

Staff Variance Report
For
September 4, 2013 Commission Meeting

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

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

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

“D” category = recommendation is for denial.

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

“NVR” category = no variance required.

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

Tabled Variances:

- 13-01-36(b) C **Lafayette Family YMCA – Lafayette**
(b) *Remote exterior exits on the back of the building will not be provided with a sidewalk to the public way as required by code.* The exit discharge, “walking surface of the means of egress shall have a slip resistant surface and be securely attached”, this is interpreted to require a concrete sidewalk to the public way. The proponent advises that the code does not stipulate that the exit discharge be a paved surface and that a yard can be classified as a component of the exit discharge for a building. The hardship is the cost of installing sidewalks on the back of the building, which is estimated at approximately \$40,000.00. If the exit path away from the building is just mud or grass, how do wheelchairs get through it? Tabled at the request of the proponent. Tabled at the proponent’s request until the March meeting. Tabled at the request of the proponent until the April meeting. **Tabled at the request of the proponent until the June 4th meeting. Tabled at the request of the proponent until the December 3, 2013, meeting.**
- 13-06-2 D **SVT Elevators – Munster**
The current elevator was installed without a permit in 1982. The proponent wishing to have the elevator allowed to be maintained as it is without bringing up to today’s code, with the assumption that it was installed compliant to the code of record, assuming this is the correct time of installation. Proponent requested to be tabled until the July 2nd meeting. **Tabled so proponent can get more information concerning the non-compliant conditions of the elevators and supply a list of the conditions from a certified elevator inspector. Tabled at the request of the proponent at the August meeting.**
- 13-06-9 D **SVT Elevators – Hammond**
The current elevator was installed without a permit in 1982. The proponent wishing to have the elevator allowed to be maintained as it is without bringing up to today’s code,

with the assumption that it was installed compliant to the code of record, assuming this is the correct time of installation. **Tabled so proponent can get more information concerning the non-compliant conditions of the elevators and supply a list of the conditions from a certified elevator inspector. Tabled at the request of the proponent at the August meeting.**

- 13-08-9 C **Heritage Heights Apartments – Crawfordsville** Project #364652
The code required sprinkler system required for the addition will not be provided. The proponent advises that they have a monitored fire alarm system throughout the building. They advise that it is plugged into the fire department and is monitored by B & R Fire Protection Company in Crawfordsville. The 2 units that are commercial units that are being converted to apartments are already part of this alarm system. The hardship is that the building was built in 1913 and is all plaster with very high ceilings. There is no way to run water into the ceiling without doing a lot of damage. They advise the cost estimate for a sprinkler system was said to be around \$70,000.00 to \$80,000.00. What damage would result from installing the piping? **Tabled no proponent.**
- 13-08-31 B **First Church of Christ – Teen and College Ministry Building – Bluffton** Project #364130
The code required sprinkler system will not be provided for the A-3 occupancy building with an occupant load in excess of 300. The proponent advises that this building will be used for the church’s Teen and College ministry program, including religious educational classrooms and youth worship and fellowship space. The building is 1 story classified as an A-3 of Type VB construction. The building footprint will be 6,300 sq. ft. in area plus mechanical/storage mezzanine of 882 sq. ft. A 2 hour fire barrier will be provided to separate the storage room from the rest of the building and the fire area on each side of the 2 hour fire barrier will be less than 7,000 sq. ft. The building does not contain a kitchen. The maximum egress travel distance will be less than 100 feet. The building is provided with a fire alarm system. The building will not be rented out to outside groups. It is for use as Teen and College ministry for the church. The hardship is the cost of the sprinkler system for a building that is used primarily for worship and related religious functions. What is the cost to comply? Is this used only for Sundays or is it used during the week? **Tabled so proponent can get cost estimate for a sprinkler system.**
- 13-08-38 NVR/CI **Avondale Meadows Health and Wellness Center - Indianapolis** Project #358790
Revised Application, The electrical receptacles above counters in the two employee break rooms, coffee bar in the community room, and warming kitchen for the community room have been cited as not meeting the maximum 24” horizontal reach range requirement for accessibility and will not be corrected. The proponent advises that in each instance the receptacles are 25”. The 2 story building includes YMCA fitness and exercise facilities, outpatient medical offices, preschool and child watch area, community meeting room, administrative offices, and related support functions. The proponent advises that in each case the electrical receptacles are provided for small appliances that will typically remain plugged in over a long period of time, generally with the “dedicated use” exception per Section 1109.13, exception 2. The break room above counter

receptacles will be used for microwave, coffee maker, toaster, etc. – all of which are provided by the owner. The above counter receptacles associated with the community room will be used for coffee makers and food warmers, with very infrequent moving of appliances. The hardship is that the building construction is complete.

The local fire department has cited the cabinets and counter tops within the employee work areas as not complying with ICC/ANSI A117.1. The building is a 2-story structure, including a fitness and exercise facilities, outpatient medical offices, preschool and child watch area, community meeting room, administrative offices, and related support functions. The building is Type IIB construction. The proponent states that Section 1103.2.3 provides that “spaces and elements within employee work areas shall only be required to comply with Sections 907.9.1.2, 1007 and 1104.3.1 and shall be designed and constructed so that individuals with disabilities can approach, enter and exit the work area” and that the design complies with this requirement. The cited sections in Section 1103.2.3 with which the employee work areas are required to comply do not specify cabinets and counter tops. The hardship is that the building is substantially complete.
Tabled at the request of the proponent.

13-08-42 I **Wishard Hospital – Replacement Facility – Indianapolis** Project #345739
Tabled at the request of the proponent.

13-08-52 C **The International School of Columbus – Columbus** Project #366030
The existing church structure is being changed to an “E” occupancy and is over area for that occupancy. The proponent advises that the buildings were constructed over the last 40 years and, prior to the leasing of the building to the school, the buildings were used for a large church and Sunday school. The basement will be sprinklered per code as part of this project. The change of use also includes two new exits, one from the basement to eliminate a dead end corridor and exit way from the furnaces and service panels and the other new exit is from the 2nd story of the athletic building. It provides access to the outside with a new hall and exterior stairs. The hardship is that the cost to sprinkler both buildings would be cost prohibitive and dividing the existing building with fire walls would be problematic. What is the cost to comply? Which building is the existing church building? The drawings don’t identify any building as an existing church building. **Tabled to allow proponent time to do a Chapter 34 evaluation.**

New Variances:

13-09-1 BI **516 Northwestern Avenue – West Lafayette**
A Kone EcoSpace elevator will be installed with 8 mm steel rope suspension cable and 6 mm steel wire rope governor cable, which do not meet the code sizes. The proponent advises that they will provide any additional training requested by the state, including providing rope gauges to each elevator inspector. The hardship is, this type of system will eliminate the need for an elevator penthouse, lowering the cost of the overall project.

- 13-09-2(a)(b) **Bennett Storage Complex – Chesterton** Project #366478
 A (a) *The code required emergency eye wash station, emergency shower, service sink, restroom and water fountain will not be provided for this “S” occupancy. There will be no access to septic or sewer provided for this structure.*
 NVR (b) *The Energy Code requirement for insulation will not be followed for this building. The project entails a storage facility with no employees, with access being restricted to coded key cards. There will be no heating or air conditioning provided for the building thus the cost of insulation would be a hardship. An unconditioned building is not required to comply.*
- 13-09-3 AI **IU Health Arnett Greenbush Vein Clinic – Lafayette**
The corridor walls being modified in this project will not be constructed as one hour fire partitions as required by code. The proponent advises that the existing corridor walls of this 1950’s construction were not built as one hour rated walls. The small scope of this project would require only limited sections of the wall to be constructed as one hour, but these sections of new wall would be located within the existing, non-rated wall. The hardship is that the existing plaster ceilings would need to be removed to construct the one hour sections of the wall assembly, resulting in an overall wall rating of zero.
- 13-09-4 A **Holiday World Splashing Safari, Freedom Trail – Santa Claus** Project #365774
The code required emergency eye wash station, emergency shower, drinking fountain and service sink will not be provided in this building. The building will be used primarily as the tunnel for the amusement park ride and will be used to store the train in when the park is closed. There will be some minor maintenance, such as lubrication, done to the train while located in the tunnel. The tunnel, when used for the ride, will have employees and the public inside, but when used to store the train, there will only be two park employees doing the maintenance. The proponent advises, when there is maintenance done, there will be portable eye wash bottles provided. There will be no water or sewer utilities to the building and the building will not be heated or insulated.
- 13-09-5 CI **White’s Bed and Breakfast – Greencastle** Project #353499
The code required fire pump will not be provided. A booster pump will be provided instead. The proponent advises that they will provide a 3,000 gallon stored water supply and a booster pump. They advise that the current water supply is inadequate to support a sprinkler system. This is the reason for the storage tank with booster pump. They advise that the booster pump does not comply with NFPA 20 as required by the code for tanks, but does allow them from municipal water supply. The hardship is, the cost will double if a 120 gallon per minute pump is provided. What is the size of the booster pump? What is the source of the water to fill the tank?
- 13-09-6 B **Christian Care/ assisted Living – Dining Room Renovation – Bluffton**
Portions of the current one hour corridor wall, in the fully sprinklered Type II-A construction Group I-1 (Assisted Living) wing, will be removed at an existing dining room to improve the floor plan conditions and food service operations. The remainder of the building is fully sprinklered, Type II-A construction, Group I-2 (Nursing Home) occupancy. The proponent advises that the existing building is protected throughout with

an NFPA 13 sprinkler system. The ceilings over the corridor and dining area are one hour fire rated. The building is Type II-A non-combustible construction. The renovation will include smoke detection systems connected to the fire alarm monitor panel. Quick response sprinklers and increase by count by 50% (ordinary hazard/130 sq. ft. each). The renovation will include a new one hour fire wall, with alarm activated roll down door enclosing kitchen grill area. There will be portions of the corridor wall will remain as half walls, to preserve the eight foot wide corridor path to the exit. The hardship is that the existing dining area and kitchen were built in the 1980's and are lacking by comparison with the current health care space planning and food service arrangements. The modernization for basic efficiency, as well as the quality of the residents dining experience will be greatly improved.

- 13-09-7 CI **Bens Pretzels – Shpshewana** Project #364773
The code required sprinkler system will not be provided for this proposed dining style eatery. The proponent advises that there will be no permanent tables and chairs. The dining experience will be more of a “fast food” type atmosphere. They are anticipating a high volume total per day, however, lower occupancy levels at any one time. They will install a 2 hour fire separation wall between rental/staging areas and customer/kitchen areas (approximately 64’ X 56’ plus 4’ additional each direction). They will install a 2 hour fire separation wall between restrooms/customer eating area and kitchen/customer order area. They will incorporate interconnected (battery backup) heat and smoke alarms throughout the building with a direct link to the fire department. The hardship is the excessive costs incurred to install the required oversize water service lines, additional interior water lines, and dry pipe systems.
- 13-09-8 AI **North Meridian Professional Center – Indianapolis**
The occupant use hose stations stored in the stairways will be removed which is not allowed by the code of record. The hose stations will not be used by the fire department. The proponent will not provide the required training for the individuals in the building to use the hoses. The hardship is the cost to maintain for no reason.
- 13-09-9 AI **McDonald’s – Berne** Project #365869
The code required sprinkler system for an “A-2” occupancy with an occupant load in excess of 100 will not be provided. The proponent advises that the addition of 595 sq. ft. will be added to the 3,170 sq. ft. existing building. The building has fixed seating for 82 occupants and with the kitchen/storage area occupancy of 6 occupants for a total of 88. With the additional cueing area, plan review has increased the occupant load to over 100. There are two exits from the public area, which is less than 40 feet from any area in the front and there is an exit provided from the employee area. The renovation is an upgrade to the existing facilities for dining room upgrade and accessibility. The hardship is that the dividing of the kitchen, service area, or seating area with a fire wall, is not easy to accomplish within the existing building and would not significantly improve the safety of the occupants.

- 13-09-10 CI **The Art and Wilma Hill Boathouse at Camp Rock – Unionville**
The pole barn construction building will be used for boat storage, S-1, and 2nd floor will be used for occasional boat safety lessons, A-3 community hall, and will be of VB construction, which is limited to one story without a fire protection rating. The proponent advises that there will be no HVAC systems due to the seasonal use of the building. Due to the topography of the area, the upper floor will have two exits that will go directly to ground level without the use of stairs. The lower level will also have exits directly to ground level. The proponent advises that the use of gypsum board to provide a 2 hour separation would be very expensive and impractical. The lower level will be used for the storage of sailing boats, kayaks, canoes, and other boating equipment. The covering of every supporting column and beam with gypsum board in a storage area of this type, in this environment, would be next to impossible to keep it from being bumped into and render the storage area useless. They advise that there is no public water supply with enough pressure to supply a sprinkler system. Do the exits meet the code requirements for separation distances?
- 13-09-11 B **Herron High School – Indianapolis** Project #361872
As part of the renovation of the school, a new restroom facility was located within an existing closet and the required dimensions were not met. The code requires that the dimensions be 60" X 56" clearance around the water closet and the fixed grab bar does not extend 54" from the back wall. This restroom is for faculty use only. The clearance at the water closet is 52" X 69.5" and the fixed side grab bar extends 52" from the back wall. The hardship is that the existing size of the closet could not accommodate the ANSI requirements. The ADA allows exceptions for existing construction and historical buildings. Renovations include significant upgrades, increasing the accessibility to and throughout the building. Some of the other improvements include, interior renovations throughout the facility. The project will include a new fire alarm system, an automatic sprinkler system, HVAC, plumbing, and electrical upgrades, accessibility upgrades, new walls and new finishes.
- 13-09-12 AI **Andrew Ballard Storage Building – New Albany** Project #365506
The code required restrooms will not be installed in the new storage building. The proponent advises that this is a storage building with no employees and has no human occupancy. The proponent advises that the cost of the restroom exceeds the amount of money that he has in the budget for a restroom.
- 13-09-13 B **Maplehurst Bakeries, LLC – Brownsburg**
There are several locations in the building that are not provided with the code required smoke and heat vent removal systems. The proponent advises that they have worked with the local fire official and have installed manual smoke and heat vents in strategic locations, in the high piled storage areas, that can be operated by firefighters to evacuate the smoke inside the high pile storage areas. The building is provided with an NFPA 13 sprinkler system and much of the high piled storage areas have in-rack storage. The hardship is, the plant is a very high volume food manufacturing plant in which construction of the required smoke and heat vents would severely hamper food

production. The LBO and LFO have submitted letters acknowledging the variance as well as supporting the variance.

- 13-09-14 C **Glenn Howard Senior Apartments – Indianapolis** Project #353208
The four story R-2 occupancy of Type VA construction has booster fans in the dryer vent exhaust ducts going to the exterior of the building, which is not allowed by Section 504.6.1 of the 2008 Indiana Mechanical Code. The proponent advises that these booster fans were installed prior to the owner or project manager were made aware of the violation. They advised that the installation will comply with the 2005 Indiana Residential Code in Section M1501.3 and a different section of the 2008 Indiana Mechanical Code. What are the lengths of the runs for the ducts? Is this an engineered system that the Commission has approved in the past?
- 13-09-15 AI **Grand Park Press Box/Concession Building – Westfield** Project #364250
The stair serving the press box area above the concession stand which is just less than 500 sq. ft. will have a vertical rise of 13' 1" without an intermediate landing. The code has a maximum vertical rise for a single stair flight of 12'. The structure includes concessions and rest rooms on the 1st floor and a press box on the 2nd floor. The proponent advises that the press box is not open to the general public. The stair will be 48" wide with compliant hand rails and rise and run dimensions. The hardship is that the stair will not fit within the building perimeter with an intermediate landing of 48" in length.
- 13-09-16 BI **Ivy Tech Bloomington – Addition – Bloomington**
The proposed addition of approximately 16,914 sq. ft. will introduce added-floor area to the 1st floor, exceeding the code permitted area for accessory uses. The proposed accessory uses will comprise approximately 14.2% of the area of the 2nd floor and the maximum allowed by code is 10%. This will exceed the tabular area (9,500 sq. ft.) permitted for Type IIB construction per Section 508.3.1. The project involves construction of a 2 story addition of approximately 77,090 sq.ft., to the existing building of 142,362 sq. ft. The building is classified as primarily "B" occupancy (classroom and office space). The "A" occupancy uses in the addition are a lecture hall, commons, library and Lamkin Hall. The proponent advises that there will be a 2 hour fire barrier provided between the addition and the existing building. The assembly uses in question are at grade level. The building will be protected throughout with an automatic sprinkler system. The assembly uses are similar to those in an "E" occupancy, where they are permitted unlimited area. The hardship is the separation of the commons and open portion of the lecture hall would enclose areas architecturally that are intended to be open for functional purposes. Also the imposition of the rule would require most of the addition to be fire proofed in order to create separation of the 1st floor assembly spaces from the 2nd floor.
- 13-09-17(a)(b)(c) CI **Ball State University Planetarium – Muncie**
(a) The new planetarium addition (A-3 occupancy) of one story to Cooper Science Building will not have a structurally independent fire wall to separate the addition from the existing building, as required by code. The proponent advises that there will be a two

hour fire barrier provided to separate the planetarium addition. The planetarium addition will be sprinklered per NFPA 13, except as noted in (b). The new addition will be concrete construction which will exceed the minimum Type VB construction allowed. The hardship is the cost and difficulty to provide a structurally independent fire wall.

CI (b) *The new planetarium (A-3 occupancy) will have a basement that is not separated by two hour construction as required by code.* The basement is approximately 1,200 sq. ft. and will house mechanical and electrical equipment. The building code requires the A-3 area below the level of exit discharge to be sprinklered. Other sprinkler tradeoffs, such as corridor rating, will be taken. The first floor planetarium will not have sprinklers in the projection dome. The proponent advises that extended coverage sidewall sprinklers will be located around the base of the dome. There will be an approximate four foot diameter floor area that will not be covered (the dome is approximately 52 feet in diameter). There will be a smoke detection system installed above the dome. The concrete floor construction will achieve at least a one hour separation from the basement. The hardship is, the placement of sprinklers in the dome, will have a negative effect on the presentations. Additionally, the dome has perforations that will delay activation of the sprinklers.

CI (c) *The code required illumination levels will not be provided during performances in the planetarium, nor will the exit signs be lit.* The new planetarium will seat approximately 155 persons. The proponent advises that upon the activation of the alarm signal the illumination levels and exit signs will be automatically restored to the proper level. Manual control will also be provided to restore floor illumination and exit sign illumination. The building will be sprinklered per NFPA 13, except as noted in (b). The hardship is the purpose of the facility is to conduct sky shows with projection of stars, planets, etc. Other sources of illumination may detract from the show. How will the public know how to evacuate safely?

13-09-18 NVRI **303 E. Smith Ave. – Bloomington – Window**
The structure built in 1959 does not have a window in one of the bedrooms and was cited by HAND for the violation. No variance is required, due to July 1, 1986 is the cutoff date for enforcing of the codes.

13-09-19 B **Fabric Retail Store – Nappanee**
The conversion of an existing building will not comply with the size regulation of Rule 13 of the GAR, which allows a maximum of 3,000 sq. ft. and the current building is 3,257 sq. ft. The proponent advises that they plan to use approximately 650 sq. ft. of the area for the fabric store. The owner advises that they will provide the safety features, including two exits, exit signs, adequate ventilation, handicapped accessibility, smoke detectors, fire extinguishers and egress lighting. The hardship is the change of the residential structure into a fabric store, would create excessive costs, including sprinkler systems, a public restroom, etc.

13-09-20 CI **North Knox School Corporation – New auxillary Gymnasium Facility – Bicknell**
The new gymnasium addition of approximately 42,000 sq. ft. of Type IIB construction will not be separated, with the code required 4 hour structurally independent fire walls, from the existing nonsprinklered 2 story school approximately 181,000 sq. ft. or Type IIB

construction, causing the school and new addition to be over area for Type IIB construction. The proponent advises that the new gymnasium addition will be protected by an automatic sprinkler system per the 2010 Edition of NFPA 13. The gymnasium will be separated from the existing school by a two hour fire barrier. The owner's hardship is the desire to provide a connecting space between the existing school and the new gymnasium and the cost of constructing a new structurally independent 4 hour fire wall between the new addition and the existing school.

13-09-21(a)(b)(c)

Posey County Fertilizer Storage and Blending Building – Poseyville

Project #363162

- A (a) *The building will not be provided with plumbing as is required by code.* The proponent advises that there are restroom facilities existing in adjacent buildings. The restrooms that are available are not on an accessible route or have accessible elements within the restrooms. The building will not normally be occupied except when scooping fertilizer from the bins and blending. The public is not permitted in the building. The existing restrooms are approximately 267 feet away from the new building. The hardship involves providing plumbing in unheated and normally unoccupied building. In addition it is cost prohibitive to provide accessible routes for the site and interior and accessible restroom facilities in the adjacent building. During the off season there will be 5 tender trucks, 3 dry applicator trucks and 1 front end loader parked inside of the structure.
- A (b) *An existing F-1/S-1 occupancy (constructed without a design release), of 17,480 sq. ft., utilized as bulk storage and blending of fertilizer, will not have plumbing to support water closets, emergency showers, service sink, and drinking fountain as required by code, but there will be an eyewash station provided in this building.* The proponent advises that the building is not normally occupied, except when scooping fertilizer from the bins and blending. During the process, there is a scoop operator, truck driver and supervisor in the building. The public is not allowed in the building. The hardship involves providing plumbing for an unheated building and normally unoccupied.
- C (c) *The concrete apron outside provides 6" from the threshold to apron and 2.5" from the inside. The code requires a maximum of 1/2".* The building has 2 side hinged doors that are built into sliding doors and when the sliding doors are open, there is a 16' opening, which is whenever the building is occupied. When the doors are closed, the side swinging doors are available. The building will not normally be occupied, except when scooping fertilizer from the bins and blending. During the off season, there will be 5 tender trucks, 3 dry applicator trucks, and 1 front end loader, parked inside of the structure. The majority of the time, a front end loader and truck are the only equipment in the building. The hardship involves the apron design, was based upon the equipment that will be utilized in the building.

13-09-22

BI The Depot – Fishers Town Center Mixed Use) – Fishers

The exterior walls of the 4 story sprinklered apartment, retail, assembly, and 5 story garage building, including floors of Type VA construction, will be fire rated for fire exposure from the inside only and the code calls for the exterior bearing walls to be fire rated for exposure from both sides of the wall. The proponent advises that the building is protected by an automatic sprinkler system compliant with the 2010 Edition of NFPA 13. The exterior walls have separation distances of over 60 feet. The exterior walls are

covered with brick and cement fiber board. The hardship is the additional cost of providing exterior walls that are fire rated for exposure from both sides, when the fire exposure hazard is greatly reduced by the sprinkler system and open space.

13-09-23(a)(b)

237 Washington Street – Columbus

Previous Variance 13-06-40

CI

(a) *This variance is requested to supersede Variance 13-06-40(b), which was approved upon the conditions noted and that the variance was valid for the current owner and this use only.* A portion of the existing stair serving as the required exit for the R-3 occupancy area, will not comply with the 1 hour enclosure requirement per the score taken per Section 3410.6.6 as part of the Chapter 34 evaluation. Walls will be upgraded to 1 hour construction where feasible. The project involves the conversion of approximately 1,122 sq. ft. of area on the 2nd and 3rd floor, each from previous business use to a residential dwelling unit. The unit will have 8 bedrooms for occupancy by interns. The remainder of the building will remain business and ancillary storage use. The building is 3 stories in height plus a basement and is of Type IIIB construction (masonry bearing and wood floors and roof construction). A sprinkler system per NFPA 13D will be provided in the dwelling unit and in the egress stair serving as the exit for the R-3 occupancy. The new residential unit will be separated from the stair with a 2 hour fire barrier. The floor assembly between the 1st and 2nd stories in the west fire area will be upgraded to a fire rated assembly with 2 layers of 5/8" Type X gypsum board attached to the underneath of the assembly. This will provide additional compartmentation in the west fire area, providing additional benefit to safety. The hardship is the potential negative impact on any future effort to sell the building.

CI

(b) *This variance is requested to supersede Variance 13-06-40(c), which was approved upon the conditions noted and that the variance was valid for the current owner and this use only.* The variance is to approve the variance without limiting it to just the current owner. The floor assembly (between the 1st and 2nd stories in the west fire area) supporting a short section of the 2 hour wall, used in the scoring for "compartmentation" and "mixed occupancy", will be less than a 2 hour assembly, based upon available listings or prescriptive assemblies. The project involves the conversion of approximately 1,122 sq. ft. of area on the 2nd and 3rd floor each from previous business use to a residential dwelling unit. The unit will have 8 bedrooms for occupancy by interns. The remainder of the building will remain business and ancillary storage use. The building is 3 stories in height plus a basement and is of Type IIIB construction (masonry bearing and wood floors and roof construction). The floor assembly between the 1st and 2nd stories in the west fire area will be upgraded to a fire rated assembly with 2 layers of 5/8" Type X gypsum board attached to the underneath of the assembly. This will provide additional compartmentation in the west fire area, providing additional benefit to safety. A sprinkler system per NFPA 13D will be provided in the dwelling unit and in the egress stair serving as the exit for the R-3 occupancy. The hardship is the potential negative impact on any future effort to sell the building.

13-09-24

BI

Brownsburg Meadows 4 & 5 Plex Residential Buildings – Brownsburg

This variance is a request to supersede variance 13-06-28 which was approved for three 4-plex buildings. The clarification that is needed is to change to two 4-plex buildings and one 5-plex building. The 3 buildings will not be protected with a sprinkler system per

NFPA 13R, based on the classification as an “R” occupancy, a sprinkler system is required. The building is classified as R-2 of Type VB construction. The proponent advises that each of the buildings will be protected with an NFPA 13D sprinkler system. The buildings are 1 story slab on grade construction. Each unit has 2 direct exits to the exterior, one to the front and one to the rear. Each unit will be separated with a 1 hour partition extending from the floor slab to the roof deck. The garage connected to each unit will be separated from the unit as required per Section 406.1.4 of the IBC. Each unit will have multiple-station smoke detectors per Section 907.2.10.1.2 of the IBC as required. The hardship is the use of the 13D system will help control the costs of construction for the relatively small buildings.

13-09-25(a)(b)(c)(d) **Pilgrim Manor Nursing Home – Plymouth**

- BI (a) *The 1st phase addition of approximately 1,600 sq. ft. and the 2nd phase additions (two) to an existing nursing home will not be separated by a structurally independent fire wall. The separation will be a two hour fire barrier instead.* The proponent advises that the existing building is sprinklered and the new additions will be sprinklered per the 2010 Edition of NFPA 13. There is a code change proposal that has been approved by the building code committee for the 2012 IBC which would permit the condition with an NFPA 13 sprinkler system. Similar variances have been approved by the Commission. The hardship is the cost to install a structurally independent fire wall.
- BI (b) *The 2nd phase addition of approximately 1,850 sq. ft. will be added to the building without a fire wall or barrier, which will bring the building into further non-compliance with allowable floor area.* The existing building has 5/8” Type X gypsum board attached directly to roof trusses. In circa 1967, this was considered 1 hour construction (Type VA), but today it is treated as non-rated (Type VB). Existing Type VB construction is not permitted today for a nursing home (I-2 occupancy). The existing building is sprinklered. The new additions will be sprinklered per the 2010 Edition of NFPA 13. The new addition will be Type VA (1 hour) construction, as required by code. The hardship is the cost of providing a structurally independent fire wall and the impact on the proposed floor plan.
- BI (c) *Circa 1967 nursing home has corridors being used as return air plenums with undercut doors, which is not allowed by code, for corridors to be used for return air plenums.* Some mechanical equipment will be changed, but corridors in the existing building will continue to function as return air plenums. The proponent advises that the existing building is sprinklered. The corridors in new additions will comply with the code. The hardship is the cost to provide new ducts/plenums in the existing building.
- CI (d) *The code requires that 50% of the bathrooms to be fully accessible and the existing nursing home with patient room toilet rooms, will have 15 restrooms altered (enlarged and reconfigured), to provide showers and the alteration will not provide the clear floor space required for the toilets for full accessibility.* The proponent advises that Phase 1 and 2 additions will add 24 new patient room toilet rooms, all of which will be fully accessible. This will exceed the code minimum of 50% accessible and 50% of the Type B units. The remodeled bathroom units will exceed the requirements for Type B units. There is a common use bathing facility available in the building. The hardship is the existing room size and getting entry into the patient room and providing the clear floor space for the toilet in a fully accessible unit.

- 13-09-26 B **Warren Village – Terre Haute**
An existing school is undergoing a change of occupancy to an R-2 occupancy with a new 3 story addition. The school has open stairs that will not be enclosed in one hour fire resistive fire barrier construction, which is required by code for stairs serving more than one adjacent floor level to be enclosed in one hour fire resistive construction. The proponent advises that the existing and new addition will be provided with an automatic sprinkler system per the 2010 Edition of NFPA 13R. The stairs will be provided with draft curtains 1' 6" deep at each floor level with close spaced sprinklers 6' on center and designed per NFPA 13, which will be hydraulically designed to provide a discharge of 3 GPM per lineal foot of water curtain, with no sprinklers discharging less than 15 GPM. The hardship is the cost to enclose the existing stairs.
- 13-09-27 BI **The Residences on Ronald Reagan – Avon**
The code required Type A units will not be provided in the 252 unit apartment development. The development includes a mix of 3 story, 2 story and multi unit 1 story patio buildings. The A units are required at a rate of 2% of the total units. The buildings are classified as R-2 occupancies. The proponent advises that the design will comply with a proposed code change included within the new 2012 IBC committee amendments. This will allow the multi-family residential occupancies to be designed per the federal Fair Housing Act in lieu of the IBC. The Fair Housing Act does not require Type A units, only "adaptable units", the equivalent of Type B units per the IBC and ICC/ANSI A-117.1. All ground floor units in the development are designed as Type B units. The hardship is the Type A units requires larger clear floor space requirements for fixtures, reducing the useable space in units and rendering these units less attractive to the general market.
- 13-09-28 CI **Bailey Park at Avon – Avon**
The code required automatic sprinkler system per NFPA 13R will not be provided for the 1 story patio home buildings. The structures will be 1 story in height and classified as R-2 occupancies of Type VB construction. The project includes 2 types of 4 plex buildings and a 6 plex building type. There will be 110 units total. The proponent advises that they will protect the units with an NFPA 13D sprinkler system. Each unit will have 2 exits to the exterior one front and one back. The buildings are 1 story, slab on grade. Each unit will be separated with a 1 hour fire barrier extending from slab to the roof deck. The garage connected to each unit will be separated from the unit as required per Section 406.1.4 of the IBC. Each unit will have multiple station smoke detectors per Section 907.2.10.1.2 of the IBC as required. The hardship is the control of the construction cost for the patio homes. The estimate for the costs is approximately \$125,000.00.
- 13-09-29 A **T-Shed – Indianapolis** Project #362815
The new S-1 occupancy open sided lumber storage building of Type VB construction and 5,258 sq. ft. will not be provided with the emergency showers, eyewash station, drinking fountain, and service sinks as required by Table 29. The proponent advises that the building does not store or use hazardous materials or chemicals. The building has one open side and is unconditioned and will not have any plumbing. The hardship is the cost to install all of these items in a structure that is not conditioned nor has any plumbing.

13-09-30(a)(b)(c)

Norwell High School – Revitalization Project – Ossian

Project #361908

CI

(a) *The code required 4 hour fire wall that was constructed in 1988 to separate an existing two story school of Type IIB construction and approximately 291,000 sq. ft. from the new two story addition of approximately 53,000 sq. ft. The fire wall was proposed to be built to provide a 60 foot side yard as per the code requirements and recently it was discovered that the wall was not properly constructed.* The proponent advises that the addition was only 15% of the overall building. The addition was provided with an automatic sprinkler system. The nature of noncompliance for the 4 hour wall was not being fire stopped at the wall/roof termination, not the joist pockets, nor is it structurally independent, which was not required at the time. The hardship is the cost and disruption to go back and properly terminate the wall to the roof deck and seal up the roof joist pockets. There are no alternative offered. What is the construction type of the addition?

CI

(b) *The existing two story school of Type IIB construction of approximately 393,000 sq. ft. on the first floor will be placed into further noncompliance by the addition of two non-combustible canopies at two locations.* The total additional area is approximately 4,000 sq. ft. The total floor area is exceeded for the partially sprinklered building. The proponent advises that the 4,000 sq. ft. addition is only 1.99% of the overall building. They feel the non-combustible canopies do not add any significant fire load to the building guidelines. This is a variance on a variance (12-11-51(a)) that was approved, however during construction is was discovered that an existing 4 hour fire wall (constructed in 1988) considered in the code analysis, was incomplete by not being properly fire stopped at the wall/roof termination, not the joist pockets. The hardship involves the cost and difficulty in adding fire walls to-separate the new canopies from the existing building or other means to bring the building into code compliance. There is an additional 49,000 sq. ft. showing in this variance than there was in the (a) variance.

CI

(c) *As part of the school remodeling project, two pair of fire rated doors will be removed in an existing four hour fire wall between the original building and the 1988 addition, which is not allowed by code.* The proponent advises that the 1988 addition is currently sprinklered and the majority of the original building will be sprinklered as part of this project. There will be sprinkler protection on each side of the wall where the doors are removed. This is a variance on a previous variance (12-11-51(c)) which was approved, however during construction, it was discovered that the existing 4 hour fire wall (built in 1988) considered in the code analysis, was incomplete by not being properly fire stopped at the wall/roof termination, nor the joist pockets. The hardship is the doors in the fire wall are a problem, with most of the original building being sprinklered under this project, the building is getting close to unlimited area, thus the fire wall is not needed. It appears that the first two variances would not be an issue if the 4 hour fire wall was put into compliance, except for the removal of the code required fire doors.

13-09-31

B

Ambrosia Restaurant – Remodel – Indianapolis

Project #365523

The code required sprinkler system for a change of occupancy to an A-2 with an occupant load in excess of 100, will not be provided. The tenant space is separated from the tenants on each side by a 12” CMU wall. The tenant space is 2,600 sq. ft. and the occupant load has been figured at 103, which includes 12 occupants for waiting. The proponent advises that the restaurant is reservations only without queuing. Without the

queuing the calculated occupant load would be 91. The hardship involves the cost to sprinkler the tenant space when the design occupant load would be less than 100.

- 13-09-32 BI **Legends Row at Eddy Street Commons Building D – South Bend** Project #350923
The code required two Type “A” Units will not be provided in the 4 story condominium building. The condominium building is classified as R-2 occupancy of Type VA construction. The design will comply with a proposed code change included within LSA Document #13-339 that will allow multi-family residential occupancies to be designed per the Federal Fair Housing Act in lieu of the IBC. The Fair Housing Act does not require Type “A” units, only adaptable units, the equivalent of Type “B” units per the IBC and ICC/ANSI A117.1. All units in the building are designed as Type “B” units – elevator access provided to all floors. Type “B” units are usable by persons with physical disabilities per the Federal Fair Housing Act. The hardship is the Type “A” units originally designed into the project have been for sale for over 2 years, and have not sold. The variance is to permit reversion of these units to the Type “B” design, matching other units in the building.
- 13-09-33 AI **Methodist Hospital A4 North patient Room Renovation – Indianapolis** Project #364911
Sliding doors will be used in lieu of the code required side swinging doors at the entrance to recovery rooms. The proponent advises that these doors are the standard configuration in hospital facilities throughout the state. The rooms served by the sliding doors will have an occupant load of less than 10. The building is sprinklered throughout. The corridors throughout the area containing the sliding doors are equipped with automatic smoke detection. Similar variances have been approved by the Commission in the past. The hardship is the sliding doors are needed to accommodate unobstructed movement to and from patient treatment rooms.
- 13-09-34(a)(b) CI **Thompson Brothers Paint Booth – Lafayette** Project #364678
(a) *The existing combustible wall on the building and openings within those walls are less than 10 feet from the property line and are non-rated which being rated is required by code.* The proponent advises that the property line is a 17 foot wide parcel containing a driveway. The parcel size is insufficient to support any future development. The exterior walls were originally constructed in compliance with the IBC in effect at the time of construction. The property lines have since been redrawn which puts the exterior walls in non-compliance. The hardship is the cost and operational disruption that would be caused by fire rating the existing exterior walls.
CI (b) *A fire wall is not provided, as required by code, on the lot line that dissects a single building into two parcels.* The proponent advises that in lieu of the required 2 hour fire wall, the owner will construct a new 2 hour fire barrier on their side of the property line. The hardship is that the adjacent property owner is not willing to provide a construction easement or access which would be required to construct a new fire wall.

- 13-09-35 AI **Columbus Municipal Airport – Self Service Fuel Tank – Columbus** Project #366514
The airport will be installing a 12,000 gallon UL 2085 above ground storage tank, which the code only allows for a 10,000 gallon maximum at this time. The proposed new Fire Code will allow this size of tank. This size of tank has been approved by the Commission in the past because in order for the person to get a full load of fuel this size tank is needed. The hardship is the cost of purchasing the lower amount of fuel rather than a full truck load.
- 13-09-36 BI **Riley Hospital for Children – Sequence 3b – Indianapolis** Project #362046
Two sets of egress doors in the central sterilization room of the hospital will be interlocked so that one door cannot be opened until the other door is shut, which is not allowed by code. The hospital would like to use access controlled egress doors so that the doors are openable during an emergency. The proponent advises that the proposed system is the standard door configuration in hospital facilities throughout the State of Indiana. The proposed door system would be permitted if the basement had been classified as Healthcare (I-2) occupancy when it was constructed. The proposed 2014 IBC permits the use of access controlled egress doors. The access control system will comply with all of the criteria outlined in Section 1008.1.3.4, access controlled egress doors, which was deleted from the 2012 IBC. The building is equipped throughout with a quick sprinkler system. Corridors throughout the smoke compartment containing the sliding doors are equipped with automatic smoke detection. The hardship is the need to keep the doors from being open and allowing the air to freely circulate throughout the area.
- 13-09-37 CI **International Academy of Film and Television – Remodel – Indianapolis**
The two story building with basement will only be sprinklered in the basement. The code calls for the entire building to be sprinklered. The renovation where the new corridors are in the basement will not be rated one hour as required. The proponent advises that the basement will maintain the existing automatic fire suppression system. All other, new and existing, corridors on the 1st and 2nd floors either are or will be code compliant. The original building was built for a printing company with large heavy printing presses. The 1st floor floor/ceiling assembly is solid cast in place concrete system providing a fire barrier separation of the basement. The hardship is the additional cost to provide new fire rated corridor construction in the basement which is currently protected by an automatic sprinkler system, when the code requires the entire building to be protected. Other none protected areas will have code compliant corridors.
- 13-09-38 C **Carmel Senior Living – Carmel** Project #365591
The unit entry doors swing into the unit and into the path of the egress from the bathroom in units AB, AB2, B, B2, and C. The proponent advises that though the occupancy is I-1 the units are dwelling and sleeping units that are leased units that are furnished by the residents. In essence, they are apartments. A resident in their own apartment will not interfere with themselves exiting into doors within the unit. The residents are capable of responding to an emergency situation without physical assistance from staff. The

hardship is, to modify the current design would cause the developer to incur re-design fees affecting 38 units of this building, as well as possibly delaying start of construction.

13-09-39

C

Hannah and Friends New Activity Center – South Bend

Project #365698

The code required sprinkler system for the A-3 occupancy with an occupant load exceeding 300 will not be provided. The proponent advises that the space is defined in the IBC as an A-3 Assembly occupancy. This space will only be used as an exercise facility for the residents. As an assembly space, the occupant load would exceed 300. The proponent states that the total building gym and accessory areas, occupant load would be up to 178 occupants; the calculated occupant load is 1095. The fire area does not exceed 12,000 sq. ft. The fire area is located on the same floor level as exit discharge. The building complies with all exiting requirements. The hardship is that there is no public water available and the system would require a 12” diameter well, a diesel engine driver or 3 phase power to operate the system. Three phase is not available on site. The total cost for a completed system would exceed \$150,000.00.

13-09-40(a)(b)(c)(d)(e)

Pine Grove Parochial School – Etna Green

Project #365747

BI

(a) *The code required illuminated exit signs will not be provided due to the lack of electricity in the building and will have reflective, Photoluminescent exit signs installed in lieu of the normal code required signs.* The proponent advises that they will also have hard piped LP gas lines to gas lights, such as Coleman or Leacock lights installed for lighting. The hardship is that this is an Amish school and there is no electricity to the site to power the exit signs or any other type of lights.

BI

(b) *This is a combination occupancy of E/R-3 building, and the code required sprinkler system will not be provided.* The proponent advises that this is a one room school with a classroom occupant load of less than 50 and a single occupant studio type apartment for the teacher to use during the school week. The proponent advises that long-life battery operated smoke and heat detection system with interconnected alarms will be installed throughout the building. A second exit door from the classroom area will be installed. Highly reflective exit signs will be at all interior and exterior exit doors. In addition there will be no open flames allowed in the classroom area. The hardship is that this is a rural Amish school with no readily available water source for the sprinkler system. There would be excessive costs for the system and to install an oversize well, storage tank and a dry pipe system, with no electricity, the well pump could not be powered. Any attempt to provide a fire separation between the E and R-3 would not be desirable or practical for the use of the building.

BI

(c) *The code required fire alarm system will not be provided.* The proponent advises that in lieu of the code required system they will install interconnected long life battery operated smoke and heat detectors throughout the building.

BI

(d) *The code required means of egress illumination will not be provided.* The school will operate in the daylight hours only and the school will not be used in other than daylight hours. Highly reflective photo luminescent exit signs will be installed at each exit door. An interconnected smoke and heat detection/alarm system will be provided throughout the building. The hardship is that this is a rural Amish school with no electricity to power emergency lighting.

BI (e) *The code required service sink will not be provided.* A source of water for cleaning the toilet facilities will be provided and the toilet facilities will be cleaned daily. The hardship is that this is a rural Amish school with limited space and other sources of water and buckets will be used for daily cleaning.

13-09-41 BI **North High School/Junior High School – Restroom Accessibility Upgrade**
The code required 36” width in the new accessible showers will not be provided and will only have 35 ½” instead. The proponent advises that the masonry contractor constructed the new facility to the 36” requirement on the plans for all the showers but when the tile was installed on the masonry it was found that the ¼” tile had taken ¼” off each side of the shower resulting in the width being 35 ½” rather than the code required 36”. This was not discovered until the final design to reinstall compliant toilets in all locker rooms. The hardship is the removing of the tile and grinding off of the mortar bed and refinishing the masonry wall or moving the reinforced masonry wall ½”, would be impractical and very expensive for the 5 locations impacted. There are multiple showers in the high school locker area that exceed minimum code standards.

13-09-42(a)(b) **Fletcher Chrysler – Dodge – Jeep – Franklin** Project #365205
CI (a) *The existing walls will not be modified when the 2 exterior walls of the current under roof open display area of the building has the remaining two open walls enclosed. The code requires there to be a separation between the “B” and “S-1” occupancies.* This enclosure will increase the current fire area of the building. Current code requires a 3 hour fire barrier to separate the S-1 from the B occupancy showroom area. The existing wall is 2 hour rated. If it is determined that the separation must be a fire wall, it must be a 3 hour structurally independent fire wall. The existing walls are area separation walls in accordance with pre-1998 codes and do not meet the structural stability requirements. The proponent advises that the building is classified as B occupancy (showroom and offices) and S-1 occupancy (vehicle service areas and storage) and of Type IIIB construction. The project also includes the renovation of the existing interior B occupancy area. The project does not include an increase in building area. The fire area to be increased is B occupancy. The project does not include any increase in the S-1 occupancy area. The hardship is, the renovation project is being required by Chrysler’s corporate offices. To construct a new 3 hour fire wall to separate the enclosed area, would in part defeat the purpose of the building upgrade.

AI (b) *The plumbing fixtures, including the emergency eye wash station and showers, will not be provided as part of this project.* The exterior under roof vehicle display area, currently with 2 open sides, will be enclosed with new exterior walls on the 2 open sides. The proponent advises that this project does not include any increase of the vehicle service area, or increase in employee or public occupant load. The hardship is the cost of providing plumbing facilities for which there is no benefit to public welfare.

13-09-43 CI **Stratton – Karstetter Funeral Home Chapel – Addition – Versailles** Project #363617
The code required sprinkler system will not be provided in the building. The sprinkler is required due to the calculated occupant load in excess of 300 in the existing building, plus the 751 sq. ft. chapel addition. The building is classified as A-3 occupancy of Type

VB construction. The existing building area is 7,838 sq. ft., which includes an existing chapel, secondary chapel, casket display room and other support functions as indicated on the attached plan. The proponent advises that a fire alarm system will be provided in the building. An exterior exit will be added in the addition. The maximum travel distance will be less than 50 feet from the addition. The hardship is the cost of the sprinkler system, which is estimated at \$43,000.00, the cost of extending a fire protection line to the building, and the cost of the backflow preventer, valves, etc. The cost of the project is estimated at \$75,000.00. The imposition of the rule will cause the project to be abandoned.

13-09-44 BI **Washington County Jail – Addition – Salem** Project #364934
The code required fire rated glazing will not be installed in the smoke barrier alongside the central control room and will instead have nonrated security glazing installed. The building is I-3 occupancy of Type IIB construction. The proponent advises that the building is fully sprinklered. The 2012 IBC in Section 408.7 permits security glazing in a smoke barrier wall per Section 709, where the glazing is protected on each side by closed spaced sprinklers and complies with the other conditions noted. The hardship is that there is no single glazing product available that meets security glazing and fire rating requirements and adding parallel fire rated glazing assembly alongside the security glazing, would be a significant cost hardship and also potentially compromise the view through the glazing.

13-09-45 CI **Chef Suzanne – Fishers**
The new 2nd floor structure and stair will be of combustible construction. The code states that unless meeting one of the exceptions in Section 603.,1 the building elements in Type IIB construction are required to be of noncombustible construction. The proponent advises that the building is a multi-tenant structure, originally designed for small office/business tenants. The tenant space footprint will be 1,200 sq. ft. and the new 2nd floor will be approximately 830 sq. ft. in area. The 2nd floor will be constructed within the tall 1 story volume. The space will be a catering kitchen, classified as B occupancy and will be Type IIB construction. The stair and floor structure, including structural decking, will be fire retardant treated wood, which is impregnated with chemicals during manufacture. When tested per ASTM E84, the treated wood has a flame spread index of 25 or less, and is also required to withstand an additional 20 minute period of time under the test and show no evidence of significant progressive combustion. For comparison, exposed interior finishes in a B occupancy are permitted to have a flame spread index of up to 200 per Table 803.5. The hardship is the cost to construct the floor and stair of noncombustible (steel or concrete) construction. Other tenant spaces have 2nd floors built in this complex with combustible construction.

13-09-46(a)(b) **Nanshan America – AAT – Cast House – Lafayette** Project #364126
NVRI (a) *The code required emergency shower, eyewash station, service sink, drinking fountain, lavatory, water closet, or urinal per Table 29 will not be provided in the new electrical equipment room (classified as an S-1 by Plan Review) and added to the H-2/H-3 occupancy. The code cited by plan review requires the electrical equipment room to be provided with plumbing fixtures per Table 29 of the S occupancy classification. The*

proponent advises that the proposed 2014 Indiana Building Code will not require these items for S-1 occupancies or electrical equipment rooms. Other portions of the complex will have restroom facilities. The hardship involves the interpretation and application of this code section to an electrical equipment room and the cost of providing the fixtures and the hazard that would be introduced by the installation of the fixtures in an electrical room.

NVRI (b) *The new electrical equipment room will not be sprinklered as required by Plan Review.* The proponent advises that NFPA 13 Section 8.15.10.3 does not require sprinklers when the electrical room is separated by two hour fire rated construction, only dry type electrical equipment is used, and the room is only used for electrical equipment. The design meets these requirements. The hardship is the sprinkler standard does not require sprinklers to be installed in the electrical equipment room and the cost and possible hazard are also part of the hardship.

13-09-47(a)(b)(c)(d)(e)(t)(g) **The Lofts at Pulliam Square – Indianapolis**

- CI (a) *The code required structurally stable fire walls will not be provided and 2 hour fire barriers will be used instead.* The separation will be used to separate the new construction from the existing parking garage and portions of the 4 story apartment structures above the Type IA podium into separate building areas. The areas defined by the walls in question will be considered separate buildings. The project involves the construction of Type VA wood frame apartments over a commercial/retail Type IA structure. The construction will adjoin an existing parking garage of Type IIA construction on the northeast corner of the site. The proponent advises that the Type IA building will be protected throughout with an automatic sprinkler system per NFPA 13 and the Type VA construction will be protected with a sprinkler system per NFPA 13R. The existing parking garage is a concrete constructed open air nonsprinklered building. The lower podium building will be separated from the upper 4 story building with a 3 hour floor assembly, as required. The hardship is due to the different types of construction types involved. The cost of providing full structural stability for all fire walls would be excessive. The different construction types are required to make the project economically viable. Existing exterior cmu walls on the parking garage will be used for the separation for the garage.
- CI (b) *The 4 story R-2 occupancy buildings of Type VA construction to be constructed over the Type IA podium building, will be protected with an NFPA 13R sprinkler system which code permits NFPA 13R sprinklers to be installed in buildings up to 4 stories in height.* The proponent advises that the code in Section 509.2 of the 2008 IBC permits the upper building to be considered as a separate 4 story building for purposes of construction type and allowable area. The upper building is within the allowable area permitted per the IBC without the use of an NFPA 13 sprinkler system. The lower podium building will be of Type IA construction and protected with an NFPA 13 sprinkler system and separated from the upper 4 story building with a 3 hour floor assembly. The hardship is the cost of providing a full NFPA 13 sprinkler system in the 4 story R-2 occupancy building due primarily to the requirement to provide sprinkler protection within the attic and open web floor joist cavities.
- CI (c) *The code allowed 60 feet height permitted by Section 504.2, based on the NFPA 13R sprinkler system, in the upper 4 story R-2 occupancy of VA construction, over the Type IA*

podium building, will exceed the allowable height to a height or approximately 73 feet from grade plane to the roof surface. The proponent advises that the upper Type VA construction is within the allowable area and height in stories permitted per the IBC, without the use of an NFPA 13 sprinkler system. The lower podium building will be of Type IA construction and protected with an NFPA 13 sprinkler system and separated from the upper 4 story building with a 3 hour floor assembly. Class I standpipe outlets will be provided throughout the building as required for building having a floor level located more than 30 feet above grade to facilitate fire fighting. The hardship is the need for the clear height on the 1st floor to accommodate the retail components planned. The additional hardship is the cost of providing a full NFPA 13 sprinkler system in the 4 story R-2 occupancy building.

- BI (d) *There will be residential dwelling units, R-2 occupancy, located in a portion of the podium Type IA building. The current IBC does not permit R occupancies in the lower building.* The proponent advises that the dwelling units in the lower level building will be protected with an NFPA 13 sprinkler system. The dwelling units will be constructed as required for the Type IA podium building (with the exception of the interior fire retardant treated wood stairs, within the units, per the other variance filed). The units will exit directly to the outside. The 2012 and 2013 IBC will permit R-2 occupancy to be located within the lower building for podium type arrangements per Section 510.2. The hardship is the lower level dwelling units are an important feature of the project.
- BI (e) *A portion of the Type IA podium building will have 2 story dwelling units. The Type IA building is permitted to be a maximum basement and 1 story above grade plane building.* The proponent advises that the dwelling units in the lower level building will be protected with an NFPA 13 sprinkler system. The dwelling units will be constructed as required for the Type IA podium building (with the exception of the interior fire retardant treated wood stairs, within the units, per the other variance filed). The 2 story dwelling units will be separated from the Type VA construction above with a 3 hour floor assembly. The 2 story dwelling units exit directly to grade. The hardship is the lower level 2 story dwelling units are an important feature of the project.
- CI (f) *The 2 story dwelling units located within the Type IA podium building will have stairs constructed of fire retardant treated wood and based on the Type IA construction required for the podium building, the stairs are required to be constructed of noncombustible materials.* The proponent advises that the dwelling units in the lower level building will be protected with an NFPA 13 sprinkler system. The dwelling unit construction will otherwise be noncombustible, fire resistive, as required for the Type IA podium building. The fire retardant treated wood is impregnated with chemicals during manufacture. When tested per ASTM E84, the treated wood has a flame spread index of 25 or less, and is also required to withstand an additional 20 minute period of time, subjected to the test, and show no evidence of significant progressive combustion. The hardship is the use of wood stair structure. The 2 story dwelling units will allow for an important feature in these street front units, and will save construction cost as well.
- CI (g) *The existing parking garage included in the project will have openings reduced on one side to the extent that each tier will fall just short of the required openings overall to retain status as an open parking garage per Section 406.3 and this in effect requires classification of the garage as an enclosed parking garage per Section 406.4 and requires mechanical ventilation, the variance request is to permit the garage to utilize the*

remaining existing exterior openings for ventilation and add assistance mechanically to offset the loss of a portion of the required exterior openings. The proponent advises to see the attached details of the mechanical design and data regarding exterior openings. The hardship is the imposition of the rule would require a complete mechanical exhaust, system which would entirely disregard the existing exterior openings.

- 13-09-48 CI **White Lick Commons -**
The code required NFPA 13R sprinkler system will not be provided for these apartments. The proponent advises that they will install NFPA 13D sprinklers. Each dwelling unit will be separated by a 1 hour fire separation or a 2 hour fire separation. The 2 hour separations will be located so that there are not more than 2 units between the 2 hour separations. The hardship is the cost of the NFPA 13R system which is estimated to be 50% more than the NFPA 13D system. The water utilities are sized for 1 and 2 family dwellings. The fire sprinkler system will be connected to the water line. According to the plans, there will be 12 buildings in the complex. The sizes are two 4 units, one 5 units, five 6 units, three 7 units and one 8 unit. There is no information as to the number of stories or exits from the buildings.
- 13-09-49 C **Crepe Guys Tenant Finish – Indianapolis** Project #364507
The code required sprinkler system will not be provide for this A-2 occupancy tenant space. The proponent advises that the tenant space is divided from the next occupancy by a three hour fire resistive fire wall to the east and a one hour fire resistive fire barrier to the west wall. Based on the west wall being a one hour fire barrier the fire area and occupant load is based upon the entire building. The tenant space is under 100 occupants and less than 5,000 sq. ft. The proponent advises that the west wall will have a paint product applied that will add additional fire resistive value greater than 2 hours. He advises that the engineering test judgment letter was enclosed, but it was not. The space does not grill, fry or have a cooking process that produces grease laden vapors. The cooking is limited to crepe warming appliances. The hardship involves the cost and difficulty to upgrade the existing 1 our fire barrier without interfering with the adjacent tenant.
- 13-09-50(a)(b) **Home Acres Building Supply – Indianapolis**
C/NVRI (a) *The existing warehouse buildings have some high piled storage of lumber, ceiling tiles, rubber mats, gypsum board, etc.* The Indianapolis Fire Department has cited the owner for lack of a sprinkler system and that sprinkler system will not be provided. The proponent advises that the buildings and storage conditions have existed since 1975. Two of the buildings have open sides. There have been no fire incidents that they are aware of at this facility. The high-piled conditions do not exist throughout the two buildings. They provide generous aisles. The hardship is the cost to provide sprinklers, roads, smoke and heat vents. They advise that these conditions have existed prior to the adoption of the Commission.
C/NVRI (b) *The existing warehouse building has four 55 gallon drums of diesel fuel, totaling 220 gallons potentially, to fuel the fork trucks. The code limits exempt storage of Class II combustible liquids to 120 gallons and open dispensing to 30 gallons.* The proponent advises that the buildings and storage conditions have existed since 1975.

There have been no fire incidents that they are aware of in that time. The hardship is the cost of providing sprinklers.

13-09-51

BI

Clarks Crossing – Vincennes

The existing three story school of Type IB construction, constructed in 1916 will be converted to senior apartments and there will be a Section 3410 conversion done and there will be some negative points given causing the evaluation to not pass due to the three story open stairs and the existing non-rated corridor doors. The proponent advises that there will be a new sprinkler system installed per NFPA 13. The floor openings where the stairs penetrate the floors, will be protected by draft curtains and closed spaced sprinklers in accordance with NFPA 13. The existing non-rated corridor doors will be protected by close spaced sprinklers on the room side and the doors will be provided with closers. The corridors are provided with a new smoke detection system. Apartments are provided with single station smoke detectors as required by code. The hardship is the need to keep the historical open stairs and existing solid wood corridor doors.

13-09-52(a)(b)

CI

The Lebermuth Company – South Bend

(a) The code required occupancy separation walls will not be provided between the existing warehouse and the new H-3 occupancy, which is being used to store and process flammable and combustible materials required to produce and extract oils, fragrances and flavors. The proponent advises that the building is protected with a pre-primed foam sprinkler system and hydraulically calculated for a .30 gpm over 2,000 sq. ft. and storage areas will include 3 in rack sprinklers on each of two levels flowing 30 gpm. The hydraulic calculations will include a 500 gpm hose allowance with NFPA requirements. All office areas will be protected for light hazard occupancy of .10 gpm over 900 sq. ft. with the exception of the mechanical and storage rooms which will be protected for ordinary hazard group I and II respectively. Class IA liquids are not used or stored. The hardship is constructing additional fire separation walls within the facility is not financially feasible. The location and area of the facility meets the owner's needs and the use of the special suppression systems will offset deficiencies of the existing building.

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(b) The warehouse production and storage area will be classified as an H-3 occupancy and will be over allowable area, according to code. The existing warehouse is designed as a storage facility; the new use will be to store and process flammable and combustible materials, required when producing and extracting oils, fragrances, and flavors. The proponent advises that the building is protected with a pre-primed foam sprinkler system and hydraulically calculated for a .30 gpm over 2,000 sq. ft. and storage areas will include 3 in rack sprinklers on each of two levels flowing 30 gpm. The hydraulic calculations will include a 500 gpm hose allowance with NFPA requirements. All office areas will be protected for light hazard occupancy of .10 gpm over 900 sq. ft. with the exception of the mechanical and storage rooms which will be protected for ordinary hazard group I and II respectively. Class IA liquids are not used or stored. The hardship is constructing additional fire separation walls within the facility is not financially feasible. The location and area of the facility meets the owner's needs and the use of the special suppression system will offset deficiencies of the existing building.

13-09-53(a)(b)

Smith and Sons Funeral Home – Building Addition – Columbia City

Project #361972

- CI (a) *The code required sprinkler system will not be provided in the new addition/renovated area of 3,187 sq. ft.* The sprinkler is required due to the calculated occupant load of 300 or more in the aggregated family room south and family room west areas. The calculated occupant load is 324 based upon an assumption of wall-to-wall seating and/or standing space in the entire area. The addition is classified as A-3 occupancy of Type VB construction. The addition will be separated from the existing building with a 2 hour fire wall. The proponent advises that the addition will be provided with a fire alarm system and a full smoke detection system. A smoke detection system is not required by code. The maximum egress travel distance will be approximately 100 feet which the code allows up to 200 feet. The addition will be used for viewing and funeral services and no food service will be involved. Alcohol will not be served at any time in the building. The building is not rented out to outside groups – it is for use only as a funeral home. The hardship is the cost of the sprinkler system.
- AI (b) *The code required service sink will not be provided in the addition.* The addition is classified as A-3 occupancy of Type VB construction. The floor surfaces is carpet throughout with the exception of the new toilet room. The mop sink is provided in the basement of the existing building. The hardship is the space taken by a feature that is not needed.

