

**COMMISSION MEETING MINUTES**

**Indiana Fire Prevention and  
Building Safety Commission**

Government Center South  
402 West Washington Street  
Indianapolis, Indiana 46204  
Conference Center Room B

July 7, 2010

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 9:05 a.m. on July 7, 2010.
  - (a) Commissioners present at the Commission meeting:

Ron Brown  
Michael Christoffersen  
Michael Corey  
Howard W. Cundiff, Vice-Chairman, representing the Commissioner, Department of Health  
Hattie Sims, representing the Commissioner, Department of Labor  
David Hannum, Chairman  
M. Burke Jones  
Matt Mitchell  
Ted Ogle
  - (b) Commissioners not present at the Commission meeting:

Diana M. H. Brenner  
John Hawkins
  - (c) The following departmental and support staff were present during the meeting:

Legal and Code Services:  
  
Mara Snyder, Director, Legal and Code Services  
Gary Bippus, Administrative Law Judge  
John Haines, Code Specialist  
John Hibner, Code Specialist  
Cecilia Ernstes-Boxell, Code Specialist  
Denise Fitzpatrick, Code Specialist  
Beth Sutor, Secretary
  - (d) Deputy Attorney General James Schmidt was present.

2. Old Business.

Chairman Hannum called for any corrections or a motion to approve the minutes of the June 3, 2010 meeting as distributed. A motion to approve the minutes was made by Commissioner Jones and seconded by Commissioner Corey. It was voted upon and carried.

3. Variances.

Tabled Variances.

John Haines stated the proponent for 10-03-21 had been delayed due to car trouble and asked he be heard later in the meeting. John Haines also advised the Commission that the proponent had requested that 10-03-35(a)(b)(c)(d) Lanier Mansion/Inclined Wheelchair Lift, Madison, be tabled. Commissioner Christoffersen moved to table for 30 days, with the second by Commissioner Corey, noting this would be the last tabling. It was voted upon and carried. Variance 10-04-45 (a)(b)(c)(d)(e)(g)(h)(i)(j)(k)(l)(m)(n)(o)(p)(q) Model Mill Building, Noblesville, was represented by Ed Rensink, RTM Consultants. Also present was the owner, Hassan Shanehsaz. Scott Perez, Building Code Compliance Officer for the State of Indiana, also addressed the Commission. The construction had continued under a modified stop work order while Mr. Rensink rewrote variance applications to reflect the Chapter 34 influence. Mr. Perez requested that the variance applications be tabled until a master set of plans had been filed with Plan Review. He stated that the master set had been requested months ago and had yet to be provided. After discussion, Commissioner Ogle moved to table, with the second by Commissioner Jones. It was voted upon and carried. Variance 10-04-48 Christ's Community Church of the Nazarene, New Albany, was represented by Mark Pangburn of Pangburn Engineering. Plans showing the proposed exit and path of travel was presented to the Commission. It showed the door swing was to be reversed on the existing egress double doors. The occupant load would total 545, and the corridors would take care of 326 persons each. Commissioner Christoffersen moved to approve, with the second by Commissioner Cundiff. It was voted upon and carried with one nay vote. Variance 10-06-17 Forks Valley Woodworking, Middlebury, was represented by Ed Rensink on behalf of Paul Kimmerle of Kimmerle Engineering. This Amish woodworking shop was to install a dust collection system in lieu of sprinklers and storage tanks. Commissioner Cundiff noted this was identical to many variances granted previously and moved to approve. Commissioner Christoffersen made the second. It was voted upon and carried. Variance 10-06-24(a)(b)(c)(d) Independence Place Apartments, Linton, was represented by Timothy Callas, J&T Consulting. Can lights in the kitchens were found to not be listed, and the owner had been unable to find listed lights available for remodel work. After discussion, Mr. Callas offered to table the three variances he had submitted which were to allow these can lights in order to get the cost to replace them. Commissioner Ogle moved to table 10-06-24(a)(b)(c)(d), Independence Place Apartments, Linton, 10-06-31 Spring Town Apartments, Marengo, and 10-06-34(a)(b)(c) Lost River Apartments, Orleans, with the second by Commissioner Brown to allow Mr. Callas to get the cost to comply for all of the variances. It was voted upon and carried. Variance 10-06-39 Jefferson Brethren Church Family Life Center Addition, Goshen, had been withdrawn by the proponent.

New Variances.

Chairman Hannum asked for any "A" or "B" variances that the Commissioners wished to have called out. Variance 10-07-9 Decatur Industries Building, Berne, and 10-07-12 Evansville Athletic Club, Evansville, were called out for individual discussion. Commissioner Christoffersen noted he was abstaining from voting on variances 10-07-22, South Adams Boys and Girls Club, Berne, and 10-07-42 (a)(b)(c), Emmanuel Lutheran Church Addition, Ft. Wayne. It was noted the following variances were to be tabled: 10-07-4 College Park Condo Windows, Bloomington, 10-07-16 Ft. Wayne Liquid Coatings, Ft. Wayne, 10-07-24 Indianapolis Airport Parking Garage Car Rental Kiosks, Indianapolis, 10-07-36 #161-167 Kennedy Court Windows, Bloomington, 10-07-46 Indiana University Tulip Tree Apartments, Bloomington, and 10-07-49 Dow Agrosociences Addition, Indianapolis. Commissioner Christoffersen moved to table, with the second by Commissioner Jones. It was voted upon and carried.

The following variances were approved as submitted:

- (1) 10-07-1(a)(b)(c) Huntington University Becker Hall, Huntington
- (2) 10-07-2(a)(b)(c) White Construction Corporate Office Facility, Clinton

- (3) 10-07-3 Madison Health Care Canopy, Indianapolis
- (4) 10-07-11 Greenleaf Living Center, Elkhart
- (5) 10-07-17 St. Charles Borromeo Catholic Church, Bloomington
- (6) 10-07-18 Commonwealth Engineering Inc, Indianapolis
- (7) 10-07-21(a)(b) Purdue First Street Towers West Building, West Lafayette
- (8) 10-07-25(a) Kingston Care Center of Ft. Wayne, Ft. Wayne
- (9) 10-07-26(a)(b) Riley Towers Garage Renovations, Indianapolis
- (10) 10-07-27 Kokomo New Fire Station, Kokomo
- (11) 10-07-32 Huntington North High School New Tech, Huntington
- (12) 10-07-39 Cameron Crossing, Hometown
- (13) 10-07-41(a)(c) Edgewood High School Addition/Renovation, Ellettsville

The following variances were heard separately:

- (14) 10-07-5 Hillcroft Services Fire Alarm Removal, Muncie

Tom Donovan, Hillcroft Services, spoke as proponent. The building will become an outpatient clinic for children with autism and change their occupancy to a B. The sprinkler system in the building was installed in 1977, and is not being updated, without objection by the local fire and local building officials because a sprinkler system is not required for this use. After discussion, Commissioner Cundiff moved that no variance was required. The second was made by Commissioner Ogle. It was voted upon and carried.

- (15) 10-07-6 Daviess County YMCA Day Care, Washington

Tom Danehy, CEO, appeared as proponent. The request was to allow the use of a horizontal exit to serve as the exit directly to the exterior for a room which had been adapted for licensed 2-year old childcare space in order to avoid the requirement for sprinkler coverage. It would go through an area marked "kitchen" on the plans which held only cabinets and a refrigerator for snack prep and not cooking. Plans which had been submitted with the variance application were not immediately available for the Commission, and it was decided to suspend the discussion until the plans were located.

- (16) 10-07-7 Bridges Community Services Church Rehabilitation, Muncie

Susan Kemp, Executive Director, spoke as proponent. The request was to omit the sprinklers in the building which was being refurbished to provide temporary housing for homeless families. The city had refused permission to tap into the 2" water main for a sprinkler system. The building was divided into two three-bedroom units, each with two exits directly to the exterior, and hard-wired smoke alarms with battery back-up, which they are willing to have monitored. Windows were installed 4 feet above grade. After discussion, Commissioner Christoffersen moved to approve, with the condition that smoke alarms were to be provided in the living quarters and in the basement, and that no admittance was to be allowed to the basement by tenants. Commissioner Ogle made the second. It was voted upon and carried, with one nay vote.

- (17) 10-07-8 Morris PAC, Muncie

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

- (18) 10-07-9 Decatur Industries Building, Berne

No proponent was available to speak. An affidavit from Eric J. Olson, owner, was submitted which stated the building was empty and that the local fire official and the city water superintendent were in support of the variance. Commissioner Brown asked that a letter be sent to the local fire official stating that the sprinkler system had been properly drained, winterized, and shut down. Commissioner Christoffersen moved to approve without the condition of the letter. Commissioner Cundiff made the second. It was voted upon and carried with one nay vote.

- (19) 10-07-10 Kroger Store Expansion, Rochester

John Berry, architect, spoke as proponent. The request was to omit the required 60 foot side yard. The building was part of a strip mall, and a property line had been put inside the building during 1993 for tax purposes. The building was fully sprinklered and was separated by a 3-hour fire wall. Commissioner Christoffersen moved to approve, with the second by Commissioner Cundiff. It was voted upon and carried.

- (20) 10-07-12 Evansville Athletic Club, Evansville

Roger Lehman, R Lehman Consulting, spoke as proponent. Commissioner Brown had called out the application, asking at what point do you stop allowing the expansion of buildings not properly protected for life safety, even if the addition is for a bathroom and non-combustible construction. Commissioner Christoffersen moved to approve, with the second by Commissioner Ogle. It was voted upon and carried with one nay vote.

- (21) 10-07-13(a)(b)(c) The Main Gate Restaurant, Evansville

Roger Lehman, R Lehman Consulting, spoke as proponent. The building had been constructed in the 1800's as a music store, had been sold in the 1900's, remaining a music store. The building was later used as an events center for receptions, an antique store with a café, and as an Italian restaurant. The fire department had requested some repairs done to the lighting, alarm system, and removal of a bar from the exit door. These had been done. The second floor apartments were vacant, and will remain so until a state release can be filed for and secured. The building cannot meet the separation requirements between first and second floors due to historic tin ceilings which would be damaged in the process. A sprinkler system would be installed if the second floor were to be used. They offered to limit occupancy to 99 persons since they were over the allowable fire area on the first floor by 117 square feet. Erica Cooley, Code Enforcement, expressed concern that the mezzanine would be used by the public. After discussion, Commissioner Christoffersen moved to approve all three variances, with the condition that the building is limited to 99 occupants, the first floor only may be used, no use of the basement is allowed except for the current cooler and building maintenance, and the mezzanine may be used as an office only without public access. Commissioner Cundiff made the second. It was voted upon and carried.

4. **Breaking and reconvening.** Chairman Hannum recessed the Commission at 10:38 a.m. He then reconvened the meeting, calling it back to order at 10:53 a.m.

- (23) 10-07-6 Daviess County YMCA Daycare, Washington

Tom Danehy again acted as proponent. The plans had been located and provided to the members of the Commission. It showed the horizontal exit and the rooms involved. A discussion of possible

alternatives was held. After explaining that he felt you couldn't give up both sprinklers and a direct exit, Commissioner Christoffersen moved to deny, with the second by Commissioner Mitchell. It was voted upon and carried.

- (24) 10-03-21 Catalyst Refinement Service Tower #500, Whiting

Mark Newchurch, Acme Elevator, spoke as proponent. The hoist had been replaced, but no other upgrades had been done. The inspector had determined that a rope gripper must be installed to meet code because the work was an alteration, but there was no room for the gripper due to the machine being up against the wall. The cables on the freight car didn't allow room beneath, either. After determining that only elevator and BP personnel would have access to the car, Commissioner Corey moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried.

- (25) 10-07-14(a)(b) The Refuge Coffee Shop Store, Evansville

Roger Lehman, R Lehman Consulting, spoke as proponent. The first floor, an M occupancy per the local official but a B occupancy per the state inspector, cannot be separated from the basement or the second and third floor R occupancies, as required by code. Restrooms were not ADA-compliant. The third floor residence was that of the owner, and had two exits. The second floor had two units, each with exit windows in the sleeping rooms. The basement was used for laundry, and not associated with the first floor occupancy. Following discussion, Commissioner Christoffersen moved to approve both variances, with the condition that the smoke detectors on the second and third floors are to be interconnected, and a smoke detector was to be installed on the first floor and connected to the upper floors. Commissioner Cundiff made the second. It was voted upon and carried.

- (26) 10-07-15 Hoosier Court Student Housing, Bloomington

Staff had received corrected paperwork from Bloomington which indicated a variance was required, and the staff rating was changed to an "A". Commissioner Christoffersen moved to approve, with the second by Commissioner Ogle. It was voted upon and carried.

- (27) 10-07-19 Tri-West Hendricks High School, Lizton

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow the exterior egress illumination to be powered by photocells. There would be emergency power backup. Commissioner Cundiff moved to approve, with the second by Commissioner Ogle. It was voted upon and carried.

- (28) 10-07-20(a)(b) First United Methodist Church, Marion

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. An addition to a 3-story, non-sprinklered church, with basement, will put it into non-compliance. Variance (a) was to omit the 3-hour fire wall to separate the addition from the existing structure as required by code. Variance (b) was to omit the sprinkler system. Following discussion, Commissioner Cundiff moved to approve, with the second by Commissioner Ogle. It was voted upon and carried.

- (29) 10-07-22 South Adams Boys & Girls Club, Berne

Tim Callas, J & T Consultants, spoke as proponent. A 2-story retail building built in the 1800's was to be converted to a Boys & Girls Club. The poured-in-place concrete stairs did not pass the rise and run score on the Chapter 34 score sheet, though they are consistent. After discussion, Commissioner Ogle

moved to approve, with the second by Commissioner Cundiff. It was voted upon and carried.

- (30) 10-07-23 Discovery Cove Child Care Ministries, Fishers

Ed Rensink, RTM Consultants, spoke as proponent. Also presenting was Michael Corey, Chairman of the Board for Gracepointe Christian Church. Corridor walls in the building, currently being leased by Gracepointe, had not been originally built to code. Following annexation of the area, the Fishers Fire Department inspected the property and found 20 violations. All had been corrected except the non-compliant termination of the corridor walls. Following discussion, Commissioner Cundiff moved to approve, with the condition of enhanced smoke detection in the corridors, and no children under the age of 30 months were to be enrolled in the school. Commissioner Christoffersen made the second. It was voted upon and carried with one nay vote. Commissioner Corey abstained.

- (31) 10-07-25(b) Kingston Care Center of Ft. Wayne, Ft. Wayne

April Smucker, Kingston Healthcare, spoke as proponent. The request was to allow the restrooms in the Type B units to not comply with wall clearances requirements. The configuration of the restrooms allowed for improved patient assistance by staff. Swing down bars will be provided. Commissioner Christoffersen moved to approve. Commissioner Cundiff made the second. It was voted upon and carried.

- (32) 10-07-28 Ft. Wayne Courtyard Marriott, Ft. Wayne

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request was to allow the use of access controlled egress devices without a manual release button at the door of the pedestrian walkway to deter unauthorized entry. An intercom and manual release at the hotel desk would be provided to permit access for hotel guests from the theatre's third floor. Commissioner Christoffersen suggested the magnetic locks be released at the activation of the fire alarm, thereby omitting the need for intercom and security camera at the walkway door. Commissioner Christoffersen moved to approve, with the condition that the mag-locks release at fire alarm activation. Commissioner Ogle made the second. It was voted upon and carried.

- (33) 10-07-29(a)(b)(c) Prairie Farms Cooler Addition, Anderson

Ed Rensink, RTM Consultants, spoke as proponent. The facility, a commercial dairy operation, planned a cooler addition of 19,200 square feet. The request in (a) was to omit sprinklers while providing a 2-hour rated fire barrier and smoke detection. Commissioner Cundiff moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried, with one nay vote. Variance (b) was a request to allow a 2-hour fire barrier in lieu of the 4-hour fire wall, and (c) was to allow fire department access doors to go into North wall instead of West wall due to site restrictions. Commissioner Christoffersen moved to approve both (b) and (c), with the second by Commissioner Cundiff. It was voted upon and carried.

- (34) 10-07-30 Avon Senior II Buildings #1, 2, 3, 4, 5, 6, Avon  
10-07-31 Avon Senior I Buildings #1, 2, Avon

Tim Callas, J & T Consulting, spoke as proponent. The request was to omit sprinklers in these R occupancies. The units will be separated by 2-hour fire walls between every 2 units and 1-hour fire barriers between the others, as had been required in the past. These are to be the last buildings for this property. Commissioner Cundiff moved to approve. Commissioner Christoffersen made the second. It was voted upon and carried with three nay votes.

5. **Breaking and reconvening.** Chairman Hannum recessed the Commission at 11:58 a.m. for lunch. He then reconvened the meeting, calling it back to order at 1:04 p.m.

(35) 10-07-33 JW Marriott Hotel Complex, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request was to allow pipes for the electrical room HVAC to be within two stair enclosures. Commissioner Cundiff noted this had been allowed many times in the past and moved for approval. Commissioner Ogle made the second. It was voted upon and carried.

(36) 10-07-34 Eagles Building Build-out, LaPorte

Doug Buell, architect, was the proponent. The request was to omit sprinklers. The occupant load of the building was 120 persons, which falls near the 99 occupants, triggering the sprinkler requirement. Six hundred square feet of the area was taken up by pool tables, and an additional exit was installed so travel distance was less than 30 feet. Sprinklers were estimated at \$20,000 while the project budget was \$18,000. Commissioner Ogle moved to approve, with the second by Commissioner Corey. It was voted upon and carried, with one nay vote.

(37) 10-07-35(a)(b) Riverwalk, Evansville

Melissa Tupper, RTM Consultants, spoke as proponent. An existing hospital building was divided by an invisible property line, and one side had been sold for use as an assisted living and adult day care facility. Chapter 34 was used to evaluate the portion of the building not covered by NFPA 101A. Variance (a) was to allow non-compliant stairs, though they were consistent. Variance (b) was to allow a 2-hour fire barrier with 90 minute openings to act as a party wall in lieu of the required 3-hour fire wall. The building will be fully sprinklered. Following discussion, Commissioner Christoffersen moved to approve. Commissioner Cundiff made the second. It was voted upon and carried.

(38) 10-07-37 Crystal Clear Pools, Lafayette

Melissa Tupper, RTM Consultants, spoke as proponent. She requested the application be tabled. Commissioner Corey moved to table, with the second by Commissioner Ogle. It was voted upon and carried.

(49) 10-07-40 IPTC Facility Upgrade, Indianapolis

Jason Shorton, Messar Construction, spoke as proponent. When a new roof had been placed over the existing roof, a slip sheet had not been applied. The roof now cannot be verified as meeting Class C roof covering requirements without extensive testing. The request was to allow the roof to remain without verification. After discussion, Commissioner Cundiff moved to approve, with the second by Commissioner Ogle. It was voted upon and carried.

(50) 10-07-41(b) Edgewood High School Addition/Renovation, Ellettsville

Ed Rensink, RTM Consultants, spoke as proponent. The request was to separate the 22,200 square foot addition from the rest of the building by a 2-hour fire barrier instead of the code-required 4-hour fire wall. The classroom addition will be protected with an automatic sprinkler

system and will be structurally independent from the existing building. Listed fire glazing will be used in the 2-hour wall. After discussion, Commissioner Cundiff moved to approve, with the second by Commissioner Ogle. It was voted upon and carried.

- (51) 10-07-42(a)(b)(c) Emmanuel Lutheran Church Addition, Ft. Wayne

Doug Trent, RTM Consultants, spoke as proponent. The request in (a) was to allow an existing, unrated stair to act as the second means of egress from the basement level, discharging directly to the exterior. It was to be connected to a new stair, required by code, from the basement of the addition by a 1-hour corridor. After discussion, Commissioner Cundiff moved to approve, with the second by Commissioner Ogle. It was voted upon and carried. Variance (b) was a request to allow the existing exit access on the second floor to remain as it had been originally constructed, though non-compliant. If the owner were to construct a ramp to replace the two steps, it would make the choir room unusable. After discussion, Commissioner Cundiff moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Variance (c) was a request to allow the addition to be separated from the existing building by a 2-hour fire barrier. Existing masonry walls were to be used as the barrier walls, and cannot be made structurally independent. These walls are not load-bearing, and the addition is fully sprinklered. After discussion, Commissioner Ogle moved to approve, with the second by Commissioner Cundiff. It was voted upon and carried.

- (52) 10-07-43 Notre Dame Nieuwland Science Hall Vertical Accelerator, Notre Dame

Ed Rensink, RTM Consultants, spoke as proponent. A linear accelerator was to be replaced with a vertical accelerator, which required a small addition with three upper level platforms of 600 square feet. The proponent felt they should not be called levels, per the IBC, since they were for equipment maintenance only but they were considered stories. Following discussion, Commissioner Cundiff moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried.

- (53) 10-07-44(a)(b) Prairie Farms Blow Molding Addition, Anderson

Ed Rensink, RTM Consultants, spoke as proponent. The request in (a) was to allow the building and second story addition to be over area for construction type. The F-1 occupancy addition will be of noncombustible construction to house the plastic injection process for producing milk jugs, and will provide an additional exit stair. Variance (b) was a request to allow the second floor addition to exceed allowable area for a non-sprinklered F-1 occupancy. The proponent offered to provide a 2-hour separation for the addition. Following discussion, Commissioner Christoffersen moved to approve both (a) and (b), with the second by Commissioner Cundiff. It was voted upon and carried with one nay vote.

- (54) 10-07-45(a)(b)(c) Heavenly Sweets, Noblesville

Ed Rensink, RTM Consultants, spoke as proponent. An 1864 farmhouse, listed on the National Register of Historic Places, housed a cake business. They wished to offer a banquet area for teas and receptions, thereby changing the occupancy to an A-2. Variance (a) was to allow the first floor to be un-separated from the basement and 2<sup>nd</sup> floor. The building has no residential occupancy, illuminated exit signs, and short travel distances to the exits. After discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Jones. It was voted upon and carried. Variance (b) was a request to not upgrade to 1-hour construction since the building is on the Register. Commissioner Christoffersen moved to approve, with the second by Commissioner Cundiff. It was voted

upon and carried. Variance (c) was a request to keep the existing doors and hardware due to their historic nature. Commissioner Christoffersen moved to approve, with the second by Commissioner Ogle. It was voted upon and carried.

(55) 10-07-47(a)(b) Conner Prairie Farm House Addition and Renovation, Fishers

Ed Rensink, RTM Consultants, spoke as proponent. The project for the farmhouse had to be re-evaluated under Chapter 34. Due to budget cuts, the sprinklers were eliminated. The request in variance (a) was to request a score of -14 instead of -21 to get the building to pass. Smoke detection will be provided throughout, and a new enclosed stair directly to the exterior of the building will be provided from the second floor. The building is no longer a residential occupancy. Variance (b) was a request to allow the existing stair dimensions to remain in the change of use. The stairs have a non-compliant, though consistent, rise and run and handrail. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Ogle. It was voted upon and carried.

(56) 10-07-48(a)(b)(c)(d)(e) McOuatt Building Renovation and Conversion, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. This was a turn of the century building which was to have the 3<sup>rd</sup> through 7<sup>th</sup> floors changed to residential occupancy, and restaurants on the 1<sup>st</sup> and 2<sup>nd</sup> floors. It had sprinklers and smoke detectors throughout, and a new enclosed stair to the exterior from the 2<sup>nd</sup> floor. There was a voice alarm system and emergency power for the elevators. The wood and masonry building had been evaluated under Chapter 34, and is of Type-III construction. Variance (a) was to omit the elevator vestibule enclosure. Commissioner Christoffersen moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Variance (b) was to allow the historic tin ceilings to be retained and the floors remain unrated. After discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Cundiff. It was voted upon and carried. Variance (c) was to allow the corridor walls on floors 3 through 7 to be unrated. The walls will terminate at the historic tin ceiling, while the joists and beams are of heavy timber. The building will be sprinklered. Commissioner Christoffersen moved to approve, with the second by Commissioner Ogle. It was voted upon and carried. Variance (d) was to allow the existing stair to have a non-compliant rise and run with five winder treads at the end of each run of steps. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Variance (e) was a request for a score of 4.5 instead of 2 for the fire safety column of the Chapter 34 evaluation. After discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Ogle. It was voted upon and carried.

(57) 10-07-50(a)(b) Global Policy Research Institute, West Lafayette

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The 2-story residence, with basement, was to be converted to an office building under Rule 13. There would be a fire and smoke detection system, an enclosed stair, and 5 exits from the 1<sup>st</sup> floor. Variance (a) was a request to use Rule 13 through the total square footage of the building exceeded the amount allowed for consideration. Variance (b) was a request to allow one exit from the basement of the building. The basement was for mechanical equipment and some storage. A required second exit would have to go through an intervening room, no matter what location was used. Commissioner Ogle moved to approve both, with the second by Commissioner Mitchell. It was voted upon and carried.

- (58) 10-07-51 St. Matthews Catholic Church Parish Life Center, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request was to allow a dead-end corridor created during the removal and replacement of an exit stair to accommodate an increased occupant load. There will be a firewatch posted, with adult and church volunteers instead of firemen, during construction. After discussion, Commissioner Christoffersen moved to approve for a period of sixty days from the start of construction, with the firewatch personnel taking direction only from the fire chief and not performing any duties except the firewatch. Commissioner Ogle made the second. It was voted upon and carried.

- (59) 10-07-52 Bethany Rose Apartments, Lafayette

Melissa Tupper, RTM Consultants, spoke as proponent. The request was to allow a 36 foot dead end to be created when the existing stair was relocated to the bump-outs to increase its width. The building is fully sprinklered, with a new alarm system. The local fire official is not opposing the variance. Commissioner Ogle moved to approve, with the second by Commissioner Cundiff. It was voted upon and carried.

- (60) 10-07-53(a)(b)(c) North Central Church of Christ Teen Center, Indianapolis

Damon Heasley, Heasley Property Development LLC, spoke as proponent. The church had purchased a house to turn into an auxiliary building to be used for teens. Variance (a) was for the main level of the house which would be an A-3, and the door swing would be required to be changed to comply with code. They had been asked by the local zoning to keep the doors on the front of the building looking residential to blend with the rest of the neighborhood. Out-swing doors were to be installed at the back and side of the building, and the garage was to have double out-swing doors installed. Commissioner Christoffersen moved to approve, with the second by Commissioner Cundiff. It was voted upon and carried. Variance (b) was to allow only one restroom facility in the building. There was not room to provide 2 ADA-compliant restrooms. The main church building was within easy access for additional restroom facilities. Commissioner Cundiff moved to approve, with the second by Commissioner Ogle. It was voted upon and carried. Variance (c) was a request to omit enclosing the stairway to the 2<sup>nd</sup> floor. It was feared that the front entry would need to be closed off to accommodate the increased width required to enclose the stair. Commissioner Christoffersen moved to approve, with the second by Commissioner Ogle. It was voted upon and carried.

- (61) 10-07-54 Fulton Avenue Warehouse, Evansville

Roger Lehman, R Lehman consulting, spoke as proponent. The request was to allow a neighbor's existing 6 foot tall, 90 foot long chain link fence to remain within the no-build easement of the building. The fence is to provide security for the adjacent business who provided the easement. There will be a paved surface in the sideyard which can be accessed by the fire department. After discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Ogle. It was voted upon and carried.

- (62) 10-07-55(a)(b)(c) Evansville Vanderburgh School Corporation Portable Classroom Relocation, Evansville

Roger Lehman, R Lehman Consulting, spoke as proponent. The school corporation was requesting the relocation and use of 2 portable classrooms for a period of one year during construction of a new middle school and high school. Variance (a) would allow the 3" building drain to exceed the 35 fixture unit limit. Full size cleanouts were to be provided at

ends of both relocated classroom drain connections. Variance (b) was a request to place one of the portable classrooms on piers supported by listed pier pads seated on an existing asphalt drive. The intended portable had been installed in this manner in its original location for 25 years with no issues. Variance (c) was a request to omit accessible restrooms requirements. The portable classroom buildings had been constructed in 1955 and were not ADA compliant. Compliant restrooms were available in an adjacent 2008 unit, or in the school building. After discussion, Commissioner Christoffersen moved to approve all 3 variances, with the second by Commissioner Ogle. It was voted upon and carried.

(63) 10-07-56 Country Place Condominiums, Evansville

Roger Lehman, R Lehman Consulting, spoke as proponent. These are the last two buildings in the complex, and the request was to omit sprinklers. The buildings, one-story and slab on grade, will have a 2-hour fire wall between every 2 units, and a 1-hour fire barrier between the remaining units with 2 exits out of each unit. Commissioner Christoffersen moved to approve, with the second by Commissioner Ogle. It was voted upon and carried with one nay vote.

(64) 10-07-57(a)(b) Carmel City Center Phase One Buildings, Carmel

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request in variance (a) was to allow the emergency lighting to be provided by normal circuits and fixtures, with emergency generator backup. Code requires lighting for a high-rise to be on a separate circuit. Commissioner Cundiff moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Variance (b) was a request to omit the 1-hour corridors for the penthouse apartments. The building will be sprinklered and smoke detection will be provided. Commissioner Cundiff moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

(65) 10-07-58 McDonalds Restaurant, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The restrooms, prep areas and storefront of an existing restaurant were being remodeled, including a 440 square foot addition. The request was to omit sprinklers. The proponent felt that the small addition which increased the occupant load to 106, did not increase the risk to the patrons. A fire barrier will be added to divide the building into 2 separate fire areas. Following discussion, Commissioner Cundiff moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried.

(66) 10-07-59 Enerdel 2-Story Office, Indianapolis

Tim Callas, J & T Consulting, spoke as proponent. An existing manufacturing building was to have a 2-story office area constructed within the confines of the building from prefabricated panels. During the application process for the CDR, a reviewer noted that the 4x8 foot panels used to construct the office walls did not have the inspection numbers on them. The panels are designed to be inspected and constructed on site. The request was to omit the inspection, and allow the submission of a letter by the architect to certify that the electrical components within the panels complied with Indiana Electrical Code. Following discussion, Commissioner Corey moved to approve, with the second by Commissioner Jones. It was voted upon and carried, with one nay vote.

(67) 10-07-60 Sarajo Commons Student Housing Project, Indianapolis

Jeff Sparks, Di Rimini LLC, and Jeff Belamy, attorney, spoke as proponents. At issue are 4 loft units with mezzanines. The plans were submitted to Plan Review last year, and received their CDR. The owner then went through the City of Indianapolis review process and was cleared to build. A city inspector then cited them at the end of June 2010 for mezzanines that were over the 1/3 area requirement. To correct this would require demolition and reconstruction, causing delay of occupancy and voiding the agreements on the pre-leased units. The request was to allow the mezzanines as constructed. The building was fully sprinklered with heads above and beneath the mezzanines. Hardwired alarms were provided, as well as 2 exits per unit. The units are also separated by 2-hour fire walls. After discussion, Commissioner Cundiff moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried.

6. Re-adoption of rules – LSA Document #10-265

Mara Snyder, Director, Legal and Code Services, explained to the Commission that LSA Document #10-265 readopts rules in anticipation of IC 4-22-2.5-2 providing that an administrative rule adopted under IC 4-22-2 expires January 1 of the seventh year after the year in which the rule takes effect, unless the rule contains an earlier expiration date. Under IC 4-22-2.5-4, the following are readopted; NFPA 51A; standard for acetylene cylinder charging plants, and NFPA 386; standard for portable shipping tanks for flammable and combustible liquids. Commissioner Jones made the motion to readopt, with the second by Commissioner Cundiff. It was voted upon and carried.

7. **New Business – General.**

Discussion and Commission Action on Petitions for Review (All are timely filed unless otherwise noted.)

Meadows Service  
Order – Fire and Building Code Enforcement

Commissioner Corey moved to approve the petition for review. Commissioner Jones made the second. It was voted upon and carried.

8. Comments

Mara Snyder, Director of Legal and Code Services, distributed a copy of the scheduled meeting dates for the Fire Prevention and Building Safety Commission for the remainder of 2010, and for the years 2011 and 2012. The Plumbing Code Review Committee meeting will be held July 20<sup>th</sup>, and the NFPA 13 Review Committee meeting on July 22<sup>nd</sup>. The clean-up rule for Chapter 34, LSA Document #10-251, has been awaiting approval for several weeks. Al Putnam, Building Commissioner in Greendale, had requested that copies of the commission action letters be mailed to the local fire and building officials. This would be cost-prohibitive, so an alternative means using pdf's on-line is being researched.

9. **Adjournment.**

Chairman Hannum adjourned the meeting at 2:49 p.m.

APPROVED \_\_\_\_\_  
David Hannum, Chairman