



COMMISSION MEETING MINUTES

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

Tuesday, June 4, 2019

CORRECTED & APPROVED

1. Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was called to order by Chairman Robin Nicoson at 9:00 a.m. on June 4, 2019.

(a) Commissioners present at the Commission meeting:

Michael Corey
Kevin Goeden, representing the Commissioner, Department of Labor
Joseph Heinsman
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:

Greg Furnish
David Henson

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

Mike Anderson, IDHS Code Specialist
Kathleen Ash, IDHS Legal Assistant
Douglas Boyle, Director of Fire Prevention and Building Safety Commission

Craig Burgess, State Building Commissioner
Sean Callahan, IDHS Plan Review Assistant Section Chief
Denise Fitzpatrick, IDHS Code Specialist
Phillip Gordon, Deputy Attorney General
Justin Guedel, IDHS Staff Attorney
James Schmidt, Deputy Attorney General & Legal Counsel
Kevin Troy, IDHS Code Enforcement Assistant Section Chief

2. Director Boyle conducted roll call, and noted that quorum was present.
3. Commission Review and Action on Meeting Minutes from Thursday, May 9, 2019

The Commission's May 9, 2019 meeting minutes were incomplete and not ready for the Commission's review. Commission staff will present them at the Commission's next meeting on July 2, 2019.

4. State Building Commissioner's Report

Craig Burgess, State Building Commissioner, stated that one written interpretation has been published to the Indiana Register since the Commission's last meeting. It pertained to the 2009 Indiana Electrical Code, Section 230.70, regarding whether service entrances on a residence require an exterior disconnect. The written interpretation was also posted to the Commission's meeting materials web page.

5. Rulemaking Updates

- a. 2018 Elevator Code Committee Update: Mike Corey stated that the next scheduled meeting is Tuesday, June 18, 2019 at 9:00 a.m. in Conference Center Room 1 (IGCS.) The Committee will continue to review ASME A17.1 – 2016 (Appendix L).
- b. 2018 Indiana Residential Code Committee Update: Director Boyle stated that they are waiting on OMB to review and approve the submitted documents. They are still working through the moratorium exception request. Mr. Boyle encouraged people to review the information on the IRC webpage and submit any comments and concerns.
- c. Proposed Emergency Rules: Justin Guedel, Staff Attorney, discussed the emergency rule pertaining to boilers and pressure vessels, as the Commission is taking over rulemaking authority and variances. He is hoping to have a more complete draft rule following tomorrow's Boiler and Pressure Vessel Rules Board meeting. Mr. Guedel also discussed the variance rule. The plan is for the department to make initial determinations on variance applications that are submitted after July 1st. The Commission will still make determinations on variances at the July Commission meeting; and possibly the August meeting. This includes all tabled variances, which will remain with

the Commission. IDHS will have a panel of subject matter experts to make initial determinations on variances. They are trying to get out of the notice requirement for Local Building Officials (LBOs) and Local Fire Officials (LFOs), so that variance applications are not held up. Five days will be available for public comment and/or for LBOs and LFOs to submit input. This time period also allows a proponent to request a phone call. The Commission will remain the ultimate authority. If appealed, it will go to the ALJ and then the Commission. The burden is on the LBOs/LFOs to maintain current contact information. Jake German, Barnes & Thornburg, asked several questions regarding the new legislation. Randy Gulley, Wayne Township Fire Department, noted that notifications regarding these changes have been disseminated via the Indiana Fire Chiefs Association, but is concerned of the ability to notify volunteer fire departments in very rural parts of the state.

6. Petitions for Administrative Review

a. Determination of Timeliness/Proper Service

IDHS Inspection Report Order State Number LT14043
Journey Senior Living of Valparaiso

This petition for review was addressed, and hand-delivered, to Kristin Settle, IDHS Code Enforcement Section Chief. Although it was in an envelope, it was not postmarked. She gave this petition to Director Boyle on May 14, 2019. The letter is dated May 8, 2019. Director Boyle confirmed with the IDHS Inspector, who issued the violation, that the inspector hand-served the inspection report to the owner on April 23, 2019. A copy of this signed order was included in the meeting materials. Fifteen days from the day of inspection was May 8, 2019. Primary Election day was observed on May 7, 2019. Commissioner Pannicke moved to **approve** the petition for review and Commissioner Popich made the second. It was voted on and carried.

7. Commission Review and Action on Non-Final Orders of Dismissal

a. Tippy Creek Winery, Cause No. DHS-1818-FPBSC-017

Director Boyle stated the ALJ issued this Non-Final Order of Dismissal on May 15, 2019. We are past the statutory requirement to receive an objection. Commissioner Scheurich moved to **affirm** the Non-Final Order of Dismissal, and Commissioner Heinsman made the second. It was voted on and carried.

8. Review of Local Ordinances

a. Ordinance No. 2019-2, Town of Kouts, Indiana Fire prevention, Private Fire Hydrant, and Smoke and Carbon Monoxide Detectors Code

History: This ordinance was submitted to IDHS Commission staff electronically on 2/21/2019 and tabled by the Commission on 3/5/2019, 4/2/2019 and 5/9/2019.

This is the final meeting at which the Commission may issue an order, or the ordinance is approved without an order from the Commission, per statute. Director Boyle emailed the general counsel for the Town of Kouts, Robert Schwerd, to inquire if the town would withdraw the ordinance in order to correct the defects in the ordinance that were noted at the Commission's May 9, 2019 meeting. He stated that Mr. Schwerd is amenable to withdrawing the adopted ordinance from the Commission's review. Mr. Schwerd had already made revisions, but staff has yet reviewed the un-adopted, revised ordinance. Jim Schmidt, Deputy Attorney General, indicated that an email is sufficient to withdraw the ordinance. Commissioner Scheurich moved to acknowledge the withdrawal of the ordinance, and to **deny** Ordinance No. 2019-2, with the knowledge that the town had submitted a new, revised, un-adopted ordinance draft to staff. Commissioner Pannicke seconded the motion. It was voted on and carried.

- b. Ordinance No. 2019-OR-04, City of Charlestown, Indiana Property Maintenance Code (Revised)

History: This ordinance was submitted to IDHS Commission staff electronically on 3/7/2019 and tabled by the Commission on 4/2/2019 and 5/9/2019.

No proponents were present to speak. Director Boyle advised that commission staff still recommends denial of the ordinance based on the defects and conflicts in the ordinance that were provided to the Commission at the May 9, 2019 meeting. Commissioner Scheurich moved to **deny** the ordinance, and Commissioner Corey made the second. It was voted on and carried.

- 9. Commission Action on Locally-Approved Variance(s) pursuant to IC 22-13-2-7(b)

- a. U-Haul Eagledale, 2960 Lafayette Road, Indianapolis, IN 46222

No proponent was available to speak on the variance. This variance pertains to a post indicator valve location. Margie Bovard, Indianapolis Fire Department, supports approval of this variance, as provided in her approval email. Director Boyle did not receive the project's plans until the night before the meeting. Commissioner Pannicke moved to **approve**, and Commissioner Goeden made the second. It was voted on and carried.

- b. Grundfos, 2005 Dr. Martin Luther King Jr. Street, Indianapolis, IN 46202

No proponent was available to speak on the variance. Margie Bovard, Indianapolis Fire Department, supports approval of this variance, as provided in her approval email. Commissioner

Pannicke moved to **approve** and Commissioner Scheurich made the second. It was voted on and carried.

10. Variances

a. Tabled

19-05-03 Hubbard Gardens, Indianapolis

The proponent requested that this request be tabled. Commissioner Corey moved to **table** and Commissioner Pannicke made the second. It was voted on and carried. Commissioner Popich recused himself.

19-05-15 Medicine Plus Pharmacy, Bedford

Carrie Ballinger, RTM Consultants, spoke as the proponent. This request is to not sprinkler the basement. The basement is more than 1,500 square feet and is used mainly for the storage of files and records. It would cost \$45,000 to sprinkler. Smoke detection and a fire alarm system will be added. This will cost \$7,500. Commissioner Pannicke moved to **approve with the condition** that the occupancy load in the basement shall not exceed ten (10) people and that the fire department access door shall be clearly labeled with a sign. Commissioner Scheurich made the second. It was voted on and carried.

19-05-20 (a)(b) Barn 38, New Castle

Carrie Ballinger, RTM Consultants, spoke as the proponent. Commissioner Heinsman moved to **approve Variance (b)** and Commissioner Corey made the second. It was voted on and carried. Variance (a) is a request to temporarily use portable restrooms. Commissioner Scheurich moved to **approve Variance (a) with the condition** that it is effective until December 31, 2020. Commissioner Corey made the second. It was voted on and carried.

Breaking and reconvening: Chairman Nicoson recessed the Commission at 10:25 a.m. It was called back to order at 10:37 a.m.

19-05-38 Clearwater Elementary School, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as the proponent. There was a motion to approve this variance last month, however they did not have quorum. This is a one-story school. This request is to limit the population to 49 on a raised platform. Commissioner Pannicke moved to **approve with the condition** that the occupant load on the raised platform shall not exceed 49

people. Commissioner Corey made the second. It was voted on and carried. Commissioner Heinsman and Commissioner Popich recused themselves.

19-05-39 Willow Lake Elementary School, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as the proponent. This is the same request as the previous variance, but at a different school. Commissioner Pannicke moved to **approve with the condition** that the occupant load on the raised platform shall not exceed 49 people. Commissioner Corey made the second. It was voted on and carried. Commissioner Heinsman and Commissioner Popich recused themselves.

19-05-83 (a)(b) Zink Properties, LLC CEW Expansion, Indianapolis

Dennis Bradshaw, Fire Protection & Code Consultants, and Randy Hackworth, Zink Properties LLC, spoke as the proponent. This is a distribution center that stores cases of beer. The building is fully sprinklered. An S-2 occupancy does not require sprinkler systems. A Class I commodity is a non-combustible product with packaging. This building is fully sprinklered. Margie Bovard, City of Indianapolis, asserted that this facility has not been designed to accommodate high pile storage. There is no apparatus access road on the south side of the building. Proponent stated that construction is complete and that it would be extremely difficult to install a fire hydrant at this point. Proponent asserts it would cost \$250,000. Commissioner Scheurich moved to **table** and Commissioner Corey made the second. It was voted on and carried.

19-05-82 (a)(b)(c) Berry Event Barn, Greencastle

No proponent was available to speak on the variance. Commissioner Popich moved to **table** and Commissioner Scheurich made the second. It was voted on and carried.

b. New

Category A/B

19-06-05 (a)(b)(c) The Post House, Evansville

19-06-06 (a)(b)(c)(d) Wabash Landing Apartment Extension, West Lafayette

19-06-09 Country Road Doors – New Building and Addition, Nappanee

19-06-11 3 Rivers Federal Credit Union, Fort Wayne

19-06-12 (a)(b) The Ripple, Indianapolis

19-06-13 (a)(b) North Ellipse, Fishers

19-06-14 (a)(b) The Ardmore, Indianapolis

19-06-16 (a)(b) Silver Birch at Cook Road, Fort Wayne

19-06-17 Zionsville Office, Zionsville

19-06-18 (a)(b) FWA Apartments, Indianapolis
19-06-19 (a)(b) The Line Urban Flats, Indianapolis
19-06-33 IU Health Methodist Comprehensive Wound Clinic, Indianapolis
19-06-39 (a)(b)(c) RHIT Academic Building, Terre Haute
19-06-41 (a)(b)(c)(d) Convergence, West Lafayette
19-06-46 (a)(b) Whiting Phase I, Whiting
19-06-51 (a)(b)(c) GRID, Indianapolis
19-06-53 Plaza Garden Apartments Fire Hose Removal, Evansville
19-06-63 Avon Hampton Inn and Suites, Avon
19-06-65 (a)(b) Redemption House, Fort Wayne

Commissioner Scheurich moved to **approve** the Category A/B variances and Commissioner Jordan made the second. It was voted on and carried. Commissioner Corey recused himself from 19-06-05, 19-06-13, 19-06-14 and 19-06-16. Commissioner Heinsman recused himself from 19-06-05, 19-06-06, 19-06-18 and 19-06-46. Commissioner Pannicke recused himself from 19-06-39. Commissioner Popich recused himself from 19-06-06.

19-06-02 Lowe's Store 0215, Terre Haute – *paper filing*

This variance was considered separately from the block vote, as it was incomplete. Commissioner Pannicke moved to **table** and Commissioner Scheurich made the second. It was voted on and carried.

Category C/D/NVR

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

19-06-04 Indiana Avenue Apartment Renovation, Indianapolis – *paper filing*

Stephanie Quick and Mark Leblang, Alliance Architects, spoke as the proponent. This is a request to allow water heater pans that are undrained. The water heater pans were undrained prior to this renovation. Commissioner Pannicke moved **that no variance was required** and Commissioner Scheurich made the second. It was voted on and carried. Commissioner Popich recused himself.

19-06-07 Broadway Christian Church – Elevator Addition & Interior Renovations, Fort Wayne
Evan Bosecker, architect, spoke as the proponent. This project is for ADA renovations and additions to a historic church. An elevator is needed for accessible routes to other floors. There will be new toilet facilities. Commissioner Scheurich moved to **approve** and Commissioner Heinsman made the second. It was voted on and carried.

19-06-21 Broadway Christian Church, Fort Wayne

Tom Dorsten, Schindler Elevator Corp., spoke for the proponent. This is a refiled variance for a collapsible toe guard. This is an altered version that has been accepted throughout the country. Commissioner Corey moved to **approve** and Commissioner Scheurich made the second. It was voted on and carried.

19-06-10 Circle, Indianapolis

David Stangle, architect, spoke as the proponent. This variance is a request to temporarily close down the main entrance of the building during construction. A variance was granted for this project last September. Commissioner Pannicke moved to **approve with the condition** that this variance will be effective until December 31, 2019. Commissioner Popich made the second. It was voted on and carried.

19-06-15 Girl Scouts Butternut Springs, Valparaiso

Vicki King, Girl Scouts of Greater Chicago & NW Indiana, and Chad Kucik and Misty Hintz, VJS Construction, spoke as the proponent. This is an expansion project of two, new, 2,300 square foot, sleeping cabins at a camp. This request is to not sprinkler the cabins. It would cost \$250,000 to provide water to the cabins. The cabins have fire extinguishers, fire alarms, smoke detectors, and three independent exits. The buildings are slab on grade. Commissioner Heinsman moved to **approve with the condition** that the applicant shall add an additional egress door (exit) to the 855 square foot sleeping area of the new cabins, opposite the egress door provided in the architectural drawings/plans attached to the variance application. Commissioner Pannicke made the second. It was voted on and carried.

19-06-35 Door Locking Device in Event of Active Shooter, Kokomo

Rebecca Dent, Attorney, Kokomo School Corporation and Brian Mikesell, teacher, Kokomo School Corporation, spoke as the proponent. This variance is for a door locking device that would be used in schools during an active shooter situation. A mounting device will be next to classroom doors. Two motions are required to unlock the device. Proponent stated that if this variance is approved, then a policy and procedure will be implemented throughout the school district. Kevin Troy, IDHS, discussed IC 22-11-17-2, which states that the Commission may adopt rules that allow an owner of a public building to use special egress control devices. Commissioner Scheurich moved to **table** and Commissioner Heinsman made the second. It was voted on and carried.

19-06-67 (a)(b)(c)(d) Cline Lake School, LaGrange

Rob Yoder, Kevin M. Finn, PE, Inc., spoke as the proponent. This is a private, Amish, school that does not utilize commercial electricity. They choose from five different plans, all of which are on-

grade concrete. The buildings are not sprinklered. There is no means of a water supply at this location. There is a small kitchen area with a warmer; there is no open flame. Commissioner Pannicke moved to **approve** and Commissioner Heinsman made the second. It was voted on and carried.

19-06-68 (a)(b)(c)(d) Sandy Acres School, Howe

Rob Yoder, Kevin M. Finn, PE, Inc., spoke as the proponent. This is similar to Variance 19-06-67. Commissioner Pannicke moved to **approve** and Commissioner Heinsman made the second. It was voted on and carried.

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

19-06-03 The Moody Residence Addition, Indianapolis – *paper filing*

Proponent previously requested that this request be withdrawn and requested a refund. A violation was issued, but it was not really a violation. Commissioner Pannicke moved that **no variance was required** and Commissioner Scheurich made the second. It was voted on and carried. Commissioner Popich recused himself.

Consultants:

19-06-08 Addition to Terre Haute First Baptist Church, Terre Haute

Dennis Bradshaw, Fire Protection & Code Consultants, spoke as the proponent. There is a two-hour fire barrier which will subdivide the building into areas smaller than 12 square feet. The church would like to take the large area and use it as a banquet facility. When used like this, the calculated load is driven above the amount the proponent is allowed to have in a non-sprinklered building. It will be a little over 200 people. The exit capacity is for 1,400 plus people. The calculated occupant load is 532 people. Commissioner Pannicke moved to **approve with the condition** that the occupant load not exceed 299 people. Commissioner Corey made the second. It was voted on and carried.

19-06-20 Delete Antique Fire Doors, Evansville

Matt Lehman, RLehman & Son Consulting, spoke as the proponent. This YWCA was built in 1924. There are two antique fire doors. The second floor is R-2. This building will be used for a non-profit organization for battered women and their families. Proponent wants to install a rated frame and door to meet the two-hour separation requirement and not maintain the antique fire doors. This

building has a fire alarm, pull stations and smoke detectors throughout. Commissioner Pannicke moved to **approve** and Commissioner Corey made the second. It was voted on and carried.

19-06-22 South Decatur Elementary School Door Closers, Greensburg

19-06-23 North Decatur Jr. -- Sr. High School Door Closers, Greensburg

19-06-58 South Decatur Jr.-Sr. High School Door Closers, Greensburg

Ed Rensink, RTM Consultants, spoke as the proponent. The closing devices on rated corridor doors have been replaced with a device that allows the doors to be held open between class periods. Commissioner Pannicke moved to **approve** and Commissioner Corey made the second. It was voted on and carried.

Mr. Rensink advised the Commission that Variance No. 19-06-23 and Variance No. 19-06-58 are identical in substance to Variance No. 19-06-22. These variances will apply to two other schools at separate locations. Commissioner Pannicke moved to **approve** and Commissioner Corey made the second. It was voted on and carried.

Breaking and reconvening: Chairman Nicoson recessed the Commission at 12:02 p.m. It was called back to order at 1:02 p.m.

19-06-35 Door Locking Device in Event of Active Shooter, Kokomo

Commissioner Scheurich moved to untable and Commissioner Popich made the second. It was voted on and carried. There was discussion on how to apply the device and remove it. All of the schools in the district are sprinklered. There was discussion regarding whether an exception exists for schools to block or barricade a door during an unplanned fire alarm or other exigent circumstances. It was questioned whether a variance was needed in this particular situation. Commissioner Scheurich moved to **table** and Commissioner Popich made the second. It was voted on and carried.

19-06-24 (a)(b)(c) SIA Trim Quality Check and Repair, Lafayette

Christina Collester, RTM Consultants spoke for the proponent. This is a 33,500 square foot addition to a plant. The first variance is to omit drinking fountains and restrooms in the new addition. There are restrooms and drinking fountains located throughout the existing facility. The second variance pertains to travel distance; it is 600 feet which exceeds the length permitted by code. Commissioner Pannicke moved to **approve Variances (a)(b) and (c)** and Commissioner Jordan made the second. It was voted on and carried.

19-06-25 McDonalds N. Vernon ACI 18057c PlayPlace, North Vernon

Christina Collester, RTM Consultants, spoke for the proponent. This renovation involves the Play Place area. Proponent is adding 913 square feet to the front of the building. When it was originally built, it was under 5,000 feet and the occupant load was 122. This request is to not sprinkle the facility. The travel distance is short; it does not exceed 55 feet. A third door is being added. Fixed seating would be 132. Commissioner Pannicke moved to **approve** and Commissioner Popich made the second. It was voted on and carried.

19-06-26 Elevator Repair/Replacement Comfort, Evansville

Roger Lehman, RLehman & Son Consulting, and Josh Tudela, owner, spoke as the proponent. Last month, proponent requested a variance to allow them to remove the elevator requirement; this request was denied. Proponent is now asking for twelve months to raise the funds to install the elevator. The fourth floor is not yet open for use. Thyssenkrup and Otis have both provided estimates. Commissioner Popich moved to **approve with the condition** that this variance is effective until June 1, 2020. Commissioner Scheurich made the second. It was voted on and carried.

19-06-27 (a)(b)(c) Encore by Samaritan Senior – Parkside, Fishers

Melissa Tupper, RTM Consultants, spoke as the proponent. Commissioner Pannicke moved to **approve Variances (a) and (b)**. Commissioner Corey made the second. It was voted on and carried. Variance (c) is a request to permit lounges on each floor. Commissioner Pannicke moved to **approve Variance (c)** and Commissioner Heinsman made the second. It was voted on and carried.

19-06-28 Legacy Living of Jasper, Jasper

Melissa Tupper, RTM Consultants, spoke as the proponent. This facility is a skilled nursing home and assisted living facility. This request is to permit openings in a one-hour corridor. Staff is concerned with the quantity of rooms. Commissioner Pannicke moved to **approve** and Commissioner Corey made the second. It was voted on and carried.

19-06-29 Goshen High School Addition and Renovations, Goshen

Ralph Gerdes, Ralph Gerdes Consultants, spoke as the proponent. This is a request to allow temporary exiting during construction at a school. Proponent is removing one stairway, and replacing it with an enclosed stairway. The local fire official is not opposed, as long as there are extra fire extinguishers and extra fire drills. Commissioner Pannicke moved to **approve with the condition** that this variance is effective until September 1, 2020; and the applicant must comply with Goshen Fire Department's requested conditions, as provided in the letter attached to the variance application. Commissioner Heinsman made the second. It was voted on and carried.

19-06-30 Convergence, West Lafayette

Ralph Gerdes, Ralph Gerdes Consultants, spoke as the proponent. This is a new, five-story office building. One stairway will be an open stairway for all five stories. Standpipe outlets are required to be on intermediate floor landings. Instead, they will be located next to the stairway. Outlets will be on all five floors; including the first floor, which is not required by code. Commissioner Pannicke moved to **approve** and Commissioner Heinsman made the second. It was voted on and carried.

19-06-31 (a)(b)(c) 220 North Meridian, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as the proponent. This is an existing 20-story high-rise building, which is being converted to apartments and parking garages. The architect and owner have elected to bring the entire building up to current code in case there is future construction. Hose outlets are located on the main floor landings; proponent wants to keep them there. The building will be completely sprinklered. Commissioner Pannicke moved to **approve Variance (a)** and Commissioner Jordan made the second. It was voted on and carried. Existing stairs require a 7" riser and 11" tread. Commissioner Pannicke moved to **approve Variance (b)** and Commissioner Corey made the second. It was voted on and carried. Variance (c) pertains to exiting and the sub-basement. Proponent is requesting a common path of travel of 170 feet. Smoke detection system will be added in the corridor of the sub-basement. There is electrical equipment in the sub-basement. Commissioner Pannicke moved to **approve Variance (c)** and Commissioner Heinsman made the second. It was voted on and carried.

19-06-32 US Senior Open Tent Structures, Notre Dame

Ed Rensink, RTM Consultants, spoke as the proponent. These tents will only be occupied for eight days, but they will be up longer than 30 days. Schaefer Sports is the company that does this. The tents are engineered scaffolding structures. Chief Harrison, University of Notre Dame Fire Department, does not oppose the variance. Commissioner Jordan moved to **approve**, and Commissioner Popich made the second. It was voted on and carried.

19-06-61 University of Notre Dame Stayer Center, Notre Dame

Ed Rensink, RTM Consultants, spoke as the proponent. This is a request to remove gates located on the first landing of the stairs. They are there because of building code requirements. The gates obstruct access to exterior doors. The basement has been converted to a classroom, so the gates are now impeding egress. Chief Harrison, University of Notre Dame Fire Department, does not oppose the variance. Commissioner Popich moved to **approve** and Commissioner Heinsman made the second. It was voted on and carried.

19-06-34 Willow Marketing, Indianapolis

Tim Callas, J&T Consulting, spoke as the proponent. The space is less than 250 square feet. It is not part of the means of egress. Commissioner Corey moved to **approve** and Commissioner Heinsman made the second. It was voted on and carried.

19-06-36 Simmons Condo Roof Deck Canopy, Indianapolis

Melissa Tupper, RTM Consultants, spoke as the proponent. The owner wants to turn a storage room into a bathroom, so that when people are on the roof, they don't have to go all the way down to the lower level to use the restroom. Proponent wants to allow this space without triggering the requirement for high-rise buildings. Commissioner Heinsman moved to **approve** and Commissioner Pannicke made the second. It was voted on and carried.

19-06-37 (a)(b)(c) Hampton Inn and Suites, Franklin

Melissa Tupper, RTM Consultants, spoke as the proponent. Variance (a) is a request to allow the doors on the restrooms, located off of the corridor, to not have latches. Because they are in the half-hour rated corridor, they are required to latch. Commissioner Heinsman moved to **approve Variance (a)** and Commissioner Jordan made the second. It was voted on and carried. Variance (c) pertains to the requirement that openings in the corridor wall of the fitness room are required to be fire-rated. Commissioner Heinsman moved to **approve Variance (b)** and Commissioner Jordan made the second. It was voted on and carried. Variance (c) is a request to allow the breakfast area to be open to a fire-rated egress corridor. Commissioner Pannicke moved to **approve Variance (c)** and Commissioner Heinsman made the second. It was voted on and carried.

19-06-38 Matilda's Event Barn, Troy

Melissa Tupper, RTM Consultants, spoke as the proponent. This is new construction in a rural area. To sprinkler the building would cost almost half of what the entire project costs: cost of the project is \$300,000 and the sprinkler system would cost \$136,000. There is smoke and heat detection throughout. There is a shunt trip. The occupant load is 195. There are three direct exits to the exterior; the Code only requires two. A five foot stoop will be provided at exit doors. There is a short travel distance of 60 feet. Decorative lighting will not have open flames and the materials will be fire-retardant treated. Construction is V-B. Commissioner Jordan moved to **approve** and Commissioner Heinsman made the second.

19-06-40 (a)(b) Westlane Middle School Additions and Renovation, Indianapolis

Ed Rensink, RTM Consultants, spoke as the proponent. Variance (a) is a request to allow phasing of the sprinkler system installation. Areas of the building will be renovated sequentially. Each phase of the building will be sprinklered prior to occupancy. Margie Bovard, City of Indianapolis, asked whether children would be in the non-sprinklered areas; proponent stated that they would not be. Commissioner Pannicke moved to **approve Variance (a)** and Commissioner Corey made the

second. It was voted on and carried. Variance (b) pertains to the means of egress during the phased project. Commissioner Pannicke moved to **approve Variance (b)** and Commissioner Corey made the second. It was voted on and carried. Commissioner Heinsman recused himself.

19-06-42 Graph Paper Dreams, Richmond

Dennis Bradshaw, Fire Protection & Code Consultants, LLC, spoke as the proponent. This project is the conversion of an existing, two-story, historic building in downtown Richmond from a type M occupancy to a type A-3 occupancy. It is type III-B construction. There is a residence on the upper floor. The lower floor is a retail shop. There is full smoke detection throughout. All of the categories score out fine except for the fire safety category. Commissioner Heinsman moved to **approve** and Commissioner Corey made the second. It was voted on and carried.

Breaking and reconvening: Chairman Nicoson recessed the Commission at 2:30 p.m. It was called back to order at 2:41 p.m.

19-06-43 Red Barn Acres, Fremont

Carrie Ballinger, RTM Consultants, spoke as the proponent. This is a barn with a cottage attached to it. This is a request to temporarily use portable restrooms. Commissioner Pannicke moved to **approve with the condition** that the variance is effective until December 31, 2020. Commissioner Heinsman made the second. It was voted on and carried.

19-06-44 (a)(b) Heritage Wedding Barn, Dillsboro

Carrie Ballinger, RTM Consultants, spoke as the proponent. This project is the conversion of a two-story barn into an event hall, classified as an A-2 occupancy. The building will be type V-B construction. There will be smoke and heat detection throughout. The calculated occupant load is 184. Commissioner Jordan moved to **approve Variance (a)** and Commissioner Heinsman made the second. It was voted on and carried. Variance (b) is a request to temporarily allow portable restrooms. Commissioner Scheurich moved to **approve Variance (b) with the condition** that the variance will be effective until December 31, 2021. Commissioner Popich made the second. It was voted on and carried.

19-06-45 B & A Construction New Truss Shop South Addition, Huntingburg

Ed Rensink, RTM Consultants, spoke as the proponent. This project is the conversion of a lumber company into a saw shop. This request is to not sprinkler the building, as a public water supply is unavailable. The shop will utilize two to three compound miter saws to cut 2x dimensional lumber for use in assembling roof trusses. A dust collection system will be used. Commissioner Jordan moved to **approve** and Commissioner Scheurich made the second. It was voted on and carried.

19-06-47 SPI Industries Building Expansion, South Bend

Carrie Ballinger, RTM Consultants, spoke as the proponent. This project is an addition to an existing factory building. The building and the addition will be sprinklered throughout. Proponent stated that the local fire department does not oppose the variance, but asked that a fire hydrant be added closer to the building. The Commission wanted confirmation that the local fire department was okay with this. Commissioner Pannicke moved to **table** and Commissioner Jordan made the second. It was voted on and carried.

19-06-48 (a)(b)(c) Mad Paddle Brewery Phase II, Madison

Ed Rensink, RTM Consultants, spoke as the proponent. This is phase two of this development project. This variance request pertains to a freight elevator opening. The freight elevator will be used to move materials. There is a new, two-hour enclosed staircase, which connects all floor levels. Commissioner Corey moved to **approve Variance (a)** and Commissioner Scheurich made the second. It was voted on and carried. Variance (b) is a request to not provide sprinklers in the hoistway. Commissioner Corey moved to **approve Variance (b)** and Commissioner Scheurich made the second. It was voted on and carried. Variance (c) pertains to a firewall between two separate properties, that has nonrated exterior openings. The smaller building will be used for storage. Proponent stated that sprinklers could be placed at the ceiling level above the openings within a 24 inch horizontal distance. Commissioner Heinsman moved to **approve Variance (c)** and Commissioner Scheurich made the second. It was voted on and carried. Commissioner Pannicke recused himself. It was noted that this application should list Jefferson County in the address, not Marion County.

19-06-49 Lakeside Middle School Kitchen Renovation, Ft. Wayne

Ed Rensink, RTM Consultants, spoke as the proponent. This is a kitchen renovation. A stamped structural evaluation of this structure is included with the application. Utilities are surface mounted so that they can be inspected in the field. If the proponent changes suppliers, it will delay this project for a year. Commissioner Pannicke moved to **approve** and Commissioner Scheurich made the second. It was voted on and carried.

19-06-50 KAR Global Headquarters, Carmel

Ed Rensink, RTM Consultants, spoke as the proponent. This variance request pertains to panic hardware. If the occupant load is 49 or less, panic hardware is not required. There are two exits. The terrace is not intended to be a gathering spot. The nature of the business is car auctions/car brokers. A sign will be posted limiting the occupant load to 49 people. Commissioner Heinsman moved to **approve** and Commissioner Popich made the second. It was voted on and carried. Commissioner Pannicke recused himself.

19-06-52 Matt Cooper Residence, Crawfordsville

Ed Rensink, RTM Consultants, spoke for the proponent. This variance request is to allow a change of occupancy. This is a multi-tenant building that was constructed in 1978. It is composed of small professional offices, including hair salons. The owner wants to use part of this building as his residence. The local fire chief suggested installation of an NFPA 13D system; proponent agreed to install this. Smoke alarms will be provided in the unit. Egress requirements are met. Commissioner Pannicke moved to **approve** and Commissioner Heinsman made the second. It was voted on and carried.

19-06-54 (a)(b)(c)(d)(e)(f) 141 E. Washington Hotel, Indianapolis

Carrie Ballinger, RTM Consultants, spoke for the proponent. Commissioner Jordan moved to **approve Variances (c) and (d)** and Commissioner Corey made the second. It was voted on and carried. Variance (a) is a request for existing exit stairways to be separated by less than one third of the overall diagonal of the building. This is an existing, 5-story building, with a penthouse. Commissioner Jordan moved to **approve Variance (a)** and Commissioner Corey made the second. It was voted on and carried. Variance (b) is a request to allow the 6th floor to have 55 foot dead end corridors. Commissioner Jordan moved to **approve Variance (b)** and Commissioner Corey made the second. It was voted on and carried. Variance (e) pertains to egress stairs serving the 6th floor: they will not comply with tread requirements. Commissioner Corey moved to **approve Variance (e)** and Commissioner Scheurich made the second. It was voted and carried. Variance (f) is a request to allow a common path of travel to exceed 75 feet. Commissioner Heinsman moved to **approve Variance (f)** and Commissioner Corey made the second. It was voted on and carried. Commissioner Pannicke recused himself.

19-06-55 Lilly Parking Structure 3 Oil Separator, Indianapolis

Ed Rensink, RTM Consultants, spoke as the proponent. This project involves a variance to not install an oil separator, which is in a state of disrepair. It is on the lower level of an eight-level parking garage. Commissioner Pannicke moved to **approve** and Commissioner Corey made the second. It was voted on and carried.

19-06-56 Purdue – ABE Building Renovation & Addition, West Lafayette

Ed Rensink, RTM Consultants, spoke as the proponent. The roof eave will be located within the “zero to less than three feet separation” distance to the assumed property line. The surfaces are non-combustible. The interior has wood framing to support soffit panels. Commissioner Pannicke moved to **approve** and Commissioner Heinsman made the second. It was voted on and carried.

19-06-57 Manchester University Cordier Hall, North Manchester

Ed Rensink, RTM Consultants, spoke as the proponent. Proponent removed panic hardware and was cited. The violation is that they are required to latch because they are fire rated. It was originally designed with a U-shaped corridor. Doors must be fire-rated because of the corridor. The local fire official does not oppose this variance. Commissioner Heinsman moved to **approve** and Commissioner Corey made the second. It was voted on and carried.

19-06-59 (a)(b) Skilled Nursing and Rehab Center, Franklin

Melissa Tupper, RTM Consultants, spoke as the proponent. The first variance is a request to permit the data rooms to be protected by an alternative automatic fire-extinguishing system in lieu of sprinklers. Commissioner Jordan moved to **approve Variances (a) and (b)** and Commissioner Corey made the second. It was voted on and carried.

19-06-60 IND2n Non-Sortable Fulfillment Center, Plainfield

Ralph Gerdes, Ralph Gerdes Consultants, spoke as the proponent. This is a Wal-Mart warehouse. Computer based fire modeling calculates a descending smoke layer: once you are able to keep smoke ten feet above people, it is deemed to be safe egress under tenable conditions. Commissioner Scheurich moved to **approve** and Commissioner Corey made the second. It was voted on and carried.

19-06-62 (a)(b)(c)(d)(e) Peng & Family – Asian Express Restaurant Renovation, Indianapolis

Melissa Tupper and Christina Collester, RTM Consultants, spoke as the proponent. This is a restaurant that was previously used as an office; it had no kitchen hood. Proponent hooked up new equipment to existing penetrations; these were from when it was used as a restaurant prior to being used as an office. The exhaust fan termination through the south wall has existed since at least 2005. The door in the south wall is to allow the proponent to receive deliveries and be able to take trash out back. Commissioner Heinsman moved to **approve Variances (a)(b)(c)(d) and (e)** with the condition that if either property is sold by the owner, the owner shall infill all openings, and the walls shall be fire-rated, as required by code. Commissioner Jordan made the second. It was voted on and carried. Commissioner Popich recused himself.

19-06-64 FedEx Sort Building OB4, Indianapolis

Christina Collester, RTM Consultants, spoke as the proponent. The travel distance within the addition to the existing building will exceed 400 feet. The new and existing buildings are F-2 occupancies. Commissioner Popich moved to **approve** and Commissioner Corey made the second. It was voted on and carried.

19-06-66 Wawasee Yacht Club Enclosed Porch Addition, Syracuse

Tim Callas, J & T Consulting, spoke as the proponent. This is an existing yacht club with three exits; only two exits are required. There is a fire hydrant fifty feet away. Proponent stated it would cost \$160,000 to install sprinklers, while the project cost is \$140,000. Commissioner Corey moved to **approve with the condition** that the owner shall install smoke detection and a fire alarm system in the structure. Commissioner Popich made the second. It was voted on and carried.

19-06-69 (a)(b) Consolidated Civil and Criminal Courthouse, Indianapolis

Christina Collester, RTM Consultants, spoke as the proponent. Variance (a) pertains to the fire pump room not being directly accessible. Commissioner Jordan moved to **approve Variance (a)** and Commissioner Corey made the second. It was voted on and carried. The second variance pertains to the elevator. This is an eleven story building. Commissioner Jordan moved to **approve Variance (b)** and Commissioner Corey made the second. It was voted on and carried. Commissioner Heinsman and Commissioner Popich recused himself.

19-06-70 Additions & Renovations to New Prairie HS, New Carlisle

Ed Rensink, RTM Consultants, spoke as the proponent. Four similar variances have previously been granted. The issue here is that sunscreen elements in the greenhouse are making it difficult to run sprinklers in this space. Commissioner Jordan moved to **approve** and Commissioner Popich made the second. It was voted on and carried.

19-06-71 Dermatology Center, Bedford

Melissa Tupper, RTM Consultants, spoke as the proponent. This variance request is to permit non-rated corridor walls in a single tenant occupancy space. There is a short travel distance of 93 feet. Proponent is renovating existing office space; existing walls are currently not rated. It would be an additional cost to run walls all the way up to the roof deck. Commissioner Pannicke moved to **approve** and Commissioner Corey made the second. It was voted on and carried.

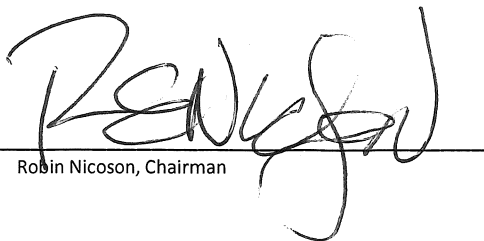
11. Comments and Closing Remarks

Chairman Nicoson thanked everyone for coming, and wished everyone a good night and a safe drive home.

12. Adjournment

Chairman Nicoson adjourned the meeting at 4:25 p.m.

APPROVED:

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

Robin Nicolson, Chairman