

COMMISSION MEETING MINUTES

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

January 6, 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 9:01 a.m. on January 6, 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 Jordan
Matt Mitchell
Patrick Richard
Jessica Scheurich
Craig Von Deylen

Commissioners not present at the Commission meeting:
James Hoch

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

Legal and Code Services
Cecilia Ernstes-Boxell, Code Specialist
Denise Fitzpatrick, Code Specialist
Beth Sutor, Recorder
Pamela Walters, Staff Attorney

(c) James Schmidt, Deputy Attorney General was present.

2. Old Business

Chairman Hawkins called for any corrections or a motion to approve the minutes of the December 2, 2014, meeting. Commissioner Mitchell moved to approve, with the second by Commissioner Brown. It was voted upon and carried. *A.T. 1st 11 min, 12 Methuen*

3. Variances to be available on-line

Chairman Hawkins noted that the variance applications were to be available for on-line viewing at <http://www.in.gov/dhs/2375.htm>. Links were available for both the applications filed electronically and for those filed via the paper application. No more packets would be mailed in the future.

4. LBO and LFO contact

Dean Illingworth, Fire and Building Code Enforcement, advised the members of the Commission that the Intake Specialists of Plan Review had worked with Legal and Code Services to make 80 calls to local fire and local building officials concerning notification responses and finding the proper persons to contact. Commissioner Brown asked Mr. Illingworth about the length of time it takes for a CDR to be released under the new requirement of HB 1301, noting his friend had experienced some difficulty in getting his release. Mr. Illingworth explained the timeline, and stated he would look into the friend's release.

5. Variances

Tabled Variances

14-10-04 CV East LLC, Marion

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

14-10-08 Kimbell Building, French Lick

The application was now eligible to be heard. It had originally been given an "A" rating in the staff review. Commissioner Jordan moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

14-11-04 Indianapolis Lighthouse Charter School, Indianapolis

Cole Ritter, Brown Sprinkler Company, spoke as proponent. Also addressing the Commission was Jeff Dean, City of Indianapolis. Commissioner Brown had been concerned that the owner might turn off the water to the building without the fire department being aware since it was not a monitored valve. Following a lengthy discussion, Commissioner Mitchell moved no variance required, with the second by Commissioner Brown. It was voted upon and carried with a vote of four to three.

14-11-20(b) Chef JJ's Renovation, Indianapolis

The variance application had been withdrawn.

14-11-38 1445 W. Hoosier Blvd. Bathroom Remodel, Peru

No proponent was available for questions due to weather conditions. It was decided to hold the application until later in the meeting to allow time for the proponent to arrive.

14-12-01 Los Amigos Restaurant Expansion, Merrillville

Owner Thomas Nastoff spoke as proponent. The request was to omit the sprinkler system. They had updated lights, installed panic hardware, and added smoke detectors in the building which will be used for quinceañera parties. There is seating for sixty with tables and chairs. Following discussion Commissioner Von Deylen moved to approve, with the second by Commissioner Jordan. It was voted upon and carried.

14-12-04 Sycamore Building Elevator, Terre Haute

The application had been withdrawn.

14-12-05 York Elementary School, Bristol

Commissioner Von Deylen moved to table at the request of the proponent, with the second by Commissioner Richard. It was voted upon and carried.

14-12-12 Wal-Mart Supercenter #2812, Hammond

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

14-12-17(a)(c)(d) The Coil Apartments, Indianapolis

Dennis Bradshaw, FP&C Consultants, spoke as proponent. Also speaking was Greg Jacoby, architect. The proponent noted that last month, a variance had been granted for IN BC 510.2.7 which was no longer needed, and wanted to withdraw it. Following a brief discussion, it was decided to leave the variance in place should it be needed in the future. Variance (d) was a request to allow the fire wall between the north and south buildings which was not structurally independent. The precast building would be braced by the garage. Following discussion, Commissioner Von Deylen moved to approve with the second by Commissioner Brown. It was voted upon and carried. Variance (a) was to allow openings in the fire wall at the first level in the podium. The podium will be Type I-A construction, and the residential levels will be of Type V-A construction. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried. Variance (c) was to allow the garage and townhouses to have a three hour separation. The buildings would be sprinklered with additional standpipes in the garage floors. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

14-12-28 Salt Creek Brewery Tap Room Expansion, Bloomington

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

New Variances

Chairman Hawkins asked for any requests to review variance applications with an "A" or "B" recommendation from staff or abstentions. Commissioner Hawkins noted he would abstain from voting on 15-01-55 Stonecutter Apartments, Bedford. Commissioner Von Deylen noted he would abstain from voting on 15-01-30, 617 N. College, Indianapolis. Commissioner Brown requested an individual hearing for 15-01-13 Countertop Connections New Facility, Franklin, 15-01-16 River Woodworking Topeka, and 15-01-29 Creekside Wheel Shop, LaGrange. Variance 15-01-18(a)(b)(c)(d)(e)(f) Indiana State University Blumberg Hall, Terre Haute, was incomplete, and the proponent had requested it be tabled. Commissioner Von Deylen moved to table, with the second by Commissioner Brown. It was voted upon and carried. Commissioner Von Deylen then made a motion to approve the remaining "A" and "B" variances. The second was made by Commissioner Mitchell. It was voted upon and carried.

The following variances were approved as submitted:

- (1) 15-01-1 Chicagoland Christian Village Fire Hoses, Crown Point
- (2) 15-01-02(a)(b) Artistry Phase II Elevators, Indianapolis
- (3) 15-01-06 CityWay Building 9 MOB, Indianapolis
- (4) 15-01-07(a)(b)(c)(d)(f)(i) Lilly Corporate Center Northwest Quadrant, Indianapolis
- (5) 15-01-08(b)(c)(d) Cummins Indianapolis Distribution Headquarters, Indianapolis
- (6) 15-01-14 Lakeside Apartments Carmel, Carmel

- (7) 15-01-17(a)(b) Carmel Senior Living Elevators, Carmel
- (8) 15-01-19(a)(b) Fishers Switch, Fishers
- (9) 15-01-21(c)(d) Butler University Student Housing Building One, Indianapolis
- (10) 15-01-22 Western Schools Locker Room/Restroom Building Renovation, Russiaville
- (11) 15-01-24(a)(b) Major Hospital, Shelbyville
- (12) 15-01-26 2062 S. Rockport Road, Bloomington
- (13) 15-01-36(a)(b) 14 W. Maryland Renovation, Indianapolis
- (14) 15-01-37(a)(c) 516 Northwestern Avenue, West Lafayette
- (15) 15-01-41 2262 S. Sweetbriar Court, Bloomington
- (16) 15-01-42 Gartland Foundry Furnace Replacement, Terre Haute
- (17) 15-01-45 Park Shore Commons, Gary
- (18) 15-01-48(a) B.A.S.E. Fitness Parkour, Fishers
- (19) 15-01-50(a)(b) D&L Metal, LaGrange
- (20) 15-01-51(a)(b) South Street Station, West Lafayette
- (21) 15-01-53 Huntingburg Senior Residence, Huntingburg
- (22) 15-01-55 Stonecutter Apartments, Bedford

The following variances had been pulled for individual vote:

- (23) 15-01-13 Countertop Connections New Facility, Franklin
- (24) 15-01-16 River Woodworking, Topeka
- (25) 15-01-29 Creekside Wheel Shop, LaGrange

Commissioner Von Deylen moved to approve, with the second by Commissioner Jordan. It was voted upon and carried with one nay.

The following variances were heard separately:

- (26) 15-01-03 Whitewater Mills LLC, West Harrison

Sunil Maheshwari spoke as proponent. The request was to omit sprinklers in the concrete building where chlorine tanks are stored. The water from the sprinklers would react with the chlorine to form acid. Commissioner Von Deylen moved to approve, with the second by Commissioner Brown. It was voted upon and carried.

- (27) 15-01-07(e)(g)(h)(j) Lilly Corporate Center Northwest Quadrant, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. Also presenting was Tim Puls, Wayne Anderson, and Wayne Polly, Eli Lilly. Variance (e) was to allow the existing firewall between building 57 and 32 to continue to terminate at the roof. The buildings are protected by NFPA 13 sprinklers. Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried. Variance (g) was to allow a 6th story of nonrated, noncombustible construction to remain on existing building

22, though over allowable height under the code in effect at the time the addition was made. Commissioner Mitchell moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried. Variance (h) was a request to allow the existing, sprinklered mechanical penthouse to equal 50% of the floor level below and to exceed the allowable height. It had been built out into an existing attic space. Commissioner Von Deylen moved to approve, with the second by Commissioner Richard. It was voted upon and carried. Variance (j) was a request to allow the fire alarm system to be broken into four notification zones. The code section presented on the application was incorrect, and was changed to NFPA 72 Sec. 238.6.2 during presentation. Steve Bartram, City of Indianapolis Code Compliance, requested a copy of the plans be provided for the city. Commissioner Brown moved to approve with the condition that an updated application be submitted. Commissioner Furnish made the second. It was voted upon and carried.

(28) 15-01-8(a) Cummins Indianapolis Distribution Headquarters, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow a 2-hour fire barrier in lieu of the code-required 3-hour fire wall at the second and third floors. The tower is sprinklered, and both the tower and the open parking garage are Type I-B construction. He had used "The Bobby LaRue Amendment", IN BC 510.7, to clarify his use of the 2-hour barrier in high-rise separation. Bobby LaRue, Monroe County Building Department, thanked Mr. Rensink for using the amendment as he had intended. Following a lengthy discussion, Commissioner Von Deylen moved no variance was required, with the second by Commissioner Mitchell. It was voted upon and carried.

Breaking and reconvening. Chairman Hawkins recessed the Commission at 10:37 a.m.. It was called back to order at 10:53 a.m..

The Chairman returned to variance 14-10-04 CV East LLC, Marion. The Deputy Attorney General had suggested the variance be denied instead of removing it from the agenda. Commissioner Von Deylen moved to deny, with the second by Commissioner Mitchell. It was voted upon and carried.

It was also noted that variance 15-01-04, 1211 E. Branch Road Windows, Bloomington, and "A" category variance, had been missed on the staff report. Commissioner Mitchell moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried. Also missed was variance 15-01-05 French Lick Event Center Expansion, French Lick, a "B" category variance. Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

(29) 15-01-09 Meadow Springs Manor, Francesville

Melissa Tupper, RTM Consultants, spoke as proponent. The owners are converting a home to a bed-and-breakfast as a part of their event center. The proponent had done a Chapter 34 evaluation, and did not pass due to one exit from the second floor. The variance was to allow the change of use of an existing Class 2 structure to an R-1 with too few exits on the second floor. The difficulty in compliance is remoteness of the exits in the existing space. Kevin Troy, Fire and Building Code Enforcement, also addressed the Commission, noting that there was some language in Rule 13 concerning R-1 and R-2. The proponent stated she was aware of the language. Following a lengthy discussion, Commissioner Von Deylen moved to approve with the condition that an egress hallway and stair from bedroom two be provided, and an egress door from bedroom one which leads to a compliant exit be provided. Commissioner Jordan made the second. It was voted upon and carried with one nay.

(30) 15-01-10 Indiana University Informatics Building, Bloomington

The variance was incomplete. Commissioner Von Deylen moved to table, with the second by Commissioner Mitchell. It was voted upon and carried. Ed Rensink, RTM Consultants, advised the Commission he had the missing information. Commissioner Von Deylen made a motion to un-table, with the second by Commissioner Mitchell. It was voted upon and carried. The building was to have an unenclosed stairway which would exceed the total floor opening area allowed in Section 1009, exception #4 due to skip steps installed along one side of the egress stairs to provide seating areas for occupants. The stairway would be protected with bulkheads and sprinklers, and handrails would be installed. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried with one nay.

(31) 15-01-11 USF Robert Goldstine Performing Arts Center, Ft. Wayne

Melissa Tupper, RTM Consultants, spoke as proponent. An existing Shriner's building is to be converted to classrooms for the university. The auditorium is massive and compliance with Chapter 34 is impossible. An estimate of \$750,000 was received for sprinklers. The proponent proposed the annex building be sprinklered during its renovation, as well as the basement. Jim Maura, Ft. Wayne Fire Department, advised the Commission that he wants the building sprinklered, but he would not object to the annex and basement being sprinklered and other areas as they are renovated, with the continuation of the fire watch. Following discussion, Commissioner Von Deylen moved to approve with the condition of sprinklers in the renovated annex, basement, and future renovations plus the continued fire watch. Commissioner Brown made the second. It was voted upon and carried.

(32) 15-01-12 Crackers Comedy Club, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request is to allow a means of egress beside a service area that is used for drink service, a waiter station and pantry shelving in the existing building. The building is sprinklered, and only 21 feet wide. Margie Bovard, Indianapolis Fire Department, requested that the shelving be removed. The proponent explained that it will not be used for storage. Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

(33) 15-01-15 Century 21 Scheetz Carmel, Carmel

Melissa Tupper, RTM Consultants, spoke as proponent. An existing office building, with a basement, is to be renovated. The building is not sprinklered and corridors are not rated. The request is to allow the corridor walls and doors to remain unrated. Smoke detectors would be added to the fire alarm system. Following discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

(34) 15-01-20 Marian University Graduate Student Housing, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request was to be allowed to use a 2-hour fire barrier from foundation to roof structure protected by a 13R system on both sides to separate each floor into two areas, in lieu of complying with a fire wall required by Code Section 705.1. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Jordan. It was voted upon and carried.

(35) 15-01-21(a)(b) Butler University Student Housing Building, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request in variance (a) was to allow a 3-hour fire wall which divides the sprinklered, five-story building from the Type V-A, 13-R sprinklered building to not meet the structurally independent requirements. Following discussion of sufficient water pressure and supply for sprinklers, Commissioner Von Deylen moved to approve, with the second by Commissioner Brown. It was voted upon and carried. Variance (b) was to allow the closers to be omitted from the dorm room fire doors. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Scheurich. It was voted upon and carried.

(36) 15-01-23 Sycamore Hills Golf Club, Ft. Wayne

Christina Collester, RTM Consultants, spoke as proponent. An existing house is to have an addition as part of the country club. The request is to sprinkle only the addition and a portion of the first floor, and basement of the existing structure. Jim Maura, Ft. Wayne Fire Department, advised the Commission that they had no objections to the variance. Commissioner Mitchell moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

(37) 15-01-24(c)(d) Major Hospital, Ft. Wayne

Christina Collester, RTM Consultants, spoke as proponent. Variance (d) was to allow a penthouse to be 44% of the third floor area. The penthouse is over area so that the facility will comply with requirements of the Life Safety Code. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Richard. It was voted upon and carried. Variance (c) was a request to allow a stair from the penthouse to exit into the stair enclosure. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Brown. It was voted upon and carried.

(38) 15-01-25(a)(b) Toyota Motor Mfg. Inc. East Bridge and West Assembly Expansion, Princeton

The proponent had not yet arrived. The application was to be heard later.

(39) 15-01-27 Gibson County 4-H Fairgrounds Exhibit Hall, Princeton

Matt Lehman, RLehman Consulting, spoke as proponent. The request was to omit the required sprinkler system. The building is to be used for 4-H and made available for other events. The Type V-B construction building has extra exits, fire alarms, and can add a voice alarm system if needed. The facility will not be used for storage. The calculated occupancy load is 385. Following a discussion of the available water on site and lack of hardship, Commissioner Brown moved to deny, with the second by Commissioner Furnish. It was voted upon and carried.

(40) 15-01-25(a)(b) Toyota Motor Mfg. Inc. East Bridge and West Assembly Expansion, Princeton

Louise Schlatter, architect, spoke as proponent. In variance (a), Commissioner Jordan had done some research and felt that no variance was required from Section 1613.3.5 since the additions met the criteria in the Indiana amendment for Seismic Design Category C, and made the motion no variance required. Commissioner Von Deylen made the second.

It was voted upon and carried. Variance (b) was to allow a 600 foot travel distance for one specific area of the building. The remainder of the building still complies with the 500 foot travel distance allowed in a previously granted variance. The area will be protected with an increased density of sprinkler heads. Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

(41) 15-01-58 East Bridge and West Assembly Expansions, Princeton

Louise Schlatter, architect, spoke as proponent. The request was to use ductal iron in their drainage system in lieu of plastic piping, not normally found in the 36" diameter needed. Following discussion, Commissioner Richard moved to approve with the condition that the ductal iron be coated. Commissioner Jordan made the second. It was voted upon and carried.

Breaking and reconvening. Chairman Hawkins recessed the Commission at 12:03 p.m. for lunch. It was called back to order at 1:00 p.m.

(42) 15-01-52 All American RV and Boat Storage Greenville

Terry Striha, owner, spoke as proponent. The request was to allow the use of compacted aggregate for the floor in a three-sided building used to store vehicles. The project had been filed with the State and given a CDR in which a concrete or asphalt floor had been conditioned. An identical building, filed and constructed the year before, did not have the requirement placed on it. Following a lengthy discussion as to whether or not the building was a parking garage or a storage building, Commissioner Von Deylen made a motion that no variance was required. Commissioner Jordan made the second. It was voted upon and carried.

(43) 15-01-28(a)(b) Historic Whitlock Place Apartments, Crawfordsville

Ralph Gerdes, Ralph Gerdes and Associates, spoke as proponent. An existing building, which had previously served as a hospital, was being converted to apartments. In variance (a), an interior community courtyard space and a skylight in the fourth floor ceiling will not comply with Type III-A construction requirements for roof/ceiling assembly. The facility will have an NFPA 13R sprinkler system with Ordinary Hazard 1 spacing and density in the atrium and skylight areas due to exposed steel and bar joists roof system. The surrounding roof/ceiling construction would be 1-hour rated. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Jordan. It was voted upon and carried. Variance (b) is to grant 21.28 points so that they pass a Chapter 34 evaluation. The facility's exiting width capacity exceeds the new use egress requirements, but the additional fire walls and smoke control perimeter windows would be extremely difficult to construct due to the age and existing

construction of the building. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

(44) 15-01-30 617 N. College, Indianapolis

Mark Adair, Dalmatian Fire, spoke as proponent. During an inspection, three entrances to apartments were called out as needing sprinklers since they were interpreted as patios. The builder called them a stoop since they overhang only 1'1" and have no roof or deck above them. The request is to not provide the sprinklers. Following discussion, Commissioner Richard moved to approve, with the second by Commissioner Brown. It was voted upon and carried. Commissioner Von Deylen abstained.

(45) 15-01-31 BL&T Restaurant, Indianapolis

Nick Conover, construction company representative, spoke as proponent. The request was to allow the exhaust from the new restaurant to discharge less than five feet from the property line and directed away from the building due to existing construction and venting in the alleyway of the 100 year old building. It is greater than ten feet above ground level and ten feet from the property line. Following a lengthy discussion, Commissioner Mitchell moved to approve with the second by Commissioner Furnish. It was voted upon and carried. Commissioner Von Deylen abstained.

(46) 15-01-32(a)(b) Quarles and Brady, Indianapolis

Tim Callas, J&T Consulting, spoke as proponent. In variance (a), counter top ice machines in the break room do not meet the 48" reach requirement. The request is to allow a 55" reach. A bottom-freezer refrigerator is provided for ice. Commissioner Von Deylen moved to approve, with the second by Commissioner Brown. It was voted upon and carried. Variance (b) was to allow sliding doors on conference rooms which hold more than ten persons. The rooms would be used for staff meetings, while the smaller conference rooms are for client meetings. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Furnish. It was voted upon and carried.

(47) 15-01-33 Castleton MOB, Castleton

Scott Perez, Arxtheon Consulting, spoke as proponent. An existing facility is being leased for use as a medical office building. It is V-B construction and not sprinklered. The request is to allow non-rated corridors and remain unsprinklered. The facility has exits located on all four sides of the building, and smoke detection will be installed in the entire building. To comply with fire separation walls would result in two areas not being provided fire egress doors to the exterior. Following a lengthy discussion, Commissioner

Von Deylen moved to approve with the conditions that NFPA 72 compliant smoke detection be provided throughout the building, rated doors are to be installed in the corridors, and closers are to be installed on other than patient exam room doors. Commissioner Richard made the second. It was voted upon and carried with 2 nay votes.

(48) 15-01-34 Waypoint Community Church, Goshen

Tim Callas, J&T Consulting, spoke as proponent. The request was to allow a second floor space, remodeled into a multi-purpose youth meeting area, to omit sprinklers. The space will be separated with 2-hour fire barriers and horizontal assemblies. One exit from the space has direct exterior access, and the second has a 102' travel distance via stairs to the exterior. A monitored fire alarm system will be provided throughout, and a paid fire department is located three miles from the facility. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Jordan. It was voted upon and carried with a vote of five to three.

Breaking and reconvening. Chairman Hawkins recessed the Commission at 2:15 p.m. It was called back to order at 2:23 p.m.

(49) 15-01-54 Casey's General Store Distribution Center, Terre Haute

John Dodd, architect, spoke as proponent. The request was to be allowed to place some of the fire access roads for the facility at a distance which would allow for future expansion of the company. The facility will be protected by an ESFR sprinkler system, and the local fire department did not object. Following discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Brown. It was voted upon and carried.

(50) 15-01-35(a)(b)(c)(d) Balsam Estates, Indianapolis

Tim Callas, J&T Consulting, spoke as proponent. An existing residential building is being renovated, and a 13R system installed. Variance (a) was to allow two windows per unit, relocated to center up with the kitchen, to not be fire rated. An additional sprinkler will be provided at the kitchen window on each floor. Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried. Variance (b) was to allow the doors to be secured from the stair side to enhance tenant security. Following a brief discussion, Commissioner Hite moved to approve, with the second by Commissioner Goeden. It was voted upon and carried. Variance (c) was to allow some of the fire barriers to sit on the landing floor assembly due to existing construction. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried. Variance (d) was to allow the water lines for the water closet to be slightly off due to a larger shower being

installed. Commissioner Jordan moved to approve, with the second by Commissioner Richard. It was voted upon and carried.

(51) 15-01-37(b) 516 Northwestern Avenue, West Lafayette

Ralph Gerdes, Ralph Gerdes and Associates, spoke as proponent. He withdrew the variance.

(52) 15-01-38 Wernle Youth and Family Treatment Center Admin Building, Richmond

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

(53) 15-01-39 Robinson Adult Day Services, Gary

At the request of the proponent, Commissioner Von Deylen moved to table, with the second by Commissioner Richard. It was voted upon and carried.

(54) 15-01-40 University of Evansville Greenhouse, Evansville

Matt Lehman, RLehman Consulting, spoke as proponent. The request was to allow the construction of a greenhouse without a passing ComCheck. The proponent stated that the cost to meet ComCheck would exceed the small donated amount of money provided for the project. Commissioner Richard moved to approve, with the second by Commissioner Brown. It was voted upon and carried.

(55) 15-01-43 USI Teaching Theater Exiting, Evansville

Roger Lehman, RLehman Consulting, spoke as proponent. The request was to provide a second accessible exit for emergency exiting only which utilizes a door in a stair tower with an inward swing, leading to the loading dock and ramp. Under emergency situations, a fire shutter closes and blocks the accessible exit. Control of the fire curtain will be changed to activation by smoke detector on either side of the curtain rather than fire alarm. Commissioner Brown moved to approve with the second by Commissioner Hite. It was voted upon and carried.

Dean Illingworth reported that the CDR from Commissioner Brown's friend was released within the appropriate timeframes as stated in the 1301 requirements.

(56) 15-01-44(a)(b)(c) Joy's House South, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. Variance (a) was to allow an actual working space of 24"x 24" in front of the water heater and 24"x 30" in front of the furnace. These are located in a utility area separated by a bi-fold door. Variance (c) was to allow the existing bathroom to be used by staff, while two new accessible bathrooms are provided. Commissioner Von Deylen moved to approve both (a) and (c), with the second by Commissioner Brown. It was voted upon and carried. Variance (b) was to allow an existing kitchen, not used by public or patients, to not comply with accessibility requirements. Following discussion, Commissioner Richard moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

(57) 15-01-46(a)(b)(c) SJP Entertainment Skating & Bingo, Mishawaka

John Beam, architect, spoke as proponent. An existing bowling alley was being converted to a roller skating rink with an additional use as a bingo parlor. There would be no spectator seating, only a place to change into skates. The bingo use would be with tables and chairs to accommodate 1000 occupants. A lengthy discussion of whether or not the facility was undergoing a change of use from an A-3 to an A-4 was held. Variance (a) was to be allowed to not meet the ADA accessible fixture count. Plans had been uploaded, but were unable to be opened as they were read-only. Following discussion, Commissioner Richard noted plans were needed to better understand. The proponent offered to retrieve plans from his vehicle, discussion was paused at this time.

(58) 15-01-47 Next Step House, Ft. Wayne

Scott Perez, Arxtheon Consulting, spoke as proponent. The request was to use an alternative product to waterproof the cast-in-place concrete foundation wall. The proponent presented the product, Dow Styrofoam Ultra SL, and explained the installation method and benefit of using the tested product in protecting foundations from water infiltration and mold growth. Following discussion, Commissioner Richard moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

(59) 15-01-48(b) B.A.,S.E. Fitness Parkour, Fishers

Scott Perez, Arxtheon Consulting, spoke as proponent. The request was to allow the continued use of the unisex restroom serving the facility. The proponent stated the average class size is 8 to 12 students and 1 to 2 instructors, which is below the maximum of 15 occupants allowed by code for a single restroom. Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

(60) 15-01-49 Ford Center, Evansville

Dave Ricker, Evansville Building Authority, spoke as proponent. The request was to omit the fireproofing of an 8' by 8" beam located in a five story stairwell of the sprinklered building. The estimated cost of repair would be approximately \$23,000, a hardship for a facility which operates at a loss. Commissioner Brown moved to approve, with the second by Commissioner Richard. It was voted upon and carried.

(61) 15-01-46 SJP Entertainment Skating and Bingo, Mishawaka (cont.)

John Beam, proponent, returned and provided plans for the Commissioners. Following discussion of the proposed plans for toilet renovation and additional fixtures, Commissioner Richard moved to table (a), (b), and (c) to allow the proponent to revise his proposal. Commissioner Von Deylen made the second. It was voted upon and carried.

(62) 15-01-50(c) D & L Metal, LaGrange

Tim Callas, J&T Consulting, spoke as proponent. The request was to be granted a temporary variance to allow the storage of combustible material in the S2 facility while a second storage building was being constructed. Following a brief discussion, Commissioner Mitchell moved to approve the use of the S2 as an S1 for nine months, with the second by Commissioner Jordan. It was voted upon and carried.

(63) 15-01-56(a)(b) Englewood Lofts, Indianapolis

Tim Callas, J&T Consulting, spoke as proponent. Also speaking was Chris Harris, Indianapolis Code Enforcement. A 1-hour rated corridor and a 2-hour exit passageway have 20 minute rated doors. Glass doors, separating the same rated path of travel are not rated. Chris Harris had questioned the use of unrated glass doors as the exit, but the Commissioners felt it was just a continuation of the corridor. Following discussion, Commissioner Mitchell moved no variance required based on the lack of code violation, with the second by Commissioner Von Deylen. It was voted upon and carried.

(64) 15-01-57 Raytheon Tech Center, Ft. Wayne

Christina Collester, RTM Consultants, spoke as proponent. The corridors, at time of construction, were required to be rated. The building is now fully sprinklered, but the owner is concerned that someone might want the corridors to continue to be rated. Jim Maura, Ft. Wayne Fire Department, stated he had no issue with the variance. Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

(65) 14-11-38 1445 W. Hoosier Blvd. Bathroom Remodel, Peru

No proponent had arrived to speak. Commissioner Mitchell moved to table, with the second by Commissioner Richard. It was voted upon and carried.

6. Discussion and possible Commission action

Indiana Mentor I & II
Administrative Cause Numbers 13-15, 13-30
Non-final Order of Dismissal

Alternative Two
Administrative Cause No. 14-13
Non-final Order of Dismissal

York Elementary School
Administrative Cause No. 14-17
Non-final Order of Dismissal

Sri Shirdi Saibaba Sansthan of Tristate Temple
Administrative Cause No. 14-03
Non-final Order

Commissioner Mitchell moved to affirm the Non-final Orders of Dismissal, with the second by Commissioner Richard making the second. It was voted upon and carried.

7. Discussion and Commission action on Petitions for Review (timely filed unless otherwise noted)

New Prairie United School Corporation
Order – Fire and Building Code Enforcement

Route 2 Brews
Maximum occupancy load

Commissioner Mitchell moved to grant the timely-filed petitions for review, with the second by Commissioner Richard. It was voted upon and carried.

8. Interpretation of structures, greenhouses or structures used for similar purposes, used as part of facilities that otherwise consist of Class 1 structures

Chairman Hawkins led a general discussion of the agricultural use of buildings, beginning with the history of the Rose Acres case in which a garage, located away from the farm itself but still owned by the farm, was determined to be a farm service building because the farm's tractors, etc. were repaired and stored there. Miller Poultry was also a case which concerned the agricultural use of buildings which were not physically on the farm. Now there are greenhouses on school grounds which are Class 1 buildings because the public goes into them, while some schools have started urban farms. Are the facilities connected with the school's urban farm exempt from filing? Are these farms education or agriculture? If the students are not present, does the farm cease to operate?

9. Comments – Chairman Hawkins

The Chairman asked Pamela Walters, Staff Attorney, about the Plan Review Competency Task Force Criteria and when it would be available for review. She stated it would be emailed that day and on the agenda in February for consideration. Re-adoption of the Electrical Code was also addressed, with Ms. Walters stating it was progressing in a timely manner. It may be ready for a vote in February. Chairman Hawkins also asked Ms. Walters to research the possibility of telecommunication attendance of a regularly scheduled Commission meeting during inclement weather.

10. Chairman Hawkins then called for any further business. Hearing none, he then adjourned the meeting at 4:00 p.m.

APPROVED

John Hawkins, Chairman

DRAFT