



MITCHELL E. DANIELS, Jr., Governor
STATE OF INDIANA

DEPARTMENT OF HOMELAND SECURITY JOSEPH E. WAINSCOTT JR., EXECUTIVE DIRECTOR

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

COMMISSION MEETING MINUTES

**Indiana Fire Prevention and
Building Safety Commission**
Government Center South
402 West Washington Street
Indianapolis, Indiana 46204
Conference Room B

July 6, 2011

1. Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was opened by Chairman David Hannum at 9:07 a.m. on July 6, 2011.
 - (a) Commissioners present at the Commission meeting:

Diana M. H. Brenner
Ron Brown
Michael Christoffersen
Tom Cloud
Michael Corey
Kevin Goeden, representing the Commissioner, Department of Labor
David Hannum, Chairman
John Hawkins
Todd Hite, representing the Commissioner, Department of Health
Matt Mitchell
Ted Ogle, Vice-Chairman
 - (b) The following departmental and support staff were present during the meeting:

Legal and Code Services:

Mara Snyder, Director, Legal and Code Services
Shelly Wakefield, Manager, Code Technical Development
Cecilia Ernstes-Boxell, Code Specialist
John Haines, Code Specialist
Beth Sutor, Secretary
 - (c) James Schmidt, Deputy Attorney General, and Gary Bippus, Administrative Law Judge, were present.

Added by amendment August 2, 2011

Vice-Chairman Ogle called for any corrections or a motion to approve the minutes of the July 6, 2011 meeting as distributed. Commissioner Brown advised the Commission that the minutes for Item 50 on page eleven, variance 11-07-49, Southern Hills Mennonite Church, Campbellsburg did not adequately reflect his concerns regarding this variance. He presented the following to be added to the minutes: "Commissioner Brown indicated the design intent of the NFPA 13D standard if allowed as proposed in this variance application is dangerously exceeded in the structural and occupancy design defined in variance application 11-07-49. He further stated if approved, the fact that NFPA 13D was not designed or intended for this type of application, sets the stage for a false sense of security on the part of the owners and occupants of the structure and potentially installs a system that will fail to provide for either life or property protection in the event of a fire. Commissioner Brown expressed concerns for the liabilities of a contractor who may install such an inadequate system and for the fact that this petition if approved by the Commission may set a very dangerous precedent and expectation for future similar variance applicants leading to a significant number of inadequate and poorly designed fire safety systems across the state of Indiana. Commissioner Brown urged his fellow commissioners to not approve this variance." Commissioner Mitchell moved to amend the minutes to include the statement, with the second by Commissioner Brown. It was voted upon and carried. Commissioner Hawkins abstained.

Commissioner Hawkins, proponent for the variance, advised the Commission that, even though they had received the variance, the church was still looking for a 13 system with a different pump and bigger storage tank which they could use. He further advised that, should they be able to find one, they would return to revise the variance.

Commissioner Christoffersen noted that item 50, page 11, variance #11-07-49, Southern Hills Mennonite Church, Campbellsburg, should have read 400 gallons instead of 4,000 gallons. Commissioner Brenner moved to approve the minutes as amended, with the second by Commissioner Corey. It was voted upon and carried. Commissioner Hawkins abstained.

Mara Snyder, Director, Legal and Code Services, advised the Commission members that they had been given a copy of the code involved in variance 11-07-34 PGI Convention 2012, LaPorte. She asked that they keep their copies for the August meeting since the proponent had requested the application be tabled for 30 days. She also advised them that the packets placed at their seats had been arranged in the order of the staff report additions, not numerically.

2. Old Business.

Chairman Hannum called for any corrections or a motion to approve the minutes of the June 7, 2011 meeting as distributed. A motion to approve the minutes was made by Commissioner Corey and seconded by Commissioner Mitchell. It was voted upon and carried.

3. Third Party Inspections.

Mara Snyder, Director Legal and Code Services, noted that the agency had reviewed the application and recommended approval. Commissioner Christoffersen moved to approve for a period of one year. Commissioner Corey made the second. It was voted upon and carried.

4. Variances.

Tabled Variances.

The proponent for variance 11-05-11, Senior Care Inc, Indianapolis, had requested it be tabled. Commissioner Ogle moved to table, with the second by Commissioner Hite. It was voted upon and carried. Variance 11-05-36, Schenk Living Quarters, Evansville, was represented by Roger Lehman, Lehman Consultants. The owners of the building wished to have offices on the first floor and an apartment for themselves on the second, allowing them to sell their home fifteen miles away. The request was to allow a zero score for the elevator in their Chapter 34 evaluation. The elevator would not be used by the fire department during a response per their officers. Sprinklers were bid and would cost \$18,000, plus service to the building at another \$8,000 to \$10,000. The first floor of the building would meet all requirements of Chapter 34, but there is a basement which houses the furnace. The tenant would not use the basement, and the restriction would be put in writing. There is a full second floor, separated by a 90 minute door. The owners would install a fully monitored fire and smoke detector system, and a two-hour stairway from the second floor directly to the outside. The second floor windows are egress windows. Following discussion, Commissioner Christoffersen moved to approve, the second by Commissioner Hawkins, with the condition that the apartment remain owner occupied. It was voted upon and carried, with one nay. Variance 11-06-1 Mariah Creek Church, Oaktown, had been withdrawn. Variance 11-06-5, Franklin Street Security, Columbus, was represented by Scott Hollinger, Facilities Manager. The request was to allow an all-glass door with an electronic card swipe to release a magnetic lock, installed for security for the software design room. The lock will automatically release when you trigger an electronic eye on the interior side of the door, or you may release it by pressing the button inside the area. There is no latch, so when the power is interrupted the door moves freely. The second exit from the room has panic hardware, and the room has sprinkler coverage. Following discussion, Commissioner Brenner moved to approve if the lock is tied to the alarm system to release when activated. Commissioner Christoffersen made the second. It was voted upon and carried. The proponent for variance 11-06-7, Americold Indianapolis, requested it be tabled. Commissioner Corey moved to table, with the second by Commissioner Ogle. It was voted upon and carried. Variance 11-06-8, 809 N. Walnut Street Windows, Bloomington, was now complete and would have qualified for the block vote. Commissioner Christoffersen moved to approve, with the second by Commissioner Goeden. It was voted upon and carried. Ben Elfreich, Kone Inc, spoke as proponent for variance 11-06-16, Four Winds Resort, Bloomington. The elevator was a machine room-less elevator which complies with current code, but did not comply with the code of record since this type of installation was not covered. Following a discussion of the option of an addendum to be filed with Plan Review to address this situation, Commissioner Corey moved to approve, with the second by Commissioner Ogle. It was voted upon and carried. Variance 11-06-22, Hoosier Interior Door Spray Booth, Goshen, was represented by Kevin and Enos Miller, owners. A variance similar to their request to omit sprinklers in a spray booth had been granted in 2008. That variance, however, included the name and a description of the booth. The Millers had purchased the business, including the booth, from a gentleman who was now deceased, and were unable to provide the information. Following discussion of the same occupancy classification for both businesses and the installation possibly being grandfathered, Commissioner Brenner moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried with one nay vote. Timothy Callas, J & T Consulting, spoke as proponent for variance 11-06-35, Brownstone Apartments, Indianapolis. He had

brought new floor plans from the architect to clarify the dead-space issue behind the elevator on the second and third floor stops. Following discussion, Commissioner Christoffersen moved to approve with the condition that a fascia be installed on the second and third floor for passenger security should the rear door open. Commissioner Ogle made the second. It was voted upon and carried.

Regular Variances.

Chairman Hannum called for any variances to be pulled from the block vote for individual consideration. There were none. Commissioner Hawkins advised he would abstain from voting on variance 11-07-49, Southern Hills Mennonite Church, Campbellsburg. Commissioner Cloud advised he would abstain from voting on variance 11-07-50(a)(b), Rose-Hulman Student Housing 2011, Terre Haute. Commissioner Corey moved to approve all variances with an "A" or "B" recommendation by staff, with the second by Commissioner Brenner. It was voted upon and carried.

The following variances were approved as submitted:

- (1) 11-07-1(a) Station 11 Apartments, Bloomington
- (2) 11-07-2 1734 N. Lincoln College Park Windows, Bloomington
- (3) 11-07-3(b) East Central Towers, Ft. Wayne
- (4) 11-07-9 544 E. Graham Place Windows, Bloomington
- (5) 11-07-10(e) Ivy Tech Corporate College and Conference Center, Indianapolis
- (6) 11-07-11 Pilgrim Lutheran Church, Carmel
- (7) 11-07-21 Ball State University North Campus Athletic Buildings, Muncie
- (8) 11-07-22 Village Center Mixed Use Building, Indianapolis
- (9) 11-07-24 Carmel Lutheran Church Narthex Addition, Carmel
- (10) 11-07-33 577 E. Graham Place Windows, Bloomington
- (11) 11-07-38 St. Joseph's High School, South Bend
- (12) 11-07-41(b) Indianapolis Automotive Maintenance Shop, Indianapolis
- (13) 11-07-45 Plainfield Recreation Center Expansion Phase II, Plainfield
- (14) 11-07-48 Fair Building Open Parking Garage, Indianapolis
- (15) 11-07-50(a) Rose-Hulman Student Housing 2011, Terre Haute

The following variances were heard separately:

- (16) 11-07-1(b) Station 11 Apartments, Bloomington

Ben Elfreich, Kone Inc, spoke as proponent. The request was to allow the use of steel wire ropes which measured 8 mm in the EcoSpace elevator, though the code requires 9.5 mm ropes. The smaller ropes are allowed in more recent elevator standards. Following discussion, Commissioner Corey moved to approve this variance and variance 11-07-3(a) East Central Towers, Ft. Wayne, an identical variance request. Commissioner Mitchell made the second. It was voted upon and carried.

- (17) 11-07-4 Hannover On the Green Condominiums, Fisher

Melissa Tupper, RTM Consultants, spoke as proponent. The request was to allow the use of a 13D sprinkler system instead of the 13R called for by code. The units, each with an exit directly to the exterior, will be separated by 2-hour fire barriers. Smoke detectors were to be installed. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Ogle. It was voted upon and carried.

- (18) 11-07-5 Accutech Molding & Machine, Ft. Wayne

No proponent was available for questions. Mara Snyder asked that it be moved to a later time on the agenda, as she believed the gentleman had planned to attend. The Chairman agreed to the request.

- (19) 11-07-6 McCordsville New Administrative Offices, McCordsville

Ed Rensink, RTM Consultants, spoke as proponent. The variance was a restatement of a variance, granted November 2010, which erroneously stated a fire alarm system would be provided. The monitored smoke detectors were to be installed, but the system won't be the full NFPA 72 system. The building is staffed 24/7 by the police department. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

- (20) 11-07-7 Helena Fertilizer Storage Facility, Huntington

Doug Goff, Helena Chemical Company, spoke as proponent. The building is actually a roof over storage bins which are open when not holding fertilizer chemicals. There are no pesticides or crop protection chemicals in this facility. The request was to omit sprinklers. If the facility were to catch fire, they would let the chemicals burn out to avoid runoff issues from sprinklers. The products are not hazardous and are not combustible, making the proponent feel the building should be classified an S2 instead of an H4 as declared by Plan Review. Following discussion, Commissioner Brenner moved that no variance was required, with the second by Commissioner Hawkins. It was voted upon and carried.

- (21) 11-07-8 The Pourhouse Café, Bloomington

Lynn Brown, manager of the not-for-profit café, spoke as proponent. The main level of the building is used as a café. The occupancy changed, however, when they began using the lower level for meetings. The lower level has only one exit. The proponent advised they would be installing fire alarms, but the \$55,285 bid for installing sprinklers was beyond their means. They have an opportunity to rent the other side of the basement which would give them access to a second exit from that level. Following discussion, Commissioner Christoffersen moved to table to give the proponent time to have new drawings showing exiting, and to provide at least a letter of intent to lease the other side of the basement for additional exit access. Commissioner Brenner made the second. It was voted upon and carried.

- (22) 11-07-10(a)(b)(c)(d) Ivy Tech Corporate College and Conference Center, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. In 1995, the Stouffers Inn was converted to use as a school, with the swimming pool area being converted for use as an auditorium. The issue in variance (a) was the lack of fireproofing for structural steel columns in the exterior walls of the auditorium, and the inability to provide the same without taking down the walls. The columns are protected by a layer of 5/8" Type X gypsum board, and the area will be sprinklered by the end of the project. The area will also be protected by a 2-hour occupancy separation. The columns support only the auditorium roof. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Ogle. It was voted upon and carried. As a condition of the purchase agreement, the current residents will continue to occupy floors 9 through 12 for a period of five years. Variance (b) was to allow a delay in repairs to the fireproofing for this period. The sprinkler system in the area will be installed by August of 2012. The members of the Institute in Basic Life Principles had been using the building's commercial kitchen for food preparation. This area will be renovated and taken over by Ivy Tech for their Culinary Arts program. Variance (c) was to allow the installation of small kitchenettes on

the residential floors for the mandated five year period. A discussion was held concerning a fire suppression system for the hoods over the ranges. Commissioner Hawkins moved to approve both (b) and (c) if a listed, passive, dry chemical extinguisher were to be installed under each hood in the kitchenettes. Commissioner Christoffersen made the second. It was voted upon and carried, with one nay. Variance (d) was withdrawn.

(23) 11-07-12 McDonalds #13-0396, Indianapolis

Christina Collester, RTM Consultants, spoke as proponent. An addition was being done to bring the existing facility into ADA compliance by expanding the dining area to accommodate wheelchairs and handicapped restroom facilities. A 2-hour fire barrier was to be built around the storage area. The facility was currently not sprinkled, and no plans had been made to sprinkle. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Brenner. It was voted upon and carried, with one nay.

4. **Breaking and reconvening.** Chairman Hannum recessed the Commission at 10:20 a.m. He then reconvened the meeting, calling it back to order at 10:29 a.m.

(24) 11-07-13(a)(b) Girl Scouts Sycamore Valley Camping Unit, Lafayette

Ed Rensink, RTM Consultants, spoke as proponent. The request in variance (a) was to allow the use of an NFPA 13D sprinkler system instead of code-required 13R since the area is served by a well for domestic water and would not support sprinklers. Commissioner Christoffersen moved to approve, with the second by Commissioner Brown. It was voted upon and carried. The request in (b) was to allow the installation of residential exhaust hoods over residential ranges in the kitchenette/dining areas. These are not used during the summer camping season. The area will have a 1-hour separation and a maximum travel distance of 40 feet. The bunk areas will have smoke detection, and the building will be protected with a 13D sprinkler system. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Ogle. It was voted upon and carried.

(25) 11-07-14(a)(b) Mays Chemical Company, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. Eli Lilly will be storing materials at the facility. An existing wall, identified as a 4-hour fire wall on old plans, didn't terminate properly, and cannot be made into a structurally independent wall. The building would qualify for unlimited area, but the south side yard narrows to 28 feet to the property line. The sprinklered building is 24 feet tall, and the neighboring building was also sprinklered. Following discussion, Commissioner Brown moved to approve with the condition that the inspection records be checked to insure the sprinkler system is functional. Commissioner Ogle made the second. It was voted upon and carried. The materials to be stored in the flammable liquids room must be maintained at a specific temperature range. The doors which exit the room were made of the same materials which lined the walls. Variance (b) was to allow the doors and gaskets to be unrated assemblies. There was to be a sprinkler with heat collector within 2 feet vertically of the doors, and the storage room would be protected with an aerosol protection system. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Brenner. It was voted upon and carried.

(26) 11-07-15 Lilly Materials Center, Indianapolis
11-07-16 Lilly Technology Center North, Indianapolis
11-07-17 Lilly Technology Center South, Indianapolis
11-07-18 Lilly Corporate Center, Indianapolis

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

- (27) 11-07-19 Avon Kroger Store, Avon

This application had been withdrawn.

- (28) 11-07-20 Crowne Plaza Hotel, Indianapolis

Christina Collester, RTM Consultants, spoke as proponent. Four existing Won doors, located in an existing 3-story opening, are to be taken out of service and fixed in the closed position. The building is fully sprinklered, with multiple exit routes. Staff believed no variance is required because there was no information that the Won doors were required. Following discussion, Commissioner Ogle moved no variance required, with the second by Commissioner Brenner. It was voted upon and carried.

- (29) 11-07-23 D & K Enterprises, Sullivan

Thomas Schroeder, Schroeder and Associates, spoke as proponent. The request was to allow a 100x200 foot pre-engineered steel building to omit a fire barrier wall. The wall would interfere with the extrusion manufacturing process for plastic field pipe. Fire department access doors will be added on three sides of the building. A 5,000 gallon rain water collection tank was on site, and another constructed away from the building for a dry hydrant and water supply for the responding fire units. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Brenner. It was voted upon and carried, with one nay.

- (30) 11-07-25(a)(b)(c) Lilly K150 REACH Line, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. Tim Puls, Eli Lilly, also attended. The building had been constructed in the 1970's, with phased modifications and additions. The current project was to establish an insulin injection pen production line in a second floor warehouse space and associated walkways of the fully sprinklered building. Elevated walkways will lift pedestrian traffic above forklift and materials traffic. The building had failed to qualify for unlimited area due to a small percentage of perimeter which did not have the 60' side yard or 4-hour fire walls. Variance (a) was a request to permit it to be considered an unlimited area building. Existing fire walls do not comply with all current requirements for fire walls. The building is sprinklered throughout, and the walls have been maintained as fire walls with appropriate penetration protection. The request in (b) was to allow the existing walls to serve as fire walls. Variance (c) was a request to use a modified version of a joint system for between panels instead of strict adherence to the design as listed. Hilti had issued a design judgment which stated the proposed design was equivalent tested for UL System WW-D-1047. The proposed design has a maximum joint width of 1" in lieu of the 2" permitted by the UL design criteria. Following discussion, Commissioner Christoffersen moved to approve all three variances, with the second by Commissioner Hawkins. It was voted upon and carried.

- (31) 11-07-26 Van Buren Street Building Renovation, Columbia City

Dan Gagen, PDMI, spoke as proponent. A building, recently purchased, currently only has tenants on the second floor. The restaurant requires the floor to be sprinklered. The request was to allow sprinklers to be installed on the other two floors only as the tenant spaces are leased and the occupancy type is established. A 1-hour exit enclosure was planned for the stairway from the first floor to the second, from the second floor to the third, and a horizontal exit for the first floor to the exterior. A fire alarm system will also be installed on the second floor, and the electrical system was to be upgraded. Access doors to unoccupied floors will be locked. Following discussion, Commissioner Brown moved to approve if the building is sprinklered as leases come in. Commissioner Brenner made the second. It was voted upon and carried.

- (32) 11-07-27(a)(b)(c)(d) IU Neurosciences Research Building, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. A five story research building was to be built next to an existing clinic building, but there will be different owners, and, despite similar construction type, they should have a party wall with no openings. The request in (a) was to allow a single door opening connecting the buildings on the basement, first and second floors permitting patients to move between services without having to exit the buildings. The buildings are to be protected by an NFPA 13 automatic sprinkler system, and the openings between buildings will be 90-minute rated. Commissioner Christoffersen moved to approve, with the second by Commissioner Ogle. It was voted upon and carried. Variance (b) was to allow a convenience stair, protected by both draft and sprinkler curtains, for levels one through five, but not including the basement. Since there is an A-3 on the first floor, code only allows the stair for four stories. The Seminar Room, unaffected by the stair, has a direct exit to the exterior, and a second means of egress with a 60' travel distance. Commissioner Christoffersen moved to approve, with the second by Commissioner Brenner. It was voted upon and carried. Variance (c) was to allow a mechanical penthouse on the roof which exceeds the 33% roof area restriction. The extra area needed by the mechanical systems was due to the complexity of the research and its requirements. This has been granted before. Commissioner Christoffersen moved to approve, with the second by Commissioner Brown. It was voted upon and carried. Variance (d), a request for solvent quantities which exceeded the allowable amounts, was withdrawn.

- (33) 11-07-28 Pocket Billiards, Griffith

Carl Cesare, President, spoke as proponent. An existing building was to be converted from a furniture store to a billiard parlor. A bid for a required sprinkler system was half the purchase price of the building. The request was to omit the sprinkler system. The second floor was not going to be used, and after the installation of a smoke and fire alarm, would be locked off. There is an estimated occupant load of 140 persons, with pool tables taking up approximately 3,000 square feet of the main floor. All doors are to swing out. There is no kitchen, but there is a pizza oven. Following discussion, Commissioner Christoffersen moved to table to allow the proponent time to provide additional information on issues related to change of use. Commissioner Brenner made the second. It was voted upon and carried.

5. **Breaking and reconvening.** Chairman Hannum recessed the Commission for lunch at 11:59 a.m.. He then reconvened the meeting, calling it back to order at 1:04 p.m.

- (34) 11-07-29 Plainfield High School, Plainfield

Ed Rensink, RTM Consultants, spoke as proponent. The new school had been completed approximately four years ago. During a recent inspection, a corridor was found to exceed the 20' dead-end. The corridor served as a second means of egress for the choir room, and therefore had a limited occupant load in the fully sprinklered building. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Ogle. It was voted upon and carried.

- (35) 11-07-30 Jennings Storage Facility, Greenfield

Ed Rensink, RTM Consultants, spoke as proponent. A former 84 Lumber building was being converted to a storage facility for boats and recreational vehicles. A Chapter 34 analysis was done, and the wooden girts used to nail the metal siding onto the building prevented the facility from complying with III-B construction. The request was to allow it to be scored as III-B construction. The fire load has been greatly reduced from the previous occupant. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried.

- (36) 11-07-31(a)(b)(c) Lilly US Affiliate K145 Renovation, Indianapolis

Ed Rensink, RTM Consultants, Bruce Anderson, Synthesis Inc, and Tim Puls, Eli Lilly, addressed the Commission. The building is part of a project involving several buildings. Building K145 was originally built as a training area for sales. In variance (a), the building does not comply with allowable area and height for the code of record, but does comply with current IBC requirements for allowable height and area. Lilly sprinkler requirements exceed those of code. The request was to grant a variance to code of record requirements for allowable height and area. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Ogle. It was voted upon and carried. Variance (b) for the termination of the fire wall and (c) for the monumental stairway being enclosed had been granted variances previously. Lilly wished to have them presented again for the code of record with this project. Commissioner Ogle moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried.

- (37) 11-07-32(a)(b) Lilly US Affiliate Addition and Renovation, Indianapolis

Ed Rensink, RTM Consultants, Bruce Anderson, Synthesis Inc, and Tim Puls, Eli Lilly, addressed the Commission. In variance (b), two firewalls within the proposed addition do not meet structural stability code requirements. The existing buildings, K171 and K172, will be upgraded to Type IIA construction by providing 1-hour fire rating to structural frame, floor and roof structures. The fire protection standards at Lilly exceed those of code. The request was to allow non-compliance. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Brown. It was voted upon and carried. Variance (a) was a request to use an exception to Sec. 4.2.1.2 of the ASHRAE 90.1 standard which had been deleted by Indiana amendment to upgrade roof assemblies to offset glazing. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried.

- (38) 11-07-34(a)(b)(c)(d)(e)(f)(g) PGI Convention 2012, LaPorte

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

- (39) 11-07-35(a)(b)(c) St. Alphonsus Liguori Catholic Church Parish Hall, Zionsville

Christina Collester, RTM Consultants, and Matt Brown, architect, spoke as proponents. The project included a new church, and upgrades to the other three buildings. The addition of a kitchen to the Fellowship Hall triggered the sprinkler requirement. The request in (a) was to omit the sprinklers. The kitchen addition will be separated by a two-hour fire barrier which will go to the roof deck, separating the building into two buildings, and will have commercial appliances. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried, with one nay. Variance (b) was to allow the existing buildings to not fully comply with the 2010 Energy Code. Upgrades are being done where feasible. A discussion concerning the year of construction for the three existing buildings was held, and it was determined that they were built before January 21, 1978 and not required to comply. Commissioner Hawkins moved that no variance was required, with the second by Commissioner Ogle. It was voted upon and carried. Variance (c) was to allow partial compliance with the Accessibility Code for existing structures. New work will comply, and entrances and restrooms in existing structures were to be upgraded to comply. To fully comply in all four buildings would be an economic hardship at this time. Commissioner Christoffersen moved to approve, with the second by Commissioner Cloud. It was voted upon and carried.

- (40) 11-07-36(a)(b)(c) Columbus Office Expansion, Columbus

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. Cummins will be building an office building where a hotel was to have been located. Variance (a) was a request to raise the atrium ceiling to

85 feet, instead of the allowed 75 feet for a sprinklered building, to permit additional natural light. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried. Variance (b) was to allow a non-fire-rated exterior wall with unprotected openings on the property line. The addition shall have an NFPA 13 – 1999 edition sprinkler system, as does the adjacent Columbus Commons Mall. Openings will be laminated or tempered glass with close spaced sprinkler protection on the interior of the building for all floor levels, and fire-rated door assemblies. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried. Variance (c) was a request to omit a voice communications system for a storm shelter on the first floor. It would be considered an assembly area due to a calculated 2,200 occupant load. The exits have been designed to accommodate the anticipated occupancy load, and it was felt the voice communications system was not needed since the occupants would be in a single room. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

- (41) 11-07-37 Camp Lutherhaven New Camp Building, Albion

The application was now complete, and would have qualified for inclusion in the block vote. Commissioner Ogle moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried.

- (42) 11-07-39 Westhaven Apartments Phase II buildings 1,2,3, Zionsville

The application had been withdrawn by the proponent.

- (43) 11-07-40 1030 N. Central Avenue Renovation, Indianapolis

Tim Callas, J&T Consulting, spoke as proponent. An existing A-3 building was to undergo a change to a B/R-2 occupancy. An evaluation was done using Chapter 34, and passed for 87% of the building. The residential portion was to be expanded by 540 square feet, triggering the sprinkler requirement. The request was to allow a 13D system to be installed in the residential area only. The apartment would be separated with a 2-hour fire barrier and a 2-hour fire resistive floor/ceiling assembly. A smoke detection system with HVAC detection shutdown was included in the Chapter 34 scoring. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried.

- (44) 11-07-41(a) Indianapolis Automotive Maintenance Shop, Indianapolis

Tim Callas, J&T Consulting, spoke as proponent. The request was to allow a mezzanine, used by maintenance personnel for a lunch/break room and managers for offices, to not meet accessibility requirements. The mezzanine is not open to the public. Company policies require mechanics to be physically able to work on vehicles, and if injured or physically challenged, they are reassigned to duties in the main building, which is accessible. Commissioner Christoffersen moved to approve, with the second by Commissioner Brenner. It was voted upon and carried.

- (45) 11-07-42(a)(b) Fertilizer Storage and Blending Building, Poseyville

Tim Callas, J&T Consulting, spoke as proponent. The structure, unoccupied except when fertilizer is to be scooped from the bins and mixed by three employees, is over area for the type of construction. The request in (a) was to allow the building, already constructed, to be over area. Variance (b) was a request to omit a sprinkler system in the unheated building. A letter from the office of the State Chemist and Seed Commissioner advised that they do not require sprinklers in pesticide or fertilizer facilities. They

also recommend that, if a sprinkler system is installed, consideration be given to the environmental harm and remediation costs from possible contamination in run-off water. The building stand would stand idle approximately 6 months per year. Following discussion, Commissioner Christoffersen moved to approve both (a) and (b), with the second by Commissioner Brenner. It was voted upon and carried.

(46) 11-07-43(a)(b)(c) Hanna Haunted Acres, Indianapolis

Melissa Tupper, RTM Consultants, spoke as proponent. Also present was Scott Waterman, owner. The request in (a) was to allow two new buildings, consisting of roofs and no walls, to omit sprinklers. They are replacing trailers and tents they'd used in the past for their facility. They are to have smoke detectors in the rafters, emergency lighting, and voice communication. They are a quarter mile from the road for water available for sprinkler use. There are no exterior walls, and walls used to create the maze are of plywood and 2x2 lumber sprayed with flame retardant. They have gotten a zoning ordinance variance from the city, and are restricted in their hours and days of operation. Staff members, including off-duty firemen and EMT's, are equipped with radios and assigned areas to monitor. Variance (b) was a request to allow the use of trailers for a haunted house until they could be replaced by the buildings described in (a). Following discussion, Commissioner Ogle moved to approve both (a) and (b), with the second by Commissioner Brenner. It was voted upon and carried, with three nays. Variance (c) was a request to allow the tents to be erected for 90 days. This was to allow set-up and tear-down time for the attraction, as well as the 28 operational days. Commissioner Brenner moved to approve for the 2011 season only, with the second by Commissioner Christoffersen. It was voted upon and carried, with one nay.

(47) 11-07-44(a)(b)(c) Delco Foods Expansion, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. Variance (b) had been withdrawn by the proponent. The request in variance (a) was to omit the requirement for the fire department access road for the high pile storage addition. This is a freezer addition to an existing refrigerated warehouse, with access from the existing building. The entire building is protected by an NFPA 13-1999 sprinkler system. The local fire department is not objecting to the variance. Commissioner Hawkins moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried. Variance (c) was a request to omit the emergency showers and eye wash stations called out by Plan Review. The facility stores frozen food, and the forklift batteries are sealed, presenting no hazard. Commissioner Brenner moved to approve, with the second by Commissioner Ogle. It was voted upon and carried.

(48) 11-07-46(a)(b) Notre Dame Plunge Pool, Notre Dame

Doug Trent, RTM Consultants, spoke as proponent. The pool was intended for the use of the football team, and will be used under staff supervision. Many of the members of the team will be seated on the edge of the pool and pivot to enter. Code requires a guardrail to be installed since the pool is 36" above the floor below. The request for (a) was to allow a non-compliant guardrail, constructed without intermediate members as for a public pool. Commissioner Brenner moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried. Variance (b) was to allow a rise-and-run for the steps of 12" rise and 1 1/2 " run. This configuration matched the rise and run of the pool's steps into the water. Commissioner Christoffersen moved to approve, with the second by Commissioner Ogle. It was voted upon and carried, with two nays.

(49) 11-07-47 Airport Fast Park – Fast Park & Relax Office, Indianapolis

Timothy Callas, J&T Consulting, spoke as proponent. The request was to omit the code-required vestibule. The garage area is separated from the office area by a 3-hour fire barrier, thereby making the areas less than the 3,000 square feet threshold. Following discussion, Commissioner Hawkins moved that no variance was required, with the second by Commissioner Christoffersen. It was voted upon and carried.

- (50) 11-07-49 Southern Hills Mennonite Church, Campbellsburg

John Hawkins, Kovert Hawkins Architects, spoke as proponent. The request was to permit the use of a 13-D sprinkler system in lieu of the required NFPA 13 system. The church is in a rural setting. The nearest public water system is over a mile away, and would not have sufficient pressure to support a sprinkler system. The self-contained water storage tank and pump, at a cost of \$15,000, will provide 400 gallons of water. Following a lengthy discussion, Commissioner Brenner moved to approve, with Commissioner Christoffersen making the second. It was voted upon and carried, with one nay.

- (51) 11-07-50(b) Rose-Hulman Student Housing 2011, Terre Haute

Ed Rensink, RTM Consultants, Bill Horton and Joe Partolia, FRP Construction Design, spoke as proponents. The request was to follow the 2010 edition of ASCE 7 instead of the current code. This would, per a letter from the design engineer, use a standard recommended by the 2009 National Earthquake Hazards Reduction Program Seismic provisions. This would change the category from "C" to a "B", and result in cost savings. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Brenner. It was voted upon and carried.

- (52) 11-07-51 Brown Bear Auction, Arcadia

Tim Callas, J&T Consulting, and Terry O'Brien, owner, addressed the Commission. The building was a former boot retail facility, and will now change to an auction house. The request was to omit a fire wall separation, and allow the use of a 3-hour fire barrier. The rear portion is to remain storage, and the front section was to change to an A-3 area for auctions. There is an existing fireplace which will remain. The local fire department has asked for a maximum occupant load of 200, with preplanned seating and marked aisles leading to the exits. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried.

- (53) 11-07-52(a)(b)(c)(d)(e) Conner Prairie Pottery Shop, Fishers

Tim Callas, J&T Consulting, spoke as proponent, with John Spicklemire, Conner Prairie Facilities Director. The building is part of a living history exhibit, depicting life in Indiana as it was in 1832. Variance (a) was a request to omit slip-resistant means of egress walking surfaces. The building has a dirt floor as it would have had in 1832. The area available to the public is 304 square feet, and is under supervision while the exhibit is open. Variance (b) was to omit means of egress illumination. The hours of operation are 10:00 am to 5:00 pm, generally daylight hours. Variance (c) was to omit door swing requirements. The direction of egress travel requirement is for an occupant load of 50 or above. Mr. Callas calculated the occupant load at 43. Variance (d) was to omit the thresholds or landings. The floors are of dirt, without change of elevation from the exterior to the interior of the building. Variance (e) was to omit the second means of egress requirements. An occupant load of 43 persons does not require a second exit at one half the overall diagonal distance of the space. Commissioner Christoffersen moved no variance required for variances (c), (d), and (e). Commissioner Ogle made the second. It was voted upon and carried. Commissioner Christoffersen moved that no variance was required for variance (a), with the second by Commissioner Brenner. It was voted upon and carried, with one nay. Commissioner Christoffersen moved to approve variance (b), with the second by Commissioner Mitchell. It was voted upon and carried.

- (54) 11-07-5 Accutech Molding & Machine, Ft. Wayne

No proponent had appeared to represent the variance. Commissioner Ogle moved to table, with the second by Commissioner Brenner. It was voted upon and carried.

6. Breaking and reconvening. Chairman Hannum recessed the Commission at 3:20 p.m. He then reconvened the meeting, calling it back to order at 3:27p.m.

7. **New Business – General.**

Discussion and Possible Commission Action – Nonfinal Orders of Dismissal

315 East Charles Street
Administrative Cause No. 10-20
Order – Muncie Fire Department
Nonfinal Order of Dismissal

Evansville Auditorium & Convention Centre
Administrative Cause No. 11-03
Order – Fire and Building Code Enforcement
Nonfinal Order of Dismissal

Garvin Industrial Associates
Administrative Cause No. 11-12
Denial of CDR
Nonfinal Order of Dismissal

Healthnet East
Administrative Cause No. 11-02
Condition of CDR
Nonfinal Order of Dismissal

Victory Theatre
Administrative Cause No. 11-04
Order – Fire and Building Code Enforcement
Nonfinal Order of Dismissal

Commissioner Corey moved to affirm the Nonfinal Orders of Dismissal. Commissioner Brenner made the second. It was voted upon and carried.

Discussion and Possible Commission Action – Appeals

Mallow Run Winery
Order – Bargersville Fire Department

Luke J. Nolen
Denial of Mechanic License application

After Five, Inc.
Suspension of Design Release for SBC Project No. 346555

Commissioner Corey moved to grant all of the appeals, with the second by Commissioner Mitchell. It was voted upon and carried.

8. Review of variance 11-06-6 Robby's Pub, Indianapolis

It was brought to the attention of staff that some information presented at the time of the June hearing was incorrect. The application stated the space was separated from the adjacent tenant spaces by two 2-hour fire walls, and the construction type was not IIB. Ms. Snyder had placed it before the Commission to determine if the corrected information would alter their approval, due to the increased hazard. Steve Denny, contractor for the project, was available for questions and addressed the Commission. He explained that the construction type was a typographical error discovered when plans were submitted. One of the walls declared to be a fire wall was actually a 1-hour barrier, and was to be brought up to a 2-hour barrier by the addition of drywall to make two layers of drywall on each side. Interior construction had been done with fire-treated wood for non-load bearing walls, permitted under VB. Following a discussion of their options in proceeding with the variance, Commissioner Christoffersen moved to approve with the condition that a 2-hour fire barrier be installed. Commissioner Ogle made the second. It was voted upon and carried, with one nay.

9. Discussion and possible action on request concerning elevator mechanic licensing

Steve Unger, an attorney with Bose McKinney Evans, distributed copies of the application and a list of eligibility requirements for an elevator mechanic license. The request was to allow a test from Illinois, which combines portions of CET 1 and CET 2 tests, to be recognized as a written competency examination approved by the Commission. This would then serve as fulfillment of a requirement for the license. Discussion was held concerning the equivalency of the tests, and it was decided that staff would work with Tom Hendricks, Elevator Safety Division, to research the matter and report at the next meeting.

10. Discussion of 675 IAC 12-4-11(b)(2)(B)

Mara Snyder, Director, Legal and Code Services, had distributed a memorandum to the members of the Commission concerning a point of the GAR that had generated several inquiries. The question centered around the ability to change from an occupancy established before 1998 to another occupancy which had been created with the adoption of the 1998 IBC, without having to comply with current code requirements for that occupancy. Following a lengthy discussion, it was decided that Mara Snyder would do further research. She stated she would talk with code enforcement and plan review on the state and local levels to determine the difficulty they may encounter in performing an appropriate review or inspection.

11. Comments

Mara Snyder, Director, Legal and Code Services, had distributed a copy of the first page of a document from FEMA entitled Reducing the Risks of Nonstructural Earthquake Damage – A Practical Guide and the link to download it. She thought the information would be helpful when they adopt a new building code, and she urged them to look at it. She announced that Chapter 11 of the Indiana Residential Code had advanced through the second of four levels of approval. The Plumbing Code committee will have their work in draft format for their July 19th meeting. They are not expecting a fiscal impact of over \$500,000.

12. Adjournment.

Chairman Hannum called for further business, and upon hearing none, adjourned the meeting at 4:20 p.m.

APPROVED



David Hannum, Chairman