

STAFF REPORT

Report Date: 04/01/2020

"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.

"T" category = tabled.

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

19-12-45

C

Project:0

Morgan Acres Barn,Indianapolis

19861

TABLED BY COMMISSION 03/03/2020.

TABLED BY COMMISSION 02/04/2020.

TABLED BY COMMISSION 01/07/2020

TABLED BY COMMISSION 12/03/19.

The provisions/codes of this chapter shall control the change of occupancy of existing buildings and structures. This chapter shall not be used to convert structures of other than Class 1 to Occupancy Groups A or E.

An existing agricultural barn one (1) story in height, 3,358 square feet and Type VB construction has been converted to an A-2 Occupancy event facility. A Chapter 34 analyst was executed with passing scores.

The building will be provided with a smoke and/or heat detection system throughout as required by Chapter 34.

Emergency lighting and exit signs are provided as required.

Two accessible exits are provided on 1st floor and 2 exits are provided off mezzanine level.

Structural evaluation report is provided.

Permanent restroom facilities have been provided.

*****Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the December 3, 2019 meeting.

20-01-61

C

Project:0

Bluffton Street Fair,Bluffton

19962

TABLED BY COMMISSION 03/03/2020.

TABLED BY COMMISSION 02/04/2020.

The code requires fire apparatus access roads to have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches. The request is to have some of the streets to be less than the required lane width. Proponent states fire trucks have gone down the same route for years with no problems.

100-300 S Main, 100 N Main; 100-300 W Market, 100 E Market; 100-300 S Marion, 100-300 W Washington, 100 E Washington

*****Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the February 4, 2020 meeting.

*****Fire chief opposes the variance. See attachment.

20-01-66

C

Project:409778

Indy Jet West Expansion,GREENFIELD

19993

TABLED BY PROPONENT 03/02/2020.

TABLED BY COMMISSION 02/04/2020.

The code requires S-1 Occupancy over 12,000 square feet to have a sprinkler/fire suppression system. Aircraft hangars must have a system designed in accordance with NFPA 409, requiring foam suppression system for Group II hangars. The request is not to provide such system for the 9,600 square feet. The existing size is 12,910, which adding the addition will be 22,510 sq. ft.. The proponent states the lack of fire suppression system is not a life safety issue, but a property protection issue.

*****Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the February 4, 2020 meeting.

20-02-32

C

Project:0

AC Moxy Hotels,Indianapolis

20023

TABLED BY COMMISSION 03/03/2020.

The variance request is to not include a small portion of the site as fire department vehicle access as it pertains to the 75' high-rise requirement.

*****Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the March 3, 2020 meeting.

20-02-38

C

Project:0

Consolidated Civil and Criminal Courthouse,Indianapolis

TABLED BY COMMISSION 03/03/2020.

(c) The code requires smokeproof enclosures to be provided in every exit stairway serving floors more than 75 feet above the lowest level of fire department vehicle access. The request is to allow smoke proof enclosures to be omitted.

20-03-38

C

Project:408557

Dollar General,INDIANAPOLIS

19608

The code requires clearance around a water closet to be 60 inches minimum in width, measured perpendicular from the sidewall. The request is to permit the lavatory to be in the clear floor area of the toilet. Proponent states ADA allows it, but ANSI doesn't. Per the proponent, it would cost approximately \$18,000 to rebuild the toilet room where the overall construction cost for the project is \$45,000.

*****Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the April 7, 2020 meeting.

20-03-39

Project:0

IU Maker Space Adaptive Reuse,Bloomington

C (b) The code requires a 3 hour fire wall to be provided in order to separate the two types of construction. The current A3 Type IIIB being the former gymnasium building from the new B occupancy (formerly accessory space to A3). The request is use the existing 2 hour fire wall. The proponent states the structure will have non-required smoke/heat detection throughout, an NFPA 72 Automatic Fire Alarm System with voice (not required) notification throughout the building and a non-required NFPA 13 Sprinkler System to the new use two story B occupancy area.

C 19936

(a) The code requires permanent restroom fixtures to be provided based on occupancy of building. The current occupancy is A3 and proposed will be B. The request is to allow the permanent facilities to be reduced from 44 to 9. The proponent states there will be signage posting occupant load of 800 and will be enforced by campus authorities and BFD. Family ADA restroom is available in lobby to provide accessibility when needed.

*****Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the April 7, 2020 meeting.

20-03-40

Project:0

Bramble Berry Event Center,Indianapolis

C

20048

(a) The code requires fixtures to be provided in order for a change of a structure. The request is for temporarily use portable restrooms. The proponent states permanent restroom facilities will be added within 1 year of opening and drinking water will be available for occupants during events.

*****Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the March 3, 2020 meeting. (Pending designer's affirmation by 2/24/2020.)

C

(b) The chapter controls the change of occupancy of existing buildings and structures. The request is to convert an existing Agricultural Building to a Class 1 Structure classified as A-2 Occupancy. The existing structure is 1,152 square feet.

20-03-41

Project:0

Wabash Middle School - High School Additions, Wabash

C

20061

(c) The code prohibits addition to buildings or structures plus the existing building or structure from exceeding the height, number of stories, and allowable area based on the construction type. The request is to construct an addition of 5,564 sq. ft. on the 1st floor and 1,672 sq. ft. on the basement level will not separated from the existing building with structurally independent fire walls. The proponent states the addition will be provided with automatic sprinkler protection.

C

20061

(b) The code prohibits addition to buildings or structures plus the existing building or structure from exceeding the height, number of stories, and allowable area based on the construction type. The request is to allow addition of 4,982 sq. ft. to 1st floor and 4,982 to 2nd floor creating a total of 76,254 sq. ft. on 1st floor and 26,689 sq. ft. on 2nd floor. The allowable area is 24,650 sq. ft. for type II B construction. The proponent states the addition will be provided with an automatic detection system throughout, connected to the building fire alarm and required egress from the addition for both floor levels will be separate from required existing building egress.

C

20061

(a) The code requires corridors/openings in E occupancy to be one-hour fire resistance rated when the occupant load served by the corridor exceeds 30 if the building is not equipped throughout with a sprinkler system per NFPA 13. The request is to allow the corridors in the new addition to not have rated corridors. The new addition will be 7,236 square feet and be sprinklered.

*****Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the April 7, 2020 meeting.

20-03-42

Project:411534

Seraphim Asian Grill,INDIANAPOLIS

C

20067

The code establishes clearance distances to combustibles based on table 308.6 for hoods. The request is to allow zero-clearance based on manufacturer's specifications. The proponent states the hood is UL rated for such clearance.

*****Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the April 7, 2020 meeting.

20-03-43

Project:414136

Waelz Kiln Facility,LOGANSPO

C

20076

(b) The code requires emergency or standby power to be provided where treatment systems, mechanical ventilation, temperature control, alarm, detection, or other electrically operated systems are required. The request is to not provide emergency or standby power on site.

C

20076

(f) The code requires a sprinkler system to be provided in Group H occupancies. The request is to allow the sprinkler system to be omitted in the Finish Product Silo, 210-EAF Dust Receiving, 220-Carbon and Limestone Receiving, 310-Pelletizing, 330-Pellet Receiving, 150-WIP, Finish Products Storage Buildings. Per the proponent, the buildings have ceilings ranging from 38-116 feet.

C

20076

(e) The code requires indoor storage areas and storage buildings to be provided with mechanical exhaust ventilation or natural ventilation if natural ventilation can meet the requirements for materials being stored. The request is to allow the ventilation to be omitted in the Finish Product Silo, 210-EAF Dust Receiving, 220-Carbon and Limestone Receiving, 310-Pelletizing, 330-Pellet Receiving, 150-WIP, 352: Finish Products Storage Buildings. Proponent states the buildings are provided for weather protection and containment of materials. The materials are not physical hazards but health hazards.

C

20076

(d) The code limits the travel distance in high hazard occupancy to 175 feet and 300 feet in Storage and factory occupancy. The request is to allow the travel distance to not exceed 525 feet in the 210-EAF Dust Receiving, 325 feet in the 220-Carbon and Limestone Receiving, and 180 feet in the 340-Pellet Receiving Storage Building. Proponent states the ceiling height in all of the buildings exceeds 38 feet. Per the proponent the buildings are used mainly for equipment and storage protection from weather.

C

20076

(c) The code requires two exits to be provided in Group H-4 occupancy where the travel

20-03-43

Project:414136 Waelz Kiln Facility,LOGANSPORT

distance exceeds 75 feet and the occupant load exceeds 10. The request is to allow a single exit to be provided from buildings 210-EAF Dust Receiving, 220-Carbon and Limestone Receiving, and 330-Pellet Receiving. Proponent states the actual occupant load will be between 2-4 persons per building. An access panel will be provided, at grade, remote from the means of egress for fire department emergency access only.

C

20076

(a) The code prohibits buildings and structures from exceeding the building height and area based on the type of construction. The request is to allow the Finish Product Silo, 210-EAF Dust Receiving, 220-Carbon and Limestone Receiving, 310-Pelletizing, 330-Pellet Receiving, 150-WIP, Finish Products Storage Building to exceed the allowable area for H-4 Occupancy. The questions are what is the allowable area and square feet of the buildings?

*****Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the April 7, 2020 meeting.

20-03-44

Project:0 Hampton Inn Hamilton Crossing PIP Renovation,Carmel

C

20080

The code requires transformers to be accessible after installation.
The request is to allow (8) LED emergency light fixtures to be installed along the length of the hotel guestroom corridors without installing permanent ceiling access panels. Proponent states the exposed light switch at the ceiling will allow owner/operator to replace battery units without having to demolish and repair the drywall.

*****Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the April 7, 2020 meeting.

20-03-45

Project:0

Tippecanoe Laboratories T99/T100/T158,Lafayette

- C (f) The code requires emergency or standby power to be provided. The request is to omit emergency or standby power. Per the proponent, battery back-up power is provided for emergency lighting, exit signs and fire alarm system. Duke Energy provides electrical service to the site.
- C (b) The code prohibits buildings and structures from exceeding the allowable height and area based on the occupancy classification and construction type. The request is to permit the existing building's allowable area and height to be exceeded based on Type II-B construction and H-2, H-3/B occupancies. Per the proponent, the additions will put the buildings in further non-compliance. What is the sq. ft. of the new addition and existing building? What is the allowable area and height?
- C 20084
- (a) The code requires secondary containment to be provided where the maximum allowable quantity per control area is exceeded in rooms, buildings or areas used for storage, dispensing, use, mixing or handling of Class I, II and IIIA liquids. The request is to allow the required secondary containment to be omitted. Proponent states, due to the nature and size of the facility, all water entering the site is treated prior to release, which in the proponent's belief, is a different more comprehensive system which not only provides for secondary containment but manages the treatment and disposal of hazardous materials.
- *****Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the April 7, 2020 meeting.
- C (d) "See attached" unacceptable.
- C (c) The code requires Group H-2 and H-3 occupancies to be separated with fire rated assembly from all other occupancies. The request is to allow the H occupancy to not be separated from B occupancy. Proponent states the B occupancy is used for office and supervision areas and will be provided with sprinkler system.
- C (e) The code requires indoor storage areas and buildings to be provided with mechanical exhaust or natural ventilation where natural ventilation can be shown to be acceptable for the materials as stored. Proponent states specialty exhaust ventilation systems will be provided and designed for specific hazard areas.

20-03-46

Project:413338

**65 Commerce Park 2 TI LifeScience Log
Vault,WHITESTOWN**

C

20086

The code establishes certain door specifications such as height at 6' 8" openable from the egress side without the use of a key or special knowledge or effort, and the unlatching of any door shall not require more than one operation. The request is for the door on the vault to be 6' 6", special knowledge for operation, and more than one action to operate. The vault is for storage of schedule II controlled substances.

*****Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the April 7, 2020 meeting.

20-03-47

Project:0

Franciscan Beacon Hospital,La Porte

C

20092

The code requires supply and exhaust ducts serving the room be enclosed in a 1-hour shaft from the room to the exterior. The request is to have the supply and exhaust ducts serving the med-gas manifold room not be provided with a shaft enclosure. The proponent states that if required to have a shaft enclosure it would extend to several other areas of the facility.

*****Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the April 7, 2020 meeting.

(Pending owner's affirmation by March 30, 2020.

20-03-48

Project:0

Simplicity Furniture TEmp Tent,Evansville

C

20098

The code requires temporary tents ,air-supported, air-inflated or tensioned membrane structures to not be erected for a period of more than 30 days within a 12 month period on a single premises. The request is to allow a 2400 sq. ft. furniture sales tent to be up more than 30 days. The specific time would be 150 days maximum for period of 2 years. The proponent state that the project will be filed with plan review. Lighting, emergency lighting and exit signs will be provided. 2 fire extinguishers will be provided. Required exiting (2 locations 6' wide will be provided) Occ. load will be posted at 50. (80 calculated and 199 allowed for 2 exits IFC Table 3103.12.2). No open flame, cooking or heating

*****Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the April 7, 2020 meeting. (Pending owner's affirmation by March 30, 2020.)

20-03-49

Project:405735

Taxman CityWay,INDIANAPOLIS

C (c) The code requires sloped surface or ramp to be used where changes in elevation of less than 12 inches exist in the means of egress. The request is to allow the slope surface to be of mulch.

C 20100

(a) The code requires landings to have a length measured in the direction of travel of not less than 44 inches. The request is to allow the mulch area immediately on the opposite side of the 2nd exit gate from the patio to be 35 inches in width, with a fall of approximately 9 inches to the public side. Proponent states the primary exit is near the entrance to the building and has a complying hard surface on the opposite side of the gate.

*****Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the April 7, 2020 meeting.

C (b) The code requires a floor or landing to be on each side of a door and be at the same elevation on each side of the door. The request is to allow the mulch area immediately on the opposite side of the 2nd exit gate from the patio to have a fall of approximately 9 inches to the public side.

C 20100

(e) The code requires means of egress to be illuminated at all times the building space served by the means of egress is occupied. The request is to not install egress illumination.

C 20100

(d) The code requires exits and exit access doors to be marked with exit signs. The request is to not provide signage above the two (2) exit gates from the outdoor patio seating area complying with the requirements for either an internally illuminated sign, nor an externally illuminated sign.

20-03-50

C

Project:0

Promise Lane Barn Renovation,Peru

20109

A Chapter 34 Evaluation will be used to convert a barn into a building to be used as a 2-story building approximately 3,740 SF per floor. The building is a bank barn so both floors have at grade egress. The building is classified as Type V-B Construction with A-2 Occupancy. The proponent has identified 7 detailed facts which provide facts demonstrating non-compliance with the rule will not be adverse to the public health, safety or welfare.

*****Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the April 7, 2020 meeting.

20-03-51

C

Project:0

Bloomington/Walnut ,Bloomington

20117

The code permits the ceiling membrane of 1- and 2-hour fire rated horizontal assemblies to be interrupted with the double wood top plate of a fire-resistance-rated wall assembly as long as all penetrating items through the double top plates are protected. The request is to allow the ceiling membrane of the 1-hour rated horizontal assemblies to be interrupted with the single wood top plate.

*****Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the April 7, 2020 meeting.

20-03-52

C

Project:0

Bloomington/Walnut ,Bloomington

20120

The code requires horizontal separation based on number stories and type of construction. The request is to eliminate a fire shutter and to utilize a three hour horizontal fire assemblies supported by three hour rated vertical assemblies to create a horizontal and vertical building separation between the two buildings. The proponent states the IB noncombustible construction and NFPA 13 sprinkler provide protection.

*****Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the April 7, 2020 meeting.

20-03-53

Project:412193

Vincennes Brewing Company Tenant Space,VINCENNES

C

20132

The code prohibits building or structure from changing its use unless the building or structure complies with, or is made to comply with the current rules of the Commission for new construction for the proposed revised use of the building; or
a Chapter 34 of the Indiana Building Code. The request is to allow an existing 2,068 sq. ft. B/M occupancy on the 1st floor tenant space to be converted to an A-2 occupancy (brewery) without being made to comply with current code or Chapter 34. Per the proponent, the tenant space has two (2) remote exits directly to the exterior. Egress travel distance from the 1st floor is a maximum of 54 feet. Code permits up to 200 feet. Calculated occupant load is 71.

*****Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the April 7, 2020 meeting.

20-03-54

Project:0

Mustard Seed Gardens Barn,Noblesville

C

20133

The code permits Chapter 34 to be for change of occupancy only.
The request is to allow the 3-level south addition to the event portion of the building to be evaluated as part of the Chapter 34 evaluation. The maximum travel distance to an exit from any portion of the building, including the south addition will be approximately 72 feet - maximum permitted is 200 feet.

*****Dept. forwards the variance application to the Fire Prevention and Building Safety Commission (the Commission) for determination at the April 7, 2020 meeting.