

**COMMISSION MEETING MINUTES**

**Indiana Fire Prevention and  
Building Safety Commission**

Government Center South  
402 West Washington Street  
Indianapolis, Indiana 46204  
Conference Room B

October 4, 2011

1. Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was opened by Chairman David Hannum at 9:07 a.m. on September 7, 2011.

- (a) Commissioners present at the Commission meeting:

Diana M. H. Brenner  
Ron Brown  
Michael Christoffersen  
Tom Cloud  
Michael Corey  
David Hannum, Chairman  
John Hawkins  
Todd Hite, representing the Commissioner, Department of Health  
Matt Mitchell  
Ted Ogle, Vice-Chairman

Commissioners not present at the Commission meeting:

Kevin Goeden, representing the Commissioner, Department of Labor

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

Legal and Code Services:

Mara Snyder, Director, Legal and Code Services  
Shelly Wakefield, Manager, Code Technical Development  
Cecilia Ernstes-Boxell, Code Specialist  
Denise Fitzpatrick, Code Specialist  
John Haines, Code Specialist  
John Hibner, Code Specialist

- (c) James Schmidt, Deputy Attorney General, and Gary Bippus, Administrative Law Judge, were present.

2. Old Business.

Chairman Hannum called for any corrections or a motion to approve the minutes of the September 7, 2011 meeting as distributed. A motion to approve the minutes was made by Commissioner Corey, and seconded by Commissioner Mitchell. It was voted upon and carried.

3. Third Party Inspections.

NTA, Inc.  
305 N. Oakland Avenue  
Nappanee, IN 46550

A representative of Fire and Building Code Enforcement was not yet available. It was decided to delay the discussion until later in the meeting.

Commissioner Christoffersen was now in attendance.

4. Discussion of revised draft 2012 Indiana Plumbing Code (LSA Doc. #11-448).

A lengthy discussion was held regarding the revised draft of the 2012 Indiana Plumbing Code and conflicts found with the Indiana Department of Health and the Indiana Department of Environmental Management rules and regulations concerning piping depth and enforcement authority. It was decided to reconvene the Plumbing Code committee to discuss possible fiscal impact and language revisions, and to report to the Commission in November.

5. Approval of Boiler and Pressure Vessel Rules Board Emergency Rule

A copy of the rule had been provided to the members of the Commission. Dan Willis, Chief Inspector and Director of the Boiler and Pressure Vessel Safety Division, presented the rule which would bring the rule up to reflect current standards. Commissioner Ogle moved to approve, with the second by Commissioner Brenner. It was voted upon and carried.

6. Discussion of public comments on LSA Doc #11-84 (Proposed amendments to Chapter 11 of the 2005 Indiana Residential Code)

Copies of public comments submitted to Legal and Code Services had been provided to the Commissioners. Chairman Hannum asked for any comments or questions from the Commission. Mara Snyder, Director, Legal and Code Services, noted that the primary issue raised in the public comments was the addition of performance-based design to the proposed rule, specifically to the energy provisions. Chairman Hannum asked for specific examples of what had been requested to be added back into the rule. His attention was directed to the packet provided at each Commissioner seat which contained the proposed code change submitted by Craig Waggner. This would add Section 405 of the 2009 International Energy Conservation Code, and its related sections, to Chapter 11 the 2005 Indiana Residential Code because they're performance based. This was to allow the evaluation of your design against a base line using a computer tool such as ResCheck, thought by some to be a better way of doing an energy evaluation. Commissioner Hawkins stated that he felt the confusion comes in with the assumption that any of these methods will predict energy consumption at a particular house at a particular time, and they don't predict energy consumption per se. He felt they were just paths to compliance. Ms. Snyder expressed concern about adopting part of another code in which the language may not comply with rule-writing language requirements. John Hibner, Code Specialist, reviewed the September 26, 2011 memo second comment, having received

more information, and on the sixth comment which dealt with footnote terminology. Ms. Snyder expressed concern that, due to language, the table cited might not be made to work. Chairman Hannum felt work should continue.

7. Discussion of proposed non-rule policy document interpretation of 675 IAC 12-4-11(b)(2)(B)

Mara Snyder, Director, Legal and Code Services, had provided copies of a document which reflected the Commission's decision in order to confirm the list of documentation which had to be provided by the owner at the change of an occupancy classification. Following discussion, Commissioner Ogle moved to approve the non-rule policy as written by staff, with the second by Commissioner Brenner. It was voted upon and carried.

8.

Variances.

Tabled Variances.

Variance 11-08-37, Trailside Building, Indianapolis, was represented by Jason Clark of Schindler Elevator. The request was for the use of a machine room-less elevator using non-compliant ropes and suspension. Commissioner Corey moved to approve, with the second by Commissioner Brown. It was voted upon and carried. Variance 11-09-5, Golden Living Center Ceiling, Indianapolis, was represented by James McCain, Golden Living Center Brookview. The ceiling had not been altered since compliant construction in 1969, and staff felt no variance was required based on applicant testimony. Commissioner Ogle moved no variance required, with the second by Commissioner Christoffersen. It was voted upon and carried. Proponents for variance 11-09-10, Bonn Building, Fishers, requested the application be tabled. Commissioner Ogle moved to table, with the second by Commissioner Cloud. It was voted upon and carried. Variance 11-09-16, Calvary Baptist Church, Crawfordsville, was represented by their minister, Randall Glenn. Commissioner Brown had asked about the exiting from the addition, and was shown on the plans where an exit door had been placed. Following discussion, Commissioner Haskins moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried with one nay. Variance 11-09-34, Fulton Community Center, Rochester, was represented by Doug Trent, RTM Consultants, and, Diane Zipperman and Lt. Col. Alan Miller of the Fulton Community Center. The request was to omit the sprinkler system in this rural setting. Three sets of double doors were to be added to the gymnasium, and the wall was to be of concrete block. A cost of over \$50,000 was submitted for tank, pump and piping/heads for a sprinkler system. There will be a warming kitchen with 2 conventional stoves and refrigerators. The area is low to moderate income, with 20% of the population over 62 years of age, and fundraising opportunities are limited. The cost of a sprinkler system would mean the project could not go forward as planned with the budget they have. Commissioner Christoffersen moved to approve with the condition that the wall in the drawing running horizontal between the gymnasium and the community room/kitchen be masonry and that a third set of exit doors be put into what would be the right hand side of the drawing near the kitchen. Commissioner Brenner made the second. Commissioner Brown asked what the maximum occupancy of the building would be. Mr. Miller stated that with seats side by side and row after row would be 400, with tables and chairs for a wedding reception or banquet would be 250 to 300. But he did not foresee the audience-style use of the building. It was voted upon and carried.

**Breaking and reconvening.** Chairman Hannum recessed the Commission for a short break. He then reconvened the meeting.

Chairman Hannum returned to the beginning of the agenda to hear the Third Party Inspection application for NTA, Inc, listed as item 3 on the agenda. Walter Knaepple, Fire and Building Code Enforcement, introduced the application and recommended approval for a period of one year. Commissioner Christoffersen moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

Returning to the tabled variances, Chairman Hannum noted the request to add a "B" variance to #11-09-35, Geist Chapel Addition, Indianapolis. Ms. Snyder said copies had not been provided for the Commissioners and staff had not reviewed it, though Tim Callas, J & T Consulting and proponent for the variance, assured them it was a simple issue. The additional application was complete except for the design professional signature, which the proponent said could be provided yet that day. He was allowed to proceed. Variance (a) was to allow the second floor balcony to be enclosed to prevent further damage to the first floor area and to create a new fellowship area on the second floor. The existing occupant load is 276

persons, but the City of Indianapolis is calculating it at over 300 which triggers the need for a sprinkler system. The plan reviewer for the city stated he would accept the lower occupancy if the variance were granted. Variance (b) was to omit the fire alarm system. They would like to limit the occupant load to 49 persons, and reverse one door swing in the Nave to provide the second exit. Mara Snyder, Legal and Code Services, expressed a concern about self-limiting occupant loads, no sprinkler systems and available exiting creating a public safety issue. Reverend Luis Lierena also addressed the Commission, adding information about the use of areas and programs of the church. A door would be added to create a 1-hour corridor from the Nave. Commissioner Brenner made a motion to approve (a) with the condition that a 1-hour corridor would be created from the Nave directly to the exterior. Commissioner Christoffersen made the second. It was voted upon and carried with one nay. Variance (b) was to omit the fire alarm system. Costs of retrofitting wiring would be cost-prohibitive. Battery-operated smoke alarms are currently installed in the rooms. Commissioner Brenner moved to table so the proponent could find the cost of an alarm system since they are not providing a sprinkler system. Commissioner Ogle made the second. Following further discussion, it was voted upon and carried. Variance 11-09-45, Fitness Center Expansion, Indianapolis, did not have a proponent present. Commissioner Christoffersen moved to table, with the second by Commissioner Ogle. It was voted upon and carried. Variance 11-09-62, King Systems Dip Line Project, Noblesville, did not have a proponent present. Commissioner Brown moved to table, with the second by Commissioner Corey. It was voted upon and carried. Variance 11-09-65, US Steel #1 Caster Elevator, Gary, was represented by Robert Reinhardt of ThyssenKrupp Elevator. A new controller was to be installed on the #1 Caster elevator used for the movement of product. An emergency brake is required by code, and a rope gripper to stop unintended movement was to be used to satisfy this requirement. However, a gripper large enough to handle one inch ropes is not readily available and would have to be custom-made, tested and certified to comply. The request was to omit the gripper. Following discussion, Commissioner Christoffersen moved to approve with the second by Commissioner Hawkins. It was voted upon and carried. Commissioner Corey abstained.

Regular Variances.

Chairman Hannum called for any abstentions. Commissioner Cloud abstained from voting on 11-10-24, Mill Race Center, Columbus, and 11-10-41, Near Eastside Legacy Center, Indianapolis. Commissioner Hawkins abstained from voting on 11-10-5, College Hill Apartments, Paoli.

The following variances were approved as submitted:

- (1) 11-09-3 1717 N. Lincoln Windows, Bloomington
- (2) 11-09-7 438 Northlane Drive Windows, Bloomington
- (3) 11-09-12 Dayton Freight Elkhart Fuel, Elkhart
- (4) 11-09-14 2422 S. Cottonwood Circle Windows, Bloomington
- (5) 11-09-17 Lucas Oil Stadium Suites, Indianapolis
- (6) 11-09-19 1002 E. Atwater Avenue Windows, Bloomington
- (7) 11-09-20 3040 S. Rockport Road Windows, Bloomington
- (8) 11-09-21 573 E. Graham Place Windows, Bloomington
- (9) 11-09-22 583 Graham Place Windows, Bloomington
- (10) 11-09-24 Park Tudor School Accessibility, Indianapolis
- (11) 11-09-25 Holiday Inn Express, Edinburgh
- (12) 11-09-27 South Central High School Storage/Press Box, Elizabeth
- (13) 11-09-28 Elkhart General Hospital Psychiatric Unit, Elkhart
- (14) 11-09-29 Plainfield High School, Plainfield
- (15) 11-09-31 Thompson Residence Guardrails, St. John
- (16) 11-09-33 Lawrenceburg Village, Lawrenceburg
- (17) 11-09-36 IU Hospital Linear Accelerator & CT Simulator Build-Out, Indianapolis
- (18) 11-09-38 Riley Hospital for Children at IU Health Phase Va.2, Indianapolis
- (19) 11-09-42 Flexible Materials Inc. Truck Loading Addition, Jeffersonville
- (20) 11-09-44(b) IUPUI Science Engineering Lab Building, Indianapolis
- (21) 11-09-50 Thai Orchid Restaurant, Plainfield
- (22) 11-09-51(c)(d) McOuat Building Renovation, Indianapolis
- (23) 11-09-54(c) Insurance Center Apartments, Indianapolis
- (24) 11-09-57 Scotty's Burger Joint, Columbus

- (25) 11-09-63(a) Wayne Twp. Fire Station #82 and Government Center, Indianapolis
- (26) 11-09-64 Sycamore Terrace Apartments, Terre Haute

The following variances were heard separately:

- (27) 11-09-1 Casey's General Store Elkhart  
11-09-4 Casey's General Store Tipton  
11-09-8 Casey's General Store Petersburg  
11-09-9 Casey's General Store Terre Haute

Following directions from the Commission concerning vestibules in building areas under 3,000 square feet, staff had rated the Casey variances as not required. Commissioner Christoffersen moved no variance required, with the second by Commissioner Brenner. Bonnie Robison, Plan Review, then addressed the Commission. She related the difficulties her division was having with incomplete CDR applications not showing dimensions on the plans which would allow them to calculate the square feet and need for a vestibule. When questioned if his motion was for all four variance applications, Commissioner Christoffersen answered yes. Commissioner Brenner withdrew her second. Commissioner Hawkins then made the second. It was voted upon and carried with two nays.

- (28) 11-09-2 305 E. 18<sup>th</sup> Basement Remodel, Bloomington

John Stevens, owner, spoke as proponent. The basement of a home constructed in 1962 had been converted to sleeping quarters. When inspected for their rental permit, the basement ceiling height was found to be noncompliant by three inches. The owner had installed doors to the exterior from the bedrooms, and had provided interconnected fire alarms. The ceiling height is 80 inches at its shortest point. The request was to allow this condition. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried.

- (29) 11-09-5 Golden Living Center Basement Ceiling, Indianapolis

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

- (30) 11-09-6 Lafayette Landing, Indianapolis

No proponent was present. The variance, a request for electrical receptacles over 36" kitchen cabinets, had been rated as no variance required by staff during their review. Following discussion, Commissioner Christoffersen moved no variance required, with the second by Commissioner Hawkins. It was voted upon and carried.

- (31) 11-09-10 Bonn Building, Fishers

Jim Logan, managing agent, spoke as proponent. The four year old, sprinklered building had retail on the first floor, and retail and offices on the second. During an inspection, the elevator was found to lack the required two-hour fire rated shaft. A fire alarm had been installed, and the shaft fire caulked. The elevator inspector wouldn't allow the installation of a sprinkler in the shaft. The request was to allow no sprinkler head in the shaft. After discussion of the possible use of a sprinkler and shunt trip to comply

with the code, Commissioner Brenner moved to table to allow time for research by the proponent. Commissioner Christoffersen made the second. It was voted upon and carried.

- (32) 11-09-11 FTW, Inc. Emergency Phones, Ft. Wayne

No proponent was available. The request was to allow the removal of obsolete phones from each floor and stairwell level. The application, which still lacked the code section and local building official proof of notification, had been rated as an "A" by staff. Following discussion, Commissioner Christoffersen moved to approve with the condition that the proper paperwork had been filed within ten days. The second was made by Commissioner Brown. It was voted upon and carried.

- (33) 11-09-13 Barson Residential Pool, Zionsville

Marge Michaels, Pools of Fun, spoke as proponent. An in-ground pool had been installed at the Barson home, and, when inspected, the stairs were found to be noncompliant by three inches. The stairs, molded into the side of the pool, are not correctable. The manufacturer, however, when notified of the code issue, changed design to comply in the future with the Indiana code. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Brenner. It was voted upon and carried.

- (34) 11-09-15 IDNR Six-Bay Storage Building, Corydon

Ron Peterson, an engineer for DNR, spoke as proponent. An office and sleeping room had been added to a six-bay garage as a convenience for interns involved in studies in the area, and occupancy would be intermittent. The request was to omit the required sprinkler. One person would occupy the sleeping room which will exit directly to the exterior. A fire alarm, interconnected to smoke detectors for the whole building, would be installed. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Brenner. It was voted upon and carried.

- (35) 11-09-16 Calvary Baptist Church, Crawfordsville

The proponent had been unable to attend, and had requested that, should there be any questions, the application be tabled. Commissioner Brown moved to table, with the second by Commissioner Mitchell. It was voted upon and carried.

- (36) 11-09-18 Dreyer Reinbold BMW Remodel and Addition, Greenwood

No proponent was available. The request was to omit vestibules in the service area of the garage. Commissioner Hawkins felt the doors into a service area could be exempt per the commentary. A lengthy discussion was held concerning the interpretation of entrances into a building, and how they are looked at in their relation to the need for vestibules. Bonnie Robison, Director, Plan Review, also participated in the discussion. Commissioner Christoffersen moved that no variance was required, with the second by Commissioner Mitchell, because vestibules weren't required at entrances other than main entrances. It was voted upon and carried. Commissioner Hawkins noted that if the ADA required accessibility for the entrance, then it would need a vestibule.

4. **Breaking and reconvening.** Chairman Hannum recessed the Commission at 9:45 a.m. He then reconvened the meeting, calling it back to order at 10:00 a.m. Commissioner Brenner was not in attendance.

(37) 11-09-23 Teach Real Estate, Elkhart

Evor Johns, Progressive Engineering, spoke as proponent. The 1969 building had a 4-hour wall with the openings that were not permitted under the 1968 Indiana Rules of Construction. The request was to allow the 18 foot high wall, with a 3-hour opening, to serve as the 60 foot side yard. Both additions are sprinklered, and the enclosed connector between the two buildings was now to be sprinklered. The construction of interior separations to subdivide the structure would interfere with operations and require costly alterations to the lines. Following discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried.

(38) 11-09-26(a)(b)(c)(d) Fashion Mall at Keystone Additions, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. An existing mall, fully sprinklered, is being renovated and adding additional square footage. It will be connected to two open parking garages and a sprinklered hotel by a bridge. The request in (a) was to allow the increase in area and yet have the mall retain its unlimited area classification that was achieved through previously granted variances. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Brown. It was voted upon and carried. The request in (b) was to allow the food court, relocated to the first floor, to be considered an accessory use and not separated by multiple fire walls as required for this additional assembly space. The food court is 3% of the area in the sprinklered building. Following discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried. Variance (c) was a request to omit sprinklers with a shunt trip in the hoistway of the observation elevator. Following discussion leading to the opinion that the glass walls of the elevator did not constitute a shaft, Commissioner Christoffersen moved that no variance was required. Commissioner Hawkins made the second. It was voted upon and carried. The request in variance (d) was to allow two dead-end corridors during construction. The first phase would be until October 3<sup>rd</sup>. The second phase would begin with the closure of an exit following the Superbowl, and last approximately one year until the project is completed. During this period, customers would be directed through other stores for emergency exiting. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried.

NOTE: Upon review by staff of the fully executed application for variance (d), the variance was requested for the 2008 Indiana Fire Code and staff did not make that correction at the time of the Commission action. A revised notice of Commission action has been issued.

(39) 11- 09-30 East North Shore Townhouses, South Bend

Doug Trent, RTM Consultants, spoke as proponent. An existing building is being renovated and divided into four residential units and the request was to omit the sprinkler system. An enclosed parking garage, consisting of 8 spaces for the residents, will be underground and partially extend under the building. The garage, with reinforced concrete construction, will be separated by a 2-hour fire barrier from the residential area. Each unit has an independent door, with closers, to the garage and their storage area. Following discussion, Commissioner Christoffersen moved to approve with the conditions that 45-minute rated storage doors are used, smoke detectors were to be installed both inside and outside the storage areas, and that a ventilation system which complies with requirements for an S-I occupancy be installed in the garage. Commissioner Cloud made the second. It was voted upon and carried.

(40) 11-09-32(a)(b) Pike Preparatory School, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. An alternative high school program is being established in an existing office area of a strip mall. A change of use score sheet under Chapter 34 for the entire building would not pass. The request in (a) was to use only the portion of the existing building being occupied by the school for the score sheet. A new sprinkler system will be installed in the school space, and a 2-hour fire barrier will be constructed between the school located at the end of the building, and the adjacent use group. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried. Variance (b) was a request to allow unrated corridors. A structurally independent fire wall or the entire building being sprinklered, requirements for unrated corridors, are not within the capabilities of the school system. The area occupied by the students will be sprinklered, and a fire barrier is to be erected between the school and the adjacent neighbor. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried.

(41) 11-09-34 Fulton Community Center, Rochester

Doug Trent, RTM Consultants, spoke as proponent. The proposed center will be an A-2/A-3 occupancy, and will require sprinklers. The building is located between fifteen and eighteen miles from the nearest public water system, and relies on a well for water. The request was to omit the sprinkler system. The building will be provided with a fire alarm system and smoke detection. The storage area is separated by a 1-hour fire barrier. With a calculated occupancy load of 693, the exiting provided will handle 1,000. Following a discussion of alternative sprinkler systems, Commissioner Christoffersen moved to table to allow the proponent time to gather cost information and additional options. Commissioner Hawkins made the second. It was voted upon and carried.

(42) 11-09-35 Geist Chapel Addition, Indianapolis

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

(43) 11-09-37(a)(b) UAP Clinic, Terre Haute

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. Variance (a) was a request to allow the use of 4 inches of normal concrete to support fire barriers, exit stairs, elevator shafts, etc. instead of the 2.5 inches of lightweight concrete allowed by code. Per Section 706.5, exception five of the Indiana Building Code, this is allowed. Following discussion, Christoffersen moved that no variance was required, with the second by Commissioner Hawkins. It was voted upon and carried. Variance (b) was a request to omit the 2-hour separation of the basement and first floor, as required by code, due to one exit stair discharging across the first floor. Travel distance in the sprinklered building from the stair to the exit is 25 feet. The floor between the basement and first floor is 4 inch normal weight concrete. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried.

(44) 11-09-39 Monkey Joe's, Indianapolis

Doug Trent, RTM Consultants, spoke as proponent. This recreation/playscape/party room for children will be located in a mall which had been granted a variance allowing it to be evaluated as unlimited area. The inclusion of the assembly occupancy creates a mixed occupancy condition, and it would no longer be eligible for unlimited area. The request was to allow the inclusion of the assembly occupancy. The area will be separated by 2-hour fire barriers from neighboring tenants in the fully sprinklered building. Monkey Joe's would be only 3.5% of the total area of the shopping center. Following discussion of the

plans submitted showing a masonry wall between the unit and its neighbor, Commissioner Hawkins moved to approve. Commissioner Brown made the second. It was voted upon and carried.

- (45) 11-09-40 Aspen Lakes Apartments Phase 2 Buildings 9-13, Indianapolis

Tim Callas, J & T Consulting, spoke as proponent. Also presenting was owner Richard Hockema. The request was to omit the code-required 1-hour fire resistant stair enclosures for buildings 9 through 13 of the second phase of construction. The first phase has open concept stair systems, and the tenants prefer them as they do not provide hiding spots for people. The stairways will be protected by close space sprinklers and draft curtains. Following discussion, Commissioner Hawkins made a motion to approve with the condition that draft curtains were to be installed on all levels. Commissioner Brown made the second. It was voted upon and carried.

- (46) 11-09-41(a)(b) Jasper High School Temporary Exterior Wall, Jasper

Ed Rensink, RTM Consultants, spoke as proponent. The roof on the existing gymnasium collapsed during the spring, and was going to be replaced by a new structure. A temporary wall was erected to close off the rest of the building from weather and reconstruction. The request in (a) was to allow the use of materials which do not comply with requirements for a combustible exterior wall covering. The 2 story wall is metal stud framing with a finished layer of 5/8" Type X gypsum board inside and 5/8" Dens-glass on the exterior. All joints and penetrations are to be sealed with a spray applied rubber membrane material to waterproof. The temporary wall will be removed as quickly as possible, with the expected completion date of December 2012. The local fire department submitted a letter of support. Following discussion, Commissioner Hawkins moved to approve with the condition that the variance was valid until December 2012. Commissioner Christoffersen made the second. It was voted upon and carried. Variance (b) was to allow an altered means of egress adjoining the former gymnasium structure during construction. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried.

- (47) 11-09-43(a)(b)(c)(d) The Avenue, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. In variance (a) the request was to be allowed to use 2 bearing walls, with joints suitably protected, as fire walls to separate 2 structures. The City of Indianapolis will not accept this condition. The use of double fire walls that are not structurally independent meets the criteria of structural stability, and has been accepted for decades. Following discussion, Commissioner Hawkins moved that no variance was required, with the second by Commissioner Christoffersen. It was voted upon and carried. Variance (b) dealt with accessible balconies in 6 Type B units. The balconies in the 6 second floor units are 6 inches higher than the living room floor level, and you must step down to enter the unit from the balcony. A ramp system may be installed to provide accessibility if required. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried. Variance (c) was to allow an existing historic single family residence to have a small public kitchenette, bathhouse and mechanical room addition separated by a 1-hour fire barrier, but not sprinklered. The existing building will be used to support the pool area. Following discussion, Commissioner Brown moved to deny, with the second by Commissioner Mitchell. Motion did not carry. Following further discussion, Commissioner Brown moved to approve with the condition that a 13R sprinkler system and 1-hour fire barrier be installed. Commissioner Christoffersen made the second. It was voted upon and carried. Variance (d) was a request to amend a previous variance on the project due to misreading the code involved. The request was to replace a 3-hour fire wall with a 2-hour fire wall in the horizontal exit into the parking garage. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried.

- (48) 11-09-44(a) IUPUI Science Engineering Lab Building, Indianapolis

Ed Rensink, RTM Consultants, and James Hill, BSA Lifestructures, spoke as proponents. The request was to allow the staff support area outside the third floor animal holding area to have both exits empty into the same stair, which discharges directly to the exterior at grade, via two means of egress. The area, not open to the public at any time, has one exit stairway door controlled by a card reader. This electronic lock will fail open at alarm activation or loss of power. The entire area is sprinklered. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried.

5. **Breaking and reconvening.** Chairman Hannum recessed the Commission for lunch at 11:59 a.m.. He then reconvened the meeting, calling it back to order at 1:04 p.m.

- (49) 11-09-45 Fitness Center Expansion, Indianapolis

Stephanie Schroeder, property manager, spoke as proponent. The business is expanding to include a conference room. The request was to allow the use of a magnetic locking device with card reader in the expansion, as had previously been installed in the main entrance. This will allow all doors to match, and would be the least costly of their options. A motion sensor and emergency egress pull station would be provided for exiting. Following discussion, Commissioner Hawkins moved to table to allow the proponent time to explore other options. Commissioner Cloud made the second. It was voted upon and carried.

- (50) 11-09-46 St. Pauls New Gymnasium Project, Bremen

Tim Callas, J & T Consulting, spoke as proponent. The request was to omit sprinklers in the gymnasium addition. The calculated occupant load is 300, and the primary use of the space is that of a gymnasium. Large assemblies are to be held in the school or sanctuary. The addition will be separated by a 2-hour fire wall. There will be four exits and a horizontal exit provided, and storage areas are separated by 1-hour fire barriers. The kitchen facilities serve as a warming kitchen. The closest access to water is 830 feet away, would require the road to be closed to tap the line, and would be approximately 25% of their budget. Following discussion, Commissioner Hawkins moved to approve with the condition that the 2 single doors on the north end are made double doors. Commissioner Christoffersen made the second. It was voted upon and carried with one nay.

- (51) 11-09-47 Nanshan America, Lafayette

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. Ron Ritchey, Lafayette Fire Department, also appeared. The local fire officials had requested the application be called out for individual discussion. The location of the manual controls for the smoke removal system fans had become an issue between the owner and the local fire department. The owner wished to have them toward the center of the building and the fire officials wanted them by the exterior wall. Following discussion, Commissioner Christoffersen moved to approve with the condition that the local fire officials must approve the location of the fan controls. Commissioner Brown made the second. It was voted upon and carried.

- (52) 11-09-48 Merrill Lynch Security Doors, Indianapolis

Dave Sitkowski, project manager, spoke as proponent. The request was to allow the use of 2 sets of doors at either end of the elevator lobby in lieu of fire shutters, and to control access to the tenant space

by means of a card reader. The magnetic locks will release at alarm activation. Following discussion, Commissioner Hawkins moved to approve with the condition that the locks must be interlocked to the fire alarm system. Commissioner Christoffersen made the second. It was voted upon and carried.

- (53) 11-09-49(a)(b)(c) North of South, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The proponent explained that these three variances had been resubmitted at the request of the Commission. Variance (a) clarified occupancy of the first floor. It will include A, B, and M use groups. The first floor will have a 13 sprinkler system, and the residential areas will have a 13-R system. Commissioner Hawkins moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried. Variance (b) was to allow PVC roof drains, and to clarify that the first floor would include A, B and M use groups. Commissioner Christoffersen moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried. Variance (c) was to allow roof bedrooms in some units, and to clarify that the first floor would include A,B, and M use groups. Commissioner Hawkins moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried. The proponent also advised Commission that the name of the project had been changed from North of South to CityWay.

- (54) 11-09-51(a)(b) McQuat Building Renovation, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. In variance (a), a shotgun-style building will have trash chute on floors two through seven open directly into the rated corridor serving the residential units. With the width of the building at 40 feet, the required vestibule would greatly reduce space available for tenants. The building will be protected with an NFPA 13 system, a smoke detection system, and gasketed 90 minute rated trash chute doors. Following discussion, Commissioner Christoffersen moved to approve with the second by Commissioner Mitchell. It was voted upon and carried. Variance (b) was to allow the elevator to exit directly into the exit passageway on the first floor instead of a lobby. The elevator is being installed in an existing shaft which cannot be separated from the exit passageway. The elevator doors will be fire rated. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried.

- (55) 11-09-52(a)(b)(c) Lebanon High School, Lebanon

Ed Rensink, RTM Consultants, spoke as proponent. Variance (a) was a request to omit sprinklers from the utility area tunnels in the lower level of the building. The remainder of the building will be sprinklered. The area is minimally heated to protect pipes from freezing during very cold weather, and has no fire load with concrete floors above and stone floors below. Commissioner Christoffersen moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried. Variance (b) was to omit the sprinklers over the swimming pool. Commissioner Christoffersen moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried. Variance (c) was a request to allow temporary egress during construction. The main exits will be maintained, but two forty foot dead-ends will be created during construction, and remain until expected completion in July 2012. Following discussion, Commissioner Christoffersen moved to approve with the condition that the exit signage in the affected areas be revised to reflect the new exiting pattern. Commissioner Hawkins made the second. It was voted upon and carried.

- (56) 11-09-53 Southside Diner, Lafayette

Tim Callas, J & T Consulting, spoke as proponent. The restaurant installed kitchen fans on the roof of the tenant space without supplying access to the roof for maintenance. The slope of the roof requires the

installation of platform and railings for maintenance work. The request is to permit the use of lifts by a maintenance contractor in lieu of the platform and railings. The local fire officials will allow this if the equipment used is a scissor-lift. Commissioner Mitchell moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried.

- (57) 11-09-54(a)(b) Insurance Center Apartments, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. A building constructed in 1892 was being converted to apartments on floors two through four. Variance (a) was a request to allow fire barriers forming rated shaft walls to be supported by nonrated floor assemblies. The building will be protected with an NFPA 13 system, with fire alarm and smoke detector systems. Following discussion, Commissioner Hawkins moved to approve with the second by Commissioner Christoffersen. It was voted upon and carried. Variance (b) was to allow the existing stair to serve floors two through four and the basement retail while not discharging to the exterior through a rated corridor. Following discussion, Commissioner Hawkins moved to approve with the condition that the walls between 102 and 103 be sealed and doors between 103 and 102 be 1-hour rated. Commissioner Christoffersen made the second. It was voted upon and carried.

- (58) 11-09-55 Puccini's Restaurant, Columbus

Staff had rated the application to omit a vestibule as no variance required. Commissioner Christoffersen moved no variance required, with the second by Commissioner Mitchell. It was voted upon and carried.

- (59) 11-09-56(a)(b)(c) Prairie Farms Blow Molding Addition, Anderson

Ed Rensink, RTM Consultants, spoke as proponent. All conditions of the original submission had been met except the creation of the horizontal fire barriers. The request in (a) was to omit the horizontal fire barriers. Variance (b) was a request to omit the second story fire barrier. Difficulties had been found with two conveyor openings and utility penetrations. In addition, the roof would need to be raised and topped to make it two hour. The owner will fireseal joints in the concrete T system. The second floor is occupied by two employees, and raw material is not stored on the second floor. Following discussion, Commissioner Christoffersen moved to approve both (a) and (b), with the second by Commissioner Hawkins. It was voted upon and carried. Variance (c) was a request to install an exterior exit from the second floor that will not comply with the required separation from the other exit. The conveyor system along the north wall makes stair location difficult. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried.

- (60) 11-09-58 Miller's Merry Manor Assisted Living Facility, Warsaw  
11-09-59 Miller's Merry Manor Assisted Living Facility, Wakarusa  
11-09-60 Miller's Merry Manor Assisted Living Facility, Plymouth  
11-09-61 Miller's Merry Manor Assisted Living Facility Nappanee

Ed Rensink, RTM Consultants, spoke as proponent. Draft stops had not been installed per code when the buildings were constructed in 1998. The request was to allow draft stops to be installed between every two units per current code instead of between each units per code of record. Following discussion, Commissioner Christoffersen moved to approve all four variances. Commissioner Hawkins made the second. It was voted upon and carried.

- (61) 11-09-62 King Systems Dip Line Project, Noblesville

Hugh Ryan, The Ryan Company, and John Krawczyk, King Systems, spoke as proponents. An existing building was being reconfigured for the installation of two new water-based polymer dipping lines and support machinery. Due to the size of the equipment, the mezzanines upon which they will rest must be designed in such a way that they will encroach upon the 36" clear space under the existing sprinkler system. The current use of the area is high piled storage, and they would like it to be classified as a machine area and the ESFR sprinkler heads to be considered as standard heads. Following discussion, Commissioner Christoffersen moved to table to allow the proponent to have a sprinkler contractor look to see if it's possible to fix the problem, or if a variance is the only solution. Commissioner Brown made the second. It was voted upon and carried.

- (62) 11-09-63(b) Wayne Township Fire Station #82 and Government Center, Indianapolis

Commissioner Brenner had called out variance 11-09-63(b), but had not left any indication of her question. Following a brief discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Cloud. It was voted upon and carried.

- (63) 11-09-65 US Steel #1 Caster Elevator, Gary

John Robertson, ThyssenKrupp Elevators, spoke as proponent. The elevator was being modernized, and the new unit was to be larger. The ropes in the new unit would be larger than any available rope grippers, which are required by code. Commissioner Hannum asked the proponent if waiting one month for their presentation would be possible. He explained that Commissioner Corey was not in attendance and his knowledge was needed in this issue. The proponent agreed to table. Commissioner Christoffersen moved to table, with the second by Commissioner Mitchell. It was voted upon and carried.

- (64) 11-09-66(a)(b)(c) Harding Street Lofts, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The variances involved the conversion of an existing, pre-1900 building into apartments. Variance (a) was to allow existing 17" thick masonry walls to serve as fire barriers in lieu of the required fire walls needed to separate the building into four areas. The walls are bearing points of the main floor and roof beams of the structural system, and are a true heavy timber system. Commissioner Christoffersen moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried. Variances (b) and (c) are for the portion of the building on the east side of the floor plan. Variance (b) was to allow a 46 foot dead end corridor. An existing egress stairway limits their ability to comply with code. The corridor is 46 feet long in the building which will be sprinklered. The Life Safety Code would allow a corridor of 50 feet. Variance (c) was a common path of travel issue on floors 2, 3, and 4. They would comply with the 2009 IBC at 125 feet. Following discussion, Commissioner Christoffersen moved to approve both (b) and (c), with the second by Commissioner Hawkins. It was voted upon and carried.

- (65) 11-09-67 Levee Tan Remodel, Lafayette

Ed Rensink, RTM Consultants, spoke as proponent. The project was currently being held in Plan Review based on tenant space classification. The existing space is being split up and a portion converted

to a fitness area as a separate tenant. The existing building would be over area for Type VB construction when factoring in the proposed fitness center as an A-3 occupancy, converted from B/M use. The proponent stated that the language in exception 1, as corrected by errata and which would allow this, was mistakenly omitted from the first printing of the 2006 IBC. The area would have less than a calculated occupant load of 50. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried.

(66) 11-09-68 Marathon General Store Tank, Brook

Mara Snyder, Director, Legal and Code Services, explained to the Commissioners that the owners had been using underground tanks and had to pull them per IDEM. They had installed an aboveground tank, thinking they could use it for 90 days, applying for a variance for another 90 days while the underground tanks are being installed. This is the only gas station in town, and they service all the city vehicles as well. The local fire official sent a letter of support. It was noted that they had a deadline of November 1, 2011 from IDEM to have the new tank installed. Commissioner Christoffersen moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried.

6. **New Business – General.**

Discussion and Possible Commission Action – Nonfinal Orders of Dismissal

SBC Project #347169  
Michael Miltenberger Roof Top Deck  
Administrative Cause No. 11-08  
Denial of Application  
Nonfinal Order of Dismissal

Zeller Elevator  
Administrative Cause No. 11-15  
Order – Division of Elevator Safety  
Notice of Nonfinal Order of Administrative Law Judge

Commissioner Christoffersen moved to affirm the Nonfinal Order of Dismissal and the Notice of Nonfinal Order of the Administrative Law Judge. Commissioner Mitchell made the second. It was voted upon and carried.

Discussion and Possible Commission Action – Appeals

Conerstone  
Order – Elkhart Fire Department

Grinders Switch Coffee Depot  
Order – Fire and Building Code Enforcement

Jeff Dike Farms  
Condition on CDR

Water Dance Apartments  
Order – Fire and Building Code Enforcement

Commissioner Christoffersen moved to grant all of the appeals, with the second by Commissioner Mitchell. It was voted upon and carried.

7. Consideration of memo concerning 675 IAC 12-4-11(b)(2)(B)

Mara Snyder, Director, Legal and Code Services, brought the issue of changing occupancy under this code to the attention of the Commissioners. The concern was the ability of Plan Review and enforcement inspectors address these issues. It was suggested that an amendment to the rule requiring proof of occupancy should be drafted. Mara Snyder was asked to have a non-rule policy in draft form for the October meeting.

8. Commission comments on proposed Plumbing Code (LSA Doc. #11-448)

Mara Snyder, Director, Legal and Code Services, explained that the changes submitted had not yet been made. Once the Commission had finished their review, a final draft for the proposed rule publication would be produced. She felt there would not be a hearing before the end of the year, thinking instead, a hearing would be likely in late Spring.

9. Comments

Mara Snyder, Director, Legal and Code Services, noted that a public hearing on the Indiana Residential Code, LSA Doc.#11-84, would be held September 16, 2011 in Conference Center Room 14, beginning at 10:00am. She suggested those interested in attending should bring their comments in writing, as they are facing an expedited time frame. She felt they may end up with the Residential Code by early February. Denise Fitzpatrick will report on the status of NFPA13, 13R, and 25, and Shelly Wakefield is to report on NFPA 10 at the next meeting.

10. **Adjournment.**

Chairman Hannum called for further business, and upon hearing none, adjourned the meeting at 2:57 p.m.

APPROVED \_\_\_\_\_  
David Hannum, Chairman