Owner / Applicant Information

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Project Information

Coal-Fired Power House Abandonment
3201 W Calvert St

South Bend IN 46613

County ST JOSEPH

Project Type New [ ] Addition [ ] Alteration [ ] Existing [ ] Change of Occupancy [Y]

Project Status [U] F=Filed U or Null=Unfiled

IDHS Issued Correction order? [No] Has Violation been Issued? [yes]

Violation Issued by: LFD

Local Building Official

Phone: 5742359255 Email: jyoder@southbendin.gov

Local Fire Official

Phone: 5742359255 Email: jyoder@southbendin.gov

Variance Details

Code Name: 2012 IFC Prevention Code (675 IAC 22-2)

2012 IFC 901.7

Conditions: The sprinkler system in the old power house (coal-fired) has not been operational since 2012 when the original owner of the property, New Energy Corporation went out of business. The old power house has been idle and unoccupied since 2018. The sprinkler system is not currently operational in this building and it has been cited by the South Bend Fire Department as an issue. They are requesting we either return the system to full function or request a variance.

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 building is no longer occupied on any floor. Due to significant costs associated with the demolition of the building, the structure still remains on 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: This building has been unoccupied and without heat since 2018. Sprinkler pipes have frozen and cracked. A full replacement of sprinkler heads and pipes would be required. The site has no plans to occupy this building in the future as a new power house with natural gas fired boilers was constructed adjacent to this structure in 2018. Back-of-the-napkin cost estimates for repairs to the old power house sprinkler system are between $5,000,000 and $10,000,000.

Variance Details

Code Name: 1985 Indiana Fire Prevention Code (675 IAC 22-2)

Sprinkler System Operational

Conditions: Prior to Verbio's purchase of this site in 2023, the sprinkler system in the cooling tower had fallen due to ice damage. After inspection by Jeff Yoder, Fire Marshal of the South Bend Fire Department, SBFD either wants the system removed or restored.

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: The cooling tower is a wood and plastic structure that exchanges heat from well water into the air by passing the hot water through plastic heat exchanger pads while overhead fans blow upwards. The rate of water flow through this cooling tower is 5,000 gallons per minute of well water. Due to the outdoor nature of this cooling tower, ice forms on all internal structures in the winter months. Operators reverse the flow of the fans to melt the ice that builds up. The ice buildup continually damages the sprinkler system. Verbio is requesting a variance to remove the wet sprinkler system from the cooling tower as suggested by Jeff Yoder at the SBFD.

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.

☐ 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: Outdoor, open structure that is not protected from massive ice buildup from the inside out during winter months.

5,000 gallons per minute of well water flows through this structure when running. The entire structure is saturated with water at all times.

The area is surrounded by fire hydrants and hydrants equipped with water cannons if needed.