

**MINUTES**  
**CITY OF KNOXVILLE, TN**  
**BUILDING BOARD OF ADJUSTMENTS AND APPEALS**  
**MEETING: FEBRUARY 22, 2010 -- 9:00 A.M.**  
**SMALL ASSEMBLY ROOM – CITY/COUNTY BUILDING, 400 MAIN STREET**

**MEETING WAS CALLED TO ORDER AT 9:03 A.M.**

**ROLL CALL**

Members present: Mary Ellis Richardson (Acting Board Chairman); Todd Duncan; John Gaddis; Vic Lawson; Paul Shirley; and Alternate David Smith.

Others in attendance: Tom Reynolds, Building/Zoning/Plans Review Chief; Sonny Partin, Fire Inspections; Gary Norman, Building Inspections Director; and Lisa Hatfield, City of Knoxville Law Department.

**APPROVAL OF MINUTES**

Board member Vic Lawson made the motion to approve and Board member Paul Shirley seconded. The Board voted 6-0 to **APPROVE** the October 16, 2009 meeting minutes.

**CONSENT ITEMS**

Items recommended for approval on consent are marked with (\*) and will be considered under one motion to approve. If it is determined that a consent item needs to be discussed, the item will be removed from the consent list after the entire consent list has been read, and the item will be heard as part of the regular agenda.  
**NONE**

**NEW BUSINESS**

**209 W. FIFTH AVENUE**  
OWNER: MATISSE CAPTIAL, LLC  
Requested by: LANCE E. CHAMPION

**BD02A10BU      2006 IBC, Sections 1012.4., 1012.5**

**Request:**  
Due to existing landing depth of 35 inches (+/-), request new handrails not continue to next flight, but terminate in line with tread at each flight.

**Lance Champion, Design Innovation Architects, said the existing building was under construction and the rear stairs of the building had a very minimal landing width. Mr. Champion said the existing stairs were wider than the landing width. Mr. Champion said in an effort to not encroach on that any further, they would like to request that the handrails, as they continue up and down the stairs to the landing, terminate instead of extending continuously as the Building Code would have them to do normally. Mr. Champion said this was so they do not decrease the width anymore.**

**Acting Board Chairman Mary Ellis Richardson asked Mr. Champion to point out what part of the application was pertinent to the photo. Mr. Champion said the existing rails were 24 inches in height and formed of two parallel pipes. Mr. Champion said they encroach into the wall between the two stairs. Mr. Champion said the proposed rails would be 34 inches on the wall all the way up and would terminate at the landing instead of extending to the landing. Mr. Champion said a wall would be built and the handrail would cut into the width of the landing. Mr. Tom Reynolds, Chief Building Inspector, asked if Mr. Champion wanted to terminate the handrail at a point and start another handrail down another way. Mr. Champion said that was correct. Mr. Champion said a wall would be built between the two stairs and the handrail would be mounted onto the wall. Mr. Champion said when the handrails**

come to the end, they would return to the wall instead of turning around. Mr. Champion said he did not know if it was decreasing the width of the stairs because the floor surface was not changing. Mr. Champion said when you get to the first floor, you can see how tight the area is and if you extend it in, that is about three more inches that would extend into the landing area. Mr. Champion said that landing would be about 35 inches width and the new wall would be built all of the way up. Mr. Champion said the existing railing would go away and you would have a wall-mounted handrail on either side of the wall.

Sonny Partin, Fire Inspections, asked if the only reason was because of the decrease in width. Mr. Champion said the other reasons the client noted were that you would basically have to fabricate a railing because when the stair treads align, you would have the up and down of the handrail. Mr. Champion said the fabrication element would add some cost and the client were trying to save money where they can. Mr. Champion said that was another benefit to be able to use a wall-mounted width handrail.

Tom Reynolds, Chief Building Inspector, said the photos spoke for themselves. Mr. Reynolds said anything they do will be an improvement over what they have. Mr. Reynolds asked if it was only this level where they would terminate the handrail. Mr. Champion said it would be all of the way up because it was very tight all of the way up. Mr. Champion commented the handrail would be returned to the wall so there would be no opening that could potentially be a hazard at the end of the handrail as far as moving around the stair. Mr. Reynolds said, if the only concern that Mr. Champion had was the inside handrail, he was not sure that the 12-inch extension applied to it anyway except at the top and the bottom. Mr. Champion said it would just be continuous because the 12-inch extension would result in the continuation of the handrail. Mr. Champion said that on either side they would have a wall-mounted handrail that would have the extensions. Mr. Reynolds asked if they were going to put handrails on the other side. Mr. Champion said that was correct. Mr. Sonny Partin, Fire Inspections, asked if the handrails on the other side would stop at the bottom of the stairs. Mr. Champion said that was correct. Mr. Champion said he had just misspoken and their plans did not show another handrail on the wall. Mr. Champion said that could be something they could discuss to which side they would put the handrail. Mr. Champion said if you put the handrail on the outside walls, they would not encroach of the width of the landing. Mr. Champion said he did not know if that was an alternative because they had not talked about that either. Mr. Champion said he was talking out of the hip and did not propose that.

Board member Ronnie Wade entered the meeting at this point.

Tom Reynolds, Chief Building Inspector, asked Mr. Champion if the other handrails would be code compliant. Mr. Champion said right now their plans did not show that as an alternative and he did not think about that when they submitted the request. Mr. Champion said he thought the code-compliant handrails were a good idea. Mr. Reynolds asked if the only thing they were asking for was the inside handrail and not anything to do with the outside handrail. Mr. Champion said that was correct. Mr. Reynolds said his concern would be the narrowing of the landing from the code standpoint and not the cost. Mr. Champion said the decrease of the landing was their concern as well. Mr. Reynolds said as long as the handrails were returned to the wall and there would not be anything to catch on, he would be okay with the request. Mr. Reynolds said it would be a vast improvement in the existing building. Mr. Reynolds said he would not oppose it as long as the handrails were returned to the wall and not left open to get caught on. Mr. Champion said he would make sure the handrails get returned to the wall.

Sonny Partin, Fire Inspections, asked Mr. Champion the widths of the stair and the landing. Mr. Champion said the stair width was 42 inches and the landing width varied between 35-36 inches as they went up. Mr. Champion said the landings were relatively consistent between the 35 and 36 inches. Mr. Partin said he did not find time to visit the location. Mr. Partin said he would agree with Mr. Reynolds that the width would be more important especially since the landings were narrower than the stairs.

Board member Paul Shirley said personally he did not think the handrails should go beyond the steps because they stick out and you hit them. Mr. Shirley said he thought this was a big improvement to what was shown in the photos.

Board member Paul Shirley made a motion to approve the request, and it was seconded by Board member Vic Lawson. Board member Todd Duncan asked about adding the condition that the handrails turn into the wall at the end. The Board voted 7-0 to APPROVE the BD02A10BU request with the condition that the handrails be returned to the wall.

---

**445 W. BLOUNT AVENUE (CITYVIEW)**  
OWNER: C.J. RIVERHOLDINGS, LLC  
Requested by: GEORGE REES

**BD02B10BU      1999 SBC, Table 705.1.2**

**Request:**

Would like to use unlabeled doors to club room and exercise room. The glass allows people to see in and out and prevents people from being tempted to prop them open, for peace of mind. Spaces such as the exercise room and small club room would be allowed to be open to the corridor under the NFPA Life Safety Code 30.3.6.6 and these areas comply with the Life Safety Code criteria. Both the exercise room and the club room have easy access to multiple exit routes which would be obvious to any one in either space. They both essentially exit directly to grade, and people using these corridors during an emergency exit and needing to walk by the doors would be minimal given the locations of the multiple exits.

George Rees, Cityview architect, said they had a small club room that was 1000 square feet and an exercise room that was 700 square feet. Mr. Rees said the nice glass doors to the rooms have already been installed. Mr. Rees said, when they do a building like this, they lean on the Life Safety Code requirements. Mr. Rees said a room, in their interpretation, could be open to the corridor if it was not a residence, the building was sprinkled, and a few other criteria. Mr. Rees said they put glass doors in so people who are in the exercise room can have a piece of mind for safety. Mr. Rees said he thought the doors complied with the Life Safety Code. Mr. Rees said the club room was about 1000 square feet and the doors were already installed and it was a similar situation to the exercise room. Mr. Rees said the doors would also be allowed by the Life Safety Code in their interpretation with the sprinklers and that fact that it was not a residential unit to have unrated walls and doors. Mr. Rees said both rooms were on a level of exit access so you did not have to go up or down stairs. Mr. Rees said both rooms were in the middle of the building so you could go directly to the outdoors from the corridor. Mr. Rees said the number of people circulating in an emergency by these doors would be minimal. Mr. Rees said the other exits from the building were clearly noticeable.

Tom Reynolds, Chief Building Inspector, said this project was one of the last projects permitted under the old 1999 Standard Building Code. Mr. Reynolds commented that he had changed the application a little bit. Mr. Reynolds said he felt that Mr. Rees was originally asking to give away the rating of the corridor under the section he had asked for. Mr. Reynolds said he changed it to Table 705.1.2. Mr. Reynolds said what they would want to forgive in the way of a variance was the rating of the opening itself. Mr. Reynolds said he hoped that was okay with Mr. Rees. Mr. Rees said it was okay. Mr. Reynolds said the 1999 Standard Building Code would require the openings to be rated, however, these rooms were in places and the use of the rooms were such that, in his opinion, he did not know how important it would be for these doors to be rated in a sprinkled building especially if the Life Safety Code was forgiving the rating. Mr. Reynolds said Mr. Rees had felt from his professional standpoint that the glass doors would give visibility for the people occupying these spaces to help them alert to help them get out of the building. Mr. Reynolds said he thought about that a lot. Mr. Reynolds said Mr. Rees might have had a point and he had not had anyone make that point to him

before. Mr. Reynolds said the exercise room was on the second level and was right across the hall from another door that opened onto a courtyard and the courtyard exited directly to the outside.

Mr. Reynolds said the other two doors gave access to the club room (pool table, etc.). Mr. Reynolds said the club room exited to the outside and it would not affect the exiting of the units on that level. Mr. Reynolds said, regarding the doors, the code was requiring it but the way he understood it, NFPA would allow it. Mr. Reynolds said his position would be at this point that if NFPA allowed it then the Building Department would be okay with it. Mr. Reynolds said that had been his position on other issues where the codes would conflict.

Sonny Partin, Fire Inspections, said he agreed with the architect's interpretation. Mr. Partin said it could go either way if it was allowed to be a closed room or an open area. Mr. Partin said they did agree with what the architect was proposing and they were okay with it.

Board member Vic Lawson made a motion to approve the request, and it was seconded by Board member Paul Shirley. The Board voted 7-0 to APPROVE the BD02B10BU request.

### **OTHER BUSINESS**

None.

### **ADJOURNMENT**

With no further business before the Board, the meeting was adjourned at 9:23 a.m. Minutes were taken and typed by Deborah Brooks, Board Secretary.