



**COMMISSION MEETING MINUTES**

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

June 5, 2018

**CORRECTED AND APPROVED**

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 June 5, 2018.

- a. Commissioners present at the Commission meeting:

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

- b. Commissioners not present at the Commission meeting:

- c. The following departmental staff were present during the meeting:

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

Kevin Troy, State Fire Marshal's Office – Code Enforcement Assistant Section Chief

2. Director Boyle conducted roll call, and noted that quorum was present.

3. Minutes Approval

Director Boyle called for approval or corrections of the minutes for the May 1, 2018 meeting. Commissioner Scheurich moved to approve the Minutes, and Commissioner Pannicke made the second. It was voted upon and carried.

4. Rulemaking Updates

- a. Final Commission Action on 2018 Rule Re-adoptions: The Notice of Intent was presented at the last meeting and was filed the next day; 34 days have elapsed. It was suggested that they wait until next month to proceed.
- b. 2018 Elevator Code Committee Update: The May 30th meeting was canceled. No code proposals were received and several members were unable to attend. The next meeting is June 22, 2018 at 9:00 a.m. in the Teleconference Media Center.
- c. 2018 Residential Code Committee Update: Commissioner Furnish stated that almost 70 proposals were reviewed at the May meeting. Proposals for the meeting on June 20, 2018, are due by June 13th.

5. State Fire Marshal's Report

Jim Greeson, State Fire Marshal, discussed HB 1230, which passed during Special Session. HB 1230 addresses school safety issues; specifically fire alarms and school safety plans. The bill dictates that IDHS and the Department of Education will review all plans by August of 2019. The bill provides that schools may delay evacuation by three minutes during an unscheduled fire alarm, in order to determine if students and teachers need to shelter in place. He suggested that we look at different devices used to lock or barricade doors in schools, to see if there is anything reasonable to use. For example, magnets on doors can be a nuisance during normal day-to-day activity. He mentioned whether the Commission should consider creating a non-rule policy.

6. State Building Commissioner's Report

Craig Burgess, State Building Commissioner, reported that representatives from IDHS recently met with 5th graders from the Hamilton Southeastern School District. The children came up with their own ideas to improve school safety; they are raising money in order to purchase their own safety equipment. Commissioner Burgess is interested in receiving the Commission's input before the kids get too far down the road and possibly purchase

equipment which is not code compliant. He asked them to contact Rusty Goodpaster, Secured School Safety Board Director, with ideas.

7. Petitions for Administrative Review – Director Boyle stated that the following petition was timely filed:

Report of Inspection State Number BU28982  
Willow Leaves of Hope, LLC

8. Commission Action on Non-Final Orders of Dismissal
  - a. Community North Medical Office Building/Mid-America Elevator Co., Inc.  
Cause No. DHS-1803-FPBSC-003
  - b. Lark Ranch  
Cause No. DHS-1732-FPBSC-021

Director Boyle presented these Non-Final Orders of Dismissal for the Commission's consideration. Commissioner Jordan moved to affirm the Orders, and Commissioner Furnish made the second. It was voted upon and carried.

9. Review of Local Ordinances
  - a. Ordinance No. 2018-5  
City of Scottsburg Building Ordinance

April Ramonie, Executive Director, Scottsburg Planning Commission, spoke as the proponent. Director Boyle stated that after pre-adoption review, only a few clerical errors were noted. Upon post-adoption review, it was noted that Section 18-10.1, which pertains to the issuance of permits, references inspection fees owed pursuant to Section 18-9.1. However, Section 18-9.1 does not address what fees will be owed, it simply references the authority to conduct inspections. Overall, this ordinance mirrors our template and not rise to the level of conflict or denial; this was just a point of clarification. Commissioner Furnish noted that there is no distinction between Class 1 and Class 2 structures, which could possibly allow fire officials to conduct inspections on Class 2 structures. Referencing Class 1 could provide clarification. There was discussion on IC 36-8-17-8 and the Fire Prevention Ordinance Template and Building Ordinance Template. This is a new ordinance, not an update to an existing ordinance. Commissioner Pannicke emphasized that a public hearing was held on this ordinance in Scottsburg and no issues or concerns were raised. Commissioner Pannicke moved to approve with the recommendation that the ordinance is modified and corrected based on the issues raised during today's discussion. Commissioner Scheurich made the second. It was voted upon and carried. Commissioner Furnish opposed the motion.

b. Ordinance No. 7-2018  
City of Marion Neighborhood Preservation Ordinance

No proponent was available to speak on the ordinance. Director Boyle stated that this ordinance was adopted by the Marion Common Council in April. Although it is a neighborhood preservation ordinance, it must come before the Commission because it involves building and fire safety laws. The Council added language to the ordinance, which would make it effective January 1, 2019, with the intent that it could come before the Commission and then necessary changes could be made. During internal review, concerns were raised regarding Section 150.1.8 which requires smoke detectors and carbon monoxide detectors in all rental units. This is similar to St. Joseph County's Ordinance, which was denied. Also, including the January 1, 2019 date is technically in conflict because a fire and safety ordinance cannot take effect until after it has been approved by the Commission. Because of the length of this ordinance, as well as the noted areas of concern and conflict, staff would like more time for review.

Commissioner Furnish noted that several areas of the ordinance are in direct correlation with the 2005 IRC. Commissioner Pannicke moved to table and Commissioner Popich made the second. It was voted upon and carried.

10. Tabled Variances

18-01-14 Moose Lake Craft Village, LaOtto

Tim Callas, J & T Consulting, spoke as the proponent. Proponent spoke with 7 or 8 different architects and was informed it would take 3-5 months to get updated plans. This is an interactive village similar to Conner Prairie. This is a type 2-B building. This variance concerns a Chapter 34 review. The facility is not sprinklered, but there is fire and smoke detection throughout. The owner and his wife live upstairs. The door frame of the staircase will be changed to 1-hour rated. All storage areas are 1-hour separated. The smaller storage includes items sold in the gift shop, which could include combustible trinkets. There is a stove in the kitchen: everything in the kitchen is compliant for a Class 1 structure. The separation is only on the lower level, with a vertical and horizontal separation.

Commissioner Furnish moved to approve and Commissioner Heinsman made the second. It was voted on and carried, 8-3. Commissioner Pannicke, Commissioner Henson and Chairman Nicoson opposed the motion.

18-03-36 Renovations and Additions to FACE Clinic, Indianapolis

Jim Lingerfelder, Five2Five Design Studio, spoke as proponent. This variance is for fall protection on the roof of the building. They will use a lanyard and tie-off point which will be more than 10 feet away from the ledge. Repairmen will use a safety belt. Ed White, mechanical contractor, stated that there would only be one serviceman. The attachment will be to a steel frame, which is six-feet long. The serviceman will wear a harness at all times. This would prevent him from reaching the edge of the roof. Rails would not be used.

The serviceman will have training and will have an ongoing contract. Commissioner Pannicke moved to approve with the condition that there is signage at the roof access indicating that a harness and tie-off are required. Commissioner Scheurich made the second. It was voted upon and carried. Commissioner Popich abstained.

18-03-58(a)(b) Ivy Tech Community College –Craig Porter Energy Center, Lafayette

The application was withdrawn by the proponent.

18-04-01 Pull Stations, Fort Wayne

Jim Murua, Assistant Chief, Fort Wayne Fire Department, inquired whether this application was complete. Denise Fitzpatrick, Code Services, stated that it was. Assistant Chief Murua explained that it is one pull station, which was originally required because the facility was used to store hazardous material. The hazardous material has been removed. Assistant Chief Murua is not against approval of this variance. Commissioner Pannicke moved to approve and Commissioner Furnish made the second. It was voted upon and carried.

18-04-02 4 Boiler, Gary

This application was incomplete. Commissioner Pannicke moved to table and Commissioner Jordan made the second. It was voted on and carried.

18-04-03 Coventry Court West Apartments & 18-04-06 Fairview Court Apartments, Fort Wayne

These applications are incomplete. Jim Murua, Fort Wayne Fire Department, stated that the proponent told him he would make the necessary repairs, and that he will withdraw these requests. Commissioner Pannicke moved to table and Commissioner Heinsman made the second. It was voted on and carried.

18-04-23 Asylum Xtreme Xtremenasium, Clarksville

This application was withdrawn by the proponent.

18-05-02 Old Save-A-Lot Location, Wabash

Paul Milford, real estate broker, spoke as the proponent. Mr. Milford stated he represented the closed grocery store, Save-A-Lot. This building used to house a Marsh grocery store and is now vacant. Last winter, the sprinkler system went off and now needs to be repaired. This request is to allow the proponent to leave the sprinkler system off while he markets the property. This is a stand-alone, concrete block building on five acres. It has smooth concrete floors. The vendors removed everything from the building. Commissioner Pannicke moved

to approve with the condition that the building cannot be occupied while the sprinkler system is off. Commissioner Corey made the second. It was voted on and carried.

#### 18-05-03 Removal of Fire Hoses, Fort Wayne

Jim Murua, Fort Wayne Fire Department, stated that he was okay with the removal of the fire hoses; the fire hoses are from the 1970s. Commissioner Popich moved to approve and Commissioner Corey made the second. It was voted on and carried.

#### 18-05-04 Fazoli's, Whitestown

The proponent requested that this application be tabled. Commissioner Furnish moved to table and Commissioner Corey made the second. It was voted on and carried.

#### 18-05-24 Peace Water Winery, Indianapolis

Scott and Jordan Burton, owners, spoke as proponents. The toilet is too close to the wall by an inch and a half. A round bowl would fix this problem, but it is not allowed by code. The other restroom is ADA compliant. It would be difficult to move the bathroom wall based on the location of the parking garage and because the HVAC unit is on the opposite side of the wall. Chris Harris, LBO, Indianapolis, does not oppose this variance. Commissioner Corey moved to approve and Commissioner Furnish made the second. It was voted on and carried. Commissioner Popich abstained.

#### 18-05-31 Auto Dealership, Lafayette

No proponent was present to speak on the variance. Commissioner Scheurich moved to table, and Commissioner Corey made the second. It was voted upon and carried.

#### 18-05-38 608 N. Dunn Mixed Use, Bloomington

Melissa Tupper, RTM Consultants, spoke as the proponent. A revised application and floor plan were uploaded based on the meeting between the architect and Tim Clapp, Bloomington Fire Department. Mr. Clapp stated that the owner inquired about adding post connections in the stairwell. He told the owner he is not opposed to this, however he also wants a limited occupancy load of thirty people on the roof. Proponent requested that this be tabled. Commissioner Scheurich moved to table and Commissioner Heinsman made the second. It was voted on and carried.

#### 18-05-49 St. Luke's United Methodist Church, Indianapolis

Kelly Scott, maintenance supervisor, spoke as the proponent. Proponent is seeking approval to leave a tent up for more than thirty days. The tent is used for youth events. Each month

someone will come out to inspect them, and tighten straps. Commissioner Pannicke moved to approve and Commissioner Furnish made the second. It was voted on and carried.

18-05-54 (a)(b) Trinity Metals Addition, Indianapolis

Carrie Ballinger, RTM Consultants, spoke as the proponent. A new site plan was uploaded. Margie Bovard, Indianapolis Fire Department, stated that she had four proposed conditions. The proponent requested that this be tabled. Commissioner Popich moved to table and Commissioner Corey made the second. It was voted upon and carried.

18-05-55 Concord High School 2018 Addition, Elkhart

Proponent requested that this be tabled. Commissioner Scheurich moved to table and Commissioner Corey made the second. It was voted upon and carried.

18-05-61 (a)(c) Hobart High School Natatorium Addition, Hobart

Ed Rensink, RTM Consultants, spoke as the proponent. He requested that Variance (a) be tabled. Commissioner Scheurich moved to table Variance (a) and Commissioner Corey made the second. It was voted on and carried. Variance (c) concerns the mechanical room of the facility. The common path of travel exceeds the code limit. The LFO is okay with a hatch and ladder in the back of the mechanical room, as this will provide a second way out. Commissioner Scheurich moved to approve with the condition that a roof hatch and ladder must be provided in the back of the mechanical room in order to provide a second exit. Commissioner Corey made the second. It was voted upon and carried. Commissioner Heinsman abstained. Joshua Magner, LFO, City of Hobart, does not support the approval of Variance (b) which was approved at last month's meeting. He says he learned new information and is now concerned with the audience seating area. There is seating for 607 people in the room with the pool. He thought that the variance only concerned the area above the pool, not the entire room. He wants the audience area to be sprinklered. He said that the fire department never received notice of this variance application, as it was sent to an email address of a former employee.

18-05-72 Davis Zeller, Brazil

David Lloyd spoke as the proponent. This is an existing building. The elevator will not meet the stretcher requirement. The chief elevator inspector does not have a problem with this variance. Commissioner Corey moved to approve and Commissioner Furnish made the second. It was voted on and carried.

18-05-75 Homie Hot Pot, Bloomington

Melissa Tupper, RTM Consultants, spoke as the proponent. She stated that the Mechanical Code test would be performed at the end of the month. Commissioner Corey moved to table, and Commissioner Popich made the second. It was voted upon and carried.

Breaking and reconvening: Chairman Nicoson recessed the Commission at 10:27 a.m. It was called back to order at 10:37 a.m.

#### 11. Commission Teleconferencing Demonstration

J.C. Welch, CourtCall, demonstrated how CourtCall could be used to facilitate a Commission meeting if Commissioners or proponents participated in the Commission meeting from off-site locations.

#### 12. Tabled Variances Continued

18-05-38 608 N. Dunn Mixed Use, Bloomington

Commissioner Scheurich moved to untable the variance and Commissioner Corey made the second. It was voted upon and carried. Melissa Tupper, RTM Consultants, spoke as the proponent. She stated that the owner is fine with posting the occupancy load at 30 people and having the standpipe in the stairwell. Commissioner Scheurich moved to approve with the condition that the occupancy load is 30 people and will be posted, and that the standpipe will run the entire height of the stairs. Commissioner Pannicke made the second. It was voted upon and carried.

18-05-54 (a)(b) Trinity Metals Addition, Indianapolis

Commissioner Scheurich moved to untable the variance and Commissioner Corey made the second. It was voted upon and carried. Carrie Ballinger, RTM Consultants, spoke as the proponent. Proponent was fine with the four conditions proposed by Margie Bovard, LFO, in the IFD letter, with the exception of the noted revisions to condition 4. Commissioner Scheurich moved to approve with the following conditions: (1) The wall hydrant will be equipped with one 4.5 inch steam nozzle with six "v" threads per inch; (2) The wall hydrant will supply the same flow as the hydrants on English Avenue; (3) Identification signage will be installed above the wall hydrant; (4) Any future additions beyond 600 feet from existing city hydrants will require further discussion with IFD and Commission approval unless a hydrant is provided in accordance with the current Fire Code in effect at the time of such addition. Commissioner Corey made the second. It was voted upon and carried.

#### 12. New Variances – Category A/B

The following variances were approved as submitted:

18-06-01 Holiday Inn, Elkhart

18-06-02 Hyatt Place Downtown Indy, Indianapolis

18-06-03 Residence Inn Indy, Indianapolis

18-06-04 554 East Graham Place, Bloomington



18-06-09 Silver Birch Terre Haute, Terre Haute  
18-06-10 Hyatt Place – Carmel, Carmel  
18-06-11 (a)(b) City Way II, Indianapolis  
18-06-12 Butler University Student Housing Building 2, Indianapolis  
18-06-13 Sommer Elementary School, Crawfordsville  
18-06-14 Pleasant Hill Elementary School, Crawfordsville  
18-06-15 Sugar Creek Elementary School, Crawfordsville  
18-06-16 West Lafayette Jr./Sr. High School, West Lafayette  
18-06-17 Phoenix Theater Condo Conversion, Indianapolis  
18-06-18 Vernon Township Fire Station 3, Fortville  
18-06-19 White River Township Fire Station 53, Greenwood  
18-06-20 ICS Office Renovation, Evansville  
18-06-21 Larris IFY Banquet Hall, Indianapolis  
18-06-22 (a)(b) Hooverwood Assisted Living Addition, Indianapolis  
18-06-23 IRA Ropp Building New Facility, Milford  
18-06-62 Skilled Nursing and Rehab Center, Franklin

Commissioner Pannicke moved to approve the “A” and “B” variances and Commissioner Scheurich made the second. It was voted upon and carried. Commissioner Pannicke abstained from 18-06-02. Commissioner Heinsman abstained from 18-06-11, 18-06-13, 18-06-14, 18-06-15, 18-06-17, and 18-06-18. Commissioner Popich abstained from 18-06-17, 18-06-21, and 18-06-22 (a)(b).

13. Variances (New) C/D/NVR – Self-Representing Applicants/Architects/Designers/Non-Consultants outside of Indianapolis metropolitan area.

18-06-05 LaOtto Brewing Range Hood, LaOtto

This application was incomplete. Commissioner Furnish moved to table and Commissioner Heinsman made the second. It was voted upon and carried.

18-06-06 Chancel Area Development and Mezzanine, LaPorte

This application was incomplete. Commissioner Furnish moved to table and Commissioner Corey made the second. It was voted upon and carried.

18-06-07 Calvary United Methodist Church Ansul System, Syracuse

This application was incomplete. Commissioner Scheurich moved to table and Commissioner Furnish made the second. It was voted upon and carried.

18-06-24 Fancy Flowers and Greenhouse LLC, Rome City

No proponent was available to speak on the variance. Kevin Troy, State Inspector, explained that this is a residential garage, which is being converted using a Rule 13. The owner would like to create a gift shop, but currently she is only selling flowers and produce. The public is not allowed inside. It is a single-story, stand-alone building. Inspector Troy has no objection because she is making the public stay outside. Commissioner Corey moved to table and Commissioner Heinsman made the second. It was voted on and carried. Commissioner Popich opposed the tabling of the variance application.

#### 18-06-25 Covington Square Apartments – Interior Remodel, Valparaiso

Jonathan Murowski, RJA Architects, spoke as the proponent. The property was purchased two years ago: there are 152 rental units, none of which are sprinklered. There is an abandoned, stand-alone 3,200 square foot building, which used to be a daycare. As the tenants are mainly recent college graduates, the daycare was unsuccessful. Proponent wants to convert this building into four small units, and not install sprinklers. The two major hardships are that the cost of sprinklers is \$32,000 and the water line is across the parking lot. There was discussion on creating a two-family home so that sprinklers would not be required. A firewall would have to be constructed between the two units, which would have to go up through the attic. This would be cheaper than a fire suppression system. There are pre-fab trusses going wall-to-wall. There is a slab on grade; there is no basement or crawl space. The attic is not accessible; there is drywall on the bottom. Each bedroom has an oversized window/sliding glass door. The conversion cost is \$262,000, not including the cost of a sprinkler system; or the cost of any unforeseen issues. There are no fireplaces or wood patios or decks. A small sprinkler head over the furnace could be added. Commissioner Scheurich moved to table and Commissioner Popich made the second. It was voted on and carried.

#### 18-06-29 Fire Suppression System, North Vernon

No proponent was available to speak on the variance. The LFO submitted a letter of concern with the application. Commissioner Pannicke moved to table and Commissioner Heinsman made the second. It was voted on and carried.

#### 18-06-30 Walda Lake Cabin, Angola

Chris Walda, owner, spoke as proponent. This house was built in 1939. This is an interior remodel of a private residence. The house is 12 feet wide. There is a stairway on either side of the house. The stairway was widened from 24 inches to 31 inches. The code requires stairways to be 36 inches wide. The Angola fire chief had no objection to this variance. The second floor is a loft and a bedroom. Widening the stairway to comply with the code is constrained by the doorway and the bathroom. Craig Burgess, Building Commissioner, had no opinion either way. Commissioner Corey moved to approve and Commissioner Heinsman made the second. It was voted on and carried. Commissioners Pannicke and Popich opposed the motion.

18-06-42 Chapel Road Retreat, Andrews

Cale Eckert, owner, spoke as the proponent. This is a facility in a rural setting, which will function as an event center, for an agricultural community. The building is 6,295 square feet; thus it is required to have a sprinkler system. This property does not have access to city water. It is located three miles from the fire station. Six exits will be provided. Mr. Eckert indicated that local officials do not oppose this variance. Ed Rensink, RTM Consultants, noted that five similar variances have recently been approved. Denise Fitzpatrick, Code Specialist, indicated that the covered porch areas on three sides of the building would have to be sprinklered. The mezzanine level adds 1,326 square feet, including office space. The occupancy of the upper level is 89. Adding an exterior exit to the mezzanine level was proposed in order to provide a secondary exit from the building. Commissioner Heinsman moved to approve with the condition of adding a shunt trip, and a fire escape and exterior stairs in the mezzanine. Commissioner Corey made the second. It was voted on and carried, 6-5. Chairman Nicoson and Commissioners Henson, Pannicke, Popich and Jordan opposed the motion.

18-06-51 (a)(b)(c)(d)(e) Agricultural and Biological Engineering Renovation and Addition, West Lafayette

Adam LaRocca, Purdue University, spoke as the proponent. Variance (e) concerns the installation of smoke detectors in two unsprinklered elevator hoist ways. Proponent wants smoke detectors even though there are no vents. Mr. LaRocca stated this would be in compliance with NFPA 17-2016. Commissioner Corey moved to approve and Commissioner Scheurich made the second. It was voted upon and carried. Variance (a) is a request to allow an access stairway to remain open even though it spans from the basement to the second floor; technically it communicates with three stories. Two-hour barriers are provided. Commissioner Pannicke moved to approve and Commissioner Furnish made the second. It was voted on and carried. Variance (b) pertains to omitting standpipe hose connections in the open exit access stairway. Commissioner Pannicke moved to approve and Commissioner Furnish made the second. It was voted upon and carried. Variances (c) and (d) are in the A/B category. Commissioner Scheurich moved to approve and Commissioner Furnish made the second. It was voted on and carried.

18-06-35 Campus Crossroads Project University of Notre Dame, Notre Dame

Christina Collester, RTM Consultants, spoke as the proponent. This variance is to allow the omission of sprinklers in two EEG testing booths in the psychology lab. The booths are continuously monitored while occupied. The building is otherwise fully sprinklered. The LFO stated that this proposal makes sense, he just wanted to confirm that there were no other solutions. Commissioner Furnish moved to approve and Commissioner Corey made the second. It was voted on and carried.

18-06-50 (a)(b)(c)(d)(e) University of Notre Dame New Women's Residence Hall, Notre Dame

Ed Rensink, RTM Consultants, spoke as proponent. Mr. Rensink noted that Variances (a)(b)(c) and (d) were in the A/B category. Commissioner Scheurich moved to approve Variances (a)(b)(c) and (d) and Commissioner Corey made the second. It was voted upon and carried. Variance (e) addresses the allowance of a 30 foot corridor on the first floor. This building is primarily an R occupancy, however there are some A occupancy spaces on the first floor, including a chapel and a reading room. In an R occupancy you may have 50 feet, but in an A occupancy you are limited to 20 feet. There is corridor smoke detection although it is not required by code. The LFO stated that he supported this variance. Commissioner Pannicke moved to approve Variance (e) and Commissioner Furnish made the second. It was voted on and carried.

14. Variances (New) C/D/NVR – Self Representing Applicants/Architects/Designers/Non-Consultants Inside of Indianapolis Area

18-06-08 (a)(b)(c)(d) Monon Boulevard, Carmel

Daniel Liggett, Rundell Ernstberger Associates, spoke as the proponent. Variances (b) and (c) are in the A/B category. Commissioner Scheurich moved to approve Variances (b) and (c) and Commissioner Corey made the second. It was voted on and carried. Variance (d) concerns having a shower facility in the splash pad. This site is located between a newly proposed roadway. It would be difficult to provide a restroom facility at this location. Public restroom facilities are located 325 feet east of this site. Similar variances have previously been approved; specifically, Holliday Park (14-11-24) and the City-County Plaza (17-02-03.) The water is being treated and recirculated. There is a pump room underground. This is intended to be an aesthetic water feature, however it falls under the Swimming Pool Code. Commissioner Burgess stated that the swimming pool code could use some work, as there should be distinctions between pools and play areas. Commissioner Hite moved to approve Variance (d) with the condition that the restrooms are open whenever the water is turned on in the water feature. Commissioner Heinsman made the second. It was voted on and carried. Variance (a) concerns enclosing a water feature in a fence. Commissioner Furnish moved to approve Variance (a) and Commissioner Pannicke made the second. It was voted on and carried.

18-06-26 Petals and Produce, Indianapolis

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

18-06-27 House Relocation from 1218 Prospect to 1218 Evison Street, Indianapolis

Jason Burk, Halstead Architects, and Paul and Susan Dijak-Robinson, owners, spoke as the proponent. The owners want to move a 100 year-old home to another lot, which would place it within three feet of the property line: the home will extend a foot over the set-back line on either side. This variance is a request to not build the required fire-rated exterior walls. The two-story house is currently being used as an office. The owners want to convert it to a one-story home. The hardship is not only with the cost of the walls, but also with the historical nature of the home. The proponents own one of the adjacent properties; the other adjacent property owner stated he was okay with this. There was discussion regarding future property owners and whether they might have concerns. Commissioner Heinsman moved to approve and Commissioner Furnish made the second. It was voted on and carried, 9-2. Commissioners Pannicke and Popich opposed the motion.

#### 18-06-28 New Office Building – Heartland Environmental, Indianapolis

Jeff Cowsert, RB Architects, spoke as the proponent. The lounge in this office building has a counter which is 36 inches tall. The code requires the counter to be a maximum of 34 inches from the floor. The owner would lower it if someone is hired who needs an accessible counter. In order to comply, the countertop would have to be ripped out and reinstalled. Commissioner Pannicke moved to deny and Commissioner Furnish made the second. It was voted upon and failed. After further discussion, Commissioner Corey moved to approve, with the condition that the owner understands that this is not ADA compliant. Commissioner Jordan made the second. It was voted on and failed, 5-5. It was reiterated that this is new construction. Commissioner Heinsman moved to deny and Commissioner Pannicke made the second. It was voted on and carried, 6-4. Commissioners Corey, Goeden, Jordan and Scheurich opposed the motion. Commissioner Popich abstained.

#### 18-06-31 1321 Hoyt Avenue, Indianapolis

The contractor for this project spoke as the proponent. He explained that he recently took over this home renovation project from another contractor. A second story was added to the house even though it was not permitted. The windows are within a foot of the property line. Matt Correa, Building Inspector, City of Indianapolis, stated that the original permit was issued in January, 2017, to another contractor, for the purpose of drywall and plaster repair and the change-out of insulation. He issued a citation in October for exceeding the scope of the permit. He said that he did not have an opinion either way on this variance. After discussion, it was suggested that this be tabled so that the proponent could familiarize himself with this project and identify issues and proposed solutions. Commissioner Pannicke moved to table and Commissioner Corey made the second. It was voted on and carried. Commissioner Popich abstained.

#### 18-06-40 Walmart store 1518, Indianapolis

No proponent was available to speak on the variance. Sam Bruner, Deputy Fire Marshal, Pike Township Fire Department, does not oppose this variance. He stated that the

proponent wants to deactivate and secure won-doors in the "up" position in the corridors. His code consultant indicated that this was code-compliant. Commissioner Furnish moved to approve and Commissioner Popich made the second. It was voted on and carried.

#### 18-06-72 Property One Ventures, Franklin

No proponent was available to speak on the variance. Brent Pursifull, Code Enforcement Officer, City of Franklin, and Chief Dan Parsley, City of Franklin, do not endorse or oppose this variance. This is an existing structure (formerly a nursing home) which is being converted to apartments. The building is fully sprinklered; the sprinkler system will be maintained. The window height of the original structure would not comply with today's code. It is a concrete block structure which would make replacing the windows difficult. Four out of sixteen apartment units are completed. Commissioner Scheurich moved to approve and Commissioner Furnish made the second. It was voted on and carried. Commissioner Popich voted against the motion.

#### 18-06-78 St. Vincent Hospital, Indianapolis

A representative from KONE Elevators and Escalators, spoke as the proponent. The elevator pit is not compliant: it is approximately 57 inches. It is required to be 66 inches. Commissioner Corey stated that retractable tow guards are intended to correct the problem that this situation creates. If a retractable tow guard was installed, they would be in compliance. Proponent affirmed that retractable tow guards could be installed. Commissioner Corey moved to deny and Commissioner Pannicke made the second. It was voted on and carried. Commissioner Heinsman abstained.

Breaking and reconvening: Chairman Nicoson recessed the Commission at 12:40 p.m. It was called back to order at 1:40 p.m.

#### 18-06-79 Circus Tent, Indianapolis

Matt Bruskotter, Director of Safety and Security, Indiana State Fair Commission, spoke as the proponent. This variance pertains to a tent which is approximately 15,000 square feet and has six exits: four of which will be 144 inches wide, and two of which will be 66 inches wide. The code requires a minimum of five exits, each of which must be 120 inches wide. The State Fair EOC will be active the entire time the circus is in operation. Adam Newsom, State Building Inspector, stated he does not oppose the variance because of the total number of inches provided and the number of exits. Commissioner Furnish moved to approve the variance and Commissioner Henson made the second. It was voted on and carried. Commissioner Jordan opposed the motion. Commissioner Popich abstained.

#### 18-06-80 Indiana State Fairgrounds and Event Center Tents, Indianapolis

Matt Bruskotter, Indiana State Fair Commission, spoke as the proponent. This variance pertains to set-backs and temporary structures and tents on the property. This variance is to allow the proponent to work directly with State inspectors in order to reasonably reduce set-backs on a case-by-case basis. The code requires tents and temporary structures to be located more than twenty feet from property lines. Concerns were raised because this variance seemed open-ended; it felt like a blanket request. There was a suggestion to set it at a particular distance. After further discussion, the proponent requested that this be tabled. Commissioner Furnish moved to table and Commissioner Scheurich made the second. It was voted on and carried. Commissioner Popich abstained.

#### 15. Variances (New) C/D/NVR – Consultants

##### 18-06-32 Mynatt Events, Mooresville

Ed Rensink, RTM Consultants, spoke as the proponent. He asked that they return to this variance application later in the meeting.

##### 18-06-33 Landmark Center Interior Renovation, Indianapolis

Ed Rensink, RTM Consultants, spoke as the proponent. This request is to eliminate existing glass enclosed lobbies. This building was constructed in the 1980s. Proponent received an identical variance for the 9th floor of this building last year. Proponent is now requesting this for the remaining floors in the building. The building is fully sprinklered. Commissioner Pannicke moved to approve and Commissioner Furnish made the second. It was voted on and carried.

##### 18-06-36 Berry Machine Shop Addition, Evansville

Roger Lehman, RLehman Consulting, spoke as the proponent. This is a machine shop which makes molds and dyes. It is F2, S2 and B construction. Proponent wants to construct an addition onto the existing building. The wall between the office area and the F2/S2 area would be increased to a two-hour separation wall. The German Township Fire Chief wrote a letter in support of this variance. The contents are non-combustible. Aside from the mezzanines and the office area, it is Type II construction. Commissioner Heinsman moved to approve and Commissioner Corey made the second. It was voted on and carried.

##### 18-06-34 The Walcott Jeffersonville, Jeffersonville

Christina Colleston, RTM Consultants, spoke as the proponent. This is an apartment building which is being built in two pods, with an open parking garage in the middle. In certain areas, the property line separation is less than thirty feet. If the building is fully sprinklered with a 13R system, then they do not get credit for protected openings. The sprinklers will be laid out so that a sprinkler will be provided within two feet of each unprotected opening. This is type 5-A construction separated into five different buildings with firewalls. Commissioner

Pannicke moved to approve and Commissioner Heinsman made the second. It was voted on and carried.

18-06-37 Owl Creek Event Center, Greencastle

Ed Rensink, RTM Consultants, spoke as the proponent. This is a rural event center. It is approximately 7,000 square feet, with an occupant load of around 330. This request is to not supply a sprinkler system, as they do not have a capable water supply. The kitchen is warming only. There is no upper level. The owner met with Jon Burgess, Building Inspector, Greencastle, who indicated he did not have any objections as long as the driveway widths were adequate for the biggest piece of fire equipment. Commissioner Corey moved to approve and Commissioner Heinsman made the second. It was voted on and carried.

18-06-38 (a)(b) Wheeler Arts Apartments, Indianapolis

Ed Rensink, RTM Consultants, spoke as the proponent. Variance (a) addresses an area that was previously an assembly occupancy. This area is a 29,000 square foot, one-story building, which the owner wants to renovate into eight apartment units. The owner wants to renovate the basement and convert it into a parking garage. The building will be fully sprinklered throughout. There are no egress problems. Proponent stated that if this could be evaluated under the old Rule 8 then they wouldn't have to be here. Proponent is asking for one point in order to pass the Chapter 34 evaluation. Margie Bovard, Indianapolis Fire Department, stated she wanted a full 13 system throughout and fire walls instead of fire barriers. Proponent stated that smoke alarms could be added to the corridors. The ceiling space in the units is approximately 20 feet high. Each unit will have smoke alarms on each level. Each unit has a one-hour separation. The majority of the building is concrete construction. Commissioner Pannicke moved to approve with the condition that the hallways have smoke detection. Commissioner Corey made the second. It was voted on and carried. Commissioner Heinsman abstained.

18-06-39 Crisis Stabilization Unit and Pediatric Renovation, Lafayette

Neal Locasto, RTM Consultants, spoke as the proponent. This request is to eliminate the standpipe connections on either side of a horizontal exit. This is part of the licensed hospital. Proponent spoke with members of the Lafayette Fire Department, and they are not opposed to this variance. Commissioner Hite moved to approve and Commissioner Corey made the second. It was voted on and carried.

18-06-41 (a)(b) Mind Games Escape Room, Indianapolis

Carrie Ballinger, RTM Consultants, spoke as the proponent. This is a request to approve two variances which were previously approved and are set to expire in July. Variance (a) is to allow electromagnetic locks which have a push-to-exit button on the inside of the door. A condition was added which says that alcoholic beverages will not be served at this facility. Commissioner Pannicke moved to approve Variance (a) and Commissioner Corey made the



second. It was voted on and carried. Variance (b) pertains to the Special Amusement requirements. Commissioner Pannicke moved to approve Variance (b) and Commissioner Corey made the second. It was voted on and carried.

#### 18-06-43 City Way Phase II Construction Office, Indianapolis

Ed Rensink, RTM Consultants, spoke as the proponent. This is Phase II of construction and involves a number of buildings. Part of Phase I of this construction was the construction of this parking garage. This variance pertains to three small areas which will be used as construction offices: a break room, a storage room, and office space. It is similar to a construction trailer. This variance is to allow these areas to function as construction offices temporarily. Proponent was cited for a change of occupancy since it was originally classified as a parking garage. Ryan Schmidt, Building Inspector, City of Indianapolis, stated that he was informed that this project would last for two years. He noted that the garage is not emptied out: it contains construction equipment and machinery. There was discussion on the requirements for construction site trailers. Commissioner Pannicke moved to approve with the condition that the offices be completely removed by November 30, 2019, and that emergency lighting and exit signs will be provided where required by code. Commissioner Henson made the second. It was voted on and carried. Commissioners Heinsman and Popich abstained.

#### 18-06-44 Alpha Tau Medical Building, Westfield

Ed Rensink, RTM Consultants, spoke as the proponent. This is a one-story, multi-tenant, medical office building constructed in 2000, as a B-2 occupancy. It is more than 18,000 square feet. Three months ago, the owner discovered that the attic sprinkler system was not installed completely. The owner does not want to have a sprinkler system in the attic: there is no Chapter 9 requirement because it is a B occupancy, but it is 13% over area for type 5-B construction. It was proposed that a wet pipe sprinkler system be maintained in the occupied space. Gary Harling, Westfield Fire Department, does not support removing the system. He mentioned the frequency of lightning strikes in Hamilton County, as well as having been to this location this past winter due to a broken pipe. Commissioner Scheurich moved to table and Commissioner Corey made the second. It was voted on and carried.

#### 18-06-45 5400 Beck Drive – Elkhart LLC, Elkhart

Melissa Tupper, RTM Consultants, spoke as the proponent. This request is to not provide access roads within 150 feet of the building. There are retention ponds in the rear of the building. It is fully sprinklered. She stated that the local fire department is not opposed to this variance. A similar variance was granted in March. There is a fire department connection in the front. Commissioner Scheurich moved to approve and Commissioner Heinsman made the second. It was voted on and carried.

#### 18-06-46 (a)(b) Lilly K132A Fermentation Expansion Project, Indianapolis

Ed Rensink, RTM Consultants, and Keith Lampson, Eli Lilly, spoke as the proponent. These variances concern the relocation and recapitalization of the fermentation process. Proponent wants to change it from an H occupancy to an F occupancy. Variance (a) concerns a fire wall which is being upgraded to a three hour wall. Portions of the wall are supported by the floor and steel beams. There is a sprinkler system throughout. Commissioner Heinsman moved to approve Variance (a) and Commissioner Corey made the second. It was voted upon and carried. Variance (b) addresses equipment platform levels. The platforms are part of the level above rather than below. Commissioner Pannicke moved to approve and Commissioner Corey made the second. It was voted on and carried.

#### 18-06-47 Premier Ag – Seed Building, Shelbyville

Melissa Tupper, RTM Consultants, spoke as the proponent. This request is to not require sprinklers in a building classified as an H-4 occupancy. This is a one-story building used to store products used on crops. These products include toxic chemicals, which are considered a health hazard. This is a standard variance for an H occupancy. It is type 2-B construction. These chemicals are non-combustible. Commissioner Corey moved to approve and Commissioner Henson made the second. It was voted on and carried.

#### 18-06-48 McDonald's – Remington, Remington

Christina Collester, RTM Consultants, spoke as the proponent. This McDonald's is going through a brand upgrade which requires them to upgrade their restroom facilities so that they are fully accessible. They are changing their vestibules for change of access and egress. The cooler units were replaced. Another drive-through was added. The hazard is not increasing: the building is actually improving. The location of the exits ensures that travel distance is less than 60 feet. Installing sprinklers would be cost prohibitive. The building is still under 5,000 square feet. Although 900 square feet were added, the majority of this was in the cooler spaces. The dining area actually became smaller. The fixed seating occupancy load rose from 102 to 110; some of this is due to the added accessible seating, which includes movable chairs. Commissioner Pannicke moved to approve and Commissioner Corey made the second. It was voted upon and carried.

#### 18-06-49 Cedar Lake Ministries, Cedar Lake

Melissa Tupper, RTM Consultants, spoke as the proponent. This is a bible camp where people stay overnight. It is a premanufactured, one-story building, with six sleeping rooms. Each room has one-hour fire walls and smoke alarms. Each room has a direct exit to the exterior. Because it is in a rural location it would cost twice the normal amount for a 13R system. The well can support the 13D system. Commissioner Corey moved to approve and Commissioner Furnish made the second. It was voted on and carried.

#### 18-06-52 Vue Apartments, Indianapolis

Melissa Tupper, RTM Consultants and Jay Kellog, Herman and Kittle Properties, spoke as proponents. This variance is to allow sprinklers to be omitted from small closets in an apartment building. This was discovered during final construction inspections. The building has sprinklers and a detection system. There is an exception in the Appendix of NFPA 101, which provides that, when an NFPA 13 system is present, sprinklers can be omitted from small closets if they are under 12 square feet and don't contain any HVAC or mechanical systems in that space. Proponent met with IFD and offered to provide stove top compression canisters in the units and hard wired smoke detectors in the closets lacking sprinklers; these will be attached to other detectors within the unit. The closets are both under twelve square feet: there is a coat closet, which is 4.9 square feet and a pantry, which is approximately 7 square feet. Margie Bovard, IFD, was concerned that this was simply a money-saving effort and did not want this to set a precedent. Proponent explained that this was not a money-saving effort: this problem was not identified sooner because it was submitted as a 13, but was reviewed and released as a 13R. It was designed and submitted as a 13 instead of a 13R because of the allowable area: the roof top is considered a fifth floor. Jeff Dean, City of Indianapolis, questioned whether the sprinkler heads were on the plans that the city and state reviewed. Ms. Tupper stated that they were not. She explained further that she did not submit sprinkler drawings because of the size, but that she took them to the meeting with IFD. The floor cavities are not sprinklered. After further discussion, Commissioner Heinsman moved to approve and Commissioner Corey made the second. It was voted upon and carried. Commissioner Pannicke voted against the motion. Commissioner Popich abstained.

#### 18-06-53 (a)(b) Hidden Ego Volleyball, Kendallville

Christina Collester, RTM Consultants, spoke as the proponent. This is a facility which hosts outdoor sand volleyball and cornhole tournaments. As it has grown in popularity, the owners constructed a concession stand, two restrooms and a small storage closet. Variance (a) pertains to the restrooms: one restroom is accessible and one is not accessible. Restrooms are not required by building code for this building. Variance (b) pertains to the concession stand being built on a skid type foundation. These buildings are for seasonal use so there is no heating or cooling. The structures were constructed a year ago, on the area which used to be the gravel parking lot. Commissioner Jordan moved to approve Variances (a) and (b) and Commissioner Popich made the second. It was voted on and carried.

Breaking and reconvening: Chairman Nicoson recessed the Commission at 3:32 p.m. It was called back to order at 3:42 p.m.

#### 18-06-32 Mynatt Events, Mooresville

Ed Rensink, RTM Consultants, spoke as the proponent. This project involves the conversion of the first floor of a building into an event space. It was previously an antique store. The

building was constructed in 1900. The occupancy load is 150. This variance is to allow the sprinkler system to be installed within two years of occupancy. After meeting with local officials, proponent has agreed to limit the occupancy load to 99 until the sprinkler system is completely installed. The proponent wants to see if the business is feasible. There are two restrooms: an existing one and a new one. One restroom is required for every 75 people. Proponent and Darrel Brown, LFO, Mooresville, agreed on the following conditions, which were memorialized in an email, and included with the application: (1) "All owner items and clutter entirely removed from the floor in the back area" (2) "Remove the security grill from the back door" (3) "Provide panic hardware on the back door" (4) "Multiple exit signs provided to indicate the path of egress to the rear exit from the event space" (5) "Provide an exterior emergency light fixture on the back deck" (6) "The small stair from the porch to grade will be re-built with rise and run and handrails in compliance with current code" and (7) "A low railing with a gate will be provided to define the path to the exterior stair from the back door." Commissioner Pannicke moved to approve with the condition that the proponent comply with all of the conditions contained in the aforementioned email, including the stipulation regarding occupancy load. Commissioner Henson made the second. It was voted upon and carried.

#### 18-06-54 City Way Phase 2 Building D, Indianapolis

Ed Rensink, RTM Consultants, spoke as the proponent. Commissioner Furnish moved to approve Variance (b) with the second by Commissioner Corey. It was voted upon and carried. Variance (a) is to allow the fire pump to be co-located with the domestic water service meter and other pertinences in the same room. Eight similar variances have been previously approved. Commissioner Pannicke moved to approve Variance (a) and Commissioner Heinsman made the second. It was voted upon and carried. The Commissioners asked whether these could be placed in the A/B category and Denise Fitzpatrick, Code Specialist, stated yes.

#### 18-06-55 Bedford North Lawrence HS Fire House Cabinets Removal, Bedford

Ed Rensink, RTM Consultants, spoke as the proponent. A correction needs to be made on the application: instead of "five" existing fire hose cabinets, it should read "nine." There are five on the first floor and four on the second floor. The facilities director spoke with the volunteer fire department chief Bob Brown, regarding this variance: Chief Brown's only question concerned the size of the fire extinguisher being placed in the cabinets. Fire extinguishers will be placed in each of the nine locations. Commissioner Heinsman moved to approve and Commissioner Henson made the second. It was voted upon and carried.

#### 18-06-56 (a)(b) Boone County 4-H Exhibition Building Addition, Lebanon

Melissa Tupper, RTM Consultants, and Jack Hollingsworth, Array Architecture, spoke as the proponent. This is a new, one-story, building, constructed on the Boone County fairgrounds.

It is type V-B construction. There is an existing building which is separated by a two-hour fire wall. Variance (a) is to allow the building to not be sprinklered. The local fire department is not opposed to this variance; especially since a similar variance was approved in 2015. The maximum distance to an exit is 90 feet. A fire alarm and fire detection system will be installed. Commissioner Furnish moved to approve Variance (a) and Commissioner Corey made the second. It was voted upon and carried. Variance (b) is to allow the building to be constructed of V-B construction. This is based on the square footage. The cost to use V-A construction would be \$120,000. If it is a one-hour rated building it would cost \$600,000. Not much would be gained because it is the shell of the building. A similar variance was granted in 2015. The local officials are not opposed. Commissioner Heinsman moved to approve Variance (b) and Commissioner Corey made the second. It was voted on and carried. Commissioner Popich opposed the motion.

18-06-57 (a)(b) Decatur County Sheriff's Office and Detention Center, Greensburg

Dennis Bradshaw, Fire Protection & Code Consultants, spoke as the proponent. This is a new sheriff's office and detention center in Decatur County. A similar variance was granted in 2015 for Adams County: this building is almost identical, they just flipped it. This is Type 2 non-combustible construction and is fully sprinklered. The B occupancy part of the building is for the offices and the I-3 portion is the detention center. This area is required to be a one-hour corridor space. There is a draft curtain bulkhead to limit the transfer of smoke in the booking area. There are three, sliding, security-type doors. Due to the nature of these doors, they cannot be fire-rated. These doors are necessary because of security purposes. Commissioner Scheurich moved to approve Variance (a) and Commissioner Corey made the second. It was voted on and carried. Variance (b) involves the second level of the building which is in the housing area. There is a security control area with only one exit. I-3 requires two exits. Travel distance is 62 feet. The building is fully sprinklered and has smoke detection. Because of the nature of the control area, a person would be aware of any incident, as the purpose of his job is observation. There will normally be only one person in this area: during shift-change, there will briefly be two. Commissioner Jordan moved to approve Variance (b) and Commissioner Henson made the second. It was voted on and carried.

18-06-58 (a)(b) NHK Seating Foam Room Expansion, Frankfort

Ed Rensink, RTM Consultants, spoke as the proponent. This project involves the addition of a 660 square foot building, which is 22 feet by 30 feet. A similar variance was granted for a 2013 addition. The building is sprinklered. It is separated by a two-hour firewall. Variance (a) is for a GAR variance to allow the addition of 660 square feet. Commissioner Pannicke moved to approve Variance (a) and Commissioner Corey made the second. It was voted upon and carried. Variance (b) is to allow the use of normal concrete blocks in the 660 square foot addition which would match the existing construction, but will not comply with the energy code. A similar variance was granted in 2013. Commissioner Henson moved to

approve Variance (b) and Commissioner Corey made the second. It was voted on and carried.

18-06-59 IPL: Morris Street Service Center, Indianapolis

Melissa Tupper, RTM Consultants, and Scott Barker, IPL, spoke as the proponent. This variance is to allow the installation of turnstiles in an existing office building in three locations in order to monitor who is entering the building. The building has smoke detection and a fire alarm system. The turnstiles are 36 inches wide and are wheelchair accessible. There are settings which can be adjusted to allow for movement of the turnstiles in the event of a power outage or upon activation of a fire alarm. Drills are conducted multiple times a year. Commissioner Pannicke moved to approve and Commissioner Scheurich made the second. It was voted on and carried.

18-06-60 (a)(b)(c)(d)(e)(f)(g)(h) Pyramids at 3500 Apartments, Indianapolis

Ed Rensink, RTM Consultants, spoke as the proponent. Variances (a)(b)(c)(d) and (f) are all in the A/B category. Commissioner Jordan moved to approve Variances (a)(b)(c)(d) and (f) and Commissioner Furnish made the second. It was voted on and carried. Variance (e) addresses exterior windows. They have exceeded the permitted percentage of openings based on the property line. Sprinklers will be inside each of the windows along the wall. Commissioner Scheurich moved to approve Variance (e) and Commissioner Corey made the second. It was voted on and carried. Variance (g) pertains to a dead-end corridor issue. There are three enclosed stairways and an open stairway which was approved in the block vote. The dead end is 29 feet. It is 19 feet to the stairway, but technically, it is not a means of egress. The travel distance is less than 150 feet. There is an NFPA 13R sprinkler system in the building; thus, per the life safety code, up to 50 feet of dead end space would be allowed in an R-2 occupancy. The dining area and other non-residential areas will be protected per NFPA 13 standards. Commissioner Popich moved to approve Variance (g) and Commissioner Corey made the second. It was voted on and carried. Variance (h) involves sprinklers in the pedestrian walkway. The walkway will connect the second floor of the apartment building to a two-story building, with a basement, which was constructed in 1980. It was an office building, but will be used as commercial space. There will be doors or glazing on either end and there will be sprinklers in the walkway. The apartment building will have a 13R system with 13 protection in the non-residential areas; and the commercial building will have a 13 system. There is an exception to the two-hour firewall requirement on either end of the walkway, if both buildings are protected by 13. Commissioner Scheurich moved to approve Variance (h) and Commissioner Corey made the second. It was voted on and carried. Commissioner Heinsman abstained.

18-06-61 (a)(b)(c)(d) Victory Field New Home Plate Club & South Admin. Offices, Indianapolis

Carrie Ballinger, RTM Consultants, spoke as the proponent. Two portions of the facility are being renovated. The existing administrative offices on the mezzanine level are being expanded, and a new club level is being constructed on the suite level; certain areas are being enclosed. Variances (b) and (c) address the change of occupancy and the new enclosed area. A variance was approved in 1996 to allow the type 2-B construction. There are sprinklers in all of the existing enclosed areas, including the corridors. Sprinklers and the fire alarm system will be extended into the new areas. The occupant load will decrease based on the enclosures. There are standpipes outside of both stairways. Variance (a) addresses the existing corridor, including the doors, which are non-rated. Commissioner Pannicke moved to approve Variance (a) and Commissioner Heinsman made the second. It was voted on and carried. Variance (b) addresses the change of occupancy from an A-5 to an A-2 and Variance (c) pertains to the new construction. All of the enclosed areas would meet the allowable area for type IIB; it's the overall area of the stadium that exceeds it. Commissioner Henson moved to approve Variances (b) and (c) and Commissioner Corey made the second. It was voted on and carried. Variance (d) is a request to omit a voice alarm communication system. The current alarm system will be extended into the new, enclosed, areas. The occupant load will be less than 1,000 in the enclosed areas. A voice alarm system is required in A occupancies with an occupant load of 1,000 or more. Commissioner Pannicke moved to approve Variance (d) and Commissioner Henson made the second. It was voted on and carried.

#### 18-06-63 Retail Building, Indianapolis

Tim Callas, J&T Consulting, spoke as the proponent. This building will be leased by Kroger. The fire protection is located in the back of the building. There were communication problems, and the architect only discovered that this was an issue in March, when the fire department notified him that the FDC was in the wrong location. By then, the sprinkler system was already installed. The code requires the FDC to be located according to local ordinance; if there is no ordinance, the servicing fire department must be contacted prior to placement. It would be difficult to relocate the FDC to the front of the building and would cost \$60,000. Margie Bovard, Inspector, Indianapolis, wanted the FDC to be in the front of the building or near the next nearest access point of the building. Kevin Troy, State Inspector, indicated that there was an amendment, but there is also a section which says the FCD should be located street-side. Commissioner Scheurich moved to approve with the condition that signage will be displayed at the front of the building indicating that the fire department connection is located in the back of the building. Commissioner Corey made the second. It was voted on and carried.

#### 18-06-64 (a)(b)(c) Lofts at Leasons, Elwood

Carrie Ballinger, RTM Consultants, spoke as the proponent. Commissioner Furnish moved to approve Variances (a) and (b) and Commissioner Corey made the second. It was voted on and carried. This a three-story building, with a basement, which used to be a furniture store and is being converted into apartments. The basement will be converted to storage. They

are adding 1,800 square feet to the third floor. There is a large atrium-like area between the second and third floors. There is a stairway from the lobby to the third floor. There is another stairway from the second floor to the third floor, and a stairway from the first floor to the basement. Draft curtains and sprinklers will be added to the openings. Variance (c) is a request to comply with Section 712. The building will be fully sprinklered per NFPA 13. There will be sprinklers, fire alarms and smoke detection in the stairways and corridors. Commissioner Scheurich asked Denise Fitzpatrick, Code Specialist, if they had approved these before. Ms. Fitzpatrick indicated that yes, they had. Commissioner Scheurich moved to approve Variance (c) and Commissioner Corey made the second. It was voted on and carried.

#### 18-06-65 (a)(b) Kube Sports Complex, Hammond

Carrie Ballinger, RTM Consultants, spoke as the proponent. This is a new sports building with two ice-skating rinks and a multi-purpose sports room. It is designed as an unlimited area building. On one side, they are less than 60 feet from the property line. The adjoining property is owned by the City Parks Department. The city is okay with adding a restrictive easement on that parcel if this variance is granted. The building will be fully sprinklered, except for the areas over the ice rinks. There is a fire alarm system throughout. Commissioner Pannicke moved to approve Variance (a) and Commissioner Heinsman made the second. It was voted on and carried. Variance (b) is a request to not add sprinklers in the areas directly over the ice. The sprinklers will cover all areas of the room containing the ice rinks, including seating, except for the area over the actual ice rinks. There is an exception in 507.3 that permits sprinklers to be omitted from areas occupied for indoor participant sports. It was suggested that this might have actually been NVR. Commissioner Scheurich moved to approve Variance (b) with the condition that all areas accessible to the public, other than the ice rink itself, will be equipped with a sprinkler system. Commissioner Corey made the second. It was voted on and carried.

#### 18-06-66 Indiana State University Hulman Center, Terre Haute

Christina Collester, RTM Consultants, spoke as the proponent. Fire alarm strobes must be mounted between 80 and 96 inches above the floor, or in the ceiling, but it cannot be higher than thirty feet. This is a coliseum with a large concourse area, with 55 foot ceilings. This is a request to use NFPA 72 Section 18.5.4.5, which was deleted when the fire code was adopted in Indiana. This would allow the mounting height to be determined based on reflective lighting, yet provide adequate notification. Commissioner Heinsman moved to approve and Commissioner Henson made the second. It was voted upon and carried. Commissioner Pannicke abstained.

#### 18-06-67 Hysterium Escapes, Fort Wayne

Carrie Ballinger, RTM Consultants, spoke as the proponent. This variance was previously approved, and is getting ready to expire. Jim Murua, LFO, is okay with this variance.



Commissioner Furnish moved to approve and Commissioner Corey made the second. It was voted on and carried.

#### 18-06-68 Dual Hyatt Construction Offices, Indianapolis

Ed Rensink, RTM Consultants, spoke as the proponent. It is a temporary construction office inside the first floor of a building, which is across the street from the construction site. It is approximately 2,800 square foot. Twelve people are typically in the office. The remainder of the building is mostly vacant. It is a five-story concrete building. The building is fully sprinklered. This variance is similar to 18-06-43, which was approved earlier today. Proponent does not meet all of the requirements of new construction. Doug Bruce, Building Inspector, Indianapolis, stated he issued citations originally because they did not apply for a permit prior to beginning construction. Mr. Bruce is not opposed to the variance if they meet certain safety requirements. Commissioner Furnish moved to approve with the following conditions: (1) remove illuminated exit sign above locked door; (2) add a fire extinguisher; (3) add the street address to the building; (4) add emergency egress lighting; and (5) the limited use as construction offices will terminate on July 1, 2019 – all offices are required to be removed by July 1, 2019. Commissioner Henson made the second. It was voted on and carried. Commissioners Pannicke and Popich abstained.

#### 18-06-69 St. John Bosco Center, Indianapolis

Christina Collester, RTM Consultants, spoke as proponent. This is a small building, attached to the rectory, which is used for assembly purposes. The second floor contains a small assembly area, which will be opened up to create a large assembly area, in combination with the first floor. They are making many life safety improvements. Accessible restrooms are being added to each floor. The occupancy load will be 29 on the second floor. There is only one staircase to the second floor. Providing a second exit would be difficult. Commissioner Corey moved to approve and Commissioner Scheurich made the second. It was voted upon and carried. Commissioners Heinsman and Pannicke abstained.

#### 18-06-70 Wedding Banquet Hall – Furry, Culver

Tim Callas, J&T Consulting, spoke as the proponent. This is an old hog barn with concrete masonry and a wood roof, which is being converted into an event space. Fire alarms and smoke detection will be added throughout. Everything, including the three exits, will be ADA accessible. Permanent restrooms and a shunt trip will be added. Although it passed Chapter 34 review, it cannot be used. Concerns were raised regarding joist size and spacing. Proponent stated he would upload more pictures and obtain connection information. Commissioner Corey moved to table and Commissioner Jordan made the second. It was voted on and carried.

#### 18-06-71 Indiana Applied Behavior Analysis Institute, Fort Wayne

Ed Rensink, RTM Consultants, and Paul McComas, Indiana Applied Behavior Analysis Institute, spoke as the proponent. This facility was cited as a change of occupancy from a B to an I-4. An I-4 Occupancy is a building or structure occupied by 5 or more people of any age, who receive custodial care. Custodial care is defined by the building code as assistance with day-to-day living tasks, such as assistance with cooking, taking medication, bathing, using the bathroom, and other tasks of daily living. Proponent contends that their facility is a B Occupancy, as they provide outpatient therapy and not custodial care. Mr. McComas explained that this facility provides patients with one-on-one therapy prescribed by a medical doctor. Patients include those with autism and other behavioral challenges. He stated that Indiana Medicaid and the Indiana Department of Education consider Indiana ABA therapy to be outpatient therapy. ABA's insurer considers their therapy to be outpatient therapy and not custodial care. Indiana ABA has been at this location for six years. Being classified as an I-4 Occupancy would force them to relocate, which would be a financial and operational hardship. Jim Murua, LFO, stated that they discovered this facility, and cited them, while conducting other inspections in the area, which is predominately businesses. He believes this facility is an I-4 Occupancy, as the children who visit this facility stay for an extensive amount of time, and could have trouble with self-preservation in the event of an emergency. During his first two visits to the facility, he saw children sleeping. Mr. Murua described difficulties in evacuating children with special needs during emergency situations in schools in the past. He said he would consider this facility a B occupancy if it was being used to give hour-long music lessons, for example. They have no early notification systems or life safety protections and they do not practice any fire safety or evacuation drills. This is a split-level facility with no sprinkler system, no fire alarm system, no pull stations, and no ADA accessible exits. His biggest concern is to ensure that the occupants are afforded the appropriate life safety protections. After extensive discussion on patient care and self-preservation, Commissioner Popich moved to table and Commissioner Henson made the second. It was voted upon and carried.

#### 18-06-73 Grand Brook Memory Care of Zionsville

Ralph Gerdes, Gerdes Consultants, spoke as the proponent. This variance pertains to fire separation distance. The north side of the building is 4.42 feet from the property line. The combustible overhangs, the exterior wall construction and the percentage of openings in the wall are not code compliant. The adjacent property has a recorded access and utility easement, which includes a private road. Proponent averred that he would be in compliance if the fire separation distance was measured from the center line of the private road. Commissioner Corey moved to approve and Commissioner Popich made the second. It was voted on and approved. Commissioner Heinsman abstained.

#### 18-05-74 Shelburn Interurban Depot – Interior Improvements

Carrie Ballinger, RTM Consultants, spoke as the proponent. This project involves the renovation of a historic building for the future potential use as a restaurant. Currently, there is no tenant. A fire alarm system and smoke detection will be provided throughout the

building. There are two stairways from the second floor. The maximum travel distance is 65 feet; the amount required by code is 200 feet. The occupancy load of the second level will be 40. The fire chief does not oppose this variance. Commissioner Corey moved to approve and Commissioner Jordan made the second. It was voted on and approved. Commissioner Pannicke abstained.

#### 18-06-75 Amazing Lash Studio, Indianapolis

Carrie Ballinger, RTM Consultants, spoke as the proponent. A tenant space in a strip mall, which previously was a restaurant, wants to convert back to a B Occupancy in order to operate as an eyelash studio. The original building was 5-B construction. The whole building is sprinklered. Commissioner Pannicke moved to approve and Commissioner Furnish made the second. It was voted on and carried.

#### 18-06-76 Nickel Plate Lofts Renovation, Frankfort

Ed Rensink, RTM Consultants, spoke as the proponent. Proponent is converting second and third floors of a building into apartments: there will be two units on the third floor and three units on the second floor. The code allows a maximum of four units per floor. It is type 3-B construction. The request is to allow a single exit. There is a sprinkler system throughout the building. The travel distance to the exit is 110 feet. There are egress windows in the sleeping rooms. Kevin Catron, Fire Inspector, Frankfort, is concerned with having only one exit for five units. This building is 132 feet long and 33 feet wide and the stairs are in the back of the building, which makes him concerned about the travel distance to the exit. Mr. Catron would like a second stairwell. Proponent does not believe that there is a violation. Commissioner Henson moved that no variance was required. Commissioner Corey made the second. It was voted on and carried.

#### 18-06-77 SMC of America Distribution Center, Noblesville

Tim Callas, J&T Consulting, spoke as the proponent. This project involves the expansion of an existing facility to 1.3 million square feet. Prior to the addition it was 1 million square feet. This request is to allow a travel distance of 450 feet instead of the allowable 400 feet. The height of the building is 40 feet. The existing building and the addition will have an ESFR sprinkler system. Commissioner Pannicke moved to approve and Commissioner Corey made the second. It was voted upon and carried.

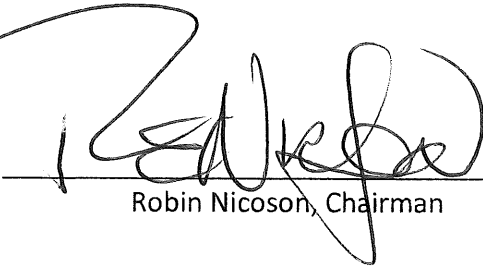
#### 16. Comments and Closing Remarks

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

#### 17. Adjournment

Chairman Nicoson adjourned the meeting at 6:03 p.m.

APPROVED:



Robin Nicoson, Chairman