## Owner / Applicant Information

Connor Britt
The Cornerstone Group, LLC
300 MISSOURI AVENUE
SUITE 102
JEFFERSONVILLE IN 47130

Phone 3175944600

Email CONNOR.BRITT@ENVOYCOMPANIES.COM

## Submitter Information

Edwin Rensink
RTM Consultants Inc
6640 Parkdale Place
Suite J
Indianaplis IN

Phone 3173297700

Email rensink@rtmconsultants.com

## Designer Information

Vadim Kaplan
Studio A Architecture
2330 Frankfort Avenue

Louisville KY

Phone 5024960432

Email vadim@studioaarch.com

## Project Information

Cosmo Mixed Use Development
1400 Woerner Avenue

Clarksville IN 47129

County CLARK

Project Type New [Y] 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: 8122831510 Email: rbarr@townofclarksville.com

## Local Fire Official

Phone: 8122831510 Email: cfr@cityofclarksville.com

Variance Details

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

1004.1.2, 2014 IBC

Conditions: A posted occupant load of 49 maximum will be provided in the 4th floor accessory clubhouse space in lieu of a calculated occupant load. Based upon an area of 1,406 sq ft and an occupant load factor of 15 sq ft per person for less-concentrated assembly use, the calculated occupant load is 94. The exception to this section in the model code (deleted in Indiana) would permit an occupant load less than that determined by calculation where approved by the building official. Per the attached exhibit, the room will be furnished casual seating, a table and chairs, a short counter with bar stools, and a couple of game tables (pool, etc.).

The project scope involves construction of a 4-story building with the following components; office/coworking space + a restaurant tenant space on the 1st floor, and apartments on floors 2, 3, and 4. There will also be a small outdoor terrace space on the roof. The entire building will be designed as a single structure of Type VA Construction, with an NFPA 13 sprinkler system installed throughout.

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. Based upon the proposed use of the space per the attached exhibit, actual maximum occupant load will likely be about 30.
2. The exception to this section in the model code (deleted in Indiana) would permit an occupant load less than that determined by calculation where approved by the building official.
3. The building will be protected with a sprinkler system throughout per NFPA 13.
4. A similar variance was granted previously for an tenant amenity clubhouse space in a similar apartment building circumstance (16-01-28). Other numerous variances have been approved for posted occupant loads, including 17-06-24b, 18-07-37b, 18-08-28, and 18-03-66.

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: Imposition of the rule would require the classification of the space as an A-3 Occupancy, which is not permitted on the 4th floor of the building as an accessory occupancy per Sec. 508.2.3, IBC. If the variance is approved, the space will be classified as a small accessory assembly space with an occupant load of less than 50 per Sec. 303.1.2, as part of the overall R-2 Occupancy classification.

Variance Details

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

1007.2.1, 2014 IBC

1607.2.1, 2014 IBC

Conditions: The elevator serving all floor levels in the building will not be provided with generator backup for the purpose of providing the accessible means of egress requirement for buildings with floor levels more than 4 stories above the level of exit discharge.

The project scope involves construction of a 4-story building with the following components; office/coworking space + a restaurant tenant space on the 1st floor, and apartments on floors 2, 3, and 4. There will also be a small outdoor terrace space on the roof. The entire building will be designed as a single structure of Type VA Construction, with an NFPA 13 sprinkler system installed throughout.

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 building will be protected with a sprinkler system throughout per NFPA 13.
2. The elevator will have battery back-up provided in order to permit lowering of the elevator in the event of loss of power. Additionally, a transfer switch will be provided to permit hookup of a portable generator.
3. Accessible means of egress are not required by the federal Fair Housing Act.
4. The variance as requested has been approved at numerous times before, including (19-06-51a), (19-05-68b), (18-11-21a), (18-11-20e), (18-10-48c), (18-08-10), (18-02-25), (18-01-25a), (17-09-46b), (17-07-45d), (17-06-64a), (16-11-39a), (16-08-59e), (16-06-34c), (16-02-47a), (11-01-43e), (14-10-55), (07-11-12c), (16-12-52b), and (16-12-53a).

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: Hardship is the cost to install and maintain an onsite generator.

Variance Details

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

3004.1, 2014 IBC

Conditions: Hoistway venting will not be provided for the elevator. An elevator with four (4) or more stops requires hoistway venting where the building contains an R Occupancy.

The project scope involves construction of a 4-story building with the following components; office/coworking space + a restaurant tenant space on the 1st floor, and apartments on floors 2, 3, and 4. There will also be a small outdoor terrace space on the roof.

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 2015 International Building Code has eliminated the requirement for venting of elevator hoistways.
2. Reference to hoistway venting has been eliminated from the 2010 Edition of the ASME A17.1, Safety Code for Elevators and Escalators.
3. Elevator hoistway vents, when opened, could potentially draw smoke and heat into the elevator hoistway.
4. The building will be protected with an automatic sprinkler system throughout. Recent studies indicate that sprinklered buildings do not pose a threat for smoke and heat spread through elevator shafts.
5. Similar variances have been granted for 4-, 5-, and 6-story buildings, including 19-09-68c, 19-09-69a, 19-06-51b, 19-05-68, 19-04-53, 18-08-14c, 18-06-60f, 18-04-28, 18-04-25, 17-09-38b, 17-09-52, and 17-09-62d.

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: Venting of elevator hoistways appears to be a vestige of decades-ago theories about smoke spread in nonsprinklered buildings. The intent of hoistway venting in previous codes is not clear. In addition to potentially drawing smoke into the hoistway from the building, hoistway venting also has a detrimental effect on energy conservation. In addition to potential adverse affects noted, hardship is the cost to install and maintain elevator vents.