



COMMISSION MEETING MINUTES

Indiana Fire Prevention and Building Safety Commission
Indiana Government Center South
Conference Center Room B
302 W. Washington Street
Indianapolis, Indiana 46204

Tuesday, February 5, 2019

1. Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was opened by Chairman Nicoson at 9:00 a.m. on February 5, 2019.

(a) Commissioners present at the Commission meeting:

Michael Corey
Greg Furnish
Kevin Goeden, representing the Commissioner, Department of Labor
Joseph Heinsman
Todd Hite, representing the Commissioner, Department of Health
James Jordan
Robin Nicoson, Chairman
Michael Popich
Jessica Scheurich, Vice-Chairman

(b) Commissioners not present at the Commission meeting:

David Henson
Scott Pannicke

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

Alan Blunk, IDHS Plan Review Section Chief
Douglas Boyle, Director of Fire Prevention and Building Safety Commission
Craig Burgess, State Building Commissioner
Denise Fitzpatrick, IDHS Code Specialist
James Schmidt, Deputy Attorney General & Legal Counsel

Justin Guedel, IDHS Staff Attorney
Kevin Troy, Code Enforcement Assistant Section Chief
Kathleen Ash, IDHS Legal Assistant (acting as the Fire Prevention and Building Safety Commission Secretary)

2. Director Boyle conducted roll call, and noted that quorum was present, with nine commissioners in attendance.
3. Commission Review of Meeting Minutes from Thursday, January 3, 2019

Director Boyle called for approval or corrections of the minutes for the January 3, 2019 meeting. Commissioner Scheurich made the motion to **approve** the minutes as submitted with no other additions or corrections. Commissioner Corey seconded the motion. It was voted upon and carried.

4. Comments from Richard Alvis, President and CEO of Wheeler Mission Ministries

Mr. Alvis described the emergency situation in January when Indianapolis was experiencing extremely cold temperatures. As a result, a large number of women and children were staying in their shelter in the gymnasium. He explained that they were required to seek a variance. He thanked Fire Marshal Greeson and IDHS for helping with the variance application process. There was discussion regarding ways to improve this process, including the current heat and cold extreme contingency plans. It was suggested that this type of facility should request a variance sooner so it can already be on the books when cold weather hits. Mr. Alvis stated that they could not have predicted having 120 people per night.

5. IDHS Announcements/Comments from Executive Director Bryan Langley

Director Langley stated that the strategic direction of IDHS's focus is on its core services, which is its boards and commissions. IDHS's aim is to be risk adverse by combining goals and objectives and updating rules and regulations. Several agency goals are to: augment plan review and code enforcement; focus on public safety and identify gaps; elevate the public safety academy, by providing better training for first responders; expand resiliency and mitigation in Indiana; improve school safety and cybersecurity; implement a state-wide mitigation strategy; improve technology systems, such as ACADIS, DFBS and WebEOC; and encourage Next Level emergency management through collaboration with County EMA directors. There was discussion on secured school safety, specifically House Bill 1004. The Secured School Safety Grant allows money to be spent on technology, threat assessments and SROs. Director Langley wants to support teachers and first responders by providing resources to make informed decisions, such as the Stop the Bleed Program.

6. State Building Commissioner's Report

Commissioner Burgess expressed his thanks and appreciation for all of the hard work that Commissioner Furnish and the Residential Code Committee did regarding the 2018 IRC.

7. Rulemaking Updates

- a. 2018 Elevator Code Committee: The next meeting is Tuesday, February 19, 2019. The location of the meeting was still to be determined, but Director Boyle advised that the meeting information will soon be updated on the Committee's web page. The Committee will continue to review ASME A17.1 -2016, specifically Appendix L, which pertains to the type of work requiring an alteration permit.
- b. 2018 Indiana Residential Code Committee: Review was completed in December. Staff has been working on the proposed draft rule, and hopes to have it completed by March. Mark Demerly and Craig Wagner spoke on behalf of the Committee regarding two additional proposals. The first proposal concerns R408.3 Crawlspace; it could not be considered at the last meeting because it was submitted in the incorrect format. The other proposal concerning R507.4.1 is to correct a mistake in the IRC text itself. Commissioner Furnish moved to **accept** the Proposals for Code Change #379 and #380, to Section R408.3 and Section R507.4.1 of the 2018 IRC, as submitted; and ordered staff to incorporate these two additional amendments into the proposed draft rule of the 2020 Indiana Residential Code (675 IAC 14-4.4). Commissioner Popich made the second. It was voted on and carried. The IRCC was tasked with creating a fiscal impact statement to provide to LSA with the proposed draft rule. The goal was to show that it would be more expensive or less expensive. There was discussion regarding the room square footage. Chairman Nicoson recommended that letters of recommendation be issued to everyone who served on the IRC Committee. Commissioner Furnish moved to **accept** the 2018 Indiana Residential Code Committee's proposed amendments to the 2018 IRC model code as the Fire Prevention and Building Safety Commission's own amendments for the proposed draft rule of the 2020 Indiana Residential Code (675 IAC 14-4.4); and ordered the Commission's staff to file the request for exception to the regulatory moratorium, and file a notice to begin the formal administrative rulemaking process pursuant to IC 4-22-2. Commissioner Popich made the second. It was voted on and carried.

8. Commission Action on Non-Final Orders of Dismissal

- a. Stacy's Restaurant, Cause No. DHS-1821-FPBSC-020
- b. Duke Energy Indiana, LLC, Cause No. DHS-1813-FPBSC-012
- c. HighPoint Orchard, Cause No. DHS-1812-FPBSC-011
- d. Lark Ranch, Cause No. DHS-1815-FPBSC-014

- e. City of Indianapolis, Cause No. DHS-1820-FPBSC-019

Director Boyle stated that the administrative law judge (ALJ) entered and submitted non-final orders of dismissal for the cases listed above, upon receiving joint motions to dismiss from the parties. Commissioner Scheurich moved to **affirm** the non-final orders of dismissal, and Commissioner Corey made the second. It was voted on and carried.

9. Commission Action on Non-Final Orders

- a. Ryan Fire Protection, Inc., Cause No. DHS-1811-FPBSC-010

History: The ALJ issued her Non-Final Order with Findings of Fact and Conclusions of Law on 12/18/2018. The Commission filed its Notice of Intent to Review on 1/11/2019.

Regarding the administrative law judge's (ALJ) non-final order in the above-referenced case, Jim Schmidt explained that the Commission may affirm it, modify it, or remand it back to the ALJ. There was discussion regarding whether combustibles, grills or heaters might be stored on the balconies. The Commission is concerned about setting precedent. There was discussion on having an NFPA 13R system versus an NFPA 13 system. After discussion, the Commission decided to modify the ALJ's Conclusions of Law (Page 7) as follows: (1) the title of Item 2(b) is changed to read "NFPA 13" (2) the text of Item 2(b) is changed to read as follows: "Respondent pointed to NFPA 13 to provide additional guidelines regarding the projections at issue. However, NFPA 13 does not apply in this case." and (3) the last sentence of the first paragraph of Item 2(c) is deleted. Commissioner Jordan moved to **affirm** the Non-Final Order **as amended** and Commissioner Scheurich made the second. It was voted on and carried.

Breaking and reconvening: Chairman Nicoson recessed the Commission at 10:39 a.m. It was called back to order at 10:49 a.m.

10. Review of Local Ordinances

- a. Ordinance No. 2018-OR-23, City of Charlestown, Indiana Property Maintenance Code (Revised)

History: This ordinance was submitted to IDHS Commission staff electronically on 12/05/2018. It was tabled by the Commission on 1/3/2019.

Director Boyle advised the Commission that Section 303.2 of Ordinance No. 2018-OR- 23 still conflicts with the Commission's residential swimming pool rules under 675 IAC 14-4.3-296(3). Even though Section 303.2 mostly repeats the exact enclosure restrictions for residential swimming pools, hot tubs, and spas verbatim as provided in 675 IAC 14-4.3-296(3), Section 303.2, as written in Ordinance No. 2018-OR-23, fails to provide all of the minimum means afforded in 675 IAC 14-4.3-

296(3) – namely a power safety pool cover, as provided in 675 IAC 14-4.3-296(3)(D). As such, Director Boyle recommended that Commission deny approval of Ordinance No. 2018-OR-23 due to the provided defect/conflict with the Commission’s rules. There was a brief discussion regarding other contents of the ordinance, as some of the commissioners are opposed to the strict enforcement and fee requirements provided in the ordinance. Both Director Boyle and legal counsel Jim Schmidt reminded the Commission that only building and fire safety laws are subject to the Commission’s review and approval. A letter of objection and additional information regarding the lawsuit, was submitted by the counsel for the Plaintiffs, the Institute for Justice. Commissioner Corey moved to **deny** Ordinance No. 2018-OR-23, and Commissioner Scheurich made the second. It was voted on and carried.

11. Commission Action on Locally-Approved Variance(s) pursuant to IC 22-13-2-7(b)

a. Edge 35, 1234 Prospect Street, Indianapolis, Indiana

Margie Bovard, City of Indianapolis, stated that she is okay with this variance. Commissioner Corey moved to **approve** and Commissioner Jordan made the second. It was voted on and carried.

12. Variances

a. Tabled

18-08-62 Homestead Apartments Fire and Building Code Violation, West Baden Springs

Brook Tarr, D.B. Tarr & Co., spoke as the proponent. Proponent stated that upon reviewing the current code, as well as the code in effect when the last CDR was issued, the windows do not need to be operable. Additionally, based on the current applicable code, these are considered dwelling units, and are only required to have one exit. Proponent said that, Ryan Wineinger, IDHS Code Enforcement, notified proponent that the violations have been corrected and that proponent is in compliance. The code of records has not been established. It was discussed whether the current code should be applied to this building because there is no change of use. It was said that if the proponent would have stated that this is a historic building and did not want to destroy certain windows, but would install sprinklers, then the Commission would have likely approved the variance. This is a fully sprinklered building with sufficient access. Commissioner Furnish moved to **approve** and Commissioner Jordan made the second. It was voted on and carried.

18-12-01 Menard’s Fire Access Road, Valparaiso – *paper filing*

No proponent was available to speak on the variance. The application was incomplete. Commissioner Scheurich moved to **table** and Commissioner Corey made the second. It was voted on and carried.

18-12-02 Palermo Construction Fire Detection, Fort Wayne – *paper filing*

No proponent was available to speak on the variance. Commissioner Scheurich moved to **table** and Commissioner Furnish made the second. It was voted on and carried.

18-12-13 (a)(b) Daming Excavating, Indianapolis

Ryan Daming, Daming Excavating, spoke as the proponent. He explained that he wanted to add office space to an existing pole barn. IFD suggested installation of an NFPA 72 protection system. Mr. Daming received a price quote of \$34,499.00 to install this system. Proponent's budget is \$45,000.00. A second, more cost-effective option, is the installation of a dedicated fire panel, remote enunciator, photo detectors, and pull stations. Proponent received a quote of \$7,600.00 for installation of this system. Margie Bovard, City of Indianapolis/Indianapolis Fire Department, has not yet seen this proposal. Commissioner Furnish moved to **table** and Commissioner Scheurich made the second. It was voted on and carried.

19-01-01 Spring Mill Bible Camp New Cabins, Mitchell – *paper filing*

Nathan Grimes, Renaissance Design Build, and Isiah Weildbaker, Designer, spoke as the proponents. A CDR for the construction of two new cabins was submitted in October; two cabins will be razed and replaced. These existing cabins are almost 60 years old. The cabins will be used by a summer church camp, which lasts approximately 6-8 weeks or 40-50 days a year. The cabins are required to be sprinklered. They will be wood-framed, concrete block, slab on grade construction. Twenty-four campers will sleep in each cabin. Proponent explained that the cost to sprinkle these cabins will be excessive, as the water main is 11,800 feet away. There will be extra egress exit doors in the cabins as required by code. Additional fire extinguishers will be added and fire escape plans will be posted on each wall. The smoke detectors will be hardwired. There will be a window in between every two bunks. There will be electric water heaters, but no furnaces. Commissioner Jordan moved to **approve with the condition** that the windows meet egress requirements. Commissioner Furnish made the second. It was voted on and carried.

19-01-02 Country Lake Worship Center, Underwood – *paper filing*

Nathan Grimes, Renaissance Design, and Ross Knecht, Director of Country Lake Christian Retreat, spoke as the proponents. This is a fully sprinklered, 20,250 square foot building, which is used as a worship center for a summer camp. This request is for a two-year extension on the approval from two years ago; although the proponent expects to be done in one year. Proponent stated that at the water company board meeting, they agreed to a cost share, and a timeline of having this completed by 2020. Commissioner Furnish moved to **approve with the condition** that this variance will expire on February 1, 2021. Commissioner Popich made the second. It was voted on and carried.

19-01-09 Broadway Christian Church, Fort Wayne

No proponent was available to speak on the variance. Commissioner Furnish moved to **table** and Commissioner Popich made the second. It was voted on and carried.

19-01-15 Bluffton Free Street Fair, Bluffton

Trudy Murray and Joe Ayers, Bluffton Free Street Fair, spoke as the proponents. This is a 109-year-old fair that occupies the entire downtown area. Main Street, or State Road 1, from Spring Street to Wabash Street, will be closed for five days for the duration of the fair. Fire access roads are required to have an unobstructed width of 20 feet; as such, the local Fire Chief wants the awnings to be located behind the 20-foot mark. Proponent indicated that the local fire departments have alternate routes. Set-up for the fair is Sunday September 15th and tear-down is Monday, September 23rd. Commissioner Popich moved to **approve with the condition** that the variance is valid from Saturday, September 14, 2019 through, and including, Monday, September 23, 2019. Commissioner Corey made the second. It was voted on and carried.

19-01-41 (a)(b) Carrier Corporation, Indianapolis

The proponent requested to **table** the variance. Commissioner Corey moved to table and Commissioner Scheurich made the second. It was voted on and carried. Commissioner Popich abstained.

19-01-48 (a)(b) Duke Realty Headquarters, Indianapolis

Dave Sharp, Thyssenkrupp Elevator, spoke as the proponent. This alternate suspension method is compliant with 2016, which is the standard being reviewed now. Commissioner Popich moved to **approve** Variances (a) and (b) and Commissioner Heinsman made the second. It was voted on and carried. Commissioner Corey abstained. It was noted that this type of variance should be placed in the block vote in the future.

19-01-51 (a)(b) Miller's Merry Manor – Huntington, Huntington

No proponent was available to speak on the variance. Denise Fitzpatrick, Code Services, stated that she has not communicated with the proponent since December. Commissioner Scheurich moved to **table** and Commissioner Corey made the second. It was voted on and carried.

19-01-54 (b) Civic Center Parking Garage Expansion, Fort Wayne

Christina Collester, RTM Consultants, spoke as the proponent. Ms. Collester stated that the variance application has been corrected. The proponent wants to add two new levels and reuse standpipes –

instead of installing new ones as required by code-- in existing parking garages. Proponent stated that at last month's meeting, the local fire official said that he did not have an issue with this variance. Ms. Fitzpatrick stated that she was okay with this variance. Commissioner Scheurich moved to **approve** and Commissioner Furnish made the second. It was voted on and carried.

b. New

Category A/B

- 19-02-01 Community Stroke and Rehab, Crown Point
- 19-02-02 (a)(b)(c)(d) Schneck – Medical Office Building & Garage, Seymour
- 19-02-03 (a)(b)(c)(d) KAR Global Headquarters, Carmel
- 19-02-04 (a)(b) Kuehne + Nagel, Whitestown
- 19-02-05 (a)(b) Weber Concrete, Lebanon
- 19-02-06 At Home Indianapolis, Indianapolis
- 19-02-08 (a)(b) PTD Diagnostics Building, Whitestown
- 19-02-09 (a)(b)(c)(d) Covance Gallery Infill, Indianapolis
- 19-02-11 (a)(b) Lawrence Police Department, Lawrence
- 19-02-13 (a)(b) The Landing, Fort Wayne
- 19-02-20 (a)(b) IU Health West Vertical Expansion, Avon
- 19-02-22 Bull Dog Park, Crown Point
- 19-02-26 South Lake YMCA, Crown Point
- 19-02-27 Evergreen Village at Fort Wayne, Fort Wayne
- 19-02-32 Newburgh WTF Consolidation and Chlorine Gas Conversion Project, Newburgh
- 19-02-33 Woodland Terrace of Danville, Danville
- 19-02-36 Greenwood Fire Station #93, Greenwood
- 19-02-49 Cardinal Campus, Highland
- 19-02-60 N8 Incorporated - Easy Life Storage, Crown Point

Commission Popich advised the Commission's staff that Variance 19-02-05 should say "Lebanon" instead of "Indianapolis." Commissioner Scheurich moved to **approve** the "A" and "B" variances, and Commissioner Furnish made the second. It was voted upon and carried. Commissioner Corey abstained from 19-02-04, 19-02-05, 19-02-08 and 19-02-11. Commissioner Heinsman abstained from 19-02-02 and 19-02-36.

Category C/D/NVR

Self-Representing Applicants/Architects/Designers/Non-Consultants outside of Indianapolis metropolitan area:

- 19-02-15 Brightpoint Head Start at Grace St. John, Fort Wayne

Lisa Kipker, Operations Manager, spoke as the proponent. Proponent received a federal grant to renovate a different facility and received a variance to temporarily use the current facility until the other facility was completed. However, the federal government did not release the money for 18 months. This facility has smoke detectors and an alarm system, monthly fire drills, monthly checks, double exits from each room, and two staff members in each room. They have capped the number at 49 children. Renovation will be completed within the next two months. Proponent would like to finish the school year in the current building. Commissioner Scheurich moved to **approve with the condition** that the variance will expire on July 1, 2019. Commissioner Corey made the second. It was voted on and carried.

19-02-19 (a)(b) Willow Leaves of Hope, Hope

Jeff Marshall, Design & Planning, spoke as the proponent. This facility was built before 1900; two additions were constructed in the 1940s or 50s. It has been occupied by several different businesses. Until the 1990s, it was utilized by a church as a community center; the platform was installed at this time. Currently, the proponent utilizes it as a mercantile/restaurant facility. It is located on the town square, with an alley in the back and a building to the south. The building is 6,722 square feet. The code allows 6,000 square feet for type II-A construction. Walter Knaepple, IDHS Code Enforcement, explained that the current use of the building was based on community interest; he supports this variance request. Proponent has been cooperative in working with IDHS to correct violations. The biggest hurdle proponent has faced was acquiring the property next door in order to get an easement. Proponent moved the frying operation into the back. They must apply for a CDR in order to install the hood, but they need this variance first. There is not a second floor to this building, and none of the building will be residential. Commissioner Furnish moved to **approve** Variances (a) and (b) **with the condition** that the applicant has until August 1, 2019 to install the hood, have it inspected, and ensure that it is functioning properly. Commissioner Corey made the second. It was voted on and carried.

19-02-35 Franciscan Beacon Hospital, LaPorte

Charles Keslin, Professional Engineer, spoke as the proponent. He explained that this variance request was due to the Illinois basin, and the soil type. This facility is only two stories. The L-shape is the best functional use. Commissioner Jordan moved to **approve** and Commissioner Corey made the second. It was voted on and carried.

19-02-53 New Northside Elementary School, Evansville

Tony Fehrenbacher, Attorney, Manion Stigger, Mark Smith, Attorney, Manion Stigger, Andy Ricketts, Owner, Alva Electric, and Adam Ricketts, Master Electrician, Alva Electric, spoke as the proponents. This project involves a two-story school building, constructed of masonry block. The conduit for the electrical enters into the building underground, runs into the walls, and up through the wall cavities.

The walls are filled with concrete after completion. Short sections of conduit inside the masonry walls enter into boxes that are mounted up against the block. The conduit and the box are secured to the wall, rather than being secured by electrical box connectors; it is electrically bonded on both sides using grounding wires. IDHS issued an inspection violation stating that raceways were not complete and did not terminate with approved connectors; it is a shock hazard. Proponent avers that this method is a commonly used, standard practice. They have implemented this practice in the past and locals have always approved it. However, in this case, Evansville inspectors followed the State's interpretation and issued a violation. Commissioner Burgess stated that Section 300.10 of the electrical code, which pertains to electrical continuity, offers two exceptions; proponent stated that they have previously utilized these. There was discussion whether this was a "no variance required" situation or if this was a hazard situation and would require a variance. Commissioner Furnish moved to **approve** and Commissioner Corey made the second. It was voted on and carried.

19-02-56 Swartzentruber Sawmill, Odon

Daniel Tarr, D.B. Tarr & Co., spoke as the proponent. This facility manufactures crane mats, and has a maximum fire area of 15,000 square feet. It is swept out daily. A maximum of ten employees will be in the building at a time. Proponent is installing a fire alarm and smoke detection system. Sprinklers are required because it is an F-1 occupancy with a fire area that exceeds 12,000 square feet. The building houses two portable saw mills, which are used to rough-cut logs. They are not making multiple cuts or dimensional lumber. These are higher moisture logs and are not kiln-dried lumber. Proponent asserted that this would not be considered finely divided combustible material. Because of the nature of the material, it would be difficult to vacuum out. A dust collector would cost between \$75,000-100,000. Installing sprinklers would cost more than three times the value of the building. There was discussion regarding whether this was considered woodworking pursuant to 903.2.4. The two portable saw mills do not add up to 2,500 square feet. Commissioner Heinsman moved to **approve** and Commissioner Furnish made the second. It was voted on and carried.

Breaking and reconvening: Chairman Nicoson recessed the Commission at 12:54 p.m. It was called back to order at 2:00 p.m.

Self-Representing Applicants/Architects/Designers/Non-Consultants inside of Indianapolis metropolitan area:

19-02-07 The New Living Center, Indianapolis

Phillip Anderson, Director of the New Living Center, spoke as the proponent. This is a sober living facility for women. Proponent would like to convert this facility into an R-3 occupancy versus an R-2 occupancy. This variance is a request to not require a sprinkler system. This is a two-story, 2,500 square foot facility with a basement; the basement is not for public use. A maximum of 12 people will stay at the facility at any given time. Staff members will be there 24/7. There are five staff members,

some of whom used to be police officers and correctional officers. Recovery Works will pay for people to stay there. Currently, it is self-pay. Commissioner Furnish moved to **approve**, and Commissioner Corey made the second. It was voted on and carried.

19-02-12 Child Development Services W. 38th Street Head Start, Indianapolis

No proponent was available to speak on the variance. Commissioner Scheurich moved to **table** and Commissioner Corey made the second. Commissioner Popich abstained.

19-02-25 Child Development Services W. 34th Street Head Start, Indianapolis

No proponent was available to speak on the variance. Commissioner Scheurich moved to **table** and Commissioner Corey made the second. Commissioner Popich abstained.

19-02-54 (a)(b)(c)(d) Duke Energy 50s Lobby Renovation, Plainfield

Marvin Christmas, Otis Elevator Company, spoke as the proponent. Variances (a), (b), and (c) are standard. Commissioner Jordan moved to **approve** Variances (a)(b) and (c) and Commissioner Corey made the second. It was voted on and carried. Variance (d) is a request to use a retractable tow guard in an existing area where proponent was unable to achieve a five foot pit depth. Commissioner Corey moved to **approve** Variance (d) and Commissioner Scheurich made the second. It was voted on and carried.

Consultants:

19-02-10 (a)(b) Nachand Fieldhouse – Clark County Elementary School, Jeffersonville

Ed Rensink, RTM Consultants, spoke as the proponent. This is a counterpart to the variance that was approved last month to allow construction across a property line. A three-hour wall will be on the City of Jeffersonville’s property. Variance (a) is to allow construction on the property line. There will be a sprinkler system throughout the building. There will be a permanently deeded agreement between the City of Jeffersonville and the school corporation. Commissioner Scheurich moved to **approve** Variances (a) and (b) and Commissioner Corey made the second. It was voted on and carried.

19-02-14 Vincennes University New Agricultural Facility, Vincennes

Ed Rensink, RTM Consultants, spoke as the proponent. This project involves construction of an educational facility for Vincennes University’s Agricultural Department. This request is to allow the system design to not have the required inside-outside hose demand. The available water supply is limited and cannot satisfy the entire hose demand; however, it can satisfy an Ordinary Hazard. The overall cost of this project is \$5 million. Installation of equipment to supplement the water supply

would be \$80,000-90,000, which is approximately 2% of the overall project cost. The building is pretty wide-open and not complicated. Proponent asserted that this is not adverse to public safety and that the local fire department is neither for nor against this variance. Commissioner Heinsman moved to **approve** and Commissioner Corey made the second. It was voted upon and carried (6-3).

19-02-16 Eric & Joyce Erwin Residence – LP Tank, New Albany

Ed Rensink, RTM Consultants, spoke as the proponent. This variance is identical to Variance No. 18-10-27 except a different fire department/local fire official has been notified. This LP tank has been in place for 14 years. The garage was constructed a year-and-a-half ago. Proponent received a citation from the local building department because the tank is too close to the recently-constructed garage. The tank is 5 feet 11 inches from the garage. The garage does not have any exterior equipment posing an ignition hazard, or any air intakes. The LBO issued a letter stating he is not opposed to this variance. The estimate for moving the tank is \$5,986.95. Proponent asserted that drainage remediation will prevent water from flowing onto the adjoining property. Additionally, because propane is heavier than air, if there was a leak, it would most likely drop to the ground and dissipate. Proponent said that a receipt of inspection from August 27, 2018 states that no leaks were found, and an email from Ferrellgas states that the tank was not dislodged or disturbed by the garage construction. A letter from the district manager of Ferrellgas dated January 29, 2019, confirms the statements regarding the two aforementioned inspections, including the finding that there are no leaks and no adverse conditions relating to the tank. Dr. Lisa Russell and Ben Russell, neighbors, oppose this variance. They allege that this tank is a threat to their lives and property. They are unable to sell their home. The Russells want the proponent to relocate the tank to the southern portion of the proponent's yard. It was questioned why Ferrellgas would continue to fill the tank, if proponent is in violation of federal law. It cost \$80,000 to build the garage, and \$6,000 to correct the drainage problem. Commissioner Scheurich moved to **deny** and Commissioner Popich made the second. It was voted on and carried (7-2).

19-02-17 (a)(b)(c)(d)(e)(f) Clif Bar Temporary Facilities, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as the proponent. Variance (a) is a request to allow the new restrooms to not be accessible, as there is a six-inch step. These trailers are temporary; they will be used until January 3, 2020. Variance (b) pertains to the location of the trailer and the existing building; the corridor between them will have a roof. The existing building is fully sprinklered and does not pose a hazard. Variance (c) is a request to not have a service sink; the one in the existing building will be used instead. Variance (d) was **withdrawn** by the proponent. Variance (e) is a request to not comply with the energy code; the insulation is thin in the walls, roofs and floors. Proponent is 2% short of compliance. Variance (f) is a request to omit one-hour corridor wall requirements. Sam Bruner, Pike Township Fire Department, stated that proponent has all necessary structural, electrical and plumbing permits. The "do not occupy" sign(s) will be removed so that the proponent may utilize the facilities. Shelley Wakefield stated that she conducted a review, and proponent was "good-to-go."

Commissioner Scheurich moved to **approve** Variances (a)(b)(c)(e) and (f) and Commissioner Corey made the second. It was voted on and carried.

19-02-18 (a)(b)(c) Franciscan Health Munster, Munster

Dereck Holman, RTM Consultants, spoke as the proponent. Variance (a) is a request to not provide two-way communication. This is an A-category variance. Commissioner Corey moved to **approve** Variance (a) and Commissioner Furnish made the second. It was voted on and carried. Variance (b) is a request to omit elevator lobbies in an existing building and a third floor addition. Commissioner Corey moved to **approve** Variance (b) and Commissioner Furnish made the second. It was voted on and carried. Variance (c) is a request to use a two-hour fire barrier instead of three-hour fire wall between buildings. Commissioner Jordan moved to **approve** Variance (c) and Commissioner Corey made the second. It was voted on and carried.

19-02-21 West Lafayette City Hall, West Lafayette

Ed Rensink, RTM Consultants spoke as the proponent. This is a build-out of Morton Community Center for use as a city hall. The building was originally constructed in 1929, and was closed in 1985. Some functions of the Center will remain the same. There is a single multiple-user restroom on the first floor, instead of a male restroom and female restroom. There are private water closets; accessible facilities will be included. This project is similar to the Butler Phase II project and the Phoenix Theater project from 2017. Commissioner Heinsman moved to **approve**, and Commissioner Corey made the second. It was voted on and carried.

19-02-23 Cornerstone Lutheran Woman and Children's Shelter, Indianapolis

Ed Rensink, RTM Consultants, spoke as the proponent. The shelter will be located on the main floor of the building. It will be fully staffed 24/7. There are battery-operated smoke alarms, two exits, and restrooms. This request was originally only for this year, but proponent asked that it be amended in order to be a standing variance for November through March. The shelter is only operational from 5:00 p.m. to 8:00 a.m., at which point the gym is open to the church again. Commissioner Heinsman moved to **approve with the condition** that the church may be utilized as a temporary homeless shelter during the period of November 1st through March 31st in the years 2019, 2020 and 2021; this variance will expire on March 31, 2021. Commissioner Popich made the second. It was voted on and carried.

19-02-24 St. Stephen Orthodox Church Annex, Crawfordsville

Ed Rensink, RTM Consultants, spoke as the proponent. This project is a Rule 13 conversion. The building is directly across the street from a church facility. The last storage bay would be difficult to demolish without losing the end wall. Commissioner Jordan moved to **approve**, and Commissioner Corey made the second. It was voted on and carried.

19-02-28 Hooverwood Assisted Living Addition, Indianapolis

Melissa Tupper, RTM Consultants, spoke as the proponent. Electrical panel boards in this facility are locked so that only maintenance personnel can access them. Units must comply with Section 1109.13; however there are several exceptions. Commissioner Corey moved that **no variance was required** and Commissioner Heinsman made the second. It was voted upon and carried. Commissioner Popich abstained.

19-02-29 Calvary Church Renovation, Valparaiso

Ed Rensink, RTM Consultants, spoke as the proponent. Proponent previously obtained a variance in 2017 in order to increase the occupant load by 82; a balcony addition was planned, however it was never constructed. The Local Building Official wanted the proponent to obtain another variance because of the change of scope and a different set of facts. The proponent will not construct a balcony. Proponent plans to expand the worship space into existing classroom space, which will add a new occupant load of 77. This is an A-3 occupancy. The existing fire area exceeds 7,000 square feet. Commissioner Jordan moved to **approve with the condition** that Variance No. 17-10-24 shall be vacated and referenced in the variance application. Commissioner Scheurich made the second. It was voted on and carried.

19-02-30 (a)(b) Beth Shalom Additions and Renovation, Bloomington

Ed Rensink, RTM Consultants, spoke as the proponent. This building was constructed in the 1980s and is type V-B construction. Variance (a) pertains to exceeding the allowable area for the current code. There is a two-hour fire barrier to separate the classroom addition. Smoke detection will be added in the entry foyer. The fire alarm system was not monitored. Tim Clapp, Bloomington Fire Department, stated that the building's current system is antiquated. There is no sprinkler system. Installing a sprinkler system would cost \$105,000: \$55,000 for work inside; \$40,000 for underground work; and \$10,000 for patching and adding a new riser. The only unseparated portion is the small entry vestibule. Commissioner Corey moved to **approve** Variance (a) **with the condition** that a monitored alarm system shall be provided throughout the building. Commissioner Goeden made the second. It was voted on and carried. Regarding Variance (b), Mr. Clapp stated that proponent is over the allowable area of 7,000 square feet. Hydrants out front are on an active and adequate grid. It was noted that Ohio and Kentucky have made amendments so that places of worship do not have to be sprinklered. There will not be an added occupant load. Detection will be added in the existing corridor. Commissioner Scheurich moved to **approve with the condition that** smoke detection be provided in the entry foyer, existing corridors and contiguous spaces. Commissioner Jordan made the second. It was voted on and carried.

Breaking and reconvening: Chairman Nicoson recessed the Commission at 3:55 p.m. It was called back to order at 4:05 p.m.

19-02-31 (a)(b)(c) 6508 Westfield, Indianapolis

Proponent **withdrew** this variance request.

19-02-34 (a)(b) Leader Event Barn, Darlington

Scott Perez, Arxtheon Consulting, spoke as the proponent. The proponent is requesting the allowance of a self-limited occupancy load of 250 people, even though the calculated occupant load is 415 people. The occupant load for the mezzanine area would be 49 people. There is no water supply. They will be on septic. A retention pond is being built approximately 20-30 yards away. Proponent said that the Darlington Fire Chief is comfortable with the retention pond. There will be four exits, although only two are needed. Egress will be less than 40 feet. There are sliding doors on the mezzanine. There is an accessible route all the way around. There was discussion regarding occupancy load and the doors and railings. Commissioner Corey moved to **approve** Variances (a) and (b) **with the condition** that the proponent provide adequate railing at the doors. Commissioner Jordan made the second. It was voted upon and carried.

19-02-37 Edgewood HS Locker Room Addition, Ellettsville

Roger Lehman, RLehman and Son Consulting, spoke as the proponent. This variance request pertains to the installation of plumbing in a stadium. This project costs around \$1 million. The “home” side is switching to the “visitor” side because of the location of the sun; thus, additional seating is being added to the stadium. The seating will increase from 650 people to 805 people, however they do not expect an increase in attendance. The school has approximately 800 students. Currently, there are eleven fixtures: eight toilets and three urinals. Originally this building was not ADA compliant, but it will be now. In lieu of 50 fixtures, the proponent wants to install 17: specifically, 13 toilets and 4 urinals. The addition of one toilet would cost \$15,000; thus it would cost \$500,000.00 to be in compliance. Proponent stated that the local fire department is on board with this project. Commissioner Corey moved to **approve** and Commissioner Heinsman made the second. It was voted on and carried.

19-02-38 University of Notre Dame Elevators, Notre Dame

Christina Collester, RTM Consultants, spoke as the proponent. All of the keys that can access an elevator are required to be in a key box. This request is to not require the security access cards issued to students and staff to be placed in the key box. A security card can be provided upon request. Chief Bruce Harrison, Notre Dame Fire Department, thinks it would be detrimental to have unassigned cards; plus all of the actual keys are in the boxes and available to elevator and emergency personnel.

Commissioner Goeden moved to **approve** and Commissioner Jordan made the second. It was voted on and carried.

19-02-39 Silver Coin Barn, Frankfort

Christina Collester, RTM Consultants, and Dan Olah, KJG Architects, spoke as the proponents. This is a new barn, on a slab, with multiple safety features. Proponent does not have access to a public water supply. A contractor estimated the cost for sprinklers to be \$126,000.00. There is an emergency exit off of the back. There are 16 pairs of French doors with French handles, that exit onto the patio/public way. The travel distance is 20 feet. The bathrooms are on well and septic and will be active from day 1. There is a warming kitchen, so the food would be catered. Commissioner Furnish moved to **approve** and Commissioner Jordan made the second. It was voted on and carried.

19-02-40 Greenwood Business Center, Greenwood

Christina Collester, RTM Consultants, spoke as the proponent. This is an ESRF building. When these buildings are constructed a 60 foot separation is required for open side yards. Here, there is a 60 foot separation all the way around except for one corner. There is also an access road all the way around the building. In order to get the unlimited area, the side yard needs to be included. Commissioner Jordan moved to **approve** and Commissioner Heinsman made the second. It was voted on and carried.

19-02-41 Auto Glass Week 2019, Indianapolis

Christina Collester, RTM Consultants, spoke as the proponent. Proponent explained that before a contract can be signed with the show, they must get permission from the State to do the show. The car batteries will not be disconnected and each vehicle will have a full tank of gas. In order to operate the windows, the cars must be turned on. The cars will not be on for a long time. The vehicles will not be fueled or defueled inside the building. This is similar to other shows, except the fire watch was omitted from the application; proponent is willing to include the addition of two firefighters for the entire time that the cars are inside. Margie Bovard, City of Indianapolis, stated that any violations would be written up. Commissioner Popich moved to **approve with the condition** that (1) the conditions in the application are met and (2) a fire watch is required for the duration of the event, as agreed upon between the proponent and the Indianapolis Fire Department. Commissioner Corey made the second. It was voted on and carried.

19-02-42 (a)(b) Morrissey Hall Selective Renovations, Notre Dame

Melissa Tupper, RTM Consultants, spoke as the proponent. Code requires fire alarm control panel relays to be located within three feet of the elevator controller. The controller was placed in the room adjacent to the new elevator, exceeding the three feet requirement. The control room will be labeled and locked. Chief Bruce Harrison, Notre Dame Fire Department, explained that older buildings are

being upgraded to new technology. He thinks this room is the best location. Commissioner Corey moved to **approve** variance (a), and Commissioner Scheurich made the second. It was voted on and carried. Variance (b) pertains to the door closer on the laundry room door. The laundry room is in the basement, not in the residential/assembly area. A closer is required because the room exceeds 100 feet. This area is sprinklered. Chief Harrison said that they have not been able to physically accommodate this space; he is on board with this project. Commissioner Popich moved to **approve** variance (b) and Commissioner Jordan made the second. It was voted on and carried.

19-02-43 Indiana State University Sycamore Dining Commons, Terre Haute

Ed Rensink, RTM Consultants, spoke as the proponent. This is the final phase of a facility renovation; specifically a dining area which is A-2. Proponent wants to install security grills that would only be in place after-hours. There are four exits which will be available 24/7. Considering occupant load during the day (during normal hours) proponent needs some of the width that is obstructed by the grills after-hours, in order to satisfy egress requirements. It is fully sprinklered. Commissioner Jordan moved to **approve** and Commissioner Heinsman made the second. It was voted on and carried.

19-02-44 Lilly K155 ASRS Warehouse, Indianapolis

Ed Rensink, RTM Consultants, and Keith Lamson, Eli Lilly, spoke as the proponents. This is an automated storage and retrieval system warehouse. This variance request is to allow a height that is not allowed in type II-B buildings; it is approximately 110 feet to the main warehouse roof and 124 feet to the roof over the stairs that provide access to the roof. It is sprinklered per FM Global Property Loss Prevention Data Sheet 8 and 9. A similar variance was granted for Lilly in 2003, and another client in 2007. Proponent noted Section 503.1.1 which provides exemptions for special industrial occupancies. Commissioner Scheurich moved to **approve** and Commissioner Heinsman made the second. It was voted on and carried.

19-02-45 (a)(b)(c)(d)(e) Kimpton Hotel, Indianapolis

Ed Rensink, RTM Consultants, spoke as the proponent. Commissioner Scheurich moved to **approve** Variances (c) and (d) and Commissioner Heinsman made the second. It was voted on and carried. This is a 14-story building with a basement. It was constructed in 1907. Typically, floors 2 through 12 were occupied by office and commercial tenants. The top floor was occupied by restaurants and an office. This project involves turning the building into a boutique hotel with a rooftop lounge and a terrace. Proponent purchased a small lot to the north of the building, and is buying a portion of another adjoining building. Thus, three properties will be involved in the project. Variance (a) is a request to allow the existing stair to transfer on the second floor to a separate flight of stairs leading to the first floor, instead of a being a two-hour stair enclosure that is continuous to the first floor. The area of transfer will be separated by a one-hour partition. The length of travel on the second floor is less than 20 feet. The building is fully sprinklered, and will be updated: a voice-alarm system and a smoke

control system will be added. The building is I-B construction. These are historic stairs. There is an issue with having two-hour walls in the elevator shafts. Commissioner Heinsman moved to **approve** Variance (a) **with the condition** that the new walls shall be two-hour construction; the new doors shall be 90 minutes; and the elevator doors shall remain as-is. Commissioner Corey made the second. It was voted on and carried.

Variance (b) is a request to allow the first floor of the hotel and the mezzanine level of the Washington Street building to have openings on each floor. Proponent said that this is somewhat of a technicality because although there are openings across property lines, the same owner is in control of all of the properties: each building has the same life safety systems, sprinkler systems, fire alarms, and smoke controls. Margie Bovard, City of Indianapolis, asked about the installation of an hour-and-a-half mag lock door, and whether both buildings are under Chapter 34. Commissioner Scheurich moved to **approve** Variance (b) **with the condition** that close-spaced sprinklers shall be installed at all openings between the buildings; and the first floor of 110 East Washington Street shall be included in the Chapter 34 evaluation. Commissioner Corey made the second. It was voted on and carried. Variance (e) is a request to allow the absence of stair pressurization for existing stairs and a full fire command center on the first floor. There is a functioning fire command center, but it does not have its own room. The addition of the rooftop lounge is triggering these requirements. Proponent indicated that there will be a status-indicator for elevators, an annunciator panel, a voice alarm system, an automatic stand pipe system, emergency power for elevators, an NFPA13 system, and an elaborate smoke purge system. Commissioner Heinsman moved to **approve** Variance (e) and Commissioner Corey made the second. It was voted on and carried.

19-02-46 Sweetwater Sound Event Center, Fort Wayne

Ed Rensink, RTM Consultants, spoke as the proponent. Proponent distributes sound equipment. There is an existing administrative building with warehouse space. A large warehouse addition is being constructed along with an event space for concerts, totaling 70,000 square feet. The building is a mix of B and S Occupancies, and Accessory A Occupancies. A variance was granted in 2014 to allow a dining expansion, which allowed proponent to be over 10% accessory use. This request is to allow the addition of the existing building to not be separated with a fire wall. Proponent offered to add a row of close spaced sprinklers along each side of the wall between the addition and the existing building. All of the exits are independent and will not exit back into the existing building. Proponent is adding a voice alarm system. Proponent stated that Jim Murua, City of Fort Wayne, did not have an issue with this variance. The addition is structurally independent. There is only one permanently open section. Proponent will add bulkheads and sprinklers on each side of the opening. Commissioner Jordan moved to **approve with the condition** that a row of closed spaced sprinklers and bulkheads shall be provided along each side of the open connector. Commissioner Heinsman made the second. It was voted on and carried.

19-02-47 (a)(b) Concord High School Auditorium Lobby Addition, Elkhart

Ed Rensink, RTM Consultants, spoke as the proponent. This addition will replace smaller, existing lobby space. There will be temporary egress during construction. The main exit will be closed-off. The balcony will not be used during construction. The occupancy load will be limited to 500, so only two exits will be needed. They would like to begin in April because there is a big event in March. Commissioner Jordan moved to **approve** Variance (a) **with the condition** that this variance will expire on November 30, 2019. Commissioner Corey made the second. It was voted upon and carried. Commissioner Jordan moved to **approve** Variance (b) and Commissioner Corey made the second. It was voted on and carried. Commissioner Heinsman abstained.

19-02-48 (a)(b) NHK Seating Compressor Addition, Frankfort

Ed Rensink, RTM Consultants, spoke as the proponent. Proponent's facility provides seating components for the auto industry. This project involves a compressor room addition of 1,334 square feet. Part of the existing building is less than 60 feet from the property line. Commissioner Furnish moved to **approve** Variance (a) and Commissioner Corey made the second. It was voted on and carried. Variance (b) is a request to not comply with the energy code due to the use of concrete block exterior wall construction. Commissioner Corey moved to **approve** Variance (b) and Commissioner Jordan made the second. It was voted on and carried.

19-02-50 ACS – Secure Entry & Expansion Project #1 – 10th Street Elementary, Anderson

Melissa Tupper, RTM Consultants, spoke as the proponent. This project involves a 3,000 square foot dining addition to a school. This request is to allow the addition without requiring the building to be sprinklered. Proponent does not want to provide a separation because they are within the allowable area. Commissioner Jordan moved to **approve** and Commissioner Corey made the second. It was voted on and carried.

19-02-51 DeKalb County Fair Association Horse Barn, Auburn

Tim Callas, J&T Consultants, spoke as the proponent. This facility is type 2-B construction. The closed portion is 20,000 square feet. It was intended to be used for various events, but has only been used to stable horses. There are 104 stalls for horses. If it was used just for horses, it would be classified as S-2. Proponent has been unable to sprinkle the facility because of the cost, which was estimated at \$150,000.00. This facility will be vacant for the majority of the year; except for the duration of the 4-H fair. Proponent wants to be allowed to place campers and trailers (without fuel) in the facility. Proponent wants to change the classification from an A-3 to an S-1, but not provide the required fire protection system. The local Fire Chief, Michael VanZile, has provided multiple letters listing requirements for the proponent to follow. Commissioner Scheurich moved to **approve with the condition** that (1) the requirements and conditions stated in Fire Chief Michael VanZile's letter dated

November 19, 2018, and included with proponent's variance application, shall be met and (2) there shall be no assembly in the building except for one week for 4-H activities OR when a permit is issued by the State of Indiana for other events; the building shall meet all state and local fire prevention codes throughout the year. Commissioner Jordan made the second. It was voted on and carried.

19-02-52 (a)(b) Anderson Mounds Mall JJWA Office Location, Anderson

Ralph Gerdes, Ralph Gerdes Consultants, spoke as the proponent. This is an abandoned mall with only two tenants remaining. There is a movie theater which has: a separate sprinkler system, two-hour walls, and independent exits- you do not have to go through the mall to exit the building. Proponent wants to shut down the sprinkler system in the mall. Commissioner Corey moved to **approve** Variance (a) and Commissioner Heinsman made the second. It was voted on and carried. Variance (b) concerns an architect's office. There is no fire separation and no sprinklers. Two individuals work there. Travel distance is 80 feet to the nearest exit. There are three exits. There are portable fire extinguishers. This tenant is actively looking to move out. Commissioner Heinsman moved to **approve** Variance (b) **with the condition** that the variance will expire on February 1, 2020. Commissioner Furnish made the second. It was voted on and carried.

19-02-55 (a)(b)(c)(d) Project Condor 5 AB Building, Indianapolis

Scott Perez, Arxtheon Consulting, spoke as the proponent. This is an existing facility on the Rolls Royce Campus. Variance (a) pertains to an H-4 occupancy with open bath systems. The roof and smoke vents are leaking and proponent wants them removed, as they are not needed. Venting over the baths is provided for each bath area and can be controlled by the fire department. These have already been eliminated in the main factory area. Randy Gulley, LFO, said that he was okay with this. Commissioner Corey moved to **approve** Variance (a) and Commissioner Goeden made the second. It was voted on and carried. Variance (b) coincides with (c) in that the proponent wants to eliminate the smoke and roof vents; these vents can be controlled by the fire department. Variance (c) is a request to allow the building to be classified as F-1, instead of F-2, as the entire tooling line has been changed and proponent wants it to match the rest of the building. Proponent stated there are no egress issues. Commissioner Corey moved to **approve** Variances (b) and (c) and Commissioner Jordan made the second. It was voted on and carried. Variance (d) is a request to keep a two-hour fire wall in an office area because egress is going through fire doors in two places; this will allow people to exit. During construction, the proponent unknowingly penetrated a wall, thus eliminating the two-hour barrier. Proponent does not want people exiting the manufacturing area; the new egress will lead directly outside through the breakrooms. The longest egress is 295 feet which is under the 300 foot requirement. Commissioner Popich moved to **approve** Variance (d) and Commissioner Corey made the second. It was voted on and carried.

19-02-57 Lizton's Lodge, Lizton

Melissa Tupper, RTM Consultants, spoke as the proponent. This project involves the conversion of proponent's home into an event center with overnight sleeping. The home is more than 20,000 square feet. The last addition was completed in 2008. Proponent has been unable to sell the home. A two-hour wall will be provided in several places. An existing indoor pool was filled and turned into a hall. Up to three spaces can be rented. The longest travel distance is 90 feet and is from the second floor; this satisfies the code requirement of 200 feet. Monitored smoke detection and a fire alarm system will be installed throughout the building. Panic hardware and emergency lighting will also be added. The cost to sprinker the building would be \$900,000.00. The kitchens will be warming only, as events will be catered. Concerns were raised regarding people staying overnight and being unfamiliar with the layout of the home, coupled with the absence of a sprinkler system. Proponent stated that people may only stay the night if they are renting event space. Most of the suites and bedrooms on the second floor have a door and balcony. Proponent's property caretaker, Kenneth Gibbs, lives on-site and will be available 24/7. Chief John Joseph, Lizton Fire Department, walked through the home with the proponent. Proponent stated that the Danville and Brownsburg Fire Departments would come through if necessary. There is a Knox Box because it is a gated home. Proponent agreed to allow the State Fire Marshal's office and the local fire officials to inspect the building every year. Proponent agreed that fire extinguishers will be added wherever requested. The road will be widened to two lanes so that a firetruck can get within 150 feet of every point of the house. Firetrucks could draw from a nearby pond. Commissioner Heinsman moved to **approve with the condition** that (1) fire extinguishers shall be provided per the local fire official's recommendations; (2) annual inspection pre-plans shall be conducted with the local fire departments; (3) the fire alarm system shall be connected to the caretaker's residence; and (4) the lodge may be utilized for assemblies only; overnight sleeping in the lodge is prohibited. Commissioner Jordan made the second. It was voted on and carried.

19-02-58(a)(b) Jackson Investment Group Office, Lebanon

Scott Perez, Arxtheon Consulting, spoke as the proponent. This is a two-story building, with existing tenants on the first floor; specifically, a law firm, a candy store and an office-supply store. There are two sets of stairs. It would cost approximately \$70,000.00 to install an elevator. This issue of ADA compliance was discussed. Commissioner Jordan moved to **approve** Variance (a) and Commissioner Furnish made the second. It was voted on and carried. The second floor will not have accessible toilets. Commissioner Jordan moved to **approve** Variance (b) and Commissioner Furnish made the second. It was voted on and carried.

19-02-59 Clinton Street B&B, Frankfort

Melissa Tupper, RTM Consultants, spoke as the proponent. This is the conversion of the second floor of an existing building into a bed and breakfast. A Chapter 34 review was conducted in 2017 and a fire alarm and smoke detection system was installed throughout. There are two sets of one-hour rated stairs. An NFPA 13D system will be installed in lieu of the required NFPA 13R system. There are one-hour corridors, one-hour floors, and one-hour walls in between units. The travel distance is 58 feet. R-1

is the classification for bed and breakfasts and hotels. Commissioner Heinsman moved to **approve** and Commissioner Jordan made the second. It was voted on and carried.

19-02-61 Northview High School - Aisle Handrail Installation, Brazil

David Cook, Ralph Gerdes Consultants, spoke as the proponent. This is a high school that was built in 1985, before handrails were required in aisles. Handrails will be installed in their football, basketball and baseball stadiums. Installation of the handrail will reduce the width from the handrail to seating: they will no longer be in compliance. Commissioner Popich moved to **approve** and Commissioner Scheurich made the second. It was voted on and carried.

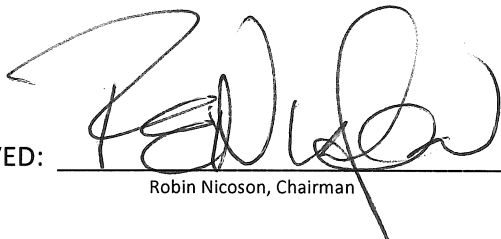
13. Comments and Closing Remarks

Chairman Nicoson thanked everyone for coming and said to have a good night and a safe drive home.

14. Adjournment

Chairman Nicoson adjourned the meeting at 7:12 p.m.

APPROVED: _____



Robin Nicoson, Chairman