

# INDIANA FIRE PREVENTION AND BUILDING SAFETY COMMISSION

## COMMISSION MEETING MINUTES

Indiana Fire Prevention and Building Safety Commission  
Video/Teleconference Cisco Webex Format

Tuesday, March 2, 2021

1. Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's (the Commission) regular monthly meeting was called to order by Chairman James Greeson at 9:00 a.m. EST on Tuesday, March 2, 2021. The meeting was conducted electronically by videoconference and teleconference call through Webex.

- a. Commissioners present at the meeting:

Michael Corey  
Harold Davidson, representing the Commissioner, Indiana Department of Labor  
Gregory Furnish  
James Greeson, Chairman  
Joseph Heinsman  
Todd Hite, representing the Commissioner, Indiana State Department of Health  
James (Wes) Jordan  
James Murua  
Scott Pannicke  
Michael Popich, Vice Chairman

- b. Commissioners absent at the meeting:

David Henson

- c. The following department (IDHS) staff were present during the meeting:

Douglas Boyle, Director of the Fire Prevention and Building Safety Commission  
Justin Guedel, IDHS Deputy General Counsel  
Craig Burgess, Indiana State Building Commissioner  
Alan Blunk, IDHS Plan Review Section Chief  
Denise Fitzpatrick, IDHS Code and Variance Specialist  
Kim Hyten, IDHS Code and Variance Specialist  
Marcus Ballenger, IDHS Code and Variance Specialist  
Philip Gordon, Deputy Attorney General & Legal Counsel to Fire Prevention and Building Safety Commission  
Kevin Troy, IDHS Code Enforcement Assistant Section Chief (State Fire Marshal's Office)  
Karla Vanblaricum, IDHS Variance Coordinator

2. Roll Call – Douglas Boyle, Director of the Fire Prevention and Building Safety Commission

Director Boyle conducted roll call noting that quorum was met with eight (8) members present at the beginning of the meeting. Commissioner Furnish and Commissioner Heinsman were both confirmed as present after resolving their technical issues, bringing the total number of members present to ten (10).

3. Commission Review and Action on Meeting Minutes

a. Tuesday, February 2, 2021

Director Boyle called for any amendments or corrections. Vice Chairman Popich stated that he recused himself from the vote on Variance No. 21-01-39, but this was not noted in the meeting minutes. Hearing no other corrections, Commissioner Pannicke motioned to approve the February meeting minutes with one (1) noted correction. Commissioner Corey made the second. It was voted on and carried.

	Y	N
<b>Michael Corey</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Harold Davidson</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Greg Furnish</b>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Jim Greeson</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Joe Heinsman</b>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Todd Hite</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Wes Jordan</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Jim Murua</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Scott Pannicke</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Michael Popich</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The Tuesday, February 2, 2021 meeting minutes were **approved as amended**, by a vote of 8-0.

4. IDHS/Commission Staff Reports and Updates

a. Status Update on Indiana Open Door Law and Public Meeting Requirements during the State of Indiana’s COVID-19 Public Health Emergency – Douglas Boyle, Director of the Fire Prevention and Building Safety Commission & Justin Guedel, IDHS Deputy General Counsel

Director Boyle summarized Governor Holcomb issuance of Executive Order 21-05, extending the State of Indiana’s declaration of a public health emergency disaster through March 31, 2021.

b. State Building Commissioner's Report – Craig Burgess, State Building Commissioner

- i. Written Interpretation No. CEB-2020-41-IC-22-12-1-5

State Building Commissioner Craig Burgess briefly explained his written interpretation, which was posted to the Indiana Register and became official on February 3, 2021.

c. IDHS Variance Determinations Report

5. Rulemaking Update(s)

a. Indiana Elevator Code Committee Meeting

- i. Next Meeting: Tuesday, March 16, 2021 beginning at 9:00 a.m. EST, Webex Electronic Meeting

***Public notice and meeting access details will be provided on the Committee's web page (<https://www.in.gov/dhs/boards-and-commissions/fire-prevention-and-building-safety-commission/indiana-elevator-code-committee/>) in advance of the meeting.***

Director Boyle advised that the Committee is still working through ASME A17.3-2017.

b. Indiana Code Update Exploratory Committee

- i. Next Meeting: Thursday, March 11, 2021 beginning at 9:00 a.m. EST, Webex Electronic Meeting

***Public notice and meeting access details will be provided on the Committee's web page (<https://www.in.gov/dhs/boards-and-commissions/fire-prevention-and-building-safety-commission/indiana-exploratory-committee-for-code-updates/>) in advance of the meeting.***

The Committee will take its first look at the state's codebooks by prioritizing those codes that are the most outdated or deemed to be most crucial for maintaining fire and building safety, explore the most recent ICC changes, and analyze the benefits/financial impact of the current model code cycles.

c. Variances Proposed Rule ([LSA Document #20-626](#))

- i. Commission Review and Consideration of all Public Comments received on the Proposed Rule, pursuant to Indiana Code § 4-22-2-27 – **see all written**

**comments and summary of comments from February 24, 2021 public hearing provided in meeting materials.**

- ii. Commission Review and Action on Adopting Proposed Rule as the Commission’s Final Rule, pursuant to Indiana Code § 4-22-2-29 – **see draft of final rule provided in meeting materials.**

- **Motion:** Commissioner Jordan
- **Second:** Commissioner Davidson

	Y	N
Michael Corey	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Harold Davidson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Greg Furnish	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jim Greeson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Joe Heinsman	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Todd Hite	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Wes Jordan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jim Murua	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scott Pannicke	<input type="checkbox"/>	<input type="checkbox"/>
Michael Popich	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- **Commission Action:** The Commission’s Proposed Rule was approved with staff’s additional recommendations as the Commission’s Final Rule, by a vote of 9-0. The Final Rule will be submitted to the Attorney General’s Office for review, continuing the administrative rulemaking process.

- d. Indiana Boiler and Pressure Vessel Rules Proposed Rule ([LSA Document #20-627](#))

- i. Commission Review and Consideration of all Public Comments received on the Proposed Rule, pursuant to Indiana Code § 4-22-2-27 – **see all written comments and summary of comments from February 24, 2021 public hearing provided in meeting materials.**

- ii. Commission Review and Action on Adopting Proposed Rule as the Commission’s Final Rule, pursuant to Indiana Code § 4-22-2-29 – **see draft of final rule provided in meeting materials.**

- **Motion:** Vice Chairman Popich
- **Second:** Commissioner Furnish

	Y	N
Michael Corey	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>Harold Davidson</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Greg Furnish</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Jim Greeson</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Joe Heinsman</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Todd Hite</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Wes Joran</b>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Jim Murua</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Scott Pannicke</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Michael Popich</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- **Commission Action:** The Commission's Proposed Rule was approved with staff's additional recommendations as the Commission's Final Rule, by a vote of 9-0. The Final Rule will be submitted to the Attorney General's Office for review, continuing the administrative rulemaking process.

**Breaking & Reconvening:** The Commission took a short break beginning at 10:12 a.m. EST. The meeting was called back to order at 10:20 a.m. EST.

6. Commission Action on Locally Approved Variance(s) Pursuant to Indiana Code § 22-13-2-7(b)
  - a. Hotel Broad Ripple, 6508 E. Westfield Boulevard, Indianapolis, IN 46220

Commissioner Heinsman motioned to approve. Commissioner Davidson made the second. It was voted on and carried.

	<b>Y</b>	<b>N</b>
<b>Michael Corey</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Harold Davidson</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Greg Furnish</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Jim Greeson</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Joe Heinsman</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Todd Hite</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Wes Jordan</b>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Jim Murua</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Scott Pannicke</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Michael Popich</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Hotel Broad Ripple's locally approved variance was **approved as submitted**, by a vote of 9-0.

7. Variances

a. Tabled

20-09-38 185 Madison Ave, Peru

Christina Collester spoke as the proponent. After Mrs. Collester gave a brief explanation meant to clarify some confusion, Commissioner Murua motioned to approve on the condition(s) that: (1) the sprinkler heads may be removed but the piping must remain should the building be occupied by another owner, and (2) signage must be provided at the fire department connection (FDC) explicitly stating that the sprinkler system is out of service. Commissioner Pannicke made the second. It was voted on and carried.

	Y	N
<b>Michael Corey</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Harold Davidson</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Greg Furnish</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Jim Greeson</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Joe Heinsman</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Todd Hite</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Wes Jordan</b>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Jim Murua</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Scott Pannicke</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Michael Popich</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The variance was **approved with Commission condition(s)**, by a vote of 9-0.

20-12-77 New Beginnings Child Care, Crawfordsville

Steve Wilke spoke as the proponent. He provided the requested egress windows cost estimate, totaling \$18,483. After some discussion, there was still confusion related to the code. The Commission briefly tabled the variance to allow staff additional time to gather relevant facts. Following the lunch break, Justin Guedel, Deputy General Counsel, provided some additional research stating that, due to the facility's E/I-4 occupancy, it is not required to have fire alarms, but all other rules must be followed – this includes the addition of a sprinkler system as a result of the change in use. Commissioner Pannicke asked whether it was possible to add a door to the south wall of the building to provide for additional egress where it does not impact mechanical structures. Ultimately, Mr. Wilke seemed hesitant to make any additional upgrades because the school that rents the space has refused to foot any of the expenses. Commissioner Murua advised that incentives may be available through the CARES Act to aid in the cost of installing a sprinkler system. Ron Ritchey stated that he would get in contact with Mr. Wilke to provide additional information. Regarding the egress windows, Chairman Greeson stated this was still a feasible option, as long as they are

finished with solid, non-slip surfaces and sized to proper dimensions. Commissioner Murua motioned to table to allow Mr. Wilke time to investigate any potential options and sources of aid that could assist him in installing a sprinkler system in the facility or consult a design professional regarding providing additional means of egress, particularly in the spaces that will be occupied by children under the age of 2 years old. Commissioner Furnish made the second. It was voted on and carried.

	<b>Y</b>	<b>N</b>
<b>Michael Corey</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Harold Davidson</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Greg Furnish</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Jim Greeson</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Joe Heinsman</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Todd Hite</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Wes Jordan</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Jim Murua</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Scott Pannicke</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Michael Popich</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The variance was **tabled**, by a vote of 10-0.

21-01-39 St. John The Baptist Eritrean Orthodox Christian Church, Indianapolis

Christina Collester spoke as the proponent. Chris Rusomaroff, the local building inspector, advised that the church lacked the fire-rated walls necessary to separate the A-2 occupancy to that which would provide a code-compliant occupancy load. Additionally, he stated that no variance regarding membrane partitioning has been sought. As such, he would advocate for the current variance's denial. Ms. Collester again pointed to the exceptions in Indiana's code as a means of bypassing the sprinkler requirement. After some discussion, Commissioner Jordan motioned to approve on the condition(s) that: no commercial or residential cooking facilities or appliances are permitted in the existing structure or the addition. Chairman Greeson made the second. It was voted on and carried. Vice Chairman Popich recused himself from the vote.

	<b>Y</b>	<b>N</b>
<b>Michael Corey</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Harold Davidson</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Greg Furnish</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Jim Greeson</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Joe Heinsman</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Todd Hite</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>Wes Jordan</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Jim Murua</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Scott Pannicke</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Michael Popich</b>	<input type="checkbox"/>	<input type="checkbox"/>

The variance was **approved with Commission condition(s)**, by a vote of 9-0

21-01-43 Goshen Brewing Company Igloo, Goshen

Jesse Sensenig spoke as the proponent. The total cost to set up the igloos is \$12,000. This would double the total allowable capacity. Because the facility failed to contact the local fire department for assistance before erecting the structures, Commissioner Murua motioned to deny. Vice Chairman Popich made the second. It was voted on and carried.

	<b>Y</b>	<b>N</b>
<b>Michael Corey</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Harold Davidson</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Greg Furnish</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Jim Greeson</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Joe Heinsman</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Todd Hite</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Wes Jordan</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Jim Murua</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Scott Pannicke</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Michael Popich</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The variance was **denied**, by a vote of 9-1.

**Breaking & Reconvening:** The Commission took a break for lunch, beginning at 11:57 a.m. EST. The meeting was called back to order at 12:30 p.m. EST.

b. New

21-02-24 Indianapolis Colts Hangar, Indianapolis

Mark Riffey spoke as the proponent. The project involves the construction of a 25,000 square foot airplane hangar, which will be used to house a single airplane. The request is to design the structure according to the latest edition of NFPA 409, as well as the exception in the 2022 edition that will allow for the deletion of hose reels. Mr. Riffey explained that the design team would like to use take advantage of the latest engineering practices – including the implementation of high expansion foam – but, due to COVID-19, a delay in the ratification of these new rules occurred. Per the commissioners' inquiries, Mr. Riffey stated that



he could obtain a copy of these standards for the Commission to reference until the documents are officially ratified. Chief Daugherty, of the Indiana Airport Authority did not oppose these plans. As such, Commissioner Davidson motioned to approve on the condition(s) that: regarding the airplane hangar's compliance with Section 412.4.6 of the 2014 Indiana Building Code, the airplane hangar is permitted to comply with the requirements of NFPA 409, 2016 Edition, with the exception that hose reels are not required to installed in the hangar. Chairman Greeson made the second. It was voted on and carried.

	Y	N
<b>Michael Corey</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Harold Davidson</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Greg Furnish</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Jim Greeson</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Joe Heinsman</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Todd Hite</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Wes Jordan</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Jim Murua</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Scott Pannicke</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Michael Popich</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The variance was **approved with Commission condition(s)**, by a vote of 10-0.

21-02-25 Walmart Distribution Center, McCordsville

Ralph Gerdes spoke as the proponent. He reminded the Commission that a variance for this facility was approved in September for exit travel distance. Local officials are now questioning allowable sprinkler types. There was some confusion around the facility's use of ESFR sprinklers. Mr. Gerdes stated that these are one of the three types being used, but the other two sprinkler systems are composed of general quick-response sprinklers. Director Boyle reminded Mr. Gerdes that the application in and of itself is binding, and any discussion had during the meeting would not affect the original request unless modified by specific conditions. Essentially, Mr. Gerdes simply needed confirmation from the Commission that multiple sprinklers systems were permitted to be used. Commissioner Pannicke motioned to approve on the condition that: in clarification of the scope of application of the previously granted variance - Variance 20-09-39, this variance is approved to allow the use of multiple sprinkler types, as described in the submitted sprinkler layout plan, to protect the areas of the structure as required. See "General Notes" and "Protection Criteria" provided at the top of the supporting "Walmart Overhead Fire Sprinkler Layout" document attached to the variance application. Commissioner Corey made the second. It was voted on and carried.

	Y	N
Michael Corey	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Harold Davidson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Greg Furnish	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jim Greeson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Joe Heinsman	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Todd Hite	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Wes Jordan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jim Murua	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scott Pannicke	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Michael Popich	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The variance was **approved with Commission condition(s)**, by a vote of 10-0.

21-02-26 (a)(b)(c) 5454 Decatur Boulevard, Indianapolis

Christina Collester spoke as the proponent. The project involves storing flammable liquids inside a 180,000 square foot paint distribution warehouse, considered to be H-2 occupancy with limited area. The request is that this be considered “unlimited area”. The basic allowable area for H occupancies is very small and limited in unlimited area buildings. Flammable and combustible liquids products are a significant portion of the materials stored for this owner. Breaking the building up into four (4) smaller buildings with fire walls creates a hardship in the use of the building. Rating the steel structure with fire proofing to classify it as a type I-A is cost prohibitive and estimated to cost between \$400,000-\$600,000.

Regarding variance (a), the code states that where mechanical ventilation, treatment systems, temperature control, manual alarm, detection, or other electrically operated systems are required, such systems shall be provided with an emergency or standby power system in accordance with NFPA 70 and Section 604. The request is to not have standby or emergency power to not be provided.

Regarding variance (c), the code states exhaust ventilation systems shall comply with all of the following: systems shall operate continuously unless alternative designs are approved. The request is to allow mechanical ventilation system to not operate continuously. The proponent states that specialty exhaust ventilation systems will be provided and designed for specific hazard areas.

Commissioner Pannicke motioned to approve variances (a), (b), and (c). Commissioner Corey made the second. It was voted on and carried.

	Y	N
Michael Corey	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>Harold Davidson</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Greg Furnish</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Jim Greeson</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Joe Heinsman</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Todd Hite</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Wes Jordan</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Jim Murua</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Scott Pannicke</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Michael Popich</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The variances were **approved as submitted**, by a vote of 9-1.

21-02-27 Lowe's Home Improvement, Columbus

No proponent was present to speak. Vice Chairman Popich motioned to table. Commissioner Jordan made the second. It was voted on and carried.

	<b>Y</b>	<b>N</b>
<b>Michael Corey</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Harold Davidson</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Greg Furnish</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Jim Greeson</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Joe Heinsman</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Todd Hite</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Wes Jordan</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Jim Murua</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Scott Pannicke</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Michael Popich</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The variance was **tabled**, by a vote of 10-0.

21-02-28 (a)(b)(c) Park 130 Building 3, Whitestown

Christina Collester spoke as the proponent. The scope of this project is the same as Decatur Boulevard. Commissioner Pannicke motioned to approve (a), (b), and (c). Commissioner Corey made the second. It was voted on and carried.

	<b>Y</b>	<b>N</b>
<b>Michael Corey</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Harold Davidson</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Greg Furnish</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Jim Greeson</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>Joe Heinsman</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Todd Hite</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Wes Jordan</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Jim Murua</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Scott Pannicke</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Michael Popich</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The variance was **approved as submitted**, by a vote of 10-0.

21-02-29 Meyer Venue Barn, Mooresville

Melissa Tupper spoke as the proponent. The project involves the creation of an event space in a rural community. As such, the proponent is requesting that the facility not possess sprinklers. Shunt trips and fire alarms will be installed with exit width, travel distance and total egress spaces exceeding that required by code. The total cost to sprinker the building was quoted at \$250,000. The facility runs on a septic system without access to city water supply and installing all necessary tanks, pumps, and sprinkler piping would prove to be very costly. Site plans have been modified to. The owner, Elizabeth Meyer, stated that heating will be provided through a Mitsubishi airflow system located on the south side of the building and conducted electrically. Eric Brown, of the Madison Township Fire Department, was not opposed to the request if conditions include a posted occupancy load of no more than two-hundred twenty-eight (228), along with a fully monitored fire alarm system for emergency response purposes. Commissioner Jordan motioned to approve on the condition(s) that: 1) the maximum occupant load of the structure shall be posted at two-hundred twenty-eight (228) occupants, 2) no cooking is permitted in structure, and 3) the driveway shall be repaired to serve the needs of a fire access road for the Madison Township Fire Department. Commissioner Davidson made the second. It was voted on and carried.

	<b>Y</b>	<b>N</b>
<b>Michael Corey</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Harold Davidson</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Greg Furnish</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Jim Greeson</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Joe Heinsman</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Todd Hite</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Wes Jordan</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Jim Murua</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Scott Pannicke</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Michael Popich</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The variance was **approved with Commission condition(s)**, by a vote of 10-0.

21-02-30 Blackberry Hill Wedding Barn, Elizabethtown

Carrie Ballinger spoke as the proponent. The request is to use Chapter 34 to convert a traditional barn into an event space used for weddings. Decorative UL-listed lighting, fire-retardant treated combustible materials, a shunt trip system, and three (3) exits will be provided. The total capacity is forty-nine (49), with a calculated load of two hundred five (205). Permanent restrooms will be located on-site. Commissioner Heinsman motioned to approve on the condition(s) that: (1) the barn's kitchen, located on the main level, shall be used for preparation and warming meals only, (2) no cooking is permitted, and (3) open flames are not permitted in the kitchen. Commissioner Jordan made the second. It was voted on and carried.

	Y	N
Michael Corey	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Harold Davidson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Greg Furnish	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jim Greeson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Joe Heinsman	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Todd Hite	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Wes Jordan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jim Murua	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scott Pannicke	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Michael Popich	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The variance was **approved with Commission condition(s)**, by a vote of 10-0.

**Breaking & Reconvening:** The Commission took a ten-minute break, beginning at 2:24 p.m. EST. The meeting was called back to order at 2:35 p.m. EST.

21-02-31 EHOB Expansion, Indianapolis

Tim Callas spoke as the proponent. The project involves an addition to an existing warehouse building in which the west exterior wall of the addition – approximately 200 lineal feet – will be nine (9) feet from the property line. Code requires the building have sixty (60) feet of frontage or a 4-hour fire wall. In lieu of the required 4-hour fire wall, which would cost approximately \$200,000 to upgrade the existing precast walls, the proponent states that there will be close spaces sprinklers at a maximum six (6) feet on center for the full length of the exterior wall and the building will be protected with an automatic fire suppression system, per NFPA 13. The exterior walls will be precast tilt up walls that have been tested for 2-hour fire resistance. All other portions of exterior walls have the required feet of frontage. Commissioner Murua motioned to approve. Commissioner Jordan made the second. It was voted on ad carried.

	Y	N
Michael Corey	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Harold Davidson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Greg Furnish	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jim Greeson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Joe Heinsman	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Todd Hite	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Wes Jordan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jim Murua	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scott Pannicke	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Michael Popich	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The variance was **approved as submitted**, by a vote of 10-0.

21-02-32 (a)(b) Good Shepherd Montessori School, South Bend

Ed Rensink spoke as the proponent. The commercial cooking equipment in the kitchen serving the school is not provided with a Type I Hood, which was recently cited by State Code Enforcement. The 2008 Indiana Mechanical Code, Table 507.2 (as amended by Indiana) required a Type I Hood for a commercial appliance in a school only if there was cooking that produces grease or grease-laden vapors. The owner has been operating under this edition of the code since 2009 by limiting cooking to warming and other types of food preparation that do not produce grease or grease-laden vapors. Essentially, Mr. Rensink requests that the school be exempt from the code violation, as it has been operating with local officials' approval for more than a decade. Imposition of the current IMC requirement would result in a cost of approximately \$27,351. The kitchen is provided with two (2) exhaust fans. Commissioner Jordan motioned to approve on the condition that: cooking and frying that produces grease or grease-laden vapors is not permitted. Commissioner Pannicke made the second. It was voted on and carried.

Regarding variance (b), the code requires a final score of zero or more in all categories, Fire Safety, Means of Egress, and General Safety in order to pass the Chapter 34 Evaluation. The request is to permit an additional sixteen (16) points to be credited in the Fire Safety column, 7.6 points in the Means of Egress column, and 13.6 points in the General Safety column in Table 3412.7 in order to achieve an overall passing score. The proponent states that smoke detection system will be tied to the fire alarm system throughout the building. Each of the two (2) exit stairs are enclosed with fire-resistive construction, including 1-hour rated doors. Commissioner Pannicke motioned to table. Commissioner Jordan made the second. It was voted on and it carried.

	(a)		(b)	
	Y	N	Y	N
<b>Michael Corey</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Harold Davidson</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Greg Furnish</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Jim Greeson</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Joe Heinsman</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>David Henson</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Todd Hite</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Wes Jordan</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Jim Murua</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Scott Pannicke</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Michael Popich</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Variance **(a)** was approved with Commission condition(s), by a vote of 9-1.  
Variance **(b)** was tabled, by a vote of 10-0.

21-02-33 EAA Aeronautical Center of Technology, Greenwood

Christina Collester spoke as the proponent. The request is to increase the allowable area within the finished area of an airport hangar to be used for a training and skill development program. The only reason this variance is required is the firewall does not fully meet section 706 for fire walls as it terminates at the underside of the unprotected steel roof beam. The original project was to be sprinklered, but the sprinkler system was subsequently, as it was deemed to be unnecessary. The proponent stated that the engineer responsible for the initial project failed to note this change in the original plans.

Commissioner Pannicke motioned to approve on the condition(s) that: 1) the hangar or tenant spaces of this structure (constructed of Type II-B and Type V-B construction) are permitted to be separated from each other with two-hour fire barriers in lieu of two-hour fire walls, and 2) the EAA Aeronautical Center of Technology project (State Project Number 417518) must be refiled with State Plan Review to correct any deficiencies in the design of its original filing, and an addendum for the entire hangar building must also be filed with State Plan Review, to account for the utilization of two-hour fire barriers in lieu of two-hour fire walls. Commissioner Corey made the second. It was voted on and carried.

	Y	N
<b>Michael Corey</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Harold Davidson</b>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Greg Furnish</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Jim Greeson</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>Joe Heinsman</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Todd Hite</b>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Wes Jordan</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Jim Murua</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Scott Pannicke</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Michael Popich</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The variance was **approved with Commission condition(s)**, by a vote of 8-0.

21-02-34 (a)(b)(c)(d) The Crystal Coop Reception & Event Center, Anderson

Lisa Crandall and the owner, Cheree Cooper Fillmore, spoke as the proponents. The women stated that the facility was inspected and received a certificate of B occupancy certificate, which was later contested after a wedding guest filed complained to the fire marshal noting some shortfalls with state fire code. Because the building was deemed to be a B occupancy, the owner was told that that no architect was needed during the initial planning process. The Commission stated this was simply bad advice and encouraged the owner to hire a code consultant to identify any potential issues. There was also some discussion on whether the building was previously cited as a Class I or Class II structure, as it used to function as a drive thru agricultural barn to distribute livestock feed. Justin Guedel advised that an agricultural barn of this sort would be classified as neither of these. Per code, Commissioner Pannicke clarified that the occupancy load would be limited two hundred fifteen (215), which the owner stated would not pose any issues moving forward. Overall, the Commission agreed that there were many errors in the application, and the submitter would need to revise these, as well as provide sprinkler cost estimates before a determination could be made. Commissioner Pannicke motioned to table. Commissioner Jordan made the second. It was voted on and carried.

	(a)		(b)		(c)		(d)	
	Y	N	Y	Y	N	N	Y	N
<b>Michael Corey</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Harold Davidson</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Greg Furnish</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Jim Greeson</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Joe Heinsman</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Todd Hite</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Wes Jordan</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Jim Murua</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Scott Pannicke</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Michael Popich</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Variances (a), (b), (c) and (d) were tabled**, by a vote of 8-0.



21-02-35 Greencroft Middlebury Assisted Living Residence, Middlebury

Mike Sollenberger spoke as the proponent. The project in question involves the construction of a twelve (12) bed assisted living facility. The request to have the accessible assisted living memory care resident sleeping unit bathrooms to have shower areas open on two sides and omit a fixed seat. Middlebury assisted living memory care residents are not independent; rather, they need assistance from one or two staff persons while bathing. A low percentage of potential residents require a fixed seat. Residents who request them often request the flexibility of a removable seat to meet their needs. Greencroft Middlebury will provide seats to suit the specific needs of the resident, most likely specialized shower chairs. Per the Commissioners' inquiry, the facility will not be registered as a licensed healthcare facility. The Commission also raised some concern over the plans failing to meet required dimensions for roll in showers. Vice Chairman Popich stated that the financial hardship did not seem to be sufficient – especially given that code-compliant accessibility features in an assisted living facility will likely be of utmost importance. As such, Commissioner Pannicke motioned to deny. Commissioner Corey made the second. It was voted on and carried.

	Y	N
<b>Michael Corey</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Greg Furnish</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Jim Greeson</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Joe Heinsman</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Wes Jordan</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Jim Murua</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Scott Pannicke</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Michael Popich</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The variance was **denied**, by a vote of 8-0.

21-02-36 (a)(b) Canterbury School House, Fort Wayne

Melissa Tupper spoke as the proponent. Chairman Greeson motioned to approve variance (b) on the condition(s) that: 1) the basement/lower level is not permitted to be occupied and shall only be used for storage and mechanical equipment, 2) any cooking in the kitchen shall not produce grease or grease-laden vapors, and 3) the basement/lower-level door is required to be secured/locked to prevent students' access to the basement/level. Commissioner Jordan made the second. It was voted on and carried.

	Y	N
<b>Michael Corey</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Harold Davidson</b>	<input type="checkbox"/>	<input type="checkbox"/>

<b>Greg Furnish</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Jim Greeson</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Joe Heinsman</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Todd Hite</b>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Wes Jordan</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Jim Murua</b>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Scott Pannicke</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Michael Popich</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Variance (b) was approved with Commission condition(s)**, by a vote of 7-0. Commissioner Murua recused himself from the vote.

The project in question involves single family dwelling that is being converted into a daycare for preschool age children – of whom no more than five (5) will be 2.5 years or younger, in order to classify the building as an E occupancy. Ms. Tupper stated that the calculated occupant load of the building exceeds forty-nine (49), requiring two (2) means of egress, which are provided. Additional requirements specify that the doors must swing in an outward fashion and possess panic software. The variance request is to permit the existing doors to remain as is based upon a posted occupant load in lieu of a calculated occupant load. Upon the Commission’s consideration, Ms. Tupper agreed to further limiting the occupancy load to forty-one (41). Commissioner Jordan motioned to approve on the condition(s) that: 1) the basement/lower level is not permitted to be occupied and shall only be used for storage and mechanical equipment, 2) any cooking in the kitchen shall not produce grease or grease-laden vapors, 3) the basement/lower-level door is required to be secured/locked to prevent students’ access to the basement/level, and 4) the maximum occupant load of the structure shall be posted at forty-one (41) occupants. Commissioner Heinsman made the second. It was voted on and carried.

	<b>Y</b>	<b>N</b>
<b>Michael Corey</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Harold Davison</b>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Greg Furnish</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Jim Greeson</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Joe Heinsman</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Todd Hite</b>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Wes Jordan</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Jim Murua</b>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Scott Pannicke</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Michael Popich</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Variance (a) was approved with Commission condition(s)**, by a vote of 5-2. Commissioner Murua recused himself from the vote.

21-02-37 Conservatory at Evergreen, Indianapolis

Mark Demerly spoke as the proponent. The facility is to be a wedding event space that is located in the natural setting of the woods with an adjacent water feature. The use of a greenhouse 'Conservatory' structure takes advantage of the site, allows for an internal garden setting. The request is to allow the greenhouse structure to not comply with code. The building envelope will not comply with the energy conservation ComCheck compliance report due to the inherent nature of a greenhouse structure's wall envelop being more than 40% of transparent glazed construction. All other mechanical and electrical design specifications will be met. Per Vice Chairman Popich's inquiry, the facility will also have indoor plumbing. With that, Vice Chairman Popich motioned to approve. Commissioner Heinsman made the second. It was voted on and carried.

	Y	N
<b>Michael Corey</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Greg Furnish</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Jim Greeson</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Joe Heinsman</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Wes Jordan</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Jim Murua</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Scott Pannicke</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Michael Popich</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The variance was **approved as submitted**, by a vote of 8-0.

21-02-38 (a)(b)(c)(d)(e)(f) Johnson Creamery Apartments, Bloomington

Ed Rensink spoke as the proponent. Commissioner Heinsman motioned to approve variances (a) through (e) with no discussion. Commissioner Corey made the second. It was voted on and carried. Commissioner Pannicke recused himself from the vote.

Regarding variance (f), the required latch side clearance on the inside of the Type B apartment unit entry door for twenty-four (24) of sixty-two (62) units total will not be provided due to the interior layout of the units. Due to site restrictions in terms of size and geometry, the layout of some units does not allow for full compliance with A-117.1. Commissioner Corey motioned to approve. Commissioner Jordan made the second. It was voted on and carried. Commissioner Pannicke recused himself from the vote.

	(a)-(e)		(f)	
	Y	N	Y	N
<b>Michael Corey</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Harold Davidson</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Greg Furnish</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Jim Greeson</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Joe Heinsman</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Todd Hite</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Wes Jordan</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Jim Murua</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Scott Pannicke</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Michael Popich</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Variances (a)-(e) were approved as submitted, by a vote of 7-0. Variance (f) was approved as submitted, by a vote of 7-0.

21-02-39 (a)(b) Interior Renovation for Child Care Network, Seymour

Melissa Tupper spoke as the proponent. The project involves the conversion of an existing church into a daycare. With regard to variance (b), the request is to use the mandatory scores for an E occupancy in Table 3412.8 for the evaluation and then subsequently scored based upon Chapter 34 provisions. Ms. Tupper stated that this is necessary due to the lack of a corresponding chapter in NFPA 101A for daycare facilities classified as I occupancies. Chairman Greeson motioned to approve variance (b). Commissioner Hite made the second. It was voted on and carried.

Code requires that all stairways above the second floor have at least one interior exit. An existing stair serving the third story balcony will be enclosed with 1-hour construction as required for an interior exit stairway but will not discharge directly to the exterior, due to the sloped site conditions and current stairway configuration. Ms. Tupper stipulated that the third floor would never be occupied by the children and is to only be used for office space. Additionally, the remaining stairs will be equipped with draft curtains and closely spaced sprinklers. Commissioner Murua motioned to approve variance (a). Commissioner Heinsman made the second. It was voted on and carried.

	(a)		(b)	
	Y	N	Y	N
<b>Michael Corey</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Harold Davidson</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Greg Furnish</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Jim Greeson</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Joe Heinsman</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>Todd Hite</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Wes Jordan</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Jim Murua</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Scott Pannicke</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Michael Popich</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Variances **(a) and (b) were approved as submitted**, by a vote of 9-0.

8. Petitions for Administrative Review

a. Granted and Forwarded to the Office of Administrative Law Proceedings (OALP)

i. IDHS Sanctions Order No. 434-623 - Staybridge Suites

Director Boyle advised the Commission that this petition for administrative review was granted as timely and with standing and was forwarded to OALP for assignment to the administrative law judge. Director Boyle also advised that the ALJ has already issued a Final Order of Dismissal for this review (see below).

9. Final Orders/Final Orders of Dismissal Issued by the ALJ – **for the Commission’s awareness only**

a. IDHS Notice of Violations Order No. 4EE3-F8C8 – Goshen Brewing Company (Cause No. DHS-1220-001588)

b. IDHS Sanctions Order No. 411-596 – Hobart Comfort Inn (Cause No. DHS-0121-000079)

c. IDHS Sanctions Order No. 434-623 - Staybridge Suites (Cause No. DHS-0221-000423)

d. IDHS Order of Denial of Variance No. 20-12-33 - 900 Jackson (Cause No. DHS-1220-001458)

Director Boyle advised the Commission that he will compile and place the ALJ’s Final Orders and Final Orders of Dismissal on the Commission’s meeting agendas, for the Commission’s awareness only, so that the Commission will become aware of the final actions for administrative review cases which originally started with the Commission as petitions for administrative review. Director Boyle advised that the ALJ has issued four Final Orders of Dismissal since January 1, 2021, for the administrative review cases referenced above.

10. Commission Review of Local Ordinances

a. Preliminary (Pre-Adoption) Review

- i. Fire Prevention Ordinance of the City of Westfield, Indiana – ***received by Commission staff via electronic mail on Thursday, February 11, 2021.***
- ii. Fire Prevention Ordinance of the City of Bloomington, Indiana – ***received by Commission staff via electronic mail on Thursday, February 18, 2021.***

Director Boyle advised the staff received two proposed fire prevention ordinances, from the City of Westfield and the City of Bloomington, since the Commission’s last meeting. These proposed ordinances were submitted for preliminary review. Staff will review and send its comments and recommendations back to the jurisdictions. Director Boyle also advised the Commission that the Indiana Apartment Association (IAA) submitted objections regarding some of the provisions of these ordinances the previous evening, but staff has obviously not had an opportunity to review IAA’s objections/concerns. Director Boyle, Justin Guedel (IDHS Deputy General Counsel), and the Commission also discussed the need to keep a running list of the ordinances submitted for preliminary review on the Commission’s meeting agendas. After discussion, it was decided that staff should simply provide a clean, simple, easy-to-read, updated spreadsheet to the Commission that can always be referenced on the agenda(s). Director Boyle advised the Commission that staff will work on providing this spreadsheet by the next meeting.

11. Final Comments/Closing Remarks from Chairman Greeson

Chairman Greeson thanked the commissioners and everyone for their patience, perseverance, and commitment to completing the day’s business, given that it was a very long day, and wished everyone well.

12. Next Meeting – Tentatively scheduled for Tuesday, April 6, 2021, beginning at 9:00 a.m. Eastern Time in History Reference Room 211 of the Indiana State Library, 315 W. Ohio Street, Indianapolis, IN 46202

***If the Commission’s meeting must be conducted electronically/remotely due to the ongoing COVID-19 public health emergency, details will be provided on the Commission main web page (<https://www.in.gov/dhs/2375.htm>) in advance of the meeting date.***

13. Adjournment

Vice Chairman Popich motioned to adjourn. Commissioner Corey made the second. It was voted on and carried.

	Y	N
Michael Corey	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>Harold Davison</b>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Greg Furnish</b>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Jim Greeson</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Joe Heinsman</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Todd Hite</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Wes Jordan</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Jim Murua</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Scott Pannicke</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Michael Popich</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The meeting was adjourned at 6:16 p.m. EST, by a vote of 8-0.

APPROVED: \_\_\_\_\_  
James L. Greeson, Chairman