

## STAFF REPORT

**Report Date: 09/02/2021**

"A" category = staff recommendation is for approval with no equal alternatives because of noncompliance is not adverse.

"B" category = staff recommendation is for approval with equal alternatives as stated by the proponent.

"C" category = reserved, meaning staff believes Commission needs to discuss entirety.

"D" category = recommendation is for denial.

"I" category = incomplete (with permission of the Chairman).

"NVR" category = no variance required.

"T" category = tabled.

NOTE: All staff recommendations presume code statements on the variances by the applicant are correct, unless otherwise noted. This means that all code statements become conditions of the variances and, if not true, the variances would be subject to Commission sanction. All LBO and LFO responses that they have received a copy of the application for variance are in order, unless otherwise noted.

### Tabled Variances

**21-03-35**

**Project:417103**

**Bodenbender Barn Reuse Project,SALEM**

C

20859

TABLED BY COMMISSION 08/03/2021  
TABLED BY PROPONENT 08/03/2021.  
TABLED BY PROPONENT 07/08/2021.  
TABLED BY COMMISSION 06/02/2021.  
TABLED BY PROPONENT 05/04/2021.  
TABLED BY COMMISSION 04/06/2021.

The code states an automatic sprinkler system shall be provided for Group A-3 occupancies when fire area has an occupant load of 300 or more. The request is to not install a fire suppression system. The proponent states that maximum table and chair layout is 240.

\*\*\*\*\*Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the April 6, 2021 meeting.

21-04-29

C

**Project:0**

**New Bridge Apartments ,Indianapolis**

20920

TABLED BY PROPONENT 08/02/2021.  
TABLED BY PROPONENT 08/02/2021.  
TABLED BY PROPONENT 07/07/2021.  
TABLED BY COMMISSION 06/02/2021.  
TABLED BY COMMISSION 05/04/2021.

The code states that the maintenance and testing of fire alarm and fide detection systems shall be maintained. The request is to remove the fire alarm system. The proponent states that the current alarm fixtures do not comply with current code in regards to height and location. LFO opposes the variance.

\*\*\*\*\*Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the May 4, 2021 meeting.

21-08-24

C

**Project:0**

**The Goddard School,Greenwood**

21119

The code states the exit discharge shall provide a direct and unobstructed access to a public way. The request is to allow two exit gates to be provided with a typical pool latch. The proponent states that the latch used for operating the gates is typical of pool gates and provides a system difficult for small children to operate but familiar to adults. Also, states that the staff is trained in emergency egress operations and fire drills are conducted as required by the fire code.

\*\*\*\*\*Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the September 8, 2021 meeting.

21-08-25

**Project:421997**

**Eastwood Middle School Concession-Restroom Building,INDIANAPOLIS**

C

21128

The code requires fire hydrant to be within 400 feet of building. The request is to allow the nearest hydrant to be 900 feet away from the new building being 3100 sq. ft.. The proponent states the building will be located approximately 300 feet from the middle school building.

\*\*\*\*\*Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the September 8, 2021 meeting.

21-08-26

**Project:416579**

**Everdry,INDIANAPOLIS**

C

21140

The code states platform (wheelchair) lifts are permitted to be a part of a required accessible route in new construction where indicated in Items 1 through 10. Platform (wheelchair) lifts shall be installed in accordance with ASME A18.1. The request is to allow a vertical wheelchair lift installed to provide an accessible route to the elevated loading dock and storage areas. The proponent states that the loading dock is not accessible to the public therefore not required to comply with Title III of the ADA.

\*\*\*\*\*Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the September 8, 2021 meeting.

21-08-27

Project:413620

**Marian Un Caito-Wagner Hall & St. Joseph  
Chapel,INDIANAPOLIS**

- C b. The code states the height of shower compartment seats shall be 17 inches minimum and 19 inches maximum above the bathroom floor, measured to the top of the seat. In transfer-type and alternate roll-in-type showers, the seat shall extend along the seat wall to a point within 3 inches of the compartment entry. In standard roll-in-type showers, the seat shall extend from the control wall to a point within 3 inches of the compartment entry. Seats shall comply with Section 610.3.1 or 610.3.2. The request is to not provide a shower seat in roll-in showers. The proponent states that the design without a shower seat complies with Sec. 608.4, of the 2010 ADA Accessibility Guidelines. The ADA requires a shower seat in roll-in type shower units only in transient lodging guest rooms.
- C 21141
- a. The code requires the controls and hand shower shall be located on the back wall above the grab bar. The request is to allow them to remain on an end wall in lieu of the back wall.
- \*\*\*\*\*Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the September 8, 2021 meeting.
- C c. The code requires clearance around a water closet to be 60 inches minimum in width, measured perpendicular from the sidewall. The request is for the clearance around a water closet to be less than 60 inches in minimum width, lavatory encroaches into this space at a distance of 10 inches. The proponent states that sufficient space is provided to allow either side or front approach to the water closet.

21-08-28

**Project:0**

**Ball State University Cooper - STEM III,Muncie**

NVR

21144

a. The codes states that the shaft must be utilized for a specific operational/equipment use. The request is to allow the shaft to contain both HVAC ductwork and plumbing. The proponent states that a third party review of the design suggested that the plumbing equipment is not permitted within the shaft and is not a use related to the purpose of the shaft per Sec. 713.11, Item 2.

\*\*\*\*\*Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the September 8, 2021 meeting.

C

b. The code requires all occupied space to be provided with a sprinkler system. The request is to not sprinkler the 5th floor being 579 square feet. The proponent states the rest of the building is sprinklered and that based upon the noncombustible construction/ contents lack of sprinkler protection would not be adverse to safety.

21-08-29

**Project:0**

**T.C. Harris Egress Doors,Lafayette**

C

21148

The code states that doors in the means of egress in buildings with an occupancy in Group A, B, E, M, R-1 or R-2, and doors to tenant spaces in Group A, B, E, M, R-1 or R-2, shall be permitted to be electromagnetically locked if equipped with listed hardware that incorporates a built-in switch. The request is to allow mag-locks on all egress doors in an I-3 occupancy,

\*\*\*\*\*Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the September 8, 2021 meeting.

21-08-30

**Project:0 Gibson Co Detention Center Change of use,Princeton**

C b. The code states that occupancies in Group I-3 shall have smoke barriers complying with Sections 408.7 and 709 to divide every story occupied by residents for sleeping, or any other story having an occupant load of 50 or more persons, into no fewer than two smoke compartments. The request is to allow the smoke barriers to not comply with section 709. The proponent states that smoke/fire stop caulk and a foam will be installed to create a smoke tight connection at wall ceiling intersections of smoke barrier walls.

C 21150

a. The code states that exits are permitted to discharge into a fenced or walled courtyard. Enclosed yards or courts shall be of a size to accommodate all occupants, be located not less than 50 feet from the building and have an area of not less than 15 square feet per person. The request is to allow exit discharge into fenced yard to be less than 50 feet required by code.

\*\*\*\*\*Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the September 8, 2021 meeting.

21-08-31

**Project:424639 BNutty Storage Container Addition,PORTAGE**

C 21169

The code states alternate materials, methods, equipment, and design shall be as required by the General Administrative Rules (675 IAC 12-6-11) and the rules for Industrialized Building Systems (675 IAC 15). The request is to allow metal storage containers to be made into a permanent structure. The proponent states that no employee will be working inside and the public will not be able to access the containers.

\*\*\*\*\*Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the September 8, 2021 meeting.

21-08-32

**Project:407886**

**Westlane Middle School,INDIANAPOLIS**

C

21173

The code prohibits any portion of a building or structure from being occupied until the automatic sprinkler system installation has been tested and approved. The request is to allow new classroom wings and cafeteria to remain occupied prior to completion of the sprinkler system throughout a portion of the existing building until the completion of the project. The proponent is asking to supersede variance 19-06-40 with a completion date of December 2022, in lieu of October 2020.

\*\*\*\*\*Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the September 8, 2021 meeting.

21-08-33

**Project:0**

**nightmare on main street,kendallville**

D

21174

The code requires a sprinkler system to be provided in special amusement buildings. The request is to allow the sprinkler system to be omitted in a 8,791 square feet existing building permanently. The request was granted in September 2019 (19-09-39) with condition sprinkler be installed by September 2021. Proponent states the building was not open for business in 2020 and funds are not available.

\*\*\*\*\*Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the September 8, 2021 meeting.

21-08-47

**Project:421323**

**Shelby Materials Office &,FRANKLIN**

C

21116

The code requires an automatic sprinkler system to be provided throughout all Group S-1 fire area used for the repair of commercial trucks or buses where the fire area exceeds 5,000 square feet. The request is to allow the sprinkler system to be omitted and to not provide a fire barrier to divide the building into fire areas less than 5,000 sq. ft. in this 9,624 sq. ft. repairs of concrete mixers building, comprised of 6,613 sq. ft. repair shop, 1,145 sq. ft. storage/ air compressor and restrooms, and 1,866 sq. ft. office area. Proponent is requesting to use NFPA 30 A, 2012 Edition. This standard requires an NFPA 13 sprinkler system when any one of the following conditions exist: major repair garage is two or more stories in height, including basements, and any one of the floors exceeds 10,000 sq. ft., major repair garage is one story and exceeds 12,000 sq. ft., or the major repair garage is servicing vehicles parked in the basement of the building. Three exits are provided from the repair garage directly to the building's exterior. Travel distance is 71 feet; 200 feet is permitted without sprinklers. Manual fire alarm will be provided and is not required.

\*\*\*\*\*Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the September 8, 2021 meeting.