map/Parcel Number: 17500014000

Appellant: Tennessee Concrete Association

Parcel Owner: Tennessee Concrete Association

Code Provision: 2018 IBC Section 2902.1 Minimum number of fixtures. Plumbing fixtures shall be provided in the minimum number as shown in Table 2902.1 based on the actual use of the building or space.

Applicant Appeals: Applicant is proposing the use of portable toilet facilities due to lack of water and distance to sewer access.

Discussion:

Motion: Approve

First: Sandhu
Second: Dunn

Approved / Denied:

Approved

7-0

Appeal Case No. 20230084790

Site Address: **2930 Old Franklin Road
Nashville, TN 37013**

Represented by: Chad Jones
Chad Thomas
Nick Siragusa
Caleb Hensel

Map/Parcel Number: 17400020100

Appellant: Chad Jones

Parcel Owner: Feintool Tennessee, Inc.

Code Provision: Permit is to build 43,390 Square Foot addition to existing 128,775 Square Foot structure for F-1/F-2 manufacturing occupancy of 2-B Sprinklered construction. The existing building is too large for the construction type per current code table IBC 506.2, and the addition would be still larger. Provisions per IBC 507.4 for unlimited area buildings states: the area of a group B, F, M or S building no more than one story above grade plane of any construction type, shall not be limited where the building is provided with an automatic sprinkler system throughout in accordance with IBC Section 903.3.1.1 and is surrounded and adjoined by public ways or yards not less than 60 feet in width. One side of the existing building and the addition is approximately 40 feet from the property line, less than the minimum 60 feet per this code section. IBC 507.2.1 allows the reduction of the distance to 40 feet where all of the following requirements are met: 1. The reduced width shall not be allowed for more than 75 percent of the perimeter of the building. 2. The exterior walls facing the reduced width shall have a fire-resistance rating of not less than 3 hours. 3. Openings in the exterior walls facing the reduced width shall have opening protectives with a fire protection rating of not less than 3 hours.

Applicant Appeals: Appellant appeals the code requirements for unlimited area buildings to allow a portion of the new addition with a non-rated exterior wall and a Fire Separation Distance of less than 60 feet to the property line.

Discussion:

Motion: Deny

Approved / Denied:

First: Berry
Second: Hanloser

Denied
7-0

IV. **OTHER BUSINESS**

V. **APPROVAL OF MINUTES:**

Changes:

Approval By:

Signature of Chairman _____

VI. **MOTION FOR ADJOURNMENT:**