



APPLICATION FOR VARIANCE



State Form 44400 (R2 / 12-06)
Approved by State Board of Accounts, 2007

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

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

Variance number (Assigned by department)
18-03-06

1. APPLICANT INFORMATION (Person who would be in violation if variance is not granted; usually this is the owner)		
Name of the applicant John Mengel	Title Vice-President General Manager	
Name of organization ArcelorMittal USA Burns Harbor Plant	Telephone number (219) 787-2120	
Address (number and street, city, state, and ZIP code) 250 W. US HWY 12, Burns Harbor, IN 46304		
2. PERSON SUBMITTING APPLICATION ON BEHALF OF THE APPLICANT (If not submitted by the applicant)		
Name of person on behalf of the applicant Brett Erickson	Title Modernization Superintendent	
Name of organization KONE Inc.	Telephone number (630) 629-3100	
Address (number and street, city, state, and ZIP code) 1080 Parkview Boulevard - Lombard, IL 60148		
3. DESIGN PROFESSIONAL OF RECORD (If applicable)		
Name of design professional	License number	
Name of organization	Telephone number	
Address (number and street, city, state, and ZIP code)		
4. PROJECT IDENTIFICATION		
Name of project ArcelorMittal Burns Harbor Blast Furnace D	State project number 38316	County Porter
Site address (number and street, city, state, and ZIP code) 250 West US Highway 12 - Burns Harbor, IN 46304		
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):		
<input type="checkbox"/> A check made payable to the Indiana Department of Homeland Security for the appropriate amount. (see instructions)		
<input type="checkbox"/> One (1) set of plans or drawings and supporting data that describe the area affected by the requested variance and any proposed alternatives.		
<input type="checkbox"/> Written documentation showing that the local fire official has received a copy of the variance application.		
<input type="checkbox"/> 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 & Building Safety issued a Correction Order? <input type="checkbox"/> Yes (if yes, attach a copy of the Correction Order) <input checked="" type="checkbox"/> No		
Has a violation been issued? <input type="checkbox"/> Yes (if yes, attach a copy of the Violation and answer the following) <input checked="" type="checkbox"/> No		
Violation issued by: <input type="checkbox"/> Local Building Department <input type="checkbox"/> State Fire and Building Code Enforcement Section <input type="checkbox"/> Local Fire Department		

7. DESCRIPTION OF REQUESTED VARIANCE		
Name of code or standard and edition involved 2011 675 IAC (ASME A17.1-2007)	Specific code section 2.27.3.2.1	
Nature of non-compliance (include a description of spaces, equipment, etc. involved as necessary) Due to the by-products of producing steel such as heat, smoke, and dust, smoke detectors are not functional. As stated at the November 3, 2009 Indiana Fire Prevention and Building Safety Commission Meeting, by Commissioner Howard Cundiff "to have smoke detectors in the middle of an operator steel mill was not practical" (Minutes attached).		
8. DEMONSTRATION THAT PUBLIC HEALTH, SAFETY, AND WELFARE WILL BE PROTECTED		
Select one of the following statements: <input checked="" type="checkbox"/> Non-compliance with the rule will not be adverse to the public health, safety or welfare; or <input type="checkbox"/> 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: ArcelorMittal has strict security procedures that do not allow public access. Being a steel mill with heat and smoke created from molten steel the use of smoke and fire alarm are not practice. The plant has strict safety guidelines for all employees and train regularly on these policies.		
9. DEMONSTRATION OF UNDUE HARDSHIP OR HISTORICALLY SIGNIFICANT STRUCTURE		
Select at least one of the following statements: <input type="checkbox"/> Imposition of the rule would result in an undue hardship (unusual difficulty) because of physical limitations of the construction site or its utility services. <input checked="" type="checkbox"/> 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. <input type="checkbox"/> Imposition of the rule would result in an undue hardship (unusual difficulty) because of excessive costs of additional or altered construction elements. <input type="checkbox"/> 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: This unit is located in a steel mill, the production of steel produces heat and smoke that creates an environment that makes smoke detectors unusable. Please see previous state approvals from November 2009, and August 2013 attached addressing similar variance request.		
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 	Please print name BRETT ERICKSON	Date of signature (month, day, year) 1-11-18
Signature of design professional (if applicable)	Please print name	Date of signature (month, day, year)
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 	Please print name WENDELL CARTER	Date of signature (month, day, year) 1-16-2018

7. DESCRIPTION OF REQUESTED VARIANCE

Name of code or standard and edition involved 2011 675 IAC (ASME A17.1-2007)	Specific code section 2.27.3.2.1
--	--

Nature of non-compliance (include a description of spaces, equipment, etc. involved as necessary)
 Due to the by-products of producing steel such as heat, smoke, and dust, smoke detectors are not functional. As stated at the November 3, 2009 Indiana Fire Prevention and Building Safety Commission Meeting, by Commissioner Howard Cundiff "to have smoke detectors in the middle of an operator steel mill was not practical" (Minutes attached).

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:

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:
 This unit is located in a steel mill, the production of steel produces heat and smoke that creates an environment that makes smoke detectors unusable. Please see previous state approvals from November 2009, and August 2013 attached addressing similar variance request.

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>Brett Erickson</i>	Please print name BRETT ERICKSON	Date of signature (month, day, year) 1-11-18
Signature of design professional (if applicable)	Please print name	Date of signature (month, day, year)

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

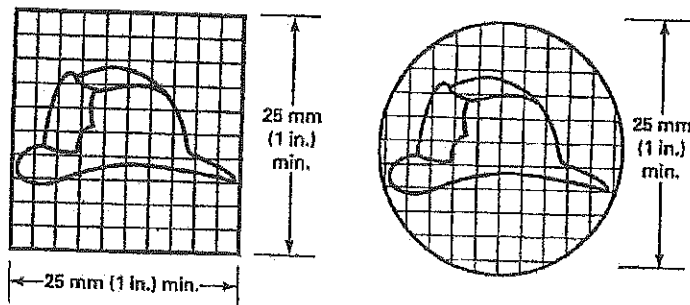
I hereby certify under penalty of perjury that I am aware of this request for variance and that this application is being submitted on my behalf.

Signature of applicant <i>John Mengel</i>	Please print name JOHN MENGEL	Date of signature (month, day, year) 1-25-18
--	---	--

FIRE RECALL
2.27.3.2

(07)

Fig. 2.27.3.1.6(h) Visual Signal



- (07) (n) If the normal power supply, emergency power supply, and standby power supply are not available and the elevator is equipped with an alternate source of power that is insufficient to move the car to the recall level, the following requirements shall apply:

- (1) The visual signal [2.27.3.1.6(h)] shall extinguish.
- (2) A car that is not at a landing shall move to the closest landing it is capable of reaching.
- (3) A car that has automatic power-operated horizontally sliding doors or power-operated vertically sliding doors provided with automatic closing operation and is stopped at a landing, shall open the doors, and then within 15 s, initiate reclosing.
- (4) A car that is stopped at a landing shall have its door open button operative.
- (5) A car stopped at a landing shall not move until normal power, emergency power, or standby power becomes available.

2.27.3.2 Phase I Emergency Recall Operation by Fire Alarm Initiating Devices

- (07) 2.27.3.2.1 In jurisdictions not enforcing the NBCC, fire alarm initiating devices used to initiate Phase I Emergency Recall Operation shall be installed in conformance with the requirements of NFPA 72, and shall be located

- (a) at each floor served by the elevator
- (b) in the associated elevator machine room, control space, or control room
- (c) in the elevator hoistway, when sprinklers are located in those hoistways

- (07) 2.27.3.2.2 In jurisdictions enforcing the NBCC, smoke detectors, or, if applicable, the building fire alarm system (fire alarm initiating devices), used to initiate Phase I Emergency Recall Operation, shall be installed in conformance with the requirements of the NBCC, and shall be located in

- (a) each elevator lobby
- (b) the machine room

NOTE (2.27.3.2.2): Fire alarm initiating devices are referred to as fire detectors in the NBCC.

2.27.3.2.3 Phase I Emergency Recall Operation to the designated level shall conform to the following:

(a) The activation of a fire alarm initiating device specified in 2.27.3.2.1 or 2.27.3.2.2(a) at any floor, other than at the designated level, shall cause all elevators that serve that floor, and any associated elevator of a group automatic operation, to be returned nonstop to the designated level.

(b) The activation of a fire alarm initiating device specified in 2.27.3.2.1(b) or 2.27.3.2.2(b) shall cause all elevators having any equipment located in that machine room, and any associated elevators of a group automatic operation, to be returned nonstop to the designated level. If the machine room is located at the designated level, the elevator(s) shall be returned nonstop to the alternate level.

(c) In jurisdictions not enforcing NBCC, the activation of a fire alarm initiating device specified in 2.27.3.2.1(c) or in jurisdictions enforcing NBCC, the initiation of a fire detector in the hoistway shall cause all elevators having any equipment in that hoistway, and any associated elevators of a group automatic operation, to be returned nonstop to the designated level, except that initiating device(s) installed at or below the lowest landing of recall shall cause the car to be sent to the upper recall level.

(d) The Phase I Emergency Recall Operation to the designated level shall conform to 2.27.3.1.6(a) through (n).

2.27.3.2.4 Phase I Emergency Recall Operation to an alternate level (see 1.3) shall conform to the following:

(a) the activation of a fire alarm initiating device specified in 2.27.3.2.1(a) or 2.27.3.2.2(b) that is located at the designated level, shall cause all elevators serving that level to be recalled to an alternate level, unless Phase I Emergency Recall is in effect

(b) the requirements of 2.27.3.1.6(f), (j), (m), and (n)

(c) the requirements of 2.27.3.1.6(a), (b), (c), (d), (e), (g), (h), (i), (k), and (l), except that all references to the

COMMISSION MEETING MINUTES

**Indiana Fire Prevention and
Building Safety Commission**
Government Center South
402 West Washington Street
Indianapolis, Indiana 46204
Conference Room B

November 3, 2009

1. Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was opened by Chairman David Hannum at 9:05 a.m. on November 3, 2009.

- (a) Commissioners present at the Commission meeting:

Diana M. E. Brenner, delayed arrival
Michael Christoffersen
Howard W. Cundiff, Vice-Chairman, representing the Commissioner, Department of Health
David Hannum, Chairman
John Hawkins
M. Burke Jones
Ted Ogle

- (b) Commissioners not present at the Commission meeting:

Michael Corey
Kevin Goeden, representing the Commissioner, Department of Labor

- (c) The following departmental and support staff were present during the meeting:

Legal and Code Services
John Haines, Code Specialist
Denise Fitzpatrick, Code Specialist
Beth Sutor, Secretary

- (d) Deputy Attorney General James Schmidt was present.

State Fire Marshal Jim Greeson introduced Scott Perez, the new Building Law Compliance Officer, to the members of the Commission. The new Administrative Law Judge, Gary Bippus, also was introduced. The gentlemen gave a short synopsis of their respective backgrounds and were welcomed by all present.

2. Old Business.

Chairman Hannum called for any corrections or a motion to approve the minutes of the October 6, 2009 meeting as distributed. A motion to approve the minutes as distributed was made by Commissioner Jones and seconded by Commissioner Christoffersen. It was voted upon and carried.

3. Third Party Inspection Renewals.

RADCO
3220 E. 59th Street
Long Beach, CA 90805

PFS Corporation
1507 Matt Pass
Cottage Grove, WI 53527

Lonnie Lagle, Fire and Building Code Enforcement, introduced the third party inspection requests. He noted both were in good standing and recommended approval for one year. Commissioner Jones moved to approve both for a period of one year. Commissioner Christoffersen made the second. It was voted upon and carried.

4. Variations.

Tabled Variations.

Variance 09-10-6 Marquette Manor, Indianapolis, was represented by David Behrens, project superintendent for CS&M Mechanical Contractors. The request was to allow piping belonging to the bathroom in the apartment above an electrical room to run in a corner of the room. They would use a double-containment piping system in the electrical room only, switching back to single wall outside the room. A drip pan would be installed to protect equipment from the piping with a monitoring system to alert maintenance to problems. Domestic hot water piping has been diverted from the electrical room. On the condition that the drip pan not be constructed from sheet metal, Commissioner Cundiff moved to approve with the second by Commissioner Hawkins. It was voted upon and carried. Variance 09-10-33 City Lofts Interior Build-Out and Addition, Lafayette, was represented by Ed Rensink, RTM Consultants. The variance had been in a "B" category last month, but had been incomplete and ineligible for action. The missing information had been submitted. Commissioner Ogle moved to approve with the second by Commissioner Christoffersen. It was voted upon and carried.

Regular Variations.

Chairman Hannum called for any variations to be pulled from the block vote for individual consideration. There being none, Commissioner Jones made the motion to approve the following variations with an "A" or "B" review rating by staff with the second being made by Commissioner Ogle. It was voted upon and carried. Commissioner Christoffersen abstained from variance 09-11-19.

The following variations were approved as submitted:

- (1) 09-11-1 EHA Buckner Towers Renovations, Evansville
- (2) 09-11-2(a)(b)(c)(d)(e)(f) Northlane Condominiums, Bloomington
- (3) 09-11-3 Palmer Leasing Group Fleet Fueling, Ft. Wayne
- (4) 09-11-4 Bargersville Fire Station No. 3, Bargersville
- (5) 09-11-7(a)(b)(c) Pfizer Buildings Sprinklers, Terre Haute
- (6) 09-11-12(a)(b)(c) JW Marriott Hotel Complex, Indianapolis
- (7) 09-11-16 Parkview LaGrange Hospital Buggy Barn, LaOrange
- (8) 09-11-17 EHA Kennedy Towers Renovation, Evansville
- (9) 09-11-18(a)(b) Delta Chi Fraternity New Facility, Angola
- (10) 09-11-21 NAMPAC Addition, Indianapolis
- (11) 09-11-22 Ball State University North Residence Hall, Muncie
- (12) 09-11-24 Carmel Regional Performing Arts Center, Carmel
- (13) 09-11-25 Avon Middle School South, Avon
- (14) 09-11-27 Penthouse Renovation, Indianapolis
- (15) 09-11-31(a) IU/Cinema Theatre and Drama, Bloomington

The following variances were heard separately:

- (16) 09-11-5 Dollar General, Evansville

The application was still incomplete and ineligible for action. Commissioner Christoffersen moved to table for thirty days. Commissioner Ogle made the second. It was voted upon and carried.

- (17) 09-11-6

This number appeared as "Void" on the agenda.

- (18) 09-11-8 Kosiara Garage Addition, Griffith

Bill White, contractor for the project, appeared as proponent. The request was to allow an addition to a garage using a matching slab-on-grade foundation and not the full foundation required by code. A local ordinance allows only one outbuilding, so a separate building would not be possible. The local building official had submitted a letter opposing the variance. After discussion, Commissioner Christoffersen moved to deny with the second by Commissioner Cundiff. It was voted upon and carried.

- (19) 09-11-9 Ben and Ari's Tent, Fishers

John DeLuca, a partner in the operation, appeared as proponent. For the past six years, the family entertainment business had erected a tent in their parking lot during the summer months for events held mainly by not-for-profit groups and for family parties. The tent was regularly inspected by the Fishers Fire Department and complied with their safety regulations. The local fire department realized they had not been enforcing the thirty day limit for tents properly, and advised Ben and Ari's to apply for a variance. The request was to allow a tent in the parking lot for more than the thirty days allowed by code. The local fire department was in support of the variance. Commissioner Ogle moved to approve for 180 days with the second by Commissioner Jones. It was voted upon and carried with 2 nay votes.

- (20) 09-11-10 Recreation Unlimited, Noblesville

Lori Anderson, Peterson Architecture, spoke as proponent. The business sells play equipment to schools, etc., and has a large display area. They had noticed parent bringing their children in to play on the equipment while they talked to salespeople, not really intending to purchase any equipment. The owners decided to sell passes for supervised playtime and to provide party rooms for birthdays and such. Inspectors decided this was a change of use of the building. The request is to allow additional exit doors to decrease travel distance in lieu of installing a fire wall in the existing building. Lonnie Eagle, Fire and Building Code Enforcement, also requested that the staff is to be trained in emergency procedures and evacuations with bi-monthly trainings. Commissioner Hawkins made the motion to approve with the condition of panic hardware on the egress doors and the requested training for staff. Commissioner Cundiff made the second. It was voted upon and carried with one nay vote.

- (21) 09-11-11 Marina Ltd. Dock Construction Building, Fortville

Steve Roubush, Supervisor, spoke as proponent. The request was to allow an additional mezzanine to be constructed above an existing mezzanine to which an addition had been constructed. During discussion, it was determined that the construction had been done by non-professionals. Bonnie Robison, Director, Plan Review, also advised the Commission that she could not find where the project had been filed with the State. The project had, however, been filed with, and permits obtained from, Fishers.

Commissioner Hawkins moved to table to allow the proponent time to work with Plan Review to determine what needed to be filed and to submit paperwork. Commissioner Ogle made the second. It was voted upon and carried.

(22) 09-11-12(d) J W Marriott Hotel Complex, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request was to omit venting in two elevator hoistways. The building is sprinklered throughout, with the ballroom sprinkler system upgraded to Ordinary Hazard Group I and a mechanical smoke removal system provided. After discussion of the interpretation by the Elevator Division regarding venting hoistways provided by the proponent, Commissioner Cundiff moved no variance was required. The second was made by Commissioner Ogle. It was voted upon and carried.

(23) 09-11-13(a)(b)(c) Community Hospital South Expansion, Indianapolis

Neal Locasto, RTM Consultants, spoke as the proponent. The boiler equipment is located on the roof of the building. The request in variance (a) was to omit the stairs and ramp at elevation changes from the building to the mechanical room. The walkway is a required second means of egress for the area which will have card-controlled access. Variance (b) was to omit the handrails required by code for this second means of egress. The walking surface is 14 feet from the edge of the building at its closest point and will be illuminated per code. Variance (c) was a request to remove the landing on the interior corridor side of the second means of egress doorway. After discussion, Commissioner Cundiff moved to approve all three variances with the second by Commissioner Christoffersen. It was voted upon and carried.

(24) 09-11-14 Aberdeen at Heartland Crossing Phase III, Camby

Ed Rensink, RTM Consultants, and Dan Turcic, project general manager, spoke as proponents. The request was to omit sprinklers in the seven one-story buildings which will complete the project. In lieu of sprinklers, the buildings will have two-hour fire walls separating every two units with a one-hour fire barrier separating each unit not separated by a fire wall. Fire access roads are provided. Commissioner Cundiff moved to approve with the second by Commissioner Christoffersen. It was voted upon and carried with one nay vote.

(25) 09-11-15(a)(b) The Maples at Spring Mill Phase II, Building Type 33, Westfield

Ed Rensink, RTM Consultants, proponent, asked that the variances be tabled. Commissioner Christoffersen moved to table with the second by Commissioner Ogle. It was voted upon and carried.

(26) 09-11-19(a)(b)(c)(d)(e)(f)(g) Warsaw Retirement Community, Warsaw

Timothy Callas, J & T Consulting, asked that the variances be tabled. Commissioner Ogle moved to table with the second by Commissioner Jones. It was voted upon and carried.

(27) 09-11-20 Carmel Arts District Lofts, Carmel

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request was to allow the proponent to consider the four floors above the three-hour fire-rated separation between the mercantile first level as a separate building so that he may use a 13R sprinkler system. After discussion, Commissioner Cundiff moved to approve with the second by Commissioner Ogle. It was voted upon and carried.

- (28) 09-11-23 Hamilton Heights Elementary School, Arcadia
This variance had been withdrawn by the proponent.
- (29) 09-11-26 Peabody Public Library Interior Renovation, Columbia City
Ed Rensink, RTM Consultants, spoke as proponent. The building had originally been built in 1997, and they now wish to add a meeting room in the basement level without installing the required sprinkler system. Three exits will be provided from the new space directly to the exterior and a 1-hour corridor will be created. After discussion, Commissioner Cundiff moved to approve with the second by Commissioner Ogle. It was voted upon and carried.
- (30) 09-11-28 Arcelor Mittal Steel, Burns Harbor
Larry Spurr, Long Elevator, spoke as proponent. The request was to omit smoke detectors in existing elevators which were having upgraded controls and apparatus installed. Commissioner Cundiff moved to approve with the second by Commissioner Hawkins. It was voted upon and carried. Commissioner Cundiff stated that to have smoke detectors in the middle of an operating steel mill was not practical and the code should be revised.
- (31) 09-11-29 1307 N. Meridian Street Renovation, Indianapolis
Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request was to allow openings in an office building wall which is less than three feet from a property line. The building will be sprinklered, and the windows will be further protected by close spaced sprinklers. After discussion, Commissioner Christoffersen moved to approve with the second by Commissioner Cundiff. It was voted upon and carried.
- (32) 09-11-30 Wolf Creek Condominiums, Evansville
Roger Lehman, R. Lehman Consulting, spoke as proponent. Also attending was Tom Haas, owner. The request was to omit sprinklers in the last five one-story 4-plex condominium buildings which are to be built in this project. A two-hour fire wall will be created between every two units and a one-hour fire barrier will be installed between each unit not separated by a fire wall. After discussion, Commissioner Cundiff moved to approve with the second by Commissioner Hawkins. It was voted upon and carried with one nay. Mr. Lehman, the former LBO for Evansville, then introduced Ben Miller, the new LBO for Evansville, stating he had wanted to show him how things were done at the Commission meetings so he would be familiar with the process.
- (33) 09-11-31(b)(c) IU / Cinema Theatre and Drama, Bloomington
Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request for variance (b) was a request to omit the shunt trip on the platform lift. The lift will have a GFCI-protected electrical system. After discussion, Commissioner Cundiff moved to approve with the second by Commissioner Ogle. It was voted upon and carried. Variance (c) was to allow a machine-roomless elevator. Specialized tools to be used for inspections and the training for State inspectors in their use will be provided. Commissioner Cundiff moved to approve with the second by Commissioner Christoffersen. It was voted upon and carried.

- (34) 09-11-32 Rodgers Finishing Tools, Lebanon

Danny Mitchell, Executive Vice-President of North Salem State Bank, spoke as proponent. The request was to allow the discontinuation of the sprinkler system of a building which has gone into foreclosure, is unoccupied, had all equipment removed and the heat turned off. Commissioner Christoffersen moved to approve with the second by Commissioner Jones. It was voted upon and carried.

- (35) 09-11-33 Washington Street Garage Pedestrian Connector, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request was to allow a pedestrian bridge from the Convention Center to the parking garage to have sprinkler protection only at the Convention Center end of the bridge. The doors into the fully sprinklered Convention Center will have a wall with sprinklers six feet on center. The open garage, which is not sprinklered, will have only glass doors. After discussion, Commissioner Christoffersen moved to approve with the second by Commissioner Cundiff. It was voted upon and carried.

Commissioner Brenner joined the meeting.

- (36) 09-11-34 Marian Friary of Our Lady Coredeptrix, Bloomington

Robert Dorsey, architect, spoke as proponent. The request in variance (a) was to omit the fire alarm system. The request in variance (b) was to omit the sprinklers. The building has ICF concrete walls, concrete floors and a concrete separation between the first and second floors. There are two wooden decks to the rear of the building and wood framing. The lifestyle of the Franciscan order is one of a low fire risk, and most of the building will not be open to the public as they are cloistered. There are eight exits from the building with a fifty foot travel distance and ninety feet of travel from the four 7-person sleeping rooms to an exit. The building is served by a well. While the Van Buren Water District has a 6" main in their area, it would be unable to provide enough pressure to support sprinklers. Discussion centered on the fire area and need for a fire wall, and the need for type x gypsum on the interior of the ICF walls and l-beams.

5. Breaking and reconvening. Chairman Hannum recessed the Commission at 10:43 a.m. He then reconvened the meeting, calling it back to order at 10:55 a.m.

09-11-34 continued

Robert Dorsey explained to the Commission that they were prepared to install fire walls wherever Plan Review requested they be placed to reduce the fire area. Commissioner Hawkins then moved to approve (b) with the condition they work with Plan Review on items discussed on separations, and that 5/8" type x gypsum board be installed on the interior walls and used to encase the l-beams. Commissioner Christoffersen made the second. It was voted upon and carried with one nay. Commissioner Christoffersen then moved to deny (a) with the second by Commissioner Cundiff. It was voted upon and carried.

- (37) 09-11-35(a)(b)(c)(d)(e) The Residences at Merrillville Lakes, Merrillville
09-11-36(a)(b)(c)(d)(e) The Residences at Merrillville Lakes, Merrillville

Howard Wolnor, architect, spoke as proponent. The project had originally been zoned in 2004 with the first buildings filed in 2007. Delays involving federal agencies and IDEM re-approving the wetlands in their area caused the next buildings to be filed under the 2008 IBC and new accessibility requirements. All units in the complex are adaptable. Variance (a) was a request to provide a five-foot turning radius in

front of the fixtures which included the lavatory overhang. Variance (b) was a request to allow 30"x48" clear floor space perpendicular to the lavatory. Following a lengthy discussion of requirements and exemptions, Commissioner Hawkins moved no variance required for both (a) and (b) with the second by Commissioner Christoffersen. It was voted upon and carried. Variance (c) was a request to provide a 5'6" x 36" parallel space for washer and dryer access. Variance (e) was a request to omit standpipes in the stairwell. The local fire official has said he would not use them, preferring to use his aerial truck and equipment. Commissioner Cundiff moved to approve with the second by Commissioner Ogle. It was voted upon and carried. Variance (d) was a request to omit Type A units. All units in the complex are adaptable and to design Type A units would require a complete redesign of the buildings. Commissioner Cundiff moved to approve with the second by commissioner Christoffersen. It was voted upon and carried. Commissioner Hawkins moved to deny variance (c) with the second by Commissioner Brenner. It was voted upon and carried.

(38) 09-11-37 Sweeties, Indianapolis

Tim Callas, J & T Consulting, spoke as proponent. The new bakery is in an existing tenant space of 2,500 square feet. The request was to omit the second exit which was required by the occupant load calculated at an Indianapolis Fire Department inspection. To comply would involve exiting through the kitchen and relocation of water heaters, coolers and plumbing. A revised seating plan was presented to the Commission allowing seating of 49 patrons. Commissioner Hawkins moved to approve with the condition that seating would not exceed 49 persons. Commissioner Cundiff made the second. It was voted upon and carried with one nay vote.

6. Approval of variance granted by the City of Indianapolis per IC 22-13-2-7(b)

The variance to the Marion County Fire Prevention Code granted by the Indianapolis Fire Department was presented for approval by the Commission pursuant to IC 22-13-2-7. This variance had been granted by the City of Indianapolis for the 1302 N. Meridian Street Renovation project. Commissioner Cundiff moved to approve with the second by Commissioner Brenner. It was voted upon and carried.

7. New Business - General.

Discussion and Commission Action On Petitions For Review (All are timely filed unless otherwise noted.)

Evansville Scottish Rite Cathedral
Order - Elevator Safety and Amusement Device Section

Evansville Scottish Rite Cathedral - Zeller Elevator Company
Order - Elevator Safety and Amusement Device Section

New Hope Day Services
Order - Pike Township Fire Department

Gentry Park Senior Living
Condition - Project 341983 Design Release

Commissioner Jones moved to approve all timely filed petitions for review. Commissioner Cundiff made the second. It was voted upon and carried.

7. Approval of LSA Document #09-147 as adopted by the Regulated Amusement Device Safety Board

After a brief discussion, Commissioner Jones moved to approve the rule as adopted by the Regulated Amusement Device Safety Board. Commissioner Cundiff made the second. It was voted upon and carried unanimously.

8. C.C.E. Inc. - Commission discussion and decision on Nonfinal Order and Objections.

Chairman Hannum stated he felt they had not had sufficient time to study the information distributed that morning to make an informed decision, and suggested the item be tabled for thirty days. Commissioner Jones moved to table for thirty days with the second by Commissioner Ogle. It was voted upon and carried.

9. Adjournment.

Chairman Hannum called for further business, and upon hearing none, he adjourned the meeting at 11:35 a.m.

APPROVED _____

David Hannum, Chairman

"designated level" shall be replaced with "alternate level"

2.27.3.2.5 The recall level shall be determined by the first activated fire alarm initiating device for that group (see 2.27.3.2.1 or 2.27.3.2.2).

If the car(s) is recalled to the designated level by the "FIRE RECALL" switch(es) [see also 2.27.3.1.6(f)], the recall level shall remain the designated level.

(055) **2.27.3.2.6** When a fire alarm initiating device in the machine room, control space, control room, or hoistway initiates Phase I Emergency Recall Operation, as required by 2.27.3.2.3 or 2.27.3.2.4, the visual signal [see 2.27.3.1.6(h) and Fig. 2.27.3.1.6(h)] shall illuminate intermittently only in a car(s) with equipment in that machine room, control space, control room, or hoistway. When activated, a heat detector [2.27.3.2.1(d)] in the machine room, control space, or control room shall cause the visual signal [see 2.27.3.1.6(h) and Fig. 2.27.3.1.6(h)] to illuminate intermittently only in a car(s) with equipment in that machine room, control space, or control room.

(07) **2.27.3.3 Phase II Emergency In-Car Operation.** A three-position ("OFF," "HOLD," and "ON," in that order) key-operated switch that will not change position without a deliberate action by the user, shall be labeled "FIRE OPERATION"; provided in an operating panel in each car; and shall be readily accessible. The label "FIRE OPERATION" lettering shall be a minimum of 5 mm (0.25 in.) high in red or a color contrasting with a red background. It shall become effective only when Phase I Emergency Recall Operation is in effect and the car has been returned to the recall level. The switch shall be rotated clockwise to go from "OFF" to "HOLD" to "ON."

The key shall only be removable in the "OFF" and "HOLD" position. For elevators with power-operated doors, the "OFF," "HOLD," and "ON" positions shall not change the mode of operation within Phase II Emergency In-Car Operation until the car is at a landing with the doors in the normal open position, except as required by 2.27.3.3.4 and 2.27.3.4. The three modes of operation within Phase II In-Car Operation ("OFF," "HOLD," and "ON") are specified by 2.27.3.3.1 through 2.27.3.3.4.

For elevators with manual doors, after the car and hoistway doors have been opened at least once at the recall level, the "OFF," "HOLD," and "ON" positions shall then change the mode of operation in accordance with 2.27.3.3.1 through 2.27.3.3.4.

2.27.3.3.1 When the "FIRE OPERATION" switch is in the "ON" position, the elevator shall be on Phase II Emergency In-Car Operation, for use by emergency personnel only, and the elevator shall operate as follows:

(a) The elevator shall be operable only by a person in the car.

(b) The car shall not respond to landing calls. Directional lanterns, where provided, shall remain inoperative. Car position indicators, where provided, shall remain operative. Landing position indicators, where provided, shall remain inoperative, except at the designated level and the building fire control station, where they shall remain operative.

(c) Door open and close buttons shall be provided for power-operated doors and located as required by 2.27.3.3.7. Buttons shall be a minimum of 19 mm (0.75 in.) in the smallest dimension. The door open and door close buttons shall be labeled "OPEN" and "CLOSE." The door open and close buttons shall be operative when the elevator is stopped within an unlocking zone.

(d) The opening of power-operated doors shall be controlled only by a continuous-pressure door open button. If the button is released prior to the doors reaching the normal open position, the doors shall automatically reclose. Requirements 2.13.3.3, 2.13.3.4, 2.13.4.2.1(b)(2), and 2.13.4.2.1(c) do not apply.

On cars with multiple entrances, if more than one entrance can be opened at the same landing, separate door open buttons shall be provided for each entrance.

(e) Open power-operated doors shall be closed only by continuous pressure on the door close button. If the button is released prior to the doors reaching the fully closed position, horizontally sliding doors shall automatically reopen, and vertically sliding doors shall automatically stop or stop and reopen.

On cars with multiple entrances, if more than one entrance can be opened at the same landing, a separate door close button shall be provided for each entrance.

(f) Opening and closing of power-operated car doors or gates that are opposite manual swing or manual slide hoistway doors shall conform to 2.27.3.3.1(d) and (e).

(g) All door reopening devices, except the door open button, shall be rendered inoperative. Full-speed closing shall be permitted.

Landing door opening and closing buttons, where provided, shall be rendered inoperative.

(h) Every car shall be provided with a button labeled "CALL CANCEL," located as required in 2.27.3.3.7, that shall be effective during Phase II Emergency In-Car Operation. When activated, all registered calls shall be canceled and a traveling car shall stop at or before the next available landing. The button shall be a minimum of 19 mm (0.75 in.) in the smallest dimension.

(i) Floor selection means shall be provided in the car to permit travel to all landings served by the car, and shall be operative at all times, except as in 2.27.3.3.2 and 8.12.1. Means to prevent the operation of the floor selection means or door-operating buttons shall be rendered inoperative. The floor selection means shall be operable without the use of keys, cards, tools, or special knowledge. The floor selection means shall be permitted to be located behind the locked cover specified in



MICHAEL R. PENCE, Governor
STATE OF INDIANA

DEPARTMENT OF HOMELAND SECURITY

JOHN H. HILL, EXECUTIVE DIRECTOR

Indiana Department of Homeland Security
Indiana Government Center South
302 West Washington Street
Indianapolis, IN 46204
317-232-3980

TRAVIS LANGDON
ARCELORMITTAL
3210 WATLING ST
EAST CHICAGO, IN 46312

July 5, 2013

Dear TRAVIS LANGDON,

This letter provides notice below of the action taken by the Fire Prevention and Building Safety Commission on your application(s) for a variance(s) from the Commission's rules under IC 22-13-2-11 and 675 IAC 12-5. The Commission considered the application with all alternatives offered, as a part of its published agenda, at its regular meeting on July 2, 2013.

Project Number	Project Name	Variance Number
	ARCELORMITTAL STOCKHOUSE #7	13-07-33

Commission Conditions

Edition	Code	Code Section	Commission Action & Date
2011	ELV (675 IAC 21-3)	A17. 1-2.27.3.2.1	Approved as submitted 07/02/2013

You are advised that if you desire an administrative review of this action, you must file a written petition for review at the above address with the Fire Prevention and Building Safety Commission. Your petition must fully identify the matter for which you seek review no later than eighteen(18) calendar days from the above stated date of this letter, unless such date is a Saturday, Sunday, legal holiday under state statute, or day that the Department of Homeland Security's offices are closed during regular business hours; in which case the deadline would be the first day thereafter that is not a Saturday, Sunday, legal holiday under state statute, or day that the Department of Homeland Security's offices are closed during regular business hours. If you do so, your petition for review will be granted and an administrative proceeding will be conducted by an administrative law judge appointed by the Fire Prevention and Building Safety Commission. If you do not file a petition for review, this action will be final.

Please be further advised that you may request an opportunity to informally discuss this matter prior to filing a petition for review. Such informal discussion, or request therefore, does not extend the deadline for filing a petition for review and, therefore, any request for an informal discussion should be made promptly, preferably by telephone or e-mail, upon receipt of this letter.

Sincerely,

Mara J. Snyder

Mara J. Snyder
Legal & Code Services,
Department of Homeland Security