

Owner / Applicant Information

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Project Information

Spark
1 North Street

FISHERS IN 46038

County HAMILTON

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

Project Status ☒ F 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)

508.1, 2014 IBC

Conditions: A portion of the 1st floor was originally designed for live/work units, which are defined as a dwelling unit where a significant portion of the space includes a non-residential use that is operated by the resident. Per Sec. 508.1, exc. 3, a live/work unit is permitted to be considered part of the overall R-2 Occupancy. The variance request is to permit the 1st floor area indicated on the plan to be used for small business uses not including sleeping provisions as a dwelling unit. The variance is in effect to allow the business uses to be separated from the R-2 Occupancy portions of the building with a 1-hour horizontal assembly and 1-hour fire partitions in lieu of classification as a mixed occupancy requiring a 2-hour separation.
The building is a 4-story Type VB structure, protected with an NFPA 13R sprinkler system.

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 portion of the sprinkler system protecting the business use tenants will be hydraulically designed per NFPA 13.
2. Each tenant will be separated with a 1-hour fire partition. A 1-hour horizontal assembly occurs over the entire area.
3. Smoke detection will be provided within each tenant space.
4. The lack of sleeping and cooking provisions within the tenant spaces will not be adverse to safety. Likewise, the lack of a 2-hour horizontal assembly over the small business tenants will not be adverse to safety given the limited risk posed by these uses.

DEMONSTRATION OF UNDUE HARDSHIP OR HISTORICALLY SIGNIFICANT STRUCTURE:

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

☒ Y 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.

☒ Y 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: The original business plan for this area is being revised as the building is nearing completion. There is a market demand for individual small business tenant spaces, but not for live/work units as originally envisioned. Altering construction at this point to provide a 2-hour horizontal assembly is not feasible.

