

**Agenda  
Board of Appeals  
City Council Chambers  
Tuesday, May 10, 2011, 8 a.m.**

**Approval of Minutes of Last Meeting**

**New Business**

1. Welcome new Board members, Liz Squyer of Architecture Incorporated and Dave Van Nieuwenhuyzen of Fiegen Construction.
2. Election of Officers.
3. **Appeal No. 3-2011.** Jim Dunham of Dunham Construction will represent Pal Inc., the owner of a building located 4611 E. Arrowhead Parkway who intends to finish a 1600 square foot tenant suite for a proposed Juice Stop. The intended use is for the sale of smoothies, related soft drinks, and water. The majority of the tenant's customers leave the premises after purchasing their drink product. The suite proposes 600 square feet of customer area and 1000 square feet of prep or kitchen area. It has been interpreted that separate bathroom facilities for each sex is required because the computed occupant load for the suite exceeds 15 occupants. Mr. Dunham will request that the Board review the proposal to provide a single unisex bathroom facility because of the retail nature of the use and the area of the suite. The referenced building code provision is as follows:

*[P] 2902.2 Separate facilities. Where plumbing fixtures are required, separate facilities shall be provided for each sex.*

*Exceptions: 1. Separate facilities shall not be required for dwelling units and sleeping units.*

*2. Separate facilities shall not be required in structures or tenant spaces with a total occupant load, including both employees and customers, of 15 or less.*

*3. Separate facilities shall not be required in office and mercantile occupancies ~~in~~ which ~~the maximum occupant load is 50 or less~~ are 2,500 square feet or less.*

**Adjournment**

**Accessibility.** Upon request, accommodations for this hearing will be provided for persons with disabilities. Please contact the Planning and Building Services Department office at 367-8670, 48 hours in advance.

**For questions concerning this hearing, please call (605) 367-8670 for assistance.**