

Cause #: 98-51B
Name: Haverhill Elementary School
Administrative Law Judge: William K. Teegarden
Date: August 25, 1999
Commission Action: Affirmed

FINDINGS OF FACT

1. The Office of the SBC is an agency within the meaning of IC 4-21.5.
2. The FPBSC is the ultimate authority within the meaning of IC 4-21.5 over matters involving decisions by the SBC.
3. IC 4-21.5, IC 22-13, and 675 IAC 13 apply to this proceeding.
4. At all times relevant to this proceeding, the School was a functioning public elementary school located in the suburbs of Ft. Wayne, Indiana.
5. On August 20, 1998, the SBC released plans for the school with two conditions.
6. The School requested administrative review of both conditions.
7. Condition #1 stated as follows:

“When two exits are required, they shall be placed a distance apart equal to not less than one half (1/2) of the length of the maximum overall dimension of the area served, measured in a straight line between exits in accordance with Section 3303 (c), IBC (675 IAC 13-22). (Note: THIS IS FOR CLASSROOMS WITH FOLDING PARTITIONS)”
8. Condition #2 stated as follows: “Dead end corridors shall not exceed twenty (20) feet in accordance with Section 3305 (e), IBC (675 IAC 13-2.2).”
9. At the time of filing, the relevant IBC was the 1991 UBC.
10. The basic design of the School provides a cluster of rooms around a central area. Each room has width and length dimensions of approximately 30' to 33'.

11. Several of the rooms are connected by folding doors having a maximum width of approximately 9 ½ feet.
12. The Agency treated the connected rooms as one large room thereby allowing an occupant load of 50 people per room and thus requiring two exits to the hallway or central area instead of one.
13. The exits to the two connected rooms are within 10' to 15' of each other and do not comply with Section 3303 (c) of the UBC which provides that if two exits are required “. . . They shall be placed a distance apart equal to not less than one half the length of the maximum overall diagonal dimension . . . of the area to be served”
14. When the door is wide open, it creates an opening of no more than 30% of the wall space.
15. The hearing was held on one of the classrooms so designed.
16. After hearing the evidence, looking at the plans, and examining the typical wall where the folding door was, the trier of fact concludes that each of these classrooms is a room by itself and the complex is not one big room.
17. The rooms in question are designed and used as separate classrooms and should not be considered as one large room requiring multiple exits conforming to Section 3303 (c) of the UBC. While the folding doorways can be positioned to allow a doorway opening that is larger than a normal door, it does not allow in this particular case an opening of sufficient size to conclude there is one large room rather than two (or more) small ones.
18. Condition 1 should be removed from the Release.
19. The rooms are clustered around an open area which is roughly 29' wide and 35' long.
20. An 8' wide main corridor runs in front of the open area.
21. The area contains sets of lockers and has no independent exit to the exterior. That is, the only way to exit the building from the class rooms around the pod is to enter the open area and go to the main corridor.
22. See 3305 (e) of the UBC states as follows: “When more than one [exterior]

exit is required, they shall be so arranged that it is possible to go in either direction from any point in a corridor to a separate exit, except for dead ends not exceeding 20 feet.”

23. The open area in question attaches to the corridor and is an important component in moving people in and out of the rooms around the pod. In short, it is a part of the corridor system.
24. The length exceeds 20 feet and does not provide an exterior exit. It therefore must be considered a dead end corridor.
25. The School provided evidence (exhibit 4) that the BOCA building code would permit this design because of the ratio of width to length of the open area.
26. BOCA is not the adopted building code from Indiana. The School’s arguments may support the granting of a variance but they do not change the fact that the current design violates the 1991 UBC.
27. Condition 2 of the Release should remain.

NONFINAL ORDER

The superseding plan release dated August 20, 1998, issued in connection with project number 253077 is hereby modified by striking the first condition from the release. In all other respects, the superseding plan release is affirmed.

