

ERIC J. HOLCOMB, Governor
STATE OF INDIANA

INDIANA DEPARTMENT OF HOMELAND SECURITY
302 West Washington Street
Indianapolis, IN 46204



March 2, 2018
By U.S. Mail

Carrie A. Ballinger
RTM Consultants, Inc.
6640 Parkdale Place, Suite J
Indianapolis, IN 46254-4698

Re: Petition for Review – Variance No. 18-02-45(c): Stadium Facility for Tabernacle Presbyterian Church

Dear Ms. Ballinger:

The Commission is in receipt of your petition for review of Variance No. 18-02-45(c): Stadium Facility for Tabernacle Presbyterian Church, dated 3/1/2018. The petition for review is timely and has been granted by the Commission. The petition has been assigned to the Commission's administrative law judge.

The judge's office will contact you to arrange for further proceedings. Should you have any questions, you may contact our staff attorney assigned to the matter, Justin Guedel at JGuedel@dhs.in.gov or (317) 234-9515.

Sincerely,

A handwritten signature in black ink, appearing to read "D. J. Boyle".

Douglas J. Boyle, Director
Fire Prevention and Building Safety Commission
Indiana Department of Homeland Security
302 W. Washington Street, Room E-208
Indianapolis, IN 46204
dboyle@dhs.in.gov
(317) 650-7720

cc: Justin Guedel

Hand-delivered
3/2/18 - DJB

RECEIVED
IDHS

MAR 03 2018

LEGAL AND CODE
SERVICES

RTM
CONSULTANTS, INC.

BUILDING CODES

FIRE PROTECTION

JCAHO/CMS/HFAP

March 1, 2018

Indiana Department of Homeland Security
Fire Prevention and Building Safety Commission
302 W. Washington Street Room W246
Indianapolis, Indiana 46204

**Stadium Facility for Tabernacle Presbyterian Church
Request for Administrative Review - Variance 18-02-45(c)**

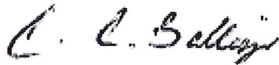
Dear Mr. Chairman:

On behalf of the owner, this letter is a petition for review to the Fire Prevention and Building Safety Commission regarding the denial of Variance 18-02-45(c). The variance denial was based upon an incomplete set of facts and hardship, as the proponent was not given adequate time to fully present the facts.

Thank you for your attention to this matter. If you have any questions, please let us know.

Very truly yours,

RTM Consultants, Inc.



Carrie A. Ballinger
Associate

cc: Lucy Emison, Tabernacle Presbyterian Church
Andrew Costlow, InterDesign
Chris Harris, Bureau of Construction Services, Department of Business & Neighborhood Services,
City of Indianapolis



ERIC J. HOLCOMB, Governor
STATE OF INDIANA

DEPARTMENT OF HOMELAND SECURITY

BRYAN J. LANGLEY, EXECUTIVE DIRECTOR

Indiana Department of Homeland Security
Indiana Government Center South
302 West Washington Street
Indianapolis, IN 46204
317-232-3980

Lucy Emison
Tabernacle Presbyterian Church
418 E 34TH ST

February 12, 2018

INDIANAPOLIS, IN 46205

Dear Lucy Emison,

This letter provides notice below of the action taken by the Fire Prevention and Building Safety Commission on your application(s) for a variance(s) from the Commission's rules under IC 22-13-2-11 and 675 IAC 12-5. The Commission considered the application with all alternatives offered, as a part of its published agenda, at its regular meeting on February 8, 2018.

Project Number	Project Name	Variance Number
389930	Stadium Facility for Tabernacle Presbyterian	18-02-45

Commission Conditions

Edition	Code	Code Section	Commission Action & Date
	Other Code (Not in the list provided)	2014 IBC Sec. 1109.12.3	Not Approved 02/08/2018
	Other Code (Not in the list provided)	2014 IBC Sec. 1013	Approved as submitted 02/08/2018
	Other Code (Not in the list provided)	2014 IBC Sec. 1010	Not Approved 02/08/2018

You are advised that if you desire an administrative review of this action, you must file a written petition for review at the above address with the Fire Prevention and Building Safety Commission. Your petition must fully identify the matter for which you seek review no later than eighteen(18) calender days from the above stated date of this letter, unless such date is a Saturday, Sunday, legal holiday under state statute, or day that the Department of Homeland Security's offices are closed during regular business hours; in which case the deadline would be the first day thereafter that is not a Saturday, Sunday, legal holiday under state statute, or day that the Department of Homeland Security's offices are closed during regular business hours. If you do so, your petition for review will be granted and an administrative proceeding will be conducted by an administrative law judge appointed by the Fire Prevention and Building Safety Commission. If you do not file a petition for review, this action will be final.

Please be further advised that you may request an opportunity to informally discuss this matter prior to filing a petition for review. Such informal discussion, or request therefore, does not extend the deadline for filing a petition for review and, therefore, any request for an informal discussion should be made promptly, preferably by telephone or e-mail, upon receipt of this letter.

Sincerely,

A handwritten signature in blue ink, appearing to read "C. Burgess", is positioned above the typed name.

Craig E. Burgess
Indiana State Building Commissioner,
Department of Homeland Security

Owner / Applicant Information

Lucy Emison
Tabernacle Presbyterian Church
418 E 34TH ST

INDIANAPOLIS IN 46205

Phone 3176961614

Email L.EMISON@SBCGLOBAL.NET

Submitter Information

Carrie Ballinger
RTM Consultants, Inc.
6640 Parkdale Place, Ste J

Indianapolis IN

Phone 3173297700

Email ballinger@rtmconsultants.com

Designer Information

Andrew Neal Costlow
InterDesign
141 E Ohio St

Indianapolis IN

Phone 3172639655

Email acostlow@interdesign.com

Project Information

Stadium Facility for Tabernacle Presbyterian
418 E 34th St

INDIANAPOLIS IN 46205

County MARION

Project Type New Addition Alteration Existing Change of Occupancy

Project Status F=Filed U or Null=Unfiled

IDHS Issued Correction order? No **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)

ANSI A117.1 Sec. 505.3

Conditions: Handrails will not be continuous the full length of the ramp. A gate is provided across the ramp that will interrupt continuity. Code requires handrails to be continuous the full length of ramp runs.

The project involves construction of a new stadium facility. The facility is used to support outdoor soccer and football events.

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: The stadium is owned and operated by the church.

The gate will be open at all times the stadium is in use.

Handrails will be provided on the gate and extended to the existing landing and adjacent ramp run.

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.

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: Construction of the ramp and stadium fence is complete. Continuous handrails cannot be provided with the gate across the ramp. The gate is necessary for security of the stadium. Moving the gate and/or installing landings at the gate to allow a break in the handrail continuity is a significant cost hardship.

Variance Details

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

2014 IBC Sec. 1008.1.5

Conditions: An exterior ramp does not have landings at a gate. Landings are required on both sides of gates.

The project involves construction of a new stadium facility. The facility is used to support outdoor soccer and football events.

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

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: The stadium is owned and operated by the church.

The gate will be open at all times the stadium is in use.

Handrails will be provided on the gate and extended to the existing landing.

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.

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:

Construction is complete. Adding a landing on both sides of the gate would cause an increase in the slope of the ramp, causing the ramp to be steeper than permitted. The ramp cannot be regraded to allow for the landings without affecting existing drainage facilities at the stadium. The gate will be open at all times when the stadium is in use.

RTM

CONSULTANTS, INC.

RTM CONSULTANTS, INC.
6640 Parkdale Place, Suite J
INDIANAPOLIS, IN 46254-4698

RECEIVED
IDHS

MAR 02 2018

LEGAL AND CODE
SERVICES

Indiana Department of Homeland Security
Fire Prevention and Building Safety Commission
302 W. Washington St, Rm W246
Indianapolis, IN 46204

BUILDING CODES ♦ FIRE PROTECTION ♦ ADA ♦ JCAHO/CMS/HFAP