



APPLICATION FOR VARIANCE

State Form 44400 (R7 / 10-13)
Approved by State Board of Accounts, 2013

INDIANA DEPARTMENT OF HOMELAND SECURITY
CODE SERVICES SECTION
302 West Washington Street, Room W246
Indianapolis, IN 46204-2739
http://www.in.gov/dhs/fire/fp_bs_comm_code/



INSTRUCTIONS: Please refer to the attached four (4) page instructions.
Attach additional pages as needed to complete this application.

Variance number (Assigned by department)

17-11-04

1. APPLICANT INFORMATION (Person who would be in violation if variance is not granted; usually this is the owner)

Name of applicant	Title
Michael Neugebauer	Director Corp. Safety & Security
Name of organization	Telephone number
Fifth Third Bank	(513) 534-8624
Address (number and street, city, state, and ZIP code)	
38 Fountain Square Plaza Cincinnati, OH 45263	

2. PERSON SUBMITTING APPLICATION ON BEHALF OF THE APPLICANT (If not submitted by the applicant)

Name of applicant	Title
Curt Galloway	President / Owner
Name of organization	Telephone number
Stegal, Inc.	(740) 387-5090
Address (number and street, city, state, and ZIP code)	
3007 Harding Hwy. E. 5 S Marion, OH 43302	

3. DESIGN PROFESSIONAL OF RECORD (If applicable)

Name of design professional	License number
Mark Salopek	AR19300076
Name of organization	Telephone number
GPD Group	(330) 572-2100
Address (number and street, city, state, and ZIP code)	
520 S. Main St., St 2531 Akron, OH 44311	

4. PROJECT IDENTIFICATION

Name of project	State project number	County
Fifth Third Bank Secured Entrance	STR17-00186	Marion
Address of site (number and street, city, state, and ZIP code)		
145 N East St. Indianapolis, IN 46202		
Type of project		
<input type="checkbox"/> New <input type="checkbox"/> Addition <input checked="" type="checkbox"/> Alteration <input type="checkbox"/> Change of occupancy <input type="checkbox"/> Existing		

5. REQUIRED ADDITIONAL INFORMATION

The following required information has been included with this application (check as applicable):

A check made payable to the Indiana Department of Homeland Security for the appropriate amount. (see instructions)

One (1) set of plans or drawings and supporting data that describe the area affected by the requested variance and any proposed alternatives.

Written documentation showing that the local fire official has received a copy of the variance application.

Written documentation showing that the local building official has received a copy of the variance application.

6. VIOLATION INFORMATION

Has the Plan Review Section of the Division of Fire and Building Safety issued a Correction Order?

Yes (If yes, attach a copy of the Correction Order.) No

Has a violation been issued?

Yes (If yes, attach a copy of the Violation and answer the following.) No

Violation issued by:

Local Building Department
 State Fire and Building Code Enforcement Section
 Local Fire Department

7. DESCRIPTION OF REQUESTED VARIANCE

Name of code or standard and edition involved Indiana Building Code 2014	Specific code section 1008.1.9.8
Nature of non-compliance (Include a description of spaces, equipment, etc. involved as necessary.) The doors shall be arranged to unlock from a manual unlocking device located 40 - 48" vertical above the floor within 5 ft of secured doors. Ready access shall be provided to the manual unlocking device and the device shall be clearly identified by sign that reads "Push to Exit". When operated, the manual unlocking device shall result in direct interruption of power to the lock - independent of the access control system electronics - and the doors shall remain unlocked for a minimum of 30 seconds	

8. DEMONSTRATION THAT PUBLIC HEALTH, SAFETY, AND WELFARE WILL BE PROTECTED

Select one of the following statements:

Non-compliance with the rule will not be adverse to the public health, safety or welfare; or

Applicant will undertake alternative actions in lieu of compliance with the rule to ensure that granting of the variance will not be adverse to public health, safety, or welfare. Explain why alternative actions would be adequate (be specific).

Facts demonstrating that the above selected statement is true:
System failsafe features: Activation of fire alarm system; loss of electric; one touch at teller console; exterior key switch on unit; either egress door held open longer than 15 seconds; remain in exit chamber longer than 30 seconds

9. DEMONSTRATION OF UNDUE HARDSHIP OR HISTORICALLY SIGNIFICANT STRUCTURE

Select at least one of the following statements:

Imposition of the rule would result in an undue hardship (unusual difficulty) because of physical limitations of the construction site or its utility services.

Imposition of the rule would result in an undue hardship (unusual difficulty) because of major operational problems in the use of the building or structure.

Imposition of the rule would result in an undue hardship (unusual difficulty) because of excessive costs of additional or altered construction elements.

Imposition of the rule would prevent the preservation of an architecturally or a historically significant part of the building or structure.

Facts demonstrating that the above selected statement is true:
Holding both doors open allows entrance into building, bypassing the metal detector and allowing weapons into building. We are asking for variance of #7 and blanket coverage for all future secured entry installations.

10. STATEMENT OF ACCURACY

I hereby certify under penalty of perjury that the information contained in this application is accurate.

Signature of applicant or person submitting application <i>Michael Neugebauer</i>	Please print name MICHAEL NEUGEBAUER	Date of signature (month, day, year) 8-31-2017
Signature of design professional (if applicable) <i>Mark S. Salopek</i>	Please print name Mark S. Salopek	Date of signature (month, day, year) 09/12/2017

11. STATEMENT OF AWARENESS (If the application is submitted on the applicant's behalf, the applicant must sign the following statement.)

I hereby certify under penalty of perjury that I am aware of this request for variance and that this application is being submitted on my behalf.

Signature of applicant <i>Michael Neugebauer</i>	Please print name MICHAEL NEUGEBAUER	Date of signature (month, day, year) 8-31-2017
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STEGAL, INC.
3007 HARDING HWY. E., 5S
MARION, OHIO 43302
740.387.5090
FAX # 740.387.4292

September 27, 2017

Indiana Department of Homeland Security
Code Services Section
302 W. Washington St., Rm. W246
Indianapolis, IN 46204-2739

Re: State Project #STR17-00186

To Whom It May Concern:

Fifth Third Bank is requesting a variance for the above noted project involving the installation of secured entry doors at their facility located at 145 N. East St. in Indianapolis. One set of architectural drawings is included. This project was originally approved by the Department of Business and Neighborhood Services of Indianapolis and also received Construction Design Release from the Indiana Department of Homeland Security.

A notice of violation was received 7/31/2017 from the City of Indianapolis. The items noting the raised character/braille signage and the location of the key fob reader have been corrected, and the electromagnetic locks on the exit side doors (doors C and D) have been deactivated, and the exit only panic hardware currently provides the only prevention of re-entry through the exit side at this time. Notification dated 9/12/17 from Christopher Harris (City of Indianapolis) has been sent indicating that the violation case has been closed, and the required Certificate of Completion and Compliance has been received by the Department of Code Compliance.

The Security Department of Fifth Third Bank seeks variance to reactivate the electromagnetic locks to enhance the security of the overall system with the following conditions/failsafe features. The electromagnetic locks deactivate upon:

1. Activation of the approved fire alarm system
2. Loss of electrical power
3. One touch command at the teller console
4. Exterior keyswitch on the unit
5. Engaging the fire alarm pull station located within five feet of the unit
6. Either C or D door held open for 15 seconds (deactivates C and D maglocks)
7. A person occupies the exit chamber for 30 seconds (deactivates C and D maglocks)
8. Actions #6 and 7 activate an automated voice prompt at the unit and the teller console announcing "system unsecure" immediately notifying the staff

All of these conditions require manual resetting of the system at the control console. Additionally, there is a second egress path out of the lobby with a delayed egress panic device. The device releases immediately if the buildings Fire Alarm is activated.

The Notice of Violation references IBC 2014: 1008.1.9.8 section 3. Note that when the exit chamber is unoccupied and under normal (non-emergency) operating conditions, the C door magnetic lock is deactivated, allowing immediate access to the exit chamber, with the D door magnetic lock being activated. As the C door closes, the C magnetic lock activates and the D magnetic lock simultaneously deactivates. This allows the person to exit the building in a controlled egress condition, not wait the usual 15 seconds. Fifth Third Bank wishes to eliminate the request for the "Push to Exit" devices as the doors function in a manner that allows passage through the exit chamber without a timed delay.

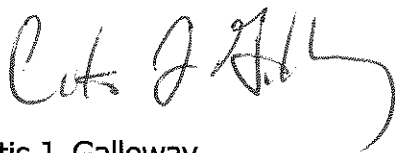
IBC 1008.1.9.8 further states:

"In specific occupancies, doors in the means of egress are now permitted to be electromagnetically locked if equipped with listed hardware that incorporates a built-in switch that interrupts the power supply to the electromagnetic lock and unlocks the door. The use of this type of locking system provides for a greater degree of security than that offered by other methods addressed in the code, including delayed egress locking systems and egress access control systems.

Further, the Federal Department of Homeland Security has reviewed this system, and under the "Support Anti-Terrorism by fostering Effective Technologies Act of 2002" (the Safety Act), has granted the status of Anti-Terrorism Access control Portals to this particular system.

The bank seeks permission to activate the electromagnetic locks and to be relieved of the request to install the push to exit devices. Thank you for your consideration.

Respectfully,

A handwritten signature in black ink, appearing to read "Curtis J. Galloway". The signature is fluid and cursive, with a long horizontal stroke at the end.

Curtis J. Galloway
President
Stegal, Inc.



THE CITY OF
INDIANAPOLIS
BUSINESS & NEIGHBORHOOD SERVICES
★
EST. 1821

NOTICE OF VIOLATION

City of Indianapolis
Department of Business & Neighborhood Services
1200 Madison Avenue, Suite 100
Indianapolis, IN 46225

Case Number: VIO17-005212

Date: 07/31/2017

Time: 12:06 pm

Inspector Signature: 

Inspector Telephone Number: (317) 374-0702

Inspector Name: Christopher Harris

Inspector Fax Number: (317) 327-2621

Inspector Email: Christopher.Harris@indy.gov

Address of Violation: 145 N EAST ST

Person Served: STEGAL INC.

Mailed To: 3007 HARDING HIGHWAY E, BOX 5 SOUTH
MARION, OH 43302

An inspection of the above noted property revealed the following violations:

Indiana Building Code 2014: 1008.1.9.8 Access-controlled egress doors

Room:

Floor:

Specific Location:

The City of Indianapolis requests your cooperation in correcting the violation(s). Violations(s) that have not been corrected within 15 days of the date noted above, will result in further enforcement action, which may include but is not limited to:

- 1) Assessment of an administrative fee in the amount of two hundred fifteen dollars (\$215.00) for each scheduled visit to the property and the violation(s) have not been corrected (Section 536-609) and/or
- 2) Lawsuit with fines up to \$2,500 for each violation plus court costs (Section 536-709)

To further research the City of Indianapolis-Marion County code section mentioned above, please visit www.municode.com.

Do Not Remove This Notification

Comments: The entrance doors in a means of egress in buildings with an occupancy in Groups A, B, E, I-2, M, R-1 or R-2, and entrance doors to tenant spaces in occupancies in Groups A, B, E, I-2, M, R-1 or R-2, are permitted to be equipped with an approved entrance and egress access control system, listed in accordance with UL 294, which shall be installed in accordance with all of the following criteria:

3. The doors shall be arranged to unlock from a manual unlocking device located 40 inches to 48 inches (1016 mm to 1219 mm) vertically above the floor and within 5 feet (1524 mm) of the secured doors. Ready access shall be provided to the manual unlocking device and the device shall be clearly identified by a sign that reads "PUSH TO EXIT." When operated, the manual unlocking device shall result in direct interruption of power to the lock—independent of the access control system electronics—and the doors shall remain unlocked for a minimum of 30 seconds.

Indiana Building Code 2014: Raised character and Braille exit signs

Room:

Floor:

Specific Location:

Comments:

- 1011.4 Raised character and Braille exit signs. A sign stating EXIT in raised characters and Braille and complying with ICC A117.1 shall be provided adjacent to each door to an area of refuge, an exterior area for assisted rescue, an exit stairway, an exit ramp, an exit passageway and the exit discharge.

The sign is required to be installed on the latch side of the door. 48" to 60" a.f.f. to the braille.

Indiana Building Code 2014: Controls, operating mechanisms and hardware

Room:

Floor:

Specific Location:

Comments: Controls, operating mechanisms and hardware intended for operation by the occupant, including switches that control lighting and ventilation and electrical convenience outlets, in accessible spaces, along accessible routes or as parts of accessible elements shall be accessible.

The key fob reader on the entry side is not accessible. The max reach height is 48".

The City of Indianapolis requests your cooperation in correcting the violation(s). Violations(s) that have not been corrected within 15 days of the date noted above, will result in further enforcement action, which may include but is not limited to:

- 1) Assessment of an administrative fee in the amount of two hundred fifteen dollars (\$215.00) for each scheduled visit to the property and the violation(s) have not been corrected (Section 536-609) and/or
- 2) Lawsuit with fines up to \$2,500 for each violation plus court costs (Section 536-709)

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