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

August 4, 2015

Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was opened by Chairman Hawkins at 9:00 a.m. on August 4, 2015.

(a) Commissioners present at the Commission meeting:

Ron Brown
Gregory Furnish
Kevin Goeden, representing the Commissioner, Department of Labor
John Hawkins, Chairman
Todd Hite, representing the Commissioner, Department of Health
James Hoch
James Jordan
Matt Mitchell
Patrick Richard
Jessica Scheurich
Craig Von Deylen

(b) The following departmental and support staff were present during the meeting:

Legal and Code Services

Pamela Walters, Staff Counsel
Cecilia Ernstes-Boxell, Code Specialist
Denise Fitzpatrick, Code Specialist
Beth Sutor, Secretary

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2. Old Business

Chairman Hawkins called for any corrections or a motion for approval for the July 7, 2015, minutes. Commissioner Richard moved to approve, with the second by Commissioner Scheurich. It was voted upon and carried.

3. NEC Adoption presentation

Mr. Tim McClintock, NFPA, presented by Mr. David Kish, Purdue University, gave a presentation about the benefits of adopting the 2014 NFPA 72. Following the presentation, a discussion of calculating the fiscal impact upon Indiana's economy and its impact on new code adoption was held.

4. Fire Alarm Non-Rule Policy

Kevin Troy, Fire and Building Code Enforcement, presented the proposed Fire Alarm Non-Rule Policy for discussion. He explained that there were differences in the way the guidelines for filing projects with Plan Review concerning fire alarms replacement had been interpreted, and this document was an attempt to help make the interpretation and enforcement similar statewide.

5. Ordinances

Building Ordinance No. 2015-07
Clayton, Indiana

Eric Oliver, the attorney representing Clayton, Indiana, presented their proposed Building Ordinance No. 2015-07 for approval by the Commission. Following discussion, Commissioner Von Deylen moved to approve the ordinance, with the second by Commissioner Scheurich. It was voted upon and carried.

6. Variances

At the request of the proponents, a motion was made by Commissioner Von Deylen to table 15-08-17 Lincoln Industries Warehouse Addition, Boonville, and 15-06-35 Studio 321 Performance Seating, Evansville. Commissioner Scheurich made the second. It was voted upon and carried.

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Tabled Variances

15-06-01 FGE LLC Sprinkler System, Ft. Wayne

Jennifer Lamb and Sean Palentine spoke as proponents. The request was to remove the sprinkler system in the facility, due to the age of the system and their inability to find a repair that would correct the many issues. The proponent offered to install two monitored fire panels, 182 heat and smoke detectors, and to develop evacuation plans for each tenant. Jim Murua, Ft. Wayne Fire Department, also addressed the Commission. He admitted that he had not seen the facility, but noted that he did not like to remove sprinklers from a building. Following a lengthy discussion, Commissioner Von Deylen moved to deny, with the second by Commissioner Hoch. It was voted upon and carried.

15-07-06 108 W. Main Street Remodel, Madison

Larry Crisafulli spoke as proponent. They had been requested to get sprinkler bids, and they had been given a quote of $66,300. They were no longer going to create a fourth floor, and no basement storage was to be allowed. They were to have 1-hour hallways, and would install smoke detectors. Following discussion, Commissioner Von Deylen moved to approve with the condition that a 13D sprinkler system be installed, there was to be no fourth floor, and a revised application showing the intended changes would be submitted to staff within seven days. Commissioner Richard made the second. It was voted upon and carried, with three nays.

15-07-07 Hill's Market, Ft. Wayne

No proponent was available for questions. Commissioner Scheurich moved to table, with the second by Commissioner Hite. It was voted upon and carried.

15-07-25 Cobblestone Crossings Health Campus, Terre Haute

Wes Hopkins, Director of Facilities, spoke as proponent. The request was to allow one set of doors in the Memory Care Unit, leading to the Assisted Living area, to be painted to look like a bookcase in order to keep residents from leaving their area. Panic hardware on the doors is not painted, and there are two other sets of glass doors from the area. Following discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

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15-07-26 ABS Pilot Plant Fuel Storage, Mt. Vernon

The proponent had provided a power point presentation for the Commission which answered questions from the previous meeting. Commissioner Mitchell moved to approve, with the second by Commissioner Brown. It was voted upon and carried.

15-07-39 Advantage Components Corporation, Indianapolis

Melissa Tupper, RTM Consultants, spoke as proponent. The request had been to be allowed to not maintain the sprinkler system. The Commission had requested the owner to seek bids to remove the sprinkler system, and the amount was $3,366 for the 30' x 63' building. The proponent noted that the business was in financial distress, and he would be hard-pressed to find the money. Margie Bovard, Indianapolis Fire Department, stated she wanted the sprinkler system to be removed. Following discussion, Commissioner Von Deylen moved to approve for a period of twelve (12) months, with the system tagged as non-functioning. Commissioner Hoch made the second. It was voted upon and carried.

15-07-68 Villas at the Plaza, Southport

Melissa Tupper, RTM Consultants, spoke as proponent. The request was to allow the two-hour fire wall to not be structurally independent. The building will be protected by a 13R sprinkler system, and the 2-hour shaft assembly will be constructed between 2 non-rated, load-bearing walls. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Richard. It was voted upon and carried.

Breaking and reconvening. Chairman Hawkins recessed the Commission at 10:07 a.m. It was called back to order at 10:18 a.m.

Regular Variances

Chairman Hawkins called for any variances in the block vote to be called out. There were none. Commissioner Brown requested a separate vote for 15-08-46 Schrock Furniture, Goshen. Commissioner Von Deylen moved to approve, with the second by Commissioner Hoch. It was voted upon and carried, with one nay vote. Commissioner Mitchell then moved to approve the remaining "A" and "B" variances, with the second by Commissioner Hite. It was voted upon and carried.

The following variances were approved as submitted:

(1) 15-08-01 Whole Foods, Schererville
(2) 15-08-11 Home2 Indy Pool, Indianapolis

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(3) 15-08-12 St. Vincent Jennings MRI Entry Enclosure, North Vernon
(4) 15-08-13 JATC Training Center, Indianapolis
(5) 15-08-14(a)(b) Shops at Perry Crossing, Plainfield
(6) 15-08-15 Bailey Dental, Avon
(7) 15-08-16 733 Loft Apartments, Indianapolis
(8) 15-08-18 Meridian Street United Methodist Church Entry Hall, Indianapolis
(9) 15-08-19 University of Indianapolis Housing, Indianapolis
(10) 15-08-20 Sycamore School Addition and Remodel, Indianapolis
(11) 15-08-21(a)(b) Tini Expansion, Indianapolis
(12) 15-08-33(a)(b) Olivia on Main, Carmel
(13) 15-08-34(a)(b) Market Square North, Indianapolis
(14) 15-08-35 Portage Police Station, Portage
(15) 15-08-44(a)(b) Rivera 1200 E Home Remodel, Sheridan
(16) 15-08-45 North Tower Penthouse Renovation & Expansion, Muncie
(17) 15-08-47 Double E Woodworking New Facility, Topeka
(18) 15-08-49 PWP 800 15 122697 Monticello Salt Building, Monticello
(19) 15-08-51 Harrison County Fair Tallmage Windell Memorial Agricultural Building, Corydon

The following variances were heard separately:

(20) 15-08-02 Stacks Restaurant, Rushville

Joseph Papalia, Construction Manager, spoke as proponent. The request was to omit the sprinkler system which, per estimates, would cost $48,000 for a $140,000 project. A monitored fire alarm system and an additional egress door in the seating area were to be provided in the masonry and steel frame building. The restaurant, open for breakfast and lunch only, would have fixed seating for 99. Following discussion, Commissioner Von Deylen moved to approve with the condition that the dining room was to have a posted occupancy of 99, the business would be open from 6am to 3pm as per the application, and a fire alarm system and extra egress door would be installed. Commissioner Hoch made the second. It was voted upon and carried with one nay vote.

(21) 15-08-03 Elsey Hall Supplemental Student Housing, Franklin

Thomas Patz, Franklin College, spoke as proponent. The request was to allow four lounges, one per floor, to be converted to dorm rooms to handle overflow housing needs. The building is fully sprinklered with fire rated, smoke-sealed doors. A monitored fire alarm system already exists in the building. Following discussion, Commissioner Hoch moved no variance required, with the second by Commissioner Von Deylen. It was voted upon and carried.

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(22) 15-08-04 Napolitan Student Center Access Control, Franklin

Steven Leonard, Franklin College, spoke as proponent. The facility was equipped with delayed egress doors on the north and west exterior doors from the atrium. The request was to allow a delayed egress door from the south doors. The building is fully sprinklered with a monitored system, rated doors and block wall construction. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Jordan. It was voted upon and carried.

(23) 15-08-06 Re-installing Paint Booth PBSD1429FT, Mishawaka

The owner had requested the application be tabled. Commissioner Von Deylen moved to table, with the second by Commissioner Mitchell. It was voted upon and carried.

(24) 15-08-07 Side Parking Lot at 747 W 43rd St, Indianapolis

Variance was withdrawn.

(25) 15-08-08 Hampton Inn and Suites, Michigan City

No proponent was available for questions. Commissioner Scheurich moved to table, with the second by Commissioner Jordan. It was voted upon and carried.

(26) 15-08-09 Co-Alliance LLP, Thorntown

The proponent had requested the application be tabled. Commissioner Von Deylen moved to table, with the second by Commissioner Scheurich. It was voted upon and carried.

(27) 15-08-10 O'Bannon Woods Group Camp Kitchen Addition, Corydon

No proponent was available for questions. Commissioner Von Deylen moved to table, with the second by Commissioner Scheurich. It was voted upon and carried.

(27) 15-08-22 IU Health Methodist Hospital LULA Replacement, Indianapolis

Neal Locasto, RTM Consultants, spoke as proponent. An existing LULA elevator, with vertical sliding doors, is to have the doors replaced. The request is to allow the doors to open vertically as they have done for 30 years due to a lack of space needed for a horizontal

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sliding door. Commissioner Richard moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

(28) 15-08-23 Storage of America West Washington, Indianapolis

Marcus Krouch, A-1 Expeditors, spoke as proponent. The request was to omit the restroom facilities required by the plumbing code. There are no employees regularly on-site. Following a brief discussion, Commissioner Hoch moved no variance required, with the second by Commissioner Richard. It was voted upon and carried.

(29) 15-08-24(a)(b)(c)(d) Assembly Hall Renovation, Bloomington

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. Variance (a) was to allow exit stairs to discharge through the level of exit discharge instead of directly to the outside as required by code. The addition is sprinklered. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried. Variance (b) was to allow a horizontal exit, using water curtains to protect between the existing and new construction. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Hoch. It was voted upon and carried. Variance (c) was to allow the building to be non-compliant for allowable floor area and building height. The roof, IIB construction, and the addition, IB construction, will be using a water curtain for protection. Commissioner Hoch moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried. Variance (d) was to allow the fire area to be increased with only the addition to be sprinklered and not the entire fire area. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

(30) 15-08-25 Artec Environmental Addition, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The existing, 1-story warehouse, dock and offices are to be expanded with an addition which include offices in the new second story. The addition will be of Type VB construction, which will not allow the B occupancy on the second floor without separation. The request is to allow this. Following discussion, Commissioner Hite moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

(31) 15-08-27(b)(c)(d)(e) Morton Senior Apartments, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request in variance (b) was to allow a stair which serves the basement, first, and second floors to not be fully enclosed.

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A 60 minute door was to be used to separate the basement, and sprinklers were to be used to protect the first and second floor stair openings. Following discussion, Commissioner Richard moved to approve, with the second by Commissioner Scheurich. It was voted upon and carried. Variance (c) was to allow a multi-wythe brick wall to be used to separate the addition in lieu of a fire wall. Ninety minute doors would be installed in the first floor connector. Attic spaces are not connected. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Scheurich. It was voted upon and carried. Variance (e) was to allow both stairs to discharge through a first floor corridor instead of at least one discharging to the exterior as required by code. Following discussion, the proponent request the application be tabled. Commissioner Scheurich moved to table, with the second by Commissioner Von Deylen. It was voted upon and carried.

(32) 15-08-28(a)(b) 601 and 605 Main Street Interior Remodel, Lafayette

Ed Rensink, RTM Consultants, spoke as proponent. Variance (a) was to allow the replacement of an existing open stair with a new open stair in a different location to facilitate access to the second and third floors in the future. Following discussion, Commissioner Brown moved to approve with the condition that there be no current use of the second and third floor, that the variance be reevaluated when these floors are in use, and they are to block access to the second floor with a locked door. Commissioner Von Deylen made the second. It was voted upon and carried. Variance (b) was to allow openings in the party wall to be protected by 90 minute fire doors. Both buildings are owned by the same person, but they have not yet been replatted. Following discussion, Commissioner Hoch moved to approve with the condition that ownership of both buildings must be held by the same person. Commissioner Von Deylen made the second. It was voted upon and carried.

(33) 15-08-29 Trans-Plants Inc, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. A company which leases foliage, decorations, etc. to local businesses had expanded their storage capabilities by parking semi trailers at the dock, taking off the wheels, and covering the dock area with a canopy. The proponent explained that the trucks were without lighting or heat, and were used only for storage. Jeff Dean, City of Indianapolis, also addressed the Commission. Following discussion, Commissioner Hoch moved to approve with a condition that the semi trailers are to be used for storage only. Commissioner Brown made the second. It was voted upon and carried

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(34) 15-08-30 Jane Pauley Community Health Center Renovation, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The facility had been granted a variance allowing them to omit rated corridors. They are now expanding into additional space, and are requesting to omit rated corridors in the new space as well. A fire alarm and smoke detection system is being installed. Following discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Hoch. It was voted upon and carried.

(35) 15-08-31(c)(d)(e) 66 Park Apartments, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. Variance (c) is to allow the central stair of the building to not be enclosed where it discharges through the front lobby. It will be protected with an 18 inch bulkhead and close spaced sprinklers on the lobby side of the bulkhead. Following discussion, Commissioner Von Deylen moved to approve with the condition that the stairs be of IA construction. Commissioner Hoch made the second. It was voted upon and carried. Variance (e) was withdrawn. Variance (d) was to allow areas of refuge in lieu of the stand-by power generator required by code. Margie Bovard, Indianapolis Fire Department, spoke to the Commission, voicing concern that no generator back-up or manual transfer switch was to be provided. Following discussion, Commissioner Brown moved to approve with the condition that a transfer switch was to be provided. Commissioner Von Deylen made the second. It was voted upon and carried with one nay.

(36) 15-08-32(a)(b) Annex on 10th, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request was to allow the recirculation of air from the kitchen back to the heating unit instead of to the exterior, which is not compliant with code. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Hite. It was voted upon and carried. Variance (b) was to allow the return air intake to be less than ten feet from the stove. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Richard. It was voted upon and carried.

Breaking and reconvening. Chairman Hawkins recessed the Commission at 11:57 a.m.. It was called back to order at 1:05 p.m.

(37) 15-08-36(a)(b) Hilliard Lyons 3rd Story Addition, Evansville

Roger Lehman, RLehman Consultants, spoke as proponent. Variance (a) was void. Variance (b) was to allow the addition of a third floor, causing the structure to not comply with seismic code requirements. The addition would increase the seismic forces by slightly

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more than 10 percent. Following discussion, Commissioner Jordan moved to approve, with the second by Commissioner Richard. It was voted upon and carried.

(38) 15-08-37(a)(b) Agricor Clean House Addition, Marion

Ed Rensink, RTM Consultants, spoke as proponent. The request in variance (a) was to omit the automatic sprinkler system. The cleaning of the corn in this building is done within a closed process equipment system, protected by NFPA 69 suppression systems. These are a series of three canisters which release good grade sodium bicarbonate to extinguish any spark. The warehouse and maintenance shops are sprinklered. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Hoch. It was voted upon and carried. Variance (b) was to allow a single exit for the third and fourth floors. They have minima occupancy, with one workers making rounds to check on equipment. If maintenance workers are performing their tasks, the building is shut down. The stairs will be protected by a 2-hour enclosure and discharge to the exterior at grade. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Hite. It was voted upon and carried.

(39) 15-08-38(b) Grace College Student Housing, Winona Lake

Ed Rensink, RTM Consultants, spoke as proponent. The residence hall will have a wing of student of rooms on each side of a central lobby. The request in variance (b) was to allow the enclosed stair to discharge through the first floor lobby instead of directly to the exterior as required by code. The students would have a second exit available without going through the main lobby. Following discussion, Commissioner Scheurich moved to table to allow the proponent to discuss design changes with the owners. Commissioner Von Deylen made the second. It was voted upon and carried.

(40) 15-08-48 Storage of America Shadeland, Indianapolis

No proponent was available to answer questions. Commissioner Von Deylen moved to table, with the second by Commissioner Scheurich. It was voted upon and carried.

(41) 15-08-52 Ladoga Fire Station, Ladoga

Ken Smith and Roger Perry, Municipal Civil Corporation, spoke as proponent. The request was to be permitted to leave the diesel and kerosene tanks for fire equipment where they are currently located. Three concrete ballards, concrete curbing and clean-up kits are to be

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provided for the double walled tanks. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Furnish. It was voted upon and carried.

(42) 15-08-53(a)(b) Storage Express, Indianapolis

Pat Riley, Storage Express, and Nathan Grimes, Renaissance Design Build, spoke as proponents. Variance (a) was to allow a floating slab foundation under part of the building. The turn-down footings would be 16 inches below grade. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Jordan. It was voted upon and carried. Variance (b) was to allow restrooms to be omitted since they fall within the guidelines set by the Commission. They have some controlled temperature units, however, in one building, with winter heat levels at 55 degrees and summer levels at 80 degrees. Following discussion Commissioner Von Deylen moved to approve, with the second by Commissioner Hoch. It was voted upon and carried.

(43) 15-08-54 Memorial Hospital and Healthcare Center, Jasper

Christina Collester, RTM Consultants, spoke as proponent. The request was to allow a non-compliant mechanical room for the rebuild of a 1971 elevator cab and equipment replacement which is not exactly the same as equipment being removed. Following discussion, Commissioner Hite moved to approve with the condition that at the request of Tom Hendricks, Director of IDHS Elevator Safety Division, HVAC be provided per manufacturer specifications. Commissioner Richard made the second. It was voted upon and carried.

Late Variances

The following variance applications were given an "L", or late, classification. Agency staff did not have adequate time to review or verify code edition and/or sections. Therefore, agency staff is not able to ensure the accuracy of the application.

(44) 15-08-10 O'Bannon Woods Group Camp Kitchen Addition, Corydon

No proponent was available for questions. Commissioner Von Deylen moved to table, with the second by Commissioner Richard. It was voted upon and carried.

(45) 15-08-39 Mud Creek Players Lobby Expansion, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The facility is adding a small lobby addition. A fire hydrant is located 620 feet from the addition if measured along the paved

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route. The request is to allow them to cut a gate into a fence located across from the fire hydrant, allowing the fire department foot access at a distance of 320 feet. Following discussion, Commissioner Richard moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

(46) 15-08-40(a)(b)(c)(d) Eli Lilly Building 141, Indianapolis

No one appeared as proponent. The four applications were for a GEN2 elevator installation, which, due to new technology, do not comply with current code. The technology, however, has been discussed for many previous variances, and the Commission had no questions. Commissioner Brown moved to approve all four, with the second by Commissioner Von Deylen. It was voted upon and carried.

(47) 15-08-41 Horner Industrial Group, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow a 60-day period to complete the sprinklers in the 2-story office area, allowing occupancy of the building during this time. The existing plant and addition are sprinklered. The office area was thought to be separated by a fire wall, but this was found to be incorrect and sprinklers were to be installed. Following discussion which included a declined request for a fire watch by Margie Bovard, Indianapolis Fire Department, Commissioner Hoch moved to approve. Commissioner Hite made the second. It was voted upon and carried.

(48) 15-08-42 New Softball Field Complex, Converse

Melissa Tupper, RTM Consultants, spoke as proponent. The request was to allow the concession stand/restroom/press box building to not comply with the Energy Code. The building will be minimally heated for a limited time during spring and fall, which triggered the required compliance. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Jordan. It was voted upon and carried.

(49) 15-08-43(a)(b) Pulliam Square Phase I, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request in (a) was to omit Type A units, as allowed by the current Indiana Building Code, and provide units designed as Type B units, complying with the federal Fair Housing Act. Commissioner Von Deylen moved to approve, with the second by Commissioner Brown. It was voted upon and carried. Variance (b) was a request to allow nine units, 3 on the second floor, 3 on the third

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and 2 on the fourth floor, to be occupied with access to a single exit while the second exit is completed. Margie Bovard, Indianapolis Fire Department, requested a fire watch be required if the variance was granted. Derek Holman, City of Indianapolis, noted the sprinkler systems had only been tested up to the third floor and to the fire wall. Following a lengthy discussion, Commissioner Brown moved to approve for a maximum of two weeks or until the building is compliant, with no occupancy of the fifth floor and a 24/7 fire watch to be posted. Commissioner Hoch made the second. It was voted upon and carried.

(50) 15-08-50(a)(b)(c) Uptown Artist Lofts, Michigan City

No proponent spoke as proponent for the GEN2 elevator applications. Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

(51) 15-08-55 Baldwin-Chambers Building, Carmel

Dennis Bradshaw, FP&C Consultants, spoke as proponent. The new building had been designed with apartments on the third and fourth floors, each having a 58 foot dead-end corridor. They wished to take advantage of natural light and to avoid conflict with the commercial space on the first and second floors. Commissioner Von Deylen noted the issue could be eliminated by changing the design for the exit stair, since they had not yet begun construction. The proponent explained the owner did not wish to change the design. Commissioner Von Deylen then moved to deny, with the second by Commissioner Hoch. It was voted upon and carried.

(52) 15-08-56 Celadon Trucking, Indianapolis

Dennis Bradshaw, FP&C Consultants, spoke as proponent. An existing K-Mart was being converted to use as a truck driver training facility with dorms. The sprinklered building will have corridors serving the R occupancy which will be interrupted by a commons area and a reception/office area. The corridors and intervening rooms, to be constructed as required for corridors, will have smoke detection connected to the fire alarm system. The kitchen area will be separated. Following discussion, Commissioner Scheurich moved to table to allow the proponent to speak with the owners concerning changes to the design. Commissioner Von Deylen made the second. It was voted upon and carried.

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Breaking and reconvening. Chairman Hawkins recessed the Commission at 2:30 p.m. It was called back to order at 2:38 p.m.

Incomplete Variances

The following applications were incomplete at the time of the meeting, and had not yet been assigned a variance number or reviewed. At the discretion of the Chairman, these applications were added to the agenda and heard.

(53) 16108 Second Floor Renovations to Haro Building, East Chicago

Christina Collester, RTM Consultants, spoke as proponent. The existing exterior stairs are being replaced, and the new exit stair is separated by one hour construction, adding square footage to the R-2 occupancy. The request was to omit the now-required sprinklers. The two units on the second floor have two separate means of egress. Following discussion, Commissioner Richard moved to approve with the condition that no letter was to be issued until the affirmation of the owner and designer were received. Commissioner Von Deylen made the second. It was voted upon and carried with one nay.

(54) 16211 Pizza Hut/ Wingstreet, Lafayette

Christina Collester, RTM Consultants, spoke as proponent. A new freezer was being added to the existing building resulting in a fire area which exceeds 5,000 square feet, triggering the requirement to sprinkle. The addition increased the calculated occupant load by one person. Following discussion, Commissioner Richard moved to approve with the second by Commissioner Hoch. It was voted upon and carried with one nay.

(55) 16249 IU Assembly Hall Renovation, Bloomington

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The bleachers, first installed in 1995, were removed at court level on the south end of the building. During removal, there was a collapse, and now all three sections need to be replaced. The request was to be allowed to replace the bleachers as they existed instead of to current code since changes in requirements for aisle placement, etc. which would affect the installation. The proponent felt this would be a like-for-like replacement issue. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

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(56) 16222 Asylum Haunted House, Indianapolis

Patrick Greathouse spoke as proponent. The proponent had incorrectly signed the application as owner, thinking it meant the business owner, not owner of the land. He was instructed to notify the owner concerning the application, and to correct the local fire official entry with the proper person.

(57) 16219 St. John Lutheran Church and School, Kendallville

Tim Callas, J&T Consulting, spoke as proponent. An addition to the existing school will add 601 square feet of fire area to the cafeteria, while the balance of the addition will be separated by a 2-hour fire wall and will comply with allowable area. The request is to omit sprinklers in the 601 square foot addition which has a 60 foot travel distance and two exits. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried with one nay.

7. Discussion and possible Commission action

14535 Mill Road
Administrative Cause No. DHS-1509-FPBSC-006
Non-Final Order of Dismissal

Commissioner Mitchell moved to affirm the Non-final orders of Dismissal. Commissioner Hite made the second. It was voted upon and carried.

8. Discussion and Commission actions on Petition for Review (Timely filed unless otherwise noted)

Meridian Hills Country Club Maintenance Building
Order – Indianapolis Fire Department

Commissioner Mitchell moved to grant the timely filed appeals. Commissioner Scheurich made the second. It was voted upon and carried.

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9. Discussion and Commission Actions on Petitioners' Objection to Notice of Intent to Review

Mr. Doug Briody, acting as counsel for L.M. Zeller in Administrative Cause No. 14-12-FPBSC, had submitted a Petitioners' Objection to Notice of Intent to Review; or, Alternatively, Request to Clarify Nature of Review, and Request for Oral Argument. A discussion, led by Chairman Hawkins in the absence of Deputy Attorney General James Schmidt, was held. Noting that nothing concerning his request for oral argument could be done until after August 17th when the briefs were due to be filed, the discussion turned to clarification of the review. The Commissioners wished to understand the timeline of reciprocity which had been presented, and to determine if the granting of reciprocity without meeting educational requirements would create a perpetual loophole in the licensing procedure. Commissioner Brown moved that the letter to Mr. Briody containing the questions discussed be sent by the Secretary for the Commission. Commissioner Scheurich made the second. It was voted upon and carried.

10. Comments – Chairman Hawkins

Chairman Hawkins felt that some of the variance application issues are being driven by the system, and the inability to do anything until they "turn green". He felt that if they have received a number, and all they lack is a staff report, he feels that that is category L and should be listed at the end of the agenda. He welcomed any comments offering ways to make the system work more smoothly.

11. Adjournment

Chairman Hawkins then adjourned the meeting at 3:19 p.m.

APPROVED _____
John Hawkins, Chairman

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