

Owner / Applicant Information

Alec Johnson  
Fort Wayne Parks and Recreation  
705 EAST STATE STREET

FORT WAYNE IN 46805

Phone 2604224241

Email ALEC.JOHNSON@CITYOFFORTWAYNE.ORG

Submitter Information

Edwin Rensink  
RTM Consultants Inc  
6640 Parkdale Place

Indianapolis IN

Phone 3173297700

Email rensink@rtmconsultants.com

Designer Information

Ronald Kevin Dick  
Design Collaborative  
200 E. Main St., Ste. 600

Fort Wayne IN

Phone 2604224241

Email rdick@designcollaborative.com

Project Information

Riverfront FW PhI Development Public Fountain  
202 West Superior Street

FORT WAYNE IN 46802

County ALLEN

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? ☒ yes

Violation Issued by: LBD

Local Building Official

Phone: 2604497131

Email: john.caywood@co.allen.in.us

Local Fire Official

Phone: 2604497131

Email: jim.murua@cityoffortwayne.org

Variance Details

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

Rule 2, Section 3(b), ISPC

Conditions: Some natural rock will be used in and around the outdoor water rill-splash pad water feature associated with the Riverfront development as part of Promenade Park in Fort Wayne. This feature is being interpreted as a sand or earth interior finish, which is not permitted in a public swimming pool.

The water feature includes a water rill with circulating water that includes a shallow splash pad area.

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 water level will be 0-2 inches in depth, and is not intended for immersion. This is a very casual water attraction and not a swimming pool.

2. The rocks are elevated above the water with rough edges removed and any crevices or protrusions eliminated.

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 rock features are desired for aesthetic purposes.

Variance Details

Code Name: Other Code (Not in the list provided)  
Rule 2, Section 27(a)

Conditions: A bathhouse providing showers and a dressing area will not be provided for the outdoor splash pad water feature associated with the Riverfront development as part of Promenade Park in Fort Wayne.

The water feature includes a water rill with circulating water that includes a shallow splash pad area.

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

- 1

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. The water level will be 0-2 inches in depth, and is not intended for immersion.

2. The water will be recirculated in the rill.

3. Public rest room facilities are available on the site.

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: A bathhouse with showers would not be used for this type of casual water feature.

Variance Details

Code Name: Other Code (Not in the list provided)  
Rule 2, Section 3(e), ISPC

Conditions: The finish of the outdoor water rill-splash pad water feature will be a dark color. The ISPC requires white or light colored finish for the pool interior. The water feature is associated with the Riverfront development as part of Promenade Park in Fort Wayne.

The water feature includes a water rill with circulating water that includes a shallow splash pad area.

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

- 1

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. The water level will be 0-2 inches in depth, and is not intended for immersion.

2. The intent of the code requirement is to allow life guards to see if someone is on the

bottom of a public pool. This is a casual water feature with very shallow depth where there will not be any life guards.

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.

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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:

The darker color is desired for aesthetic purposes.