MINUTES OF THE
GATLINBURG BOARD OF APPEALS
SPECIAL CALL MEETING
January 9,2020
Thursday 3:00P.M., CITY HALL

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

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

The Gatlinburg Board of Appeals met in a special called meeting on January 9,2020, at 3:00 p.m., East Parkway, Gatlinburg City Hall. Chairperson Garry Shultz called the meeting to order at 3:00 p.m. A motion was made by Mr. Mike Smelcer to approve of the minutes of the previous meetings for September 12, 2019, Mr. Dave Hadden seconded the motion which passed unanimously with all members voting "aye."

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. (Item was Tabled on November 14, 2019)

Mr. Jay DeFoe was present to answer any questions about the updated plans for the "HOBO Margaritaburg Sharks Too, LLC. Mr. DeFoe stated that he has spoken to the Fire Department about the updated plans with the addition of a sprinkler system (less than 20 heads) that could tie to the domestic water supply. Mr. Dave Hadden ask if Mr. Mark Watson, Building Office has spoken to the fire Chief. Mr. Watson stated he had a verbal approval. Mr. Mike Smelcer and Mr. Dave Hadden ask if there could be something in writing from the Fire Chief. Mr. DeFoe stated that 49 occupants would be within the code of travel distance. Mr. Smelcer stated that 49 occupants would need to be posted at the door for the code and the owner would be liable. Mr. Defoe stated that the business would have to have 40 seats in order to obtain an ABC license from the state. The kitchen would have a hood with fire suppression and a sprinkler system would be installed throughout the structure. Mr. Mike Smelcer ask what the materials of construction would be. Mr. DeFoe stated they would be concrete with no combustible materials would be used. Mr. Mike Smelcer ask if this would be a Type 3 Construction.

After a brief discussion Mr. Mike Smelcer made a motion to grant the variance contingent on the following: replacing the existing non-conforming ramp with a code compliant stair; installation of a fire sprinkler system; limit the maximum occupant load to 49; letter of approval from the Fire Chief. Mr. Dave Hadden gave a second and all said, "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:

Gary Shields

BOA Chairman

4/16/2020

Date