

Owner / Applicant Information

Josh Hreha
Scannell Properties
8801 RIVER CROSSING BLVD
SUITE 300
INDIANAPOLIS IN 46240
Phone 3178435959
Email JOSH@SCANNELLPROPERTIES.COM

Submitter Information

Ralph Gerdes
Ralph Gerdes Consultants, LLC
5510 S. East St., Suite E

Indianapolis IN
Phone 3177873750
Email Ralph@rgc-codes.com

Designer Information

Josh Mazur
Studio M Architecture & Planning
2 West Main Street

Carmel IN
Phone 3178101502
Email jmazur@studiomarchitecture.net

Project Information

South Pointe Apartments
Lantern Road & Fishers Pointe Blvd

Fishers IN 46038

County HAMILTON

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? No

Violation Issued by: NA

Local Building Official

Phone: Email:

Local Fire Official

Phone: Email:

Variance Details

Code Name: 2004 NFPA 82 Incinerators, Waste and Linen Handling Systems and Equipment (675 IAC 28-1-30)

5.2.4.2, 5.2.5.3 and 5.2.7.1

Conditions:

New three (3) story apartment buildings will have trash chute access and termination rooms of one (1) hour fire-rated construction. NFPA 82 requires such rooms to be two (2) hour construction. NFPA 82 also requires the chute / shaft to be two (2) hours. Shafts will be supported by one (1) hour rated floor assemblies.

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 2014 Indiana Building Code, Section 713.13.1 permits the access rooms and termination room to be one (1) hour construction.
2. NFPA 82 - 2009 Edition permits the access rooms to be one (1) hour when the room is sprinklered.
3. The buildings will be sprinklered per NFPA 13R. The chutes will be protected with sprinklers.
4. This variance has been approved at least 15 times: The Yard[18-03-55(d)], The Mill at Ironworks [17-07-49(a)], Stonewater [17-03-82(e)], Arbuckle [17-03-62(f)], Patterson Pointe [17-01-38(a)], River House [16-11-39(f)], Butler Lacy School of Business [17-01-44(d)], Wabash Landing [16-09-71(b)], Annex 41 [16-06-54(e)], Annex on 10th [16-06-34(j)], Block 20 [16-07-52(a)], 306 Riverfront [16-05-73(c)], Library Square [15-2-32(j)], Artistry [13-11-79], The Axis [12-11-50(g)].

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.

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:

The Owner's hardship is the cost to provide the two (2) hour construction and supporting construction. More current standards including the 2014 Indiana Building Code permit one (1) hour construction.

Variance Details

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

2014 InBC 1007.8

Conditions:

Three (3) story apartment buildings will not have a two-way communication system in the elevator lobbies. Such a 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

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)

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

Facts:

1. Most persons have cell phones. 2. Buildings will be protected with NFPA 13R sprinkler system. Requirement is not based on a sprinklered building. 3. This variance was approved at least 18 times: 18-04-48(e),18-04-19(d),18-03-55(b),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),16-05-73(i),16-06-34(a),16-06-73(f),16-06-34(a),15-12-32(m).
--

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.
- 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:

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: The code requires access to attic spaces having a clear height of over thirty (30) inches. A portion of the roof will have more than 30 inches between truss cords. Given the tight space formed by the roof trusses for the flat roof the attic access will not be provided.

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 roof truss diagonal bracing and planned insulation would make access into the attic space very difficult. There are only intermittent areas where the attic height is greater than 30 inches.
2. Variances approved include at least 13 projects: Annex - Phase II[19-04-50(i)],The Mill at Ironworks[17-07-49(d)],Stonewater{17-03-82(g)},Arbuckle[17-03-62(b)],River House[16-11-39(h)],Annex 41[16-06-54(b)],Annex on 10th[16-06-34(i)],306 Riverfront[16-05-73(d)],Library Square[15-12-32(n)],Fishers Town Center[13-05-28(c0)],Artistry[12-06-89(j)],The Axis[12-06-16(b)],Commons South[10-10-36(c)].

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 Owner's hardship is the cost of providing fire-rated access hatches in every apartment and securing the openings so building tenants do not have access in the attic space. The cost is not justified when attic space is only slightly greater than 30 inches in some areas.

Variance Details

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

2013 IN Swimming Pool, 20-2

Conditions: Rule 20-2-26(f) requires a six (6) foot high fence around the swimming pool. A four (4) foot high fence / rail will be provided at the apartment patios on the first floor level.

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. 2012, 2015 and 2018 Editions of ICC International Swimming Pool and Spa Code permit a four (4) foot high fence per Section 305.2.1.
2. Four (4) foot high fence is sufficient as a barrier.
3. Variance has been approved at least 5 times:
The Yard(18-08-40),Mill at Ironworks[17-07-49(f)],Stonewater(17-03-82(c)),Riverfront[16-05-73(d)],and Mill at Ironworks North(15-07-40)

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.
- 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:

Variance Details

Code Name: Other Code (Not in the list provided)
2014 InMC, 918.6 Exc. 5.1

Conditions:

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:

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.
- 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:

Variance Details

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

2014 InBC, 2902.1

Conditions: Amenities area in Building 3 will only have two (2) toilet fixtures or urinals per sex. Code requires plumbing fixtures for population served.

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. Residents have access to their bathrooms in their apartment units.
2. Two (2) accessible restrooms will be provided.
3. Previous approved variances include at least 8 projects: 220 N. Meridian[19-04-60(b)], Annex-Phase II[19-04-50(h)], Riverview[18-04-48(d)], 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[16-05-73(j)].

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.

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:

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

