



MITCHELL E. DANIELS, Jr., Governor
STATE OF INDIANA

DEPARTMENT OF HOMELAND SECURITY JOSEPH E. WAINSCOTT JR., EXECUTIVE DIRECTOR

*Indiana Department of Homeland Security
Indiana Government Center South
302 West Washington Street
Indianapolis, IN 46204
317-232-3980*

COMMISSION MEETING MINUTES

**Indiana Fire Prevention and
Building Safety Commission**
Government Center South
402 West Washington Street
Indianapolis, Indiana 46204
Conference Center Room B

September 8, 2010

1. Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was opened by Chairman David Hannum at 9:08 a.m. on September 8, 2010.
 - (a) Commissioners present at the Commission meeting:

Diana M. H. Brenner
Ron Brown
Michael Christoffersen
Michael Corey
Howard W. Cundiff, Vice-Chairman, representing the Commissioner, Department of Health
Kevin Goeden, representing the Commissioner, Department of Labor
David Hannum, Chairman
John Hawkins
M. Burke Jones
Matt Mitchell
Ted Ogle
 - (b) The following departmental and support staff were present during the meeting:

Legal and Code Services:

Mara Snyder, Director, Legal and Code Services
Gary Bippus, Administrative Law Judge
John Haines, Code Specialist
John Hibner, Code Specialist
Cecilia Ernstes-Boxell, Code Specialist
Denise Fitzpatrick, Code Specialist
Beth Sutor, Secretary
 - (c) Deputy Attorney General James Schmidt was present.

2. Old Business.

Chairman Hannum called for any corrections or a motion to approve the minutes of the August 3, 2010 meeting as distributed. Commissioner Hawkins noted he had abstained from voting on variance 10-08-25. A motion to approve the minutes as corrected was made by Commissioner Cundiff and seconded by Commissioner Jones. It was voted upon and carried.

3. Third Party Inspections

NTA, Inc.
305 N. Oakland Avenue
PO Box 490
Nappanee, IN 46550

Shelly Wakefield, Fire and Building Code Enforcement, presented the application and recommended approval for one year. Commissioner Ogle moved to approve for one year, with the second by Commissioner Cundiff. It was voted upon and carried.

4. Ordinances

Building Ordinance 2010-15
Starke County, Indiana

Shelly Wakefield, Fire and Building Code Enforcement, presented the application and recommended approval. Commissioner Jones moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried.

5. Variances.

Tabled Variances.

The proponent for variance 10-04-45 (a)(b)(c)(d)(e)(f)(g)(h)(i)(j)(k)(l)(m)(n)(o)(p)(q) Model Mill Building, Noblesville, requested the application be tabled. Commissioner Christoffersen moved to table, with the second by Commissioner Ogle. It was voted upon and carried. Variance 10-06-24(a)(b)(c)(d) Independence Place Apartments, Linton, was represented by Timothy Callas, J & T Consulting. Can lights in the kitchen were found to not be listed. Mr. Callas distributed information on a metal barrier which would be installed over the lights, accessible from the attic space, noting the second phase of the buildings would be fitted with proper can lights which had not been available during construction of the first phase. Commissioner Christoffersen found that six buildings were affected. Following discussion, Commissioner Cundiff moved to approve 10-06-24(a)(b)(c)(d) Independence Place Apartments, Linton, 10-06-31 Spring Town Apartments, Marengo, and 10-06-34(a)(b)(c) Lost River Apartments, Orleans, with the second by Commissioner Christoffersen. It was voted upon and carried. Commissioner Hawkins abstained from voting on 10-06-31 and 10-06-34. The owner of Ft. Wayne Liquid Coatings, Ft. Wayne, variance 10-07-16, Daniel Turner, had been delayed in traffic. Jim Murua, Ft. Wayne Fire Department, advised the Commission that an agreement had been reached, and that the sprinkler system would remain in place but rendered inactive. Owner Daniel Turner arrived at this point, and agreed to send the fire department a letter certifying that the system had been drained and protected from freezing by a fire-protection company. Commissioner Christoffersen moved to approve on that condition, with the second by Commissioner Brenner. It was voted upon and carried. Variance 10-08-8 Kidz Korner Main Entrance Magnetic Locks, Muncie, had no proponent in attendance to answer questions. She had been missed when the reminder calls had been made. Commissioner Christoffersen moved to table so she could be contacted. Commissioner Brenner made the second. It was voted upon and carried. James Petroski, General Manager, represented variance 10-08-15, Creekside Lodge Addition, Crawfordsville. He had researched and found a stand-alone fire system. There would be five zones with five pull stations, horns, strobes and six detectors in the monitored system. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Ogle. It was

voted upon and carried with one nay vote. Tim Huber, General Manager, Monticello Health Campus, Monticello, spoke as proponent for variance 10-08-17. The 100-bed facility had recently opened with a November 1st expiration date of their certificate of occupancy if the variance was not approved. The request was to allow five 24" wide HVAC units in the attic with opening widths of 22½" to remain in place. Components are to be removed through the openings, just as they are at their similar facilities. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Brenner. It was voted upon and carried. Variance 10-08-23 University of Notre Dame Ice Hockey Arena, South Bend, was represented by Jeff Bresette, FP&C Consultants. The request was to omit fire proofing for the structural framing which falls within the twenty foot area between seating deck and roof underside. The building is fully sprinklered, and tests show that the heat released by the plastic seats chosen for installation would not be sufficient to activate the sprinklers in a fire. After discussion, Commissioner Brenner moved to approve, with the second by Commissioner Cundiff. It was voted upon and carried. Commissioner Cundiff moved to approve variance 10-08-31 Sam's Club #8123, Evansville, 10-08-32 Walmart Store #1329, Logansport and 10-08-33 Walmart Store #1709, Angola. It was seconded by Commissioner Ogle, voted upon and carried. The proponent for variance 10-08-37 Hunter's Chase Condominiums Buildings 1-5 and 10-15, Evansville, requested it be tabled for thirty days. Commissioner Ogle moved to table, with the second by Commissioner Brenner. It was voted upon and carried. Variance 10-08-38(b) 250 South Meridian, Indianapolis, was represented by Tim Callas, J & T Consulting. It was noted that the issue was for dryer vents exceeding the length allowed by code, an issue discussed frequently in previous variance applications. Commissioner Cundiff moved to approve, with the second by Commissioner Brenner. It was voted upon and carried. Variance 10-08-41 Michigan Road Restaurant & Bar, Indianapolis, had no representative present for questions. Commissioner Hannum moved to table, with the second by Commissioner Corey. It was voted upon and carried.

New Variances.

Chairman Hannum asked for any variances which the Commissioners wished to have called out. The Fishers Fire Department wished to have 10-09-38, Discovery Cove Child Care Ministries, Fishers, called out. Three applications were incomplete and unable to be heard. Commissioner Cundiff moved to table the following variances: 10-09-1 Kokomo Sycamore Shell, Kokomo, 10-09-2 Carmel Lofts, Carmel, 10-09-6 Rose-Hulman Logan Library Renovation, Terre Haute, and 10-09-15 Stonhard, Ft. Wayne. Commissioner Ogle made the second. It was voted upon and carried. Those Commissioners with abstentions were: Commissioner Corey on 10-09-38 Discovery Cove Child Care Ministries, Fishers, Commissioner Jones on 10-09-16, Ceres Solutions Bulk Fertilizer Facility, Crawfordsville, Commissioner Hawkins on 10-09-5 Clark County Government Building 2010 Facility Improvements, Jeffersonville, and Commissioner Brenner on 10-09-40, Maxwell Commons Renovation and Expansion, New Castle.

The following variances were approved as submitted:

- (1) 10-09-11 404 S. Fess Avenue Windows, Bloomington
- (2) 10-09-14(b) St. Mary of the Assumption Gathering Space, Decatur
- (3) 10-09-19 Wayne Twp. Fire Station #81, Indianapolis
- (4) 10-09-20 Wayne Twp. Fire Station #83, Indianapolis
- (5) 10-09-21 Wayne Twp. Fire Station #85, Indianapolis
- (6) 10-09-22 Lilly Building M28 Renovation and Addition, Indianapolis
- (7) 10-09-23 Ivy Tech Community College Fall Creek Expansion, Indianapolis
- (8) 10-09-27 3923 N. High School Road, Indianapolis
- (9) 10-09-28 PMG Parking Lot, Noblesville
- (10) 10-09-30 Indiana Spine Group MOB/ASC/Imaging Facility, Carmel
- (11) 10-09-34(a)(c)(d)(f) Ball State University Studebaker East Addition, Muncie
- (12) 10-09-35(a) Neighborhood Health Clinic Addition, Ft. Wayne
- (13) 10-09-36(b) IPS Arsenal Technical High School Lone Hall Renovation, Indianapolis

The following variances were heard separately:

- (14) 10-09-3 621 N. Walnut Street Upper Level Remodel, Bloomington

Candice Mullins, Parker Real Estate, spoke as proponent. The upper floor of an existing real estate office was to be converted to an apartment, and the request was to omit the required sprinklers.

Commissioner Brown moved to deny, with the second by Commissioner Mitchell. Discussion of the application continued. The proponent noted the upper floor already has egress windows, with a set of stairs to the main entrance. The building is stone construction. A smoke detection system is in place and hardwired smoke detectors will be installed upstairs. A vote was taken, and the motion was defeated with Commissioners Brown, Mitchell and Jones voting to deny. Commissioner Brenner moved to approve with the hardwired smoke detection system as a condition. Commissioner Christoffersen made the second. It was voted upon and carried.

- (15) 10-09-1 Kokomo Sycamore Shell, Kokomo

Mara Snyder, Director of Legal and Code Services, advised the Commission that the application had been incomplete because the proponent had been unable to get an owners signature. The property is held by a bank, and the company dealing with the tank issue showed that the signature isn't possible to get. It was decided to hear the application. The request was to leave the tanks underground longer than the amount of time allowed by code. Jeff Farmer, Hoosier Equipment Service, requested a year extension in an attempt to market the site. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Cundiff. It was voted upon and carried.

- (16) 10-09-2 Carmel Lofts, Carmel

The missing information had been supplied and the application was now allowed to be heard. Jason Fargus, Schindler Elevators, acted as proponent. The request was to allow the installation of a machine room-less elevator system. Commissioner Corey asked if it would comply with A17.1, and if the ropes would be compliant. When assured that it would, Commissioner Corey moved to approve, with the second by Commissioner Cundiff. It was voted upon and carried.

- (17) 10-09-5 Clark County Government Building 2010 Facility Improvements, Jeffersonville

Heather Graninger, Kovert Hawkins Architecture, spoke as proponent. The facility is undergoing a major mechanical replacement project, and the contractor had expressed concerns about the number of electrical conduits required. The request is to reduce the number of straps installed due to the amount of piping and existing construction congestion in the building. A fire suppression system, not required by code, is being installed, and the overall condition of the building is being improved though not code-compliant. The local code officials support the request. Following discussion, Commissioner Ogle moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Commissioner Hawkins abstained.

- (18) 10-09-7 Toyota New Unload Canopy, Columbus

Justin Rossi, Ferguson Construction Company, spoke as proponent. The request was to omit sprinklers under a canopy which will be used to shield trucks while unloading sheet steel at the factory. After discussion, Commissioner Hawkins moved that no variance was required. Commissioner Christoffersen made the second. It was voted upon and carried.

- (19) 10-09-8 Terre Town Elementary Renovation, Terre Haute

Matthew Holder, architect, spoke as proponent. The school had been designed as an open concept educational building, and the owner had changed their request, wanting hard-walled classrooms. This required rated corridors, but they were unable to maintain the width due to two 4x4 columns. These columns were padded and colored in bright red to increase visibility in the 7 foot wide corridor. Following discussion, Commissioner Cundiff moved to approve, with the second by Commissioner Brenner. It was voted upon and carried.

- (20) 10-09-9(a)(b) Whosoever Will Full Gospel Church Building Addition, Dugger

Jason Martin, Elder of the church, spoke as proponent. The request in (a) was to omit sprinklers. The Town of Dugger does not have sufficient water flow to support a sprinkler system, and the church doesn't have \$225,000 to put in a pond to support a sprinkler system. Variance (b) was a request to allow a 1-hour rated suspended ceiling in lieu of drywall to get the rated ceiling. The mechanical system had been installed and would have to be removed to correct the ceiling. There is one exit from the second floor directly to the exterior and one exit to the interior. There are fire separations on both sides of the addition wall. Following discussion, Commissioner Christoffersen moved to table to allow the proponent to provide drawings of the existing building with ratings of the separation walls, and such. Commissioner Cundiff made the second. Commissioner Brenner also requested a site map showing the nearest buildings and an indication of the kitchen separation. It was voted upon and carried.

- (21) 10-09-10 Fifth/Third Bank Security Vestibule – Michigan Road, Indianapolis

The proponent requested the application be tabled for thirty days. Commissioner Ogle moved to table, with the second by Commissioner Cundiff. It was voted upon and carried.

- (22) 10-09-12 Planet Fitness at Plainfield Crossing, Plainfield

Tim Callas, J & T Consulting, and David Sherry, architect, spoke as proponents. The request was to be allowed to omit the required 4-hour fire wall and install a 4-hour fire barrier in its place to separate the assembly space from the mercantile space. The building is fully sprinklered. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Cundiff. It was voted upon and carried.

- (23) 10-09-13 Industrial Pallets, Remington

Alan Schambach, FBI Buildings, spoke as proponent. The request was to allow the enclosure of the storage area with vinyl mesh curtains, weighted at the bottom by a metal bar, to keep birds out. The pallet storage has minimal occupancy during moving stock in or out of the area, and, as the walls are of mesh, occupants are easily visible. The proponent will install a man-door at either end of the storage area. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried, with two nay votes.

- (24) 10-09-14(a) St. Mary of the Assumption Catholic Church Gathering Space Addition, Decatur

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request was to omit the 4-hour structurally independent fire wall required between the existing buildings and the addition. The walls of the existing church are 12 inch masonry and stone exterior walls, and the existing school walls are 8 inch masonry and brick. The addition will be sprinklered, and existing non-rated windows and door-openings within the separations will be protected with close space sprinklers located at the addition side. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Brenner. It was voted upon and carried.

- (25) 10-09-16(a)(b) Ceres Solutions Bulk Fertilizer Facility, Crawfordsville

Jeffrey Troike, owner, and David Selinsky, architect, spoke as proponents. The request in (a) was to allow the building, used to mix and store pesticides and fertilizers, to be classified S2 throughout and omit the H4 occupancy classifications. The request in (b) was to omit sprinklers in the H-4 occupancy. A letter from the State Chemist and Seed Commissioner stating they were against sprinklering the area was included in the application. The tanks used are stainless steel with locking valves and piping. There is containment of the area which is about 25% of the building, but the concern was for contamination of

the surrounding ground. The proponent noted that a monitored system will be installed. Following discussion, Commissioner Hawkins moved to deny (a) and grant (b). Commissioner Brenner made the second. It was voted upon and carried.

4. Breaking and reconvening. Chairman Hannum recessed the Commission at 10:30 a.m. He then reconvened the meeting, calling it back to order at 10:49 a.m.

- (26) 10-09-15 Stonhard, Ft. Wayne

The missing information was supplied and the application was allowed to be heard. Anthony Louero, Arco/Murray National Construction Company, spoke as proponent. The company manufactures flooring products, and would like to have a 6" containment barrier instead of the 17.4" barrier, as calculated, for their H-3 Occupancy rooms. The materials used in their production are stored in 50 pound bags, 5 gallon pails, and 55 gallon drums. A static resistant flooring will be installed, as will an ESFR fire protection system. There is also a fire booster pump to insure pressure for the fire department. Jim Murua, Ft. Wayne Fire Department, also addressed the Commission, noting that there were no large tanks, and that the department would visit to check on the amounts of chemicals and such. After discussion, Commissioner Christoffersen moved to approve with the condition that the flammable materials be kept in 55 gallon drums. Commissioner Hawkins made the second. It was voted upon and carried.

- (27) 10-09-4 INTAC 697 Elevator, Merrillville

The application was now complete and eligible to be heard. The proponent, Matt Krause, Otis Elevator, presented the application for the machine room-less elevator. Commissioner Corey asked if it would comply with A17.1 and if the specialized tools for inspection would be provided. When assured it would be done, he moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried.

- (28) 10-09-17 Salvation Army Ray & Joan Kroc Corps Community Center, South Bend

Doug Trent, RTM Consultants, spoke as proponent. The community center will be used for a variety of functions, and the request was to allow retractable curtains to be placed behind a raised platform at the front of the room. The curtains, installed on a large spool, will be lowered as a backdrop for speakers in the sprinklered building. The curtains will be stored in the "up" position. Following discussion, Commissioner Cundiff moved to approve, with the second by Commissioner Brenner. It was voted upon and carried.

- (29) 10-09-18 Rivers Edge Plaza Addition, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. Several buildings on the site were to be demolished to make way for the construction of two new junior tenant anchor spaces for the shopping plaza. The request was to allow the use of 2-hour fire barriers instead of fire walls to separate the new construction from existing. The areas will be sprinklered, and the adjoining buildings, currently unsprinklered, will be sprinklered. Following discussion, Commissioner Cundiff moved to approve, with the second by Commissioner Ogle. It was voted upon and carried.

- (30) 10-09-24 The Ridge New Church Building, Columbus

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow curtains to be installed on the platform which is located at the front of the worship area. The curtains provide a backdrop for

speakers and help with sound quality. They will be flame resistant per NFPA 701 requirements, and the building will be sprinklered. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Ogle. It was voted upon and carried.

(31) 10-09-25 The Big Red Apartments, Bloomington

Melissa Tupper, RTM Consultants, spoke as proponent. The first floor of the existing building is to be converted from a retail area to six apartments. The second floor of the building already has six apartments. The request is to omit sprinklers. There will be a 2-hour separation between the first and second floors, and a 2-hour fire barrier between apartments. Each unit has emergency egress windows, and first floor units have an exit directly to the exterior. Second floor units have a common corridor and a maximum travel distance of fifty feet. The proponent will add a fire alarm system to the existing apartments, and interconnect the two floors. Following discussion, Commissioner Cundiff moved to table for more information on the proposed fire alarms and to request a site plan. Commissioner Hawkins made the second. It was voted upon and carried.

(32) 10-09-26 Immanuel United Church of Christ, Lafayette

Melissa Tupper, RTM Consultants, spoke as proponent. An addition is being built on two sides of an existing church. The request was to omit the fire-rated separation required by code. The existing building is of Type IIIB construction, and with the additions, falls within allowable area and height. A new, monitored fire alarm system was to be installed throughout the building. Egress directly to the exterior was available on each level, and there won't be an increase the seating capacity of the sanctuary. Ron Richey, Lafayette Fire Department, addressed the Commission. He and the church owners had met, and were unable to develop a plan for the separation of new and existing construction. He stated he was not opposed to the variance. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Cundiff. It was voted upon and carried.

(33) 10-09-29 Riley Hospital Phase V Addition Elevators 1, 2, 3 & 17, Indianapolis

Melissa Tupper, RTM Consultants, spoke as proponent. The request was to allow the use of the Gen-2 elevators. Following questions, Commissioner Corey moved to approve with the condition that they comply with A17.1, and provide the specialized tool required for inspection. Commissioner Ogle made the second. It was voted upon and carried.

(34) 10-09-31 Ceolmor, Inc. Fiddler's Hearth, South Bend

Doug Trent, RTM Consultants, spoke as proponent. A small, outdoor dining area had been constructed in an alley behind the restaurant, on public land, without permission. This has become a legal and enforcement matter at the local level, but the Mayor said he will stay further action until the variance is decided. The 13 foot wide alley is within a foot and a half of a property line on the west side, and within three feet on the north side. The structure is a pergola of wood and lattice, topped with Plexiglass, totaling 449 square feet. This structure, plus restaurant, are within construction type for VB. By code, they must have a 1-hour exterior wall. The posts are of cedar, and the nearby buildings are heavy masonry construction. Plans have now been filed with Plan Review, which voiced concern about the property line location. Commissioner Christoffersen moved to table for up to six months until the property lines are established. Commissioner Cundiff made the second. It was voted upon and carried.

- (35) 10-09-32 Indiana University Hospital 6th Floor AOC Door Security, Indianapolis

Neal Locasto, RTM Consultants, spoke as proponent. The request was to allow the stair doors to be locked to prevent re-entry on the 5th and 6th floors. Persons would be able to enter from the building side of the stair doors at all times, and from the stair side of the doors at the basement through 4th floors. The 5th and 6th floors would be card-activated entry to restrict access, and the doors would fail open at alarms. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Cundiff. It was voted upon and carried.

- (36) 10-09-33(a)(b) Ft. Wayne City Hall, Ft. Wayne

Ed Rensink, RTM Consultants, spoke as proponent. The existing structure had been built in 1957 as a department store. In 1987, it was renovated and used as an insurance building. The current project was to renovate the fully sprinklered building and use it as the Ft. Wayne City Hall. They are using Chapter 34 to complete the change of use for the basement. In 1986, the area met the code of record as an atrium, with draft curtain and sprinkler curtain required for an escalator opening. It will remain untouched, with a score of zero for that. The stairs to the basement have non-compliant handrails, and rise and run, however. Commissioner Cundiff moved to approve both (a) and (b), with the second by Commissioner Christoffersen. It was voted upon and carried.

- (37) 10-09-34(b)(e) Ball State University Studebaker East Addition, Muncie

Ed Rensink, RTM Consultants, spoke as proponent. Variance (b) was to allow an exit stair discharge to not be in direct line of sight. This stairway, not serving as a required exit, will be equipped with signage. The building will be sprinklered. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried. Variance (e) was a request to use the corridor for makeup air and exhaust air relief function for the dorm rooms. Fire and smoke dampers will be provide at the corridor transfer openings into the bathrooms. Activation of the detection system will close dampers automatically to prevent air movement into the corridors. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried.

- (38) 10-09-35(b) Neighborhood Health Clinic Addition, Ft. Wayne

Ed Rensink, RTM Consultants, spoke as proponent. A portion of the second story addition cantilevers over the open parking area. The request was to allow the back wall of the parking area to be entirely open to the alley so the covered area can function as a covered parking area for delivery vehicles. The addition and the parking area will be sprinklered. Following discussion, Commissioner Ogle moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried.

- (39) 10-09-36(a) IPS Arsenal Technical High School Lone Hall Renovation, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. An existing mezzanine built of wood was to be replaced by one of noncombustible construction. It will be of the same size, and will be sprinklered. The request was to omit the required sprayed fireproofing or gypsum board protection. The area is a workshop area, and maintaining the coating would be virtually impossible. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Brenner. It was voted upon and carried.

- (40) 10-09-37 Wishard 1700 N. Illinois Renovation, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. A canopy, covering a pedestrian walkway, was to be built of non-combustible construction along the west side of the building. The request was to omit the required fire-resistive construction for the roof and columns. The building adjacent to the walkway will be sprinklered. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Cundiff. It was voted upon and carried.

- (41) 10-09-38 Discovery Cove Child Care Ministries, Fishers

Ed Rensink, RTM Consultants spoke as proponent. Don Grammer, Fishers Fire Department, also addressed the Commission. He stated he was not in opposition to the variance, he just wanted a reasonable amount of time allowed to get the violations resolved. The proponent estimated that it would take 60 days to get everything done. Commissioner Ogle moved to approve on the condition that all violations are corrected within 60 days. Commissioner Cundiff made the second. It was voted upon and carried.

- (42) 10-09-39(a)(b)(c)(d)(e) Adams Central Community School, Monroe

Ed Rensink, RTM Consultants, spoke as proponent. Demolition of an existing canopy was to be done to make room for the construction of an addition of office and classroom space. Citing the difficulty in constructing structurally independent fire walls, variance (a) was a request to allow the use of a 2-hour fire barrier instead of the code-required 4-hour fire wall. The building will be sprinklered in the new classroom and gym addition. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried. Variance (b) was a request to allow the entrance and administrative addition to be built without area separation. The addition and its contiguous spaces are to be sprinklered. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried. Variance (c) was a request to allow some areas in the addition to be open to the corridor without being fire-rated. It was felt the administrative area and the media center area should be open and visible to those in the corridor. These areas, renovated existing rooms, and areas adjoining will be sprinklered. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried. Variance (d) was withdrawn. Variance (e) was a request to allow temporary exiting during construction. Dead-end corridors and the closure of a gym exit during construction were to be created by the construction expected to last until September 2011. Following discussion, Commissioner Christoffersen moved to approve with the condition that the variance be in effect for one year from the start of construction, and that kindergarten and first grade students are not to be in the areas of the building where construction has created 280 foot travel distances. Commissioner Brenner made the second. It was voted upon and carried.

- (43) 10-09-40(a)(b) Maxwell Commons Renovation and Expansion, New Castle

Brent Mather, Brenner Design, spoke as proponent. Variance (a) was a request to omit the required two-hour separation and use one-hour floor ceiling assembly units between the M and R occupancy. The building is located in the historic district, and is on the National Register. The historic ceiling finishes would be damaged by the installation of sprinklers. Variance (b) was a request to omit sprinklers on the first floor for the retail spaces until they are rented. An access tap will be provide for future development, but each tenant would be responsible for their own installations. Following discussion, Commissioner Christoffersen moved that no variance was needed for both variances. Commissioner Cundiff made the second. It was voted upon and carried.

5. **Breaking and reconvening.** Chairman Hannum recessed the Commission at 12:38 p.m. He then reconvened the meeting, calling it back to order at 12:48 p.m.

(44) 10-09-41(a)(b)(c)(d)(e)(f) 16 Park Apartments, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. He was accompanied by Matt Bartlett, architect. Variance (a) was to omit the clothes dryer exhaust duct 25 foot limit. The engineer for the group found a booster unit which gives it the equivalent of 135 feet. Following discussion, Commissioner Christoffersen moved to approve with the condition that the units are regularly maintained. Commissioner Hawkins made the second. It was voted upon and carried. Variance (b) was a request to allow the ASHRAE Standard of 0.75 cfm per square foot to be used in parking garage ventilation. Commissioner Cundiff moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried. Variance (c) was a request to allow the exterior walls to be fire-rated from the interior only. The exterior of the sprinklered, Type V-A construction building was to be covered in cement fiber panel siding, and gypsum board on the interior side of the walls. Commissioner Hawkins moved to approve, with the second by Commissioner Ogle. It was voted upon and carried. Variance (d) was to allow openings in the walls over the allowed 10% of the area. The nonrated openings were to be protected by close spaced sprinklers on the inside of the openings, and will not exceed 20% of the wall area. Commissioner Cundiff moved to approve, with the second by Commissioner Ogle. It was voted upon and carried. Variance (e) was a request to omit roof access from the interior, the proponent citing concern for the safety of the residents. The fire department has indicated they would not use the interior attic access of the building, using their aerial equipment instead. Commissioner Ogle moved to approve, with the second by Commissioner Brenner. It was voted upon and carried. Variance (f) was a request to omit attic access in the intermittent areas where there was more than 30 inches in height. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Brenner. It was voted upon and carried.

(45) 10-09-42 Carmel District Lofts, Carmel

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The issue was one of attic access, required by code, is a 20"x40" opening. The largest rated opening available is 20"x36", while there is a 20"x40" nonrated opening available. The local fire department would prefer the larger opening, and the request was to allow the use of the nonrated opening to access the attic. Following discussion, Commissioner Cundiff moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried.

(46) 10-09-43 Teen Center, Indianapolis

Damon Heasley, Heasley Property Development, spoke as proponent. The proponent had originally misinterpreted the code, and was now requesting to be allowed to exceed the allowable distance from a fire hydrant. The basement and second floor of the house is used for storage, and the main floor was converted to a teen center which is used three days per week. Following discussion, Commissioner Cundiff moved to approve, with the second by Commissioner Ogle. It was voted upon and carried, with one nay.

8. New Business – General.

Discussion and Possible Commission Action

St. Vincent New Hope Day Services Program
Administrative Cause No. 09-46
Order – Pike Twp. Fire Department
Nonfinal Order of Dismissal

Purdue University Hilltop
Administrative Cause No. 10-17
Filing Fees
Nonfinal Order of Dismissal

Commissioner Cundiff moved to affirm the Nonfinal Order. Commissioner Corey made the second. It was voted upon and carried. Commissioner Brown requested the Commission allow an interested party to appear before them to talk about Administrative Cause No. 10-17. James Schmidt, Deputy Attorney General, advised Commissioner Brown that the Commission did not take testimony on Administrative procedures. He also noted that individual members of the Commission should not be discussing the issues with the parties involved in these procedures.

Discussion and Commission Action on Petitions for Review (All are timely filed unless otherwise noted.)

Moster Mortuary
Order – Elevator Safety Division
Not timely filed

Open Door Fellowship
Condition – Construction Design Release #346874

Section R313 Smoke Detectors
Interpretation – Building Law Compliance Officer
Not timely filed

Commissioner Cundiff moved to deny the petitions for review which were not timely filed. Commissioner Corey made the second. It was voted upon and carried. Commissioner Cundiff then made the motion to approve Open Door Fellowship, with the second by Commissioner Corey. It was voted upon and carried.

9. Residential Code Update – John Hibner

A copy of the draft was distributed to the members of the Commission, and a limited quantity made available people in the audience. He said the draft had been sent to the Budget Agency for review, and noted that the estimated costs of the document ranged from \$5,000,000 from one group to \$55,000,000 from another. Some of the changes made in the draft were the removal of sprinklers, the removal of arc-fault, and changes to the Energy Chapter.

10. Plumbing Code Update – Cecilia Ernstes-Boxell

Ms. Ernstes-Boxell reported the committee were up to Chapter 6 in their review, and that they were doing fiscal impact information as they worked on each chapter. The next meeting was scheduled for September 21, 2010 at 9 am at the Sterrit Center in Lawrence.

11. NFPA 13 Update – Denise Fitzpatrick

Ms. Fitzpatrick noted that the next meeting would be September 22, 2010 at 9 am, Conference Center Room 10, South Government Building, Indianapolis. No code proposals had been submitted for the upcoming meeting, and they would be doing fiscal impact as they worked on the code.

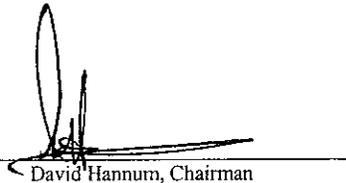
12. Comments

Mara Snyder, Director of Legal and Code Services, advised the Commission that a summary of the public hearing for LSA Document #10-563 would be prepared for the October meeting.

13. Adjournment.

Chairman Hannum adjourned the meeting at 1:32 p.m.

APPROVED



David Hannum, Chairman