

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 7, 2014

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 9:03 a.m. on October 7, 2014.

(a) Commissioners present at the Commission meeting:

Ron Brown
Gregory Furnish
Kevin Goeden, representing the Commissioner, Department of Labor
John Hawkins, Chairman
Todd Hite, representing the Commissioner, Department of Health
James Hoch
James Jordan
Matt Mitchell
Patrick Richard
Jessica Scheurich
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
Cecilia Ernstes-Boxell, Code Specialist
Denise Fitzpatrick, Code Specialist
Pam Walters, Staff Attorney

(c) James Schmidt, Deputy Attorney General was present.

2. Old Business

Chairman Hawkins called for any corrections or a motion to approve the minutes of the September 4, 2014, meeting. Mara Snyder, Director, Legal and Code Services, noted a change to have the minutes conform with what went out in the action letters sent to the owners for Fifth Third Bank variances 14-05-14 and 14-05-15. Under condition (v), it should read 15 seconds and 30 seconds. The sentence starting “Doors marked C-3 and D-4” should read “identified as C-3 and D-4 on the handout provided at the Commission meeting on September 4, 2014, shall always be available for an exit.” Commissioner Mitchell moved to approve the minutes as amended, with the second by Commissioner Von Deylen. It was voted upon and carried.

3. Ordinances

City of Indianapolis Ordinance 17, 2014
Indianapolis, Indiana

Mary Moriarty Adams and Benjamin Hunter, members of the Indianapolis City-County Council, addressed the Commission. The ordinance was an amendment to the smoke detector ordinance passed over 20 years ago by the Indianapolis City-County Council. The amendment requires Class I structures, which includes apartments, to have a smoke detector powered by a non-removable battery capable of powering the unit for ten years. The amendment further stated that if the residence had a battery-powered smoke detector prior to the effective date of the amendment, it would not be required to be replaced with the non-removable battery type unit until such time as the detector and/or parts would normally be replaced for any reason. The amendment does not require specific brands or specific features, allowing the resident to purchase what is best for their family. Following a lengthy discussion, Commissioner Brown moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried by a vote of 6 to 4.

Building Ordinance No. 1383
Bluffton Indiana

Mara Snyder, Director, Legal and Code Services, noted that issues which had been present in a previous version of the ordinance had been corrected, and she now recommended approval. Commissioner Mitchell moved to approve, with the second by Commissioner Hoch. It was voted upon and carried.

4. Variances

Tabled Variances

14-06-19 Midwest Torah Center, South Bend, was represented by Kuppel Lindow, Executive Director. The applicant had added a hood in each of the two kitchens, one for meat and one for dairy, as required by their dietary restrictions, and the second floor will now be sprinklered with a 13R system. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Brown. It was voted upon and carried.

14-07-40 Leffler's Tire Apartment, Peru

Dennis Leffler, owner, spoke as proponent. The request in variance (a) was to allow a non-compliant rise and run of the exterior stairway to the second floor apartment. The proponent had been given the permit by the local without being told about filing the project with the State, leading to some non-compliant components. Variance (b) was to allow the bathroom facilities of the apartment to be non-accessible. The apartment, occupied by the owner's son, is on the second floor, and the building does not have an elevator. Following discussion, Commissioner Richard moved to approve both (a) and (b), with the second by Commissioner Von Deylen. It was voted upon and carried. Variance (c) was a request to omit the required 2-hour fire barrier between the retail tire shop and the apartment. The proponent stated that there was a metal floor/ceiling structure with insulation between the living area and the retail area beneath. Following discussion, Commissioner Richard moved to approve, with the second by Commissioner Scheurich. It was voted upon and carried with 2 nays. Variance (d) was a request to omit the required sprinklers in the apartment. The building has steel I-beams and 20" thick brick walls, with the apartment 20 feet above the floor of the retail tire shop. The proponent noted there were smoke detectors, and agreed to hardwire and interconnect the detectors in the shop and apartment so that the detectors would activate simultaneously and the use of the apartment would be limited to the owner's immediate family. Following discussion, Commissioner Richard moved to approve with that condition. Commissioner Hite made the second. It was voted upon and carried with two nay votes.

14-08-2 Stair Supplies, Goshen

This application was withdrawn.

14-08-27(b)(c) Bulldog Grill, Mentone

Tim Carter, owner, and Brent Martin, architect, spoke as proponents. The request in (b) was to allow fewer exits than required the use of Chapter 34. Two new exits will be provided, one in Building 101 and one in Building 103. He also requested a period of time in which to provide the Building 101 exit. Variance (c) was a request to allow the change of use to exist while construction was done to bring the buildings into compliance with Chapter 34. Following

discussion, Commissioner Craig moved to approve with the conditions that the exit hallway in Building 101 shall be completed within six months, the fire alarm system shall be installed within one year, the exit hallway in Building 103 shall be completed within eighteen months, the compartmentalization between both buildings shall be done within two years, and the ADA compliant restrooms shall be completed within three years. The second floor was to remain unused. Commissioner Goeden made the second. It was voted upon and carried.

14-08-39(a)(b)(c)(d) Moonburn on Morton, Bloomington

Ed Rensink, RTM Consultants, spoke as proponent. Variances (a) and (b) had been withdrawn. He noted that the buildings would be only four stories, not five stories as originally stated in the variance applications. Variance (c) was a request to allow 20% exterior openings on the north wall and 24% on the south exterior wall due to site constraints. The Type VA building will be protected by an NFPA 13R system, with a quick response sprinkler at the ceiling within 12 inches of each exterior opening. Variance (d) was a request to allow exterior openings to exceed the allowable area for openings permitted for fire separation on the first floor of the east, south and north exterior walls. The Type IA building, including the open parking garage, will be protected throughout by an NFPA 13 sprinkler system. Following discussion, Commissioner Mitchell moved to approve both (c) and (d), with the second by Commissioner Von Deylen. It was voted upon and carried.

14-09-44 Still Waters Camp, Lexington

The application was withdrawn by the proponent.

14-08-48 The Foundry at 304, Bloomington

The application was withdrawn by the proponent.

14-09-01 Country Meadow Amish School, South Whitely

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

14-09-13 Two Concourse at Cross Point, Fishers

Ed Rensink, RTM Consultants, spoke as proponent. The request was to omit the back-up DACT system and allow a single means of transmission for the fire alarm per the 2013 edition of NFPA 72. The IP monitoring system used checks the line every thirty seconds, exceeding requirements. Following discussion, Commissioner Brown moved to table to allow proponent to gather cell

phone cost information, with the second by Commissioner Von Deylen. It was voted upon and carried.

14-09-20 Storage Express, Indianapolis

Melissa Tupper, RTM Consultants, Jefferson Shreve and Ed Murphy, Storage Express, spoke as proponents. The request was to allow two years in which to install the compliant fire hydrant. Commissioner Mitchell moved to approve, with the second by Commissioner Furnish. It was voted upon and carried.

14-09-24(d) Fishers Switch, Fishers

The application had been withdrawn by the proponent.

14-09-25 Valparaiso University Sorority Housing, Valparaiso

The application had been withdrawn by the proponent.

Breaking and reconvening. Chairman Hawkins recessed the Commission at 10:03 a.m. It was called back to order at 10:13 a.m.

Temporary Variances

14-08-66(a) 9 on Canal, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. At the September meeting, the proponent had been given a thirty-day variance approval to research possible corrections or alternatives. Following discussion of a letter written by the project manager, Commissioner Brown moved to approve with the condition that they provide strapping so that each duct is substantially level, and that the first and second inspection cycles are to be at a six month intervals. Commissioner Richard made the second. It was voted upon and carried.

New Variances

Chairman Hawkins noted that variances 14-10-04 CV East LLC, Marion, 14-10-05 River Forest Elementary, Hobart, 14-10-06 Meister Elementary, Hobart, 14-10-07 Evans Elementary, Lake Station, and 14-10-08 Kimbell Building, French Lick, were incomplete. Commissioner Mitchell moved to table, with the second by Commissioner Von Deylen. It was voted upon and carried.

Chairman Hawkins then asked for any requests to review variance applications with an “A” or “B” recommendation from staff or abstentions. Commissioner Mitchell stated that he would abstain from voting on 14-10-50(a)(b)(c)(d)(e) Courtyard by Marriott, Noblesville. Commissioner Von Deylen then made a motion to approve the remaining “A” and “B” variances. The second was made by Commissioner Goeden. It was voted upon and carried.

The following variances were approved as submitted:

- (1) 14-10-02 1301 S. Madison Windows, Bloomington
- (2) 14-10-03 Vision Academy at Riverside, Indianapolis
- (3) 14-10-09 CityWay YMCA, Indianapolis
- (4) 14-10-10 CityWay Building 9 MOB, Indianapolis
- (5) 14-10-14(c)(d)(h) University of Notre Dame Campus Crossroads Project, Notre Dame
- (6) 14-10-17(a)(b) Upton Artist Lofts at the Warren Building, Michigan City
- (7) 14-10-20(b) Cardinal Container Warehouse Building Addition, Indianapolis
- (8) 14-10-21 Franciscan Physicians Hospital, Munster
- (9) 14-10-22 Lakeland Regional Wastewater Treatment Plant, Warsaw
- (10) 14-10-23 Subaru G-Line Press Expansion, Lafayette
- (11) 14-10-24(a)(c) Southern Food Systems New Storage Building, Indianapolis
- (12) 14-10-25(c) Grand Park Indoor Sport and Recreation, Westfield
- (13) 14-10-26 Westminster Village Additions and Renovations, Muncie
- (14) 14-10-27 Star Truck Rentals Addition, Goshen
- (15) 14-10-28(a) Muncie Parking Garage and Connector, Muncie
- (16) 14-10-29(a)(b)(c)(d) University of Notre Dame Men’s Residence Hall, Notre Dame
- (17) 14-10-30(a)(b)(c)(d) University of Notre Dame Women’s Residence Hall, Notre Dame
- (18) 14-10-32 Sacred Heart of Jesus Catholic Church Addition, Cicero
- (19) 14-10-36(a) Ivy Tech Bloomington Ferguson Building Addition, Bloomington
- (20) 14-10-38 United Shade, Elkhart
- (21) 14-10-39(a) Battle Ground Intermediate School Reactivation Project, Battle Ground
- (22) 14-10-40 Meyer Logistics, Inc. Fuel Tank Install, Jasper
- (23) 14-10-43 Butler University Parking Garage, Indianapolis
- (24) 14-10-49 Clearnote Church Phase II Expansion, Bloomington
- (25) 14-10-50(a)(b)(c)(d)(e) Courtyard by Marriott, Noblesville
- (26) 14-10-51(a) Bio-Technology Building Phase 1 Addition, Atlanta

The following variances were heard separately:

- (27) 14-10-12 Wabash Instrument Corporation, Wabash

Shethar Davis, President, spoke as proponent. The request was to be allowed to turn off the water to the high pressure sprinkler system, without removing it, which had

developed leaks and, with sensing and system alarm control device technology more than 45 years old, would probably not withstand a system activation. The original use of the building was paper and cardboard production. The building was sold in 1987 to the current owner and the current building use does not require a sprinkler system. Following discussion, Commissioner Von Deylen moved to approve with the conditions that signs stating the system is inoperable are to be posted on the fire department connection and sprinkler risers, and the local fire department is to be notified that the sprinkler system is not functional, and the water supply to the fire hydrants is not to be turned off. Commissioner Richard made the second. It was voted upon and carried with two nays.

(28) 14-10-13 LeMaster Steel Erectors Building, Noblesville

Ed Rensink, RTM Consultants, spoke as proponent. A mezzanine area over the office area had not been included in the fire area calculations, and it would put the facility over the 12,000 square feet limit for a non-sprinkled S-1 occupancy. Following discussion, Commissioner Von Deylen moved to approve with the condition that the mezzanine, with plywood decking, would be defined by a 6 foot tall, chain link fence and flooring marked "Not to be used for storage". The second was made by Commissioner Richard. It was voted upon and carried with two nays. Commissioner Mitchell abstained.

(29) 14-10-14(a)(b)(e)(g) University of Notre Dame Campus Crossroads Project, Notre Dame

Ed Rensink, RTM Consultants, spoke as proponent. Also present was Scott Rich, architect, and Bruce Harrison, Notre Dame Fire Department. Variance (b) was eligible for block vote. Commissioner Von Deylen moved to approve, with the second by Commissioner Hite. It was voted upon and carried. Variance (a) dealt with the non-simultaneous occupancy of the east and west club levels and associated reception/banquet areas. Following discussion, which included exiting capacity, Commissioner Hoch moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried. Variance (e) was a request to allow the use of stair pressurization requirements in NFPA 92A, which exceeds the minimum prescriptive requirements in Section 909.20 of the Indiana Building Code, due to the door openings consideration in the design of the system. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried. Variance (g) was a request to not install fire barriers. The vertical openings will be protected by a sprinklered glass wall construction separating floor levels while providing visual connection for the occupants of the areas, and bulkhead/sprinkler curtains where un-separated floor openings occur. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

(30) 14-10-15 Faith Church West Expansion, Dyer

Mark Robbins, architect, spoke as proponent. The request was to allow a group A-3 unlimited area building to have a second story, which is not allowed by code. When the proposed addition is integrated with the existing building, it will make the existing building non-compliant, but the cost of providing a fire barrier of 38' by 360" is cost prohibitive. The Type IIB construction building is fully sprinklered, as would be the addition, and a 38' wide drive from the south to the north end of the building would serve as fire department access. Following discussion, Commissioner Von Deylen moved to table to allow the proponent time to gather further information on options and improved plans, including a site plan, with the second by Commissioner Hite. It was voted upon and carried.

(31) 14-10-16(a)(b) North American Cold Storage Inc, Woodburn

Matt Kely, architect, spoke as proponent. Also present was Sam Tippmann, of Tippmann Companies. The request in variance (a) was to omit the automatic sprinkler system in the facility with -20° temperatures used to store meat and vegetables on palletized, high piled storage. There will be fewer than ten employees per shift, and there are strobes, alarms and sensors and lights provided. The local fire official had requested they not sprinkle the facility due to ice build-up safety concerns for the responders. The proponent offered to install two knock-out panels for fire access on both the east and the west side of the building. Variance (b) was a request to omit smoke vents. The proponent also offered to provide access panels on the roof. Commissioner Mitchell moved to approve both (a) and (b) with the conditions that two twenty foot knock-out panels be installed on both the east and the west sides of the building, and that knock-out panels, sized per code, are to be installed on the roof with direction for proper location by the local fire official. Commissioner Von Deylen made the second. It was voted upon and carried with one nay.

Breaking and reconvening. Chairman Hawkins recessed the Commission at 12:05 p.m. for lunch. It was called back to order at 1:08 p.m Commissioner Mitchell was no longer in attendance.

(32) 14-10-18 Swagelok Indiana - Proposed Shipping & Receiving Area, Indianapolis

Tim Callas, J&T Consulting, spoke as proponent. The facility, an existing S-2 occupancy, has a gantry crane structure which will be enclosed with siding and a roof to protect employees and product from the weather. The request was to omit the fire resistive wall. Products stored are non-combustible, stainless steel brake lines for race cars, and the adjacent property is a parking lot. Commissioner Richard moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

(33) 14-10-19 Meadow Springs, Medaryville

Sandra Saltsman and Gary Saltsman, owners, spoke as proponents. An existing building on 6 acres in the rural community is to be converted into a reception hall, and an addition is to be constructed as well. The request is to omit the required sprinkler systems. The wood framed building will have a metal exterior, and fire retardant materials will be used inside. The kitchen will be separated from the public areas by breezeways, and portable fire extinguishers will be in all areas. Double doors at each corner have been added to increase exits. Following discussion, Commissioner Von Deylen moved to table to allow the proponents to better develop their plans and proposals. Commissioner Hoch made the second. It was voted upon and carried.

(34) 14-10-20(a) Cardinal Container Warehouse Building Addition, Indianapolis

Melissa Tupper, RTM Consultants, spoke as proponent. An addition to an existing building, both sprinklered, will be 730 feet from a fire hydrant. Margie Bovard, Indianapolis Fire Department, addressed the Commission. She stated that she would like a fire department access to the south as well, but the proponent noted the company does not own the land referenced by Ms. Bovard. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Hoch. It was voted upon and carried.

(35) 14-10-24(b) Southern Food Systems New Storage Building, Indianapolis

Tim Callas, J&T Consulting, spoke as proponent. He requested that variance (a), heard in the block vote, be reopened to allow the addition of the required drinking fountain and service sink to the variance at the request of the City of Indianapolis. Commissioner Von Deylen moved to reconsider, with the second by Commissioner Hoch. It was voted upon and carried. Commissioner Von Deylen then moved to approve the reconsidered variance (a), with the second by Commissioner Richard. It was voted upon and carried. The request in variance (b) was to omit the mechanical ventilation system in the garage. The garage is for the use of the owner only to prevent further vandalism. It is for storage only, with no maintenance work being done. With the condition that it be limited to the owner's vehicles only, Commissioner Von Deylen moved to approve. Commissioner Brown made the second. It was voted upon and carried.

(36) 14-10-25(a)(b)(d) Grand Park Indoor Sport and Recreation Facility, Westfield

Ed Rensink, RTM Consultants, spoke as proponent. A building to house three indoor soccer fields, and a support building are to be built. Variance (a) was to permit the exit

travel distance to exceed the allowable distance by 45 feet on the mezzanine and the playing fields. Following discussion, Commissioner Von Deylen moved to table to allow the proponent to provide further exit information. Commissioner Hite made the second. It was voted upon and carried. Variance (b) was a request to omit rating the first floor corridor to the support structure. Staff questioned whether the 20 foot wide space was a true corridor. The proponent noted it was sprinklered. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Hoch. It was voted upon and carried. Variance (d) concerned egress stair width. The proponent stated that this was related to the issue in variance (a) and requested the variance to be tabled to allow for a timed egress analysis to be performed. Commissioner Von Deylen moved to table, with the second by Commissioner Hite. It was voted upon and carried.

(37) 14-10-28(b) Muncie Parking Garage and Connector, Muncie

Ed Rensink, RTM Consultants, spoke as proponent. The request was to omit plumbing fixtures in the parking garage, considered to be an S-1 occupancy. The request was to omit the fixtures since the adjacent convention center and Arc Hotel provide these facilities. Following discussion of the distance to the nearby facilities, Commissioner Hite moved to approve, with the second by Commissioner Richard. It was voted upon and carried.

(38) 14-10-31(a)(b) Vincennes University New Student Center, Vincennes

Ed Rensink, RTM Consultants, spoke as proponent. He asked to explain both variances together, because the requests would be clearer that way. The request in (a) was to permit the existing 12 inch cmu wall to serve as a fire barrier in the separation between the existing sprinklered building area and the existing non-sprinklered building area. Variance (b) was to allow a 2-story addition to an existing bowling alley and recreational gym. Mr. Rensink stated that the addition and the bowling alley/recreational gym are to be sprinklered, while the existing building is currently not sprinklered. Following discussion, Commissioner Brown moved to approve both variances (a) and (b), with the second by Commissioner Hite. It was voted upon and carried.

(39) 14-10-33 9 on Canal, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. Per code, waste piping cannot be installed above any eating surfaces in food service establishments. Drain lines have been installed as part of the build-out for finished areas above the canal level, and cannot be relocated at this point. The request was to allow the waste piping to be located above a suspended ceiling. Jeff Dean, City of Indianapolis, also addressed the Commission. The

proponent requested the variance be tabled until it was determined whether the actual construction will be compliant. Commissioner Hoch moved to table, with the second by Commissioner Hite. It was voted upon and carried.

(40) 14-10-34(a)(b) Prestige Dry Cleaning Tenant Improvement, Noblesville

Ed Rensink, RTM Consultants, spoke as proponent. Code requires a 3-hour fire barrier when separating F-1 occupancies into fire areas. The request in variance (a) was to allow the use of a 2-hour fire barrier on each side of the dry cleaning tenant space to separate it from the neighboring tenant spaces. By using this method, they would be able to install the barrier from their side of the wall and not disturb the adjacent tenants. Variance (b) was to omit the required sprinkler system. The dry cleaning solvent, which triggered the requirement, will be 20 gallons. The exempt amount allowed in an F-1 occupancy is 330 gallons. Following discussion, Commissioner Von Deylen moved to approve both variances (a) and (b), with the second by Commissioner Hite. It was voted upon and carried with one nay.

(41) 14-10-35 General Rubber Storage, Evansville

Matt Lehman and Roger Lehman, RLehman Consulting, spoke as proponents. The company produces visqueen, a plastic material. The request was to allow a high piled storage area of 2,816 square feet without the code required sprinklers. The storage will be held at a height of 16 feet instead of the allowable 20 feet, and a depth of 30 feet instead of the allowable 50 feet. Draft curtains, smoke and heat vents, and a smoke detection system will be installed. Following discussion, Commissioner Brown moved to deny. Motion failed for lack of a second. Commissioner Hoch moved to approve with the condition that the storage be limited to 16 feet high, and smoke and heat vents are provided, with the second by Commissioner Von Deylen. It was voted upon and carried with 2 nays.

Breaking and reconvening. Chairman Hawkins recessed the Commission at 2:20 p.m. It was called back to order at 2:30 p.m.

(42) 14-10-36(b) Ivy Tech Bloomington Ferguson Building Addition, Bloomington

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow a culinary lab and small restaurant on the first floor of a two-story addition to be considered an accessory use. Following discussion, Commissioner Hoch moved to approve with the second by Commissioner Von Deylen. It was voted upon and carried.

(43) 14-10-37 Bretz Building - Reconstruction, Huntington

Melissa Tupper, RTM Consultants, spoke as proponent. With construction almost complete, the request was to omit the emergency escape and rescue windows in the two second floor apartment sleeping rooms in this renovation. The proponent stated that the sleeping rooms would be protected by a 13D system, and smoke detection will be installed on the first floor and tied to the second floor detection system. Following discussion, Commissioner Von Deylen moved to approve with the condition that the room marked "back room" on the plans provided also be covered by 13D protection. Commissioner Hoch made the second. It was voted upon and carried.

(44) 14-10-39(b) Battle Ground Intermediate School Reactivation, Tippecanoe

Melissa Tupper, RTM Consultants, spoke as proponent. The request was to omit the doors which separate the boys' and the girls' restrooms from the corridor. Doors on the restrooms would impede the ability of staff to visually and audibly supervise students. This variance has been granted before. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

(45) 14-10-41 Mishawaka Central Garage, Mishawaka

Melissa Tupper, RTM Consultants, spoke as proponent. An F-2 occupancy foundry is being changed to a storage and vehicle repair garage with offices, an S-1 occupancy. The request was for additional points for a Chapter 34 analysis for structurally independent fire walls. The building has a sprinkler system throughout, and will be protected by a fire alarm system as well. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

(46) 14-10-42 Wes-Del High School Entry Canopy & Vestibule, Gaston

Keith Gary, US Architects, spoke as proponent. A 390 square foot vestibule was to be replaced by a 509 square foot vestibule to provide better security access to the school. The existing 12' x 130' canopy was removed due to structural failure, and was to be replaced with a 20' x 144' covered walkway to the south parking area. The request was to omit a sprinkler system for the additions. The estimated cost of the sprinkler protection was \$950,000. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

(47) 14-10-44(a)(b) Brickwood Place Renovation, Evansville

Roger Lehman, RLehman Consulting, spoke as proponent. The owner had expanded his bar, and filed for a CDR when the local official inspected the building and noted that the construction had not been filed with the state. It was released with a condition for sprinklers. The owner had only partially removed a wall, and no further renovations had been done. The request was to omit the sprinklers. The project passed Chapter 34 with no problems. Interconnected smoke detectors will be provided. Following discussion, Commissioner Von Deylen moved to approve with the condition that manual pull stations and annunciater devices were installed in the bar area and tied to the smoke detectors. Commissioner Furnish made the second. It was voted upon and carried, with one nay.

(48) 14-10-45 Alberto's Smokin' Butt Bar-B-Que Remodel, Corydon

Ed Rensink, RTM Consultants, spoke as proponent. Alberto Papsol, owner, and James Shireman also spoke. The request was to allow two buildings which are 2 feet apart to have openings in the exterior walls to create a single facility. Both buildings are restaurants with masonry exterior walls, and the openings had been bricked in at some point previously. The openings are not near the public walkway, and were to be used by staff only. There are compliant exits in both buildings. The proponent requested a thirty day variance for the opening issue, and to file a (b) variance for the Chapter 34 analysis issue. Following discussion, Commissioner Hoch moved to approve for thirty days, with the second by Commissioner Von Deylen. It was voted upon and carried.

(49) 14-10-46 Pistons Pool Room and Apartments, Evansville

Roger Lehman, RLehman Consulting, spoke as proponent. The request was to allow a set of stairs to have, under Chapter 34, a $7\frac{1}{2}$ " rise and the second stair to have a rise of $7\frac{5}{8}$ ", with the tread depth of $10\frac{1}{2}$ " for each set of stairs. The staff's opinion was that no variance was required. Commissioner Richard moved no variance required, with the second by Commissioner Von Deylen. It was voted upon and carried.

(50) 14-10-47 Brown Elementary School Life Skills, Brownsburg

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

- (51) 14-10-48 20 West Jennings, Newburgh

Roger Lehman, RLehman Consulting, spoke as proponent. A former stained glass construction facility was being changed into a reception hall. The request was to not use the current code to calculate the rating of the Type III-B construction building for the exterior wall. Plan Review stated they must comply with all aspects of the construction type and Chapter 7 of the 2008 Indiana Building Code to obtain the points for Type III-B construction. The house, over a hundred years old, has solid masonry walls and two openings within seven feet of the property line, and adding the load of a masonry parapet would be structurally difficult. Following a lengthy discussion with contributions by Ed Rensink, RTM Consultants, and staff, Commissioner Hoch moved no variance required, with the second by Commissioner Hite. It was voted upon and carried.

- (52) 14-10-51(b)(c) Bio-Technology Building Phase 1 Addition, Atlanta

Tim Callas, J&T Consulting, spoke as proponent. The request in (b) was to have the wall 6' from the property line, and to not be 1-hour rated. The wall contains a large amount of glass to provide visual access to the greenhouse for clients to examine test crops being grown inside. There will be a water curtain on the exterior wall. Variance (c) was to allow the use of a 2-hour fire resistive wall with water curtain protection, which is not structurally independent, in lieu of the structurally independent fire wall required by code. Providing an independent fire wall based upon existing structural elements and pre-engineered building elements of the addition would be difficult at best. Following discussion, Commissioner Brown moved to approve both (b) and (c), with the second by Commissioner Hoch. It was voted upon and carried.

- (53) 14-10-52 Clifton Square, Indianapolis

The request was to allow penetrations in a corner of a stairway enclosure for elevator equipment lines from the hoist-way and low-voltage communication lines from the bridge connector. Listed fire stopping systems will be provided for each penetration. Jeff Dean, City of Indianapolis, also spoke to the Commission. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

- (54) 14-10-53 Elwood Trails, Kokomo

Tim Callas, J&T Consulting, spoke as proponent. The request was to install a 13D system, in lieu of the code required 13R system, in a senior housing development.

Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

(55) 14-10-54 Hancock Wellness Center, McCordsville

There were difficulties with the on-line application LBO notification, and the proponent, Tim Callas, had seen to it that the issue was resolved. Commissioner Von Deylen moved to approve, with the second by Commissioner Hoch. It was voted upon and carried.

(56) 14-10-55(a)(b)(c)(d)(e) River North, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. In variance (a), the request was to allow the new five story office building to have floor penetrations with combustible and non-combustible piping with through penetration fire stopping at the floor levels. Commissioner Hite moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried. Variance (b) was to omit the plumbing fixtures in the parking garage. Commissioner Von Deylen moved to approve, with the second by Commissioner Hoch. It was voted upon and carried. Variance (c) was a request to permit locked doors from the exit stairway back into the building, as will be allowed in the new code. Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried. Variance (d) was to allow 2-hour shafts to be supported by a floor other than a 2-hour rated floor. Following discussion, including clarification that the variance was for Sections 706.5, 707.5, and 1007.4, Commissioner Von Deylen moved to approve, with the second by Commissioner Hoch. It was voted upon and carried.

(48) 14-10-57 Lamasco Bar and Grill, Evansville

Roger Lehman and Matt Lehman, RLheman Consulting, spoke as proponents. The design professional was to complete the design professional affirmation so the variance could be heard. The owner had desired to expand their business, and found that the required sprinkler would cost more than the project would allow. The proponent offered to install an NFPA 72 fire alarm system with a shunt trip to shut down audio feed, and additional exiting. There would also be no use of the second floor in the original building as an additional alternative. Following discussion, Commissioner Von Deylen moved to approve with the condition that the fire alarm and other alternatives offered be provided. Commissioner Hoch made the second. It was voted upon and carried with one nay.

(49) 14-09-47 RPM IT Roof, Indianapolis

Tim Callas, J&T consulting, spoke as proponent. The owner of the office building wished to have a small break area on the roof. Due to site constraints, the common path of travel is 100 feet in lieu of the code complaint 75 feet. Interconnected fire and smoke alarms will be installed, connecting the first floor and break area. Margie Bovard, Indianapolis Fire Department, spoke to the Commission. She asked if the path of travel could be enclosed. The proponent stated that would not be possible. She then asked for a limit of ten people and removal of the fire pit. The proponent agreed. Commissioner Von Deylen moved to approve with the condition that there be no smoking, no fire pit, interconnected fire alarms, and limit occupancy to ten people. Commissioner Hoch made the second. It was voted upon and carried.

11. Discussion and Commission action on Petitions for Review (timely filed unless otherwise noted)

Leo Tire and Wheel, Leo
Order – Fire and Building Code Enforcement

Leo Tire and Wheel, St. Joseph
Order – Fire and Building Code Enforcement

Propane People, Inc.
Order – Fire and Building Code Enforcement

Commissioner Hoch moved to grant the timely-filed petitions for review, with the second by Commissioner Von Deylen. It was voted upon and carried.

12. Discussion and Commission action on administrative law judge decisions

In the Matter of Diamonds of Indiana
Administrative Cause No. 12-36
A&E Permit
Recommended Dismissal Order

Service 1 Marine Building
Administrative Cause No. 14-09
Denial of Application
Nonfinal Order of Dismissal

In the Matter of the Appeal of Team Combat Live
Administrative Cause No. 13-25
Order – Local Fire Department
Recommended Dismissal Order

Commissioner Von Deylen moved to affirm all three decisions, with the second by Commissioner Hoch. It was voted upon and carried.

13. Comments – Chairman Hawkins

Chairman Hawkins discussed the electronic variance system's progress briefly.

14. Chairman Hawkins then called for any further business. Hearing none, he then adjourned the meeting at 4:22 p.m.

APPROVED _____
John Hawkins, Chairman

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