



COMMISSION MEETING MINUTES

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

May 1, 2018

1. Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's (Commission) regular monthly meeting was opened by Chairman Nicoson at 9:02 a.m. on May 1, 2018.

(a) Commissioners present at the Commission meeting:

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

(b) Commissioners not present at the Commission meeting:

Michael Corey

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

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

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

3. Minutes Approval

Director Boyle called for approval or corrections of the minutes for the April 4, 2018 meeting.

Commissioner Pannicke noted that the name of the Commissioner who made the motion was not listed for Variance 18-03-58 (a)(b). Commissioner Popich moved to approve the minutes with the aforementioned correction, with a second by Commissioner Pannicke. It was voted upon and carried.

4. Rulemaking Updates

a. 2018 Rule Readoptions: Justin Guedel, IDHS Staff Attorney, discussed the Notice of Intent for re-adoption of the GAR, Plumbing Code, Elevator Code, and NFPA standards. A motion is necessary to move forward with the re-adoption process. A final rule to move forward with re-adoption will be necessary after 30 days. Commissioner Furnish moved to approve with the second by Commissioner Scheurich. It was voted upon and carried.

b. 2018 Elevator Code Committee: Director Boyle noted that the Committee met at the end of April. The next meeting is May 30, 2018. Code change proposals are due on May 23rd.

c. 2018 Indiana Residential Code Committee: Commissioner Furnish moved to disband the first Indiana Residential Code Committee with the second by Commissioner Scherich. It was voted upon and carried. Commissioner Popich voted against disbanding the first committee. The new IRCC will be composed of the following members: Greg Furnish as Chairman, Randy Gulley, Braden Prochnow, Joseph Heinsman, Lynn Madden, Hank Kidwell, Bill Kaufholz, Craig Wagner, Michael Popich, Mark Demerly, and Phil Gettum. Doug Boyle will be the staff assigned to the Committee. Quorum is six members. There are no proxies. Commissioner Pannicke proposed an amendment to the bylaws: in the event of a tie vote the motion fails. James Schmidt noted that, if no one is absent, a tie would not be possible, and all motions fail/do not pass in the event of a tie. Commissioner Pannicke also asked how the three-day notice in the event of a special meeting would be handled. It was noted that a three day notice (excluding holidays and weekends) meets the requirement of the Open Door Law. Commissioner Furnish made a motion to approve the 2018 Indiana Residential Code Committee, including the Committee bylaws and the amendment. Commissioner Scheurich made the second. It was voted upon and carried.

5. Petitions for Administrative Review – Director Boyle stated that the following petitions were timely filed:

a. Report of Inspection State Number BU280995, From This Space, Inc.

b. Jessjenn Realty LLC, Appeal of Muncie Fire Department's 3/5/18 Inspection Report

6. Commission Action on Non-Final Orders of Dismissal

Indiana Pacers Training Facility
Cause No. DHS-1722-FPASC-015.

Director Boyle presented this Non-Final Order of Dismissal for the Commission's consideration. Commissioner Scheurich moved to affirm the Order, with the second by Commissioner Furnish. It was voted upon and carried. Commissioner Pannicke abstained.

7. Commission Action on Locally-Approved Variances

Valvoline Instant Oil Change, Greenwood
Variance Application No. 18-0001

This is a variance request concerning White River Township Fire Prevention and Protection Ordinance, Article II, Section 2A-2a, which requires that a fire hydrant be placed within 150 feet of a building. Braden Prochnow, White River Township Fire Department, spoke on the variance. Mr. Prochnow stated that the White River Township Fire Department is unopposed to approval of this variance. The fire hydrant will be public and will supply adequate water to their property and the carpet store next door (which currently does not have a water supply.) Commissioner Pannicke moved to approve. Commissioner Furnish made the second. It was voted upon and carried.

8. Tabled Variances

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

No proponent was present. This has been tabled since December. Commissioner Scheurich moved to deny, with the second by Commissioner Furnish. It was voted upon and carried.

17-12-56 Berne Crossing, Berne

This application was withdrawn by the proponent.

18-01-14 Moose Lake Craft Village, LaOtto

Tim Callas, J & T Consulting, spoke as the proponent. This project is similar to Conner Prairie, with retail space. It is a Christian facility. No alcohol is served. Smaller buildings were added and were later attached. It is a type 2-B building. Proponent is requesting that it be classified as a Class 1 structure in order to comply with Chapter 34. Commissioner Pannicke said that the number of seats were calculated using 15 square feet, which makes it the most restrictive use. The second floor is the owner's residence; it is not accessible to the public. There are no penetrations or ductwork in that part of the building. There is a one-hour separation in the ceiling throughout the facility. Design professionals were involved in the construction of this facility. The second floor looks more expansive on the drawings than the proponent claims it really is; the drawings need to be more accurate. The occupancy needs to be recalculated, and it needs to be confirmed whether the separation is horizontal or vertical. Commissioner Scheurich moved to table with the second by Commissioner Pannicke. It was voted on and carried.

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

Dennis Bradshaw, FP&C Consultants, and Jeff and Katie Holcomb, owners, spoke as proponents. Commissioner Pannicke moved to set aside the denial, and Commissioner Scheurich made the second. It was voted on and carried. This building is a 130+ year-old barn which is being converted to an event

facility. There is no heating or cooling. It is only used a few times in the warmer months. It should pass Chapter 34, however it's an agricultural building. The biggest issue is the restrooms; they rented flushable bathroom trailers, but they will install restrooms if necessary. The Ft. Wayne sewer district wants to build a pumping station in one of their fields; if they hook them up to the sewer, then they will need a year to get it done. The owners would like to use the trailers until they can get hooked up to the pumping station. There is no water supply, but they are installing a well now. Commissioner Jordan moved to approve (a) with the condition of adding shunt trip protection and a fire alarm system. Commissioner Hite made the second. It was voted upon and carried. Commissioner Hite made a motion to approve (b) with a time table on the installation of a sewer system being one year. Commissioner Heinsman made the second. It was voted upon and carried.

18-02-17 Beach Tiki Bar & Grill, Greensburg

Lou and Debbie Capperon spoke as proponents. Inspector Walter Knaepple told the Caperoons that they need to sprinkle the upstairs. The public does not go upstairs. Guardian will install smokes, strobes, and pull stations upstairs; this will be tied in to their current alarm system, which is tied in to the local fire department. They are working on clearing out the upstairs and creating clear paths to the windows. Inspector Knaepple said he would uphold anything that the Commissioner decided today.; he is just concerned with having to breach walls to get inside if there is a fire. Not all of the upstairs windows are operable. The ceiling is not rated between the first and second floor. The proponent stated that a sprinkler system would cost \$18,400 and additional alarms would cost \$3,750. The basement is not sprinklered. Currently, paperwork, tools and a grease trap are all stored in the basement. The Commissioners stated that anything that is burnable, such as cardboard, paper, straws, napkins, etc. must be moved out of the basement. Commissioner Pannicke moved to approve with the condition that alarms are added to the second floor and the basement, and that all combustibles stored in the basement must be removed within six months. Commissioner Henson made the second. It was voted upon and carried.

18-03-36 Renovations and Additions to FACE Clinic, Indianapolis

No proponent was present was to speak on behalf of the application. Commissioner Jordan moved to table, and Commissioner Pannicke made the second. It was voted upon and carried. Commissioner Popich abstained.

18-03-58(a)(b) Ivy Tech Community College – Craig Porter Energy Center, Lafayette

The proponent requested that this application be tabled. Commissioner Furnish moved to table, and Commissioner Popich made the second. It was voted upon and carried.

18-04-01 Pull Stations, Fort Wayne

The application was incomplete. Commissioner Scheurich moved to table, and Commissioner Furnish made the second. It was voted upon and carried.

18-04-02 4 Boiler, Gary

The application was incomplete. Commissioner Furnish moved to table, and Commissioner Heinsman made the second. It was voted on and carried.

18-04-03 Coventry Court West Apartments

The application was incomplete. Commissioner Scheurich move to table with the second by Commissioner Popich. It was voted upon and carried. Jim Murua, Ft. Wayne Fire Department, stated that he spoke with the proponent, who told him he is going to withdraw the application.

18-04-06 Fairview Court Apartments, Fort Wayne

The application was incomplete. Jim Murua, LFO, stated that the proponent told him that the notification was sent via certified mail, however he never received them. Mr. Murua noted that the pull stations and horn strobes are located on the outside of the building. Commissioner Furnish moved to table, and Commissioner Popich made the second. It was voted upon and carried.

18-04-14 JJ Bulleit Building Renovation, Corydon

Steven Greseth, Lockett & Farley Development, spoke as the proponent. This is a renovation project of a 100 year old building in a historic district. Multiple entrances have an elevation difference of two to four inches between the inside of the building and the sidewalk; the code requires this to be one inch or less. The outdoor patio connect to the public sidewalk. Only one entrance is currently accessible; the other three are not. The inside is all one level. It will be commercial space and restaurant space. There are currently no tenants for the first floor. The second floor is apartments. There is no signage identifying the accessible entrance. The sidewalk would have to be razed in order to make the entrances flush, which is a financial hardship as the proponent is a non-profit organization and this could cost \$5,000. Commissioner Furnish noted the issue of ADA compliance even if this variance were to be granted. Commissioner Pannicke moved to approve with the condition that there is one accessible entrance per tenant space on the ground floor, that the east and west entrances are corrected, that proper signage be added to each accessible entrance and that the proponent completes these changes within a year or by the time the building becomes occupied, whichever is first. Commissioner Scheurich made the second. It was voted upon and carried.

18-04-23 Asylum Xtreme Xtremenasium, Clarksville

The proponent had emailed commission staff, and requested that this application be tabled. Commissioner Popich moved to table, and Commissioner Scheurich made the second. It was voted upon and carried.

18-04-29 Silver Birch of Fort Wayne, Fort Wayne

Brent Flutter, project manager/general contractor spoke as the proponent. This request is to install a sprinkler system in accordance with NFPA 13R rather than 13. This is a four-story senior living facility. This variance was granted on other projects in Kokomo and Muncie. Local Fire official, Jim Murua, said that he has no issue with this variance, as the square footage is 98,000 with 119 units, which means it is under area. Commissioner Jordan moved to approve, and Commissioner Scheurich made the second. It was voted upon and carried.

18-04-52 Maintenance of Overhead Fire Doors Plant #6, Shelbyville

Tim Callas, J&T Consulting, spoke as the proponent. There is a separation between the storage side and the manufacturing side of the facility. Robbie Stromberger, Shelbyville Fire Department, stated that if

this is approved, then he wants the two doors and plans to be labeled for future inspectors' awareness. Commissioner Furnish moved to approve with the condition that the two fire doors, and corresponding plans, must be labeled to indicate that they do not need to be maintained. Commissioner Jordan made the second. It was voted upon and carried.

9. New Variances – Category A/B

The following variances were approved as submitted:

- 18-05-06 (a)(b)(c)(d) Tecumseh Harrison Elementary School, Vincennes
- 18-05-07 Renovations for Dr. Abbas Cardiology Suite, Munster
- 18-05-08 Residence of Coffee Creek, Chesterton
- 18-05-09 (a)(b) Silver Birch Fort Wayne, Fort Wayne
- 18-05-10 (a)(b) Noblesville Fieldhouse – Finch Creek, Noblesville
- 18-05-11 (a)(b) Days Inn Jasper, Jasper
- 18-05-12 (a)(b) Days Inn Jasper, Jasper
- 18-05-13 Sycamore Elementary School Renovations – Phase II, Kokomo
- 18-05-14 Washington Center Elementary School, Fort Wayne
- 18-05-15 St. Joseph Central Elementary School Renovation, Fort Wayne
- 18-05-16 Fairfield Inn & Suites, New Albany
- 18-05-17 (a)(b) Remodeling of Loretto Covent, Notre Dame
- 18-05-18 Butler University Police Station, Indianapolis
- 18-05-19 Clinton County EMS Facility, Frankfort
- 18-05-20 Buildings 1-12 for Storage Express, Indianapolis
- 18-05-21 Legacy Living of Jasper, Jasper
- 18-05-81 (a)(b) Robert G. Bottoms Alumni and Development Center, Greencastle

Commissioner Heinsman moved to approve the “A” and “B” variances with the second by Commissioner Popich. It was voted upon and carried.

Breaking and reconvening: Chairman Nicoson recessed the Commission at 10:15AM. It was called back to order at 10:27AM.

10. Variances (New) C/D/NVR – Self-Representing Applicants/Architects/Designers/Non-Consultants outside of Indianapolis metropolitan area.

18-05-05 Grant County Security Center Generator Replacement, Marion

Bradley Driver, Grant County, spoke for the proponent. They received a citation in November based on the amount of testing records they were keeping on their generator. A new generator will arrive and be installed in the first week of June. The building has been under construction since January of 2018. An annual test was conducted on the current generator in November. Kevin Troy, State Inspector, stated that the state inspector was trying to get copies of the November test reports. Commissioner Scheurich moved to approve with the condition that they provide the state inspector with the requested documentation within fifteen days. Commissioner Popich made the second. It was voted upon and carried.

18-05-01 Big Mama's Hole in the Wall, Seymour

Nicole Booker and Jerry Clawson, owners, spoke as the proponents. This variance is for a change of use in order to comply with Rule 13. This restaurant is delivery and carry-out only: there will be no customer seating. The building is half brick and half wood. It has five rooms. There are three entrance/exit doors in: the kitchen, the office and the room where the orders are taken. The door to the kitchen swings in. Building Commissioner, Craig Burgess questioned why a variance would be needed to allow a structure that was not classified as residential to use a Rule 13 exception. Inspector, Kevin Troy, explained that he did not know whether the former business, a dog groomer, was ever a Class 1 structure. Melissa Tupper, RTM Consultants, explained that the owners needed a variance to use the Rule 13 exception because if they tried to use the Chapter 34 exception, they would have to comply with accessibility and energy code requirements, which would be costly. Commissioner Pannicke moved to approve, provided there is no indoor seating for customers. Commissioner Scheurich made the second. It was voted upon and carried.

18-05-02 Old Save-A-Lot Location Wabash

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

18-05-03 Removal of Fire Hoses, Fort Wayne

This application was incomplete. Commissioner Pannicke moved to table, and Commissioner Scheurich made the second. It was voted on and carried.

18-05-22 700 Broadway, Gary

John Coldea, general contractor, spoke as proponent. This variance concerns the elevator size in a newly constructed apartment building. This building has 18 units. The elevator shaft was built in 2014. The elevator must be able to accommodate a stretcher, which is 24 inches by 84 inches. This building was designed and released under the previous code not the current code; however, Inspector Kevin Troy noted that the previous code also had the 24" x 84" requirement. The blueprints were approved by the city of Gary and the State. The elevator contractor was not brought in until after the building was constructed. Commissioner Scheurich made a motion to deny, and Commissioner Pannicke made the second. It was voted upon and carried.

18-05-27 McDonald's – Remington, Remington

Brian Engle, Lingle Design, spoke as the proponent. This variance request is to not install sprinklers as required for A-2 buildings with a 100+ occupancy. After the remodel, the seating capacity changed from 104 to 110. The total occupancy is now 157, which is 37 more people. Commissioner Furnish noted that because this is a restaurant chain, there will be more requests like this one in the future, so this will set a precedent. Commissioner Popich moved to deny, and Commissioner Pannicke made the second. It was voted on and carried.

18-05-28 New Haven

Dennis Bradshaw, FP&C Consultants, spoke as the proponent. This school wants to build accessible restrooms for children with special needs. However, the water closet location and grab bar will not

comply with code requirements. All of the other fixture requirements will meet ADA requirements. There is an exception for institutional buildings, but not for schools. All of the other restrooms in the school will be ADA compliant. Commissioner Popich moved to approve, and Commissioner Heinsman made the second. It was voted on and carried.

18-05-32 Paperworks, Wabash

Jeff Needham, Needham Engineers-Fort Wayne, spoke as the proponent. This variance request is to allow the aisleway to not be compliant. It represents 5% of the perimeter area. It has firefighter access and is fully sprinkled. The removal of existing obstacles has made things safer. The building was constructed in the 1880's. The cost to correct this problem would be \$650,000.00. The local fire official stated that this is a new facility and it is used for storage. Commissioner Pannicke moved to approve, and Commissioner Heinsman made the second. It was voted on and carried.

18-05-46 STEM Teaching Lab, West Lafayette

Adam LaRocca, Purdue University, spoke as the proponent. The purpose of this variance is to allow an open vestibule. There are swinging exit doors. There is a fire alarm/smoke detection system which will activate the rolling coil door. Commissioner Pananicke moved to approve, and Commissioner Henson made the second. It was voted on and carried.

18-05-72 Davis Zeller, Brazil

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

18-05-74 Barcelona Apartments, Lafayette

Harry Mohler, Mohler Architects, spoke as the proponent. The building was constructed in 1905. It has been an apartment building for 112 years. The current owners are constructing studio apartments in the basement, which had previously been unoccupied. The bottom of the joist in the basement is 7 feet, which meets code requirements for the kitchen and bathroom, but not the living space. The building is not sprinklered. There are light fixtures in the ceiling, but no fans. The ceiling will be exposed, but it will be sprayed. Brian Alkire, Lafayette Fire Department, said the basement was previously used for storage and laundry and had a boiler room. Contractors began construction a few months ago and were cited by the city. Mr. Alkire said the use of the spray was fine with them as they proposed its use. However, they wanted to maintain the 1-hour rating. Commissioner Heinsman moved to approve with the second by Commissioner Furnish. It was voted on and carried. Chairman Nicoson, Commissioner Pannicke and Commissioner Nelson opposed the motion.

18-05-78 Nazareth Home, East Chicago

Sister Mary Ellen Goeller and Director Jean Bowman, Nazareth Home, and Bill Hutton, Hutton & Hutton Architects & Engineers, spoke as proponents. This is a 2,400 square foot home. It serves as a foster care facility, established 25 years ago, which specializes in helping children (newborns – 6 year olds) with special needs. This request is to change it from a foster care facility to a group home, which would allow them to have a maximum occupancy of 8 children instead of 6 children. This would require an I-2 occupancy classification. The building is not sprinklered. There are smoke detectors, carbon monoxide

detectors, and three marked exit doors. The furthers point of travel is 40 feet to any exit. The windows were replaced with larger windows, four months ago. There is a 4-5 foot egress. Staff is there 24/7. The staff is trained in fire protection; there are monthly fire drills. The building is on city water. The basement is approximately 1,500 square feet and is used for storing children's clothes; it also houses utilities. The local official had no objection. Chairman Nicoson noted the variance granted for a Mother's Hope last month, whereby the applicant was given a year to raise funds for and install a sprinkler system. A 13D sprinkler system would cost \$14,000-17,000 in this building. Commissioner Pannicke moved to approve with the condition that a 13D sprinkler system be installed within 18 months. Commissioner Henson made the second. It was voted upon and carried. Commissioner Hite abstained.

18-05-79 (a)(b) Masonic Lodge 210, Fremont

Dennis Spidel, Spidel Custom Homes, spoke as the proponent. Variance (a) concerns the latches or locks on the doors; they don't want to remove them, but they are not providing panic hardware, as required. This is a two-story brick building with clear span floor joists from side to side and front to back; there is material on the bottom of the floor joists. Proponent submitted plans for moving a bathroom 15 feet, which triggered these variance requests. The locals have no objection to these variances. Only twelve people attend when they have lodge. The restroom will be ADA compliant. There are egress windows for the upstairs apartment. The fire station is 50 feet away. They are going to install a fire alarm system and smoke alarms/strobes/horns upstairs and downstairs. There is a crawl space, but no basement; nothing is stored there. The first floor was a change of occupancy from A to B-3. Decorative doors will be installed between the lodge room and the dressing rooms/closets. The exterior doors swing out. Commissioner Pannicke moved to approve (a) with the condition that the occupancy be capped at 49 people. Commissioner Furnish made the second. It was voted upon and carried. Variance (b) concerns the two hour horizontal separation required in a mixed occupancy building. The ceiling is fibrous, painted material, which the proponent assumes is wood-based--not plaster--as the building was constructed between 1910-12. Commissioner Furnish moved to approve (b), and Commissioner Heinsman made the second. It was voted upon and carried. Commissioner Popich voted against the motion for variance (b).

18-05-80 The Neely House Restaurant, Muncie

Howard Smiley, architect and Russell Irving, owner, spoke as proponents. A new commercial kitchen was added onto the back of the structure, which was constructed in 1852. The owner completed a comprehensive restoration, including new electric and plumbing. This request is to allow a slightly smaller sprinkler system than is required by code if this was a new build. There would be four sprinkler heads instead of five, at 20 gallons per minute. It calls the fire department directly; the fire department is two blocks away. This is being requested based on the historical value of the home and the cost of installing the sprinkler system; which could be \$60,000-80,000. All of the exit doors swing out. The restaurant hours are 11:00am-2:00pm & 4:00-10:00pm Monday-Saturday and 11:00am-3:00pm on Sundays. The upstairs of the building is for overflow dining. The owner said twenty people at the most would be dining upstairs at any time. Commissioner Furnish moved to approve with the condition that there must be a 13R sprinkler system installed, and the occupancy load must not exceed 49 people on the second floor. Commissioner Pannicke made the second. It was voted upon and carried.

11. Variances (New) C/D/NVR – Self Representing Applicants/Architects/Designers/Non-Consultants Inside of Indianapolis Area

18-05-04 Fazoli's Whitestown

The application was incomplete. Commissioner Pannicke moved to table, and Commissioner Heinsman made the second. It was voted upon and carried.

18-05-24 Peace Water Winery, Indianapolis

Commissioner Jordan moved to table and Commissioner Pannicke made the second. It was voted upon and carried. Commissioner Popich abstained.

18-05-26 Fire Pump Replacements at the Indiana Government Center, Indianapolis

No proponent was available to speak on the variance. Commissioner Pannicke moved to table with the second by Commissioner Furnish. It was voted upon and carried.

18-05-29 Warren Central High School – Lean To Accessory Shed, Indianapolis

No proponent was available to speak on the variance. Commissioner Pannicke moved to table and Commissioner Furnish made the second. It was voted upon and carried.

18-05-31 Auto Dealership, Lafayette

Proponent from the dealership stated that the existing building has been remodeled. The energy code requires that a vestibule be constructed at the front of this building because it is the primary entrance. Adding the vestibule is aesthetically unappealing and would require them to redesign their HVAC system because the ceiling is lower than the rest of the building. Proponent said they would table driving cars inside for the time being, but might later build a garage door in the back to get cars inside. Commissioner Pannicke made a motion to deny, stating that he did not see this as a hardship: the vestibule could be added inside, instead of outside. A transfer grill could be used, and a wall could be extended across the opening and doors could be installed. The proponent requested that this be tabled. Commissioner Pannicke moved to table, and Commissioner Furnish made the second. It was voted upon and carried.

18-05-49 St. Luke's United Methodist Church, Indianapolis

No proponent was available to speak on the variance. Commissioner Pannicke moved to table and Commissioner Furnish made the second. It was voted upon and carried.

12. Variances (New) C/D/NVR – Consultants

18-05-59 Notre Dame

Melissa Tupper, RTM Consultants, spoke as the proponent. This project involves converting residence rooms into assembly space. This variance is to allow only one egress instead of the required two. The building is sprinklered and the rooms will be separated from the rest of the building by one-hour

construction. The LBO has no objection to this. Commissioner Furnish moved to approve, and Commissioner Scheurich made the second. It was voted upon and carried.

18-05-23 St. Vincent Anderson Digestive Health, Anderson

Ed Rensink, RTM Consultants, spoke as the proponent. This project involves a renovation within a small area of the hospital. This request is to allow a dead end corridor to exceed twenty feet in length, in an I-2 occupancy building. The dead end is 27 feet. Commissioner Pannicke moved to approve, and Commissioner Furnish made the second. It was voted upon and carried.

18-05-25 (a)(b) Pretzels, Inc. Process Water Neutralization Addition, Bluffton

Tim Callas, J & T Consulting, spoke as the proponent. Variance (a) is in the A/B category. Commissioner Furnish moved to approve, and Commissioner Heinsman made the second. It was voted upon and carried. Variance (b) explained that the lift station will take the product into a clarifier which will be neutralized and sent out into the water system. Chief Don Craig, Bluffton Fire Department, stated he was okay with this. Commissioner Heinsman moved to approve, and Commissioner Jordan made the second. It was voted upon and carried.

Breaking and reconvening: Chairman Nicoson recessed the Commission at 12:19PM. It was called back to order at 1:20PM.

18-05-26 Fire Pump Replacements at the Indiana Government Center, Indianapolis

Tim Anderson, Applied Engineering, spoke as the proponent. He requested that this be untabled. Commissioner Pannicke moved to untable, and Commissioner Heinsman made the second. It was voted upon and carried. Mr. Anderson explained he was hired to replace the two fire pumps that serve this building. There is a switch gear for the north building. This variance was requested to allow them to replace the fire pump and redo the electric service when the switch gear project is ready. Commissioner Pannicke moved to approve this variance through May 1, 2020. Commissioner Popich made the second. It was voted upon and carried. Commissioner Hite abstained.

18-05-30 Perry Meridian MS & 6th Renovation & Addition, Indianapolis

Dave Cook, Ralph Gerdes Consultants, spoke as the proponent. This school is fully sprinklered. The code requires 60 feet all the way around the building. Based on the new addition, there will be less than 60 feet to the property line. In February, a variance similar to this request was granted for a Westfield school. The solution without the variance would be to build a three hour wall with three hour windows and doors, and the proponent does not know any school that has this. Commissioner Popich moved to approve, and Commissioner Heinsman made the second. It was voted upon and carried.

18-05-33 (a)(b) Office Remodel/Addition, Indianapolis

Melissa Tupper, RTM Consultants, spoke as the proponent. This is the renovation of an office space. The units are already built and ready to be occupied. Variance (a) addresses the vestibule. They are offering to put automatic door openers on one set of them to mark for accessibility. There is enough clearance in the space. Commissioner Burgess noted that if it's viewed as a room it complies. Commissioner Jordan moved to approve and Commissioner Scheurich made the second. It was voted

upon and carried. Variance (b) pertains to the sinks which have been installed at 36 inches in height in the library and training room. The kitchen will have an accessible sink; they are making alterations in order to comply. Commissioner Pannicke moved to approve, and Heinsman made the second. It was voted upon and carried. Commissioner Popich abstained.

18-05-34 Marshall County Aquatic Center, Plymouth

Dennis Bradshaw FP&C Consultants, spoke for the proponent. This is a proposed aquatic center, which will be Type 2 construction, and sprinklered. The variance is requesting to not have to install sprinklers in the room with the pool. The seating is non-combustible in the spectator area. The rest of the building will be sprinklered as required. Commissioner Furnish moved to approve, and Commissioner Popich made the second. It was voted upon and carried.

18-05-35 Wesleyan Investment Foundation Tenant Space Fishers

Ed Rensink, RTM Consultants, spoke as the proponent. This is a renovation where they are creating separate tenate space. The proponent is requesting a variance for nine additional feet in the dead end. The building is fully sprinklered. Commissioner Pannicke moved to approve and Commissioner Scheurich made the second. Commissioner Popich abstained.

18-05-36 Ivy Tech Muncie Star Press Building, Muncie

Ed Rensink, RTM Consultants, spoke as the proponent. This building has two enclosed stairs and one open egress stairs. The variance pertains to the size of the opening because the projected opening of the stairway is four times the size of the stairs. Proponent stated that the Commission has granted this variance before on numerous occasions. The building is sprinklered throughout. Commissioner Henson moved to approve and Commissioner Heinsman made the second. It was voted upon and carried. Commissioner Pannicke abstained.

18-05-37 Wabash Power Valley Association Office Building, Indianapolis

Ed Rensink, RTM Consultants, spoke as the proponent. This is construction of a new office building with a conference center downstairs that needs a one hour fire separation. The request is to use a one hour fire partition instead. The second floor has windows which overlook the lobby space. Sam Bruner, Pike Township Fire Department does not mind this request. Commissioner Jordan moved to approve and Commissioner Henson made the second. It was voted upon and carried. Commissioners Heinsman and Pannicke abastained.

18-05-38 608 N Dunn Mixed Use, Bloomington

Melissa Tupper, RTM Consultants, spoke as the proponent. This variance request is to allow a single exit from an occupied roof space instead of two. The building has a 13R sprinkler system. Proponent stated that this variance has been approved numerous times previously, specifically Fox Apartments in 2013 in Bloomington (Variance No. 13-08-39.) Tim Clapp, Bloomington Fire Department, opposed this variance. He compared the roof to a 4th story, thus he thinks it requires two stairways. The occupant load for this roof is less than 49, however it will likely exceed this number. Proponent stated that if this was a room instead of a deck it would only need one exit. Bobby LaRue, Monroe County Building Department, said althought Variance No. 13-08-39 was approved, he wants to correct something when

it's been done incorrectly. Commissioner Scheurich moved to table, and Commissioner Popich made the second. It was voted upon and carried.

18-05-39 Airwest 12 Project Ryan Sierra, Plainfield

Christina Collester, RTM Consultants, spoke as the proponent. Proponent stated this is a technicality variance. She explained that if a special suppression system is utilized, it does not count as an automatic sprinkler system. A variance is needed to be considered unlimited in area. Commissioner Jordan moved to approve, and Commissioner Scheurich made the second. It was voted upon and carried. Denise Fitzpatrick, Code Specialist, stated that she would place this type of variance in the A/B category if the Commissioners were comfortable with that. The Commissioners agreed.

18-05-40 Addition for PFM Car and Truck, Zionsville

Melissa Tupper, RTM Consultants, spoke as the proponent. The addition to the building is 940 square feet. They are using a two-tier storage system similar to what is used in the existing portion of the building. Exhaust fans have been installed in the addition. This variance is a request to not install draft curtains and smoke and heat vents. Josh Frost, Zionsville Fire Department, does not necessarily oppose the variance, but wants a provision to maintain access to the fire access road. Commissioner Henson moved to approve with the condition that the fire-access road on the west side will be maintained. Commissioner Furnish made the second. It was voted upon and carried.

18-05-41 Butler University Student Housing Building 2, Indianapolis

Ed Rensink, RTM Consultants, spoke as the proponent. The code requires trap seal valves for floor drains. This variance is to use a barrier type trap seal instead. This would be in compliance with Standard 1072, which is recognized by the Plumbing Codes as an alternative to a trap seal primer valve. Commissioner Pannicke moved to approve and Commissioner Henson made the second. It was voted upon and carried. Commissioners Popich and Heinsman abstained.

18-05-42 Bargersville Waste Water Treatment Plant Chemical Building, Bargersville

Ed Rensink, RTM Consultants, spoke as the proponent. This is a waste water treatment plant. A small building has a 6,000 square foot chemical room, with two tanks. It houses non-combustible materials. The variance is requesting to not add sprinklers in that room. This has been approved many times. Commissioner Hite moved to approve and Commissioner Henson made the second. It was voted upon and carried.

18-05-43 Wayne Street Water Treatment Facility Chlorine Conversion, Noblesville

Melissa Tupper, RTM Consultants spoke as the proponent. This variance was granted back in 2014 and then the project was shelved; but the code has changed since then. H occupancies require a sprinkler system. This request is similar to 18-05-42, to omit sprinklers in a chemical storage room. Commissioner Pannicke moved to approve and Commissioner Henson made the second. It was voted upon and carried.

18-05-44 The Gilead House Inc., Kokomo

Melissa Tupper, RTM Consultants, spoke as the proponent. This facility was a YMCA which was converted into housing for women with drug addictions. The residents are housed in the gymnasium and are supervised 24 hours a day. There is a fire alarm and corridor smoke detection system. The proponent was given a year to raise money to purchase a sprinkler system, but have been unable to raise the money. It will be privately funded, so they need an additional year. Commissioner Pannicke moved to approve with the condition that the proponent has until June 1, 2019. Commissioner Heinsman made the second. It was voted upon and carried.

18-05-45 727 Illinois Hybrid Building, Indianapolis

Tim Callas, J&T Consulting, spoke as the proponent. Each dwelling in the building has a private entrance/stair. The only common use is the riser room. The code provides that you must have access to stand pipes. The door of each unit will have a strobe and horn. Margie Bovard, Indianapolis Fire Department, says she wants the unit to be identified when the call goes to the fire department; she wants a 13 sprinkler system. She noted that there are two more identical variance applications for this issue. Commissioner Heinsman moved to approve with the condition that there will be a horn strobe in each unit, that the 911 service will identify the specific unit that is in alarm mode, and that the alarm will ring either sprinkler flow or fire alarm/smoke to identify the particular unit. Commissioner Jordan made the second. It was voted upon and carried.

18-05-47 106 North Indianapolis

Tim Callas, J&T Consulting, spoke as the proponent. Commissioner Pannicke moved to approve with the same condition stated in Variance No. 18-05-45. Commissioner Heinsman made the second. It was voted upon and carried.

18-05-50 Onyx East at Herron Morton, Indianapolis

Tim Callas J&T Consulting, spoke as the proponent. Commissioner Popich moved to approve with the same condition stated in Variance No. 18-05-45 and 18-05-47. Commissioner Heinsman made the second. It was voted upon and carried.

18-05-48 (a)(b) Cochran Exteriors Int. Addition and Renovation, Indianapolis

Melissa Tupper, RTM Consultants, spoke as the proponent. Commissioner Scheurich moved to approve variance (b) and Commissioner Furnish made the second. It was voted upon and carried. Variance (a) involves a one-story office space which will be separated from the warehouse with a three hour fire barrier. The request is to allow a floor opening, which connects two stories, to be open to the corridor. Proponent is installing a fire alarm and smoke system, which is not required by code. Open stairs are allowed by code, but not other floor openings. Commissioner Pannicke moved to approve, and Commissioner Furnish made the second. It was voted upon and carried.

18-05-51 Bishop Brute College Seminary 2nd Floor Renovation, Indianapolis

Ed Rensink, RTM Consultants, spoke as the proponent. This building was constructed in 1932. The seminary was instituted after the 2009 purchase. This project involves expanding rooms in the dorm

area to the outer corridor and building some new wall construction to relocate the old rounded doors in the walls. This variance is to allow the new corridor construction to not extend to the deck and to allow them to reuse the existing rounded doors. The building is partially sprinkled; they are sprinkling the rooms they are renovating, including the corridors. Commissioner Pannicke moved to approve and Commissioner Heinsman made the second. It was voted upon and carried.

18-05-52(a)(b)(c) Red Gold Addition, Orestes

Christina Collester, RTM Consultants, spoke as the proponent. This project involves an addition to an existing rental facility. There will be steel cans on wood pallets; the pallets will be six feet apart. There is a standard sprinkler system. There was no information from the LBO. Commissioner Heinsman moved to approve variances (a)(b) and (c). Commissioner Furnish made the second. It was voted upon and carried.

18-05-53 Riley Hospital Maternal & Newborn Health, Indianapolis

Ed Rensink, RTM Consultants, spoke as the proponent. This project involves a partial renovation of floors 2-5 of an existing building. The sprinklers will only be shut off in that area, and will only be occupied by construction workers. There are two-hour walls and floors. The first floor will remain protected. There will be a detection system throughout the renovation area and will meet NFPA standards. The exits for the occupied spaces are independent of this area. The stand pipes will be up and running and the vertical risers will remain charged. There will be heat detection not smoke detection. Commissioner Pannicke moved to approve and Commissioner Popich made the second. It was voted upon and carried.

Breaking and reconvening: Chairman Nicoson recessed the Commission at 2:35PM. It was called back to order at 2:45PM.

18-05-29 Warren Central High School – Lean To Accessory Shed, Indianapolis

Christy Wicks, Dallman Contractors, spoke as the proponent and requested that this be untabled. Commissioner Pannicke moved to untable, and Commissioner Popich made the second. It was voted upon and carried. This project involves building a 6 foot by 6 foot lean-to with a metal roof for the purpose of storing work equipment. It will not be attached to the existing building. Both ends will be open. The siding will be the same as the existing maintenance building to maintain aesthetic. It is within a securely fenced-in, locked, area with no public access. No employees work in this facility. Margie Bovard, Indianapolis, stated that there is no hydrant within 400 feet. Flashing will be placed on the existing building to prevent water from flowing between the two structures (which will be about a foot apart.) No vehicles will be in there; so there will be nothing with gas. Commissioner Jordan moved to approve, and Commissioner Popich made the second. It was voted upon and carried.

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

Ed Rensink, RTM Consultants, spoke as the proponent. Proponent requested to table variance (a). Commissioner Popich moved to table variance (a) and Commissioner Scheurich made the second. It was voted upon and carried. Variance (b) was an A category variance. Commissioner Jordan moved to approve, and Popich made the second. It was voted upon and carried. Variance (c) concerned the common path of travel from the mechanic room, which is 130 feet. Proponent explained that this area is

normally unoccupied and is only occupied by personnel for periodic maintenance. The building is sprinklered throughout. Josh Magner, Hobart Fire Department, wants to reduce this distance. Mr. Magner was concerned about what chemicals will be stored in this room, and whether this could increase the likelihood of a fire. Commissioner Jordan moved to table, and Commissioner Popich made the second. It was voted upon and carried. Commissioner Heinsman abstained.

18-05-54 (a)(b) Trinity Metals Addition, Indianapolis

Carrie Ballinger, RTM Consultants, spoke as the proponent. This is a 120,000 square foot, metal scrapping and processing facility. Variance (a) is a request to add-on to the building, as this would exceed the allowable area. It will be thirty feet from the property line. There is an unenclosed scrap yard. The building will be fully sprinklered. It would qualify as an F-2 occupancy except for the north end. Margie Bovard, Indianapolis, asked about getting an access road. Ms. Ballinger noted the presence of the railroad track in that area, which is the right side of the property; and that access roads are not required because the building is sprinklered. They are seeking this to mitigate issued based on storm water run-off; which will be regulated by IDEM. There are no combustible metals. Commissioner Pannicke moved to approve with the condition that 20 feet of brush is removed between the building and the property line to allow for a clear zone of access. Commissioner Hite made the second. It was voted upon and carried. Variance (b) involves two hydrants within 1,000 feet of the addition. Ms. Bovard wants a hydrant on the back side of the property. The sprinkler system will be extended into the addition. It is an S-2 occupancy, which houses non-combustible material; it has no high pile storage. Commissioner Pannicke noted that there is about 60 feet from the edge of the building to the edge of the railroad track. After discussion, Commissioner Pannicke moved to table, and Commissioner Popich made the second. It was voted upon and carried.

18-05-55 Concord High School 2018 Addition, Elkhart

Ed Rensink, spoke as the proponent. He requested that this be tabled. Commissioner Pannicke moved to table and Commissioner Scheurich made the second. It was voted upon and carried.

18-05-56 KAR Global Headquarters, Carmel

Ed Rensink, RTM Consultants, spoke as the proponent. This variance is a request to have standpipe locations in other areas of the building. Standpipe connections are required to be in stairways. In this building there are two enclosed central stairs in an L shape and two enclosed stairs at the ends of the buildings. Proponent wants the standpipes to be just outside of the stairways, which still meets the requisite travel distance. Denise Fitzpatrick, Code Specialist, explained the importance of labeling the standpipe locations. Commissioner Henson moved to approve with the condition that the outlets must be located in the corridor on every floor and that there must be signage at the location of each outlet; also, the drawings must be labeled stating the outlet will be located "within 10 feet of column 9L in the corridor." Commissioner Heinsman made the second. It was voted upon and carried. Commissioner Pannicke abstained.

18-05-57(a)(b) Ivy Tech Kokomo Campus – Main Building Renovations, Kokomo

David Cook, Ralph Gerdes Consultants, spoke as the proponent. Commissioner Scheurich moved to approve Variance (b) with the second by Commissioner Heinsman. It was voted upon and carried. Variance (a) concerns moving a separation wall six feet to create more storage space. There will be a

two-hour fire wall. The wall which will be removed is not structurally independent because it was not required when the building was constructed. Commissioner Jordan moved to approve with the second by Commissioner Popich. It was voted upon and carried.

18-05-58 (a)(b) Indiana University Bicentennial Carillon, Bloomington

Carrie Ballinger, RTM Consultants, spoke as the proponent. Variance (a) is to allow guards in the tower to have 21 inch openings. It is a Group U occupancy. Only one person goes up into the tower to play the bells. Craig Burgess, Building Commissioner, said that this is allowed in certain occupancies. Ed Rensink suggested the use of tie-downs. Commissioner Heinsman moved to approve with the condition that they comply with OSHA fall protection systems, specifically 29 CFR 1910.29 (b)(2)(iii). Commissioner Jordan made the second. It was voted upon and carried. Variance (b) is to not have hand rails at the landing. There are three steps. Commissioner Heinsman moved to approve and Commissioner Hite made the second. It was voted upon and carried.

18-05-60 Water System Improvements, Salem

Melissa Tupper, RTM Consultants, spoke as the proponent. This is similar to the other variances concerning water treatment plants that were approved today. Commissioner Pannicke moved to approve, and Commissioner Furnish made the second. It was voted upon and approved.

Commissioner Pannicke asked Denise Fitzpatrick, Code Specialist, whether she could put this type of variance in the A/B category. Ms. Fitzpatrick said yes. The other commissioners were in agreement.

18-05-62 The Lofts at Woolery Mill, Bloomington

Melissa Tupper, RTM Consultants, spoke as the proponent. This is non-combustible construction. A four story apartment building is going to be built within this structure. There is an existing fire wall that separates the event center. The covered plaza is sprinklered. Tim Clapp, Bloomington Fire Department, does not have a problem with this variance. He noted it is a type 2-B building made of non-combustible materials/steel. Inside and outside of the apartment building will be sprinklered. It would be okay to allow the building to exceed the area for mixed-use. Bobby LaRue, Monroe County, noted favorably that none of the apartment structure's required exits will exit through the canopy space. Commissioner Popich moved to approve, and Commissioner Jordan made the second. It was voted upon and carried.

18-05-63 Fishers Central Green, Fishers

Carrie Ballinger, RTM Consultants, spoke as the proponent. This is a request for a fountain to not comply with the splash pad requirement to have a rinse-off shower. The city requested that they apply for this variance. This is a decorative fountain feature, with spouts of water; it is not a traditional splash pad. Commissioner Hite moved to approve and Commissioner Henson made the second. It was voted on and carried. Commissioners Pannicke and Heinsman abstained.

18-05-64 Kokomo Wildcat Creek Water Treatment Facility, Kokomo

Christina Collester, RTM Consultants, spoke as the proponent. Commissioner Furnish moved to approve, and Commissioner Popich made the second. It was voted upon and carried.

18-05-65(a)(b) Glasswater Creek of Plainfield

Melissa Tupper, RTM Consultants, spoke as the proponent. This building is an assisted living facility. Variance (a) is to allow the atrium wall to serve as the corridor wall. Commissioner Hite moved to approve, and Commissioner Heinsman made the second. It was voted upon and carried. Variance (b) was requested to allow the anchored masonry veneer to be higher than thirty feet. Proponent said that their engineer said it was safe. Commissioner Heinsman questioned whether a variance was necessary. Commissioner Pannicke moved that a variance was not required. Commissioner Heinsman made the second. It was voted upon and carried.

18-05-66 (a)(b)(c)(d) Main and Monon Fountain, Carmel

Christina Collester, RTM Consultants, spoke as the proponent. There was discussion on the difference between a splash pad versus a fountain. One difference is whether there is recirculating water. Another issue was whether there was a barrier. In this case the water spurts up occasionally, and it is controlled from inside the restaurant. Jeff Dean, Indianapolis, discussed whether the intent of the design was to allow children to play in it. Jim Gerstbauer, Monroe County, described a water feature in front of the library which became an attractive hazard because of bird feces. He said that water features that circulate and treat water are fine, but if it isn't treated it can become a problem. Commissioner Heinsman noted the lack of definitions of a fountain and a splash pad. Commissioner Scheurich noted the intent of the construction of this fountain was to be an attraction rather than something for public use. Commissioner Popich moved to approve variances (a)(b)(c) and (d), and Commissioner Hite made the second. It was voted upon and carried. Commissioner Pannicke abstained.

18-05-67 Rossville WWTP, Rossville

Christina Collester, RTM Consultants, spoke as the proponent. Commissioner Pannicke moved to approve, with the second by Commissioner Henson. It was voted upon and carried.

18-05-68 NorthWood High School Gym Railing Replacement, Nappanee

Ed Rensink, RTM Consultants, spoke as the proponent, and requested to withdraw the variance. The variance was withdrawn.

18-05-69 (a)(b)The Vue Apartments, Indianapolis

Carrie Ballinger, RTM Consultants, spoke as the proponent. Proponent stated that variance (a) is similar to one that has been approved previously. There is a tanning shelf which is six inches deep, that is not separated from the rest of the pool. The code requires a two-hour turnover rate for wading pools. Commissioner Furnish moved to approve with the second by Commissioner Pannicke. It was voted upon and carried. Variance (b) concerns the code requirement that wading pools be physically separated by at least twenty feet. Commissioner Pannicke moved to approve, and Commissioner Henson made the second. It was voted upon and carried.

Commissioner Scheurich questioned whether variances concerning tanning shelves should be placed in the A/B category. The Commissioners agreed that this should be done in the future, and commission staff acknowledged this request.

18-05-70 Indy Hyatt Dual Brand, Indianapolis

Ed Rensink, RTM Consultants, spoke as the proponent. The outdoor patio space of the hotel has fire pit/fire bowl features, which are 19 inches off of the floor. There is an art feature in the corner. The code states that a recreational fire cannot be within 25 feet of a structure. It is non-combustible construction. The building is sprinklered. The patio area is not covered by a roof, Margie Bovard, Indianapolis, requested that fire extinguishers be available on the patio. Commissioner Heinsman moved to approve with the condition that four fire extinguishers will be placed on the patio. Commissioner Jordan made the second. It was voted upon and carried. Commissioner Pannicke abstained.

18-05-71 (a)(b) West Baden Springs Hotel, West Baden Springs

Ralph Gerdes, Ralph Gerdes Consultants, spoke as the proponent. This pertains to a historical, observation elevator. The owner is changing the motors and equipment in the elevator. He has not been cited on these issues. Commissioner Pannicke moved that no variance was required for (a) and (b). Commissioner Henson made the second. It was voted upon and carried.

18-05-73 HAAN Mansion Museum of Indiana Art, Lafayette

Melissa Tupper, RTM Consultants, spoke as the proponent. This is a historic mansion which was converted to a museum to display artwork. This variance is for a change of use. The building will have fire alarms and smoke/heat detection by October 1, 2018. Exit signs will be added. Guided and self-guided tours are both available; however, staff will always be present in order to watch over the artwork. Commissioner Pannicke moved to approve with the second by Commissioner Henson. It was voted upon and carried.

18-05-75 Homie Hot Pot, Bloomington

Melissa Tupper, RTM Consultants, spoke as the proponent. This is a restaurant where your food is cooked in heated bowls of broth at your table. This cooking produces steam. The Fire Department told the proponent that Type 1 hoods are required in this type of restaurant. The HVAC system will be upgraded at a cost of \$30,000 to help combat the steam. This restaurant is below a parking garage. The building is fully sprinklered. Tim Clapp, Bloomington Fire Department, spoke against this variance. He presented video he took of the restaurant at 7:00PM on a Friday night, where the restaurant was full of steam. Mr. Clapp stated there were 66 burners going simultaneously; at a minimum a Class 2 hood is required. If it was more than warming, then the Type 1 hood would be required. There was discussion whether this was steam or grease being omitted from the pots. Currently, the restaurant has not been shut down. Bobby LaRue, Monroe County Building Department, stated that he was originally told, when the restaurant applied for the permit application, that all cooking would occur in the kitchen under the hood, and that the pots at the tables would be used simply to reheat pre-cooked meats in broth or stew in pots. Mr. LaRue mentioned that Indiana's Mechanical Code has a test in place which states the amount of grease laden vapors which must be emitted before a Type 1 hood is required. Mr. Clapp is concerned about other restaurants attempting to do the same thing. There was a question as to how the Mechanical Code test can be performed. Concern was raised over setting precedent. Mr. Clapp requested that the proponent provide him with information on the technical data from the HVAC system. Commissioner Scheurich moved to table, and Commissioner Heinsman made the second. It was voted upon and carried.

18-05-76 Locked Up Live Mishawaka, Mishawaka

Carrie Ballinger, RTM Consultants, spoke as the proponent. This is a re-filed variance which was approved previously with an expiration date of June 1, 2018. A date was placed on the previous variance because the Commission wanted time to gather more information in order to determine requirements for Escape Rooms. The previous two variances that were approved for escape rooms did not have deadlines. No alcoholic beverages will be served at this facility. Commissioner Pannicke moved to approve, and Commissioner Heinsman made the second. It was voted upon and carried.

18-05-77 Greek's Pizzeria, Zionsville

Christina Collester, RTM Consultants, spoke as the proponent. This building has retail space in front, and a pizza place in back. This building is 3,850 square feet. This was originally approved two years ago using Chapter 3410. There was a small storage room which was removed. A smoke detection system was installed the first time in order to pass. Installing a sprinkler system would be difficult to install as the building was constructed in 1910. Proponent stated that a full fire alarm system – which would include adding horns and strobes – would cost \$10,900. Nothing has changed except removing a storage closet and moving the bar from one side to another. Josh Frost, Zionsville Fire Department, opposed the variance as submitted for several reasons. The bar was added after this project was underway and he thinks the hazard has increased. He asserted the area was a bar because it is wired for a television and has stools. He would like early notification of fires. The building has three exits, with short travel distances. Proponent asserted that putting the storage closet back in would be cheaper than installing the fire alarm system. The concession is to add an alarm in lieu of sprinklers. Proponent said that the owner would add pull stations. Commissioner Popich moved to deny, and Commissioner Scheurich made the second. It was voted upon and failed 6-4. Chairman Nicoson and Commissioners Popich, Scheurich and Goeden voted in favor of the motion to deny the variance; while Commissioners Furnish, Henson, Pannicke, Heinsman, Hite and Jordan voted against the motion to deny. Discussion resumed, beginning with the occupancy load of the restaurant. The occupancy load is over 100. Mr. Frost is concerned because the owner often has events with hundreds of people in attendance. Commissioner Heinsman moved to approve with the condition that the occupancy load be capped at 99 people. Commissioner Pannicke made the second. It was voted upon and carried. Commissioners Popich and Scheurich voted against the motion.

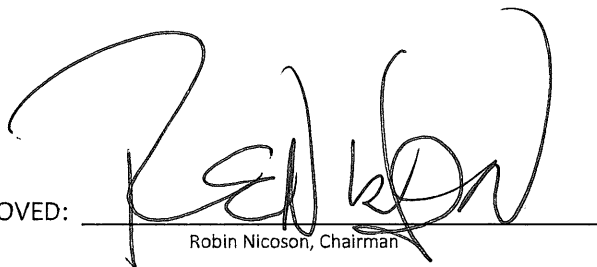
13. Comments and Closing Remarks

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

14. Adjournment

Chairman Nicoson adjourned the meeting at 5:10 PM.

APPROVED: _____



Robin Nicoson, Chairman