

COMMISSION MEETING MINUTES

Indiana Fire Prevention and  
Building Safety Commission  
Government Center South  
302 W. Washington Street  
Indianapolis, Indiana 46204  
Conference Center Room B

October 1, 2013

Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was opened by Chairman Hawkins at 9:01 a.m. on October 1, 2013.

- (a) Commissioners present at the Commission meeting:

Diana M. H. Brenner  
Ron Brown  
Tom Cloud  
Michael Corey  
Kevin Goeden, representing the Commissioner, Department of Labor  
John Hawkins, Chairman  
Todd Hite, representing the Commissioner, Department of Health  
James Hoch  
Matt Mitchell  
Patrick Richard  
Craig Von Deylen

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

Legal and Code Services  
Mara Snyder, Director, Legal and Code Services  
Kari Thompson, Manager, Code Technical Development  
Cecilia Ernstes-Boxell, Code Specialist  
Denise Fitzpatrick, Code Specialist  
John Haines, Code Specialist  
John Hibner, Code Specialist  
Beth Sutor, Secretary

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

## 2. Old Business

Chairman Hawkins called for any corrections or a motion to approve the minutes of the September 4, 2013, meeting. Commissioner Corey moved to approve, with the second by Commissioner Richard. It was voted upon and carried.

## 3. Ordinances

White County Building Code Ordinance No. 13-09-03-01  
White County, Indiana

Speedway Fire Prevention Ordinance No. 1217  
Speedway, Indiana

Owen County Building Ordinance No. 2013-0008  
Owen County, Indiana

Mara Snyder, Director, presented the ordinances, explaining the need for the Speedway ordinance memo. Commissioner Corey moved to approve White County Building Code Ordinance No. 13-09-03-01, and Owen County Building Ordinance No. 2013-0008, with the second by Commissioner Cloud. It was voted upon and carried. Commissioner Corey then moved to approve Speedway Fire Prevention Ordinance No. 1217, with the second by Commissioner Cloud. It was voted upon and carried.

## 4. Variances

Per the proponent's request, Commissioner Corey moved to table variance 13-06-2, 2013 SVT Elevator, Munster, and 13-06-9, 2013 SVT Elevator, Hammond. Commissioner Brown made the second. It was voted upon and carried. Per the proponent's request, Commissioner Corey moved to table variance 13-08-52, International School of Columbus, Columbus. Commissioner Cloud made the second. It was voted upon and carried.

Variances for additional discussion

13-09-59      Sigma Alpha Mu Fire Alarm System, Bloomington  
13-09-61      Phi Kappa Psi Fire Alarm System, Bloomington

Christina Collester, RTM Consultants, spoke as proponent. Also speaking was the owner, Michael Shartiag, Michael Rouker, attorney for the City of Bloomington, Tim Clapp, Bloomington Fire Department, and Andy Messer, Koorson Fire and Safety. Ms. Collester presented information concerning the 2013 edition of NFPA 72 that contains provisions that allow a single transmission line, and the improvement in reporting and checking lines with the IP

format instead of the landline method. The owner, Michael Shartiag, also presented information concerning the steps taken to correct the problems encountered in the initial testing of the system by the fire department. Tim Clapp, Michael Rooker, and Andy Messer presented their positions on the current standard's (2002) requirement for two lines. Following a lengthy discussion, Commissioner Brenner moved to approve both variances with the condition that the security tampering issues were to be resolved and an 8-hour, battery powered backup be provided. Commissioner Corey made the second. It was voted upon and carried by a vote of 6 to 4.

#### Tabled Variances

Variance 13-09-1, 516 Northwest Avenue, Lafayette, was represented by Matt Delk, KONE Elevator Company. The request was to allow steel ropes of sizes which do not meet current Elevator Safety Code cable requirements. Following discussion, Commissioner Corey moved to approve, with the second by Commissioner Cloud. It was voted upon and carried. Variance 13-09-8, North Meridian Professional Center, Indianapolis, had been an "A" on the staff review, but incomplete. It was now eligible for discussion, and Cindy Brown, property manager, confirmed that only the hoses were to be removed. Commissioner Cloud moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried. Variance 13-09-36, Riley Hospital for Children Sequence 3b, Indianapolis, was represented by Melissa Tupper, RTM Consultants. The request was to allow a set of three controlled access, sliding doors to be used for the sterilization room, located in the basement of the hospital. These doors are a standard configuration found in hospitals, controlling cross-contamination from the decontamination area and the sterile processing area. The corridors have smoke detectors, and the building is equipped with quick response sprinklers. Following discussion, Commissioner Corey moved to approve, with the second by Commissioner Cloud. It was voted upon and carried. Variance 13-09-39, Hannah and Friends New Activity Center, South Bend, was represented by architect Joseph Dzierla. The request had been to omit the sprinklers. He noted that, since the previous meeting, two more exits had been added, the mezzanine had been omitted, and a fire alarm system was to be installed. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried, with one nay. Variance 13-09-45, Chef Suzanne, Fishers, was represented by Ed Rensink, RTM Consultants. The variance application had been tabled to allow the proponent time to gather cost information. He noted that the noncombustible assembly would be approximately \$28,000, while what they had proposed cost \$14,000 for construction of the second floor work space addition. Don Graber, Fishers Fire Department, opposed the variance. Following discussion, Commissioner Brenner moved to deny, with the second by Commissioner Richard. It was voted upon and carried, with one nay. Variance 13-09-47(g), The Lofts at Pulliam Square, Indianapolis, was represented by Ed Rensink, RTM Consultants. The parking garage had one side with openings which were reduced enough that it would not fully comply with open parking garage classification requirements. The request was to allow the use of the remaining exterior openings, mechanically assisted, to offset the reduced openings on the one side of the building. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Brenner. It was voted upon and carried.

## Regular Variances

Chairman Hawkins called for any abstentions or variances to be called out of the block vote. Commissioner Brown called out 13-10-35, McDonald's – Union City – ACI 12047, Union City. Commissioner Mitchell called out 13-10-55, Fox Apartments, Bloomington. Commissioner Cloud noted he would abstain from voting on variance 13-10-28(a)(b)(c)(d)(e)(f) 10 North Mixed Use, Bloomington, and 13-10-60(a)(b), Ratio Office Renovation, Indianapolis. Commissioner Hawkins noted he would abstain from voting on variance 13-10-63, Stalker School Apartments, Bedford. Commissioner Mitchell noted he would abstain from voting on 13-11-20, Noblesville East Middle School, Noblesville. Commissioner Corey then moved to approve all remaining "A" and "B" variances, with the second by Commissioner Hite. It was voted upon and carried.

The following variances were approved as submitted:

- (1) 13-10-1 1106 N. Dunn Street Windows, Bloomington
- (2) 13-10-4 Timber Ridge – 591 Graham Place Windows, Bloomington
- (3) 13-10-10(a)(b) Phi Kappa Psi Fraternity House, Bloomington
- (4) 13-10-12 Edelweiss Horse Park, Greenfield
- (5) 13-10-14(a)(b) Boone County 4-H Fairgrounds – Restroom and Pavilion, Lebanon
- (6) 13-10-17 City Way YMCA, Indianapolis
- (7) 13-10-23 520 Graham Place Windows, Bloomington
- (8) 13-10-25 Elanco Global Headquarters Expansion, Greenfield
- (9) 13-10-26 Wayne Township Golf and Cross Country Building, Indianapolis
- (10) 13-10-28(a)(c)(d) 10 North Mixed Use, Bloomington
- (11) 13-10-30(a) Winchester Middle School, Winchester
- (12) 13-10-32(b)(c) Winchester Community High School – Additions, Winchester
- (13) 13-10-39(a)(b) Mainstreet South Bend Skilled Nursing and Assisted Living, South Bend
- (14) 13-10-43(b)(c) Stadium Flats, Indianapolis
- (15) 13-10-44(a) The Lofts at Pulliam Square, Indianapolis
- (16) 13-10-45 Harlan Bakeries, Indianapolis
- (17) 13-10-46(a) Lawrenceburg High School Gymnasium Addition, Lawrenceburg
- (18) 13-10-48(a)(b) Alpha Brownsburg Schools, Brownsburg
- (19) 13-10-49(b)(c) City of Kokomo Parking Garage, Kokomo
- (20) 13-10-50(d) Senior Apartments at the Anderson YMCA, Anderson
- (21) 13-10-53(b) Break and Run Music Venue, Ft. Wayne
- (22) 13-10-54 Purity Wholesale Grocers Office Remodel, Lebanon
- (23) 13-10-57(a)(b) Whitewater Mill, West Harrison
- (24) 13-10-58 Holy Life Baptist Church Annex Fire Reconstruction, Indianapolis
- (25) 13-10-59 Barclay Building Remodel, Bloomington
- (26) 13-10-60(a)(b) Ratio Office Renovation, Indianapolis
- (27) 13-10-62(a) Mahseh Addition, Kewanna
- (28) 13-10-63 Stalker School Apartments, Bedford

The following variances were heard separately:

- (29) 13-10-2 Rock Run Repair New Building, Millersburg

The application, a request to omit emergency egress illumination, was not represented by a proponent. Following discussion, Commissioner Brown moved to approve with the condition that luminescent or other illuminated exit signs be provided at all times that the building is occupied. Commissioner Corey made the second. It was voted upon and carried.

- (30) 13-10-3 Spring Hill Suites, Bloomington

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

- (31) 13-10-5 Corbin Storage, Greencastle

The application was incomplete and ineligible to be heard. Commissioner Corey moved to table, with the second by Commissioner Cloud. It was voted upon and carried.

- (32) 13-10-7 Gary City Hall Modernization and Replacement of Freight Elevator, Gary

The application was incomplete and ineligible to be heard. Commissioner Corey moved to table, with the second by Commissioner Mitchell. It was voted upon and carried. A request for drawings was also made by members of the Commission.

- (33) 13-10-8 Exide Technologies Repair Facility Addition, Muncie

Scott Perez, Arxtheon Consulting, spoke as proponent. Due to EPA regulation, loaders used in the facility must be cleaned before they leave the building to drive to the repair facility. The company wished to build a repair facility attached to the building, to replace the existing freestanding repair facility. Because of the presence of lead dust and particles, and the use of sulfuric acid, the request was to omit the sprinkler system in the H-4 occupancy to avoid spreading contamination due to sprinkler activation. A four-hour fire wall would be constructed on three sides of the addition, with rated doors, to separate the repair addition from the existing building. Extra fire extinguishers would also be provided. The room would be 18 feet high, with steel joists and metal decking. Following discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Hoch. It was voted upon and carried with one nay.

- (34) 13-10-9 Sabic IP Project, Mt. Vernon

Scott McIntyre, Jacobs Engineering, and Brian Bougher, Sabic, spoke as proponents. The request was to allow the open-sided, unoccupied three-level structure, used to support process related vessels, to have horizontal penetrations through equipment access platform levels which are not sealed. The structural elements and components were to be of Type I-B construction. A walkway between the existing facility and the process structure was to have a 2-hour separation. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Hoch. It was voted upon and carried.

- (35) 13-10-11 Earlham College Science Addition Phase 2, Richmond

Stephen Endy, Boora Architects, spoke as proponent. The Science Commons spaces, located around the unenclosed stair, were intended to promote the interaction of the various science departments within the building. The third floor of the stair was to be separated by a 1-hour fire barrier with sprinkler wash over portions of interior glass windows, in compliance with Exception 1 of Section 404.5 of the 2008 Indiana Building Code. The building was to be sprinklered per atrium requirements. The second stair was to be fully enclosed from the third floor to the exterior discharge at the first floor. The local building official did not object to the variance. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

- (36) 13-10-13 Tippe River Downs Senior Patio Homes, Warsaw

James Lenczowski, J.S.L. & Associates, spoke as proponent. The request was to allow the use of an NFPA 13D sprinkler system, in lieu of the code required NFPA 13R system, in the seniors housing complex, in an effort to keep the rent at an affordable level for those on a fixed income. The units would be separated by one hour fire separation from slab to roof deck. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

- (37) 13-10-15 Crop Production Services, Warren

Steve Johnson, Design Consulting, spoke as proponent. A two-story office building for an agricultural operation, not used by the public, had been constructed in a rural area. A ramp led to the entrance where a 12" clearance from the railing on the latch side of the door was provided, instead of the 18" required by code. The building was to serve the

agricultural production workers, who are not physically handicapped. Following discussion, Commissioner Hite moved to approve, with the second by Commissioner Hoch. It was voted upon and carried.

**Breaking and reconvening.** Chairman Hawkins recessed the Commission at 10:30 a.m. It was called back to order at 10:45 a.m.

(38) 13-10-16(a)(b) Midwest Technical Institute, Brownsburg

Bryan Kirk, Midwest Technical Institute, spoke as proponent. Variances (a) and (b) were to allow non-compliant exit door locking devices to remain in place. The locks are a combination of a locking door handle and dead bolt, requiring two actions and therefore, not compliant. The proponent stated the locks were to provide a secure means for students and faculty to protect themselves during active shooter scenarios. Following a discussion which included input from Steve Jones of the Brownsburg Fire Territory, it was suggested the variances be tabled to allow the proponent time to investigate alternatives. Commissioner Brown moved to table, with the second by Commissioner Cloud. It was voted upon and carried.

(39) 13-10-18(a)(b) Kingdom Hall of Jehovah's Witnesses, Martinsville

Garth Hughes, engineer, spoke as the proponent. Also present was Jack Hubbard, a member of the congregation. Staff advised they had felt that variance (a), a request to omit a vestibule, was not required. Commissioner Brenner moved that no variance was required for (a), with the second by Commissioner Corey. It was voted upon and carried. Variance (b) was to omit sprinklers from a small apartment attached to the building for traveling overseers and their spouses. There was insufficient water pressure to support a sprinkler system, and the cost of a well and holding tank is 15% of the cost of the building. They have egress windows in the sleeping room, and were to install a smoke detection system. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Richard. It was voted upon and carried, with one nay.

(40) 13-10-19(a)(b)(c)(d) Penn Street Tower, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. In variance (a), the request was to allow the high-rise building, with an adjacent building being used as an annex, to define separate buildings for the Chapter 34 evaluation using 2-hour fire barriers and horizontal assemblies in lieu of code required 2-hour fire walls. The buildings are Type IA construction, and are protected by sprinklers. Following discussion, Commissioner Corey moved to approve with the condition the corridor wall in the basement be a 2-hour fire barrier. Commissioner Von Deylen made the second. It was voted upon and carried. Variance (b) was to allow the diagonal distance between exits to be 30% instead of code complaint 33% on floors 8 through 15. Following discussion, Commissioner Corey

moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried. Variance (c) was to allow the elevator to open into the restored, open stairway from floors 2 through 15. The stairway has a complete 2-hour enclosure on all floors. Following discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Corey. It was voted upon and carried, with one nay. Variance (d) was to allow the new elevator, being installed in the existing shaft, to not meet the size requirement for stretchers. Commissioner Corey moved to approve, with the second by Commissioner Cloud. It was voted upon and carried.

(41) 13-10-20 Noblesville East Middle School, Noblesville

Ed Rensink, RTM Consultants, spoke as proponent. Construction was to impact an existing means of egress. A temporary means of egress was to be provided, with exit lighting and signage adjusted as necessary. Fire drills were to be held for the temporary exiting as well. Following discussion, Commissioner Corey moved to approve, with the second by Commissioner Brenner. It was voted upon and carried. Commissioner Mitchell abstained.

(42) 13-10-21 Bulk Lime Storage Tenant Sprinkler, Indianapolis

Tim Callas, J&T Consulting, appeared as proponent. The sprinkler system for the area of the multi-tenant warehouse in which the bulk lime is stored has been turned off, while the remainder of the building had functioning sprinklers. The request was to allow this area to remain noncompliant. Lime, pumped into the area from one side of the building, creates dust which coats the unprotected sprinkler heads, rendering them useless. The proponent stated signage would be posted on the riser standpipe stating it was shut off in the lime storage area. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Brenner. It was voted upon and carried.

(43) 13-10-22(a)(b) Noblesville High School, Noblesville

Ed Rensink, RTM Consultants, spoke as proponent. Variance (a) was to allow temporary means of egress for some exits which are affected during construction. Exit lighting and signage were to be provided as necessary. Variance (b) was to allow egress travel distance to exceed that allowed by code from several classrooms during construction. The proponent noted that fire drills were to be held to familiarize the students with the temporary egress. Following discussion, Commissioner Brown moved to approve the variances through August 2014. Commissioner Corey made the second. It was voted upon and carried. Commissioner Mitchell abstained.

- (44) 13-10-24 Kokomo Central Middle School Renovation, Kokomo

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow the sprinkler protection to be phased in conjunction with the construction phases of the renovation. Each phase would be protected with automatic sprinklers prior to occupancy. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

- (45) 13-10-27 Jay-Randolph Development Services Dock Enclosure, Portland

Tim Callas, J&T Consulting, spoke as proponent. A 225 square foot dock was being added to an I-4 occupancy, and separated by a 2-hour fire barrier. It will have openings of 63% of the length of the wall, while code allows only 25%. The proponent noted the dock is 1.7% of the existing building. Following discussion, Commissioner Corey moved to approve, with the second by Commissioner Brenner. It was voted upon and carried.

- (46) 13-10-28(b)(e)(f) 10 North Mixed Use, Bloomington

Ed Rensink, RTM Consultants, spoke as proponent. The request in (b) was to allow the parking garage to be considered part of the Type VA building. The parking deck will be a 3-hour rated horizontal assembly of noncombustible construction under and above the second floor parking level. There will be a 2-hour fire separation from the residential area, protected by a 13R system. Following discussion, Commissioner Von Deylen moved to approve with the condition that the sprinklers be zoned by floor, and permanent signs be mounted behind the dryers stating they exceed the allowable length of run. Commissioner Corey made the second. It was voted upon and carried. Variance (e) was to allow the use of a 13R sprinkler system in the 63 foot tall building. Code allows the use of a 13R system in buildings up to 60 feet. Following discussion, Commissioner Corey moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried. Variance (f) was a request to allow the first, second and third floors to exceed allowable area for a single story by 2.5% per floor. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

- (47) 13-10-29 IU Health Bedford Hospital Modular MRI, Bedford

Neal Locasto, RTM Consultants, spoke as proponent. The request was to allow the use of a 2-hour fire barrier in lieu of a structurally independent 2-hour fire wall to separate the modular MRI unit from the existing building. Both will be sprinklered. Following

discussion, Commissioner Hite moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

(48) 13-10-30(b)(c) Winchester Middle School, Winchester

Ed Rensink, RTM Consultants, spoke as proponent. Variance (b) was to allow the corridor in the Administrative area to be unrated. The area, and the administrative area in the high school to which it was to be connected, were to be sprinklered. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Variance (c) was to allow a 2-hour fire barrier in lieu of a 2-hour fire wall to separate the addition from the existing building. The addition would be sprinklered. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Richard. It was voted upon and carried.

(49) 13-10-31 Remodel of 1434 E. 3<sup>rd</sup> Street, Bloomington

Doug Trent, RTM Consultants, spoke as proponent. Mother Bear's Pizza wanted to expand into a neighboring space, which had also been a restaurant. The kitchen in the space had been removed and changed into a seating area, giving Mother Bear's an occupant load of 120. The request was to omit the sprinkler system. The building had passed an evaluation using 3410 IBC, but could not be filed using Section 3410 IBC because there was no change of occupancy. The proponent was enclosing the stairway to the basement, and offered to wrap the beams in the basement ceiling. Following discussion, Commissioner Brenner moved to approve, with the condition the structural beams in the basement ceiling be wrapped for a 2-hour fire rating. Commissioner Corey made the second. It was voted upon and carried, with one nay.

(50) 13-10-32(a) Winchester Community High School Addition, Winchester

Ed Rensink, RTM Consultants, spoke as proponent. The proposed additions to the high school would impact existing means of egress, requiring temporary means of egress during construction. The request was to allow a temporary means of egress with exit lighting and signage, adjusted as necessary, to be provided. Following discussion, Commissioner Brown moved to approve the variance until August, 2014, with fire drills to be held. Commissioner Corey made the second. It was voted upon and carried.

(51) 13-10-33 Strawtown Interpretive Indian Park – Koteewi Park, Noblesville

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow replicas of Native American structures, using manufactured bent poles for structural integrity, to be erected in the park. These would not comply with current code for Class I structures. Following discussion, Commissioner Brown moved to approve, with the condition they

comply with open burning regulations. Commissioner Hite made the second. It was then noted that the code cited on the application was incorrect, and should have been Section 12-4-7 in the GAR. A motion to rescind the original motion was made by Commissioner Corey and seconded by Commissioner Cloud. Commissioner Brown then moved to approve with a condition of no open burning within 25 feet of the structures, and an amended application to be submitted to staff. Commissioner Corey made the second. It was voted upon and carried.

(52) 13-10-34 Ivy Towns and Flats, West Lafayette

Ed Rensink, RTM Consultants, spoke as proponent. The request was to omit the deeded property line between the 17 townhouse units as required by code. All other IRC pertinent requirements for townhouse construction would be met, including the 2-hour wall between units. Utilities crossing the property lines, an issue with townhouses and condos, presented a hardship. Following a lengthy discussion of the difference between a townhouse and an R-2, Commissioner Brown moved to table to allow the proponent time to research the costs of a 13D system after speaking with the owner. Commissioner Von Deylen made the second. It was voted upon and carried.

**Breaking and reconvening.** Chairman Hawkins recessed the Commission for lunch at 12:07 p.m. It was called back to order at 1:12 p.m.

(53) 13-10-35 McDonalds Union City ACI 12047, Union City

Christina Collester, RTM Consultants, spoke as proponent. This facility had the Playland removed, with storage, tables and chairs installed instead. No addition was being made to the building as had been done in others. It was determined that, in the future, if the Playland area is removed and the space is re-configured resulting in a smaller occupant load, no variance would be required. Commissioner Brown moved that no variance was required. Commissioner Von Deylen made the second. It was voted upon and carried.

(54) 13-10-36 Angie's List Yellow House Change of Use, Indianapolis

Melissa Tupper, RTM Consultants, spoke as proponent. The request was to allow the use of Rule 13 in the conversion of a residence to an office building. All requirements for Rule 13 were met except for allowable area, exceeded by approximately 1,300 square feet. The facility was to be occupied by employees, not the general public. When the proponent was unable to give a definite number of employees in the building, the request was made to table. Commissioner Brown moved to table, with the second by Commissioner Hoch. It was voted upon and carried.

- (55) 13-10-37 Angie's List Blue House Change of Use, Indianapolis

Melissa Tupper, RTM Consultants, spoke as proponent. The request was to allow the use of Rule 13 in the conversion of a residence to an office building. All requirements for the use of Rule 13 were met except for allowable area, exceeded by 835 square feet. There was also a third story, not allowed with Rule 13. The proponent asked to table to provide further information on the number of employees in the building. Commissioner Brown moved to table, with the second by Commissioner Hoch. It was voted upon and carried.

- (56) 13-10-38(a)(b) Angie's List Dorman Building Change of Use, Indianapolis

Melissa Tupper, RTM Consultants, spoke as proponent. The request in variance (a) was to ask for additional points needed to pass a Chapter 34 review. To get a passing score using Section 3410, an NFPA 13 compliant sprinkler system would need to be installed, making the project not economically feasible. Variance (b) was a request to allow a score of 0 for vertical openings, in lieu of the actual score of -14. The building was comprised of a front building and a back building of two stories, connected by a one-story building. The roof of the connector building is used as a break area by employees. Following a lengthy discussion, Commissioner Corey moved to table both, with the second by Commissioner Hite for more information about the previous uses of the building. It was voted upon and carried.

- (57) 13-10-40 Snider High School Renovation, Ft. Wayne

Ed Rensink, RTM Consultants, was present as proponent. The request was to allow the sprinkler system in the school to be installed in phases, with the system becoming operational in zones as construction progresses. Jim Murua, Ft. Wayne Fire Department, had submitted a letter of support for the variance, though staff had put it in D category due to information which had not been provided until after the review. Commissioner Corey moved to approve, with the second by Commissioner Cloud. It was voted upon and carried.

- (58) 13-10-41 (a)(b) Graeters Ice Cream Shop, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. In variance (a), the City of Indianapolis had cited the building for lack of a parapet wall. The portion of the wall being rebuilt was being replaced with a 2 hour CMU wall, and building a parapet wall on the pitched roof structure would create water ponding issues. The request was to omit the parapet. Staff felt it was a repair and not new construction. Following discussion, Commissioner Corey moved to approve, with the second by Commissioner Cloud. It was voted upon and carried. Variance (b) was to omit an entry vestibule. The Indiana Energy Code does not require a vestibule for an area of this size. Following discussion,

Commissioner Mitchell moved that no variance was required, with the second by Commissioner Hite. It was voted upon and carried.

(59) 13-10-42(a)(b) Illinois Place, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. Variance (a) was to allow dryer vents to be closer to openable windows than allowed by code in an effort to comply with length of run requirements. The building is air conditioned, and the proponent felt the windows in question would not be frequently open, allowing exhaust to enter the apartments. Following discussion, Commissioner Brown moved to table to allow the proponent to speak with the designer and explore options, with the second by Commissioner Von Deylen. It was voted upon and carried. Variance (b) was to allow the clear floor spaces for the roll-in shower, without a lip, and water closet to overlap as allowed by ANSI A-117.1. Jeff Dean, City of Indianapolis, requested the application to be tabled due to the fact that they had not received plans when the variance application had been submitted for notification of filing to Indianapolis. Following a lengthy discussion, it was decided that the request to use the shower in the clear space was the issue at hand, and that the drawings submitted hadn't provided any essential details. Following discussion of ADA requirements and interpretations, Commissioner Brenner moved that no variance was required, and that they had five days to get the plans to the LBO. Commissioner Von Deylen made the second. It was voted upon and carried.

(60) 13-10-43(a) Stadium Flats, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request was to omit Type A units in the project, but comply with the federal Fair Housing Act and all applicable federal standards. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Brenner. It was voted upon and carried.

(61) 13-10-44(b) The Lofts at Pulliam Square, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow a rooftop deck, located above the lowest level of fire department vehicle access of 75 feet, to be designed without high rise specifications. Following discussions with the Indianapolis Fire Department, an agreement was reached and the applicant was to provide a posted occupant load of 85, guard railings along the roof edge, and lighted and defined egress paths and the objections withdrawn. Commissioner Brenner moved to approve with the conditions requested by the fire department. Commissioner Corey made the second. It was voted upon and carried.

- (62) 13-10-46(b) Lawrenceburg High School Gymnasium Addition, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow two means of egress stairs connecting 3 levels of the gym to not be enclosed. The 2012 IBC was used, with a bulkhead and sprinkler water curtain at each opening. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Richard. It was voted upon and carried.

- (63) 13-10-47 Westhaven Apartments Buildings A, B, C, D & E, Zionsville

Tim Callas, J&T Consulting, spoke as proponent. An existing three story apartment building, with the code required 35 square feet of aggregate openings, was requesting that they be allowed to close one end with glass due to ice and snow accumulation on the stairs and corridor. The open end of the corridors would remain with ventilation openings. Following discussion of smoke mitigation in the stairs and corridors, Commissioner Brenner moved to deny, with the second by Commissioner Cloud. It was voted upon and carried.

- (64) 13-10-61 One North Capitol Computer Room Piping, Indianapolis

The Commission agreed to hear the variance out of order to allow the applicant to be present. Christina Collester, RTM Consultants, spoke as proponent. The request was to allow two 2 inch copper pipes penetrating the rated stair enclosure to serve the cooling system for the LSA computers. The existing pipe chases are filled to capacity. The pipes were to be sealed with UL listed 2-hour assembly as required by code. Following discussion, Commissioner Cloud moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

- (65) 13-10-49(a) City of Kokomo Parking Garage, Kokomo

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow the building to exceed the number of stories and total height of that allowed for the 5<sup>th</sup> floor residential occupancy using IBC Section 509.7. The parking garage would be Type IB construction and the apartment level will be Type VA construction. There will be a 2 hour horizontal fire separation and 2 hour stair enclosures, and it would be sprinklered throughout. Following discussion, Commissioner Cloud moved to approve with the condition that the structural frame be of Type IB construction. Commissioner Corey made the second. It was voted upon and carried.

(66) 13-10-50(a)(b)(c)(e)(f)(g) Senior Apartments at the Anderson YMCA, Anderson

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. Variance (a) was to allow the use of a Chapter 34 evaluation, though part of the floors were removed in the 1980's for handball courts and were to be reinstalled in the renovation, which is not allowed under Chapter 34. The first floor and basement were to remain YMCA, and floors 2 through 4 were to be converted to apartments. The building was to be sprinklered, with a 13R system for the residential floors. A new fire alarm system and smoke detection system in the corridors were to be provided. Commissioner Brenner moved to approve, with the second by Commissioner Goeden. It was voted upon and carried. Variance (b) was a request for additional points needed to pass the Chapter 34 evaluation. The first floor stair would be provided with a draft curtain and close spaced sprinklers. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Hite. It was voted upon and carried. Variance (c) was a request to allow the steel columns around the pool to remain in place, with a sprinkler head close to each column for protection. The area over the pool would not be sprinklered. Following discussion, Commissioner Brown moved to approve with the second by Commissioner Cloud. It was voted upon and carried. Variance (e) was to omit the sprinkler system over the pool and spectator area, while offices, locker rooms, storage areas, and filter rooms were to be sprinklered. Following discussion, Commissioner Brenner moved to approve, with the condition that the area under the spectator seating be sprinklered. Commissioner Richard made the second. It was voted upon and carried. Variance (f) was to allow the 8" CMU elevator shaft to be considered 2-hour rated and not required to be sprinklered. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Variance (g) was to allow an existing corridor to be converted to an exit passageway leading directly to the outside, though it will contain openings for some normally un-occupied rooms. Following discussion, Commissioner Corey moved to approve with the condition that none of the rooms would contain hazardous materials. Commissioner Brown made the second. It was voted upon and carried.

**Breaking and reconvening** Chairman Hawkins recessed the Commission at 2:53 p.m. It was called back to order at 3:00 p.m.

(67) 13-10-51 SPPE Drive Machine Replacement, Tipton

Jerry Hennessey, ThyssenKrupp Elevators, spoke as proponent. The request was to allow the emergency installation of a new drive machine without meeting the requirements of Section 2.19 of ANSI A17.1. The elevator is a special purpose elevator in an industrial area for use by trained personnel only. Commissioner Von Deylen moved no variance was required, with the second by Commissioner Brenner. It was voted upon and carried. Commissioner Corey abstained.

- (68) 13-10-52 Boyd Corporation Addition, Elkhart

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

- (69) 13-10-53(a) Brake and Run Music Venue, Ft. Wayne

Ed Rensink, RTM Consultants, spoke as proponent. The request was to be allowed to use two existing CMU walls as fire walls for the purpose of defining the building area containing the project, though they might not comply as true fire walls. The space was changing from retail to assembly occupancy. Jim Murua, Ft. Wayne Fire Department, did not object to the variance. Commissioner Corey moved to approve, with the second by Commissioner Cloud. It was voted upon and carried.

- (70) 13-10-55 Fox Apartments, Bloomington

Ed Rensink, RTM Consultants, spoke as proponent. The building was to be 8", at one point, from the property line, with openings totaling approximately 13% of each of the second, third and fourth floors. The first floor parking garage does not have openings facing the south property line. There was to be an NFPA 13 and 13R sprinkler system protecting the building. Tim Clapp, Bloomington Fire Department, Bobby LaRue, Bloomington Building Department, and Jim Gerstbauer of the Monroe County Building Department, spoke against the variance. Following discussion, Commissioner Von Deylen moved to deny, with the second by Commissioner Brenner. It was voted upon and carried.

- (71) 13-10-56 Gurdwara Jot Amrit Parkash, Fishers

Peter Winters, architect, spoke as proponent. The facility had been granted a variance for six months to allow use of the first floor of the building for worship services, with a fire watch. The variance had expired without the facility being brought into compliance. The request was for an extension until the building was completed. Marc Reynolds, Fire and Code Enforcement, noted the building was not in compliance when he had last been in it. Jim DeLuca and Diane DeLuca, neighbors of the temple, both spoke against the extension of the variance, voicing safety concerns for the neighborhood children around the machinery and the failure of the congregation to bring the facility into compliance with all violations cited by the Fishers Fire Marshal. The local fire official was also against the variance. Following a lengthy discussion, Commissioner Brenner moved to approve a thirty day extension with the condition the facility was not to be used and was to be brought into compliance with all of the violations cited by the Fishers Fire marshal. Commissioner Richard made the second. Following further discussion, Commissioner

Von Deylen then moved to table with the condition that they may not use the building, with the second by Commissioner Cloud. It was voted upon and carried.

(72) 13-10-62(b)(c) Mahseh Addition, Kewanna

Christina Collester, RTM Consultants, spoke as proponent. The facility was a church retreat, and had wanted to expand by adding four second floor bedrooms and two bathrooms. They had been filed as an R-3. In variance (b), the addition and existing building were not to be sprinklered. Variance (c) was to allow the new exterior and interior stairs to not be enclosed as required by code. Following discussion, Commissioner Hoch moved to approve both with the condition that there is a 13D system installed in the bedrooms and corridors of the addition. Commissioner Von Deylen made the second. It was voted upon and carried.

5. NFPA 72 – LSA Doc. #12-522 – Discussion of staff memo concerning public comments

Mara Snyder, Director, Legal and Code Services, presented the memo, noting that she had inadvertently reversed the order of the comments from Mr. Kelly. The summary of public comments had also been provided to members of the Commission. Commissioner Brown had asked why Chapter 24 had been removed. Ms. Snyder explained that it contained regulations for items over which the Commission had no authority, and recommended that it be deleted from the Indiana rule. A further discussion of two providers for notification systems was also held, and it was decided that they would do further work on that issue before they would take action on the document.

6. Approval of variance granted by White River Twp. Fire Department

Center Grove High School Changing Building

Commissioner Mitchell moved to approve, with the second by Commissioner Hoch. It was voted upon and carried.

7. Approval of variance granted by Indianapolis Fire Department

250 North Shadeland Avenue Project

Commissioner Mitchell moved to approve, with the second by Commissioner Cloud. It was voted upon and carried.

## 8. Discussion of memo concerning conflicts between proposed 2014 Building and Fire codes

Members of the Commission presented their positions on the conflicts between the proposed 2014 Building and the 2014 Fire codes. Item 1 was to use either the 12,000 square feet for Group E fire areas from the Fire Code Committee or the 20,000 square feet from the Building Code Committee. Commissioner Brown moved to approve the 12,000 square feet from the Fire code, with the second by Commissioner Von Deylen. It was voted upon and carried, with one nay. Item 2 was for system interconnection, using either the Fire Code Committee language in bold or the Building Code Committee language omitting internal make up air. Commissioner Von Deylen moved to use the Building code language, with the second by Commissioner Corey. It was voted upon and carried. Item 3 was for dry standpipe language. The Fire Code Committee approved the language in bold, while the Building Code Committee did not approve the last sentence in bold. Commissioner Corey moved to approve the Building Code Committee language, with the second by Commissioner Von Deylen. It was voted upon and carried. Item 4 was for smoke detection in ambulatory care facilities. The Fire Code Committee approved the stricken language and language in bold. The Building Code Committee deleted the entire section without substitution. Commissioner Von Deylen moved to approve the Building code language, with the second by Commissioner Richard. It was voted upon and was carried with a vote of 6 to 4. Item 5 was for the conditions to allow increased occupant load. The Fire Code Committee approved striking the bold text as shown while the Building Code Committee approve leaving in the language. Commissioner Brenner moved to approve the Fire Code committee language, with the second by Commissioner Brown. It was voted upon and carried with two nay votes. Item 6 was the definition of a townhouse. The Fire Code Committee approved the bold and stricken language, while the Building Code Committee approved deleting “separated by property lines” and inserting “as a Class 2 structure” after (675 IAC 14). Commissioner Brenner moved to approve the Building Code Committee language, with the second by Commissioner Von Deylen. It was voted upon and carried with one nay vote.

## 9. Discussion and Commission action on Petitions for Review (Timely filed unless otherwise noted.)

Norwell High School Revitalization Project  
Order – Fire and Building Code Enforcement

CrownePoint of Indianapolis  
Order – Fire and Building Code Enforcement

Commissioner Corey moved to grant the petitions for review, with the second by Commissioner Brenner. It was voted upon and carried.

10. Comments – Mara Snyder

Ms. Snyder thanked everyone for attending and wished them a safe journey home.

11. Chairman Hawkins then adjourned the meeting at 5:00 p.m.

APPROVED \_\_\_\_\_  
John Hawkins, Chairman