

COMMISSION MEETING MINUTES  
Indiana Fire Prevention and  
Building Safety Commission  
Government Center South  
302 West Washington Street  
Indianapolis, Indiana 46204  
Conference Center Room B

March 5, 2013

Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was opened by Chairman Hannum at 9:02 a.m. on March 5, 2013.

(a) Commissioners present at the Commission meeting:

Diana M. H. Brenner  
Ron Brown  
Tom Cloud  
Michael Corey  
Kevin Goeden, representing the Commissioner, Department of Labor  
David Hannum, Chairman  
John Hawkins  
Patrick Richard  
Todd Hite, representing the Commissioner, Department of Health  
Matt Mitchell

Commissioners not present at the Commission meeting:

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

Legal and Code Services  
  
Mara Snyder, Director, Legal and Code Services  
Cecilia Ernstes-Boxell, Code Specialist  
Denise Fitzpatrick, Code Specialist  
John Haines, Code Specialist  
John Hibner, Code specialist  
Beth Sutor, Secretary

(c) James Schmidt, Deputy Attorney General, and Gary Bippus, Administrative Law Judge, were present.

## 2. Old Business

Chairman Hannum called for any corrections or a motion to approve the minutes of the February 5, 2013, meeting. Commissioner Corey moved to approve the minutes as distributed, with the second by Commissioner Mitchell. It was voted upon and carried.

## 3. Third Party Inspections

Radco  
3220 E. 59<sup>th</sup> Street  
Long Beach, CA 90805

Marc Reynolds, Fire and Building Code Enforcement, presented the application for Third Party Inspections, and recommended approval. Commissioner Corey moved to approve, with the second by Commissioner Brenner. It was voted upon and carried.

## 4. Variances

### Tabled Variances

Ed Rensink, RTM Consultants, Sam Quaye, CEO, and Ian Thompson, Director of Operations, spoke as proponents for variance 12-11-24, SOAR Sprinklers, South Bend. A revised application, drawings, and financial information had been provided to the Commissioners. An architect had also been hired by the proponent. NFPA 101 did not cover adult day care, so, at the suggestion of staff, the requirements for board and care were used, despite including requirements for overnight care, a service not provided by SOAR. A fully monitored smoke and fire alarm system was installed throughout the building. There are three exits to the exterior. There was one open stair and one enclosed stair to the basement, not open to client access and to be used for the storage of business-related items only. A unisex, accessible bathroom was to be installed. The facility was on a well, with no access to public water. A party wall separates their area from the neighboring retail area. Following discussion, Commissioner Cloud moved to approve with the conditions that a double-width exit door be provided out of the food-warming area, that drywall be installed on the basement ceiling, the exiting be reconfigured in the south end of the facility to provide a corridor from the client area to the space on the other side of the party wall, and that direct access to the food-warming area be provided. Commissioner Brenner made the second. It was voted upon and carried. Ed Rensink, proponent for variance 13-01-36, Lafayette Family YMCA, Lafayette, requested the variance again be tabled. Commissioner Corey moved to table, with the second by Commissioner Hite. It was voted upon and carried. Tim Callas, J&T Consulting, spoke as proponent for variance 13-02-1, Indiana Galvanizing Inc., Middlebury. The request was to be allowed to abandon the sprinklers in place. They would tag all valves and exterior fire department access doors, announcing that the sprinklers were not operational. Following discussion, Commissioner Mitchell moved to approve with the condition that they comply with the decommissioning requirements in NFPA 25. Commissioner Corey made the second. It was voted upon and carried. Variance 13-02-47(a), Calvary Temple Assembly of God, Indianapolis, was represented by Bill Kaler. The proponent had been requested to look into the cost of different means of securing their doors, and reported that it would cost them a little over \$7,000. Mike Barnhart, Fire and Building Code Enforcement, explained that he had cited the church because of the way the doors were locked, and the way the bars had been stored in a corner, readily available for anyone, authorized or not, to place on the doors. Following discussion, Commissioner Hawkins moved to deny, with the second by Commissioner Brenner. It was voted upon and carried. Tim Callas, J&T Consulting, acted as proponent for variance 13-02-51(c)(d)(e), Englewood Lofts, Indianapolis. Also presenting was David Gibson, a3 Design. The request in (c) was to allow unprotected openings on the east and south sides of the building. A 13R sprinkler system was to be installed, and extra sprinkler heads would be located so the curtains, etc., would not

obstruct the sprinkler patterns. The building is registered with the Indianapolis Historic Preservation Commission, and reducing the size of the openings to install rated windows may not be an option. Following a discussion concerning the submission of the building to the IHPC, Commissioner Hawkins moved to approve, with the second by Commissioner Corey. It was voted upon and carried with one nay. Variance (d) was to allow one of three entrances to the building to be accessible in lieu of 60% of the entrances per code requirement. The proponent advised that a Certificate of Appropriateness had been issued by IHPC September 19, 2012, to allow the entrance located in a courtyard to be made accessible, leaving the two other entrances, visible from the street, as they were. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Commissioner Hawkins noted that a variance from the Indiana Code would not protect them from Federal regulation. Variance (e) was to allow the accessible unit windows with operable parts to not comply with reach ranges specified in ANSI 117.1. A discussion concerning the need for operable windows in buildings with conditioned air, as this was to be, and the need for all amenities in accessible and non-accessible units in the building to be the same was held. Dave Zilmer, City of Indianapolis Plan Review, advised the Commission that no mechanical plans had been submitted for the building during his review. Following the discussion, Commissioner Hawkins moved that no variance was required, with the second by Commissioner Corey. It was voted upon and carried. Buddy Kuczewski, Deacon, spoke as proponent for variance 13-02-57, Calvary Baptist Church, Leesburg. The request was to allow a 1:9 ramp to be installed in lieu of the 1:12 ramp required by code for accessibility. A mock ramp had been constructed of plywood in the Fellowship Hall to test the degree of difficulty parishioners would face if they used the proposed ramp to access the church in wheelchairs. The proponent provided pictures of parishioners going up the ramp unassisted. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Richard. It was voted upon and carried. Variance 03-02-64 Cartlidge Barn Hendricks County 4-H Fairgrounds & Conference Complex, Danville, was represented by Tim Callas, J&T Consulting, and Faith Toole, Hendricks County Community Foundation. A revised application had been submitted, requesting to omit sprinklers. Manual pull stations, strobes and horns will be installed with a fire alarm system and smoke detection system. Travel distance to an exit is approximately 30 feet, and appropriate fire department access was to be provided. The public will have access to the ground floor only, with large and mounted items positioned around the edges of the loft for viewing from the ground level. The Hendricks County 4-H Fairgrounds have a strict alcohol policy already in place, and no fireworks, pyrotechnics or open flames were to be allowed. Following discussion, Commissioner Cloud moved to approve with the condition that two additional exit doors be added. Commissioner Hawkins made the second. It was voted upon and carried.

#### Regular Variances

Chairman Hannum asked for any abstentions or variances to be called out of the block vote. Commissioner Corey announced he would abstain from voting on variance 13-03-19, Grant Street Station, Lafayette. Commissioner Cloud announced he would abstain from voting on variance 13-03-34, Fashion Mall at Keystone Additions and Renovations, Indianapolis, and 13-03-39(a)(b)(c), Hinkle Fieldhouse Rehabilitations Project, Indianapolis. Commissioner Richard announced he would abstain from voting on variance 13-03-19, Grant Street Station, Lafayette. Commissioner Hite called out variance 13-03-33, Clark-Pleasant Softball Building, Whiteland, from the block vote. Commissioner Corey moved to approve the remaining "A" and "B" variances, with the second by Commissioner Cloud. It was voted upon and carried.

The following variances were approved as submitted:

- |     |         |   |
|-----|---------|---|
| (1) | 13-03-1 | 1710 W. 7 <sup>th</sup> East Windows, Bloomington   |
| (2) | 13-03-2 | 2364 E. Winding Brook Circle Windows, Bloomington   |
| (3) | 13-03-4 | Indiana Joint Forces Headquarters Railhead Expansion Facility Scale House Building, Edinburgh |
| (4) | 13-03-5 | 236 & 242 E. Brownstone Terrace Egress Windows, Bloomington                                   |
| (5) | 13-03-6 | 3230 John Hinkle Place Apt. F Windows, Bloomington  |

- (6) 13-03-7 Adorn Inc. Hose Reel & Handline Removal, Elkhart
- (7) 13-03-9 515 Graham Place Windows, Bloomington
- (8) 13-03-10 Sanctuary at Trinity Tower Elevator, South Bend
- (9) 13-03-11 St. Vincent DePaul Cold Storage Addition, Ft. Wayne
- (10) 13-03-14 Fremont Housing Shower Renovation, Fremont
- (11) 13-03-16 Applied Behavior Center for Autism, Greenwood
- (12) 13-03-17(b)(c) Creed Pole Building, Plymouth
- (13) 13-03-19 Grant Street Station, West Lafayette
- (14) 13-03-20 Morgan Stanley Smith Barney, Carmel
- (15) 13-03-23 Ft. Wayne Roofing, Ft. Wayne
- (16) 13-03-27 Decatur County Hospital, Greensburg
- (17) 13-03-36(d)(e) Bowen Center Corporate Offices Addition and Remodel, Warsaw
- (18) 13-03-37(a)(b) Smith-Green Community Schools Additions and Renovation, Churubusco
- (19) 13-03-39(b)(c) Hinkle Fieldhouse Rehabilitation Project, Indianapolis
- (20) 13-03-50(a) Hoosier Storage Phase 2, Indianapolis

Not heard:

- (21) 13-03-8 Void
- (22) 13-03-12 Growponics Indiana-Landing, Mt. Vernon, withdrawn by proponent
- (23) 13-03-41 Void

**Breaking and reconvening.** Chairman Hannum recessed the Commission at 10:24 a.m. It was called back to order at 10:47 a.m.

The following variances were heard separately:

- (24) 13-03-3 Mahoning Valley Christian Service Camp – Pop Shop Remodel, Rushville

Mark Stacy and Rick McCorkel, Royal Family Kids Camp, spoke as proponents. The request was to omit sprinklers in the remodel of the concrete block building. It was being changed into a three-room building to be used by campers and retreat participants. Each room, separated by a fire barrier, had a bathroom and direct exit to the exterior. The donated windows in the bathrooms, however, did not meet emergency egress requirements. The electric water heaters and electrical boxes for the building were to be moved out of the bathrooms and into a separate mechanical room, yet to be constructed. Following discussion, Commissioner Brenner moved to approve with the condition that the bathroom windows complied with emergency egress requirements. Commissioner Corey made the second. It was voted upon and carried with one nay.

- (25) 13-03-13 The Axis, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request was to allow the trash chute access rooms to be omitted, letting the trash chutes open directly to the corridor. The owner felt that if the chute was in a room and out of view, the tenants would just pile the trash on the floor instead of putting it down the chute, thereby creating a hazardous situation. The entire building will be protected by an NFPA 13 system, with 90 minute, self-closing doors on the chutes. Following discussion, Commissioner

Hawkins moved to approve with the condition that a sprinkler head be placed at each chute, and a sprinkler head placed within each chute at every other floor. Commissioner Corey made the second. It was voted upon and carried with two nays.

(26) 13-03-15 Starbucks, Bloomington

David Morrison, architect, spoke as proponent. The building had originally been released in 2002 as a B, with an occupant load of 35. During this tenant remodel, 37 square feet of seating area had been removed while the basic layout of the facility was left unchanged. The reviewer had calculated the seating area and space in front of the service area to now have an occupant load of 65, requiring a second exit and sprinklers, and now calling the facility an A-2. The proponent requested that they be allowed to post an occupant load of 49 to allow them to omit sprinklers and the second exit. Following discussion, Commissioner Brenner moved to approve, with the condition that the maximum occupant load be posted at 49. Commissioner Corey made the second. It was voted upon and carried with one nay.

(27) 13-03-17(a)(d) Creed Pole Building, Plymouth

Richard Elm spoke as proponent. Variance (d) had been given a "No variance required" rating during staff review. The building would not have utilities, so it would not have the conditioned air requiring compliance with the 2010 Indiana Energy Conservation Code. Commissioner Hawkins moved that no variance was required, with the second by Commissioner Corey. It was voted upon and carried. Variance (a) was a request to omit electricity in a building in which electricity was not required for its intended use. The proponent stated the building was to be used for the storage of equipment, occupied only when parking or removing equipment. Staff then felt it would be storage use, and not require a variance. Commissioner Hawkins moved that no variance was required, with the second by Commissioner Corey. It was voted upon and carried.

(28) 13-03-18 Tate & Lyle Refinery Hydro #41661 Modernization, Lafayette

Jerry Hennessy, ThyssenKrupp Elevator, spoke as proponent. The request was to allow smoke sensors to be omitted from the project due to the high levels of grain dust, smoke and heat from production, causing nuisance tripping and shut downs of the elevator. Following discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried with one nay.

(29) 13-03-21(a)(b) Cine Theater Apartments, Linton

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. An historic theater is being renovated for use as apartments, protected by a 13R sprinkler system. The request in (a) was to allow the existing, 1-hour wood floor assembly to support the 2-hour rated shafts in the building. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried. Variance (b) was to allow a first floor dead-end corridor of 29 feet in the sprinklered building. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

- (30) 13-03-22 John Will Anderson Boys & Girls Club Community Center, Gary

Ed Rensink, RTM Consultants, spoke as proponent. An existing, 1-story school building was being renovated for use as a Boys and Girls Club. The request was to allow the building to be occupied before the entire sprinkler system throughout the building was completed. No portions of the building which are unprotected would be occupied, and smoke detection would be provided in unoccupied areas before any of the building was occupied. While funding does not allow total completion of the sprinklers at this time, an additional hydrant was to be installed, and all hydrants would be maintained. Following discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

- (31) 13-03-24 Warren Harbor Apartments Club House, Indianapolis

Tim Callas, J&T Consulting, spoke as proponent. After being vacant for two years, the complex was being reopened without change of use of the first floor and pool area. Staff had felt that no variance was required since they're resuming their previous occupancy, and only interior finish work was being done. The basement was to have the mechanical and electrical room separated, with no plans for the balance of the basement. An inspector for the City of Indianapolis gave them a verbal citation, saying they would not get their certificate of occupancy until the building was sprinklered. The request was to omit the sprinklers. Following discussion, Commissioner Hawkins moved that no variance was required, with the second by Commissioner Hite. It was voted upon and carried with one nay.

- (32) 13-03-25 Martin's Super Market Store 10, South Bend

Ed Rensink, RTM Consultants, spoke as proponent. An existing café on the mezzanine was to be increased by 2,688 square feet, and was to meet the requirements for accessory use under Section 508.3.1 of the Indiana Building Code. The request was to omit the occupancy separation cited under Sec. 507.3. Following discussion, Commissioner Hawkins moved that no variance was required, with the second by Commissioner Brenner. It was voted upon and carried.

- (33) 13-03-26 Lakeside Gardens of Cicero, Cicero

Tim Callas, J&T Consulting, spoke as proponent. The request was to be allowed to install a 13D sprinkler system in the 1-story, 5-unit building, in lieu of the code-required 13R sprinkler system. Each unit was to have a 1-hour separation and 2 exits. Following discussion, Commissioner Brown moved to approve with the condition that a 1-hour separation be provided between units. Commissioner Hite made the second. It was voted upon and carried.

- (34) 13-03-28 Peerless Pump Office Addition, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. A sprinklered, 2-story office addition of 10,800 square feet was planned for an existing 300,000 square foot building classified as an F-1 and B. The request was to omit the structurally independent 4-hour fire wall, allowing the fully sprinklered building to exceed allowable area. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Brenner. It was voted upon and carried.

- (35) 13-03-29 Camp Krietenstein Dining Hall, Center Point

Ed Rensink, RTM Consultants, spoke as proponent. A new dining hall was to be constructed in a Boy Scout camp. The request was to omit sprinklers in the Type VB construction building. The dining area would have 4 exterior exits, with a travel distance of 75 feet. A manual and an automatic fire alarm system, and a smoke and heat detection system were also to be provided. The isolation room and director's room have a travel distance of 20 feet to the exterior exit. The campground is on a well, and cannot supply a sprinkler system. Following discussion, Commissioner Cloud moved to approve with the conditions that the isolation area should be staffed if it is being occupied, and that the kitchen should be separated from the dining area with a 1-hour fire rated separation. Commissioner Hawkins made the second. It was voted upon and carried with one nay.

- (36) 13-03-30(a)(b) 6 East Washington Street, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow two buildings with common ownership, 6 East Washington and 10 East Washington, to be joined without a complying party wall in (a) and using the existing egress stairs to the second floor in 10 East Washington for egress in the new building in (b). The joining of the buildings would also allow the sharing of the new elevator between the upper floors of the buildings. Following discussion, Commissioner Hawkins moved to approve both (a) and (b), with the second by Commissioner Brenner. It was voted upon and carried with one nay.

**Breaking and reconvening.** Chairman Hannum recessed the Commission for lunch at 12 noon. It was called back to order at 1:08 p.m.

- (37) 13-03-31 IPS Morgan Hall Phase III Renovation, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. During an inspection, an elevator had been cited for not having a visible means to keep ground water from accumulating in the pit. The shaft, a monolithic concrete pour with waterproofing, was designed to prevent the entry of ground water. The requirement for sump pumps in the pit had been amended out of the code. The proponent stated that, should it be needed, a portable sump would be provided to remove water in the pit. Commissioner Corey made the motion that no variance was required, with the second by Commissioner Hawkins. It was voted upon and carried.

- (38) 13-03-32 Trafalgar Family Health Center, Trafalgar

Ed Rensink, RTM Consultants, spoke as proponent. An existing medical office building undergoing renovation will not provide rated corridors. The existing corridors were not rated, and to provide rated construction would close off the nursing stations and other staff areas. A manual fire alarm system and corridor smoke detection was to be provided. The design complied with NFPA 101. Following discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Hite. It was voted upon and carried.

(39) 13-03-33 Clark-Pleasant Community School Softball Building, Whiteland

Ed Rensink, RTM Consultants, spoke as proponent. A 5,400 square foot building was to provide space for the storage of sports equipment and a practice area for use during inclement weather. The request was to omit the emergency shower, eyewash station, service sink, drinking fountain and rest room facilities in the building. Commissioner Hite had called out this application, and questioned the availability of restrooms in the area. The school building, within 200 feet, would provide access to restrooms. Commissioner Hite then moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried.

(40) 13-03-34 Fashion Mall at Keystone Addition, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The retail center had replaced a portion of the existing building with a larger area, and another portion of the building was remodeled. New fire alarm devices were added on the west side of the building without being synchronized with existing devices. The request was to allow the devices to remain unsynchronized. Following discussion, Commissioner Brenner moved to approve with the second by Commissioner Brown. It was voted upon and carried.

(41) 13-03-35(a)(b) Greenwood Southwest Elementary School Addition, Greenwood

Ed Rensink, RTM Consultants, spoke as proponent. An addition of 6,500 square feet to house a media center and administrative offices was to be added to an existing 49,000 square foot single story school, and would cause the building to exceed the allowable area for Type IIB construction. The addition was to be sprinklered, with an egress travel distance of approximately 100 feet maximum. There would be no rated separation between existing construction and addition, however a bulkhead would be provided in the hallway, with a sprinkler head on the side of the bulkhead in the existing building. Rodney Johnson, Greenwood Fire Department, advised the Commission that he had no issues with the variances. Following discussion, Commissioner Mitchell moved to approve with the condition that a bulkhead be provided between existing and new construction with a sprinkler head located on the side of the bulkhead in the existing building. Commissioner Corey made the second. It was voted upon and carried.

(42) 13-03-36(a)(b)(c) Bowen Center Corporate Offices Addition and Remodel, Warsaw

Ed Rensink, RTM Consultants, spoke as proponent. In variance (a), in order to provide a combination of open office and enclosed office spaces, fire-rated corridors were not to be provided. The area was separated from the existing structure by a 2-hour fire wall. There were 6 exterior exits with 1 horizontal exit, and travel distance was less than 100 feet. A manual fire alarm and smoke detection system was to be provided. The addition was to comply with NFPA 101, Sec. 38.3.6, exc. 2. Variance (b) was a request to omit rated corridors in the existing building. Following discussion, Commissioner Hawkins moved to approve (a) and (b), with the second by Commissioner Cloud. It was voted upon and carried. Variance (c) was to allow the fire wall dividing the east and west buildings to not be fully structurally independent. The fire wall was the existing 8" cmu, non-bearing wall of the east building. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried.



- (43) 13-03-38(a)(b)(c) Brownsburg Meadows Assisted Living, Brownsburg

Ed Rensink, RTM Consultants, spoke as proponent. The request in (a) was to allow non-rated glass doors and sidelights in some of the assisted living areas, due to the operational needs of staff. The openings were to be protected with quick response sprinklers on the room side, and an NFPA 13 system was to be installed in the building. Following discussion, Commissioner Corey moved to approve, with the second by Commissioner Cloud. It was voted upon and carried. Variance (b) was to omit smoke dampers from duct penetrations of 1-hour corridor walls. The corridors were to be provided with smoke detectors interconnected to the fire alarm system, which would shut down the air handling systems upon activation. Following discussion, Commissioner Hawkins moved to approve, with the condition that the ducts were to be 26-gauge steel. Commissioner Brown made the second. It was voted upon and carried. Variance (c) was a request to provide locking devices on the exterior exit doors from the Memory Care Unit to prevent elopement of residents. The locks were to unlock at the activation of fire alarms and sprinkler system water flow. Following discussion, Commissioner Hawkins moved to approve, with the condition that there be staffing on a 24- hour basis. Commissioner Brown made the second. It was voted upon and carried.

- (44) 13-03-39(a) Hinkle Fieldhouse Rehabilitation Project, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The existing swimming pool was to be removed and a weight room, an academic area, and offices for coaches were to be constructed in this area. The mechanicals were to be installed in a rooftop penthouse. The request was to be allowed to use the existing 3-wythe brick masonry wall as a fire barrier between the existing and new construction, with 90-minute rated doors. The infill was to be sprinklered. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Brown. It was voted upon and carried.

- (45) 13-03-40 Berger Hargis Tank Farm Tank Relocation, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow six existing double-walled steel tanks complying with UL 142, to be moved from one area of the owner's property to another, to be used in their new location. They have been placed to allow correct distance from nearby buildings, and the required clearance for maintenance and inspection. The tanks are for the fueling of company vehicles and equipment only. Current Indiana Fire Code requires the use of UL 2085 tanks. Randy Gulley, Wayne Twp. Fire Department, advised the Commission that they were to be installing Jersey barriers and bollards around the tanks, and that he had no problems with the variance. Commissioner Brown moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

- (46) 13-03-42(a)(b) Lebanon High School Greenhouse, Lebanon

Ed Rensink, RTM Consultants, spoke as proponent. A greenhouse, part of the science program, was to be constructed 20 feet from the existing school building. The code requires a minimum of 60 feet to property lines or other structures for an unlimited area building, but to comply would put the greenhouse in the middle of the parking lot. The request in (a) was to allow the greenhouse to be within 20 feet of the school. Variance (b), a request to not comply with the Energy Code, had been given a rating of no variance required by staff. Commissioner Brenner moved to approve (a) and that (b) was no variance required. Commissioner Corey made the seconds. It was voted upon and carried.

- (47) 13-03-43 Fourwinds Resort, Bloomington

Tim Callas, J&T Consulting, spoke as proponent. A wooden, pitched roof had been placed over a flat, concrete roof without providing attic draftstopping. The project had not been filed with either the city or the state. The request was to allow the installation of attic heat and smoke detectors, tied to the fire alarm system, in lieu of draftstopping. Following discussion which included the condition of the roof and its insulation, Commissioner Brenner moved to table to have proponent provide more details about the new roof, with the second by Commissioner Richard. It was voted upon and carried.

- (48) 13-03-44(a)(b) Quality Magnetite, LLC, Mt. Vernon

Roger Lehman, RLehman Consulting, spoke as proponent. Variance (a) was withdrawn by the proponent. Variance (b) was a request to provide fire department access by the use of 20 square foot, out-swinging hinged doors with lever handles, located at every 50 linear feet, just above the concrete barrier walls on one side and one end of the building. The iron oxide material stored in the building is similar to fine sand, and could easily flow and block traditional doorways. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Corey. It was voted upon and carried with one nay

- (49) 13-03-45 Westview Health Eagle Valley Medical Offices, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request was to omit fire-rated egress corridors in the renovated medical office building so that the nursing stations would remain open to the corridors to facilitate operations. The building was to be provided with manual fire alarms and corridor smoke detection. Following discussion, Commissioner Hite moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried, with one nay.

- (50) 13-03-46 Gurdwara Jot Amrit Parkash, Fishers

Ed Rensink, RTM Consultants, spoke as proponent. A private residence was being converted to a place of worship. A basement addition was needed to provide a second exit from the basement and needed support space on the first floor. The addition would be separated from the existing construction with a fire barrier. The request was to allow the Chapter 34 analysis to include the addition, though Sec. 3410 was not intended to cover new construction not in compliance with rules for new construction. Mark Fasel, the local building official, and Dan Graber, the local fire official, both addressed the Commission, stating they did not support any variances for the facility. Following a lengthy discussion, Commissioner Mitchell moved to table, with the second by Commissioner Corey. It was voted upon and carried.

- (51) 13-03-47(a)(b) Indiana State Fairgrounds Blue Ribbon West, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. Also speaking was Ray Allison, State Fairgrounds Director of Operations. The request was to allow display fire pits and other devices with open flames during trade shows, including cooking devices. Two of the four buildings presented are sprinklered, tested and maintained per NFPA 25 requirements. Water-based portable fire extinguishers were to be within 20 feet of each open flame display, operated by trained personnel. Following a lengthy discussion, Commissioner Corey moved to approve both (a) and (b) for thirty days to allow an already scheduled event, with the condition that a firewatch of at least two firefighters be posted in each building with open flames. Commissioner Hawkins made the second. It was voted upon and carried. The

proponents were to return at the April meeting with further details about the types of open flame that were to be the subject of the variance application.

(52) 13-03-48 Keystone Shoppes, Indianapolis

Scott Perez, Arxtheon Consulting, spoke as proponent. A new restaurant tenant created a change of occupancy, and caused the building to be over area for its construction type without a sprinkler system. The request was to allow the owner to run a line from 86<sup>th</sup> Street and sprinkler only the new tenant space at this time. A dry system will also be installed in the attic of the entire building. As spaces are leased, remodeled or changed, the space will be sprinklered. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Brown. It was voted upon and carried.

(53) 13-03-49 McDonalds #12043, Attica

Christina Collester, RTM Consultants, spoke as proponent. The existing facility had been remodeled with the standard corporate upgrade, increasing the area by 700 square feet. The building is still under the 5,000 square feet limit to require sprinklers, with 80 fixed seats, but the queuing area occupant load calculated by Plan Review puts the occupant load over the 100 persons limit to omit sprinklers. Travel distance did not exceed 60 feet, with two exits from the dining area and two exits from the employee area. The request was to omit the sprinklers. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried, with one nay.

(54) 13-03-50(b) Hoosier Storage Phase 2, Indianapolis

Tim Callas, J&T Consulting, spoke as proponent. The request in (b) was to allow the fire access doors for the interior storage units, required by code, to not comply with spacing regulations. The interior units would be accessed by three corridors entered from an exterior door. Sam Bruner, Pike Twp. Fire Department, addressed the Commission, stating he had no problems with the variance. Following discussion, Commissioner Hawkins moved no variance required, with the second by Commissioner Brenner. It was voted upon and carried.

**5. Discussion and possible adoption of LSA Doc. #11-685**

The proposed rule, a memo from Shelly Wakefield outlining the proposed changes, and minutes from the public hearing held January 17, 2013, had been submitted to the Commission. Commissioner Brenner moved to adopt LSA Doc. #11-685 as published in the Indiana Register on August 1, 2012, as DIN:20120801-IR-675110685PRA, as amended by the recommended changes contained in the memo from Shelly Wakefield, dated January 22, 2013. Commissioner Brown made the second. It was voted upon and carried.

## **6. Reconsideration of variance 13-02-2**

Christina Collester had presented variance 13-02-2(a)(b) Indiana University School of Optometry 2<sup>nd</sup>/3<sup>rd</sup> Floor, Bloomington, though the application lacked signatures. A condition to the approval of the variance application was that the signatures were to be submitted to staff by February 8, 2013. The proponent had failed to submit the signatures by the deadline, though signatures had been submitted by February 22, 2013. Staff found that the conditions had not been met, and that the variance had been invalidated. Following discussion, Commissioner Corey moved to approve the now complete variance, with the second by Commissioner Cloud. It was voted upon and carried.

## **7. Summerlin elevator condition**

Mara Snyder, Director, Legal and Code Services, also presented for Commission discussion an instance of a variance with a condition with which the owner had not been compliant. Summerlin was to have provided logs of tests and maintenance on a quarterly schedule, and these had not been submitted as directed. Ms. Snyder asked the Commission if they still had a variance, and how the code should be enforced in this instance. Following discussion, it was decided that the failure to comply with the condition set on the variance negated the variance, and they should be cited for failure to comply with the code.

## **8. Comments**

Mara Snyder, Director, Legal and Code Services, noted that the Plumbing Code chase amendments are coming along, and that we were moving to adopt the 2012 NFPA 72, though there were fiscal issues that were still being identified. She also noted that Building Code Compliance Officer Dean Illingworth was working on the air admittance valve issue raised at the January 3, 2013 meeting.

## **9. Adjourn**

Chairman Hannum called for any further business. Hearing none, he closed the meeting at 3:13 p.m.

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David Hannum, Chairman