



ERIC J. HOLCOMB, Governor
STATE OF INDIANA

INDIANA DEPARTMENT OF HOMELAND SECURITY

BRYAN LANGLEY, EXECUTIVE DIRECTOR

*Indiana Government Center South
302 West Washington Street
Indianapolis, IN 46204
317-232-3980*

June 23, 2017

Christina Collester
RTM Consultants, Inc.
6640 Parkdale Place, Suite J
Indianapolis, IN 46254

Re: Petition for Review – Mass Ave Family Dentistry

Dear Ms. Collester,

The Fire Prevention and Building Safety Commission is in receipt of your Petition for Review of the recent City of Indianapolis Notice of Violation dated 06/02/2017. The Petition for Review will be discussed at the next regularly scheduled meeting of the Fire Prevention and Building Safety Commission – currently scheduled to begin at 9:00AM on July 6, 2017. The Commission will make a determination as to whether the petition was timely filed.

Sincerely,

Beth Sutor
Secretary
Fire Prevention and Building Safety Commission

THIS APPEAL WAS
RECEIVED VIA **EMAIL** ON
TUESDAY, JUNE 20, 2017

June 20, 2017

Indiana Department of Homeland Security
Fire Prevention and Building Safety Commission
c/o Chairman
302 W. Washington Street, Room W246
Indianapolis, Indiana 46204

RTM
CONSULTANTS, INC.

BUILDING CODES
♦
FIRE PROTECTION
♦
JCAHC/CMS/HFAP

RECEIVED
IDHS
JUN 20 2017
LEGAL

Mass Ave Family Dentistry
310 N Delaware St
Appeal of Local Order - IC 22-12-7-12

Dear Mr. Chairman:

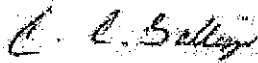
This letter is a request for Appeal of the enclosed Notice of Violation issued for the above referenced project from the City of Indianapolis, Department of Business and Neighborhood Services, dated June 2, 2017, regarding accessibility of the break room on the mezzanine level.

Violation: 2014 IBC 1103.1 Where required.
Employee break area is not accessible, including lockers, sink, microwave, refrigerator, and dishwasher.

The design team, on behalf of the owner, has been working with RTM to investigate and resolve the issue. We believe the mezzanine level where the employee break area is located meets the elevator exemption and is therefore not required to be accessible. The mezzanine complies with IBC Section 1104.4 Exception 1 based upon the fact that no public healthcare services will be provided on the mezzanine level. The City order requires that the mezzanine be located on an accessible route and that all elements on the mezzanine be accessible. The owner is requesting a stay permitting the completion of construction and occupancy of the space until the issue can be resolved.

Thank you for your attention to this matter. If you have any questions, please let us know.

Very truly yours,
RTM Consultants, Inc.



Carrie Ballinger
Associate

cc: Drew White - Axis Architecture
Doug Bruce - City of Indianapolis, Department of Building and Neighborhood Services



THE CITY OF
INDIANAPOLIS
BUSINESS & NEIGHBORHOOD SERVICES
★
EST. 1821


NOTICE OF VIOLATION

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

Case Number: VIO17-003773

Date: 06/02/2017

Time: 9:28 am

Inspector Signature: 

Inspector Telephone Number: (317) 997-1829

Inspector Name: Doug Bruce

Inspector Fax Number: (317) 327-2621

Inspector Email: Doug.Bruce@indy.gov

Address of Violation: 310 N DELAWARE ST

Person Served: MICHAEL F BOYLE

Mailed To: 220 N DAVIDSON ST
INDIANAPOLIS, IN 46202

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

Indiana Energy Conservation Code 2010: 5.4.3.4 Vestibules

Room:

Floor: 1st

Specific Location:

Comments: 2010 Indiana Energy Code 5.4.3.4 Vestibules. Building entrances that separate conditioned space from the exterior shall be protected with an enclosed vestibule, with all doors opening into and out of the vestibule equipped with self-closing devices.
(vestibule required)

The City of Indianapolis requests your cooperation in correcting the violation(s). Violation(s) that have not been corrected within 15 days of the date noted above, will result in further enforcement action, which may include but is not limited to:

- 1) Assessment of an administrative fee in the amount of two hundred fifteen dollars (\$215.00) for each scheduled visit to the property and the violation(s) have not been corrected (Section 536-609) and/or
- 2) Lawsuit with fines up to \$2,500 for each violation plus court costs (Section 536-709)

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

Do Not Remove This Notification

Indianapolis Building Standards and Procedures 2011: 536-217 Notice in change in

Permit information: Amendment of Permits and Plans

Room:

Floor:

Specific Location:

Comments: Indianapolis Building Standards and Procedures 536-217 Notice in change in Permit information; Amendment of Permits and Plans (failure to notify and amend plans for elimination of vestibule and all related construction including enlargement of waiting area, craft work etc)

ANSI A117.1 2009: 604.5.1 Fixed Side Wall Grab Bars

Room:

Floor:

Specific Location:

Comments: ANSI A117.1-2009 604.5.1 Fixed Side Wall Grab Bars (blocking required for upright grab bar in western restroom)

Indiana Building Code 2014: 1103.1 Where required

Room:

Floor:

Specific Location:

Comments: 2014 IBC 1103.1 Where required. (employee break area is not accessible, including lockers, sink, microwave, refrigerator, and dishwasher)

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HAND-DELIVERED ON
WEDNESDAY, JUNE 21, 2017

RTM

CONSULTANTS, INC.

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6640 Parkdale Place, Suite J
INDIANAPOLIS, IN 46254-4698

Indiana Department of Homeland Security
Fire Prevention and Building Safety
Commission c/o Chairman
302 W. Washington St., Rm W246
Indianapolis, IN 46204

BUILDING CODES ♦ FIRE PROTECTION ♦ JCAHO/CMS/HAP

RECEIVED
JUN 21 2017
10:45
PLANT

RECEIVED
JUN 21 2017
MARSHAL'S OFFICE

June 20, 2017

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Fire Prevention and Building Safety Commission
c/o Chairman
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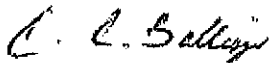
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