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SEP 21 2018
BY: CS

September 21, 2018

RE: Cause Number DHS-1811-FPBSC-010

HON. CHELSEA E. SMITH
Administrative Law Judge
Indiana Department of Homeland Security
302 W. Washington Street
Indiana Government Center South, Rm E208
Indianapolis, IN 46204
Telephone: (317) 234-8917
E-mail: chesmith2@dhs.in.gov

Please accept this brief filed pursuant to the cause listed above. This brief explains the thought process utilized in arriving at the decision to require sprinkler protection above the 3rd floor balconies on the referenced apartments.

1. The 2014 Indiana Building Code (675 IAC 13-2.6-10) and 2014 Indiana Fire Code (675 IAC 22-2.5-10) require sprinkler protection on exterior balconies or decks "provided there is a roof or deck above".

903.3.1.2.1 Balconies and decks. Sprinkler protection shall be provided for exterior balconies, decks and ground floor patios of dwelling units where the building is of Type V construction, provided there is a roof or deck above. Sidewall sprinklers that are used to protect such areas shall be permitted to be located such that their deflectors are within 1 inch (25 mm) to 6 inches (152 mm) below the structural members and a maximum distance of 14 inches (356 mm) below the deck of the exterior balconies and decks that are constructed of open wood joist construction.

2. There is no apparent dispute that sprinklers are required in this building in general, that these are "exterior balconies", or that these are "dwelling units where the building is of Type V construction", so I have not focused on these aspects of the referenced code.
3. There is no definition for "roof" in the 2014 Indiana Building Code or 2014 Indiana Fire Code.
4. There are definitions for "roof assembly" (Chapter 15 in the 2014 Indiana Building Code only) and "roof deck":

ROOF ASSEMBLY (For application to Chapter 15 only). A system designed to provide weather protection and resistance to design loads. The system consists of a roof covering and roof deck or a single component serving as both the roof covering and the roof deck. A roof assembly includes the roof deck, vapor retarder, substrate or thermal barrier, insulation, vapor retarder and roof covering.

ROOF DECK The flat or sloped surface constructed on top of the exterior walls of a building or other supports for the purpose of enclosing the story below, or sheltering an area, to protect it from the elements, not including its supporting members or vertical supports.

Neither of the definitions above indicate it excludes a soffit or eave from the definition of roof.

5. The General Administrative Rules (GAR) state that where words or phrases are not defined, the words have their ordinary meaning.

675 IAC 12-4-3 - words and phrases not defined - Where words and phrases are not defined within the rules of the commission, they shall have their ordinary accepted meanings within the context in which they are used

6. The dictionary definition of “roof” (Merriam-Webster’s) does not indicate it would exclude an eave or soffit from the definition.

Merriam-Webster: roof:

1a (1): the cover of a building

(2): material used for a roof

b: the roof of a dwelling conventionally designating the home itself

2a: the highest point

b: an upper limit

3a: the vaulted upper boundary of the mouth

b: a covering structure of any of various parts of the body

4: something suggesting a roof: such as

a: a canopy of leaves and branches

b: the top over the passenger section of a vehicle

7. The dictionary definition of “eave” (Merriam-Webster’s) indicates it is part of the roof.

Merriam-Webster: eave:

1. The lower border of a roof that overhangs the wall – usually used in plural

2. A projecting edge (as of a hill) – usually used in plural

8. The ordinary meaning of “roof” would include the eave – i.e., a contract to install a roof would include the eave portion – the contractor would not stop the “roof” at the exterior wall.
9. The eave extends two (2) feet and six (6) inches beyond the exterior wall of the building. The balconies extend five (5) feet from the exterior wall. On standard balconies, the eave covers 50% of the balcony, and on corner balconies, 69% of the balcony is covered by the eaves.
10. Simultaneously to the filing of this appeal, a variance request was filed with the Fire Prevention and Building Safety Commission (FP&BSC, Variance #18-08-19, Exhibit #1). This variance was heard on August 7, 2018 and the variance request was unanimously denied by the FP&BSC (Variance Denial Letter – Exhibit #2; FP&BSC Minutes - page 10, Exhibit #3). The reason for denial was listed as “Commission believing the eve (sic) is operating as a roof due to being over 2 feet hangover”.
11. The State Building Commissioner indicated that he believed sprinkler protection should be required in this location (page 10, Exhibit #3).
12. One of the authors of the original IBC code proposal (Jeffery Shapiro, P.E., FSFPE) to require sprinklers on exterior balconies indicate that his intent would be to require sprinkler heads in these areas. (Exhibit #4; page 2).
13. Although not enforceable in this situation, as it is not the governing document, NFPA 13 (Standard for the Installation of Sprinkler Systems, 2010 edition) requires sprinklers under projections in excess of 2 feet. In this case the roof extends 2 feet 6 inches over the balcony. This indicates to me an intent in the view of the National Fire Protection Association that eaves in excess of 2 feet should be afforded sprinkler protection.

8.15.7.5 Sprinklers shall be installed under roofs, canopies, porte-cocheres, balconies, decks, or similar projections greater than 2 ft (0.6 m) wide over areas where combustibles are stored.

Based on the above code citation and research, and numerous conversations with other public safety professionals, the Noblesville Fire Department determined that sprinklers should be required in this situation.

Thank you,

Darrel Cross, CFM



Division Chief/Fire Marshal
Noblesville Fire Department
135 S. 9th St
Noblesville, IN 46060
317-776-6336
dcross@noblesville.in.us

A copy of the foregoing was served by email and in person upon the following parties:

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ERIC J. HOLCOMB, Governor
STATE OF INDIANA

DEPARTMENT OF HOMELAND SECURITY

BRYAN J. LANGLEY, EXECUTIVE DIRECTOR

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

Tony Knoble
TWG Construction LLC
333 N PENNSYLVANIA ST
SUITE 100
NOBLESVILLE, IN 46204

August 17, 2018

Dear Tony Knoble,

This letter provides notice below of the action taken by the Fire Prevention and Building Safety Commission on your application(s) for a variance(s) from the Commission's rules under IC 22-13-2-11 and 675 IAC 12-5. The Commission considered the application with all alternatives offered, as a part of its published agenda, at its regular meeting on August 7, 2018.

Project Number	Project Name	Variance Number
391355	32 Union	18-08-19


Commission Conditions

Edition	Code	Code Section	Commission Action & Date
	Other Code (Not in the list provided)	903.3.1.2.1 IBC 2014 EDITION	Not Approved 08/07/2018

You are advised that if you desire an administrative review of this action, you must file a written petition for review at the above address with the Fire Prevention and Building Safety Commission. Your petition must fully identify the matter for which you seek review no later than eighteen(18) calendar days from the above stated date of this letter, unless such date is a Saturday, Sunday, legal holiday under state statute, or day that the Department of Homeland Security's offices are closed during regular business hours; in which case the deadline would be the first day thereafter that is not a Saturday, Sunday, legal holiday under state statute, or day that the Department of Homeland Security's offices are closed during regular business hours. If you do so, your petition for review will be granted and an administrative proceeding will be conducted by an administrative law judge appointed by the Fire Prevention and Building Safety Commission. If you do not file a petition for review, this action will be final.

Please be further advised that you may request an opportunity to informally discuss this matter prior to filing a petition for review. Such informal discussion, or request therefore, does not extend the deadline for filing a petition for review and, therefore, any request for an informal discussion should be made promptly, preferably by telephone or e-mail, upon receipt of this letter.

Sincerely,



Craig E. Burgess
Indiana State Building Commissioner,
Department of Homeland Security

Owner / Applicant Information

Tony Knoble
 TWG Construction LLC
 333 N PENNSYLVANIA ST
 SUITE 100
 NOBLESVILLE IN 46204
 Phone 3172641833
 Email TONY@TWGDEV.COM

Submitter Information

Justin Feters
 Ryan Fireprotection, Inc
 9740 E. 148TH ST.

 Noblesville IN
 Phone 3173390229
 Email jfeters@ryanfp.com

Designer Information

Michael Jonathan Thomas
 TWG Development
 333 N Pennsylvania Street
 Suite 100
 Indianapolis IN
 Phone 3174073095
 Email mthomas@twgdev.com

Project Information

32 Union
 Highway 32 and Union Chapel Rd

NOBLESVILLE IN 46060

County HAMILTON

Project Type New Addition Alteration Existing Change of Occupancy

Project Status F F=Filed U or Null=Unfiled

IDHS Issued Correction order? No **Has Violation been Issued?** yes

Violation Issued by: LFD

Local Building Official

Phone: Email:

Local Fire Official

Phone: Email:

Variance Details

Code Name: Other Code (Not in the list provided)
903.3.1.2.1 IBC 2014 EDITION

Conditions: LOCAL FIRE OFFICIAL HAS REQUESTED WE PROVIDE SPRINKLER PROTECTION UNDER AND EVE OR SOFFIT ABOVE A BALCONY

DEMONSTRATION THAT PUBLIC HEALTH, SAFETY, AND WELFARE ARE PROTECTED:

- 1=Non-compliance with the rule will not be adverse to the public health, safety or w
- 2= Applicant will undertake alternative actions in lieu of compliance with the rule to ensure that granting of the variance will not be adverse to public health, safety, or welfare. Explain why alternative actions would be adequate (be specific).

Facts: 903.3.1.2.1 REQUIRES SPRINKLER PROTECTION UNDER ROOFS ABOVE BALCONIES NOT EVES OR SOFFITS. PROVIDING SPRINKLERS UNDER EVES OR SOFFITS WILL NOT PROVIDE ADDITIONAL LIFE SAFETY FEATURES. LOCALIZED PROTECTION IS OUTSIDE THE SCOPE OF THE SPRINKLERS LISTING.

DEMONSTRATION OF UNDUE HARDSHIP OR HISTORICALLY SIGNIFICANT STRUCTURE:

- Y Imposition of the rule would result in an undue hardship (unusual difficulty) because of physical limitations of the construction site or its utility services.
- Y Imposition of the rule would result in an undue hardship (unusual difficulty) because of major operational problems in the use of the building or structure.
- Y Imposition of the rule would result in an undue hardship (unusual difficulty) because of excessive costs of additional or altered construction elements.
- Imposition of the rule would prevent the preservation of an architecturally or a historically significant part of the building or structure.

Facts: PROVIDING SPRINKLERS UNDER EVES OR SOFFITS WILL NOT PROVIDE ADDITIONAL LIFE SAFETY FEATURES. THE INSTALLATION OF SPRINKLERS REQUIRES CONSTRUCTION OF AN INTERIOR BULKHEAD TO ACCOMMODATE A DRY TYPE HORIZONTAL SIDEWALL SPRINKLER TO PREVENT FREEZING OF WATER FILLED PIPE. THE ADDITIONAL COST PROVIDES NO CORRESPONDING FIRE PROTECTION BENEFIT

ERIC J. HOLCOMB, Governor
STATE OF INDIANA

INDIANA DEPARTMENT OF HOMELAND SECURITY
302 West Washington Street
Indianapolis, IN 46204



COMMISSION MEETING MINUTES

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

August 7, 2018

1. Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was opened by Chairman Nicoson at 9:00 a.m. on August 7, 2018.

a. Commissioners present at the Commission Meeting,

Greg Furnish
Kevin Goeden, representing the Commissioner, Department of Labor
Joseph Heinsman
David Henson
Todd Hite, representing the Commissioner, Department of Health
James Jordan
Robin Nicoson, Chairman
Scott Pannicke
Michael Popich

b. Commissioners not present at the Commission meeting:

Mike Corey
Jessica Scheurich

c. The following departmental staff were present during the meeting:

James Schmidt, Deputy Attorney General and Legal Counsel
Douglas Boyle, Director of Fire Prevention and Building Safety Commission
Craig Burgess, State Building Commissioner
Denise Fitzpatrick, IDHS Code Specialist
Justin Guedel, IDHS Staff Attorney
Alan Blunk, IDHS Plan Review Section Chief
Kevin Troy, State Fire Marshal's Office – Code Enforcement Assistant Section Chief

Sarah Chaney, FPBS Commission Secretary

2. Director Boyle conducted roll call, and noted that quorum was present.

3. Minutes Approval

- a. Director Boyle called for approval, of the minutes for the July 3rd, 2018 Meeting. Commissioner Popich moved to approve the minutes, and Commissioner Heinsman made the second. It was voted upon and carried.

4. Rulemaking Updates

- a. 2018 Elevator Code Committee Update

Doug Boyle, stated the committee got through all proposals and planned to meet August 21, 2018.

- b. 2018 Indiana Residential Code Committee Update

Commissioner Furnish stated they will be meeting in teleconference media center going over chapters 13-18. They will also be following up proposals. On track to make Jan 1 deadline. They will be meeting on August 22nd, 2018.

5. Petitions for Administrative Review- Director Boyle stated that the following petition was timely filed:

- a. Timely

IDHS Inspection Report Order State Number AE3032758 Daniel's Vineyard

IDHS Inspection Report Order State Number DC14644 Bona Vista Programs, Inc.

Ryan Fire Protection, Inc. Appeal of Noblesville Fire Department's 7/5/18 Inspection Report

- b. Untimely

IDHS Inspection Report Order State Number BU3066 Country Lanes

Denied Due to Untimeliness – Commissioner Furnish; Commissioner Heinsman

6. Review of Local Ordinances

- a. Ordinance No. 7-2018 City of Marion, Indiana Neighborhood Preservation Code Tabled at June 5, 2018 and July 3, 2018 meetings

Denied - Commissioner Furnish; Commissioner Heinsman

- b. Ordinance No. 2018-OR-6 City of Charlestown, Indiana Property Maintenance Code Tabled at July 3, 2018 meeting

Proponent represent group of homeowners. Involved with ligation with the city about them trying to fine homeowners to get them to sell the property. Court said they need to have a warning before the fine. The city ordinance allows for the city to immediate fines without notice daily for whatever it is. Anthony says it forces them to sell based on the amounts they are owing. He wants them to deny this ordinance because it allows for unfair fines and no time for owners to correct it. Claude Rotay, please don't approve the take over the homes. Homes in decent condition. Fines for forcing them out of the homes. IDHS Legal Counsel stated they finish summary review last night. Found conflicts with 1.50.1 and GAR. References to building owners to comply with international codes not Indiana codes. Differences in section 303 conflicts with swimming pool rules. Still reviewing for specifics. FPBS Commission Legal Counsel thinks the commission should take another month and wait for a full review as to avoid appeal. Commissioner Pannicke questioned local level the voting. Appears only one person that voted for it. The others abstained. Proponent stated it was passed at actual meeting. 1 member that voted against it is here. Ms. Barnes Tina, yes the counsel did vote. 1 abstained due to his name not being on the paperwork. 3 for yes, 1 no, 1 abstained. FPBS Commission Legal Counsel believes its best to assume they approved it.

Tabled – Commissioner Jordan; Commissioner Goeden

- c. Ordinance No. 2018-8 Huntington County, Indiana Building Code
- d. Ordinance No. 2018-7 Town of Andrews, Indiana Building Code
- e. Ordinance No. 2018-5 Town of Markle, Indiana Building Code
- f. Ordinance No. 2018-3 Town of Mount Etna, Indiana Building Code
- g. Ordinance No. 2018-4 Town of Roanoke, Indiana Building Code

h. Ordinance No. 2018-4 Town of Warren, Indiana Building Code

Approved – Commissioner Pannicke; Commissioner Popich

7. Variances - Tabled

18-04-02 4 Boiler, Gary – paper filing, incomplete

Denied – Commissioner Furnish; Commissioner Popich

18-04-03 Coventry Court West Apartments – paper filing, incomplete

Denied – Commissioner Pannicke; Commissioner Furnish

18-04-06 Fairview Court Apartments, Fort Wayne – paper filing, incomplete

Denied – Commissioner Pannicke; Commissioner Furnish

18-05-04 Fazoli's, Whitestown – paper filing

Denied - Commissioner Pannicke; Commissioner Popich

18-05-31 Auto Dealership, Lafayette

Denied – Commissioner Pannicke; Commissioner Furnish

18-05-61 (a) Hobart High School Natatorium Addition, Hobart

Approved with Conditions - Commissioner Furnish; Commissioner Jordan

Conditions:

Approved till 8/1/2019 with the following:

- Door 10 (North) - Move current door and hardware from door 10 to the adjacent location for the roll up door. The roll up door would be in the open position & electronically disabled. Framing and sheathing would be added, and the
- Current door 10 installed at this location the door in the hallway just north of door 10 that leads into the loading dock area would have panic hardware added.
- Exit signs would be changed and/ or added to show the new exit location
- Add self-illuminating exit signs at west doors of Great Hall.
- The flammable storage unit will be moved out of the loading dock area.
- A retractable crowd control stations would be added in the dock area to give direction to the exit doors and removed back when food deliveries take place
- Delivery Trucks must stop 20 feet before the masonry Fence at the door to make sure that the exit drive remains clear. Add a sign showing where trucks must stop
- The edges of the dock lift must be closed off so wheels and crutches do not get stuck in the voids
- Boiler room doors as well as all other doors in the loading dock area must be kept closed at all times

- Door 11 (South) - The use of the west doors of the Great Hall should be used to calculate the number of exits that are available when door 11 is taken out of service.
- Calculate the occupancy and verify that the existing exits to the east, the new location of door 10, and the two double doors counted at the west wall of the Great Hall would suffice for both travel distance and number of exits required.
- The roll up gates the south end of the Great Hall must remain open at all times during construction.

Abstained - Commissioner Heinsman

Ed Rensink, RTM Consultants, passed out letter from Fire chief. They are starting school. Just became aware of letter which they are in agreement with. Temp Egress. Tabled this a few times. They wanted the designer to have contractor engaged. So this is the set of conditions the owner has agreed to. They need the variance in place due to kids come back to school. Furnish asked how long? Ed stated whole school year

18-05-75 Homie Hot Pot, Bloomington

Withdrawn by Proponent

Melissa Tupper, RTM, withdrawing because test showed they were below the requirement for the code. Once the LFO gets test he'll be okay with it.

18-06-07 Calvary United Methodist Church Ansul System, Syracuse – paper filing

Tabled – Commissioner Furnish; Commissioner Jordan

18-06-31 1321 Hoyt Avenue, Indianapolis

Approved with Condition – Commissioner Furnish; Commissioner Jordan

Condition: Owner/Applicant shall install an NFPA 13D sprinkler system, per the Fire Protection Proposal and Agreement from USAutomatic Fire Security provided with the variance application. Owner/Applicant shall submit updated plans to the City of Indianapolis (AHJ)

Abstained - Commissioner Popich

David Lemelman, proposing NFPA 13D system. Which was existing till contractor messed it up. They replaced him with the new guy. They want to bring it up to safety for the neighbors and residents. Water tank in the home with 28 sprinkler heads. Mod the windows in the bedroom. To make sure the sizes and locations are within code. House was existing not a lot of head room to walk upstairs for second story because roof. Other contractor didn't get approval. Weren't familiar with how the structures close together would affect fire safety. Contractor dipped out and messing around without getting to the finish line. Gutters from next door gutters were running into next door gutters before they changed them.

18-06-70 Wedding Banquet Hall – Furry, Culver

Tabled – Commissioner Furnish; Commissioner Pannicke

Tim Callas wants it tabled. Structural engineer involved having to put in update collar ties and support in. Putting plans together for next meeting.

18-06-80 Indiana State Fairgrounds and Event Center Tents, Indianapolis

Tabled – Commissioner Pannicke; Commissioner Goeden

No proponent

18-07-02 Circus City Speedway, Peru – paper filing

Approved with Condition – Commissioner Pannicke; Commissioner Jordan

Condition: Approved till 9/1/2020

Greg Hunt, owner of property. Variance to use a number of yard barns as a ticket office, concession stand, and Press office the week of the fair. Result of delays would add a lot of expensive. Small County so they rely on donations for the fair. With a 50k budget for fair each year, There Yard barns would be used till they can raise the funds. Grand stand was the first to be updated. Press Box will be on the list shortly. Contains equipment and ATVs small equipment. Concession stand popcorn maker, frig, and Crock Pots. Using those Saturdays 6-11. Commission issued the condition to give the county time to raise funds.

18-07-16 HealthSouth Deaconess Rehabilitation Hospital, Newburgh – table per proponent's request

Tabled - Commissioner Jordan; Commissioner Popich

18-07-17 Unused Kitchen Hood Vent System (Downstairs Kitchen), Leesburg

Tabled - Commissioner Pannicke; Commissioner Furnish

18-07-20 Furnace Rooms, Warsaw

Approved with Condition – Commissioner Pannicke; Commissioner Furnish

Condition: Bag n box can stay up to 1 year. Other materials have to be moved within 3 months

Josie Ryan, Post 49 American Legion, furnace have 1 year warranty left. Inspector last year said move 3 feet out. Building for sale, but will need to raise funds to be able to build storage. Store coke bag n box machine, bingo tickets (card board) 3.5 feet away from furnace. First time they were cited. Building for sale because they need more space.

18-07-23 M S Logistics LLC, Indianapolis

Approved with Condition – Commissioner Pannicke; Commissioner Popich

Condition: 1 or 2 risers removed depending on what is needed for fire protection for storage

Bill Karnel & Kim Todd owner of the property. Request variance to remove racked sprinkler system. 2 systems that are off and capped. Neither is working. Owner would like to remove these systems to tidy up the building. Tenant has racks that need protection. We won't need

both to protect them. Remove one riser and protect with other. Or if he lowers storage then both rack sprinkler risers. Margie Bovard, Inventory stored changes quarterly. Margie Bovard is fine with it as long as the hydraulics work out.

18-07-44 Westfield High School, Westfield – table per proponent’s request

Tabled – Commissioner Heinsman; Commissioner Popich

18-07-47 (b) Ratcliff Barn, Lafayette

Approved– Commissioner Jordan; Commissioner Heinsman

Melissa Tupper, RTM, 2 months to get the structural test. Submitted. Looks like report is recommending supports. Owner is okay the attic and catwalk are NOT for public use. This is just the owner’s storage

18-07-49 Lahody Steakhouse, Muncie

Tabled – Commissioner Furnish; Commissioner Goeden

a. **New Variances** - Category A/B

Approved - Commissioner Pannicke; Commissioner Popich

Abstained – Commissioner Heinsman (18-08-03, 18-08-11, 18-08-10, 18-08-61)

18-08-03 (a) (b) (c) The Hub at West Lafayette, West Lafayette

18-08-04 IFSSA Neurodiagnostic Institute, Indianapolis

18-08-05 (a) (b) (c) Prosser Career Education Center, New Albany

18-08-06 (a) (b) (c) (d) Railside School, Millersburg

18-08-07 Citizens Belmont 34, Indianapolis

18-08-08 Morrissey Hall Selective Renovations, Notre Dame

18-08-09 Board works Renovation, Valparaiso 18-08-10 Post House, Evansville

18-08-10 Post House, Evansville

18-08-11 IN064 Dental School Suite 301 Renovation, Indianapolis

18-08-12 Wendell Phillips School 63, Indianapolis

18-08-59 Hammond Family YMCA Addition, Hammond

18-08-68 Holiday Inn Express and Suites, Merrillville

18-08-69 Kokomo Peds, Kokomo

Breaking and reconvening: Chairman Nicoson recessed the Commission at 10:21 a.m. It was called back to order at 10:31 a.m.

b. New Variances - Category C/D/NVR

Self-Representing Applicants/Architects/Designers/Non-Consultants outside of Indianapolis metropolitan area:

18-08-14 Brownsburg Mixed Use Development, Brownsburg

Approved with Conditions – Commissioner Pannicke; Commissioner Furnish

Condition: Commission 3rd party to inspection fire stopping and engineered fire stopping

Abstained – Commissioner Heinsman

Christina, RTM Consultants, Final set of plans. Retail bottom and apartment top. Fire Proofing on the steel that doesn't comply. Engineering approach beam boxed it in plywood fire proof. No fire proofing on steel, and 2 hour protection coding and double the boards. Some other instances to spray fire protectant. Engineer a bunch of 2 hour separations. Steve Dunes, Fire marshal, Observation they didn't spray the back of the steel. Rather big building with a lot of variance. 3rd party to look at fire stops. Trades could punch holes then up to them to put up fire stopping. Commission would like 3rd party to look at penetrations.

18-08-01 Holiday World Fire Extinguishers, Santa Claus – paper filing

Approved with Conditions – Commissioner Pannicke; Commissioner Furnish

Condition – Signs posted in 27 locations “Not to be used till Inspected”

John Adkins, No violation, 120 off rating season. Daily operates ends tomorrow. 27 fire extinguishing system, and fire system for rides as required. 4 systems in restaurants – used as test kitchen. Others winterized. November to march they aren't in operation. Food products, oils are removed to the warehouse. Limit the quantities. Don't want the overhead. Looking to get away from 6 month testing because they are tested then sent into winterized status. Annual testing will be done. Approx. date open may 1st week. Testing done in March & September. Posting sign on 27 locations that these are not to be used. Inspector

18-08-02 Lindberg Point, West Lafayette

Tabled - Commissioner Jordan, Commissioner Pannicke

18-08-16 The Landing Development – 116 Renovation, Fort Wayne

Tabled – Commissioner Pannicke; Commissioner Popich

Rick Norrock, MKN Fort Wayne, small 3 story structure. Reinforced stone. Redevelopment will be wood. Request for limited use elevator. Limited application. Looks and feels like elevator. Capacity to install abandoned fret elevator captivity. Its 9 foot deep. Limited options. Nature of project to give wheelchair access. Reason to not put elevator. 2 other elevators are getting hoist ways new and elevators. Gross sq. ft. 1900 to be repurpose to be office space. Wheel chair access is the only thing missing. 40 feet vertical. 25 for LULA per code. 2 other elevators. Building interconnected. This building will not have residential housing. Jim Muara, Fire Chief, just want to get people in and out of the building safety. He is fine with that if you can get them down safety. Battery back lowering from there to first floor. NFPA 13 sprinkled and alarms. Commission is concerned that without Commissioner Corey being here that they don't have the experience to rule on this. Furnish thinks they don't meet the cost hardship. He wants the applicant to verify the hardship at least 10 % rule of thumb. Greater difference would matter. Corey had concerns. Emailing proponent

18-08-38 Alpha Systems Beck Drive East Phase II Addition, Elkhart

Approved with Conditions – Commissioner Pannicke; Commissioner Heinsman

Condition - Approved till 1/1/2021

Schmidt, the addition will bring it out into a U shape. E pipe. Variance for 26 feet. Existing facility F 1 B. Combustible storage. Submitted as unlimited area. They want to use fire wall to meet the unlimited area, but would require them to build within 60 feet. Code wants 4 hour fire wall between buildings. They don't want to build the big wall during phase 2 because they will tear it down during Phase 3. Agreed in phase 3 west wall agreed to continue 4 hour to meet the code. Wall on the west side on phase 2 going down.

18-08-50 Nightmare on Shafer Drive, Monticello

Tabled – Commissioner Jordan; Commissioner Pannicke

18-08-62 Homestead Apartments Fire and Building Code Violation, West Baden Springs

Tabled – Commissioner Furnish; Commissioner Popich

Alan Beck, prop manager, violated emergency escape on 2nd floor. 1913 hotel orig. 1948 – 2 story apartments. 1998 – Apartment s Reno. Windows caulked and screws still in today. National register of historic places 1998. 1998 sprinkled and alarm throughout with egress. Never had a problem – fire chiefs. Problem is security and safety of our clients. No screens, latches on the windows. 24 apartments. Natural ventilation? No, just heating and cooling in passageways. Vented through roof. It is electric furnace, NG water heater (thinks). No fresh air supply. We've tried not to do anything due to historical rules. Emergency use sign posted only on one latched window in bedroom in each apartment??? Code wants windows with screens unless vented natural. Craig Burgess, code says it's required for sleeping rooms. , but he doesn't

see an issue based on a quick look at code. Craig wants to table this to research into this. Proponent is to see if window will work in the bedroom.

c. New Variances – Category C/D/NVR

Self-Representing Applicants/Architects/Designers/Non-Consultants inside of Indianapolis metropolitan area:

d. New Variances – Category C/D/ NVR

18-08-19 32 Union, Noblesville

Denied – Commissioner Popich; Commissioner Henson

Denied based on Commission believing the eve is operating as a roof due to being over 2 feet hangover.

Mark Riffy, 7 apartments and local fire department wants them to sprinkle under the eve on the upper level. Owner thinks the costs will be great, and aren't sure about code. Units share Common Grills. They are not allowed to grill on the balcony. Darrel Cross, Noblesville FD, technical interpretation of what is a roof. Based his interpretation of Indiana building code, sprinkler heads above where building is type 5 construction with roofing/ decking above. No definition of roof. Just roof deck. GAR when words or phrases no defined the common use applies. Filed appeal with ALJ process is the more appropriate he believes. Balcony is 5 feet deep. 2 ft. 6 in cover over eve. Corner one is 69% is covered by the eves. NFPA 13 requires sprinklers under roof if under 2 ft. wide, and there are 98 balconies. There will be smoking material and grills regardless of the rules. Once the fire gets into the roof are the FD can't stop it once it in the attic area. Quoted the ICC NFPA 12 R can only handle so much inside the building. Intended for reasonable property protection. Dry side wall side sprinkler. For above you have an extended process like Bulk head and drives the cost up by 33%. Craig Burgess, if this is covering over 15% of the balcony it is acting as a roof over that balcony.

18-08-23 Avondale Meadows Academy Middle School, Indianapolis

Approved – Commissioner Jordan; Commissioner Pannicke

Abstained – Commissioner Popich

Jason Burk, addition to Avondale meadows. Final inspections 2 weeks before school opens. The vision lights were too tall. 43 in above floor 45 in to vision lights. Sprinkled building.

18-08-27 Memory Care Door Waiver, Danville

Tabled – Commissioner Pannicke; Commissioner Heinsman

18-08-36 Bank of America – ATM – Indianapolis, IN, Indianapolis

Approved – Commissioner Pannicke; Commissioner Furnish

Abstained – Commissioner Popich

Jason Waggner, Remote ATM facility. Under 150 occupant load. No associates. Video controlled from Texas. Another facility on college for the same variance.

Breaking and reconvening: Chairman Nicoson recessed the Commission at 12:03 p.m. It was called back to order at 1:03 p.m.

18-08-65 Camden Oaks – Phase II, Indianapolis

Approved with Condition – Commissioner Pannicke; Commissioner Popich

Condition – Visual Signage to indicate Control Room. 1 control value for max of 8 units.

Mark Riffy, series of 1 story building because it's not recognized in Indy that 1 hour wall with NFPA 13 D. Want a variance to do that. Want one control value for 4 to 8 town homes. According to 2014 Indiana building code. Application that passed before in 2016 had errors and cited a code from an old code. Now held up do to that code being repealed. Doug suggested they resubmit. The city has no objections, but want to make sure we are on the right code. They have offered a conditional permit but the applicant denies it. Has access outside to the riser room from the outside. No signage to signal this is the control room. R2's and CDR's both state plans were to be filed. Margie Bovard, Indy FD, want placements of the fire hydrants placement that she has been asking for since 2016. Craig Burgess, question on whether previously granted variance that addition were planned or not. He didn't see it on any previous documentations. Doug Boyle questioned Only Phase 2 what about Phase 1? To be recognized as separation between townhomes. Stat leg. Says it has to be a 2 hour fire wall. International code accepts 1 hour with NFPA 13 D. Still could do Class 2. 9/2015 379647 released Phase 2 9/2017 396479

Consultants:

18-08-13 Sun King Spirits, Carmel

Approved – Commissioner Pannicke; Commissioner Heinsman

Ed Rensink, RTM, 2 egress doors back into the building. Want variance to lock when building is closed. Cited by fire department. Occupancy based on variance

18-08-15 Whitestown Business Center Building 3, Whitestown

Approved – Commissioner Pannicke; Commissioner Popich

Christina, RTM, variance for weather cycling certain dock doors.

18-08-17 Bishop Simon Brute College Seminary 2nd Floor, Indianapolis

Approved – Commissioner Jordan; Commissioner Popich

Ed Rensink, RTM, variance granted in May for construction in west wing. Partial renovation of dorm rooms. Project to reconfigure from portion of room. Demoing ceiling. New fresh air ducts, sprinkler heads/ pipes. Valid roof ceiling material for 1 hour ceiling. Doesn't match old code for archaic or new code. Suspending jimson board as a new ceiling. Quarter walls and demise walls allowing to terminate at that ceiling. Tearing out some plaster ceiling. Based on com. We have over an hour fire separation. Can't test to valid. Sprinkler protection in project area. NFPA 13 R system in unpenetrated membrane

18-08-18 IPS Arlington Middle School, Indianapolis

Approved – Commissioner Popich; Commissioner Pannicke

Abstained – Commissioner Heinsman

Ed Rensink, RTM, 1961 was high school. Converted this year. Consolidating schools. Moving other functions into this building as well. Conversion of partial sections of 3 floors. Functions part of school wide system. 2300 sq. ft. IPS PD. 14000 Sq. ft. Maint dep. 43000 sq. ft. professional development for staff IPS. Variance for partial change of use. Less hazardous than school use. Sprinklered building with fire alarm. Upgraded in recent past.

18-08-20 Convergence, West Lafayette

Approved – Commissioner Pannicke; Commissioner Goeden

Ralph Gerdes, consultants, 5 story office building sprinkler building sprinklered access stair way without sprinklers. Normal is 4 stories with accessibility on another floor. Need 5 story stair well. Accessible use on first floor not needed as they will immediately lead outside. Place is used a training area.

18-08-21 (a) (b) River Village Cabins – Phase I, Brookston

Approved (a) (b) – Commissioner Heinsman; Commissioner Jordan

Ralph, Cabin for seasonal summer camp. (a) 2 different sleeping units. Have duct work going through fire partition. Want to delete the fire damper. 25 feet to an exist. No cooking. Tenants on two sides are in same use. Cost is less than a 1000. They don't see the need. Interconnected smoke alarms & Sprinklered. (b) Variance to use NFPA 13D system. Other system requires a larger supply that isn't accessible at this camp due to rural location. Other cabins aren't sprinklered but this they would have a plastic tank in each cabin. Anything more than that would be too costly. 13 D is more cost effective. Doors to grade level. Slab on grade no crawl. Not recognized in code. Single bed per room.

18-08-22 Satellite Industries, Inc. Building Expansion, Bristol

Approved with Conditions – Commissioner Pannicke; Commissioner Heinsman

Condition – 23 ft. beyond over hand is clear for fire department access.

Christina, RTM, 120000. Portable Potties. Want to double to make more potties. Want to build a canopy but would lose 60 foot separation. 50 foot deep 300 ft. long canopy. 75 ft. to property

line. Park the trucks under the canopy to protect them from UV. Fully sprinklered building new and existing. Finishing a fire access road. Solid construction verse gravel. Mismatch storage consolation. Structural steel protected for the weather. Just for sun protection.

18-08-24 383 S. Emerson Avenue, Indianapolis

Approved with Condition – Commissioner Furnish; Commissioner Popich

Conditions – Visual signage stating sprinklers not operable

Scott Perez, RTM consulting, fire sprinkler NFPA 13 system was installed before owner bought it. Pipe froze last winter causing issues. Fire inspector asked him to put exit signs, emergency power lighting for egress, add fire extinguishers. They also asked maint. NFPA 13 system or leave it and disconnect/ removal/ Repair 5.5k to 7k. Existing tenant doesn't want him to tear through existing build out. Owner wants to leave it but discount. 2500 Sq. ft. building. Pastor lives in an apartment there and that's where he cooks his meals. Used as church. Craig Burgess, is the NFPA out of commission? Yes because the pipe broke. Owner wants to keep it in case another tenant wants it.

18-08-25 (a) (b) Concord High School Fitness Addition, Elkhart

Approved with Conditions (a) – Commissioner Furnish; Commissioner Popich

Approved (b) – Commissioner Furnish; Commissioner Popich

Condition (a) – Approved till 9/1/2019

Ed Rensink, RTM, (a) temp means of egress. Close off door from locker room occupant load 42. Single means of egress (b) multiple wide masonry wall to be used instead of fire wall. Structure separate from the structure. New is sprinkled. No immediate plan to sprinkler old. 2 recent additions.

18-08-26 UND – Rolfs Basketball Practice Facility, Notre Dame

Approved - Commissioner Popich; Commissioner Jordan

Christina, RTM, some of the areas are effected for the new construction. Wants to keep the construction the same. Unrated steel to rated steel makes no sense

18-08-28 Guglielmino Player's Lounge, Notre Dame

Approved – Commissioner Furnish; Commissioner Jordan

Christina, RTM, sports and rec building, 1400 sq. ft. room. Take out other door for flow. Occupant load to be 93. Most of the time its 23. Barber shop in there. Common path 53 feet. Full sprinklered. Post occupant load to 49. Bigger furniture. Can't subtract furniture. Notre Dame FD supports.

18-08-29 (a) (b) Goshen Health Dock Addition, Goshen

Approved (a) – Commissioner Furnish; Jordan

Approved (b) – Commissioner Hite; Commissioner Pannicke

Variance for use 2 hour barrier instead of 3 hour fire wall. Due to age has mixed construction types. Fully sprinkled building and dock. Life safety code only requires the 2 hour barrier. Variance has been granted before.

18-08-30 (a) (b) Bowers Event Barn, West College Corner

Approved with Condition (a) – Commissioner Heinsman; Commissioner Henson

Approved with Condition (b) – Commissioner Heinsman; Commissioner Henson

Conditions – (a) Approved with repairs done per the report.

(b) Approved till 8/1/2019

Carrie Ballinger, RTM, (a) allow chapter 34 to eval. the structure. Some really important repairs need to the loft area. Building passes chap 34 with protection throughout. Less than 2500 sq. ft. tech 2nd floor = loft. They will be using loft. Adding to new stairs. (b) To allow portable bathrooms for 1 year from the time they open to install permanent restrooms.

18-08-31 Public Greens, Indianapolis

No Variance Required – Commissioner Pannicke; Commissioner Jordan

Ed Rensink, RTM, small restaurant tenant. Genderless restrooms instead of man and female. Jeff Dean, city of Indy, agrees. Problem is we took care of chapter 29. Accessibility – one of these isn't. They are clustering exception

18-08-32 (a) (b) GEICO Corporate First Floor Renovation Phase 1, Indianapolis

Approved (a) – Commissioner Pannicke; Commissioner Heinsman

Approved with Condition (b) – Commissioner Pannicke; Commissioner Heinsman

Condition – Marked with egress sign and kept clean.

Melissa Tupper, Variance (a) renovation of existing office space. Want to install turnstile and will be monitored employees. (b) Existing condition. One of the exits goes through the loading dock. Path is kept clear. Store things there. Need to maintain. Path for moving things. Keep means of egress because not all areas would meet travel distance without it.

18-08-33 (a) (b) (c) Valparaiso City Hall Expansion and Renovation, Valparaiso

Approved (a) (b) (c) - Commissioner Furnish; Pannicke

Christina, RTM, (b) existing building. Addition on the back. One story addition. (c) Automatic sprinkler system there addition would be sprinklers along with the basement. First floor and second won't be touched. Over fire area for A occupancy. Not providing fire separation. Cost of sprinkler. Asbestos issues if they have to renovate it. They will sprinkler if they renovate in future. (a) Existing opening to serve basement to give extra exit. Want to leave it as open floor

plan. Sprinkler to opening. Local officials are okay with this. Very big concern about egress issues, but stair way they helps.

18-08-34 Avon-Washington Township Public Library, Avon

Approved with Condition – Commissioner Heinsman; Commissioner Furnish

Condition – Additional exit is clearly marked and maintained.

18-08-35 (a) (b) IPS Butler Lab Expansion at Eliza Blaker 55, Indianapolis

Approved with Condition (a) (b) – Commissioner Pannicke; Commissioner Henson

Condition – Approve till 8/7/2021

Abstained – Commissioner Heinsman

Melissa Tupper, RTM 3 new temp class rooms on asphalt pad for up to 3 years. New buildings are further then 400 ft. from hydrants. 150 ft. from paved fire access road. Fire alarms to those class rooms that notifies the school. The notified alarm was an agreement with IFD. Distance around the building is like 693 feet. Back side of the school exceeds the distance.

18-08-37 Artisan Acres, Noblesville

Approved with Condition – Commissioner Hite; Commissioner Jordan

Condition – Approved till 11/1/2019

Carrie Ballinger, RTM, Temp restrooms instead of facilities. Requesting to allow trailer restrooms. 4/1-11/1 each year. Constructed as a class 2 structures. Not using chapter 34 to evaluate. They have reversed door swings, and are hooked up to septic. To add septic tank would be very expensive. Occupant load is around 99. Been working with Noblesville officials closely. Have they talked to county health department? No they haven't. Are they planning on serving food? Proponent believes so. Commissioner Hite is concerned that health department hasn't been talked to.

Breaking and reconvening: Chairman Nicoson recessed the Commission at 2:51 p.m. It was called back to order at 3:01 p.m.

18-08-39 7322 Noel Road, Indianapolis

Approved – Commissioner Jordan; Commissioner Popich

Melissa Tupper, RTM, single family to R3. Allow use of rule 13 only allows converse of R1 or R2. Have variance for R3. Sam Ritter, Pike Township FD, comply with everything we asked for.

18-08-40 The Yard at Fishers District, Fishers

Approved – Commissioner Hite; Commissioner Jordan

Ralph G, G consultants, new complex in fisher. 2nd level with pool. Requesting barrier to be 4 feet instead of 6 feet. ICC swimming pool changed to 4 ft. 2018 & 2021 addition. Urban apartment for adults. The Pool has auto pool cover.

18-08-41 (a) (b) (c) Bottleworks West Elm Hotel, Indianapolis

Approved (a) (b) (c) – Commissioner Henson; Commissioner Popich

Abstained - Commissioner Pannicke

Ed Rensink, Variance (a) old coke building admin. 1930 with 1940-46 additions. Permit historic stair doors to remain. Set in masonry wall. Variance to keep them. Add closures. Auto sprinkler and at each stair door within 24 inches. Historical (b) Two doors swing one way but occupant load as more than 50 because of that configuration. Historic conference area. Change of occupancy to hotel. Area being retained functionally and historically. Significant part of the building historically. Calculated load in each room of 50. (c) Elevators 3 new. Variance to not provide venting for hoist way. Approved a number of times recently back in June.

18-08-42 KHS Site Improvements Including Athletics, Kokomo

Approved with Condition – Commissioner Popich; Commissioner Heinsman

Condition - Have until 10/1/2019 to install Heating and Cooling.

Dave Cook, Ralph G Consultants, Budget issues. Heating and cooling to be installed in a next phase (next allotment of money) next spring or fall at the latest. Addendum to this project. Softball facility. Locker rooms have bathrooms. Girl softball is a fall sport. Not using fall 2018.

18-08-43 (a)(b)(c)(d)(e) IU Health Bloomington Replacement Hospital, Bloomington

Withdrawn (b) (e)

Approved (a) (c) – Commissioner Jordan; Commissioner Henson

Approved (d) – Commissioner Heinsman; Commissioner Jordan

Proponent stated it's a Type 2 b. is a standalone structure. No long term parking with patient drop off

18-08-44 North Adams BP3 High School & Middle School Interior Renovations, Decatur

Approved with Conditions – Commissioner Popich; Commissioner Henson

Conditions - Door #1 closed 11/18-5/19

Door #2 closed 8/7/18-11/18

Door #3 Closed 12/18-5/19

Abstained – Commissioner Heinsman

Carrie Ballinger, RTM, temp means of egress during Reno. Variance approved last year for temp egress for different renovation. 3 separate sets of dates for each door to be closed. 1st in

August door #2 exit for pool and main gym. One set of double doors open. Reno of locker rooms. Limited 8/1/18-11/30/18. Fire drills and fire department aware. Adjust signage. Door #1 is closed 12/1/18 – 5/30/2018 Dead end issue along corridor. Suggesting alternative means of egress through Aux gym doors open. Door #3 office vestibule addition. Building sprinkled and has 2 other ways of egress.

18-08-45 Woodland Terrace of Danville, Danville

Approved – Commissioner Jordan; Commissioner Popich

Tim Callas, multi type of residential types used this 13 D system Townhouse on this site. Last 4 units. Provided fire loop around the whole site from the beginning. They would have outlets and run 50% higher. They would have jacket the costs for each building, and run fire lanes across the site. Other buildings are 2 family will not be sprinklered because not required. Craig Burgess, questioned why they aren't treating these as townhouses. 1 hour fire partitions. 13 D then 2 hour separation. Fundamental issue with cramming stuff in. But he hasn't done it at this site.

18-08-46 Northside Christian Church Expansion, New Albany

Approved with Condition – Commissioner Heinsman; Commissioner Furnish

Condition – Unlimited area only pertains to this project

Ed Rensink, RTM, project involves addition of 25600 sq. ft. join two existing buildings on the site plus auditorium. One big unlimited area with a lot of assembly space. Plus have a way to have pedestrian movement without moving through the new children's center. In term of scale it 97000 sq. ft. Whole building has NFPA 13 with alarm. Local fire marshal does security for church and isn't opposed to this project. Two existing already are sprinklered. New will be too. Craig Burgess, not to allow addition for it to be considered an unlimited area building. So you could come back and add more. Purpose not to add more on later based on unlimited area.

18-08-47 IU Health Riley Maternity & Newborn Health, Indianapolis

Approved – Commissioner Popich; Commissioner Jordan

Derk Holman, RTM, same variance for Bloomington replacement hospital. Canopy not tied to the building

18-08-48 Lawrence North Softball Field Renovation, Indianapolis

Approved with Condition – Commissioner Pannicke; Commissioner Popich

Condition – Approved with completion of road by 12/31/2021

Dave Cook, Ralph Gerdes Consultants, girls softball stadium basically they are just rebuilding everything. Press box is a prefab unit. Seating has been expanded with same type of seating. Fire department access road wants to be extended to the end of the dug out on one side. 150 of new dug out. Same size and spot as before. Owner has huge budget to meet title 9. Time is

kicking. Estimate for the access round is 400k to delay this to 2021. New hydrants going in with rebuild

18-08-49 Lilly K302 Peptide Lab Solvent Transfer, Indianapolis

Approved – Commissioner Pannicke; Commissioner Popich

Ed Rensink, Mike Adams with Lilly. Buildings has been commissioned. Solvent transfer system projects. A number of solvents from the blending room to peptide lab across the corridor. Method would be by piping. Fire code restricts health hazard to not go avoid corridor, but they will have process piping. Leak detection system and double wall system. Limit sensors/threshold sensors. Directly piped from sealed containers. Pressure relief valves from each system. Storage area maybe a few at a time. Proponent would use Nitro to push it.

18-08-51 Indy Imaging Building Addition, Indianapolis

Approved – Commissioner Pannicke; Commissioner Popich

Melissa Tupper, RTM, addition to existing building. Site layout the fire access road can't be provided a 150 ft. 220 ft. is what this addition would be. Cited by IFD. Cited two fire hydrants within 400 ft. TO allow 220 ft. from furthest point because they can't get back there. Store graphic signs. Combustible materials.

18-08-52 (a) (b) Kuehnert Dairy Tours, Fort Wayne

Approved with Conditions – (a) Commissioner Hite; Commissioner Popich, (b) Commissioner Jordan; Commissioner Goeden

Condition – (a) Approved till 9/1/2019 to get county support

(b) Approved with corrections made per Structural Report.

Melissa Tupper, RTM, Variance (a) got structural eval. Allow portable restroom instead of permanent. Property has an event there every year. So they already use them from the festival. No weddings. Corp outings and birthdays. Commissioner Hite asked about catering – have they contacted the county health department. She isn't sure. No water plumbed to the barn. Middle of corn field. Outside of the city. Building Official was spoke with. He is a volunteer. (b) Permit the use of Chapter 34.

18-08-53 (a) (b) Shell and Bone Restaurant, Indianapolis

Approved with Conditions – (a) Commissioner Pannicke; Commissioner Heinsman, (b) Commissioner Pannicke Popich

Conditions – (a) Rived to include 2 accessible toilet stalls with shared lavatory

(b) Approved with circulation path marked on the floor.

Opposed – Commissioner Henson; Commissioner Furnish

Tim Callas; John Bennett design team. Variance (a) Single multiuse bathroom. Referred to two other variances with similar set up. Unisex ADA accessible bathroom. Single stall with door to event area and multiple fixtures. Non gender specific, and new construction. Shell build out with full height doors/walls. 2 bathrooms of them would need to be accessible. Can't go wider due to columns. Has a certain need and desire for this. Could do two complete stalls, but they'd still be inside a shared area. Seat count 138. (b) Chap 11 employee work areas have to accessible route through work area. Except employee work areas less than 1000 ft. or with fixed counter tops/ fixtures.

18-08-54 (a) (b) Valley Mills Elementary Kitchen Cooler Addition, Indianapolis

Ed Rensink, RTM, Project prefab manufactured cooler

Approved with Condition (a) – Commissioner Heinsman; Commissioner Pannicke

Approved (b) – Commissioner Popich; Commissioner Pannicke

Condition – Approved with other inspect-able systems to be inspected

Cited by plan review by not having complete drawings. You have to show compliance with GAR with drawings with all the drawing. Or prefabs are already reviewed. Requesting variance to not do either. Legitimate citation. To use the shop drawing in place of other options. Structural eval of building has been done. E Occupancy. Foundation is thickened slab. Craig Burgess, several months I found myself to issue a formal interpret on walk in coolers and freezers. One located inside other structure or outside of it. Inside of it nothing much more then food service equipment. Provide life safety by structures. Outside of the structure it has to have the life safety things. Prefabs don't have the whole. Industrialized buildings. Outside cooler/ freezers be submitted as outside buildings. Would add industrialized building rules don't take occupancy into account. Freezer companies haven't pushed back. Told in years past we required this. Jeff Dean, City of Indy, is it published. No. Panels are prefabs in this cooler. Seems like some of them are just the panel and the electric are surface mound. There is nothing to inspect if its foam plastic and the electric is surface mound.

18-08-55 (a) (b) Milano Inn Redevelopment, Indianapolis

Approved (a) – Commissioner Furnish; Commissioner Goeden

Approved with Condition (b) – Commissioner Pannicke; Commissioner Popich

Condition – No combustibile Storage in Basement

Change of use from restaurant to office. Chapter 34. No sprinklers, smoke alarms or alarms. Don't want to do separated uses. Includes mechanical storage basement. Travel distant is 155 ft. Code wants 100 ft. install fire protection in basement too. Occupying 2nd and part of 1st for office. Remainder storage.

18-08-56 (a) (b) Indy Hyatt Dual Brand, Indianapolis

Approved (a) (b) – Commissioner Heinsman; Commissioner Jordan

Abstained – Commissioner Pannicke, Commissioner Popich

Mechanical code for each of the panels. Replacement of VR HVAC unit. Letter says owners okay with it being not of a certain size. Panels are sized for Maint access. Units will need to be replaced 20+ years. No fire rated construction. The cost to provide the larger isn't worth it to the owner would rather do it when they replace the unit. (b) Plumbing code issue. 802.3 there is series emails engineer it isn't a violation of code. The design complies because of the air break and wouldn't be a standpipe. Would be trap connection.

18-08-57 (a) (b) Broad Ripple Mixed Use Development, Indianapolis

Approved (a) – Commissioner Heinsman; Commissioner Jordan

Approved with Condition (b) – Commissioner Heinsman; Commissioner Jordan

Condition – Approved with close space sprinklers, Standards sprinklers on balconies, and balconies all FRT wood or noncombustible materials.

Tim Callas, Using Park and river walk as public access. Northeast side 150 feet to the property line. No obstructions. 2 accessible stair wells. Drops 20 feet a ways out. Not in the flood plain. No existing property. Top 3 floors are residential. Small retail on 1st floor. 2nd and 3rd. are 13
1st is 13.

18-08-58 (a) (b) (c) Monroe County YSB Addition, Bloomington

Approved with Condition (a) (c) – (a) Commissioner Pannicke; Commissioner Henson, (c) Commissioner Pannicke; Commissioner Furnish

Approved – Commissioner Pannicke; Commissioner Jordan

Conditions – (a) Approved with 2nd layer of drywall added on the inside of the existing wall

(c) – Approved with occupant load set to 29 on each side temporarily

Carrie Ballinger, RTM Consultants, (a) Adding additional office spaces. Use existing building wall for separation. 4 inch split base. Essential meet 2 hour rated for the inside not outside. Other side is sprinklered. 1 hour on the new side. Could add another layer of drywall to the drywall side. (c) Exits closed during construction. Only one exit from office space. 12-14 people in that office plus others from another office space. Less than 30 at a given time

18-08-60 Patterson Pointe, Bloomington

Approved – Commissioner Pannicke; Commissioner Henson

Abstained – Commissioner Heinsman

18-08-61(a) (b) Penrose on Mass, Indianapolis

No Variance Required (a) (b) – Commissioner Pannicke; Commissioner Furnish

Abstained – Commissioner Popich

Variance (a) don't need variance need exception to amendments. Insulation applied above the roof deck. No more than one and 12 to have attic access. (b) Cited for 10.13.2 Section for guard rail requirement on exterior wall with windows. Has the glazing requirement. Believe it doesn't address exterior walls with open window. Exception if you provide glazing if you have a guard rail.

18-08-63 (a) (b) Pleasant View Elementary School, Yorktown

Approved – (a) Commissioner Pannicke; Commissioner Henson, (b) Commissioner Furnish; Commissioner Popich

Abstained – Commissioner Heinsman

Ed Rensink, RTM, (a) Circulation space 244 sq. ft. area. Allow it to be added to existing building. Adding fire wall to addition.

18-08-64 747 Broadway Plaza1 LLC, Gary

Approved – Commissioner Furnish; Commissioner Jordan

Christina, RTM, long history 2008 changed elevator size not the cab size. Building designed during that time. Now trying to put it in but cab is too small. Elevator is too small, but without elevator it would another abandoned building. Mike Corey knows this building. 6 units per story 4 story. Small occupant load. 10 year stretch on this project. For general pop. Low income housing. Elevator way is built off block. Craig Burgess, change in code 2006 which is base of 08. Only diff is current code introduce a different curve. Only change was to make it less restrictive. No one redesigned the hoist way or caught it. There is no money to take out the hoist way.

18-08-66 SAT 2 Building 4, Indianapolis – late filing

Approved with Condition – Commissioner Pannicke; Commissioner Hite

Abstained – Commissioner Popich

Condition – Approved with 2 restrooms for every 10 sleeping rooms

Christina, RTM Consultants, in plumbing code as psych facilities. Changed to I2, and Under I2 have to have a restroom to each patient rooms. Don't want to provide those. If we meet 2 for 10. This is through DCS. Similar floor plan for all these buildings. Did they get variance? Change in the code. Group homes through DCS. Secured through DCS? Yes they lock.

18-08-67 NASCAR on NBC Pup Series, Indianapolis – late filing

Approved – Commissioner Pannicke; Commissioner Furnish

Christina, RTM Consultants, unit niche. Trying to bring awareness to adopting instead of puppy miles. Drop in structure to care for the puppies. It's made out of a shipping crate. The city and state will inspect it. Jeff Dean, City of Indy, this is a new thing ICC is coming with guidelines.

18-08-71 Central Indiana Orthopedic Fishers Medical Office Building, Fishers

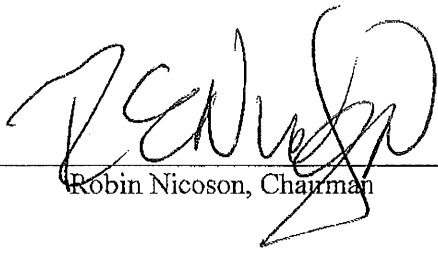
Approved with Conditions – Commissioners Pannicke; Commissioner Heinsman

Condition - Northwest stair of the Indiana Orthopedic building to have permanent access to public way

Melissa Tupper, RTM Consultants, 2 doors that penetrate this wall. Code doesn't allow any holes. Patients walk between building and use serves. This building is licensed with department of health for medical office. Both have fire alarms, and are structurally independent. Property line between the two buildings, and 2 hour rated fire wall between them. There are services that differ in each. Urology of Indy on one. Orthopedic of Indy on the other. Need easement to maintain egress.

8. Adjournment at 5:57p.m.

APPROVED:

A handwritten signature in black ink, appearing to read 'Robin Nicoson', written over a horizontal line.

Robin Nicoson, Chairman

Darrel Cross

From: EPARADE@yahoogroups.com on behalf of 'Jeffrey M. Shapiro, P.E., FSFPE'
jshapiro@ircfiresprinkler.org [EPARADE] <EPARADE@yahoogroups.com>
Sent: Friday, June 29, 2018 12:06 AM
To: EPARADE@yahoogroups.com
Subject: [EPARADE] Re: Sprinkler protection on exterior balconies of 13R systems

Marshall Klein and I were the authors if the IBC provision that introduced the balcony sprinkler mandate for 13R systems (F93-02). At the time, I was working as a consultant to the National Multifamily Housing Council and had identified that there was a disproportionate fire loss history (property damage) in fire data associated with multifamily housing balcony fires. Because 13R systems were being and continue to be given many of the IBC sprinkler incentives (trade offs) based on equating these systems a level of property protection (not just life safety), we introduced the IBC proposal on behalf of the multifamily housing industry. The sprinkler incentives were/are important to the multifamily industry, and the logic of submitting the proposal was reducing the chance that someone might challenge the incentives because of occasional catastrophic fires associated with balcony ignitions. Since 13R attics aren't sprinklered, stopping the fire at the area of origin/balcony was considered a good approach, and there have been numerous saves associated with these sprinklers. The text was later modified by F109-04/05.

Interestingly, the 13R committee wasn't happy with the IBC requirement. They originally stuck to the idea of 13R as life safety oriented, and initially passed on adding the requirement to 13R. There were also questions raised by the NFSA E&S Committee about the validity of the installation criteria, which was copied from another part of the building code as I recall, and NFSA unsuccessfully tried to have the balcony sprinkler requirement deleted (F108-04/05).

To answer questions about the validity of the design criteria, Tyco conducted 10 full scale fire tests using a balcony mockup in their lab that followed the IBC criteria. The test were successful, but the mockup included a full overhang. So, it doesn't specifically answer your question about a soffit. After the tests, NFSA dropped their opposition to the IBC provision and supported adding the requirement in 13R, given that contractors were getting caught by the "gotcha" of doing a 13R system and then having the building/fire inspector require balcony sprinklers to be added per the IBC/IFC.

As to your specific question about the overhang of a soffit vs. roof or deck, that text was submitted by NFSA (F96-06/07), and the reason statement was *"This will clarify that these exterior sprinklers are to be installed below a roof or deck above. For the sprinkler to operate correctly they must have a roof to collect the heat and fuse the sprinkler open, otherwise the sprinkler would be of limited value and could potentially decrease the reliability of the interior sprinkler system. This appears to be the intent of this section since it provides sprinkler installation procedures below structural members and decks."* So, it was related to collecting heat for sprinkler activation, and it's my opinion that a soffit would accomplish that and facilitate sprinkler activation. I can't personally speak to NFSA's intent with respect to their proposal, but since their reason statement mentions the

intent of the original requirement, I can tell you that requiring a sprinkler under a soffit is consistent with my intent when we submitted F93-02.

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