The Indiana Plumbing Code requires pan drains to extend full-size and terminate over a suitably located indirect waste receptor or floor drain, or extend to the exterior of the building and terminate not less than six (6) inches and not more than twenty-four (24) inches above the adjacent ground surface. The request is to allow eighteen (18) units to have water heater pans that are undrained. Proponent states the water heater pans were undrained prior to renovation, and believes the condition should be "grandfathered" for alteration.
Boyle, Douglas J (DHS)

From: Michelle Blahovich <mblahovich@alliarch.com>
Sent: Thursday, May 16, 2019 10:12 AM
To: Boyle, Douglas J (DHS); Fire Prevention and Building and Safety Commission
Cc: Fire Prevention and Building and Safety Commission
Subject: FW: Application & Error - Spoken With Shannon Scott
Attachments: 2019.05.07 Variance issue.PNG; 20190516101007803.pdf

Importance: High

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Good Morning,

We have been attempting to reach anyone with regards to this Variance Application. An application was attempted through the online database on 05/07/2019 with an error message that appeared multiple times. We were, however, able to process our application fee at the end of the form, to which we assumed our application had gone through.

The State Project Number is: 397027
The Processing Fee Receipt Number is: 25922614

We made multiple attempts to received assistance with this matter last week, as we want to ensure we would submit and have everything on time for the 05/10/2019 deadline.

Any information with regards to this matter would be greatly appreciated. Please feel free to reach me at (574) 288-2052.

Regards,

Michelle Blahovich

Alliance Architects | 929 Lincolnway East, Suite 200 | South Bend, Indiana
Tel 574.288.2052 (x122) | mblahovich@alliarch.com | www.alliarch.com

From: Michelle Blahovich
Sent: Wednesday, May 15, 2019 3:13 PM
To: variances@dhs.in.gov
Subject: Application & Error - Spoken With Shannon Scott

Good Afternoon,

A Variance application was sent in via the online application site & a paper copy was sent via Overnight delivered, signed by S.Stein per our FedEx record.
We have no heard anything since our multiple attempts to submit this variance prior to the 05/10/2019 deadline.

Please advise.

Regards,
TRANSMITTAL LETTER

TO: Indiana Department of Homeland Security Code services Section
ATTN: Ms. Shannon Scott
302 West Washington Street, Room W246
Indianapolis, IN 46204-2739

DATE: May 9, 2019

PROJECT: Indiana Avenue Apartments
Insight Development Corp.
Indianapolis, Indiana

WE ARE SENDING YOU: (via Fed Ex Overnight Delivery)

<table>
<thead>
<tr>
<th>COPIES</th>
<th>DATE</th>
<th>DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>5/7/19</td>
<td>Application for Variance Package</td>
</tr>
<tr>
<td>1</td>
<td>—</td>
<td>Transition Receipt</td>
</tr>
</tbody>
</table>

IF ENCLOSURES ARE NOT AS INDICATED, PLEASE NOTIFY US AT ONCE.

THESE ARE TRANSMITTED:

☐ For approval
☐ Reviewed as submitted
☐ Resubmit for approval

☒ For your use
☐ As noted
☐ Submit for distribution

☐ As requested
☐ Revise and Resubmit
☐ Return corrected prints

☐ For review and comment
☐ Rejected
☐ Other:

REMARKS:

Shannon, in accordance with our voice-mail message of 5/9/19, enclosed is a duplicate of an on-line application that we attempted to submit on 5/7/19 (see attached credit card receipt #25922614).

If you have any questions, please let us know.

BY: Michelle Blahovich

cc: File
## APPLICATION FOR VARIANCE

State Form 44400 (R7 / 18-13)
Approved by State Board of Accounts, 2013

### INSTRUCTIONS:
Please refer to the attached four (4) page instructions. Attach additional pages as needed to complete this application.

<table>
<thead>
<tr>
<th>Variance number (Assigned by department)</th>
<th>19-06-04</th>
</tr>
</thead>
</table>

1. **APPLICANT INFORMATION** (Person who would be in violation if variance is not granted; usually this is the owner)

<table>
<thead>
<tr>
<th>Name of applicant</th>
<th>Jennifer Green</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title</td>
<td>President</td>
</tr>
<tr>
<td>Name of organization</td>
<td>Indiana Ave. Apartments LP</td>
</tr>
<tr>
<td>Address (number and street, city, state, and ZIP code)</td>
<td>1919 N. Meridian Street, Indianapolis, IN 46202</td>
</tr>
<tr>
<td>Telephone number</td>
<td>(317) 261-7445</td>
</tr>
</tbody>
</table>

2. **PERSON SUBMITTING APPLICATION ON BEHALF OF THE APPLICANT** (if not submitted by the applicant)

<table>
<thead>
<tr>
<th>Name of applicant</th>
<th>Mark Leblang</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title</td>
<td>Architect</td>
</tr>
<tr>
<td>Name of organization</td>
<td>Alliance Architects</td>
</tr>
<tr>
<td>Address (number and street, city, state, and ZIP code)</td>
<td>929 Lincolnway East, Suite 200, South Bend, IN 46601</td>
</tr>
<tr>
<td>Telephone number</td>
<td>(574) 288-2052</td>
</tr>
</tbody>
</table>

3. **DESIGN PROFESSIONAL OF RECORD** (if applicable)

<table>
<thead>
<tr>
<th>Name of design professional</th>
<th>Mark Leblang</th>
</tr>
</thead>
<tbody>
<tr>
<td>License number</td>
<td>Architect</td>
</tr>
<tr>
<td>Name of organization</td>
<td>Alliance Architects</td>
</tr>
<tr>
<td>Address (number and street, city, state, and ZIP code)</td>
<td>929 Lincolnway East, Suite 200, South Bend, IN 46601</td>
</tr>
<tr>
<td>Telephone number</td>
<td>(574) 288-2052</td>
</tr>
</tbody>
</table>

4. **PROJECT IDENTIFICATION**

<table>
<thead>
<tr>
<th>Name of project</th>
<th>Indiana Avenue Apartment Renovation</th>
</tr>
</thead>
<tbody>
<tr>
<td>State project number</td>
<td>397027</td>
</tr>
<tr>
<td>County</td>
<td>Marion</td>
</tr>
<tr>
<td>Address of site (number and street, city, state, and ZIP code)</td>
<td>825 Indiana Avenue, Indianapolis, IN 46202</td>
</tr>
<tr>
<td>Type of project</td>
<td>☑ Alteration</td>
</tr>
</tbody>
</table>

5. **REQUIRED ADDITIONAL INFORMATION**

The following required information has been included with this application (check as applicable):

- ☑ A check made payable to the Indiana Department of Homeland Security for the appropriate amount. (see instructions)
- ☑ One (1) set of plans or drawings and supporting data that describe the area affected by the requested variance and any proposed alternatives.
- ☑ Written documentation showing that the local fire official has received a copy of the variance application.
- ☑ Written documentation showing that the local building official has received a copy of the variance application.

6. **VIOLATION INFORMATION**

Has the Plan Review Section of the Division of Fire and Building Safety issued a Correction Order?

- ☑ Yes (If yes, attach a copy of the Correction Order.)
- ☑ No

Has a violation been issued?

- ☑ Yes (If yes, attach a copy of the Violation and answer the following.)
- ☑ No

Violation issued by:

- ☑ Local Building Department
- ☑ State Fire and Building Code Enforcement Section
- ☑ Local Fire Department
7. DESCRIPTION OF REQUESTED VARIANCE

<table>
<thead>
<tr>
<th>Name of code or standard and edition involved</th>
<th>Specific code section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indiana Plumbing Code 2012</td>
<td>504.7.2 Pan Drain Termination</td>
</tr>
</tbody>
</table>

Nature of non-compliance (Include a description of spaces, equipment, etc. involved as necessary.)

Water heater pans undrained.

8. DEMONSTRATION THAT PUBLIC HEALTH, SAFETY, AND WELFARE WILL BE PROTECTED

Select one of the following statements:

- [x] Non-compliance with the rule will not be adverse to the public health, safety or welfare; or
- [ ] Applicant will undertake alternative actions in lieu of compliance with the rule to ensure that granting of the variance will not be adverse to public health, safety, or welfare. Explain why alternative actions would be adequate (be specific).

Facts demonstrating that the above selected statement is true:

Water heater pans were undrained prior to renovation & were believed "Grandfathered" for alteration. The renovations are completed as part of a phased construction over a 12 month period and inspected by the local authority upon completion of each phase. After completion of Phase 2, the plumbing was inspected by the local authority and found to be in violation (see attached). All subsequent phases have incorporated a new drain pan.
The owner accepts the risk of potential property damages due to release of water. There is no health risk.

9. DEMONSTRATION OF UNDUE HARDSHIP OR HISTORICALLY SIGNIFICANT STRUCTURE

Select at least one of the following statements:

- [x] Imposition of the rule would result in an undue hardship (unusual difficulty) because of physical limitations of the construction site or its utility services.
- [x] Imposition of the rule would result in an undue hardship (unusual difficulty) because of major operational problems in the use of the building or structure.
- [x] Imposition of the rule would result in an undue hardship (unusual difficulty) because of excessive costs of additional or altered construction elements.
- [ ] Imposition of the rule would prevent the preservation of an architecturally or a historically significant part of the building or structure.

Facts demonstrating that the above selected statement is true:

Scope to retrofit the water heater drain in occupied, renovated units:

In order to perform the water heater drain installation in occupied units we would have to completely dismantle the kitchen, including sink, countertops and upper and lower cabinets on the sink side. We would then need to remove all of the drywall on that wall from floor to ceiling to allow for the drain and vents to be installed vertically. The water heaters as they sit would need to be drained and removed (no water in the apartment for at least 24 hours) so the platforms could be installed to provide required height to drain pan to kitchen drain. And several other areas of drywall would need to be removed to allow for the installation of the drain/vent from the kitchen wet wall over to the new water heater location in the front closet or kitchen pantry depending on the unit configuration. Once all of this is complete, we would then have to reinstall and sand/finish all of the drywall, prime, paint, reinstall trim, then begin the process of reinstalling the kitchen. This would all have to take place in the occupied, 1 brm unit of an elderly and/or disabled resident.

10. STATEMENT OF ACCURACY

I hereby certify under penalty of perjury that the information contained in this application is accurate.

<table>
<thead>
<tr>
<th>Name of applicant or person submitting application</th>
<th>Please print name</th>
<th>Date of signature (month, day, year)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Mark W. Leblang</td>
<td>04/19/2019</td>
</tr>
</tbody>
</table>

11. STATEMENT OF AWARENESS (If the application is submitted on the applicant's behalf, the applicant must sign the following statement)

I hereby certify under penalty of perjury that I am aware of this request for variance and that this application is being submitted on my behalf.

<table>
<thead>
<tr>
<th>Name of applicant</th>
<th>Please print name</th>
<th>Date of signature (month, day, year)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Jennifer C. Green</td>
<td>4-23-19</td>
</tr>
</tbody>
</table>
Your transaction is complete. Print this receipt for your records. Your receipt identification number is 25922614. Please reference this number in any correspondence regarding your transaction.

**Payer Information**
Debbie Carlson  
929 Lincolnway East, Suite 200  
South Bend, IN 46601  
Phone: 574-288-2052  
Email: mleblang@alliarch.com

**Account Information**
4XXXXXXXXXXXXX1021

**Transaction Details**

<table>
<thead>
<tr>
<th>Description</th>
<th>Unit Price</th>
<th>Quantity</th>
<th>Extended Price</th>
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<tr>
<td>Variance Application 0</td>
<td>$276.00</td>
<td>1</td>
<td>$276.00</td>
</tr>
<tr>
<td>Instant Access Fee</td>
<td>$6.54</td>
<td>1</td>
<td>$6.54</td>
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<tr>
<td><strong>Total:</strong></td>
<td></td>
<td></td>
<td><strong>$282.54</strong></td>
</tr>
</tbody>
</table>

The following amounts have been charged to your credit card. Your credit card statement will show the following merchant name(s) and amount(s) for this transaction.

**Merchant**  
State of IN www.IN.gov 800-236-5446  
Amount: $282.54

The total amount charged to your credit card is **$282.54**.
NOTICE OF VIOLATION

City of Indianapolis
Department of Business & Neighborhood Services
1200 Madison Avenue, Suite 100
Indianapolis, IN 46225

Inspector Signature: [Signature]
Inspector Name: Kenneth Seal

Address of Violation: 825 INDIANA AVE

Person Served: KIM E PRIFOGLE
Mailed To: 1701 E 38th Street
INDIANAPOLIS, IN 46218

Case Number: VIO19-001004
Date: 02/11/2019
Time: 9:37 am

Inspector Telephone Number: (317) 273-9352
Inspector Fax Number: (317) 327-2621
Inspector Email: Kenneth.Seal@Indy.Gov

An inspection of the above noted property revealed the following violations:

**Indianapolis Building Standards and Procedures 2016: 536-801 Minimum standards for structures and building equipment.**

**Indiana Plumbing Code 2012: 504.6 Requirements for discharge piping.**
Room:
Floor:
Specific Location:

Comments: Water heater installed in new location does not meet this code section.

**Indiana Plumbing Code 2012: 504.7.2 Pan drain termination.**
Room:
Floor:
Specific Location:

Comments: Water heater installed in new locations for second and third floors do not meet this code section.

The City of Indianapolis requests your cooperation in correcting the violation(s). Violation(s) that have not been corrected within 15 days of the date noted above, will result in further enforcement action, which may include but is not limited to:
1) Assessment of an administrative fee in the amount of two hundred fifteen dollars ($215.00) for each scheduled visit to the property and the violation(s) have not been corrected (Section 536-609) and/or
2) Lawsuit with fines up to $2,500 for each violation plus court costs (Section 536-709)

To further research the City of Indianapolis-Marion County code section mentioned above, please visit www.municode.com.

Do Not Remove This Notification
SECTION 504
SAFETY DEVICES

504.1 Antisiphon devices. An approved means, such as a cold water "dip" tube with a hole at the top or a vacuum relief valve installed in the cold water supply line above the top of the heater or tank, shall be provided to prevent siphoning of any storage water heater or tank.

504.2 Vacuum relief valve. Bottom fed water heaters and bottom fed tanks connected to water heaters shall have a vacuum relief valve installed. The vacuum relief valve shall comply with ANSI Z21.22.

504.3 Shutdown. A means for disconnecting an electric hot water supply system from its energy supply shall be provided in accordance with NFPA 70. A separate valve shall be provided to shut off the energy fuel supply to all other types of hot water supply systems.

504.4 Relief valve. All storage water heaters operating above atmospheric pressure shall be provided with an approved, self-closing (levered) pressure relief valve and temperature relief valve or combination thereof. The relief valve shall conform to ANSI Z21.22. The relief valve shall not be used as a means of controlling thermal expansion.

504.4.1 Installation. Such valves shall be installed in the shell of the water heater tank. Temperature relief valves shall be so located in the tank as to be actuated by the water in the top 6 inches (152 mm) of the tank served. For installations with separate storage tanks, the valves shall be installed on the tank and there shall not be any type of valve installed between the water heater and the storage tank. There shall not be a check valve or shutoff valve between a relief valve and the heater or tank served.

504.5 Relief valve approval. Temperature and pressure relief valves, or combinations thereof, and energy cutoff devices shall bear the label of an approved agency and shall have a temperature setting of not more than 210°F (99°C) and a pressure setting not exceeding the tank or water heater manufacturer's rated working pressure or 150 psi (1035 kPa), whichever is less. The relieving capacity of each pressure relief valve and each temperature relief valve shall equal or exceed the heat input to the water heater or storage tank.

504.6 Requirements for discharge piping. The discharge piping serving a pressure relief valve, temperature relief valve or combination thereof shall:

1. Not be directly connected to the drainage system.
2. Discharge through an air gap located in the same room as the water heater.
3. Not be smaller than the diameter of the outlet of the valve served and shall discharge full size to the air gap.
4. Serve a single relief device and shall not connect to piping serving any other relief device or equipment.
5. Discharge to the floor, to the pan serving the water heater or storage tank, to a waste receptor or to the outdoors.
6. Discharge in a manner that does not cause personal injury or structural damage.

7. Discharge to a termination point that is readily observable by the building occupants.
8. Not be trapped.
9. Be installed so as to flow by gravity.
10. Not terminate more than 6 inches (152 mm) above the floor or waste receptor.
11. Not have a threaded connection at the end of such piping.
12. Not have valves or tee fittings.
13. Be constructed of those materials listed in Section 605.4 or materials tested, rated and approved for such use in accordance with ASME A112.4.1.

504.7 Required pan. Where water heaters or hot water storage tanks are installed in locations where leakage of the tanks or connections will cause damage, the tank or water heater shall be installed in a galvanized steel pan having a material thickness of not less than 0.0236 inch (0.6010 mm) (No. 24 gage), or other pans approved for such use.

504.7.1 Pan size and drain. The pan shall be not less than 1 1/2 inches (38 mm) deep and shall be of sufficient size and shape to receive all dripping or condensate from the tank or water heater. The pan shall be drained by an indirect waste pipe having a minimum diameter of 1/2 inch (19 mm). Piping for safety pan drains shall be of those materials listed in Table 605.4.

504.7.2 Pan drain termination. The pan drain shall extend full-size and terminate over a suitably located indirect waste receptor or floor drain or extend to the exterior of the building and terminate not less than 6 inches (152 mm) and not more than 24 inches (610 mm) above the adjacent ground surface.

SECTION 505
INSULATION

[E] 505.1 Unfired vessel insulation. Unfired hot water storage tanks shall be insulated to R-12.5 (h · ft² · °F)/Btu (R-2.2 m² · K/W).
STANDARD UNIT DEMO. PLAN

SCALE: 1/4" = 1'-0"  
SEE SHEETS 3&4 FOR UNITS WITHOUT BALCONIES & MIRROR IMAGE

STANDARD UNIT PLAN

SCALE: 1/4" = 1'-0"  
SEE SHEETS 3&4 FOR UNITS WITHOUT BALCONIES & MIRROR IMAGE
STD UNIT - "A" BUILDING

3/4" Vacuum Breaker
Watts LFN 34-M1 O.A.E.

Relief value
1 1/2" Floor drain with
barrier type trap seal,
Jay R. Smith 2692-0150

Tie to existing
Sanitary stack

Existing sink
drain

TIE TO VENT STACK

 Offset past existing
 Vent stack
April 20, 2019

Denise Fitzpatrick  
Indiana Department of Homeland Security  
Program Director, Code Services  
Room E-245  
402 W. Washington St.  
Indianapolis, IN 46024

RE: Variance - 825 Indiana Ave. - Indiana Avenue Apartment Renovations

Dear Denise,

The City of Indianapolis has received the application for variance as follows:

1) 2012 Indiana Plumbing Code / Section 504.7.2 Pan Drain Termination – Water heater drain pans will not comply with the requirements of this section. Please see text of application for any specific information on this variance.

We will appreciate receiving the results of the Commission’s deliberations.

Sincerely,

Stephen Bartrom  
Building Code Analyst
Doug,

Please see the response from Margie Bovard below.
If there is anything else that we can provide please let us know.

Regards,

Michelle Blahovich

Alliance Architects | 929 Lincolnway East, Suite 200 | South Bend, Indiana
Tel 574.288.2052 (x122) | mblahovich@alliarch.com | www.alliarch.com

From: Bovard, Margie F. <Margie.Bovard@indy.gov>
Sent: Monday, May 20, 2019 1:27 PM
To: Michelle Blahovich <mblahovich@alliarch.com>
Subject: RE: Indiana Avenue Apartment Renovations - Application for Variance

I have received a Variance Notification for Indiana Ave Apartment Renovations.

Margie Bovard

---

CAUTION: This email originated from outside of the organization and contains an attachment. Unless you recognize the sender and know the contents are safe, do not open the attachment.

Margie,

Of course. Please see attached our Variance application with supporting documents.

Regards,

Michelle Blahovich
From: Bovard, Margie F. <Margie.Bovard@indy.gov>
Sent: Monday, May 20, 2019 1:06 PM
To: Michelle Blahovich <mblahovich@alliarch.com>
Subject: RE: Indiana Avenue Apartment Renovations - Application for Variance

Can you send me a copy of your application?

Thanks,

Margie Bovard

From: Michelle Blahovich [mailto:mblahovich@alliarch.com]
Sent: Monday, May 20, 2019 10:11 AM
To: Bovard, Margie F. <Margie.Bovard@indy.gov>; PlanReview.Class1 <PlanReview.Class1@indy.gov>
Subject: Indiana Avenue Apartment Renovations - Application for Variance

CAUTION: This email originated from outside of the organization and contains an attachment. Unless you recognize the sender and know the contents are safe, do not open the attachment.

Good Morning,

We have been asked by the Department of Homeland Security to notify you that we are applying for a variance on project: 397027 Indiana Avenue Apartment Renovation. This is due to Indiana Plumbing Code 2012, 504.7.2 Pan Drain Termination.

Please respond with confirmation that you have received notification.

Regards,

Michelle Blahovich