

Owner / Applicant Information

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Project Information

City's Edge  
1427-1443 Prospect Street

Indianapolis IN 46203

County MARION

Project Type New ☒ Y Addition ☐ Alteration ☐ Existing ☐ Change of Occupancy ☐

Project Status ☒ U F=Filed U or Null=Unfiled

IDHS Issued Correction order? ☒ No Has Violation been Issued? ☒ No

Violation Issued by: NA

Local Building Official

Phone:

Email:

Local Fire Official

Phone:

Email:

Variance Details

Code Name: Other Code (Not in the list provided)

510.2, Condition 7, 2014 IBC

Conditions: Building height in feet (approximately 64 feet) will exceed that permitted (60 feet) for the overall building based upon installation of an NFPA 13R sprinkler system in the R-2 Occupancy Type VA building (building complies with the allowable 4 stories in height).  
The project involves a 5-story building with commercial tenants and parking on the 1st floor, and residential apartments on the upper floors. The building will be designed per Sec. 510.2, with a 1st floor podium of Type IA Construction and 4 floors above of Type VA Construction.

DEMONSTRATION THAT PUBLIC HEALTH, SAFETY, AND WELFARE ARE PROTECTED:

1=Non-compliance with the rule will not be adverse to the public health, safety or w

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2= Applicant will undertake alternative actions in lieu of compliance with the rule to ensure that granting of the variance will not be adverse to public health, safety, or welfare. Explain why alternative actions would be adequate (be specific).

Facts: 1. The Type VA building will be protected throughout with a sprinkler system per NFPA 13R, and the 1st floor with a sprinkler system per NFPA 13.  
2. Several similar variances have been granted for the 60-ft height limit for similar podium buildings over the past several years, including 17-09-46c, 16-12-53c, 16-03-29b, 15-02-11a, 14-07-04b, 14-04-42b, 13-09-47c, 13-10-28e, 12-09-11d, and 12-06-08b.

DEMONSTRATION OF UNDUE HARDSHIP OR HISTORICALLY SIGNIFICANT STRUCTURE:

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Imposition of the rule would result in an undue hardship (unusual difficulty) because of physical limitations of the construction site or its utility services.

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Imposition of the rule would result in an undue hardship (unusual difficulty) because of major operational problems in the use of the building or structure.

☐

Imposition of the rule would result in an undue hardship (unusual difficulty) because of excessive costs of additional or altered construction elements.

☐

Imposition of the rule would prevent the preservation of an architecturally or a historically significant part of the building or structure

Facts: Overall height is driven by the height of the 1st floor commercial tenant spaces.

Variance Details

Code Name: Other Code (Not in the list provided)  
1009.9, 2014 IBC

Conditions: Stairs will be of combustible construction connecting the Type VA building and the Type IA podium structure for the North and South buildings. Based upon the Type IA classification of the 1-story + podium building, the stairs are required to be of noncombustible construction below the 2nd floor level - Sec. 1009.9 states that stairway construction be consistent with the type of construction of the building.  
The project involves a 5-story building with commercial tenants and parking on the 1st floor, and residential apartments on the upper floors. The building will be designed per Sec. 510.2, with a 1st floor podium of Type IA Construction and 4 floors above of Type VA Construction.

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Facts: 1. The stairs will be enclosed with 2-hour rated shaft construction for the full height, as required. The shaft construction within the podium building will be 12-inch poured concrete wall construction.  
2. The 1st story podium will be protected with a sprinkler system per NFPA 13. The Type VA building will be protected with a sprinkler system per NFPA 13R.  
3. This same variance has been approved on several previous projects, including 18-04-30, 17-01-99, 16-12-52(d), 16-03-04, and 15-08-33.

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- Imposition of the rule would result in an undue hardship (unusual difficulty) because of excessive costs of additional or altered construction elements.
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- ☐
- Imposition of the rule would prevent the preservation of an architecturally or a historically significant part of the building or structure

Facts: The additional cost to provide noncombustible construction for the stair below the residential levels will not result in any additional level of safety, since the portion of the stair within the same stair enclosure is of combustible construction (as permitted by code) from floors 2-5.

Variance Details

Code Name: Other Code (Not in the list provided)  
1007.2.1, 2014 IBC

Conditions: The elevator will not be provided with generator backup for the purpose of providing the accessible means of egress requirement for buildings 5 or more stories in height. The project involves a 5-story building with commercial tenants and parking on the 1st floor, and residential apartments on the upper floors. The building will be designed per Sec. 510.2, with a 1st floor podium of Type IA Construction and 4 floors above of Type VA Construction.

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Facts: 

<p>1. The Type VA building will be protected throughout with a sprinkler system per NFPA 13R, and the 1st floor with a sprinkler system per NFPA 13.</p> <p>2. The elevator will have battery back-up provided in order to permit lowering of the elevators in the event of loss of power. Additionally, a transfer switch will be provided to permit hookup of a portable generator.</p> <p>3. Accessible means of egress are not required by the federal Fair Housing Act.</p> <p>4. The variance as requested has been approved at numerous times previously for 5-story buildings, (18-02-25), (18-01-25a), (17-09-46b), (17-07-45d), (17-06-64a), (16-11-39a), (16-08-59e), (16-06-34c), (16-02-47a), (11-01-43e), (14-10-55), (07-11-12c), (16-12-52b), and (16-12-53a).</p>
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Facts: 

Hardship is the cost to install and maintain an onsite generator.
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Variance Details

Code Name: Other Code (Not in the list provided)  
3004.1, 2014 IBC

Conditions: Hoistway venting will not be provided for the elevator to be installed in the building. An elevator with four (4) or more stops requires hoistway venting where the building contains an R Occupancy.  
The project involves a 5-story building with commercial tenants and parking on the 1st floor, and residential apartments on the upper floors. The building will be designed per Sec. 510.2, with a 1st floor podium of Type IA Construction and 4 floors above of Type VA Construction.

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Facts: 1. The 2015 International Building Code has eliminated the requirement for venting of elevator hoistways.  
2. Reference to hoistway venting has been eliminated from the 2010 Edition of the ASME A17.1, Safety Code for Elevators and Escalators.  
3. Elevator hoistway vents, when opened, could potentially draw smoke and heat into the elevator hoistway.  
4. The building will be protected with an automatic sprinkler system throughout. Recent studies indicate that sprinklered buildings do not pose a threat for smoke and heat spread through elevator shafts.  
5. Past interpretations rendered by the Elevator Section have said that venting is not required for buildings 5 stories or less in height.  
6. Similar variances have been granted for 4-, 5-, and 6-story buildings, including 18-09-18b, 18-08-14c, 18-06-60f, 18-04-28, 18-04-25, 17-09-38b, 17-09-52, and 17-09-62d.

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Facts: Venting of elevator hoistways appears to be a vestige of decades-ago theories about smoke spread in nonsprinklered buildings. At this point, the intent of hoistway venting in current codes is not clear. In addition to potentially drawing smoke into the hoistway from the building, hoistway venting also has a detrimental effect on energy conservation. In addition to potential adverse affects noted, hardship is the cost to install and maintain elevator vents.

Variance Details

Code Name: Other Code (Not in the list provided)  
1007.8, 2014 IBC

Conditions: A 2-way communication system will not be provided at the elevator landing on each floor. The system is required on each accessible floor that is one story above or below the level of exit discharge.  
The project involves a 5-story building with commercial tenants and parking on the 1st floor, and residential apartments on the upper floors. The building will be designed per Sec.

and residential apartments on the upper floors. The building will be designed per Sec. 510.2, with a 1st floor podium of Type IA Construction and 4 floors above of Type VA Construction.

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Facts:

1. Cell phones are widely used for communication, and will provide a more readily available means of communication for the purpose intended.
2. This variance has been approved numerous times before, (18-09-18a) (18-08-43a), (18-06-60a), (18-03-32a), (17-10-13), (17-03-82d), (17-06-38d), (16-09-71d), (15-09-73), (17-02-52a), (17-06-52e), (17-09-62f), and others.
3. The building will be protected throughout with an automatic sprinkler system.

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Facts:

Hardship is the cost for a 2-way communication system that would likely never be used.

Variance Details

Code Name: Other Code (Not in the list provided)  
1022.7, 2014 IBC

Conditions: Nonrated exterior windows will be located within 10 feet of unprotected exterior windows in the west stair on each of the 3rd, 4th and 5th floors.  
The project involves a 5-story building with commercial tenants and parking on the 1st floor, and residential apartments on the upper floors. The building will be designed per Sec. 510.2, with a 1st floor podium of Type IA Construction and 4 floors above of Type VA Construction.

DEMONSTRATION THAT PUBLIC HEALTH, SAFETY, AND WELFARE ARE PROTECTED:

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2= Applicant will undertake alternative actions in lieu of compliance with the rule to ensure that granting of the variance will not be adverse to public health, safety, or welfare. Explain why alternative actions would be adequate (be specific).

Facts: 1. The Type VA building will be protected throughout with a sprinkler system per NFPA 13R.  
2. A sprinkler will be located at the ceiling level within 12 inches of the windows exposing the stairway to protect the stair from fire exposure.  
3. This variance has been granted for several projects recently, including 18-06-50d, 16-12-31d, 16-11-25b, 16-10-23c, 16-05-73k, and 15-07-53d.

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Facts:

The openings are needed to provide natural light and ventilation into the dwelling units. Providing a fire-rated window assembly would not permit an operable window needed for natural ventilation.

Variance Details

Code Name: Other Code (Not in the list provided)  
705.8, 2014 IBC

Conditions: Exterior openings within the west exterior wall (25.7% of the wall area) will exceed that permitted for the south exterior wall as a whole (25% on the 1st floor and 10% of floors 2-4) based upon the fire separation distance of 5-9 feet. Floors 1 and 2 will be located 5 feet from the property line and Floors 3-5 will be located 9 feet from the property line.  
The project involves a 5-story building with commercial tenants and parking on the 1st floor, and residential apartments on the upper floors. The building will be designed per Sec. 510.2, with a 1st floor podium of Type IA Construction and 4 floors above of Type VA Construction.

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Facts: 

1. The Type VA building will be protected throughout with a sprinkler system per NFPA 13R, and the 1st floor with a sprinkler system per NFPA 13. 2. An automatic sprinkler will be provided at the openings in west exterior wall on floors 2-5, located 12 inches horizontally of the openings at the ceiling level.
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- ☐ Imposition of the rule would prevent the preservation of an architecturally or a historically significant part of the building or structure

Facts: 

Openings are needed to provide natural light and ventilation into the dwelling units.
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