

MEETING MINUTES

Meeting Details

Date: June 7, 2022
Time: 9:00 AM
Location: Conference Room F, Government Center South and Microsoft Teams

Member Attendance

Name	Present		Means of Participation
	Yes	No	
Harold Davidson	<input type="checkbox"/>	<input type="checkbox"/>	In Person
Greg Furnish	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Jim Greeson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Joe Heinsman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
David Henson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Todd Hite	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NA
Wes Jordan	<input type="checkbox"/>	<input type="checkbox"/>	NA
Jim Murua	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Scott Pannicke	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Michael Popich	<input type="checkbox"/>	<input type="checkbox"/>	NA
John Watson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person

Notes

Meeting materials for this meeting can be accessed here: [Commission Meeting Materials](#).
 Variance applications, attachments, and action letters can be accessed here: [Variance Files](#).

1. Call to Order – Chairman Greeson called the meeting to order at 9am.
2. Roll Call – Seven members were present at the time of roll call, meeting quorum. Commissioner Furnish joined after roll call was taken.
3. Review and Action on the June Meeting Minutes. Chairman Greeson indicated that the variance for Herr Winery needed to show that Mr. Rensink requested it be tabled, and that the section indicating questions for Mr. Whitham needed to show that Commissioner Murua wished to continue electronic meetings. Commission voted to approve the minutes by a vote of 7-0.

4. IDHS Reports and Updates

1. Interpretation of the State Building Commissioner

- i. CEB-2022-15-2014 IBC-1006.3
- ii. CEB_2022-16 2014 IBC-1011.1
- iii. CEB-2022-17 2014 IBC-1014.2
- iv. CEB-2022-14-2020 IRC-R302.1-Exc 6

2. IDHS Variance Determinations Report as required by 675 IAC 12-5-6.2(f) – Denise Fitzpatrick.

3. Rulemaking Update(s)

- i. Indiana Elevator Code Committee – Review draft of proposed rule for approval. Mr. Corey joined telephonically to answer any questions that the Commission had about the Draft Proposed Rule. Commissioner Watson indicated that there were a few minor technical corrections required in the Code References, but no substantive issues. Mr. Corey indicated that the biggest financial impact would be with the third party witnessing, which other states do but which Indiana does not currently do, but will benefit the state in reducing conflicts of interest and allowing for additional safety from parties with no direct interest.

Commission questioned whether the State would be capable of performing the inspections. Mr. Cronley, Chief Inspector, indicated that the State would not have the resources to do so. Commission asked who qualified as a Third Party. Commissioner Watson indicated that Third Parties are defined in the Code, and are largely going to be independent inspection companies that provide Qualified Elevator Inspectors.

Mr. Cronley indicated that the addition of third party inspections will also increase safety by ensuring that yearly inspections are performed in a timely manner.

Committee moved to **approve** the Draft Proposed Rule with Commissioner Watson’s technical corrections.

- ii. Indiana Electrical Code Update Committee – Director Dyer provide the Commission an update on rulemaking process.

Next Meeting: June 29, 2022, 9:00am – 4:30pm, 302 W. Washington St. Indianapolis, IN 46204, Conference Room 29. Chapters 2-3. All proposals and agenda items are due by June 22.

6. Variances

a. Tabled

i. 21-12-24 (a) Square Cat Vinyl, Indianapolis – Ed Rensink spoke on behalf of the variance. Mr. Rensink came back with information that the Commission requested. The basement will not be used by the band, and is simply used for service to the building and secondary storage. Employees don't even go to the basement. Mr. Rensink also answered questions related to the shelving, which is set up on wheels, creating larger corridors. Mr. Rensink recalculated the occupant load and came up with an occupant load of 300 for the 1500 square feet of open area. Requested occupant load was 225, so should not hit the limit for overcrowding. Commission approved the motion with the following conditions:

Conditions: Record storage bins must be moved out of standing room area and moved along the wall per performance, basement shall not be occupied by staff or the public, occupancy is capped at 225.

ii. 22-03-43 Indy Marriott Place 10, Indianapolis – Proponent requested that the variance be **tabled**. Motion passed unanimously.

iii. 22-04-16 Mary Bennett 5058 Kingswood Dr, Carmel – No proponent present. Commission moved to **table** unanimously. Proponent came on after vote, Commission **untabled**. Contractor that applied for the variance spoke on behalf of the variance. Contractor indicated that the clearance from the roof makes it impossible to comply with the code due to the roof being architecturally distinct, with several roof slopes where solar arrays will be fitted, allowing only 11-14 inches of the required 18 inches. Commission expressed concern about the clearances and safety conditions for fire workers walking on the roof with such small spaces. Commissioner Burgess indicated that he had researched this issue in November, and that the code change was requested by the Boulder, CO fire department to allow for hot gas venting and access. Commission asked how the panels would be serviced if the clearances were insufficient. Contractor indicated that they would need to be disassembled for service. Solar panels are already installed, violation was found during inspection.

Commission **denied** the variance by a vote of 9-0.

iv. 22-04-25 Lenox Building 101 N Main, Elkhart – No proponent present. Commission **tabled** unanimously. Proponent appeared later. Commission moved to untable. Melissa Sawyer spoke on behalf of the variance. Building is on National Register of Historic Places. Proponent returned with a plan on how to do structural reinforcement to address the Commission and LFO's concerns for the mezzanine area, as well as a letter from LFO stating they were no longer opposed. Proponent present information on how life safety would be preserved. Commissioner Pannicke asked if a Chapter 34 analysis was done. Proponent indicated that the analysis had been done and shows that FSP is required. BC Burgess and Commissioner Murua indicated that they would like to see the full Chapter 34 analysis to ensure that it was done properly. Proponent requested that the Commission **table** the motion until a Chapter 34 analysis can be submitted. Commission **tabled** the variance 8-0.

v. 22-04-30 Herr Winery Production and Tasting Room, Warren – Mr. Rensink returned with

notification for the correct county and the Chapter 34 evaluation. Commission moved to **approve 8-0**.

b. New

- i. 22-05-49 Place of Grace, Huntington – Chair of the Board and Executive Director presented on behalf of the variance. Building is a substance abuse recovery residence. Building is not equipped with sprinklers, but has fire extinguishers on every floor, smoke detectors on every level including one in every resident bedroom, connected. Fire ladders and egress windows are also included, along with emergency lighting and emergency exit signs with backup lighting. Quote for sprinkler system in a retrofitted early 1900's building would cost a half million dollars, which would close the program due to lack of funds for a small non-profit. Proponent did not know if sleeping room windows meet egress size. Commissioner Murua asked if they had considered whether they had considered a 13-D sprinkler system off of domestic water. Proponent indicated they could get a quote for the 13-D system. Proponent indicated that there is no alarm, but that the facility is fully staffed 24 hours a day, with staff awake at all hours. Mr. Pannicke suggested that they also look at a monitored fire alarm system. Commission **tabled** the variance until proponent could get a quote on a 13-D system.

Commission took a break from 11:00 – 11:15am.

- ii. 22-05-50 HTK Airsoft, Jasper – Jason McCoy presented. Building is a former furniture factory that is approximately 70k square feet. Building is being used for indoor airsoft play. Proponent understood at the time that if the building was sprinkled and provided an additional exit, they would be in compliance with the fire code, but did not include an extra bathroom or a monitored fire alarm, but installed those when requested. Proponent then was told that due to the size of the building and the calculated occupancy, they would need additional restrooms, but proponent caps occupancy at 150 persons. Requesting a variance to not install additional restrooms due to occupancy lower than calculated limit. Commission expressed concern that the variance is to limit occupant load and does not include the need for additional restrooms. Commission moved to **approve with conditions**.

Condition: Occupant load not to exceed 150.

- iii. 22-05-51 Sonoco Flexible Packaging Addition, Edinburg – Overton with Edinburg Fire Department. Christina Collester presented. Proponent indicates that printing presses are equipped with internal sensors and fire suppression systems. Building is an H occupancy that is not separated from the other areas save for the H3 storage room with a required rated separation. Proponent is asking for an exception to table 503 for allowable height and area. Building has a full fire alarm and sprinkler system. LFO Overton indicates that, after firsthand demonstration, he is not opposed to the variance. Building has a relatively low occupancy. LFO indicates that the building is H3, but would consider it akin to a commercial kitchen with a hood over the grease fire area with lesser protections in the rest of the kitchen.

Commission **approved** the variance by a vote of 8-0.

- iv. 22-05-52(a)(b) WyHoo Aquapark and Campground, Van Buren – Joe Bishop presented. Proponent wishes to have a 4-hour maximum turnover rate in a zero entry pool.

Commission approved variance (a) 8-0.

Proponent also indicates that due to the way the steps in the pool are designed they do not qualify for the uniform change of slope requirement, even though they meet all other criteria. Proponent is unsure if a variance is required. Steps are color-differentiated tile with clear markings and handrails, and transition line marked on both sides. Commissioner Hite indicated that he was unsure if a variance was required.

Commission **approved** variance (b) 8-0.

- v. 22-05-53 Possibilities Northeast, Fort Wayne – David Ringer presented. Proponent is asking for a variance for sprinklers based on the difficulty of including an additional water line, but is willing to increase water flow in the 13-R system.

Commission **approved** the variance by a motion of 8-0.

- vi. 22-05-54 Best Hall Addition, Trine University, Angola – Ralph Gerdes Consultants presented. Proponent seeks a variance based on a miscalculation of mixed use occupancy. 2022 addition will help clean up mistakes made in the 2016 addition, including sprinklers and rated fire barriers with additional exiting. Commission **approved** the motion by a vote of 8-0.

- vii. 22-05-55 Regency Club Apartments, Evansville – No proponent available. Commission **tabled** by a vote of 8-0.

- viii. 22-05-56 Eskenazi Hospital, Indianapolis – Commissioner Pannicke recused himself. Alex S. from Code Consultants presented on behalf of the variance. Eskenazi is requesting to remove signage and compliance with allowance to lock based on clinical needs in a place of restraint. The building is fully sprinklered and monitored, and the space is approximately 3000-5000 square feet. Both doors are independent of each other. Commissioner Furnish asked if there were any similar facilities in Indiana. Proponent did not know. Proponent wishes to remove signage that signals the 30 second delay, but will still have exit signage. Proponent is allowed to lock the doors without delayed egress in a restraint center provided all staff have keys. Commission **approved** the variance by a vote of 6-1.

- ix. 22-05-57 Haynes House Stairs to Loft, Frankfort – Proponent is the owner of the home, a private residence. Proponent is asking for variance to the stairs, new construction. Shortened the stairs, new tread depth is 11.5 inches deep going up, but 6.5 going down due to overlap. Commission **approved** the variance with conditions.

Condition: Fire rescue ladder must be provided on second floor window.

- x. 22-05-58(a)(b) Iozzo's Garden of Italy, Indianapolis

Commission approved a-category variance (a) 8-0.

Ed Rensink spoke on behalf of the variance. Mr. Rensink indicated that hood penetrates the a fire-resistant ceiling. Mr. Rensink is asking to comply with the 2018 International Mechanical Code to include an exception for UL710 complying hoods providing zero clearance to combustibles. Hood is required and fire suppressed.

Commission **approved** the variance 8-0.

- xi. 22-05-59 Body Shop Variance Request, South Bend – Proponent requested that the variance be tabled. Commission tabled by a vote of 8-0.
- xii. 22-05-60 and 22-05-62: 1206 / 1210 Madeira Street, Indianapolis – Josh Peters presented. Proponent is asking for a variance to allow for the addition of a sprinkler system and one hour fire rated windows in lieu of the addition of a firewall and the removal of multiple windows in order to preserve the home footprint. Commissioner Pannicke expressed concern about whether getting a variance meets the requirements for the HUD funding from the grant program. Commissioner Furnish indicated that the Commission has granted similar variances in the past. Commission **approved** both variances 8-0.
- xiii. 22-05-61 Northeast Dubois High School, Dubois – Variance for a wheelchair lift. Seeking a variance to move the disconnect box into the adjacent storage closet, which would go on the strike side of the door. Wall where the box would normally go is taken up by two large windows, and hoistway is an enclosed lift with plexiglass. Commissioner Watson asked if there would be signage preventing storage in the adjacent closet. Proponent agreed to provide signage if that was amenable to Commission. Commission **approved the variance with the conditions.**

Conditions: Signage on the door preventing storage, passage latch-set door with a deadbolt, no self closing mechanism.

- xiv. 22-05-63(a)(b)(c)(d) IAA Parking Garage Expansion, Indianapolis -- Ralph Gerdes presented. Code requires Risk Category III if over 5000 people in a building. Mr. Gerdes wishes to use Risk Category II rather than III based on having less than 5000 people in the structure based on treating each expansion joint as a distinct building. Existing structure uses Risk Category II. Commissioner Heinsman wanted to know if occupancy load was calculated differently for garages. Commissioner Greeson wanted to know if both Marion and Hendricks County fire officials had a chance to weigh in with concerns. Mr. Gerdes indicated that Indianapolis had first response jurisdiction. Part of the parking garage is below grade. Proponent suggests introducing a mechanical ventilation system and a sprinkler system, and notes that the fire department has a pickup equipped to handle garage fires. Proponent wishes to treat garage as IIB construction, which code allows if everything is within 200 feet of an exterior opening. Garage is over area, but garage was previously constructed with IIB. Storage and rental kiosk are less than 1% total area of the garage, and are equipped with basic fire safety systems.

Commission **approved** variances a, b, c, and d as submitted 8-0.

- xv. 22-05-64 Northwest Place Event Center, Huntington – Ed Rensink. Conversion of prior elementary school being proposed as an event space. Occupant load is approximately 250 people, constructed in 1966 and is masonry bearing fire resistant building material, likely Type I-B. Fire alarm, emergency lighting, exit signs. Fire department requested a map and a knock box at fire alarm panel. Maximum travel distance to exit approximately 90 feet. LFO has issued a letter of support.

Commission **approved** the variance 8-0.

c. Approval of Local Variances

- i. Beech Grove Police Station -- Committee **approved** the variance by a vote of 8-0.

7. Report on Administrative Review

- i. OALP has provided no new final orders at this time.

8. Commission Review of Local Ordinances

1. Preliminary (Pre-Adoption) Review

- . Building Code Ordinance of Putnam County
- i. Town of Edinburgh Fire Prevention Ordinance
- ii. City of Danville Fire Prevention Ordinance
- iii. City of Muncie Fire Code Ordinance
- iv. City of Greensburg Fire Prevention Ordinance
- v. Town of Corydon and Harrison Township Fire Prevention Ordinance

2. Adopted Ordinances

- i. City of Columbus Fire Prevention Ordinance

9. Final Comments/Closing Remarks – Chairman Greeson.

10. Next Meeting – July 6, 2022, at 9:00 a.m. Eastern Time in Conference Room F, Indiana Government Center South Conference Center, 302 W. Washington Street, Indianapolis, IN 46204. Virtual meeting details TBA.

A public notice with specific details regarding the format of the meeting will be provided on the Commission main web page in advance of the meeting date.

11. Adjournment – Meeting adjourned at 2:14pm.

APPROVED: 
Dustin L. Dyer, Director

DATE: July 7, 2022