

AGENDA

For the April 2025 Meeting

MEETING DETAILS

Date: April 1, 2025 **Time:** 9:00 a.m.

Location: Indiana Government Center South, Auditorium

1. Call to Order

The meeting was called to order at 9:00 a.m.

2. Roll Call

Name	Present		Means of Participation	
	Yes	No		
Craig Burgess	\boxtimes		In Person	
Logan Cook	\boxtimes		In Person	
John Crisp		\boxtimes		
Todd Hite	\boxtimes	\boxtimes	In Person	
James Murua	\boxtimes		In Person	
Buckie Olaleye	\boxtimes		In Person	
Michael Patarino	\boxtimes		In Person	
*Michael Popich	\boxtimes		Electronic Means (MS Teams)	
David Porter	\boxtimes		In Person	
Lane Slaughter		\boxtimes		
Kenneth Wagner	\boxtimes		In Person	
Michael Zehner	\boxtimes		In Person	

^{*}Commissioner Popich was present until the Tabled variances were discussed.

3. Review of March 2025 Minutes

Motion:	Vote	
	Yes	No
Craig Burgess	\boxtimes	
Logan Cook	\boxtimes	
John Crisp		
Todd Hite	\boxtimes	

James Murua	\boxtimes	
Buckie Olaleye	\boxtimes	
Michael Patarino	\boxtimes	
Michael Popich	\boxtimes	
David Porter		
Lane Slaughter		
Kenneth Wagner	\boxtimes	
Michael Zehner	\boxtimes	

4. IDHS Reports and Updates

i. IDHS Variance Determinations Report as required by 675 IAC 12-5-6.2(f)

5. Rulemaking Updates

- Electrical Code Update Committee Committee approved to send the Draft Proposed Rule and the Regulatory Analysis to the Commission. That is currently undergoing legal review, and the anticipated plan is to have both documents before the Commission at the May meeting.
- ii. Building Code Update Committee Building and Fire will have a joint meeting in April to continue to discuss aligning the codes.
- iii. Fire Code Update Committee Building and Fire will have a joint meeting in April to continue to discuss aligning the codes.
- iv. Lift Device Update Committee Commission voted Mike Patarino to become a member of the Lift Device subcommittee so that subcommittee can adopt the rule whole cloth with no changes.

Motion:	1	Vote
Approved Commissioner Patarino to be a	Yes	No
member of the Lift Device subcommittee		
Craig Burgess	\boxtimes	
Logan Cook	\boxtimes	
John Crisp		
Todd Hite	\boxtimes	
James Murua	\boxtimes	
Buckie Olaleye	\boxtimes	
Michael Patarino	\boxtimes	
Michael Popich		
David Porter	\boxtimes	
Lane Slaughter		
Kenneth Wagner	\boxtimes	

	Michael Zehner	\boxtimes	
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6. New Variance Process/Procedures

To streamline operations and in-house operations. Understanding how variances work from application to decision internally to Commission. Statutory framework allows DHS to make a first pass on it. Internal inefficiency, no longer be the notice of proposal letter. Will have 4 options; approve, approve with conditions, deny it, or forward to Commission. Hopefully that the process will be more robust. If there are questions from DHS, we will still reach out to the proponent if it is necessary to come to a conclusion on the decision. All that is changing is that there will be no notice of a proposal letter being sent out.

Notice of Proposal Letter - decision letter before a decision. A letter would be sent out as a courtesy stating what the proposed action is, allowing the applicant to 'debate' with them.

Fix the application – when you put in local official the fire official phone number overwrites it, system automatically downloads the local building official, fire official list is not updated very accurately. (Notice of proposal letter isn't fixing the solution and won't fix the issue).

Trying to be more efficient to get answers quicker, the code consultant would like to know what was being said and why it was being denied.

Looking for more of a procedural/logistical 'background' on where the application is sitting on a variance process (logistical transparency).

7. Variances

a. Tabled

i. 24-02-44 Bright Beginner's Academy (Dyer) – No proponent present. This was the second time this proposal was tabled due to no proponent being present.

Motion:	Vo	ote
Tabled	Yes	No
Craig Burgess		
Logan Cook		
John Crisp		
Todd Hite	\boxtimes	
James Murua	\boxtimes	
Buckie Olaleye		
Michael Patarino	\boxtimes	

Michael Popich				
David Porter	\boxtimes			
Lane Slaughter				
Kenneth Wagner	\boxtimes			
Michael Zehner				
ii. 25-02-45 Carport (Greenwood) – Proponent has found a paint that is capable of providing Class A and even 1-hour protection for the posts that are on the property line. The Building Commissioner for the area said that he would be on board as long as the Commission agrees. This paint product could keep the posts, and the area protected. There is a gas meter which wouldn't allow the posts to be moved 5ft to be an adequate carport. The variance would just be for the separation distance and to be able to use a Class A frame Spread.				

Motion:	V	ote
Approved with Conditions: Class A Flame Spread to be applied and the carport can be 3ft of the structure.	Yes	No
Craig Burgess		
Logan Cook		
John Crisp		
Todd Hite		
James Murua		
Buckie Olaleye		
Michael Patarino		
Michael Popich		
David Porter		
Lane Slaughter		
Kenneth Wagner		
Michael Zehner	\boxtimes	

iii. 25-02-48 Riley Children's Health Sports Legends Experience Event Tent (Indianapolis) – There is no need to make this tent a permanent structure, as it is only used to host small events. Intended use to have it as a temporary structure from March-November. There are no more than 200 people in the space at a time. The tent is built to be more significant, means of egress shortened, and used as an outdoor environment. The frame of the tent is looked at before the covering goes around it.

Motion:	Vo	ote
Approved with Conditions:	Yes	No
Variance expires November 31st, 2025.		

Craig Burgess	\boxtimes	
Logan Cook	\boxtimes	
John Crisp		
Todd Hite	\boxtimes	
James Murua	\boxtimes	
Buckie Olaleye	\boxtimes	
Michael Patarino	\boxtimes	
Michael Popich		
David Porter	\boxtimes	
Lane Slaughter		
Kenneth Wagner	\boxtimes	
Michael Zehner	\boxtimes	

iv. 25-02-56 ISBVI & ISD Co-Lo (Indianapolis) – (Variance A) – To allow a ship's ladder instead of another type of ladder. They have room for an angled ship's ladder and would like to provide as such.

Motion:	Vo	ote
Approved	Yes	No
Craig Burgess		
Logan Cook		
John Crisp		
Todd Hite	\boxtimes	
James Murua		
Buckie Olaleye		
Michael Patarino	\boxtimes	
Michael Popich		
David Porter	\boxtimes	
Lane Slaughter		
Kenneth Wagner	\boxtimes	
Michael Zehner	\boxtimes	

b. New

i. 25-03-58 Hub at Bloomington (Bloomington) – Frequent variance conditions that contribute is the location of the exhaust outlets (bath exhaust and dryer vents) with 10-20% being less than 3ft, however most of them are within inches of the 3ft requirement. This is not a fire issue as the building, which is new, is sprinklered with an NFPA 13 system.

Motion:	Vo	ote
Approved	Yes	No
Craig Burgess		\boxtimes
Logan Cook		
John Crisp		
Todd Hite		
James Murua		
Buckie Olaleye		
Michael Patarino		
Michael Popich		
David Porter	\boxtimes	
Lane Slaughter		
Kenneth Wagner	\boxtimes	
Michael Zehner	\boxtimes	

ii. 25-03-59 Oliver Springs (Greenwood) – Tempered glass windows are not installed, and the proponent is proposing to use a 3M product for safety and security. The film meets the requirements of tempered glass. The proponent found this same issue at another project they were working on in Minnesota and they got a variance to use this same product. The proponent also states that there is no time with the bank to order the new windows and it would take too much time. The window would be taken apart so the film would be completely covering the window.

Motion:	Vo	ote
Approved with Conditions: The installation of the film material meet the manufacturer's requirements; that the film is wrapped fully around the glass; and installation of the film material is verified by the building inspector.	Yes	No
Craig Burgess	\boxtimes	
Logan Cook	\boxtimes	
John Crisp		
Todd Hite		
James Murua		
Buckie Olaleye	\boxtimes	
Michael Patarino	\boxtimes	
Michael Popich		
David Porter	\boxtimes	
Lane Slaughter		

Kenneth Wagner			
Michael Zehner			
iii. 25-03-60 Foundation ABA & Autism Counseling (Avon) – Comment made by IDHS Deputy General Counsel Tyler Burgauer: There is a current case on administrative appeal called Grateful Care that is regarding whether to classify something similar to Foundation ABA as an I-4 or a B occupancy. The Commission will hear Oral Argument during the May meeting regarding Grateful Care and they don't want their decision on the variance to be different that what they will determine in the Grateful Care case. The suggestion would be to table because the variance and the Administrative Appeal need to be heard in conjunction with one another.			
Motion:		Vote	
Tabled	Yes	No	
Craig Burgess			
Logan Cook	\boxtimes		
John Crisp			
Todd Hite	\boxtimes		
James Murua			
Buckie Olaleye			
Michael Patarino	\boxtimes		
Michael Popich			
David Porter	\boxtimes		
Lane Slaughter			
Kenneth Wagner			
Michael Zehner	\boxtimes		
iv. 25-03-61 Life House (Valparaiso) – There are 3 exits in the facility, fire extinguishers are inspected monthly and annually by a licensed inspector. Proponent is looking to come to a mutual agreement as they also care about safety. Proponent was instructed that they could apply for a variance due to the things that they have already installed in place.			
Motion:		Vote	
Approved with Conditions: Required sprinkler system needs to be installed by December 31, 2025.	Yes	No	
Craig Burgess	\boxtimes		
Logan Cook			
John Crisp		_	
Todd Hite			

Motion:	CAPITOU III OOPICIIISCI 24 SUL UIIOWOO	Vo	
v. 25-03-62 Sprinkler System (Indianapolis) – IDHS counsel Tyler Burgauer suggested tabling this variance due to extensive conversations between FSSA and IDHS. There was a good chance that the proposed legislation between the two groups would preempt all building and fire safety requirements. This particular ministry license expired in September '24 but allowed to continue due to this variance.			
Michael	Zehner		
Kenneth	Wagner	\boxtimes	
Lane Sla	ughter		
David Po	orter	\boxtimes	
Michael	Popich		
Michael	Patarino	\boxtimes	
Buckie C	Dialeye	\boxtimes	
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MOTION.	vole	
Tabled	Yes	No
Craig Burgess	\boxtimes	
Logan Cook		
John Crisp		
Todd Hite	\boxtimes	
James Murua		
Buckie Olaleye		
Michael Patarino		
Michael Popich		
David Porter	\boxtimes	
Lane Slaughter		
Kenneth Wagner	\boxtimes	
Michael Zehner	\boxtimes	

vi. 25-03-63 Burris Elementary School (Mitchell) – 300KWAC array that is located on an existing building. The section of the roof in question is a sloped roof with a single peak. Both axis are greater that 250 ft, since the gym has sloped roof. This was originally submitted that this was a peaked roof and were going to apply under the exception allowed. The inspector flagged the pathways and indicated that the height of the roof decreased away from the building and was 60 ft away from that grade of the level. They would be able to shift panels toward the center of the roof.

Motion:	Vote	
Approved with Conditions:	Yes	No
Solar panels removed to require 4ft access at		

the roof edges.		
Craig Burgess	\boxtimes	
Logan Cook		
John Crisp		
Todd Hite	\boxtimes	
James Murua		
Buckie Olaleye		
Michael Patarino		
Michael Popich		
David Porter	\boxtimes	
Lane Slaughter		
Kenneth Wagner		
Michael Zehner	\boxtimes	

vii. 25-03-64 Wonder Valley Christian Camp (Salem) – Indiana has always deleted 13(D) systems with the most likely explanation being that union pipe fitters had opposed it because it used plastic pipe. It would be a successful solution to the current problem, as passive fire protection only takes you so far. When you are in rural areas with a volunteer fire department, it is too late if there is a fire. Currently trying to build new dorms to replace old ones that are unsuitable. There is only a two-inch water line. Looking at 24 occupants.

Motion:	Vote	
Approved	Yes	No
Craig Burgess		
Logan Cook		
John Crisp		
Todd Hite		
James Murua	\boxtimes	
Buckie Olaleye	\boxtimes	
Michael Patarino	\boxtimes	
Michael Popich		
David Porter	\boxtimes	
Lane Slaughter		
Kenneth Wagner	\boxtimes	
Michael Zehner	\boxtimes	

viii. 25-03-65 225 East 10th Street (Indianapolis) – Very small building as it measures at 158 sq ft. It was built around 1900 and purchased by the owner in 2023 in a tax sale auction as it had been vacant for about 50 years. Found someone who is willing to

occupy the building and escape demolition, which is a two-employee tattoo parlor. There would not be a fully accessible restroom but it is considered useable by the FFHA. Looking for enough space to be able to run their business.

Motion:	Vote	
Approved	Yes	No
Craig Burgess		
Logan Cook		
John Crisp		
Todd Hite		
James Murua		
Buckie Olaleye	\boxtimes	
Michael Patarino		\boxtimes
Michael Popich		
David Porter	\boxtimes	
Lane Slaughter		
Kenneth Wagner	\boxtimes	
Michael Zehner	\boxtimes	

ix. 25-03-66 Kids Empire (Plainfield) – Offering the same variance that was approved for the Fort Wayne location. This is a massive indoor climbing entertainment 'palace'. The drawings illustrate sprinkler drops that are present in the building. Want to eliminate the drops and keep them out of the harms way of kids playing and increase the density. Structure is set out away from the walls, sprinklers up high and horizontal that sprays into the structure.

Motion:	Vo	ote
Approved with Conditions:	Yes	No
Add additional horizontal drops to the outside		
and cover the interior columns to the second		
floor.		
Craig Burgess	\boxtimes	
Logan Cook	\boxtimes	
John Crisp		
Todd Hite	\boxtimes	
James Murua	\boxtimes	
Buckie Olaleye		
Michael Patarino	\boxtimes	
Michael Popich		
David Porter	\boxtimes	
Lane Slaughter		

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Kenneth Wagner			
Michael Zehner			
 25-03-67 Facilities Building (Greenfield) – Fire Marshal was present but the proponent was not present. 			
Motion:	Vo	ote	
Tabled	Yes	No	
Craig Burgess	\boxtimes		
Logan Cook			
John Crisp			
Todd Hite			
James Murua	\boxtimes		
Buckie Olaleye	\boxtimes		
Michael Patarino	\boxtimes		
Michael Popich			
David Porter	\boxtimes		
Lane Slaughter			
Kenneth Wagner	\boxtimes		
Michael Zehner	\boxtimes		
xi. 25-03-68 New Building Addition for Maple Lane Metals (Grabill) – This is a steel aluminum manufacturing facility with a long history. It is located up in Amish country and started out as a commercial hog farm. The proponents have taken down the hog farm and have built noncombustible buildings. The building is a F-2/S-2, which has been added to a couple of times, with the last addition being in 2016. The variance for the last addition was tabled 2-3 times and was finally approved in March 2017. The approval had no conditions, and the project until the current time was limited to the East side by an existing farm field. Zoning allowed them to build but they had to build onto the existing hog structure foundations and couldn't move them. The Fire Chief has been in the building and knows what the fire load is like and wanted to see how the Commission voted to be as consistent as possible with the Building Inspector. Asking to put on 11,000 sq ft to the F-2/S-2 structure.			
Motion:	Vote		
Approved	Yes	No	
Craig Burgess	\boxtimes		
Logan Cook (Recused)			
John Crisp			
Todd Hite			
James Murua	\boxtimes		

Buckie Olaleye	\boxtimes	
Michael Patarino	\boxtimes	
Michael Popich		
David Porter	\boxtimes	
Lane Slaughter		
Kenneth Wagner	\boxtimes	
Michael Zehner	\boxtimes	

xii. 25-03-69 Tolleston Opportunity Campus (Gary) – Variances A, B, and C were recommended for approval by IDHS staff. Variance D, E, and F are the ones being discussed. Variance D – not install sprinklers over the swimming pool. There isn't a spectator seating, just not sprinkler over the pool and deck area due to the maintenance issues and lack of fire hazard. Variance E – Fireproofing the roof structure that is over the running track floor and the gymnasium. Fireproof the rest where there is dropped ceiling but in this area there is dropped ceiling. Majority of roof area is above the gym which is well over 20ft. Offered to increase the sprinkler from light hazard to ordinary hazard to where they don't want to provide the fireproofing. Variance F – Fireproofing the track structure itself, the track structure is above the seating below in the gym and overlooks it. Prefer not to have to fireproof just that portion of the floor. Increasing the sprinkler design at the roof level of that area and increasing the sprinkler design below the running track area where they do not want to provide the fireproofing.

Motion:	V	ote
Approved (Variances A-F)	Yes	No
Craig Burgess	\boxtimes	
Logan Cook	\boxtimes	
John Crisp		
Todd Hite	\boxtimes	
James Murua	\boxtimes	
Buckie Olaleye	\boxtimes	
Michael Patarino	\boxtimes	
Michael Popich		
David Porter	\boxtimes	
Lane Slaughter		
Kenneth Wagner	\boxtimes	
Michael Zehner		

xiii. 25-03-70 Greater Lafayette Kennel Club New Training Center (Lafayette) – Kennell club/dog club training facility where they need large open spaces to run the courses. They are unable to get a structurally independent fire wall, it is a single-story building with very low occupant loads. Using 50 sq ft looking at 418 occupants for total – but

will post a maximum of 200 occupants (would only see numbers like this if they host a competition). Will provide a manual fire alarm system, put in the best location where it would be the most useable and would be five exits that could accommodate over 800 people (ensuring quick exiting times). The building is not sprinklered. Located in a heavy industrial area, took proponent a long time to find a building that they could move into. All travel distances for the building are met an all the doors have panic hardware. No animals are housed in the building, just brought in for training and the they go home with the owners.

Motion:	Vote	
Approved	Yes	No
Craig Burgess	\boxtimes	
Logan Cook	\boxtimes	
John Crisp		
Todd Hite		
James Murua	\boxtimes	
Buckie Olaleye		
Michael Patarino		
Michael Popich		
David Porter	\boxtimes	
Lane Slaughter		
Kenneth Wagner	\boxtimes	
Michael Zehner	\boxtimes	

xiv. 25-03-72 St. Joseph Count LaSalle Branch Library (South Bend) – Addition of 1,910 sq ft with the existing area being 9,865 sq ft of an A3 occupancy. Asking to exceed 10,500 sq ft of allowable area. Offering a fire alarm and detection system which is not required by code and three exits while only two would be required. Building will remain within allowable nonsprinklered A3 – just an allowable area issues not a sprinkler issue.

Motion:	Vote	
Approved	Yes	No
Craig Burgess		
Logan Cook		
John Crisp		
Todd Hite	\boxtimes	
James Murua	\boxtimes	
Buckie Olaleye	\boxtimes	
Michael Patarino	\boxtimes	
Michael Popich		

David Porter	\boxtimes	
Lane Slaughter		
Kenneth Wagner	\boxtimes	
Michael Zehner		

8. Industrialized Building Systems Applications and Renewals

i. None

9. Report on Administrative Review

- a. OALP Non-Final Orders Commission Review/Action Required as Ultimate Authority
 - i. DHS-2405-001267 Grateful Care ABA v. Indianapolis
- b. New Cases Monitoring Only
 - i. None
- c. Ongoing Cases
 - i. DHS-2407-001585 See Purpose LLC v. IDHS
 - ii. DHS-2410-002827 Swanson Center v. IDHS
 - iii. DHS-2502-000619 RCA Properties
- d. New Filings Commission Review / Action Needed
 - i. None
- e. OALP Final Orders No action required.
 - i. None

10. Next Meeting

The next meeting of the Indiana Fire Prevention and Building Safety Commission shall take place on **Thursday**, **May 1**, **2025**, **at 9:00am**. The meeting will be held in the **Indiana Government Center South** in **Conference Room B**. The meeting will also be streamed live via Microsoft Teams.

Public notice and virtual/electronic meeting access details will be provided on the **Commission's Web Page** in advance of the meeting.

11. Adjournment

The meeting was adjourned at 2:05 PM