MINUTES OF THE
GATLINBURG BOARD OF APPEALS
SPECIAL CALL MEETING
November 14, 2019
Thursday 3:00P.M., CITY HALL

| MEMBERS PRESENT | MEMBERS ABSENT | OTHERS PRESENT |
|---|---|---|
| David Hadden | David Ogle | Jay DeFoe |
| Garry Shultz | | Clay McManus |
| Lonnie Privitt | | Alex Davis |
| Mike Smelcer | | |

STAFF REPRESENTATIVES
Mark Watson, Building Official
Penny Douglas, Executive Secretary

PETITIONS AND COMMUNICATIONS FROM THE PUBLIC

None

STAFF REPORT

None

OLD BUSINESS

None

NEW BUSINESS

**Review and consideration of a variance request by "HOBO Margaritaburg Sharks Too, LLC," from Section 805.3.1.1 #2, of the 2012 International Existing Building Code and Table 1004.1.2 of the 2012 International Building Code, for a proposed business located at 537 Parkway, C-1 Zone, requested by Trotter-DeFoe Architects.**

Single exit buildings. Section 805.3.1.1, exception 2 of the 2012 (IEBC) International Existing Building Code.
Maximum floor area allowances per occupant, Table 1004.1.2 of the (IBC) International Building Code.
BACKGROUND INFORMATION AND INTERPRETATION

The International Existing Building Code (IEBC) provides detailed provisions to identify the required improvements in existing building elements that are experiencing repair or renovation. A designer may choose to apply this code, or the prescriptive requirements found in Chapter 34 of the International Building Code to rehabilitate existing structures without compromising the minimum standards for fire prevention and life safety.

The proposed design will alter an existing second story business space into a restaurant/bar. According to the architect, the exit access travel distance is approximately 114 feet, as measured from the most remote point. IEBC section 805.4 will require a minimum of two egress doorways, unless the area is used as storage, or if the space complies with IEBC section 805.3.1.1. These provisions will allow a single exit for group B, F-2, and S-2 occupancies, provided the exit enclosure is of 1- hour fire resistance rated construction and the maximum travel distance from any point in the space does not exceed 75 feet.

Table 1004.1.2 of the IBC establishes a minimum occupant density based on the function or actual use of a space. Typically, an occupant load factor of one person per 15 square feet of net area is considered appropriate for assembly uses (restaurant or bar) when unconcentrated tables/chairs are provided for seating. However, the proposed design includes a fixed seating arrangement that will limit the occupant load to a maximum of 49. According to section 303.1.1 of the IBC, assembly spaces containing an occupant load of less than 50 are to be classified as a business use.

To summarize, in the architect's opinion, by replacing the existing egress ramp with a code compliant stair and posting a permanent seating diagram indicating a maximum occupant load of 49, the proposed alterations will not extend any existing non-conformity or create additional hazards for the building occupants.

Mr. Dave Hadden ask about the restaurant having to be ADA compliant. Mr. Jay DeFoe stated that it would have to be over 3,000 square feet in order to have to comply. Mr. Dave Hadden ask if there would be a second exit added. Mr. DeFoe stated there is no where for it to structurally go. Mr. Mike Smelcer ask if the Fire Dept. has looked at the building and what is their input. Mr. Mark Watson stated that the Fire Dept. has ask for a second exit. Mr. DeFoe ask if talking to the Fire Chief and see if the they would allow a sprinkler system to be added. Mr. Smelcer stated that approval would have to come from the Fire Dept. before the board would vote to approve. Mr. Watson stated any time a sprinkler system is added the Fire Dept. is likely to sign off on. Mr. Garry Shultz ask about the fire rating in between the walls and flooring. Mr. Shultz ask about the Full-service kitchen. Mr. DeFoe stated the kitchen would be fully sprinkled and the hood would be compliant to code. Mr. Defoe stated that there would be a men and womens restroom, windows would be changed so that they would be able to opened if needed and the kitchen would be moved to the very end of the building with a storage area.

After a brief discussion with the Board Members stating that there needed to be fire deptament approval before the Board could grant approval. Mr. Dave Hadden made a motion to Table the item until the Board gets a review from the Fire Department and Mr. Lonnie Privitt gave a second and all members voting "aye."

UNSCHEDULED ITEMS

None

ADJOURNMENT

With no further business to come before the Board, Mr. Dave Hadden made a motion to adjourn. Mr. Mike Smelcer provided a second, and by a unanimous vote the meeting was adjourned at 4:10 p.m.

**Approved:**

**BOA Chairman** 4/16/2020 **Date**