

MEETING MINUTES

Meeting Details

Date: February 6, 2024
Time: 9:00 AM
Location: Government Center South – Conference Room A

Member Attendance

Name	Present		Means of Participation
	Yes	No	
Logan Cook	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
John Crisp	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Harold Davidson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Todd Hite	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
James Murua	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Scott Pannicke	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Michael Patarino	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Michael Popich	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
David Porter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Kenneth Wagner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person
Michael Zehner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In Person

Notes

Additional information may be available at the [Commission's Web Page](#).

Also in attendance:

Dustin Dyer, Director of Boards and Commissions, IDHS

1. **Call to Order** – Chairman Murua called the meeting to order at 9:00am.
2. **Roll Call** – Quorum was met. See above for attendance.
3. **Review and Action on January 2024 Meeting Minutes** – Mr. Cook noted that ‘feeders’ should be changed to ‘foundations’ in Variance 23-12-93.
4. **IDHS Reports and Updates**

- i. IDHS Variance Determinations Report as required by 675 IAC 12-5-6.2(f) – Isaac Delgadillo
- ii. Valet Trash Collection (Non-rule Policy) – Commission approved non-rule policy unanimously.
- iii. [Routine Boiler Repairs No Longer Permitted or Accepted](#) – Roger Boillard presented to Commission an update on routine repairs (see link). No Commission action necessary.

5. State Building Commissioner Interpretations

- i. None

6. Rulemaking Update(s)

- i. **Electrical Code Update Committee** – Mr. Dyer and Vice-Chairman Popich provided an update on the dealings of the Electrical Code Committee.
- ii. **Fire and Building Code Update Committee** – Mr. LaRue wishes to only serve on one Committee. Mr. Popich nominates Richelle “Shelly” Wakefield to replace Mr. LaRue on the Fire Code Update Committee. Commission approved unanimously. Mr. Popich moved to add Derek Holman from RTM to the Fire Code Committee for the position of Code Consultant.
- iii. **Lift Device Update Committee** – Mr. Pannicke asked to resign as an of the Committee. Mr. Pannicke suggested that it might be a good position for Mr. Patarino. Mr. Patarino declined the position of Chairman. Mr. Dyer and Mr. Guedel suggested that a member of DHS Staff could serve as Chairman if no member of the Commission wished to serve. Mr. Cronley was suggested, Commission approved.
- iv. **Civil Penalty Rule** – Mr. Guedel provided an update on the proposed civil penalty rule.

7. Variances

a. Tabled

- i. **23-10-25 Carmel HS Variance Wording Change** – Logan Cook recused. Mr. Dave Cook noted that variance expiration date should not apply to all variances. Should only apply to sprinkler variances. Commission modified approval letter for all for variances to add: “Variances will expire if fire protection system is not installed in auditorium by the previously noted date.”
- ii. **23-10-32 PIN1 (Indianapolis)** – No proponent. Tabled.
- iii. **23-12-79(b) Grayford Farm LLC (North Vernon)** – No proponent. Tabled.

- iv. **23-12-81(a)(b) White Box Remodel (Greenwood)** – No proponent. Tabled.
- v. **23-12-86 Roof Access in Elevator Machine Room (Greenwood)** – Brie Haggard, HR Generalist for Rev1 Company, presented. Owner also presented. Received a violation for roof access in elevator machine room, only roof access to entire building. Cost of moving roof access would create undue hardship. Mr. Murua asked whether lock box was available. Ms. Haggard confirmed box access outside of elevator room, but no Knox Box outside of building. Commission **approved** with the condition that key box is provided outside for firefighter access.

Commission broke from 9:42 to 9:55.

b. New

- i. **24-01-33 Hoffer DnB Barn Venue (Knox)** – Asking to omit sprinkler system in 6000 square foot venue barn housing approximately 250 people. Hoffers presented, noted that they never have over 120 people in the barn. Shut down from October to May. No heating or other a/c, no candles or open flames allowed. Converted potato barn, built 1950. Mr. Hoffer on the fire department, department less than a mile from the house. Commission and Building Commissioner note that other variances are needed before this application can be considered complete, suggest working with their design professional to work on completing the variances necessary. **Tabled**. Commission **untabled** after IDHS noted that sprinkler variance was only variance needed. Commission **approved** on the condition that posted occupancy limit not to exceed 100 people.
- ii. **24-01-34 ESS Georgetown Storage (Indianapolis)** – Requesting to allow roll-up doors on four sides of the building which would limit firefighting access. Commission engaged in robust discussion about requirements for self-storage facilities. Ed Rensink presented. Commission **approved** on the condition that fire alarm system be NFPA 72 compliant with third-party monitoring.
- iii. **24-01-35(a)(b) 626 N College Expansion (Bloomington)** – Variance (a) recommended for approval by IDHS. Also seeking to add two apartments in a garage to a house with four apartments, do not want to add a two-hour firewall. Would require sprinklers. Proponent proposes to install an NFPA 13 system through the entire project. Commission **approved**.
- iv. **24-01-36 S. Abraham and Sons Racks (Greenfield)** – Asking to use sprinklers for storage racks. Commission **approved**.
- v. **24-01-37 IU Athletics Facilities Temporary Tent Structures (Bloomington), 24-01-38 IU DeVault Alumni Center Tent (Bloomington), 24-01-39 IU Bryan House Tent (Bloomington), 24-01-40 IU Woodburn House Tent (Bloomington)** – Asking to allow recurring tent structures every year during sporting event season. Mr. Rensink presented, notes that other universities have similar variances. Frequently

inspected by IU insurance at time of initial setup and on game days. LFO notes that allowing IU to keep tents up makes enforcement of same standards for fraternity and sorority tents much more difficult. Commissioner Cook asked for information on the age or design of the tent structures before agreeing to grant a variance in perpetuity. Vice-Chairman Popich clarified that the tents are publicly accessible except for game days when vendors are present underneath. Commission **approved** on the condition that tents not remain up for more than 180 days for year 2024.

Commission broke from 11:11 to 11:22.

- vi. **24-01-41 Sunrise Recovery Building Renovation (Corydon)** – Requesting not to allow backflow valves not to be electronically supervised. IDHS notes LFO and LBO opposed, Ms. Collester counters that LFO and LBO are neutral per comments. Ms. Collester also notes that current versions of code do not mandate tamper switches as it would be cost-prohibitive for large facilities and switches are notoriously sensitive to water incursion. Commission discussed whether continuing to grant variances for project mistakes was prudent, as they seem to be occurring more. Building Commissioner noted that this is for Clarksville. **Approved with conditions:** Weekly inspections, open valves performed by maintenance, weekly inspection reporting, alarm lock on PIV, Knox Storz, lock on hatch to vault.
- vii. **24-01-42(a)(b)(c)(d)(e)(f)(g) Danville High School Additions and Renovation (Danville)** – Adding to existing building, building over allowable area, exit travel distance exceeds maximum, rooms open to corridors without being fire rated, manual fire alarms not installed, no sprinkler in greenhouse addition (IDHS recommends approval), no fire suppression system over swimming pool. Danville Fire Marshal supports the variance, notes that all details of fire response have been worked out ahead of time. Pull station added in the administration area. Commission **approved**.
- viii. **24-01-43 Alpha Systems North Addition (Elkhart)** – Previous variance expired due to various property transactions happening. Commission **approved**.
- ix. **24-01-44(a)(b) Fortify Homes Renovation (Auburn)** – Asking to not provide a sprinkler system in a building previously used as a motel, currently used as transitional housing (requiring 13R system). No one hour separation wall between dwelling units but certain parts of ceiling and bathtub areas are unprotected. Jordan Owens, architect, presented. Constructed in 1986 as an R-1 motel. Approximate cost to comply with code is \$100,000. Smoke detectors provided in all floor areas. Commission notes that estimated sprinkler cost seems excessively high, asked for a formal estimate. **Tabled**.
- x. **24-01-45 Kiser House Restoration (South Bend)** – Change of occupancy, do not want to use Chapter 34. Ed Rensink presented. 1888 single family structure. National registry district. Proposing fire alarm and detection system throughout, NFPA 72, monitored. Two means of egress on every floor, maximum travel distance 113 feet. LFO suggests tabling variance until next month until owner and building officials can talk about what needs to happen to avoid such a broad approval. **Tabled**.

- xi. **24-01-46 Huntington Bulk Plant (Huntington)** – 30k gallon LP tank required to be 50 feet from property line, proposing 45 feet, LFO opposed. Fire marshal notes that there is a way to place the tank to ensure 50 foot setback, opposes a variance to allow 45 feet, dislikes a tank of that size in this area, notes that 1 more gallon requires 75-foot setback. Homeowners also sent a letter opposing. Commission **denied**.
- xii. **24-01-47 863 Mass Ave Temporary Use (Indianapolis)** – Commission discussed various matters related to access and timing. **Approved** with condition that inspection testing and maintenance done to entire space and exiting before open, no access to upper floors, IFD performs inspection before opening to the public.

8. Industrialized Building Systems Applications and Renewals

- i. IU (Initial Application) – IDHS has no objections.
- ii. PFS (Renewal) – No objections.

Commission approved both.

9. Report on Administrative Review

a. OALP Non-Final Orders – Commission Review/Action Required as Ultimate Authority

- i. **DHS-2311-002796 – Washington Community School Corporation (FTA)** – Commission approved.

b. New Cases – *Monitoring Only*

- i. DHS-2401-000173 – Zionsville Fire Department
- ii. DHS-2401-000218 – LaPorte Civic Auditorium

c. Ongoing Cases

- i. DHS-2307-002000 – Scannell Properties
- ii. DHS-2308-002119 – Singh Basra LLC
- iii. DHS-2311-002835 – Ronald Davidhizer vs. City of Goshen
- iv. DHS-2311-002795 – Washington Community School Corporation
- v. DHS-2312-003133 – LaPorte County

d. New Filings – Commission Review/Action Required

- i. None

e. OALP Final Orders – No action required.

i. None

10. Final Comments/Closing Remarks – Chairman Murua

11. Next Meeting – Tuesday, March 5, 2024, at 9:00 a.m. Eastern Time in **CONFERENCE ROOM B of the Indiana Government Center, 302 W. Washington Street, Indianapolis, IN 46204.**

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.

12. Adjournment