

Staff Variance Report
For
March 5, 2013 Commission Meeting

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

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

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

“D” category = recommendation is for denial.

“T” category = incomplete (with permission of the Chairman).

“NVR” category = no variance required.

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

Tabled Variances:

- 12-11-14 C **Soar Sprinklers – South Bend**
Tabled to have application redone (typed to make legible) and no proponent. Tabled so the proponent can have a Chapter 34 evaluation done, given 60 days to come back, February meeting. **Was tabled to comply with the Commissions recommendations at the December meeting. Tabled at the proponents request till the March meeting.**
- 13-01-36(b) C **Lafayette Family YMCA – Lafayette**
(b) *Remote exterior exits on the back of the building will not be provided with a sidewalk to the public way as required by code.* The exit discharge, “walking surface of the means of egress shall have a slip resistant surface and be securely attached”, this is interpreted to require a concrete sidewalk to the public way. The proponent advises that the code does not stipulate that the exit discharge be a paved surface and that a yard can be classified as a component of the exit discharge for a building. The hardship is the cost of installing sidewalks on the back of the building, which is estimated at approximately \$40,000.00. If the exit path away from the building is just mud or grass, how do wheelchairs get through it? **Tabled at the request of the proponent. Tabled at the proponents request till the March meeting.**
- 13-02-1 C **Indiana Galvanizing Inc. – Middlebury**
The current sprinkler system will be deactivated due to the change of uses of the building. The current building has a sprinkler system from when it was being used as a manufacturing plant for mobile homes and it is being converted over to a zinc plating operation and the sprinkler system will cause a danger due to the high temperatures of the hot dip galvanizing process. The occupancy of the structure for the manufacturing of mobile homes would have been an F-1 and the new use would be an F-2. The proponent advises that the building is steel construction and the wet sprinkler system would create a hazardous situation due to the high temperatures of the molten zinc. No combustible

materials are introduced into the structure. There is no mention of the removal of the sprinkler system or what they want to do with the current system that is in place. **Tabled no proponent.**

13-02-47(a)

Calvary Temple Assembly of God, Inc. – Indianapolis

- DI (a) *Code prohibited panic bar locking devices will be used even when people are in the building.* The code requires that these devices be removed when the building is occupied. The proponent advises that they remove these devices when they have services in the building but they want to leave them on the main sanctuary building during the time it is occupied by the maintenance staff. No hardship listed. Why are the doors not locking properly, so they will work even if locked? Are the children in the day care ministry in the building when these doors are locked? **Tabled so proponent can check into different ways of securing the doors.**

13-02-51(c)(d)(e)

Englewood Lofts – Indianapolis

Project #361823

- BI (c) *There will be unprotected openings on the east and south sides that are required to be protected per Table 602 and Table 704.8 of the IBC, due to the openings being less than 30' from the centerline of the public way or property line.* The building will be provided with a fire suppression system throughout per NFPA 13R the 2010 Edition. The openings will be protected with additional sprinklers. The sprinklers will be located so associated curtains, blinds, etc. will not obstruct the discharge pattern of the sprinklers. The hardship involves the existing building is registered with the Indianapolis Historic Preservation Commission and reduction of the openings was not permitted. The sprinklers mentioned did not state that they would be installing closed spaced sprinklers above the openings to protect them.
- CI (d) *Of the 3 entrances to the building, one will be accessible and the code requires there to be at least 2 of the 3 be accessible.* The proponent advises that the building is registered with the Indianapolis Historic Preservation Commission and the existing entrances are not permitted to be altered except for the one that is being proposed to be changed. The hardship is that the building is not permitted to have ramps located at any other location than is proposed.
- CI (e) *The windows are being replaced with double hung windows that will not comply with the reach ranges specified in ANSI 117.1 Section 308.3 of 48".* The proponent advises that the windows are going into the current window locations and with the building on the Indianapolis Historic Preservation Commission they cannot change the locations or alter them. **Tabled at the request of the proponent.**

13-02-57

Calvary Baptist Church – Leesburg – Ramp

The proposed ramp will be constructed with a 1 in 9 pitch rather than the code compliant 1 in 12. The proponent advises that the ramp would be 77" wide and start 44" from the sanctuary door and extend 197", to the entrance doors of the church. They will provide railings on both sides and in the center if needed. The hardship is the space is not available to comply with the code. **Tabled to allow proponent to explore options and check on the 1 : 9 slope for feasibility.**

13-02-64 DI **Cartlidge Barn Hendricks County 4-H Fairgrounds and Conference Complex – Danville**

A pre-Civil War barn has been dismantled, from what was a farm, and is to be constructed on the Hendricks County Fair Grounds as part of the public attractions and the proponent wishes to use Chapter 34 of the Indiana Building Code to evaluate the change of use of this structure. In looking in the IBC and the Commentary for the IBC, staff can find no mention of the dismantling of a structure and rebuilding of that structure as being part of the approved scope of Chapter 34. That section talks about the change of occupancy of existing structures and this is classified as new construction, with the use of old lumber. The structural systems, for example, need to be thoroughly evaluated for the new use. **Tabled to allow proponent to revise application because Chapter 34 is not applicable.**

This is a revision of the previous variance.

- (R) *An existing pre-Civil War barn has been dismantled and rebuilt on the Hendricks County Fair Grounds, where it will be used for the multipurposes including assembly and will not be provided with the code required automatic sprinkler system.* The proponent has advised that they will provide the following alternatives to the sprinkler system: fire alarm system including manual pull stations, horns and strobes, a smoke detection system throughout, the travel distance to an exit will be approximately 30', the fairgrounds has a strict alcohol policy, the policy is enclosed, and there will be no fireworks, pyrotechnics or open flames allowed in the building. The owner's hardship is the cost of \$64,099.00 to provide the automatic fire suppression system. In addition, the sprinkler system would be a dry pipe system that requires monitoring of the compressor. The building will be used from spring to fall only, thus the system will not be monitored during the winter months. Why will the system not be monitored in the winter? The proponent mentions the project cost of \$200,000.00 and only \$40,000.00 has been donated.

New Variances:

- 13-03-1 A **1017 W. 7th St. East – Bloomington – Window**
The emergency escape and rescue window does not meet the size requirements for the code of record. The code of record requires the windows to be a minimum of 4.75 sq. ft., have a minimum height of 22", width of 20" and a maximum sill height of 44". The current window is 3.84 sq. ft., has a height of 20.5", width of 27" and a sill height of 38.5".
- 13-03-2 AI **2364 E. Winding Brook Cir. – Bloomington – Windows**
The emergency escape and rescue window does not meet the size requirements for the code of record. The code of record requires the windows to be 4.75 sq. ft., have minimum a clear width of 18", height of 24" and a maximum sill height of 48". The current windows are 5.35 sq. ft., 34.25" wide, 22.5" high and have a sill height of 31".
- 13-03-3 CI **Mahoning Valley Christian Service Camp – Remodel – Rushville Project #360355**
The code required sprinkler system will not be provided for this new "R" occupancy. The proponent advises that they are remodeling a concrete building into 3 separate areas that will be used for temporary housing for from 2 to 6 people per room. They advise

that they will install hard wired photoelectric smoke detectors with battery backup. Each of the 3 sections will have a sleeping room and a restroom as well as a single exterior door. They advise that they will have 2 interior fire walls (there is no indication on the drawings of the fire walls or any other fire separation). The total sq. ft. is 936 sq. ft. The water supply for the camp is with a well. The housing will only be used usually from 1 to 5 days per group of campers. The structure will be provided with heat and air conditioning unit. What is the length of time that the camp is used annually? Have NFPA 13D sprinklers been discussed as a possibility?

- 13-03-4 AI **Railhead Expansion Facility – Scale House Building – Edinburgh** Project #358640
The code required grab bars will not be provided and the single toilet will not have the fixture clearances. The proponent advises that the Scale House Building is located at Camp Atterbury Joint Maneuver Training Center and the scale house building is a military training facility that will only be used by able bodied military personnel and will not be open to the public. The hardship would be to provide the bars and fixture clearances would require a re-design of the toilet room and the likely elimination of the urinal. The purpose for the facility is to inspect and weigh vehicles and non-able bodied personnel would not be able to fully perform the tasks required for this facility.
- 13-03-5 AI **236-242 E. Brownstone Dr. – Bloomington – Windows**
The emergency escape and rescue windows do not meet the code of record for size. The code of record requires that the windows be a minimum of 4.75 sq. ft., 24” high, 18” wide and have a maximum sill height of 48”. The current windows are 4.16 sq. ft., 30” high, 20” wide and have a sill height of 42”.
- 13-03-6 A **3230 John Hinkle Place Apt. F – Bloomington – Windows**
The emergency escape and rescue windows do not meet the code of record for size. The code of record calls for the windows to be a minimum of 5.7 sq. ft. in area, 24” in height, 20” in width and have a sill height a maximum of 44”. The current windows are 6.19 sq. ft., 23” high, 37” wide and have a sill height of 23” above the floor.
- 13-03-7 AI **Adorn Inc. – Hose Reel and Hand Line Removal – Elkhart**
The occupant use hoses and hose reels will be removed from the facility. The proponent advises that the building has a sprinkler system and portable fire extinguishers. The hardship is the maintenance of the hoses and reels and the requirement to train a facility fire brigade.
- 13-03-8 VOID
- 13-03-9 AI **Timber Ridge Townhouses – 515 Graham Place – Bloomington**
The emergency escape and rescue windows do not meet the code of record for size. The proponent advises that the egress windows in the basement and all of the bedrooms do not meet the code. The code requires that the windows be openable to a minimum of 4.75 sq. ft., be a minimum of 18” wide, 24” high and have a sill height of no more than 48”. The current windows in the basement are 4.67 sq. ft., 34.5” wide, 19.5” high and

have a sill height of 32.5". The other two windows are 4.88 sq. ft., 30.25" wide, 23.25" high and have a 31" sill height.

- 13-03-10 B **Sanctuary at Trinity Tower – South Bend – Elevator**
An Otis Gen2 Elevator System will be installed with the use of steel coated belts (suspension means) in lieu of the code compliant means of suspension. The proponent advises that they will provide the training needed for the elevator inspectors and the belt monitoring device will be installed as part of the Gen2 System.
- 13-03-11 AI **St. Vincent DePaul Catholic Church – Ft. Wayne**
The code required emergency eye wash station, shower, and service sink and rest room facilities as required for an S-1 occupancy. The proponent advises that the structure will be 3,450 sq. ft. and will not normally be occupied. It will be used for storage of grounds maintenance equipment and general campus storage of items such as tables, chairs and desks. There are rest rooms in other structures on the site that the employees can use. The building will have not water or sewer service. The hardship is the cost to provide the water and sewer service as well as the plumbing fixtures.
- 13-03-12 CI **Growponics Indiana – Mt. Vernon**
The code required landing on the outside of the man door on the existing structure is not there and will not be installed. The proponent advises that there is a stone landing on the outside of the door that is working fine for the greenhouse operation. The facility is not open to the public. The hardship is that this is a start up business and is experiencing a severe cash flow situation. They advise that they do not sell enough produce to cover the operating expenses.
- 13-03-13 CI **The Axis – Indianapolis** Project #359168
The code required access room for the trash chutes will not be provided and the chutes will open directly onto the corridors in the multistory apartment building. The proponent advises that the structure will have an NFPA 13 sprinkler system in lieu of the minimum requirement of an NFPA 13R system. The trash chute doors will be 90 minute fire rated and gasketed doors as required by the code. The hardship is experience with apartment tenants is that they pile the garbage in the access room, which may present a greater fire hazard.
- 13-03-14 BI **Fremont Housing – Shower Renovations – Fremont**
The proposed shower renovations for 36 of the 40 shower units will not be compliant with Type "A" showers in accordance with Section 1003.11.9 of A-117.1. The proponent advises that the showers will be roll-in style and will be 54" X 31" rather than the code required 60" X 30" in size. The controls will be on the side wall with the fold up seat located on the opposite side rather than the code required location of on the side adjacent to the seat. There will be 4 units that will meet the code requirements completely. The proponent advises that the renovation of the other 36 units will provide a more accessible shower facility for the senior residents, not necessarily to provide wheel chair access. The proposed configuration will exceed that for Type "B" showers per Section

1004.11.3.1.3.3, ICC A-117.1. The hardship is the cost is prohibitive based upon the available floor space and location of the existing plumbing.

- 13-03-15 CI **Starbucks – Bloomington** Project #361854
The plan review for the project has determined that this facility was always an A-2, but the plans show that the restrooms are being reduced in size and the standing area is being increased, resulting in an increase in occupant load, which requires a second exit. The proponent states that there this was always a B and that there is no increase in occupant load.
- 13-03-16 BI **Applied Behavior Center for Autism – Greenwood**
Two time out rooms will be provided in the facility that will require a staff member to maintain pressure on a button to keep the door locked so the child is unable to leave the room. These rooms are used to isolate a child with autism. The proponent advises that the child to staff ratio will be approximately 1 to 1. There is a video camera to monitor inside the rooms, continuous pressure must be maintained to keep the door locked and, when it's released, the door swings freely. The door will swing out from the rooms. Variance 11-12-21 was approved for the prior Greenwood facility. The hardship is the difficulty of meeting the requirements for an "I-3" occupancy is difficult and expensive in an office building setting.
- 13-03-17(a)(b)(c)(d) **Creed Pole Barn – Plymouth** Project #362152
- CI *(a) The new pole barn to be used to store tractors and lawn mowing equipment will not have any electricity in the building. The proponent advises that the building will be used for storage only and there is no need to have electricity in it. The hardship is the cost of installing electricity in a building that does not need electricity to perform the purpose for which it is being built. Plan Review didn't require electricity, only lighting that could be provided by windows. The plans submitted to Plan Review are too incomplete to determine exactly what construction is being performed and there is no site plan.*
- AI *(b) The new pole barn will not be provided with the code required items per Table 29. The proponent advises that there will be no restroom, service sink, eye wash station, or emergency shower provided. There will be no water, electricity, heat or sewer lines connected to the building. There is another building on the property that has a restroom that is located approximately 15' away from the pole barn. The hardship is the cost of installing all of these items that will not be used and if needed can be obtained in the other structure.*
- AI *(c) The new pole building will not be provided with accessible facilities as required in Chapter 11 of the IBC. The other building has accessible facilities in it that can accommodate anyone needing them. The hardship is the cost of installing the accessible items in a structure that is not going to have the electricity, water, heat and sewer needed to allow these items to work when they are available in the building 15' away.*
- NVRI *(d) The code required Energy Compliance Report will not be filed out since the building will not have any utilities attached to the building. The proponent advises that they do*

not have utilities, so it appears that the building is not conditioned, which would eliminate the need to comply with the 2010 Indiana Energy Conservation Code.

- 13-03-18 CI **Tate and Lyle Refinery Hydro #41661 Modernization – Lafayette**
The current elevator code requires the firefighter's emergency operation to be initiated by smoke and the smoke detectors will not be provided. The proponent advises that they will be deleting the smoke sensors for this project due to the adverse environmental conditions. They advise that the environmental conditions include extreme temperature ranges and the presence of grain dust causing nuisance tripping and shutting down of the elevator system.
- 13-03-19 BI **Grant Street Station – Lafayette** Project #359412
8 mm suspension cables will be used rather than the code compliant 9.5 mm. The proponent advises that they will provide any tools and training required to the state so the ropes can be inspected.
- 13-03-20 AI **Morgan Stanley Smith Barney – Carmel** Project #360543
The code required 1/3 diagonal distance separation of the exits in the structure will not be met. The proponent advises that, due to the layout of the building, the distance needed will be off by 4' of the required 1/3 diagonal distance needed to comply. The widths of the exits will exceed the width required for the space. The change does not increase the total travel distance and the suite is on the ground floor. The hardship is the existing suite entrance, mill work and stone was completed less than 2 years ago and would need to be removed. This problem has become an issue due to the fact that the 4,000 sq. ft. interior office space was increased to add 1,900 sq. ft.
- 13-03-21(a)(b) CI **Cine Theater Apartments – Linton**
(a) The two hour shafts for the elevator, stairs, etc will be supported by a one hour wood floor rather than the code compliant same fire rating as the shaft construction. The proponent advises that the historic theater building is being renovated into apartments and as required by code will be sprinklered with an NFPA 13R system. They believe that the supporting one hour construction will be sufficient to allow for evacuation and give the fire department time to fight the fire and, if the building does collapse after one hour, maintaining the shaft does very little for fire safety when the rest of the building is on the ground. The hardship involves the cost to upgrade the construction from Type III-A to achieve a two hour rating. What is the cost to comply?
CI *(b) There will be a 29 foot dead end corridor and code only allows for a maximum of 20 feet in "R" occupancies. The proponent advises that the historic theater building is being renovated into apartments and will have an NFPA 13R sprinkler system. The hardship involves the renovation of an historic building from a theater to residential use and the efficient use of the floor area in a dead end corridor to access units.*

13-03-22

BI **John Will Anderson Boys and Girls Club Community Center – Gary**

Project #358839

A portion of the building will be occupied prior to the completion of the required sprinkler system installation, which is not allowed by code. The proponent advises that the building is being worked on in phases and will take approximately three years to complete. They have provided a drawing with the different phases of completion. They advise that units B, C and D will be occupied in 2013 and provided with sprinkler protection. Units A, E, F and G will be sprinklered prior to the occupancy. The variance request is to allow up to 3 years to complete the sprinkler protection throughout these portions of the building. The project involves the conversion of a one story former “E” occupancy school for the use as a Boys and Girls Club, including activity and recreation functions and an administrative office area. The building is classified as Type IIB construction. The building is approximately 123,000 sq. ft. on floor area. The project was evaluated per Chapter 34, IBC. The proponent advises that Units A, E, F and G will not be occupied for any purpose, including storage, prior to protection with automatic sprinklers. Smoke detectors tied to the fire alarm system will be provided in the unoccupied areas prior to any portion of the building being occupied. No means of egress of occupied areas will pass through the unoccupied areas. The hardship is the funding for the project will not permit completion of the entire building initially and the strict application of the rules will not permit partial occupancy of the building, which would not a benefit to the community.

13-03-23

AI **Fort Wayne Roofing – Fort Wayne**

Project #362321

The items in Table 29 will not be provided in the unheated, three sided storage building as required by the code. The proponent advises that there are facilities in the main building that is less than 100 feet away from the new building that the personnel can use. The hardship is that the building will not be heated, occupied and is an accessory structure to the main building.

13-03-24

NVRI **Warren Harbor Apartments Club House – Indianapolis**

An existing apartment complex club house, that has been vacant for approximately 2 years, has been verbally cited by the local building department stating that they needed to sprinkler the building and the sprinkler system will not be provided. The proponent advised that the building of 11,600 sq. ft. was built in approximately 1980. The building consists of a pool, community room, and support areas on the 1st floor and will remain the same. The owner is planning to reopen a portion of the 1st floor to be used in the same way as before. The basement is approximately 4,800 sq. ft. and was utilized as a work out area and spa. There are no plans to utilize the basement for any purpose. The only use for the basement will be for the electrical and mechanical room that will be separated from the remainder of the basement. The hardship involves the building is existing and is not undergoing a change of occupancy. The assumption for the verbal citation from the City of Indianapolis Code Enforcement is due to the fact of being vacant for 2 years.

13-03-25

CI **Martin’s Super Market Store 10 – South Bend**

Project #362106

The existing café of approximately 890 sq. ft. on the mezzanine will be increased by 2,688 sq. ft., Section 507.3 Exception 3 is not utilized for the accessory A-2 occupancy café

located within the "M" occupancy for the purposes of achieving allowable area for the Type IIB construction. There is also a café area on the 1st floor of approximately 1,100 sq. ft. and the total building including the mezzanine, will be just over 75,000 sq. ft. The proponent advises that the A-2 occupancy area (4,800 sq. ft. complies with the requirements for an accessory occupancy per Sec. 508.3.1.2 for Type IIB construction (9,500 sq. ft.). Per the proponent, Sec. 508.3.1.2 permits the allowable area and height of the building to be based upon the "main occupancy" of the building, since the A occupancy area qualifies as an accessory occupancy area per Sec. 508.3.1, the use of Sec. 507.3, Exception 3 is not required. The hardship is that the use of an occupancy separation would defeat the purpose of the café, which is an accessory use to the retail grocery store.

- 13-03-26 CI **Lakeside Gardens of Cicero – Cicero**
A new one story five unit R-2 occupancy will not be provided with the code required NFPA 13 or 13R sprinkler system, but will have an NFPA 13D system provided. The proponent advises that there will two exits from each unit. The owner's hardship is the cost to provide the compliant sprinkler system in the buildings. There is no mention of any rated separation walls being used between the units and the drawings provided do not show any that are detectable. What is the cost?
- 13-03-27 B **Decatur County Hospital – Greensburg**
A new Gen II machine roomless elevator will be installed utilizing steel coated belts for suspension means in lieu of the code compliant cables. The proponent advises that the coated steel belts meet the 2010 code for A17.1. They also advise that they will provide the belt monitoring device.
- 13-03-28 CI **Peerless Pump Office Addition – Indianapolis**
The proposed 2 story office addition of approximately 10,800 sq. ft. and the existing building area of approximately 300,000 sq. ft. will exceed allowable area per the current IBC. The proponent advises that the building is designed as an unlimited area building per Sec. 507.4 of the IBC, however there is approximately 5% of the existing building perimeter (remotely located from the proposed addition) where there is less than 60 feet to a property line. The addition will be classified as a "B" occupancy. The existing structure is classified as a combination of "F-1" and "B" occupancies. The building is protected throughout with an automatic sprinkler system and the new addition will also be protected with a sprinkler system. The hardship is the cost to provide a structurally independent 4 hour wall to separate the office addition.
- 13-03-29 CI **Camp Krietenstein Dining Hall – Center Point**
The code required sprinkler system will not be provided for the dining hall (A-2) with a fire area exceeding 5,000 sq. ft. and an occupant load in excess of 100 people. The structure will also have two single occupant bunk rooms in the attached clinic area. These rooms are classified as R-1 occupancies based on the potential for overnight sleeping. The building will be classified as Type VB construction, and will be approximately 8,000 sq. ft. in area. The proponent advises that there will be four exterior exits and have a maximum travel distance of 75'. The rooms containing the individual

bunks will each have a maximum travel distance of 20'. The building will be provided with a manual and automatic fire alarm system, which is not required by code, based on the calculated occupant load. The building is also provided with a smoke detection system throughout with heat detectors in the kitchen that will initiate the fire alarm system. The hardship is that the camp does not have a water supply capable of supporting a sprinkler system.

13-03-30(a)(b)

6 East Washington Street – Indianapolis

CI

(a) *The proposed new 2 story with mezzanine building will be built immediately adjacent to the existing 2 story 10 East Washington St. building on a separate lot and will not be separated by a complying party wall, based on unprotected openings in the 10 East Washington St. building.* The variance request is to effectively permit both buildings to be considered a single building for allowable area and height and means of egress. The new building will be approximately 4,380 sq. ft. in area on the 1st and 2nd floors each and have a mezzanine area of 1,326 sq. ft. The new building will be classified as an A-2 occupancy (Chipotle Restaurant) on the 1st floor and "B" occupancy on the 2nd floor and mezzanine. The existing 10 East Washington Street building is classified as an "M" occupancy on the 1st floor and "B" on the 2nd floor. Each building is Type IIB construction. The proponent advises that the 6 East building will be protected with an automatic sprinkler system and the 10 East building is currently protected with an automatic sprinkler system. The combined buildings are within that allowable for Type IIB construction. The proponent advises that both buildings will be under the same ownership. The hardship is that the buildings will be on a 36.5 foot wide lot and in order to make the upper floors function, access to the existing building egress stairs is necessary. Providing separate egress stairs for the new building would reduce the already limited leasable space. Also the combination will permit sharing of the new elevator between the upper floors of each building.

CI

(b) *The proposed new 2 story building with mezzanine will utilize the egress stairs in the immediately adjacent 2 story 10 East Washington Street as the means of egress for the upper floors. The existing stairs do not conform to current IBC requirements in certain aspects.* The new building will be approximately 4,380 sq. ft. in area on the 1st and 2nd floors each and have a mezzanine area of 1,326 sq. ft. The new building will be classified as an A-2 occupancy (Chipotle Restaurant) on the 1st floor and "B" occupancy on the 2nd floor and mezzanine. The existing 1- East Washington Street building is classified as an "M" occupancy on the 1st floor and "B" on the 2nd floor. Each building is Type IIB construction. The existing stairs are enclosed with 1 hour fire barriers and protected openings and discharge directly to the exterior. In order to make the upper floors function, access to the existing building egress stairs is necessary. Providing separate egress stairs for the new building would reduce the already limited leasable area. How are the stairs noncompliant?

13-03-31

CI

IPS Morgan Hall Phase III Renovation – Indianapolis

Project #345994

The proposed design that is being considered to keep the water out of the elevator pit area is not considered as adequate by the Elevator Safety Section. The proponent advises that the pit is in compliance with the requirements for the construction, including noncombustible walls and floors, designed to prevent the entry of ground water. The

floors and walls of the pit are a monolithic concrete pour with waterproofing to prevent the entry of ground water. In accordance with code, sumps and sumps in pits are not required. The proponent advises to see the attached correspondence and documentation but none came in with the application.

- 13-03-32 CI **Trafalgar Family Health Center – Trafalgar**
The egress corridors (walls and doors) to be constructed within the renovated medical office building will not be fire rated as required by code. The existing corridors are not fire rated and, based on the occupant load of 30 or more, fire rated corridor construction is required. The one story building is approximately 8,500 sq. ft. in area and classified as “B” occupancy of Type VB construction. The proponent advises that the building will have a manual fire alarm system, corridor smoke detection, and the maximum egress travel distance to an exit will be approximately 100 feet. The hardship is the fire rated corridor construction is an operational hardship, as it would result in closing off the nurses’ station and other staff areas.
- 13-03-33 AI **Clark Pleasant Community School – Softball Building** Project #361710
The emergency shower and eyewash, service sink, drinking fountain and rest room facilities will not be provided as required by code for the proposed softball storage building of 5,400 sq. ft. The building is classified as A-3 and S-1 occupancies of VB construction. The building will be used for softball practice (batting cages, etc.) in inclement weather and for storage of sports equipment and other items related to student athletics. There are restrooms available in the existing building as indicated on the attached plans. The other items are not needed according to the proponent since nothing hazardous will be stored only sporting equipment and other items related to the athletic fields. The hardship is the cost to provide the noted plumbing fixtures and associated water lines.
- 13-03-34 CI **Fashion Mall at Keystone – Additions and Renovations – Indianapolis** Project #352810
The new fire alarm system needed to ensure that the strobes will be in synchronization will not be installed as required to ensure that the strobes are not flashing in violation of the code. The 2 story retail center had a portion of the building removed and a larger addition constructed. A portion of the mall was remodeled and some new fire alarm devices were added to the existing fire alarm system on the west side. The existing devices are not synchronized with the new visual notification devices. The proponent advises that until 1996, NFPA 72 did permit strobes to not be synchronized when the strobes were spaced more than 55 feet apart. The hardship is the cost to provide a modified or new fire alarm system for the entire building.
- 13-03-35(a)(b) CI **Greenwood Southwest Elementary School – Addition – Greenwood**
(a) The proposed addition of 6,500 sq. ft. to the existing one story building of approximately 49,000 sq. ft. will exceed the code allowable area for Type IIB construction. The code allows a maximum of 23,375 sq. ft. and will exceed the permitted

20,000 sq. ft. for a nonsprinklered "E" occupancy fire area. The one story addition will include a media center and administrative offices. The building is classified as "E" occupancy, with less than 10% "B" occupancy accessory occupancy administrative offices. The project will also include some limited renovation in the area currently occupied by the administrative offices. The proponent advises that the addition will be protected with an automatic sprinkler system. The egress travel distance from the addition to an exit will be a maximum of approximately 100 feet. The hardship is the cost to create a new structurally independent fire wall to separate the addition and the installation of a sprinkler system in the addition is a better use of the available funding for this project.

- CI (b) *The new egress corridor construction (walls and doors) in the proposed addition will not be fire rated construction and, based on the occupant load in excess of 30 served by the corridor, fire rated construction is required.* The proposed one story addition will be approximately 6,500 sq. ft. and will include a media center and administrative offices. The proponent advises the addition will be protected with an automatic sprinkler system which will serve the same purpose as the rated corridor. The hardship is the nonrated openings are desired in the corridor walls in the addition for functional purposes.

13-03-36(a)(b)(c)(d)(e) **Bowen Center – Corporate Offices – Addition and Remodel – Warsaw**

- CI (a) *The code required fire rated corridor will not be provided for the egress corridors (walls and doors) constructed within the new west office building addition that has an occupant load in excess of 30.* The west building will be 17,165 sq. ft. in area. The one story building is classified as a "B" occupancy of Type IIB construction and will be separated from the existing east building with a 2 hour fire wall. The Bowen Center provides outpatient services related to mental health. The proponent advises that the building will be provided with a manual fire alarm system, corridor smoke detection and a total of six exterior exits and a horizontal exit to the west building. The maximum egress travel distance to an exit will be approximately 106 feet, the code allows up to 200 feet. The hardship is the fire rated corridor construction is an operational hardship, due to the need to have a combination of both open offices and enclosed offices. The previous variances listed are somewhat different from this one; 11-06-32 was only 9,200 sq. ft of Type IIB construction, 12-10-28 was only 12,680 sq. ft. of Type VB construction.
- CI (b) *The egress corridors (walls and doors) constructed in the east building will not be fire rated as required by code for a corridor that has an occupant load of 30 or more. The proponent also wants to receive a score for Chapter 34 of "0" for egress corridors in Table 3410.7.* The change of occupancy to the new A-3 meeting/training rooms in the existing building uses the Chapter 34 evaluation. The proponent advises that the building will be provided with a manual fire alarm system and corridor smoke detection. The A-3 and S-1 occupancy areas will be separated with a 2 hour fire barrier, including separation from the egress corridor. The maximum egress travel distance to an exit will be approximately 72 feet, code allows 200 feet. The hardship is the cost to upgrade the egress corridor elements. What is the cost?
- CI (c) *The 2 hour fire wall separating the east and west building will not entirely comply with the IBC for structural independent requirements.* The project involves the 1 story addition of the west building, 17,165 sq. ft. in area and renovation of the existing building, 8,710 sq. ft. and an addition of 869 sq. ft. The west building is classified as a

"B" and S-1 occupancies of Type IIB construction. The East building will be classified as A-3, B, and S-1 occupancies of Type VB construction. The Bowen Center is a community mental health center providing outpatient services. The proponent advises that the existing wall serving as the fire wall is 8" CMU and is not a bearing wall for the existing building; the existing structure is parallel to the wall. The structure for the new west building will be independent of the fire wall. The hardship is the strict application of the rule would require the construction of an additional wall that will remain standing if the building on either side of the wall collapses. Neither building is sprinklered.

AI (d) *The code required emergency shower and eyewash station will not be provided for the general storage rooms classified as S-1 occupancy.* The west building is classified as "B" and S-1 occupancies and will be of Type IIB construction. The east building will be classified as A-3, B and S-1 occupancies of Type VB construction. The Bowen Center is a community mental health center providing outpatient services. The storage rooms are used for general storage for office supplies, files and other items related to a business occupancy and not for hazardous materials. The hardship is the cost to provide fixtures providing little or no benefit to public safety or welfare.

AI (e) *When factoring the new 502 sq. ft. canopy for the reconstructed front canopy, the east building will exceed allowable area for Type VB construction by 3%.* The existing canopy will be removed and replaced with a new canopy of roughly the same size. The east building includes the existing building, 8,710 sq. ft. and an enclosed addition of 869 sq. ft. plus the reconstructed front canopy of 502 sq. ft. The one story building will be classified as A-3, B and S-1 occupancies of Type VB construction and will be separated from the new west building with a 2 hour fire wall. The proponent states that the reconstructed canopy will be of noncombustible construction. The east building structural elements; structural frame; exterior walls and roof; are of noncombustible construction. The presence of existing interior wood partitions causes the Type VB construction classification for the existing building. The hardship is the strict application of the rule would not permit the front canopy addition, or otherwise would require upgrade of the existing construction type to VA construction.

13-03-37(a)(b)

Smith-Green Community Schools – Additions and Renovations – Churubusco
Project #360133

AI (a) *The code required 4 hour structurally independent fire walls will not be provided for the existing nonsprinklered school of 230,000 sq. ft. of Type IIB construction and the 2 nonseparated additions one to the cafeteria and the other to the entrance canopy.* The addition to the cafeteria, will be 1,917 sq. ft. and the entrance canopy will be 746 sq. ft. The proponent advises that the new cafeteria space will be separated from the existing building by a 2 hour fire barrier and there is an additional existing 2 hour separation separating an area of approximately 13,500 sq. ft. from the rest of the school where the cafeteria addition is located. The new additions only total 2,663 sq. ft. and are only 1.2% of the total existing building area. The additions and canopy are to be constructed of noncombustible Type II-B construction. The hardship is the difficulty and cost of providing structurally independent fire wall separations for the small entry areas. Additionally providing structurally independent fire walls to separate the new cafeteria from the existing building is cost prohibitive for this project.

AI (b) *The nonseparated security entrance and canopy addition will not be sprinklered as required for "E" occupancies greater than 20,000 sq. ft.* The new security entrance of 251 sq. ft. and the canopy of 495 sq. ft. will be constructed with noncombustible Type II-B construction and will have virtually no fire load. The hardship is the cost to provide a sprinkler system for the fire area or separate the entrance with a two hour fire barrier.

13-03-38(a)(b)(c)

Brownsburg Meadows Assisted Living – Brownsburg

CI

(a) *Nonrated full glass doors and nonrated sidelights will be used in the one hour corridor in a number of locations in violation of the code.* The occupancy is an I-I assisted living facility that will be 1 story in height and classified as Type VA construction. The proponent advises that the openings will be protected with quick response sprinklers on the room side, located within 2 feet of the openings. The building is protected with an automatic sprinkler system. The hardship is having the glazed openings to the corridor from various common use areas is an important operational feature.

CI

(b) *The code required smoke dampers will not be provided in duct penetrations of the 1 hour corridor.* The I-1 occupancy assisted living facility will be 1 story in height and classified Type VA construction. The proponent advises that the corridor will be provided with a system of smoke detectors, which will be interconnected to the building fire alarm system and will shut down the air handling systems upon actuation. Shutdown of the air handlers will also be initiated by smoke detectors installed within the return air path. The units serving the dwelling units are independent of those serving the corridor. The building is protected with an automatic sprinkler system per NFPA 13. The hardship is the cost of installing and maintaining smoke dampers. What is the cost?

CI

(c) *The exterior exit doors from the Memory Care wing will be equipped with locking devices to prevent elopement by the residents.* The Memory Care is designed to be converted at a later date to a licensed health care facility, but will not be initially licensed. The facility will comply with fire and life safety related requirements for a health care facility per the exception in the Indiana statute, but will not be initially licensed. The Memory Care wing will be designed in full compliance with NFPA 101, 2000 Edition as a Healthcare Facility. The building will be protected with an automatic sprinkler system per NFPA 13. The hardship is the need to provide for the personal safety of residents who are in the beginning to mid stage state of dementia. How does the public get out?

13-03-39(a)(b)(c)

Hinkle Fieldhouse Rehabilitation Project – Indianapolis

CI

(a) *The code required 2 hour fire wall will not be provided as the separation between the infill addition, currently occupied by the pool area, and the main portion of Hinkle Fieldhouse.* The proponent advises that they will use a 2 hour fire barrier in lieu of the 2 hour fire wall. The addition will be classified as A-3 and B occupancies of Type IIB construction. The existing walls that will be used as the separation consist of 3-Wythe brick masonry walls. All doors in the separation will be 90 minute rated. The infill will be fully sprinklered. The infill will include a lower level weight room of 6,401 sq. ft., a 1st floor athletic academic center/training area of 6,493 sq. ft. and a roof top penthouse level of 2,208 sq. ft. The hardship is the cost to create a new structurally independent wall adjacent to the existing brick masonry wall for the full height of the addition.

AI ~~(b) The rooftop mechanical penthouse structure will be over area for a penthouse.~~ The rooftop area will be 34% rather than the code compliant 33 1/3 %. The addition will be classified as A-3 and B occupancies of Type IIB construction. The infill is part of the planned rehab to the 1928 Hinkle Fieldhouse structure. The infill will include a lower level weight room of 6,401 sq. ft., a 1st floor athletic academic center/training area of 6,493 sq. ft. and a roof top penthouse level of 2,208 sq. ft. The penthouse area will exceed the allowable by only 44 sq. ft. or less than 1% of the roof area. The infill addition will be fully sprinklered, including the mechanical penthouse. The hardship is the necessity to have the indicated area for the penthouse to accommodate the necessary mechanical equipment for the project.

AI (c) The infill addition of 1,321 sq. ft., to the 1st floor level, will create additional space for the football offices and a media room combined with the existing building area of approximately 176,000 sq. ft. will exceed allowable building area per Chapter 5 of the IBC and will exceed the permitted nonsprinklered fire area limits per Sec. 903.2.1 of the IBC. The existing building is classified Type IIIB construction based on the existing wood roof deck. The building is classified as A-4 arena and A-3 meeting rooms and other similar accessory spaces including media rooms and B occupancy offices. The proponent advises that the infill area will increase the existing building area by 3/4 of 1%. The infill will be noncombustible construction. A voice alarm system will be provided throughout the building as part of the renovation. The hardship is if the rule is imposed it would cause the infill portion of the project to be abandoned.

13-03-40

CI **Berger Hargis Tank Farm – Tank Relocation – Indianapolis**

~~Six above ground tanks installed in 2002 were relocated in December of 2012 without complying with today's code.~~ The proponent states that he has four 550 gallon tanks and two 300 gallon tanks that comply with UL142 as double wall vented tanks, which is what was required per the 1998 IFC, when installed. The tanks were moved approximately 1/2 mile to the current location on the owner's property and he is now required to comply with the 2008 IFC requiring UL2085 tanks. The hardship is the cost to replace the existing tanks with UL2085 tanks in \$63,000.00. What types of fuels are in the tanks?

13-03-41

VOID

13-03-42(a)(b)

CI **Lebanon High School – Greenhouse – Lebanon**

Project #362616

(a) The 60 foot side yards will be impeded on with the construction of the greenhouse within 20 feet of the school. The proposed greenhouse will be 2,520 sq. ft. and will be constructed 20 feet from the existing high school. The school is considered an unlimited area building and is required to have a minimum of 60 feet maintained to property lines or other buildings on the same site. The greenhouse will be used by the students and faculty for growing plants as part of the school's science program. The building is classified as E occupancy of Type IIB construction. The building is noncombustible construction and will contain low hazard contents. The hardship is the moving of the greenhouse 60 feet from the school would displace needed parking as well as for the students and staff to walk the 60 feet to the building would be an operational hardship.

NVRI (b) The proposed greenhouse will not comply with the Indiana Energy Code. The envelope and temperature control system will not comply. The greenhouse, 2520 sq. ft.

in area, will be used by the students and faculty for growing plants as part of the school's science program. The temperature control system in the building is intended to promote the growing of plants and not primarily for human comfort, so no variance is required.

13-03-43

DI **Fourwinds Resort – Bloomington**

The existing R-1 occupancy hotel undergoing renovations included a pitched roof over an existing concrete flat roof, but the code required attic draft stops were not installed. The code requires draft stopping above and in line with sleeping unit separation walls. The proponent advises that the sleeping unit separation walls are in place, but the draft stops have not been installed. The attic will be provided with heat and/or smoke detectors tied into the building's fire alarm system. The interior of the building is separated from the attic with the existing concrete roof deck, from the old roof, except for a portion that overhangs the balconies. There are four attic access points through the gables. The hardship is that the roof is complete and they would need to remove sections of the roof to get the materials needed into the attic space to install the draft stops. Why can't they use the provided attic access to take the materials in the attic area?

13-03-44(a)(b)

CI **Quality Magnetite, LLC – Mt. Vernon**

Project #359777

CI

(a) *The code compliant maximum 200' exit travel distance will be exceeded, in a nonsprinklered building, by 39'.* The proponent advises that the stockpile structure is used solely to store loose noncombustible black iron oxide material to be unloaded and loaded with large loaders from dump trucks and onto conveyor belts. There is no foot travel unless a loader breaks down. The conveyor is near exits. The proponent advises that this is similar to the bulk storage of salt in State Highway garages. The structure is pre-engineered steel erected on 24 inch thick concrete slab. There are out swinging hinged operable 20 sq. ft. fire fighting openings that will be provided every 50 linear feet just above the concrete barrier wall on one side and one end of the building. The material is flowable dry black iron oxide material similar to sand. The building is 225' X 80' and has 30' eave height. The lower 4' of the wall structure is 2' thick concrete walls to contain the piles. Door openings would be easily blocked by material.

CI

(b) *The code required exit separation distance maximum will not be provided.* The proponent advises that the exits are required to be a maximum of 120' apart, which is 1/2, the diagonal of the 225' X 80' building. The exits will be located adjacent to the overhead doors (80' apart). The material is flowable dry black iron oxide material similar to sand. The building is 225' X 80' and has 30' eave height. The lower 4' of the wall structure is 2' thick concrete walls to contain the piles. Door openings would be easily blocked by material.

13-03-45

CI **Westview Health Eagle Valley Medical Offices – Indianapolis**

The egress corridors (walls and doors) to be constructed within the renovated medical office building will not be fire rated, as required by code for a facility having an occupant load in excess of 30. The proponent advises that the existing egress corridors are not fire rated. The structure is a 2 story of approximately 15,000 sq. ft. in area, and classified as a "B" occupancy of Type VB construction. The building will be provided with a manual fire alarm system, corridor smoke detection, and the maximum egress travel distance to an exit will be approximately 100 feet. The hardship is the fire rated

construction is and operational hardship, as it would result in closing off nurse's stations and other staff areas. The previous variances listed are somewhat different from this one; 11-06-32 was only 9,200 sq. ft of Type IIB construction, 12-10-28 was only 12,680 sq. ft. of Type VB construction.

13-03-46

CI

Burdwara Jot Amrit Parjash – Fishers

Project #362664

A planned addition of 580 sq. ft. is requested to be included in the permitted scope of Section 3410 as part of the evaluation. The code does not allow new construction to be in the scope of a Chapter 34 evaluation. The proponent advises that this 580 sq. ft. addition is to be part of the basement and 1st floor of the building. This request is due to the means of egress features in the existing building serving the addition and the size of the basement being increased (windowless story sprinkler requirement). The project passes Section 3410 as designed, but Section 3410 is not intended to cover new construction not in compliance with rules for new construction. The project involves the conversion of a single family residence (1st floor and basement) to a worship facility. The existing building has approximately 2,200 sq. ft. on the 1st floor and 1,700 sq. ft. in the basement. The addition will be separated from the existing building with a 2 hour fire barrier so as not to increase the fire area. The addition includes an enclosed egress stair to serve as the 2nd required exit from the basement. The building is provided with a fire alarm. The hardship is the construction of a structurally independent fire wall to separate the addition is a logistic and cost hardship.

13-03-47(a)(b)

CI

Indiana State Fairgrounds – Blue Ribbon, Champions, Exposition, West – Indpls.

(a) *Trade shows in 4 exhibit halls at the State Fair Grounds will have display fire pits and other devices with open flames during the course of the year, which is in violation of the Fire Code.* The Fire Code does not allow open flame devices in assembly occupancies, use of LP-gas containers in excess of 12 lb. tanks, and heating devices that do not comply with the Mechanical and Fuel Gas codes. The proponent advises that the 4 buildings all have the required sprinkler systems that are tested and maintained in accordance with NFPA 25 requirements. The 4 buildings also have the required manual fire alarm systems with horns and visual devices. There are portable water based fire extinguishers provided within 20 feet of each open flame display, as well as a trained operator who knows the basics of fire extinguisher use will be at each location as required. The average ceiling height will be 20 feet. The hardship involves renting out exhibit space to various parties that want to use open flame devices for display and exhibits.

CI

(b) *The trade shows in the 4 buildings will have cooking for demonstration and sampling and the grills being used will not have Type I hoods installed over the equipment as required by code and the barbeque appliances do not comply with the Mechanical Code.* The hardship involves renting out exhibit space to various parties that want to use open flame devices for display and exhibits.

13-03-48

CI

Keystone Shoppes – Indianapolis

The existing building, constructed in 1985 of Type V-B construction, was not sprinklered at that time because the code at the time did not require it, but with the change of occupancy from an "M" occupancy to an "A" occupancy under today's code, the sprinkler system is now required. The proponent's proposal is to add the sprinkler system in the entire building as the spaces become available due to changing of the tenants. The proponent wishes to phase in the sprinkler system without interrupting the operations of the current tenants. The work will be performed to provide the new sprinkler system within the tenant space at 3367 E. 86th St. and they will also install the main lines and associated systems for the entire building. The hardship is the interruption of the current tenants to install the sprinklers at one time when they can be done as the spaces are released to new tenants. What kind of time frame is contemplated for the tenant changes?

13-03-49

CI

McDonald's Store #12043 – Attica

Project #362514

The code required sprinkler system for "A-2" occupancies with an occupant load in excess of 100 will not be provided. The current restaurant is being modified by adding 700 sq. ft. to the existing 4,192 sq. ft. The fire area with the seating and kitchen will have an occupant load in excess of 100. The proponent advises that the exit travel distance will not exceed 60'. There are 2 separate exits provided from the dining room area and 2 additional exits are provided from the employee area. The overall building size with the additions will be less than 5,000 sq. ft. and will have fixed seating for 80 in the dining area. The proponent advises that the upgrade to the existing facilities is for newer drive thru concept for faster service, dining room upgrade and accessibility. The proponent states that the increase is not adverse to public safety.