

Forgotten Treasures Variance 15-11-07

The tenant has occupied this space since 2014, but was not open to the public. It was online sales only. In January of 2015 the tenant opened the space to the public and continued online sales. The tenant space is 1,400 square feet on the 1st floor with a 2nd level for storage approximately 630 square feet. The tenant space is separated from the rest of the building by 8" block walls that go to deck. The wall is sealed at the deck and penetrations are sealed.

The tenant space was inspected on 8/11/15 by Joshua Magner with the Hobart Fire Department during an annual inspection. This tenant space has not been inspected previously by the local fire department during this tenants occupancy. According to Joshua Magner he had not been in this space before, it was annexed into their jurisdiction 15 years ago.

During the inspection he gave them a written citation that the tenants needed to do the following:

1. Service and hang a fire extinguisher
2. Remove extension cords
3. Obtain a certificate of occupancy
4. Add exit signs

During this inspection he verbally told the tenants they needed to repaint parking lines in the parking lot and that the tenants had to close their business until all items were completed. They were given 30 days to complete these items.

The tenants completed the list of items, written and verbal, and called him for a reinspection. When they called for the reinspection Joshua Magner told them that he wanted in the rest of the building, occupied by the owner and not the tenants. The tenants contacted the property manager and had him there when the inspector was there for his reinspection. The inspector did not go into the rest of the building. During this inspection he noticed that there were sprinklers above the drop ceiling in the tenant space. The inspector told the tenants that the sprinkler system had to be working and had to be inspected, but never issued anything to them in writing.

The system was installed in the building by a previous tenant and sometime after that another tenant occupied the space and removed portions of the sprinkler system.

The tenants were told if they could get something that said the sprinkler system was not required that he would give them their certificate of occupancy.

The tenants when to the Lake County Courthouse to look for information on the building. The building was annexed into Hobart and all records that Merrillville had were destroyed after 10 years and Hobart had no records.

The tenants contacted a lawyer, Jeff Cefali, in Hobart for help in finding out how to resolve the this. He wasn't sure if he could help so he contacted Lino Maggio, a Hobart city councilman. The city councilman contacted the fire inspector, Joshua Magner, about the sprinkler issue and how they could work it out. The councilman told the lawyer that the fire inspector was not willing to work

with the tenants.

The tenants then contacted Denise Fitzpatrick and she explained about getting a variance for the sprinkler system. The tenants applied for the variance to not sprinker their space. The variance was approved by the commission for only this tenant space. Later in the day the fire inspector showed up at the hearing and spoke on the variance. The commission decided to revoke the approval and tabled the variance based upon the inspector stating there was a second floor in the space and that he wasn't sure if the block wall went to the roof deck.

After the commission hearing the fire inspector contacted the tenants and told them the variance was tabled because they lied at the hearing. He told them they could not be in there space.

The tenants met with the Mayor of Hobart on November 20 to voice their concerns and to see if he could help resolve the issues with the fire inspector. The mayor said he would speak with the inspector.

The fire inspector has told the tenants that there is no way they can open without a sprinkler system.

Hobart Fire Department Fire Prevention Bureau



401 E. 10th Street
Hobart, Indiana 46342
Office (219) 942-5184
Fax (219) 942-4426

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of _____

Date of Inspection: 8/11/15
Business Name: Forgotten Treasures Phone (_____) _____
Business Address: 8166 Concord
Business Representative: _____ Title: _____

Type of Inspection: Regular Compliance Certificate of Occupancy Complaint System Final Notice

Violations requiring correction action are noted below.

Re-Inspection will be made in not less than 30 days.

The CITY OF HOBART has conducted a fire inspection of your property. During this inspection, conditions affecting fire safety throughout the premises were also noted. It is requested that the items listed below be given your immediate attention in the interest of fire safety. Per: Indiana Fire Prevention Code (675-IAC 22-2.4-1) and City of Hobart Municipal Codes 93.030, 150.059.

ELECTRICAL

- a. Discontinue use of extension cords in lieu of permanent wiring (605.5)
- b. Power strips shall be directly connected to a permanently installed receptacle. (605.4.2)
- c. Maintain wiring in good condition and protect from damage (605.1)
- d. A minimum of 36 inches of clearance shall be provided in front of electrical control panels for access (605.3)
- e. Open junction boxes and open wiring splices are prohibited (605.6)
- f. Multi-plug adapters, such as cube adapters or unfused plug strips are prohibited (605.4)

EXITS - EMERGENCY LIGHTS

- a. Equipment providing emergency power for exit illumination and exit signs shall be maintained in an operable condition (1006.3)
- b. All exit signs shall be maintained and clearly illuminated at all times (1011.6.3)
- c. Remove all other locks or latches from doors with panic hardware, all exit doors shall not require more than one operation to open (1008.1.9.5)
- d. Remove obstructions from exits, aisles, corridors, and stairways (1030.29)
- e. All exit doors shall be exitable from the inside without special knowledge or key (1008.1.8)
- f. Proper aisle widths shall be maintained throughout the path of exit (1017.1)
- g. Exits shall not pass through kitchens, storerooms, or closets (1014.2)

FIRE RESISTANCE RATED CONSTRUCTION

- a. Remove obstruction(s) and alterations to fire doors + fire doors shall be properly maintained (703.2)
- b. The required fire rated construction shall be maintained (703.1)

FIRE EXTINGUISHERS

- a. Provide _____ extinguisher(s) of a _____ minimum rating (906.1)
- b. Mount extinguishers where readily available, with top not higher than 5 feet (906.9)
- c. Post signs indicating location where fire extinguishers are not readily visible (906.6)
- d. Fire extinguishers shall not be obstructed in any way (906.6)
- e. Service and tag (by State Licensee) each extinguisher annually and after use (906.2)

FIRE PROTECTION SYSTEMS

- a. Maintain fire extinguishing system in operable condition (901.6.1)
- b. Inspect and service hood and duct extinguishing system over cooking equipment semi-annually and after use (904.11.6)
- c. Fire protection systems shall be operable, properly maintained at all times and inspected as required (903.5)
- d. Provide all inspection, testing and maintenance paperwork for: sprinkler fire alarm hood suppression hood cleaning fire suppression (901.6.2)
- e. Fire alarm systems shall be operable and properly maintained at all times and inspected as required (907.8.5)

HAZARDOUS MATERIALS

- a. All Hazardous material must be properly labeled and stored (5003.1)
- b. Identify compressed gas cylinders with name of product (5303.4)
- c. All compressed gas cylinders shall be secured from falling at all times (5303.5.3)
- d. Incompatible material must be stored 20' apart or separated by a fire wall (5003.9.8)

HOUSEKEEPING (INTERIOR)

- a. Remove or store rubbish, waste material, and oily rags in closed containers (304.3)
- b. Clean grease filters, and hood duct systems over cooking appliances (609.3.3)
- c. Dumpsters shall not be placed within 5 feet of combustible walls or openings (304.3.3)

FIRE SERVICE FEATURES

- a. A KNOX security key box shall be installed on all buildings protected by a sprinkler system or fire alarm, shall not be installed over 5'6" high (506.1)
- b. Above ground gas meters and piping subject to damage shall be protected by a barrier (603.9)
- c. All buildings shall have numerical numbers plainly visible from the roadway (505.1)
- d. Buildings with 3 or more units that have a surface for vehicular traffic shall have the address posted on rear doors (505.1.1)

STORAGE

- a. Remove combustibles and storage from heater, boiler, mechanical, electric area or room (315.3.3)
- b. Provide 36" clearance between heat producing appliances and combustible material (305.1)
- c. Remove storage to 18" below level of sprinklers (315.3.1)
- d. Reduce storage height to at least 2 feet below ceiling (315.3.1)

OCCUPANT LOAD

- a. The occupant load approved for any area of a building or space shall not be exceeded. The maximum permitted occupant load shall be posted as set forth in The Building Code (1004.3)

PERMITS AND LICENSING

- a. Obtain Permit (150.061):
 Building Electrical Mech Plumbing Fire Alarm
 Fire Sprinklers State Design Release
- b. Obtain License:
 City Contractor License (115.01) Certificate of Occupancy (150.070)

REMARKS

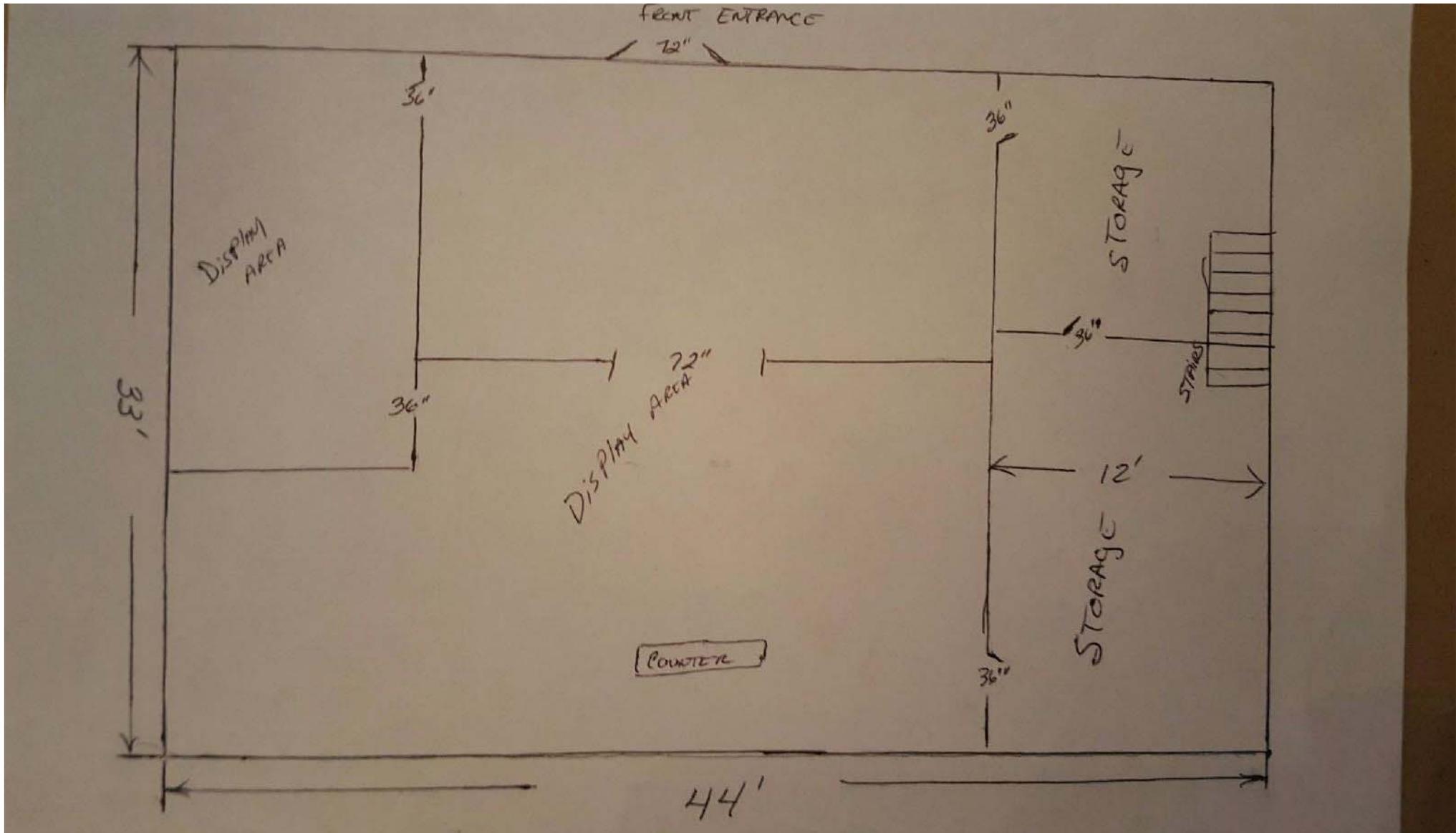
1. Service + tags extinguisher
2. Remove extension cords
3. Obtain COFO
4. Add ext signs
5. _____
6. _____
7. _____
8. _____
9. _____

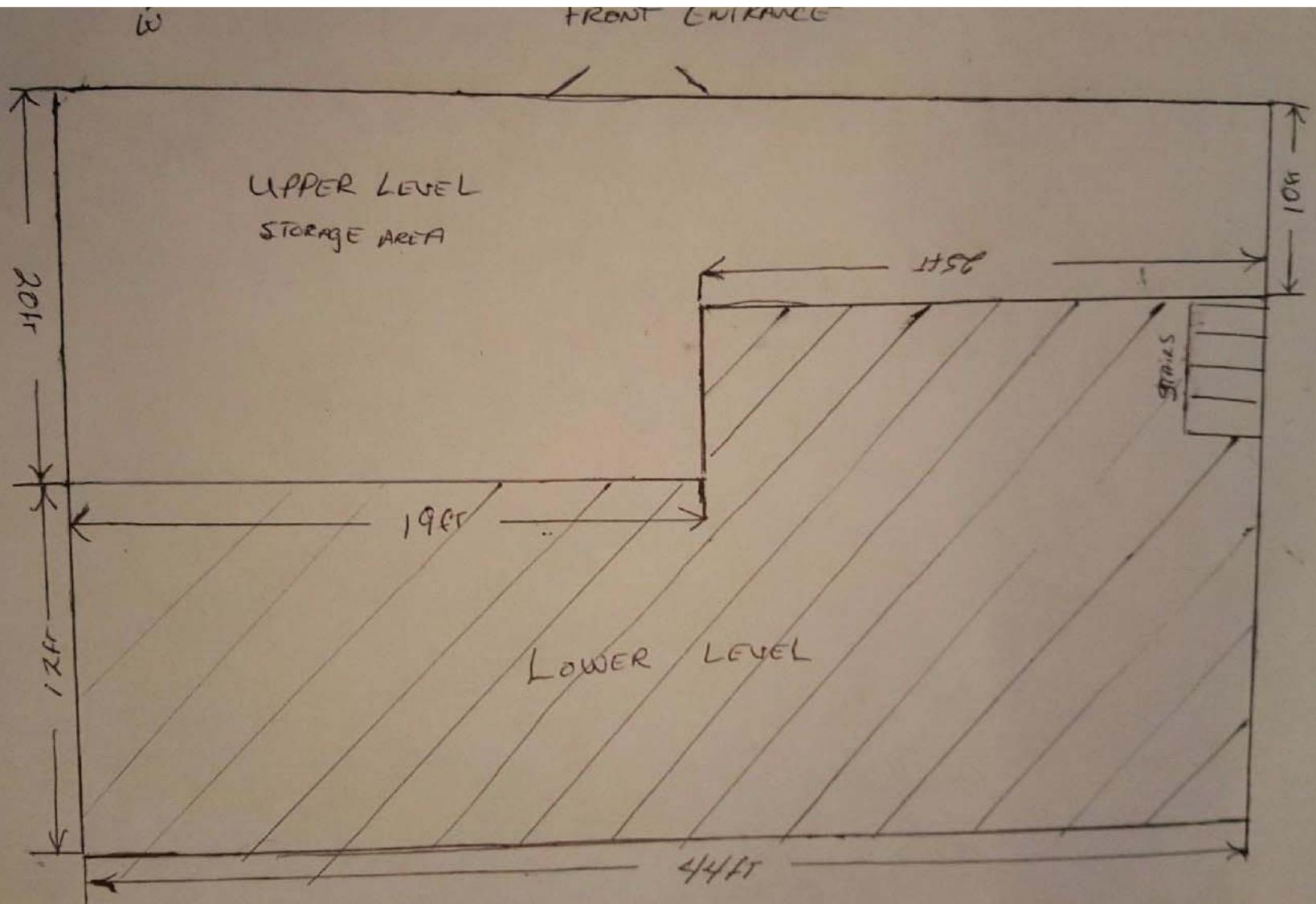
I hereby acknowledge an explanation of the above violations and understand the process to file a written petition for administration review. I have read the appeals process printed on the backside of this form and understand my rights.

Remy J. Deaver
OWNER / AGENT / MANAGER / REPRESENTATIVE

[Signature]
INSPECTOR

WARNING: Any owner who permits an exit to be locked or obstructed in any manner that denies the public a continuous and unobstructed means of egress while lawfully occupied or who permits a fire alarm to be disconnected or otherwise rendered inoperative, except in cases of routine maintenance or for repair, commits a Class B misdemeanor (IC 22-11-17-3&4). If bodily injury (as defined by IC 35-31.5-2-29) or a loss of life occurs to a person lawfully in the public building as a result of a fire in the building commits a Level 6 felony (IC 22-11-17-5). Any Violation(s) not corrected will result in a citation and fine. (City of Hobart Municipal Codes 150.999, 10.99)





View into shop from outside



View of front door from inside shop





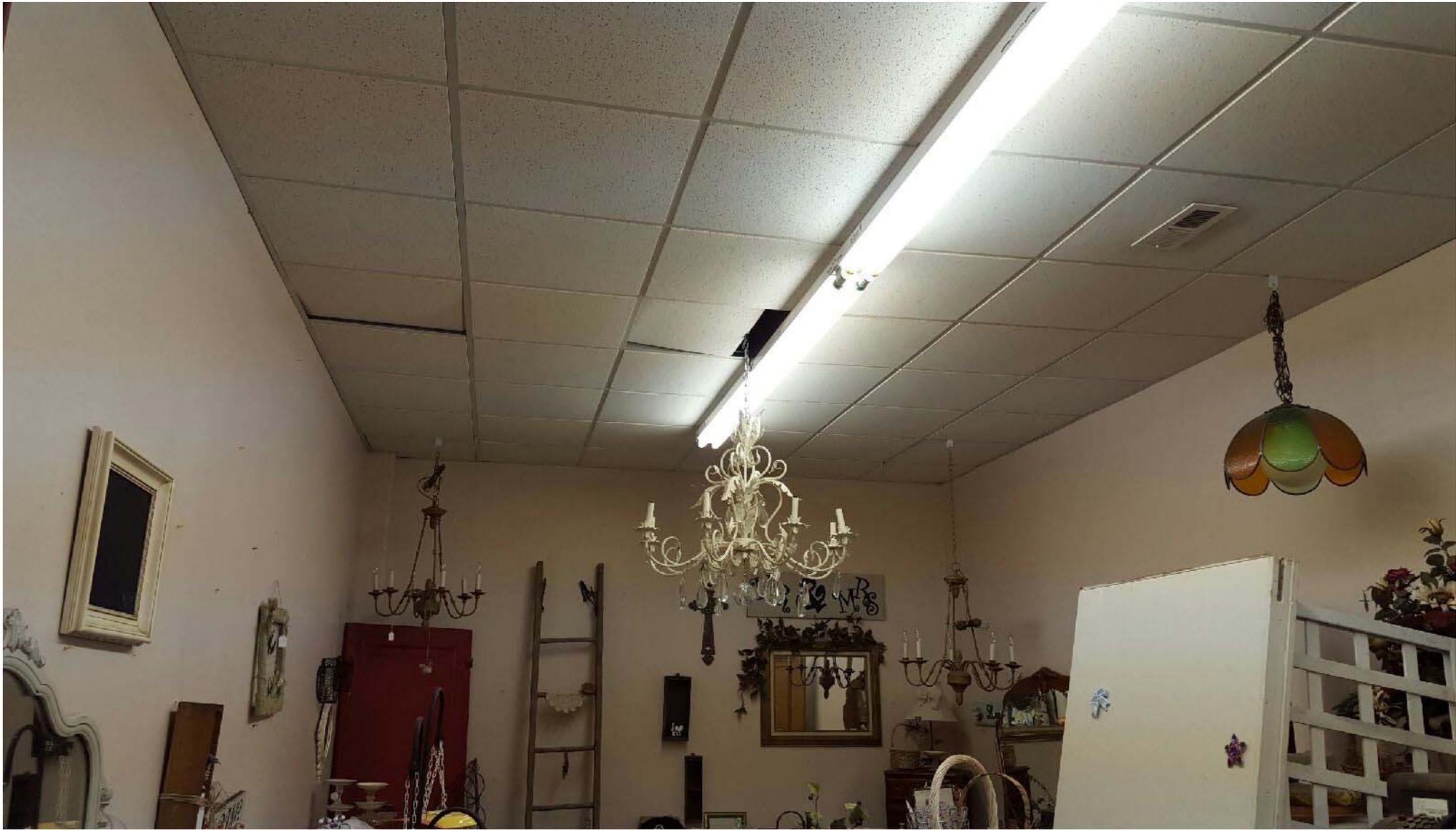
Inside shop looking at sales counter



Displays inside shop



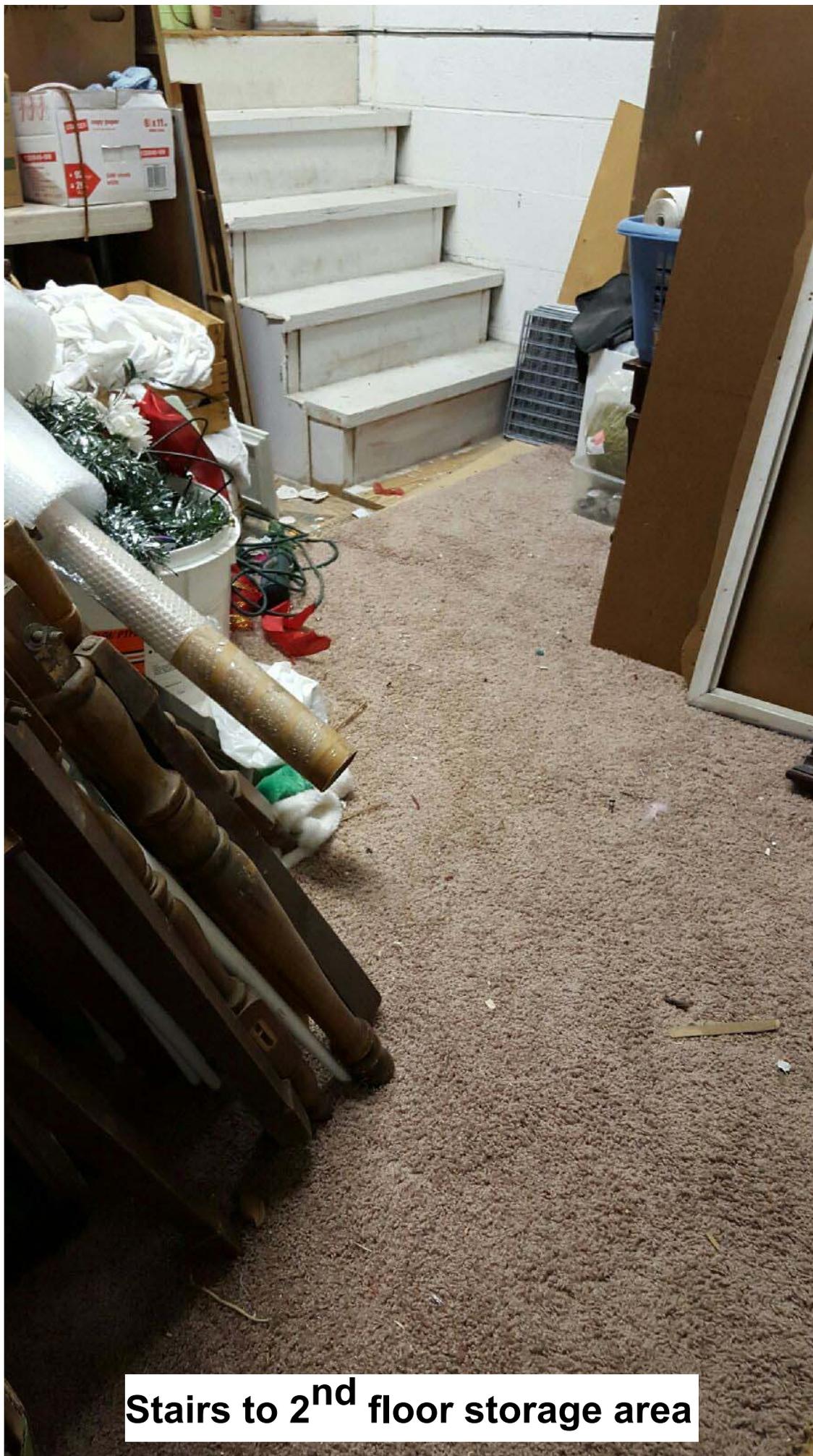
Displays inside shop



Displays inside shop



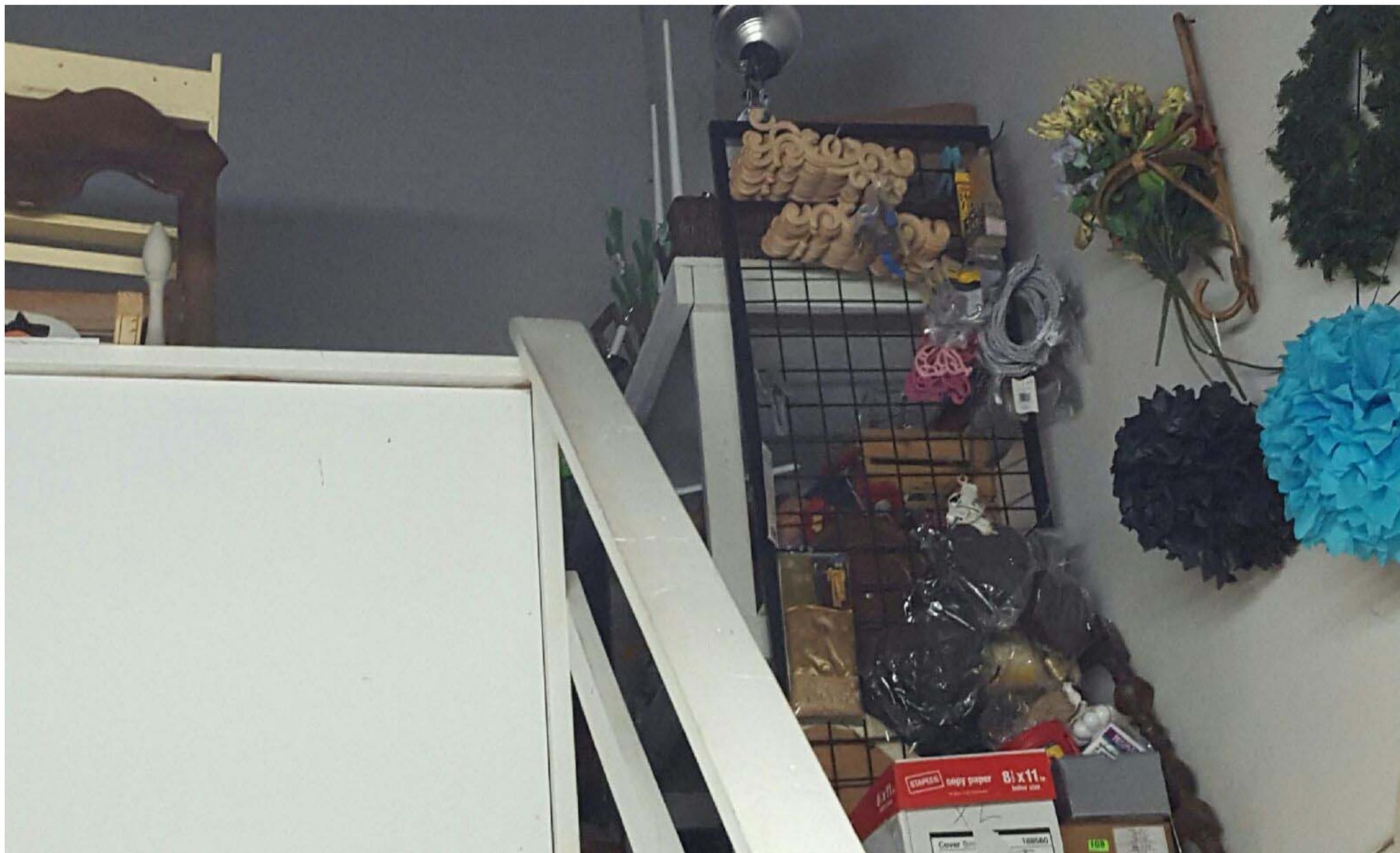
**New fire extinguisher and
view of storage room**



Stairs to 2nd floor storage area



Stairs to 2nd floor storage area



View of 2nd floor storage area



View of 2nd floor storage area



View of drop ceiling from 2nd floor storage area



View of 8" block wall and 2nd floor storage area



View of 8" block wall separating this tenant from rest of building

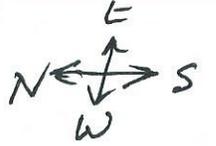


View of 8" block wall separating this tenant from rest of building and existing sprinklers

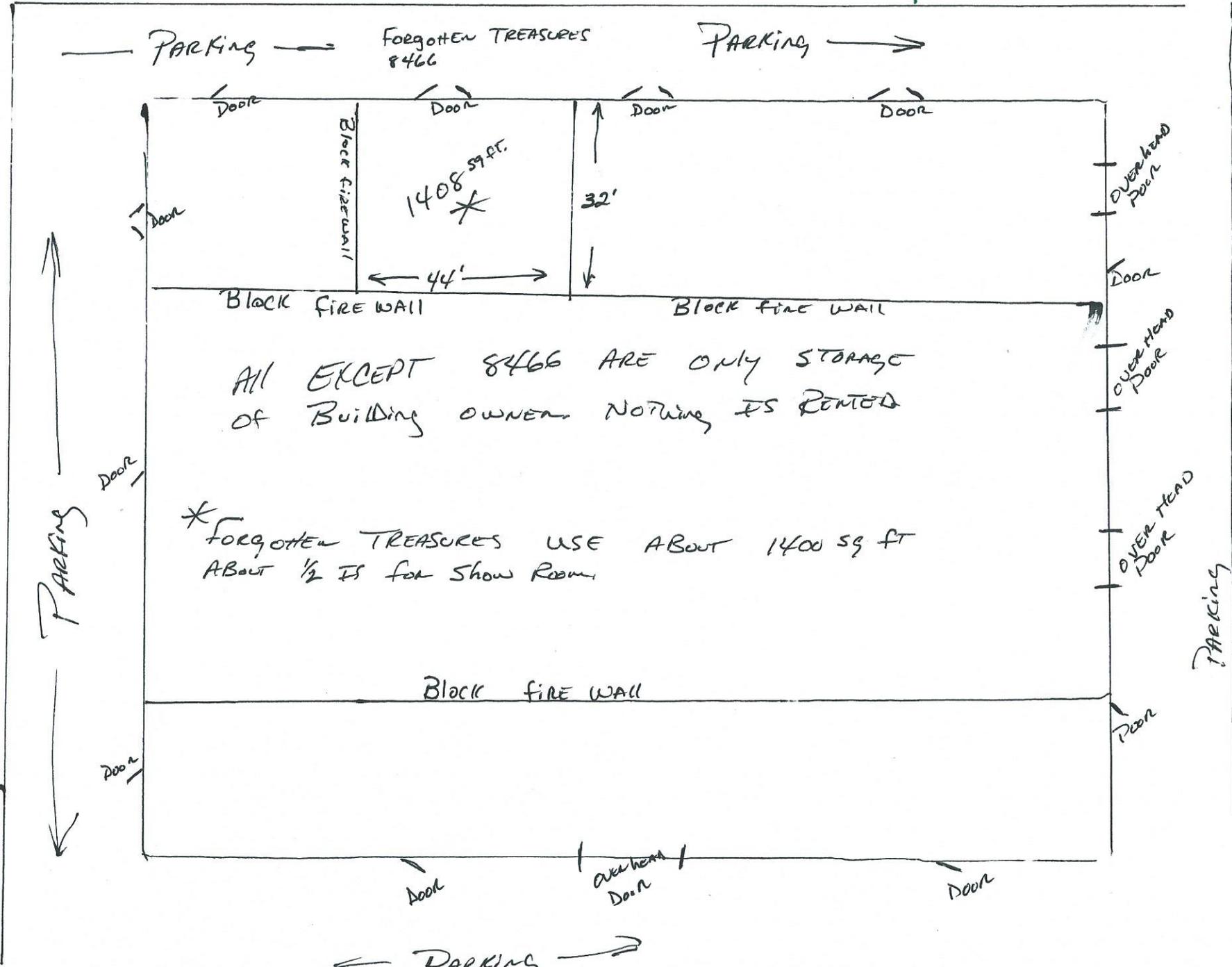


View of other side of 8" block wall separating this tenant from rest of building

← COLORADO ST →



← 84th ST →



All EXCEPT 8466 ARE ONLY STORAGE OF BUILDING OWNER. NOTHING IS RENTED

* FORGOTTEN TREASURES USE ABOUT 1400 SQ FT ABOUT 1/2 IS FOR SHOW ROOM

FARM LAND

← PARKING →

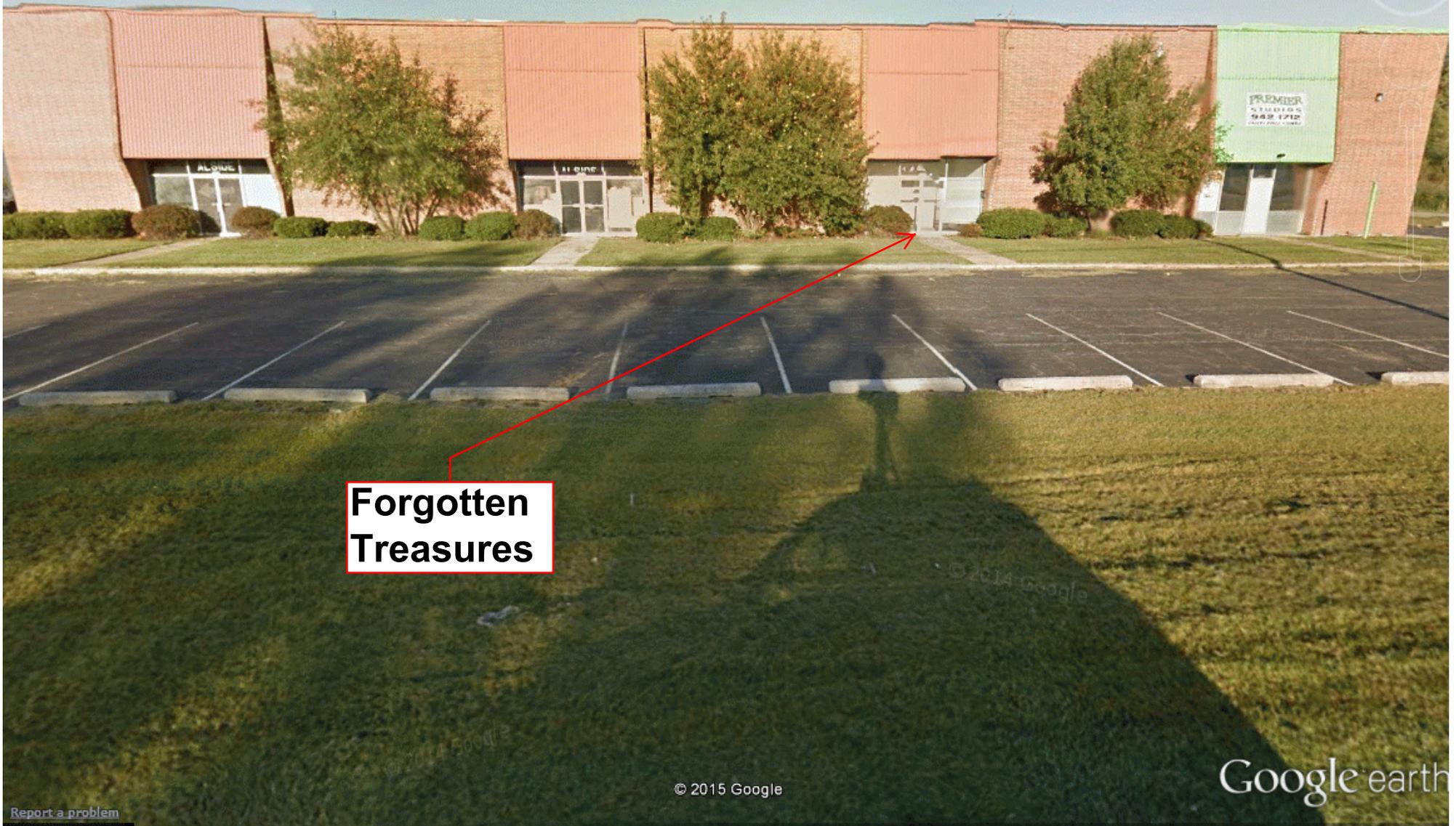
5/27/2015

**Forgotten
Treasures**

8466 S Colorado St

Google earth





Forgotten Treasures