

Owner / Applicant Information

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Project Information

220 North Meridian
220 North Meridian St.

Indianapolis IN 46204

County MARION

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

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

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

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)

2014 InBC, 3004.1

Conditions: High rise apartment / parking garage building will have elevator hoistways without vents at the top. Code requires residential occupancies to have hoistway vents.

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. Buildings are sprinklered. The 2015 and 2018 IBC model code removes all requirements for hoistway vents. Research reveals no basis for the requirement.
2. At least four (4) variances on hoistway vents have been granted or ruled no variance required -
Patterson Pointe (18-08-60), Crawford 2 Apartments [17-09-38(b)], JW Marriott [09-11-12(d)] and Bethel College (08-10-19).

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.

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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: More current national model codes have eliminated the requirement for elevator hoistway vents. Hoistway venting can result in high energy consumption.

Variance Details

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

2014 InBC, 2902.1

Conditions: Amenities and pool will only have one (1) male and one (1) female restroom. Code requires plumbing fixtures for population served.

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. Residents have access to their bathrooms in their apartment units.
2. Two (2) accessible restrooms will be provided.
3. Other variances include Mill at Ironworks [17-07-49(h)], Stonewater [17-03-82(j)], Arbuckle [17-03-62(h)], Patterson Pointe [17-02-51(c)], 306 Riverfront District [16-05-73(j)].

DEMONSTRATION OF UNDUE HARDSHIP OR HISTORICALLY SIGNIFICANT STRUCTURE:

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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: Cost of providing restrooms with additional fixtures and use of valuable space is the hardship.

Variance Details

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

2014 InBC, 713.14.1

Conditions: 22 story apartment / parking building will not have enclosed elevator lobbies. Existing elevator lobbies will open directly into the fire-rated corridors. The code requires elevators that open into fire resistant rated corridors to be provided with an elevator lobby that separates the elevator from the corridor.

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: The building is protected throughout by a sprinkler system per NFPA 13.

NIST research shows that lobby vestibules in high-rise buildings do not provide sufficient protection. A sprinkler system does provide protection by minimizing the growth of a fire.

Variances include 32 story JW Marriott [08-05-57(b)].

Project exceeds Section 3412 analysis.

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: Owner's hardship involves the difficulty of providing elevator lobbies without the loss of valuable space. The code is a hardship when national research shows vestibules in high-rise buildings do not provide sufficient protection.

Variance Details

Code Name: Other Code (Not in the list provided)
2009 ICC/ANSI A117.1, 1004.5.1

Conditions: Apartment unit primary entrance doors will not have maneuvering clearance on inside of door(s). New accessibility standard now requires clearance on the inside of unit entry door for Type B units.

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. Fair Housing Act does not require such clearance on the inside of door. Intent of committee amendment to InBC Chapter 11 was to allow compliance with Fair Housing Act.
2. Variance approved for 17-07-49(i), 17-03-82(b), 17-03-52(b), 17-02-51(d), 16-11-39(b), 16-08-59(d), 16-06-54(g), 16-06-34(d), 15-12-32(g).

DEMONSTRATION OF UNDUE HARDSHIP OR HISTORICALLY SIGNIFICANT STRUCTURE:

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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: Cost of providing additional floor space to accommodate the clearance is the hardship. Federal law does not require such space. With a sprinklered building there is additional time to exit an apartment unit.

Variance Details

Code Name: Other Code (Not in the list provided)
2013 Ind Pool Code 20-2-5(a)

Conditions: The swimming pool code requires all slopes to be uniform. There will be a non-uniform slope (vertical drop) from approximately six (6) inches to four (4) feet between the sun shelf and the swimming area.

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: The swimming pool code does allow such changes for offset ledges, underwater seat benches, and wading areas per 675 IAC 20-2-10, 675 IAC 20-2-12, and 675 20-5-8. j The change in elevation will be visually marked to set apart the deeper area.
Previous variance includes 451 Market {13-02-12(b)}.

DEMONSTRATION OF UNDUE HARDSHIP OR HISTORICALLY SIGNIFICANT STRUCTURE:

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- 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 owner's undue hardship is limited floor area to provide the swimming pool and the nature of the pool.

Variance Details

Code Name: Other Code (Not in the list provided)
2013 Ind Pool Code 20-2-27

Conditions: The Swimming Pool Code requires dressing rooms, sanitary facilities, baby-changing stations and drinking fountains within 300 feet of the swimming pool. The Amenities area will have sanitary facilities within 300 feet, while the remaining items will be available in the residents' apartment units.

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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: Apartment tenants and their guests can access their own units for such facilities. There will be restrooms within 300 feet of the pool.
Previous variances granted include Mill at Ironworks [17-07-49(g)], Arbuckle [17-06-17(a)], Stonewater [17-03-82(i)], 306 Riverfront [16-05-73(e)], and Market Square North [15-07-70(d)].

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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 owner's undue hardship involves cost, including additional floor area.

Variance Details

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

Conditions: High rise apartment / parking garage building will not have a two-way communication system in the elevator lobbies. Such system is required by code.

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
- ☐ 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. Most persons have cell phones.
2. Building will be protected with NFPA 13 sprinkler system. Requirement is not based on a sprinklered building.
3. Other variances approved 17-07-49(b), 17-06-52(d), 17-03-82(d), 17-02-52(a), 17-01-38(e), 17-01-44, 16-12-12, 16-11,39(g), 16-09-71(a), 16-07-52(f), 16-06-73(f), 16-06-34(a), 16-05-73(i), 16-15-12-32(m).
4. Project exceeds Section 3412 analysis.

DEMONSTRATION OF UNDUE HARDSHIP OR HISTORICALLY SIGNIFICANT STRUCTURE:

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- ☒ 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: Cell phones for communication proliferate today. Need for building system is questionable.

Variance Details

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

2014 InBC, 1209.2

Conditions: High rise apartment building, with future vertical addition of 10-12 stories, will not have attic access panels. The building code requires access to attic spaces.

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. Attic space will be noncombustible construction.
2. With a flat roof the attic space will be very tight.
3. Fire department can pull down ceiling to fight a fire.
4. There have been at least 13 variances for combustible attics.

DEMONSTRATION OF UNDUE HARDSHIP OR HISTORICALLY SIGNIFICANT STRUCTURE:

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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: Owner's hardship is cost of providing access hatches and securing the openings so building tenants do not have access into the attic space.
The cost is not justified for a noncombustible limited height attic.

Variance Details

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

ANSI A117.1-2009,1004.12.2.5

Conditions: Accessibility code requires refrigerator clear floor space to be offset 24 inches from the centerline of the appliance. Kitchen(s) will be designed for centerline approach.

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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: Fair Housing Act allows a centerline approach for refrigerator. Intent of advisory committee was to follow Fair Housing Act.

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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:

Compliance with ANSI results in larger kitchens for this project. Federal law for housing permits the proposed design.

Variance Details

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

2013 Ind Pool Code 20-2-13(d)

Conditions:

Swimming pool will not have a continuous deck around the entire perimeter of the pool. None of the pool will have a deck or hand holds. The pool is an infinity pool.

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Facts:

Deck requirement is for user rescue. 2012 International Swimming Pool and Spa Code, Sec. 406.2 recognizes that it might not be feasible for 100 percent perimeter access and does allow 10% to not be directly accessed by a deck.

The maximum depth of the pool is approximately four (4) feet. Spas up to four (4) feet in depth are permitted to have a deck only 50% of the perimeter per 675 IAC 20-3-4, Sec. 4(a).

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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:

Small location on roof is the hardship. Pool is very small.

Variances on infinity pool include CityWay (13-05-75) and 451 Market [13-02-12(c)].

Variance Details

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

2014 InBC, 1018.4

Conditions: Existing basement has dead end corridor of 110 feet and existing sub-basement has dead-end corridor of 153 feet. Code limits dead end corridors to 50 feet.

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: Space is not occupied - storage and mechanical.

Building will be sprinklered per NFPA 13.

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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: Adding vertical exits to the existing is the hardship.

Variance Details

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

2013 Ind Pool Code 20-2-26

Conditions: An apartment swimming pool will not have a Lifeguard Chair, not first-aid kit, nor phone to call 911. The code requires these items.

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. This apartment swimming pool will not be providing a lifeguard. Residents will swim at their own risk. The size of the pool does not require the elevation observation offered by a lifeguard chair.
2. Generally everyone in the population has immediate access to a cell phone.
3. At least nine (9) similar variances have been approved.

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Facts:

The owner's hardship involves cost and maintenance of said items, including a monthly phone charge. The need for said items at this pool is questionable.

Variance Details

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

2014 InBC, 1004.1.2

Conditions:

Population for Amenities and Pool area on 11th Floor will be 370 persons for exiting capacity. Using prescribed code occupant load factors population is approximately 604 persons.

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Facts:

National model code has exception to code section that permits the official to approve a lesser population.

With assumed 264 apartments the 11th floor population is based on 1.4 persons per apartment.

Area will not see this population.

Similar variance was approved for 360 Market Tower on 5th level.

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Facts:

Residential pool is limited to apartment occupants and guests. Code population for this type of facility is overly conservative.

Variance Details

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

2014 InBC, Table 1014.3

Conditions: Existing basement has common path of travel of 110 feet and existing Sub-basement has common path of travel of 170 feet. Code limits common path of travel to 100 feet for business, storage and factory occupancies.

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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: Condition has been existing for several years. Space is not occupied - storage and mechanical.

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Facts: Adding vertical exits to the existing building is the hardship.

