

Notice is hereby given that the
**Fire Prevention
and Building Safety Commission**

will be meeting at
Indiana Government Center South
402 West Washington Street
Indianapolis, Indiana 46204

WEDNESDAY, JANUARY 4, 2012

9:00 A.M.

Conference Center Room B

PROPOSED AGENDA

1. Call Meeting to Order – Chairman.
2. Approval of Meeting Minutes of December 6, 2011
3. Approval of Meeting Minutes of December 22, 2011
4. Ordinances – Shelly Wakefield
 - Building Ordinance No. 2011-G-05
 - Clarksville, IN
5. Variances (23 tabled + 55) – John Haines, Fire and Building Code Specialist
 - TABLED
 - 11-09-10 Bonn Building, Fishers – *Tabled at request of proponent*
 - 11-10-10(a)(b) INDOT Albany Propane Fueling Station, Albany – *Proponent requests tabling until April 2012*
 - 11-10-14(a)(b)(c) MASJID-E-NOOR, Indianapolis
 - 11-10-29 Lilly K362 Development Lab Building, Indianapolis – *Table at the request of the proponent*
 - 11-11-29 22 Dorman Avenue Improvements, Greendale
 - 11-11-33 New Eden Care Center, Topeka – *Table at the request of the proponent*

- 11-12-4 Ferency Condominium Windows, Bloomington – *Table at request of the proponent*
- 11-12-8 Family Praise Center, Noblesville –*Table at request of proponent*
- 11-12-12 Annie’s Pizza Queen Banquet Hall, Muncie
- 11-12-14 Lighthouse Recovery Center, Washington
- 11-12-18 Garcia Construction Group New Corporate Headquarters, Indianapolis
- 11-12-21(a)(b) Applied Behavior Center for Autism, Greenwood
- 11-12-42 Aboite Elementary School, Ft. Wayne
- 11-12-45(a)(b)(c)(d)(e)(f)(g) Comlux Completion USA Hangar 5, Indianapolis

NEW VARIANCES

- 12-1-1 Indiana Bar Foundation, Indianapolis
- 12-1-2 Memorial Hospital of Logansport, Logansport
- 12-1-3 Good Samaritan Hospital, Vincennes
- 12-1-4 567 E. Graham Place Windows, Bloomington
- 12-1-5 820 N. Dunn Street Windows, Bloomington
- 12-1-6 Crescent Park Condominiums 3230 John Hinkle Place Unit K, Bloomington
- 12-1-7 Crescent Park Condominiums 3230 John Hinkle Place Unit A, Bloomington
- 12-1-8 Minton-Capehart Federal Building Day Nursery, Indianapolis
- 12-1-9 2393 E. Winding Brook Circle Windows, Bloomington
- 12-1-10 Glidden Furniture, Terre Haute
- 12-1-11 Bill and Chandra Wright Pool, Zionsville
- 12-1-12 IU health Neuroscience Center, Indianapolis
- 12-1-13 Sam’s Club #6424, Kokomo
- 12-1-14 Alro Steel, Beech Grove
- 12-1-15 Dot Foods, Cambridge City
- 12-1-16(a)(b)(c)(d) Rupert Ridge School, Woodburn
- 12-1-17 NRP Indiana, Montpelier
- 12-1-18(a)(b) Sigma Kappa Sorority Renovation, West Lafayette
- 12-1-19(a)(b) Mavris Arts and Event Center, Indianapolis

12-1-20 Evansville Arena, Evansville

12-1-21 Christ Temple Apostolic Faith Assembly Inc., Indianapolis

12-1-22(a)(b) Community Building Addition, Orland

12-1-23 Lockerbie Glove Company Basement Ceiling Remediation, Indianapolis

12-1-24 Heatwole Woodworking, Bremen

12-1-25 East Bay Apartments Phase II, Bloomington

12-1-26 Hachette Book Group Lebanon Building #2, Lebanon

12-1-27 Tenth and College Horizons Apartments, Bloomington

12-1-28 Indianapolis Zoo Orangutan Exhibit, Indianapolis

12-1-29 37 Place community Center, Indianapolis

12-1-30 Hachette Book Group Lebanon Building #9, Lebanon

12-1-31 Lanier Mansion State Historic Site, Madison

12-1-32 Riley Hospital Phase Va.2, Sequence 1c, Fifth Floor, Indianapolis

12-1-33 Social Lounge, Indianapolis

12-1-34(a)(b) FedEx Freight East Inc, Terre Haute

12-1-35 800 Main Street, Lafayette

12-1-36 Plainfield Middle School, Plainfield

12-1-37 2356 S. Henderson Street Windows, Bloomington

12-1-38(a)(b)(c)(d) Indiana University Bloomington South Eastside Residence Hall, Bloomington

12-1-39 Fashion Mall at Keystone Addition and Renovation, Indianapolis

12-1-40 Indianapolis Fire Department Station #5, Indianapolis

12-1-41 Lumen Christi Catholic School, Indianapolis

12-1-42 The Alexander Hotel, Indianapolis

12-1-43 Mt. Carmel Christian Church Chair Lift, Trafalgar

12-1-44 St. Joseph's High School, South Bend

12-1-45 Steeples on Washington, Indianapolis

12-1-46 NFLPA Event, Plainfield

12-1-47 355 Indiana Avenue Super Bowl Venue, Indianapolis

12-1-48 The Domain at Bennett Farms, Zionsville

6. Discussion and possible Commission action

Randolph County Courthouse
Administrative Cause No. 11-35
Order – Fire and Building Code Enforcement
Nonfinal Order of Dismissal

Avery Dennison
Administrative Cause No. 11-30
Order – Boiler Pressure Vessel Safety Division
Notice of Nonfinal Order of Administrative Law Judge

The Gardens of Canal Court
Administrative Cause No. 10-29
Order – Indianapolis Fire Department
Nonfinal Order of Dismissal

The Carmel Apartments
Administrative Cause No. 11-33
Condition of CDR
Nonfinal Order of Dismissal

Grinder’s Switch Coffee Depot
Administrative Cause No. 11-27
Order – Fire and Building Code Enforcement
Nonfinal Order of Dismissal

Geist Chapel
Administrative Cause No. 11-37
Condition of Variance
Nonfinal Order of Dismissal

Bounce Palace
Administrative Cause No. 11-06
Order – Fire and Building Code Enforcement
Nonfinal Order of Dismissal

8. Discussion and Commission action on petitions for review (Timely filed unless otherwise noted.)

Hires Community Center
Conditions of CDR

9. Comments – Mara Snyder, Director, Legal and Code Services

10. Adjourn

Staff Variance Report
For
January 4, 2012 Commission Meeting

“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.

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:

- | | | | |
|-----------------|---|---|-----------------|
| 11-09-10 | C | Bonn Building – Fishers
<i>The elevator equipment room does not have a sprinkler head located in it. The violation order from the Fishers Fire Department advises for the proponent to either install a sprinkler head or provide the equipment room with a two hour enclosure. The proponent advises that the elevator inspector will not allow the sprinkler head in the equipment room and the installation to the added dry wall would require removal of all electrical attached to the walls and new drywall installed. Based on the estimates this would be a financial hardship. What is the cost to comply? Commission to discuss. Tabled to give the proponent the opportunity to get more information on sprinkler system and the possibility of using a shunt trip. <u>They are working on getting the shunt trip and sprinkler head installed in the elevator shaft and, once that is done the variance will not be needed. They hope to have done by the February meeting and will request an “NVR” from the Commission.</u></i> | Project #321263 |
| 11-10-10(a)(b)I | | INDOT The variance applications are still incomplete.
TABLE TILL APRIL 2012 PER PROPONENT’S REQUEST | |
| 11-10-14(a)(b) | C | MASJID-E-NOOR – Indianapolis
<i>(a) The code required sprinkler system will not be provided in a building that was an office/warehouse that is now going to be used for a facility to hold praying sessions. The new use would make this an “A-3” Occupancy and the calculated area would allow for an occupant load of 311 which exceeds the code allowance for non-sprinkled areas. The proponent advises that the building has a fire detection system consisting of heat detectors and manual pull stations. The proponent advises that the hardship is the inability to fund a sprinkler system or a fire wall to reduce the space and eliminate the need for the sprinkler system. Commission to discuss. Tabled for proponent to explore additional options.</i> | |

- C (b) *The previous office/warehouse building was constructed in the 1970's of Type VB construction and was in compliance with the code, of record for area but with the change of occupancy to an A-3, based on the current code, the building is now over area. The building is currently 15,750 sq. ft. and the code allows 10,500 sq. ft. for VB Construction. The proponent advises they have a fire detection system consisting of heat detectors and manual pull stations. The proponent advises that the hardship is the inability to fund a sprinkler system or a fire wall to reduce the space and eliminate the need for the sprinkler system. Commission to discuss. **Tabled for proponent to explore additional options.***
- C (c) *The code required three (3) hour fire barrier separation will not be provided between the A-3 occupancy and the S-1 occupancy. The S-1 occupancy is also on the second floor above the A-3 occupancy. The proponent advises that there is a fire detection system consisting of heat detectors and manual pull stations. The proponent also advises that there will not be any consumption of alcoholic beverages, dancing nor live or recorded music. The proponent advises that 90% of the storage in the S-1 is non-combustible. The hardship is the cost to provide a three hour fire barrier and floor/ceiling horizontal assembly to separate the occupancies. The S-1 has a combination of storage including high piled and according to the pictures there are gasoline powered equipment and LP equipment stored in the structure as well. Commission to discuss. **Tabled for proponent to get figures for the sprinkler system.***

11-10-29 C **Lilly – K362 Development Lab Building – Indianapolis** Project #294732
*The maximum egress travel distance from the 5th floor mechanical level is approximately 390' and the code of record permits 250'. The hardship is the cost to introduce another stair into the existing penthouse and would cause an operational hardship given the location of the existing air handlers and other mechanical equipment. **Tabled at the request of the proponent.***

11-11-29 C **22 Dorman Avenue – Improvements – Greendale**
*The code required sprinkler system will not be provided in this 2 story Class 2 structure with basement building, which is being renovated, to house apartments on each floor including the basement. The building originally was a school, but was turned into a single family dwelling prior to 2009. The proponent advises that they will install a fire alarm system in both the community areas as well as the individual dwelling units. The proponent also advises that they will have a 3 hour fire resistance rated wall separating the residential portion of the building with the unoccupied Class 2 portion of the building. In the hardship portion of the application, the proponent advises that they feel this is a Class 2 structure and have met with someone that agreed with them. The proponent also talks about the requirement for an NFPA 13R system and not the NFPA 13 system which should be required for a structure that will have multiple tenants. They are stating that there will be eight apartments in the structure. **Tabled to allow the proponent to research funding for the sprinkler system.***

11-11-33 C **New Eden Care Center – Topeka** Project #354285
An automatic sprinkler system will not be provided for this facility as required by code. This facility is a birthing center for the Amish Community and this is an addition of

2,232 sq. ft. on the main level and a basement of the same size that will be attached to the existing structure of 8,056 sq. ft. for a total size of 10,288 on the main level and 12,520 sq. ft. for the total including the basement of the addition. There is no mention if there is a basement for the existing structure. The drawings show that there will be a 2 hour fire wall between the new and existing building and between the new building and the attached carport. This is classified as a Type VA Construction of an I-2 Occupancy. The proponent advises that the hardship is that this is a rural area and there is no direct water system and the excessive cost to install a well and storage tanks to supply a sprinkler system. They also advise that there is always one or two staff on duty at all times. In their letter they advise that this will be used primarily by the Amish Community not solely. The code states that an I-2 of VA Construction can be a maximum of 9,500 sq. ft. What is the cost? **Tabled at request of proponent.**

- 11-12-4 A/NVR **Ferenczy Condo – Bloomington – Windows**
Awaiting a response from the City of Bloomington.
- 11-12-8 D **Family Praise Center – Noblesville** Project #293559
The Type II construction under which the building was released was not followed and the NFPA 13 sprinkler system, that was installed, was not installed throughout as required by the code. The proponent advises that there are several spaces in the building that are combustibile construction, but have been covered with 5/8” gypsum board. The proponent also advises that there are sprinkler heads above the ceilings in the office and baptistery which have been enclosed with the gypsum board. The hardship is the cost to comply with a limited amount of non-designated monetary funds available in the church’s annual budget. These violations were cited by the fire department. **Tabled for proponent to work with the fire department.**
- 11-12-12 C **Barbers/Annie’s Pizza Queen Banquet Hall – Muncie**
The code required sprinkler system for the A-2 occupancy will not be provided. The proponent advises that the building is block with steel rafters and very minimal wood structure is involved in the building. **Tabled for proponent to do research on the project to see if a sprinkler system is indeed needed and if there are any other items that need to be addressed with a variance.**
- 11-12-14 C **Lighthouse Recovery Center – Washington** Project #348746
The automatic sprinkler system required for an I-1 Occupancy will not be provided. This is a post addiction facility that has a meeting room that is adjacent to a warming kitchen and food pantry on the main level. Also on the main level are 2 administrative offices. In the rear wing there are sleeping areas, bathroom and laundry room for the occupants. The walk out basement will be used for light storage. The proponent advises that there will be 3 supervisors that will rotate providing 24 hour on-site administration, if any emergencies arise. The proponent advises that they will install a manual fire alarm system and an automatic smoke detection system. The proponent advises that they were going to install the required sprinkler system and thought that there was a 6” water main, but have since found that it is a 3” main. The 6” main is over a mile away from the

facility and they do not have the funds to comply. What is the cost to comply? **Tabled for proponent to get some other ideas on sprinkler system solutions.**

- 11-12-18 C **Garcia Construction Group – New Corp. Hqts. – Indianapolis**
The code required rated corridor will not be provided. The proponent advises that this will be a partial corridor in a 15,000 sq. ft. structure. The proponent advises that they will install a partial smoke detection system in the corridor and that there are approximately 4 exits from the corridor. The hardship is the cost to provide fire rated construction, including glass and that the required door closures are not desirable for the offices of the corporate officers. Commission to discuss. **Tabled at request of proponent.**
- 11-12-21(a)(b) C **Applied Behavior Center for Autism – Greenwood**
(a) *The corridor walls and doors are not fire rated as required for an “E” occupancy.* This proponent advises that this project was released as a “B” occupancy but states the state has now classified it as an “E” occupancy. There is no CDR for this facility. The local fire department has submitted a letter stating that they feel this is an “E” occupancy. The proponent advises that the facility is an outpatient/professional services facility, for therapy of children with autism. The ration of staff to patients is 1 to 1. The proponent advises that the staff are neither teachers nor day care providers. The hardship is the cost to demo and provide fire rated wall and opening protective’s and the disruption of the facility while the work is being done. Are the students for the whole week? Are they being taught school subjects?
C (b) *The time out room is provided with a push button that maintains the door locked as long as pressure is applied to the button, which is not code compliant.* The proponent advises that there is a camera in the time out room to observe the patient. The proponent does not advise where the button is located that a staff member holds to maintain the door being locked nor where the video is being observed of the patient in the locked room. The proponent advises that this room is in the basement, which is sprinklered. There have been other types of rooms similar to this approved in the past but the person was on the outside of the door holding the locking device. The patients being treated are autistic and sometimes need to be isolated for their safety as well as the staff’s safety. Is the building fully sprinklered?
- 11-12-42 C **Aboite Elementary School – Fort Wayne** Project #212865
An existing elementary school that is required to be sprinklered throughout does not comply in the area above the ceiling. The proponent advises that the area above the ceiling is a noncombustible concealed space and the inspector views it as a second level thus requiring the sprinklers. The pictures submitted show a lot of open area with minimal storage. They do show ductwork going through walls that have not been sealed and drywall that does not appear to have been spackled to complete the fire resistance installation. Commission to discuss. **Tabled to allow proponent time to look at some other sprinkler ideas.**

11-12-45(a)(b)(c)(d)(e)(f)(g) **Comlux Completion USA – Hangar 5 – (IAA Building 122) – Indpls.**

- C (a) *The existing exterior stair, serving the mezzanine, will remain in its current condition which is in violation of the code.* The exterior stair is also considered to be part of the structure that must be brought to today's code. The hardship is the wish to save money where limited damage permits reuse and the existing elements will be reused or repaired to save costs and reduce the rebuild schedule. No documentation was provided as to what part would be reused or rebuilt or the structural stability of the existing stair. Commission to discuss. **Tabled for proponent to revise applications.**
- C (b) *The structure is not located the code required 30 feet from the property line and the exterior wall will not be rated two hour.* The agency has advised the proponent that due to the amount of fire damage that occurred to the building, over 50%, the building must be brought up to today's code. The building will be provided with an NFPA 409 compliant sprinkler system. The hardship is the cost in both time and money and the new layout for this wall would impact the fueling stations operation as they currently operate. Commission to discuss. **Tabled for proponent to revise applications.**
- C (c) *Chapter 11 Accessibility alterations will not be made to some portions of the existing building not damaged by the fire.* The agency has advised the proponent that due to the amount of fire damage that occurred to the building, over 50%, the building must be brought up to today's code. The proponent advises that they will do some accessibility work and the new work will comply with Chapter 11. A single user accessible restroom and break room facility will be constructed on the ground floor of the office area, and interior stairs will be replaced to comply with accessibility and Chapter 10 requirements. Commission to discuss. **Tabled for proponent to revise applications.**
- C (d) *The existing structural elements of the building not determined to be damaged will be reused as originally designed and not brought up to today's code.* The agency has advised the proponent that due to the amount of fire damage that occurred to the building, over 50%, the building must be brought up to today's code. The proponent advises that they will have a structural engineer provide an evaluation of the existing building structure and alterations per Section 3403.2. Commission to discuss. **Tabled for proponent to revise applications.**
- C (e) *The current energy code will not be followed for existing equipment not damaged by the fire and the building envelope will not meet the energy code.* The agency has advised the proponent that due to the amount of fire damage that occurred to the building, over 50%, the building must be brought up to today's code. The proponent advises that the existing walls, openings and roof construction will not be worse than the existing construction. The new roof membrane will have a higher insulating value than the existing roof. The new roof units replacing the damaged ones will be more energy efficient and all of the hangar floor lights will be replaced with energy code compliant units. The proponent advises that there was a thorough survey performed to determine what elements were damaged requiring repairs or replacement. Commission to discuss. **Tabled for proponent to revise applications.**
- C (f) *All electrical equipment will not be replaced or altered to comply with the current code.* The agency has advised the proponent that due to the amount of fire damage that occurred to the building, over 50%, the building must be brought up to today's code. The proponent advises that there is a substantial portion of the electrical system that will be replaced, but some code issues may not meet the current code. There aren't any specifics

about what will comply and what won't comply. Are the alternatives the proponent lists enough to offset the lack of compliance with the code? **Tabled for proponent to revise applications.**

- C (g) *The mechanical units that were not damaged by the fire will not be replaced to bring them within the current codes requirements.* The agency has advised the proponent that due to the amount of fire damage that occurred to the building, over 50%, the building must be brought up to today's code. The proponent advises that the new units will meet the 2008 Mechanical Code for ventilation rates. Areas not currently conditioned will be provided with mechanical ventilation in accordance with the 2008 Mechanical Code. Commission to discuss. **Tabled for proponent to revise applications.**

New Variances:

- 12-1-1 AI **Indiana Bar Foundation – Indianapolis**
The occupant use fire hose will not be maintained as required by code. The hose will be removed. The occupants will not be trained to use the fire hose and the Indianapolis Fire Department has advised the proponent that they will not use the hoses either. These variances have been approved in the past.
- 12-1-2 CI **Memorial Hospital of Logansport – Logansport**
The elevators do not have hoistway access as required by code. The proponent advises that the elevators have never had access and it has not affected the health, safety or welfare of the public. The hardship is that the horizontal divider steel would need to be removed and vertical steel would need to be installed, which would entail the removal of both elevators from service and the reinstallation of all steel brackets and rails. Defer to Commissioner Corey.
- 12-1-3 AI **Good Samaritan Hospital – Vincennes**
The occupant use fire hose will not be maintained as required by code. The hose will be removed. The occupants will not be trained to use the fire hose and the Vincennes Fire Department firefighters will not use the hose either. The fire department has worked out and agreement with the hospital to have 150' of double jacketed hose on site for the fire departments use if ever needed. The hardship is the cost to maintain and the periodic testing of the hose. These variances have been approved in the past.
- 12-1-4 AI **567 E. Graham Place – Bloomington – Windows**
The current emergency escape windows do not meet the code of record for size. The code requires that the windows be a minimum of 4.75 sq. ft., have a minimum width of 18", a minimum height of 24" and a maximum sill height of 48". The current windows are 4.81 sq. ft., have a width of 34.25", a height of 20.25" and a sill height of 38", the other window is 4.97 sq. ft., has a width of 30.5", a height of 23.5" and a sill height of 30.5".
- 12-1-5 A **820 N. Dunn Street, Bloomington – Windows**
The current emergency escape windows do not meet the code of record for sill height. The code requires a maximum sill height of 44" and the current windows are 48".

- 12-1-6 AI **Crescent Park Condominiums – 3230 E. John Hinkle Place – Unit K – Bloomington**
The current emergency escape windows do not meet the code of record for size. The code requires a minimum of 5.7 sq. ft., a minimum width of 20”, a minimum height of 24” and a maximum sill height of 44”. The current windows are 5.59 sq. ft., have a width of 35”, a height of 23” and a sill height of 26.5”.
- 12-1-7 A **Crescent Park Condominiums – 3230 E. John Hinkle Place – Unit A – Bloomington**
 Same as 12-1-6.
- 12-1-8 A **Day Nursery – Minton-Capehart Federal Building – Indianapolis**
The corridors in the daycare are not one-hour rated as required by code. The space is sprinklered but the rest of the structure has not been sprinklered as of this time. The original completion date was 12/31/2011 but this date will not be met and a new completion date is 10/2012. There is a manual and automatic fire alarm system within the space. The fire pump and new fire alarm system required to provide the required water and system monitoring are not complete yet. This has been an ongoing project for several years now. Staff recommends approval of this variance, the holdup is the funding from the Federal Government and this has been granted now by congress per the proponent. The Day Nursery people do not have the capability to move the owners of the building any faster and their only other choice would be to vacate the building.
- 12-1-9 A **2393 E. Winding Brook Circle – Bloomington – Windows**
The emergency escape windows do not meet the code of record for size. The code calls for the windows to be a minimum of 4.75 sq. ft., 24” high, 18” wide and a maximum of 48” above the floor. The current windows are 5.43 sq. ft., 23” high, 34” wide and 30.5” above the floor.
- 12-1-10 D **Glidden Furniture – Terre Haute**
The hydraulic cylinder does not comply. This violation has been cited multiple times and there are a couple of ways to correct the problem, including replacing the cylinder or installing a jacket on the current cylinder. This code was put in place in 2003 and most of the elevators that were in violation have been repaired. The proponent advises that the hardship is the cost to replace the elevator or cylinder would take 3 to 4 weeks and \$30,000 to 50,000.
- 12-1-11 CI **Bill and Chandra Wright Pool – Zionsville**
The deep water entry and exit does not comply with the code. Application incomplete; owner is incorrect.
- 12-1-12 C **IU Health Neuroscience Center – Indianapolis**
The code required visual alarm devices will not be installed in patient exam rooms. The proponent states that there is an exception in the ADAAG Technical Bulletin for Visual Alarms for medical care settings. The building code commentary states that medical exam rooms are to have the strobes. This is the same as 12-1-32.

- 12-1-13 A **Sam's Club #6424 – Kokomo** Project #354894
The visual fire notification devices will be mounted on the ceiling which is not code compliant. These strobes lights have been approved in the past for these big box stores.
- 12-1-14 CI **Alro Steel – Beech Grove** Project #354045
Neither the code required sprinkler system or the exterior openings will be provided for the proposed structure and the code requires one or the other. The proponent advises that there will be two large overhead doors (approximately 23' wide) at the northeast and southeast corners of the building addition, but no doors will be provided on the east side of the building. The proponent advises that this is a drive through area for semis and is below the grade of the rest of the building and to install doors along the east wall would require the installation of stairs. The proponent feels the overhead doors are better access for firefighters than the doors on the east side of the building. Commission to discuss.
- 12-1-15 C/DI **Dot Foods – Cambridge City**
A 20,000 gallon ULI42 above ground tank will be installed which is larger than the maximum allowed by code. The proponent advises that they will not be able to attain the 100' set back required either. The proponent advises that they will follow all of the NFPA 30 standards, including the vehicle impact protection. They advise that the physical size of the property does not allow the 100' set back from the building or property lines and due to traffic patterns it is not conducive to install two tanks. They do not state what this tank will be used for, retail sales of fuel or fleet fueling. They also do not state what type of fuel will be stored in the tank. Commission to discuss.
- 12-1-16(a)(b)(c)(d) **Rupert Ridge School – Woodburn** Project #354682
 CI (a) *Emergency lighting will not be provided as required by the code.* This is an Amish school and will not be provided with any electricity.
 CI (b) *The lighting for the school will be by LP gas lighting which will have open flames which is not allowed by the fire code in "E" occupancies.* The proponent advises that this is the same type lights used currently in Amish homes. Commission to discuss.
 CI (c) *Exit signs will not be provided as required by code.* The proponent advises that with no electricity the signs, would not be lit and, without lights, the photo luminescent type signs would not be able to have enough light to keep them in a ready condition to emit the required amount of light in an emergency. Commission to discuss.
 CI (d) *The code required fire alarm system will not be provided.* There is no electricity in the structure and therefore a fire alarm cannot be powered. The proponent advises that they will have battery powered smoke detectors in the structure. Commission to discuss.
- 12-1-17 AI **NRP Indiana – Montpelier** Project #352721
The shower stall installed in the employee locker area facility does not meet the ADA requirements or the requirements of the current code. The proponent advises that the restroom in the office area has been designed and installed to meet the code. The shower stall is in a different area and is only for occasional use by employees who are loading or unloading trucks and may come in contact with process materials. The hardship is the

ability to alter the area this far into construction to follow the code. Commission to discuss.

12-1-18(a)(b)

Sigma Kappa Sorority Renovation – West Lafayette

- B (a) *The existing middle stair will be opened up to the 1st floor as part of the proposed renovation rather than remain enclosed as required by code. The proponent advises that the stairs are currently enclosed and this stair is one of three exits from the basement and 2nd and 3rd floors. The project includes a 1st floor foyer renovation, minor reconfiguration of sleeping/study rooms, new finishes, accessibility upgrades and installation of a sprinkler system throughout. The building is a type VA construction. The proponent advises that the open stair will be protected by a 12” draft curtain and a row of close-spaced sprinklers. The hardship is an effort to enhance the function as a primary circulation route and reduce congestion at the 1st floor entry lobby.*
- C (b) *The existing Formal Room will be opened up to the 1st floor/corridor as part of the proposed renovation and code requires rooms to be separated from corridors. This room is currently open to part of the corridor in the original 1952 portion of the building. The additional opening will enhance the 1st floor circulation and create a visual connection between the formal room and the entry/foyer. Commission to discuss.*

12-1-19(a)(b)

Mavris Arts and Event Center – Indianapolis

- C (a) *The yard on the north side of the building is used as a safe dispersal area for the exits from the 2nd and 3rd floors of the building but the area accommodating the total occupant load of the 2nd and 3rd floors does not allow for the minimum distance of 50’ from the structure. The building was constructed in 1883 and has been several occupancies in the past. The current owner purchased the structure in 1999 and it is classified as an A-2 occupancy and is of Type IIIB construction. The structure is now used for events including weddings, receptions, dinners and business conferences. The proponent advises that the building is constructed of multi-wythe brick masonry exterior walls, heavy timber structural framing and wood joists and roof rafters. The structure is fully sprinklered throughout with an NFPA 13 system and has a fire alarm system. The hardship is that the dispersal area is located next to the existing operational CSX rail line and due to liability and safety issues, access to the rail bed can no longer be provided from the yard. Commission to discuss.*
- C (b) *The second means of egress from the outdoor terrace to the 3rd floor level will be through an egress door back into the building. The door is equipped with hardware that is locked when the building is not occupied for security purposes, which is not code compliant. The terrace will be used occasionally as an outdoor café/sitting area. The proponent advises that the door will remain unlocked at all times the terrace is occupied; the door is a normal to and from path for the terrace. The door is equipped with hardware that automatically unlocks upon actuation of the fire alarm system or the sprinkler system. Commission to discuss.*

12-1-20

DI Evansville Arena – Evansville

Project #342978

The fire alarm system will be placed into a pre-programmed “Pyrotechnic Mode” which is not allowed by the code. Request is to use an altered alarm system (“pyrotechnic mode”) for events when pyrotechnics and/or theatrical smoke would cause a repeated

false alarm trip notification to the alarm panel. The pyrotechnic mode affects only the sensors within the smoke dampers and #24 beam detectors over (? what). The Pyrotechnic mode is a password protected disable button within the Fire Alarm Panel. It is setup with a timer that will automatically reset after the time that was set and was not already reset. The hardship is the ability to attract touring shows that utilize 1.4G pyrotechnics. They feel that this is the industry standard and without this would severely compromise the communities a options other than to continually press the trouble/supervisory alarms every thirty seconds once the alerts start as a trouble in the positive alarm sequence. There is no additional public safety protection offered.

- 12-1-21 D **Christ Temple Apostolic Faith Assembly, Inc. – Indianapolis** Project #352248
The structure is supposed to be of Type III Construction and there will be wood used in the parapet which violates the code. The proponent does not agree that this is a violation of the code since the code did not specifically state that the parapet must be the same construction as the supporting wall. Commission to discuss.
- 12-1-22(a)(b) C **Community Building – Addition – Orland** Project #349483
(a) *The code required 2 hour fire wall will not be provided between the new addition of Type VB construction and the original 2 story building of Type IIIB construction.* The new addition is already completed and occupied. The mixed construction types are required by the code to be separated. The proponent advises that the addition is separated by a 2 hour fire barrier (12” think brick) and 2 ½ hour rated door assemblies will be provided, one located in the corridor and one into a storage area. This will be done within 6 months due to the expense of the doors. The hardship is the 12” brick bearing wall is not structurally independent and the cost of \$5,900.00 for the additional doors. The addition has been occupied for approximately one year. Commission to discuss.
- C (b) *The code required sprinkler system will not be provided for the addition and the original building now of 5,436 sq. ft. which the code requires the sprinkler system for a fire area in excess of 5,000 sq. ft.* The proponent advises that the building will be in compliance without the sprinkler system once the doors are installed.
- 12-1-23 C **Lockerbie Glove Company, Basement Ceiling Remediation – Indianapolis**
The current ceiling is required by the code of record to be maintained as a 2 hour separation and that will not be done. The existing ceiling in the basement is a combination of gypsum board, plaster and metal lathe patch around piping extending below the plane of the existing floor beams – this construction has fallen into disrepair and will be remedied by a combination of repaired gypsum board, exposed floor beams and decking (with thermal insulation) and/or a nonrated suspended ceiling system for aesthetic reasons. The proponent feels that the 2 hour assembly has been compromised over the years with the addition of new piping or repair of piping. The request is to permit the repairs without complying with the original 2 hour rating requirement. The hardship is creating the floor system compliant with the 1980 code is primarily the lack of sufficient headroom to create a suspended ceiling system that would allow future access to piping. The proponent feels there is no practical way of complying with the 2 hour rating requirement.

- 12-1-24 B **Heatwole Woodworking – Bremen** Project #353911
The code required sprinkler system for a woodworking facility in excess of 2,500 sq. ft. will not be provided. The proponent advises that they will install a dust collection system per NFPA 664, 1998 Edition. There have been previous variances approved in the past for this type of system set up. The owner’s undue hardship is the cost of \$145,000.00 for the sprinkler system; the building cost was \$95,000, to install a sprinkler system.
- 12-1-25 CI **East Bay Apartments – Phase II – Bloomington** Project #354767
The code required 1 hour construction will not be provided for the exterior balcony/walkways constructed of unprotected steel and wood framing. Due to the fact that the balconies are supported by columns and not cantilevered, they are interpreted as part of the building structure and not projections. The building is protected with an NFPA 13R sprinkler system and does protect the balconies. The proponent advises that no grilling will be allowed on the balconies. The hardship is the increased cost to construct the I-hour exterior balcony. Commission to discuss.
- 12-1-26 AI **Hachette Book Group Lebanon Building #2 – Lebanon**
The existing warehouse facility of 481,680 sq. ft. will have the code required hose drops removed. The removal of the hose drops is due to the damage being done by the fork lift operators hitting them and leaks in the system. These leaks are damaging the books that are in storage. The proponent advises that the structure is protected with an NFPA 13 sprinkler system. Similar variances have been approved in the past.
- 12-1-27 C **Tenth and College Horizons Apartments – Bloomington** Project #355000
 Same as 12-1-25.
- 12-1-28 C **Indianapolis Zoo – Orangutan Exhibit – Indianapolis**
The code allowed construction height of 60 feet for VB construction will be extended to approximately 66 feet and the open heavy timber spire element will have a height of approximately 151 feet and the code only allows 80 feet. The structure will be primarily steel frame construction with some heavy timber. The building will be protected by an automatic sprinkler system. The hardship is the height function of the space is needed for the shelter of the orangutans. The heavy timber is an architectural feature to create the appropriate interior environment for the exhibit. Commission to discuss.
- 12-1-29 BI **37 Place Community Center – Indianapolis**
In a Chapter 34 evaluation, the proponent is requesting an additional 4.7 points for fire safety, 5.5 points for means of egress, and 3.5 points for general safety for the vertical openings. This is a conversion from an elementary school to a community center, including office spaces, administrative offices, and classrooms. The proponent advises that there are 2 unenclosed stair openings, as well as a 2 story opening in the renovated “Town Square” gathering area on the 1st floor. These openings are otherwise permitted to be unenclosed based upon various IBC exceptions, but will be unseparated from the existing 3 story stair openings. The proponent advises that they will install 12” draft curtains and a row of closed spaced sprinklers at the 1st level ceiling level around the opening. The 2nd and 3rd floors will be enclosed at each stair with glass walls and doors

with closed spaced sprinklers provided on each side wall. The building will be protected will an automatic sprinkler system. Egress travel will be within the permitted range (176 feet vs. 300 feet permitted). The hardship is the infeasibility to enclose the first floor with the existing configuration. Commission to discuss.

- 12-1-30 AI **Hachette Book Group Lebanon Building #9 – Lebanon**
Same as 12-1-26.
- 12-1-31 CI **Lanier Mansion – State Historic Site – Madison**
The pull side of the upper landing gate vertical wheel chair only has 13” and the code requires 18”. The gate could have been installed so as to open the other way and have the required room, but it would be unsafe due to opening towards the stairs. This is an historic site and the only access is on guided tours so that anyone using the lift will have someone with them. Defer to Commissioner Corey.
- 12-1-32 NVR **Riley Hospital for Children – Phase Va.2, Sequence 1c, Fifth Floor – Indianapolis**
Visible fire alarm notification devices will not be installed in patient sleeping rooms or inpatient treatment areas of an I-2 occupancy. A variance, 09-06-19(a), was submitted to the Commission for this same request and the Commission ruled that there was no variance required.
- 12-1-33 CI **Social Lounge – Indianapolis**
An existing retail/business space of approximately 1,800 sq. ft. will be converted to a bar/small event space and will only be provided with one exit until March 2012 and the code requires at least two exits be provided. The building was constructed in 1905 and was substantially renovated in 2000, for apartments on the upper floors and retail/commercial use on the first floor. Other existing tenants include a bar on the Meridian St. end of the building. The building is Type IIIB construction and is constructed of multi-wythe brick masonry exterior walls and wood floor joists and roof rafters. The space will be used for events leading up to the Super Bowl. Due to the tenants in the adjoining space, the 2nd exit will need to be to the exterior through a multi-wythe brick masonry exterior wall approximately 2 feet in thickness and, due to the time required for engineering and regulatory approvals, the 2nd exit cannot feasibly be implemented until March of 2012. Commission to discuss.
- 12-1-34(a)(b) **Fed Ex Freight East Inc. – Terre Haute** Project #354374
CI (a) *A guard rail will be installed around the above ground tanks rather than the code compliant bumper posts.* If the guard rails are installed equivalent to Section 312.3 and are a minimum of 36” high and can withstand 12,000 pounds applied at 36” above the adjacent ground surface then they meet the code. In variance (b) they state they will be using highway guard rails.
CI (b) *A second 12,000 gal. above ground fuel tank will be installed which does not meet the maximum allowed by code for size of a single tank or for multiple tanks.* The code allows a maximum of a 10,000 gal. tank or an aggregate of 18,000 gallons. They advise that they will install the same type tank as previously installed, UL2085. The proponent

advises that the need is the higher number of trucks that Fed Ex has in the area needing fuel and the cost of fueling off site. Commission to discuss.

- 12-1-35 C **800 Main St. – Lafayette** Project #354799
The building will not be made to comply with the rules of the Commission when changed from a retail space to a tea shop, art gallery and classrooms, as required by code. One of the requirements is for a sprinkler system for an A-2 with a fire area above the first floor. There has been an analysis performed for Section 3410 of the IBC and there is a 4.07 point shortfall in the fire safety column. The proponent advises that the second floor existing ball room will not be used at this time and will be secured. This area only has one stair serving the area and will later be used when they install a new exterior stair to serve this area, at a later date. The hardship is the cost to install a sprinkler system which is estimated to be approximately \$47,000.00. Commission to discuss.
- 12-1-36 C **Plainfield Middle School – Plainfield**
The proposed renovation of two restrooms will not be provided with the code required 20 minute rated doors and one hour fire partitions. This is an infill of approximately 600 sq. ft. to expand the size of the restrooms. This is a Type IIB construction structure. The use of the doors will inhibit the staff's ability to see and hear into the restrooms for the supervision of the students. This same type variance was approved in Evansville (09-04-54b). Commission to discuss.
- 12-1-37 A **2356 S. Henderson St. – Bloomington – Windows**
The current emergency escape windows do not meet the requirements of the code of record. The current code requires the windows to be at least 4.75 sq. ft., a minimum of 18" wide, 24" high and have a maximum of 48" above the floor. The current windows are 4.88 sq. ft., 30.5" wide, 23.5" high and have a sill height of 31". Thus being ½" to short to meet the code.
- 12-1-38(a)(b)(c)(d) **Indiana University Bloomington South Eastside Residence Hall – Bloomington**
C (a) *The new residence hall will have lounge areas open to the corridors which is not allowed by code. The structure will be fully sprinklered with an NFPA 13 system. There have been other variances approved for this same situation. The hardship is the owners desire to maintain openness between the lounge and the corridor.*
C (b) *The new residence hall will have rated doors on the dorm rooms and snack rooms without having closure devices and rated glazing on them as required by code. The proponent advises that similar variances have been approved. The hardship is the owners desire to reduce the tampering and maintenance cost of repair of the door closures. Additionally most dorm room doors are propped open at some time, which is an enforcement challenge. Commission to discuss.*
C (c) *The new residence hall will have the standpipe connections located on each floor rather than the code compliant intermediate levels. These type variances have been approved in the past with the approval of the local fire department. NFPA 14 allows this change in location with the local authority having jurisdictions approval as well. There was nothing submitted stating that the AHJ is in agreement with this change.*

- C (d) *The code required ½ hour floor assemblies will not be provided in areas of the 3rd, 4th, and 5th floors. The code allows the ½ hour assembly in Type IIB construction but there are no UL listed ½ hour or other approved ½ hour assemblies. The proponent advises that these are very small areas but does not list where they are located no how many there are. The hardship is the fact that there are no ½ hour assemblies.*
- 12-1-39 CI **Fashion Mall at Keystone – Add. and Renovations – Indpls.** Project #352810
With the expansion of the existing mall, some of the egress will be affected by the location of the construction areas, which is not allowed by code. The location of the construction areas and sequencing will require temporary reduction of current widths, closing of existing egress locations, creations of dead end corridors and a travel distance in excess of current conditions. Are the proposed alternatives enough? The hardship is the owner’s and retail tenant’s necessity to keep the mall open and functioning while the construction and remodeling is done. Commission to discuss.
- 12-1-40 A **Indianapolis Fire Department Station #5 – Indianapolis**
The new fire station will not have accessible toilet, sink, and shower facilities in the firefighter use areas as required by code. The code requires all public and common use toilets and bathing facilities is accessible. The locker rooms, toilet and bathing facilities are only used by firefighters. The public is not allowed in these areas of the fire house. There is an accessible restroom available in the main area of the station. The Commission has approved these type variances in the past.
- 12-1-41 CI **Lumen Christi Catholic School – Indianapolis**
The Chapter 34 evaluation of the 2 story administrative building being converted for use by the school is in need of the following points; 30.7 points for fire safety, 19.7 points for means of egress, and 19.7 points for general safety. The negative points are derived almost entirely from the existing 2 story open stairs. The building has approximately 1,400 sq. ft. per floor and is Type VB construction. The proponent advises that there will be 2 exterior stairs added to provide the required exits from the 2nd floor. A fire alarm will be provided and a smoke detection system will be provided throughout the building which is not required. The maximum egress travel will be 40’ and the code allows 200’. The hardship is the desire to maintain the stairs in the existing configuration for use as convenience between floors. Commission to discuss.
- 12-1-42 CI **The Alexander Hotel, Indianapolis** Project #352438
The Building Code requires the outdoor mechanical platform for the new 6-story hotel to have a 2-hour structural frame and floor. The request is to allow the structural frame and floor to be nonrated, because the structural fire-proofing would be eliminated. What is the cost of the fire-proofing and how will collapse in the event of a fire be prevented?
- 12-1-43 CI **Mt. Carmel Christian Church - Chair Lift, Trafalgar**
The Building Code requires exit stairs to be a minimum of 44” in width. The request is to allow the installation of a chair lift on a basement exit stair that, when folded up, will reduce the stair width to 41”, and when in operation, will reduce the exit width to 24”. Is the other exit capacity sufficient for public safety?

- 12-1-44 **B/NVRI St. Joseph's High School, South Bend** Project #352102
The Plumbing Code requires drains that are "subject to infrequent use" to have an automatic means of maintaining their water seals. The attached, unsigned owner's letter states that the drains will be used frequently. The local building official cited the condition in the attached letter.
- 12-1-45 **CI Steeples on Washington, Indianapolis**
The Fire Code requires firefighting water supply to be provided prior to the beginning of construction of this multifamily development. The request is to allow for fire department tankers to supply firefighting water supply until September 2012. Does the fire department find this acceptable?
- 12-1-46 **CI NFLPA Event, Plainfield**
The General Administrative Rules require that a building undergoing a change of occupancy comply either with the current rules for the new occupancy or Chap. 34. The request is to allow a temporary change of occupancy of approximately 40,000 sq. ft. of an approximately 250,000 sq. ft. warehouse facility for use on 1 day for a Super Bowl event, without compliance with the requirements for an A-2.