

Owner / Applicant Information

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Project Information

Peng & Family - Asian Express Restaurant Ren
34 N Delaware St

INDIANAPOLIS IN 46204

County MARION

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

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

IDHS Issued Correction order? ☐ Has Violation been Issued? ☒ yes

Violation Issued by: LBD

Local Building Official

Phone: Email:

Local Fire Official

Phone: Email:

Variance Details

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

2014 IMC, 506.3.13.2

Conditions: A new Type I kitchen hood was connected to an existing exhaust fan that discharges through the south exterior wall, which is located on the property line. Terminations through an exterior wall are not permitted where protected openings are required by the IBC. The IBC does not permit exterior openings when less than 3 feet to the property line. The restaurant is on the 1st floor of the existing 8-story building.

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

☐ 1

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 parking lot directly to the south of the building is owned by the same people who own the building, but the parking lot is a separate parcel.
2. The exhaust location is existing.

DEMONSTRATION OF UNDUE HARDSHIP OR HISTORICALLY SIGNIFICANT STRUCTURE:

☒ Y

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.

☐

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: Given the 8-story height of the existing building, discharge of the exhaust through the roof is impractical. The exhaust fan termination through the south wall is an existing condition that has been there since at least 2005 according to a site survey.

Variance Details

Code Name: Other Code (Not in the list provided)
2014 IMC, 506.3.13.3

Conditions: A new Type I kitchen hood was connected to an existing exhaust fan that discharges through the south exterior wall, which is located on the property line, less than 10 feet above the adjoining grade, and less than 10 feet horizontally from the existing air intake opening. Code requires discharge to be located a minimum of 10 feet from property lines, a minimum 10 feet above the adjoining grade, and not less than 10 feet horizontally from air intake openings.

The restaurant is on the 1st floor of the existing 8-story building.

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 parking lot directly to the south of the building is owned by the same people who own the building, but the parking lot is a separate parcel.
2. The exhaust and air intake locations are existing.
3. Similar variances have been granted in urban settings, including 15-05-49(a), 16-03-06, and 17-04-69.

DEMONSTRATION OF UNDUE HARDSHIP OR HISTORICALLY SIGNIFICANT STRUCTURE:

Y

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.

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:

Given the 8-story height of the existing building, discharge of the exhaust through the roof is impractical. The exhaust fan termination and air intake through the south wall is an existing condition that has been there since at least 2005 according to a site survey.

Variance Details

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

Conditions: Exterior openings occur on the 1st floor in the South exterior wall of the existing building, which is located on the property line. Exterior openings are not permitted less than 3 feet to the property line. The openings are a new kitchen door, two existing exhaust fans, and an existing kitchen hood air intake.

The restaurant is on the 1st floor of the existing 8-story building.

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)

welfare. Explain why alternative actions would be adequate (be specific).

Facts:	<div>1. The parking lot directly to the south of the building is owned by the same people who own the building, but the parking lot is a separate parcel.</div> <div>2. The exhaust and air intake locations are existing.</div> <div>3. If either the building or parking lot property are sold separately then the openings will be filled in.</div>
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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.

☐

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

Facts:	<div>The door was added for deliveries to the kitchen without going through the small dining area. The exhaust fan terminations and air intake through the south wall are an existing condition that has been there since at least 2005 according to a site survey. If either the building or parking lot property are sold separately then the openings will be filled in.</div>
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Variance Details

Code Name: Other Code (Not in the list provided)
2014 IMC, 401.4

Conditions: A new Type I kitchen hood was connected to an existing air intake opening that is located on the south exterior wall, which is located on the property line. Code requires air intake openings to be located a minimum of 10 feet from lot lines and not less than 10 feet horizontally from parking lots.

The restaurant is on the 1st floor of the existing 8-story building.

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

☐ 1 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 exhaust and air intake locations are existing.

DEMONSTRATION OF UNDUE HARDSHIP OR HISTORICALLY SIGNIFICANT STRUCTURE:

☐ Y 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.

☐ 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: Given the 8-story height of the existing building, relocating the air intake to the roof is impractical. The air intake through the south wall is an existing condition that has been there since at least 2005 according to a site survey.

Variance Details

Code Name: Other Code (Not in the list provided)
2014 IMC, 501.3.1

Conditions: An existing bathroom exhaust was relocated and connected to the existing exhaust fan that discharges through the south exterior wall, which is located on the property line. Code requires discharge to be located a minimum of 3 feet from property lines.

The restaurant is on the 1st floor of the existing 8-story building.

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

☐ 1 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 parking lot directly to the south of the building is owned by the same people who own the building, but the parking lot is a separate parcel.
2. The exhaust location is existing.

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:

Given the 8-story height of the existing building, discharge of the exhaust through the roof is impractical. The exhaust fan termination through the south wall is an existing condition that has been there since at least 2005 according to a site survey.