



COMMISSION MEETING MINUTES

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

January 3, 2018

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 January 3, 2018.

(a) Commissioners present at the Commission meeting:

Michael Corey
Greg Furnish
Joseph Heinsman
David Henson
Todd Hite, representing the Commissioner, Department of Health
James Jordan
Robin Nicoson, Chairman
Scott Pannicke
Michael Popich
Jessica Scheurich, Vice-Chairman

(b) Commissioners not present at the Commission meeting:

Kevin Goeden, representing the Commissioner, Department of Labor – arrived 1:00 pm

(c) The following departmental staff were present during the meeting:

James Schmidt, Deputy Attorney General
Douglas Boyle, Director of Fire Prevention and Building Safety Commission
Craig Burgess, State Building Commissioner
Denise Fitzpatrick, Code Specialist
Blake Haley, Code Specialist
Beth Sutor, Secretary for the Commission

2. Roll call was held, and it was determined a quorum was present.

Blake Hayes, the newest member of the Commission staff, assisting Denise Fitzgerald as a Code Specialist, was welcomed and introduced to the members of the Commission.

3. Minutes Approval

Chairman Nicoson called for approval or corrections of the minutes for the December 5, 2017, meeting. Commissioner Scheurich moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

4. Rulemaking Updates

The request to approve the use of the 2018 Safety Codes for Elevators, Escalators, Manlifts and Hoists had been tabled in December to review some of the membership, and the issues have now been corrected. Modified by-laws of the committee had been given to the Commission, and no further questions were raised. Commissioner Corey made the motion to approve the modified membership roster, with the second by Commissioner Scheurich. Commissioner Popich noted the date on the memo states it had been approved on December 5, 2017, and asked that it be changed. Douglas Boyle stated it would be amended to read approved January 3, 2018. Maker and second agreed to the amendment. It was voted upon and carried.

5. State Building Commissioner Report

Craig Burgess, State Building Commissioner, welcomed everyone to 2018 and wished them a good, productive year.

6. Authorization of ALJ from January 8, 2018 to May 7, 2018

Chelsea Smith, IDHS administrative law judge, will be taking military leave from January 8 to May 7, 2018. Commissioner Popich moved to authorize a Deputy Attorney General from the Indiana Office of the Attorney General to serve as administrative law judge under IC 4-21.5 for the Fire Prevention and Building Safety Commission, including, without limitation, the authority to 1) assume all pending administrative cases before the Commission with ultimate authority for these actions resting with the Commission 2) act as administrative law judge for all new cases to come before the Commission with the ultimate authority for these actions resting with the Commission 3) hear and rule upon petitions for stays of enforcement as the ultimate authority for the Commission and 4) hear and decide appeals to Emergency Orders issued with the respect to one or more violations of the Commission statutes or rules as ultimate authority for the Commission. This authorization would be effective from January 8, 2018 until the Commission acts upon the return of IDHS administrative law judge Chelsea Smith from military leave. Commissioner Scheurich made the second. It was voted upon and carried.

7. Commission action on Non-Final Orders of Dismissal

- a. Burket Educational Center
Cause No. DHS-1726-FPBSC-019
- b. Shining Stars Child Care Academy, LLC
Cause No. DHA-1733-FPBSC-022

Commissioner Henson moved to affirm the Non-Final Orders, with the second by Commissioner Scheurich. It was voted upon and carried.

8. Ordinance Review Process and legalities – Jonathan Whitham

Jonathan Whitham, General Counsel for IDHS, presented an outline for the ordinance review process and its legalities. The paper outlined the Commission's statutory authority, how to obtain a pre-adoption review, the review process, how to submit an ordinance for approval, and what is to be expected during the approval process. The document is to be posted on the web site, and Mr. Whitham made himself available for questions by Commissioners and the general public during the upcoming break in the Commission meeting.

9. Review of Local Ordinances

Ordinance No. 17-23
Porter County, Indiana Carbon Monoxide Detectors Ordinance

Robert Thompson, Director of Management of Storm Water Development of Porter County, and Chief John Jarvis, Chesterton Fire Department, was also present in support of the ordinance. No conflicts with code had been found during the review, other than clerical errors. It was suggested that the year and editions of codes identified in the ordinance be included. Following discussion, Commissioner Jordan moved to approve, with the second by Commissioner Henson. It was voted upon and carried with one nay.

General Ordinance No. 2017-12
Chesterton, Indiana Carbon Monoxide Detectors Ordinance

Chief John Jarvis, Chesterton Fire Department, speaking as proponent, had requested a reconsideration. It was noted that the ordinance was very similar to the Porter County ordinance, with clerical errors and the same need to identify year and editions of codes identified in the ordinance. Following further discussion, Commissioner Pannicke moved to approve, with the second by Commissioner Heinsman. It was voted upon and carried with two nays.

Ordinance No. 77-17

St. Joseph County, Indiana Carbon Monoxide Detectors Ordinance

The proponent, Fire Marshal Cheronne, Clay Fire Territory, had requested the hearing be tabled until next month. Commissioner Popich moved to table, with the second by Commissioner Corey. It was voted upon and carried.

Ordinance No. 2017-03

Auburn, Indiana Chapter 154: Fire Prevention Code

No proponent was present. No conflicts had been found during the review. Following discussion, Commissioner Heinsman moved to approve, with the second by Commissioner Jordan. It was voted upon and carried.

Ordinance No. 2017-35

Rushville, Indiana Fire Prevention Code

Shelly Wakefield spoke as proponent for the ordinance. Issues found during the pre-submittal review by staff and the legal department had been presented to the proponent, and corrections had been made. An adopted ordinance, containing the corrections, had been presented for approval. Commissioner Scheurich moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

10. Commission Action on Locally-Approved Variances

- a. Indianapolis-Marion County Fire Prevention Code Section 591-406 requiring post indicator valves for fire service water supply lines
Dual Hyatt Hotel, Indianapolis

Commissioner Scheurich moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Commissioner Pannicke and Commissioner Popich abstained.

- b. Indianapolis-Marion County Fire prevention code Section 591-406 requiring post indicator valves for fire service water supply lines
Sapporo Restaurant, Indianapolis

Commissioner Heinsman moved to approve, with the second by Commissioner Henson. It was voted upon and carried. Commissioner Popich abstained.

11. Variances

a. Tabled

17-10-03 Upstairs Bedroom Windows, Bloomington

The application was incomplete and ineligible to be heard. Commissioner Scheurich moved to deny due to lack of substance, with the second by Commissioner Corey. It was voted upon and carried.

17-10-04 North End Community Center, Lafayette

The application was incomplete and ineligible to be heard. Commissioner Scheurich moved to deny due to lack of substance, with the second by Commissioner Corey. It was voted upon and carried.

17-11-21 Fitness Farm Pole Barn, Indianapolis

Andrew Livingston, landscape architect, spoke as proponent. The gate into the property from 44th Street is 20 feet wide and will accommodate fire equipment. The 14 foot wide lane to the pole barn ends in an asphalt basketball court, aggregate edging, and concrete at the end of the barn, but does not provide a specific turn-around. The office is no longer located in the barn, so occupancy is infrequent. Margie Bovard, Indianapolis Fire Department, requested the turn-around be provided. Following discussion, Commissioner Scheurich moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

17-11-22 Wooden Middle School 2017 Additions and Renovations, Martinsville

Dennis Bradshaw, FP&C Consultants, spoke as proponent. Also present was Karen Fisher, architect. As part of the addition/renovation project, the existing roof structure over the renovation/addition area will remain while the walls are removed and new classrooms and corridors are added. A 2-hour fire barrier along two sides of the addition will include the existing classrooms in the new fire area, and the new corridor walls will be 1-hour construction. Smoke detection will be provided within the new corridors and connected to the existing corridor smoke detection system. Following discussion of encapsulating beams, Commissioner Heinsman moved to approve with the condition that the 2-hour protection was to vertically to the roof deck and also horizontally to protect the section of beam upon which the joist rested. Commissioner Scheurich made the second. It was voted upon and carried.

17-11-38 Carniceria El Ranchito, Indianapolis

Carrie Ballinger, RTM Consultants, spoke as proponent. The request is to omit the voice/alarm communication system from the two banquet rooms, separated with a 1-hour fire barrier

from the remainder of the building. Banquet Room A has a calculated occupant load, based upon un-concentrated table and chair seating, of 366. Banquet Room B has a calculated occupant load, based upon un-concentrated table and chair seating, of 577. The total is less than the 1,000 which causes the requirement to provide the voice/alarm communication system. The building is fully sprinklered throughout with a fire alarm system. A shunt trip will be added to dedicated outlets to shut down any sound equipment upon activation of the alarm system. The outlets will be labeled for easy identification. The calculated occupant loads will be posted. Following discussion, Commissioner Pannicke moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

17-11-59 Removal of Fire Drop Doors, Shelbyville

No proponent was available for questions. Commissioner Pannicke moved to table, with the second by Commissioner Heinsman. It was voted upon and carried.

17-12-01 Menards Expansion, Avon

The application was still incomplete and ineligible to be heard. Commissioner Heinsman moved to table, with the second by Commissioner Pannicke. It was voted upon and carried.

17-12-02 Menards Expansion, Lafayette

The application was still incomplete and ineligible to be heard. Commissioner Heinsman moved to table, with the second by Commissioner Pannicke. It was voted upon and carried.

17-12-11(a)(b) Fulton County Law Enforcement Center, Rochester

Sheriff Christopher Sailors spoke as proponent. Variance (b) had been eligible for the block vote. Commissioner Pannicke moved to approve, with the second by Commissioner Popich. It was voted upon and carried. Variance (a) was a request to allow a door marked as an exit to have the exit sign removed. The door is difficult to operate and would require a major renovation to be operational. There is also another door which would be used should the need to evacuate the inmates occur. The local fire official and building official do not object. Commissioner Pannicke moved to approve, with the second by Commissioner Henson. It was voted upon and carried.

17-12-25 Sweetwater Pavilion Stage, Ft. Wayne

Ed Rensink, RTM Consultants, spoke as proponent. Also present was Jim Murua, Ft. Wayne Fire Department. The proponent and local officials had met and had resolved the issues the local officials had with the requested variance. The truss structure is to be permanently installed on a concrete slab. The stage, evaluated by a structural engineer, will be taken down at the end of each season and placed in storage. Following discussion, Commissioner Henson moved to approve with the second by Commissioner Pannicke. It was voted upon and carried.

17-12-33(e) Bottleworks West Elm Hotel, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request was to be allowed to use a stairway built to match existing stairways to reach the new third floor, and thereby not comply with current code for tread rise and run, and handrail/guardrail height. Following discussion, Commissioner Furnish moved to approve, with the second by Commissioner Henson. It was voted upon and carried. Commissioner Pannicke abstained.

17-12-37(a)(b) Marian Hills Farm, Ft. Wayne

The proponent had requested the variance be tabled. Commissioner Furnish moved to table, with the second by Commissioner Scheurich. It was voted upon and carried.

17-12-44 LifeWay Apostolic Church, Avon

Pastor Tim Bryan spoke as proponent. The request was to allow the same variances to omit the 2-hour fire wall and sprinklers which had been previously approved for the Faith Lutheran Church while they occupied the same building space. Their lease will be up in August of 2019 and they will then relocate into larger quarters. Following discussion, Commissioner Corey moved to approve, with the second by Commissioner Heinsman. It was voted upon and carried.

Breaking and reconvening: Chairman Nicoson recessed the Commission at 10:26 am. It was called back to order at 10:42 am.

17-12-56 Berne Crossing, Berne

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

(b) New

Chairman Nicoson asked for any variances to be called out for individual consideration or any abstentions. Commissioner Popich will abstain from voting on 18-01-02(a)(b)(c)(d) Home 2 Suites, Indianapolis, 18-01-04(a)(b) River House Broad Ripple, Indianapolis, 18-01-11 river Crossing IV, Indianapolis, and 18-01-12 Storage Express IN-MR, Indianapolis. Commissioner Heinsman will abstain from voting on 18-01-04(a)(b) River House Broad Ripple, Indianapolis. Commissioner Scheurich moved to approve all A and B variances, with the second by Commissioner Corey. It was voted upon and carried.

The following variances were approved as submitted:

18-01-01(a)(b)(c)(d) Embassy Suites Noblesville, Noblesville
18-01-02(a)(b)(c) Home 2 Suites, Indianapolis
18-01-03(a)(b)(c)(d) Home 2 Suites, Bloomington
18-01-04(a)(b) River House Broad Ripple, Indianapolis
18-01-05(a)(b)(c)(d) Embassy Suites Plainfield, Plainfield
18-01-11 River Crossing IV, Indianapolis
18-01-12 Storage Express IN-MR, Indianapolis
18-01-13 AJ's Furniture – North Addition, Topeka
18-01-38 Casey's General Stores – Huntington IN, Huntington
18-01-47 Casey's General Store – Yorktown IN, Yorktown

C/D/NVR

18-01-06(a)(b) Tip A Canoe Brews, Inc., Rochester

Mike Doran, business owner, spoke as proponent. A building in downtown Rochester, listed on the National Register of Historic Places, is being renovated. The first floor will be occupied by the proponent. The basement will be used for the building's mechanical systems, the second floor has existing apartments, and the third floor will not be used. Variance (b) was discussed first. It is a request to omit the sprinklers required by the apartments on the second floor and the fire area with an occupant load of over 100 on the first floor. The owner would have to install new water lines as the building is served by a ¾" line with inadequate pressure and flow volume. It would be in excess of \$100,000. The proponent has installed smoke detectors for the second & third floor, with a detector in each apartment, a monitored fire alarm system, horn and strobe alarms, and heat detectors. Denise Fitzpatrick noted that the code section used in the application was incorrect, stating it should be 2014 IBC Sec. 903.2.1.2. The proponent stated he would submit the corrected code section immediately. Commissioner Scheurich moved to approve the amended application with the condition that it be for the commercial first floor only. Commissioner Furnish made the second. It was voted upon and carried with one nay. Variance (a) was to allow the kitchen area to be separated with a 2-hour fire barrier on the walls and ceiling in lieu of providing a separation of the entire first floor from the second floor. The pressed tin ceilings on the ceiling of the first floor space are part of the historic items called out in the National Register, and they cannot be removed without destroying them. A lengthy discussion of providing adequate protection for the second and third floors was held, with the proponent unable to speak for the

owner or agree to provide any of the items requested by the Commission in his name. Commissioner Popich moved to deny, with the motion lacking a second. Commissioner Jordan moved to table to allow the proponent time to discuss the issues with the building owner. Commissioner Scheurich made the second. It was voted upon and carried with one nay.

18-01-07 Break Free Escapes, Elkhart

The application was incomplete in ineligible to be heard. Commissioner Corey moved to table, with the second by Commissioner Popich. It was voted upon and carried.

18-01-08 Pilgrim's Plunge Halloween Attraction, Santa Claus

John Adkins, Safety & Security Director of Holiday World, spokè as proponent. The existing building had been used as the Pilgrim's Plunge attraction before being closed. The request was to allow the conversion of the first floor of the building to an indoor Halloween attraction without providing sprinklers. The building did not require sprinklers when built. It will be open two days per weekend for six weekends starting September 22 and running to October 28th. The upper floor is an overlook for employees to monitor activity on the first floor. The park is open shortened hours during the fall, so the main source of lighting will be natural light with dimmed interior lighting. If an incident occurs, an emergency stop button will bring up the house lights and the employees will direct the guests to their nearest exits. Following discussion, Commissioner Pannicke moved to approve, with the second by Commissioner Furnish. It was voted upon and carried.

18-01-09 Four Blast Furnace, Gary

The variance was incomplete and ineligible to be heard. Commissioner Popich moved to table, with the second by Commissioner Henson. It was voted upon and carried.

18-01-10(a)(b) Confetti the Social Venue, Seymour

Megan Wince, co-owner of the business, spoke as proponent. The facility, part of an existing mall, had only one restroom. Their occupant load would require two. The request was to allow a single restroom within their facility since the mall had accessible restrooms within 500 feet which they could use as allowed by code. Following discussion, Commissioner Scheurich moved to approve both (a) and (b), with the second by Commissioner Corey. It was voted upon and carried with one nay.

18-01-14 Moose Lake Craft Village, LaOtto

Tim Callas, J & T Consulting, requested the application be tabled. Commissioner Scheurich moved to table, with the second by Commissioner Corey. It was voted upon and carried.

18-01-15 Harpers, Indianapolis

Owner Carlos Harper and Operations Manager Jerri Hayes spoke as proponents. Also present was Sam Bruner, Pike Twp. Fire Department. A sprinkler system is required for the sports bar due to a 117 person occupant load. The variance request is to omit the sprinkler system. Harpers and the fire department had been working together and had reached an agreement. The owners had agreed to have a trained crowd manager on site during business hours. An occupant count was to be taken at the door. A fire alarm system with horns, strobes and pulls stations was to be installed. Security personnel was to be on site. A shunt trip with a labeled outlet was to be provided. "No Admittance" signs were to be posted on the entry to the adjacent tenant space. The occupant load of 117 was to be posted, and fire lanes were to be maintained. Following discussion, Commissioner Pannicke moved to approve with the second by Commissioner Scheurich. It was voted upon and carried. Commissioner Popich abstained.

18-01-16 Whitestown Business Center, Whitestown

Christina Collester, RTM Consultants, spoke as proponent. The Energy Code requires cargo doors and loading dock doors to be equipped with weather seals for vehicles parked in the doorways. The request is to omit the weather seals on all the loading dock doors. The proponent explained that the dock doors exceed the amount that will actually be required for operation, and that when the business has determined how they wish the loading dock to be used, the correct number of doors are cut and are then equipped with the weather seals and other equipment such as levelers for use. Following discussion, commissioner Popich moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

18-01-17 Valparaiso Animal Hospital, Valparaiso

Dennis Bradshaw, FP&C Consultants, spoke as proponent. The occupant load for the building had been calculated as a business using 100 square feet per person. This caused the requirement for rated corridors and an increase in the number of exits required. The owner stated they would never have the 60 people per the calculations in the facility due to the amount of equipment and such needed to run the animal hospital. The request was to use the 240 square feet per person allowed when calculating occupancy for a hospital since the maximum staff would be 12 persons. Following discussion, Commissioner Heinsman moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

18-01-18 Removal of Fire Hoses in Warehouse, Ft. Wayne

No proponent was available for questions. The owner had requested the removal of the three existing fire hoses in the sprinklered building. Jim Murua, Ft. Wayne Fire Department, appeared, stating they would never use their hoses, and he didn't object to the variance. He did request they provide adapters if needed. Commissioner Scheurich moved to approve with the condition

adapters be provided if needed. Commissioner Corey made the second. It was voted upon and carried.

18-01-19(a)(b) Masters Class Christian School, Sullivan

Roger Lehman, RLehman Consulting, spoke as proponent. The request in (a) was to be allowed to use Chapter 34 for the bank building converted to a Christian school with a mezzanine which exceeds allowable area and therefore is to be counted as an additional story. The mezzanine is not used. Group E of Type III-B construction may have 2 stories. Smoke detectors are to be installed throughout the building. The 3rd floor was to be separated by a brick wall, and the openings from the second level were to be protected. Variance (b) was to allow dry standpipes. The fire department has apparatus able to pump the dry system. Existing construction of the bank building would make the installation of a wet standpipe system difficult and expensive. Following discussion, Commissioner Heinsman moved to approve both, with the second by Commissioner Jordan. It was voted upon and carried.

Breaking and reconvening: Chairman Nicoson recessed the Commission at 12:08 noon. It was called back to order at 1:10 pm.

18-01-20 Westfield Intermediate School Additions and Renovations, Westfield

Dave Cook, Ralph Gerdes Consultants, spoke as proponent. The request was to allow the use of a constant pressure lock for the quiet/time-out room door within the alternative education program, geared for students with behavioral challenges. The teacher must stand with their hand on the control to maintain the hardware in the locked position. The building addition will be sprinklered per NFPA 13, and there will be two video cameras monitoring the room and door. Following discussion, Commissioner Corey moved to approve, with the second by Commissioner Scheurich. It was voted upon and carried. Commissioner Heinsman abstained.

18-01-21 Family Promise, Lafayette

Ed Rensink, RTM Consultants, spoke as proponent. A homeless shelter for families is being constructed. It will be non-transient, classified as R-2 Occupancy and will be of Type VB construction. There will be four sleeping rooms upstairs and two on the first floor with common kitchen/living space. The request is to allow a single means of egress from the second floor due to security concerns. The building will have an NFPA 13R sprinkler system throughout, emergency and escape windows in each sleeping room, interconnected smoke alarms in each sleeping room and in the hallways, and at the top and bottom of the exit access stairway serving the second floor. There are three exterior exits on the first floor within a 116 foot travel distance of the second floor. Commissioner Scheurich moved to approve, with the second by Commissioner Jordan. Brian Lalkire, Lafayette Fire Department, also spoke, asking that the second stairway be required. He presented a scenario in which a person was in the second floor gathering room and unable to access the emergency egress windows due to locked sleeping rooms during a fire. Commissioner Heinsman asked if the windows in the upstairs gathering room were emergency egress windows,

noting that there were windows there already. Commissioner Scheurich amended her motion to include the condition that egress windows be placed in the gathering room, with the second in agreement. The amended motion was put to a vote and was carried.

18-01-22 Independent Adult Day Care Centers, Indianapolis

18-01-23 Adult Day Care Center, Indianapolis

Dean Temple, architect, spoke as proponent. The request was to be allowed to use mag locks to protect the residents with dementia. All doors but the main entry will meet all of the I-2 requirements for their use. The main entry will have a two-door system, each with the special egress lock to secure the facility from outside entry. It meets all other requirements. Sam Bruner, Pike Twp. Fire Department, spoke in support. Following discussion, Commissioner Furnish moved to approve both 18-01-22 Independent Adult Day Care Centers, Indianapolis, and 18-01-23 Adult Day Care Center, Indianapolis. Commissioner Corey made the second. It was voted upon and carried. Commissioner Popich abstained.

18-01-24 Spring Creek Event Barn, Springville

Ed Rensink, RTM Consultants, spoke as proponent. A new, single story event building, with a calculated occupant load of 175, using 15 square feet per person, in the main space, requested to omit the sprinklers. There will be a manual fire alarm system with shunt trip provided to shut down the sound system upon alarm activation. Smoke detection will also be tied to the fire alarm system. There are three exterior exits with a travel distance of 60 feet. A warming kitchen is provided, and contains no commercial cooking equipment. An estimate for the installation of a sprinkler system was \$72,224, with a \$185,000 budget. Following discussion, Commissioner Popich moved to approve with the condition that an additional exit be placed in the west side of the facility, and that an occupant load of 175 be posted. Commissioner Jordan made the second. It was voted upon and carried.

18-01-25(a)(b)(c)(d) Ft. Wayne Avenue Apartments, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. Variance (a) had been eligible for the block vote. Commissioner Furnish moved to approve, with the second by Commissioner Jordan. It was voted upon and carried. Variance (b) was to allow a wheelchair lift with a rise of 28 inches, provided with battery backup power, to be used as an accessible route from the tenant lobby to the first floor apartments on the west side of the building. This would provide access to walk-up units with exterior steps on the first floor. The upper levels have elevator access. Following discussion, Commissioner Jordan moved to approve, with the second by Commissioner Scheurich. It was voted upon and carried. Commissioner Heinsman abstained. Variance (c) was to allow a portion of the 3-hour separation between the Type IA podium structure and the adjoining Type VA construction to be vertical in addition to horizontal separation. The podium will have an NFPA 13 sprinkler system, and the Type VA building will have an NFPA 13R. The vertical part of the separation will be 3-hour rated and will terminate at the horizontal separation on top of the podium. The 3-hour horizontal assembly will be supported by 3-hour rated construction. Following discussion, Commissioner Pannicke moved to approve, with the second by

Commissioner Henson. It was voted upon and carried. Commissioner Heinsman abstained. Variance (d) is to allow the north wall to exceed the percentage of openings allowed by code. These openings are needed for natural light and ventilation for dwelling units. An automatic sprinkler will be provided in the interior of the building at each exterior opening where the percentage is exceeded. Following discussion, Commissioner Popich moved to approve, with the second by Commissioner Scheurich. It was voted upon and carried. Commissioner Heinsman abstained.

18-01-26(a)(b) Bottleworks West Elm Hotel, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. Variance (a) had been eligible for the block vote. Commissioner Scheurich moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Commissioner Pannicke abstained. Variance (b) was to allow the use of a delayed egress lock on the doorway leading from the rooftop bar into the hotel area to deter entry by non-guests. The doors, to be marked as emergency exit, will fail open at alarm activation. Margie Bovard, Indianapolis Fire Department, spoke against the variance, asking that the door be alarmed without the delay. Commissioner Scheurich moved to deny, with the second by Commissioner Popich. It was voted upon and carried. Commissioner Pannicke abstained.

18-01-27(a)(b)(c)(d) Penrose on Mass, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The variances had been approved previously under 16-04-34. They have brought it back with the request to have the design area protected by a 13R system with enhancements. Commissioner Popich moved to approve variances (a), (b), and (c), with the second by Commissioner Corey. It was voted upon and carried. Commissioner Pannicke abstained. Variance (d) was to omit the sprinklers on the exterior balconies facing Massachusetts Avenue. The exterior wall surfaces are to be noncombustible curtainwall, brick and metal wall panel construction with steel frame supporting stainless steel grating. Margie Bovard, Indianapolis Fire Department, asked if there will be non-combustible materials within ten feet, and was told yes. Following discussion, Commissioner Jordan moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Commissioner Pannicke abstained.

18-01-28 The Redeemed Christian Church of God, Indianapolis

Melissa Tupper, RTM Consultants, spoke as proponent. The request was to allow the pedestrian walkway between the new building and existing building to omit the required 2-hour rated separation at each end. The walkway and new building will be protected throughout with an automatic sprinkler system with close space sprinkler provided at the ceiling in the existing structure over the opening to the connector. Following discussion, Commissioner Heinsman moved to approve, with the second by Commissioner Scheurich. It was voted upon and carried.

18-01-29 Harrison Wedding Barn Addition, Jamestown

Carrie Ballinger, RTM Consultants, spoke as proponent. An addition of 6,480 square feet was to be added to an existing event barn with an occupant load of 238, separated with a 2-hour fire wall. The request was to omit the sprinkler system required by code for fire areas with an occupant load over 100. They would provide fire and smoke alarm systems, 3 exits, a travel distance of 50 feet, a shunt trip for sound equipment, exit signs and emergency lighting, and fire retardant treatment for decorative materials. Following a lengthy discussion in which it was noted that the addition was as large as the original building, essentially doubling the size of the facility where neither was to be sprinklered, Commissioner Scheurich moved to deny with the second by Commissioner Popich. It was voted upon and carried with a vote of six to five.

18-01-30 Mon Buddhist Vihara, Indianapolis

Carrie Ballinger, RTM Consultants, spoke as proponent. An existing single family dwelling was converted to a non-separated mixed use A-3 and R-3 occupancies for a worship space with congregate living for the monks. The request is to permit the Rule 13 conversion for A-3 and R-3 occupancies. They will add a fire alarm system, interconnected smoke alarms, and fire extinguishers. Maximum travel distance is less than 50 feet from assembly areas and 75 feet from bedrooms. Sleeping rooms have operable windows, and exit signs will egress illumination will be provided. Sam Bruner, Pike Twp. Fire Department, had sent a letter of concern, noting that the hydrant was 1500 feet away, and the tree-lined drive was only 9 feet wide and too narrow for his trucks. Kevin Troy, Fire and Building Code Enforcement, asked if, since there was only the Abbot living there, could it be called a single family dwelling with an A occupancy, which would still require a variance. He noted that code allows up to 10 unrelated persons to be considered a family, and that all systems in the house must meet current code under Rule 13. The proponent offered to limit the occupant load to less than 10 persons. Commissioner Pannicke moved to approve as written with the condition that the mechanical systems not be made to comply with current code if unmodified, and the occupancy limited to less than 10 people. Commissioner Corey made the second. It was voted upon and carried with one nay.

18-01-31 Butler University College of Education CTS, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The university is purchasing the Christian Theological Seminary building and will relocate their College of Education when the limited construction of revised openings in existing corridor walls within limited areas has been completed. As new construction, they would be required to meet current IBC requirements for rated corridor openings with rated doors and fire-rated glazing. The new doors openings will replicate existing door-and-transom assemblies or exiting storefront glazed systems. The request is to allow the use of non-rated materials to match the existing construction. Following discussion, Commissioner Henson moved to approve, with the second by Commissioner Pannicke. It was voted upon and carried. Commissioner Heinsman abstained.

18-01-32 Northview Church Binford Campus, Indianapolis

Carrie Ballinger, RTM Consultants, spoke as proponent. A 1-story sanctuary addition will be added to an existing 2-story church. The first floor of the church will also be renovated. The request is to allow the use of a 2-hour fire barrier in lieu of the required fire wall to separate the new sanctuary from the existing church. Both are of Type IIB Construction. The NFPA sprinkler system in the existing building will be carried into the sanctuary addition, as will the fire alarm system. Following discussion, Commissioner Popich moved to approve, with the second by Commissioner Furnish. It was voted upon and carried.

18-01-33(a)(b) Southland Community Church, Greenwood

Ed Rensink, RTM Consultants, spoke as proponent. Also present was Braden Prochnow, White River Twp. Fire Department. An elementary school no longer in use by the school district had been sold to the church. The request in variance (a) was to allow the sprinklers over the stage, now used as a podium for the pastor and choir, which no longer function to be removed. Following discussion, Commissioner Jordan moved to approve, with the second by Commissioner Scheurich. It was voted upon and carried. Variance (b) was to allow the use of two existing classrooms for an adult day care facility, an I-4 occupancy, without complying with the rules for new construction. The classrooms are each 980 square feet, and the total occupant load will be 30. Travel distance to an exit is 55 feet. Following discussion, Commissioner Pannicke moved to approve with the requests made in the fire department's letter that the clients must be able to self-ambulate and not exceed the disability Level 1&2 accreditation of the facility. The occupancy load shall not exceed the normal occupancy for an educational room that that same size, and the maximum egress distance will not exceed 100 feet. Commissioner Corey made the second. It was voted upon and carried.

18-01-34 Ossian Health and Rehabilitation Center, Ossian

Melissa Tupper, RTM Consultants, spoke as proponent. The request was to allow 26 feet of door openings to be in the 68 foot fire wall of a 1-story assisted living and nursing home facility. The proponent noted that NFPA 101 Life Safety Code doesn't not limit the percentage of openings in a 2-hour wall that creates separate buildings. Following discussion, Commissioner Hite moved to approve, with the second by Commissioner Scheurich. It was voted upon and carried.

18-01-35 Black Blanket Farms Bed & Breakfast, West Lafayette

The proponent was unable to attend the hearing. Kevin Troy, Fire and Code Enforcement, spoke, advising he had no objections to the single family dwelling being converted to an R-3 bed and breakfast. Following discussion, Commissioner Pannicke moved to approve, with the second by Commissioner Henson. It was voted upon and carried.

18-01-36(a)(b) Slate Run Apartments Phase 2, Indianapolis

Melissa Tupper, RTM Consultants, spoke as proponent. Variance (a) is to allow a 3-story stairway, open at the first floor and enclosed at the second and third floors, to be located at each end of the corridors. The building has an NFPA 13R sprinkler system, and will provide a sprinkler head at the ceiling within 12 inches horizontally of each exterior opening within 10 feet of the exterior exit stair. A fire alarm system will also be provided. Variance (b) is to allow the exterior exit stairs at the first floor to be open on at least one side, with the second and third floors being enclosed. The units will have 1-hour partitions and 20-minute rated doors separation from the corridors. Following discussion, Commissioner Heinsman moved to approve both, with the second by Commissioner Corey. It was voted upon and carried. Commissioner Popich abstained.

18-01-37 Miller House, Columbus

Melissa Tupper, RTM Consultants, spoke as proponent. A Mid-Century modern home designed by Saarinenis, listed on the National Register of Historic Places and declared a National Historic Landmark, had been donated to the Indianapolis Museum of Art. The request was to convert the house to a museum as an A-3 Occupancy without fully complying with requirements of GAR Rule 13, Section 2. The 1-story, open concept house is not open to the public, and tours of the house, done in groups of approximately 14, are guided by the Columbus Visitor's Center and monitored by security staff. The occupant load will not exceed 100 persons. Following discussion, Commissioner Pannicke moved to approve, with the second by Commissioner Heinsman. It was voted upon and carried.

18-01-39 Social Cantina, Bloomington

Melissa Tupper, RTM Consultants, spoke as proponent. An existing restaurant in a 2-story with basement building is being renovated, resulting in a higher occupant load for the restaurant. The building currently has an occupant load of less than 100. The request is to permit the A-2 Occupancy to be separated from the existing R-2 Occupancy with a 1-hour fire barrier in lieu of a 2-hour fire barrier and to permit the A-2 Occupancy to not be separated from the existing adjacent M Occupancy. An NFPA 13 sprinkler system will be installed in the basement and A-2 Occupancy. The restaurant will take over the neighboring M Occupancy within the next year, and extend the sprinkler system into that space as well as the 1-hour separation between the expansion and the R-2 occupancy. Jim Gerstbauer, Monroe County Building official, supported the variance, noting it would be an improvement over what exists now. Tim Clapp, Bloomington Fire Department, did not support it. Following discussion, Commissioner Scheurich moved to table, with the second by Commissioner Hite. It was voted upon and carried.

18-01-40 Greenfield Central HS Auditorium, Greenfield

Christina Collester, RTM Consultants, spoke as proponent. The school had been cited for lack of sprinklers above the catwalk and lighting in the mezzanine. Working with Brian Lott of the Greenfield Fire Territory, and Brian Stiles and Steve Sturm from the Greenfield Schools, it was decided that a solution was to sprinkler the combustible areas of the mezzanine so all of the

walkways and lighting equipment are protected. The remainder of the second floor is non-combustible. Following discussion, Commissioner Pannicke moved to approve, with the second by Commissioner Heinsman. It was voted upon and carried.

18-01-41(a)(b) Early Ford V8 Foundation South Addition, Auburn

Tim Callas, J & T Consulting, spoke as proponent. An existing Type IIB building, A-3 Occupancy, will have a Type IIB, A-3 Occupancy addition. The request in (a) was to allow minimal wood joist and decking found in the existing building used for mechanical equipment over the offices. Both new and existing construction will be sprinklered per NFPA 13, 2010 Edition. An increased design density of .05 will be installed over the wood construction. A fire alarm system will also be installed throughout. Following discussion, Commissioner Heinsman moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Variance (b) was withdrawn.

Breaking and reconvening: Chairman Nicoson recessed the Commission at 3:10 pm. It was called back to order at 3:28 pm.

18-01-42 Capitol, Indianapolis

Christina Collester, RTM Consultants, spoke as proponent. Also present was Amanda Faux-Smith, Two Chicks and a Hammer Inc. The bump out for the stairway landing is within one foot of the property line. The request is to allow the installation of an NFPA 13D, 2010 edition, sprinkler system throughout. Following discussion, Commissioner Pannicke moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Commissioner Popich abstained.

Request to re-open 17-11-25 Hoyt, Indianapolis

Christina Collester, RTM Consultants, had requested that another variance belonging to the owner, 17-11-25 Hoyt, Indianapolis, denied December 5, 2017, be reopened, stating she had new information, and that this had been done in the past. James Schmidt, Deputy Attorney General, explained that, while variances had been brought back before the Commission for various reasons, he did not recall a request to change the decision of the Commission. He stated the rulings of the Commission were administratively final, no appeal had been filed, and the time in which to do so had now expired. They were free to refile the variance application. Commissioner Scheurich stated she remembered the option to sprinkler the house had been discussed during the original hearing and had been declined by the proponent, and she wished to see the variance refiled. The Commission declined to revisit the variance.

18-01-43 GEICO Carmel Third Floor Addition, Carmel

Melissa Tupper, RTM Consultants, spoke as proponent. The request was to allow the actual occupant load of 1,300 to be posted in lieu of the calculated occupant load of 1,349. This number was calculated using a load factor assigned to an office space, a training room and a meeting

room. The employees will be the only people using the different spaces. Following discussion, Commissioner Pannicke moved to approve with the condition the occupant load be posted at 1,300. Commissioner Corey made the second. It was voted upon and carried.

18-01-44(a)(b) The Gardens Event Center, North Manchester

Carrie Ballinger, RTM Consultants, spoke as proponent. The request was to allow a landscaping company to use a portion of their building in the off-season for an event space. The portion of the 10,440 square foot building which would be used as event area is 5,400 square feet which serves as the equipment garage. It is Type VV Construction, and calculated occupant load would be 250 persons. Variance (a) was a request to allow the use of mobile restroom trailers in addition to the single restroom within the existing space. Drinking water would also be made available for guests during events. Variance (b) was to allow the use of the existing building as an event during off-season without bringing the building up to code for an A-2 occupancy. A fire alarm system and smoke detection will be provided. There are 3 exits directly to the exterior, with a 75 foot travel distance. Following a lengthy discussion, Commissioner Furnish moved to deny both, with the second by Commissioner Popich. It was voted upon and carried. Commissioner Hite abstained.

18-01-45 FTIC Expansion Phase 3, Jamestown

Melissa Tupper, RTM Consultants, spoke as proponent. An expansion in the existing manufacturing and warehouse building has caused a travel distance of 500 feet in the fully sprinklered facility. The expansion will be sprinklered with an ESFR system, with the high-bay portion being protected by an Ordinary Hazard group 2 system at .20gpm/3000sf. The area of the building where the non-compliant travel distance is located is not accessed by the public, and the employees in the area are trained in proper evacuation procedures. Following discussion, Commissioner Furnish moved to approve, with the second by Commissioner Henson. It was voted upon and carried.

18-01-46 Central Christian Church Temporary Homeless Shelter, Indianapolis

Ed Rensink, RTM Consultants, and Allen Whitchy, Coalition for Homelessness Intervention and Prevention, spoke as proponents. The Central Christian Church had offered the use of their gymnasium as a homeless shelter from January 1 to February 28, 2018. The request was to allow this change of use from an A-3 to an R-2 without having to comply with all code requirements. The gym is on the ground floor with direct access to 2 exterior exits. The shelter will be fully staffed 24/7 during its use as a shelter. Following discussion, Commissioner Popich moved to approve, with the second by Commissioner Furnish. It was voted upon and carried.

18-01-48 Shelby County Co-op Ray's Crossing, Shelbyville

Crystal Kent, architect, spoke as proponent. The request was to omit a sprinkler system in the 12,800 square foot dry fertilizer storage building. There will be infrequent employee access, and

a water supply to support an automatic sprinkler system is not available to the site. Five exits are provided while only two are required. Following discussion, Commissioner Henson moved to approve, with the second by Commissioner Heinsman. It was voted upon and carried.

18-01-49(a)(b) Sugar Creek Silos, Greenfield

Crystal Kent, architect, spoke as proponent. The variance was to allow the conversion of a barn to an event space. Variance (a) was to allow the use of portable restroom trailers. The owner does not have a city water supply available, but will provide permanent facilities within two years. Variance (b) was a request to be permitted to use Chapter 34 to convert the barn to an A-2 Occupancy. It has had, and passed, a structural evaluation. Randy Gulley, Wayne Twp. Fire Department, advised the Commission that he had been requested by the local fire official to request the variance be tabled. The official said he had not been able to review the application. Commissioner Furnish moved to table, with the second by Commissioner Hite. It was voted upon and carried.

12. Comments and Adjournment

Chairman Nicoson thanked everyone for attending, and wished everyone a happy holiday. He then adjourned the meeting at 4:21 pm.

APPROVED: _____
Robin Nicoson, Chairman

