

Owner / Applicant Information

Jake Dietrick
Milhaus
460 VIRGINIA AVENUE

INDIANAPOLIS IN 46203

Phone 3176022657

Email JAKE.DIETRICH@MILHAUS.COM

Submitter Information

Edwin Rensink
RTM Consultants Inc
6640 Parkdale Place

Indianapolis IN

Phone 3173297700

Email rensink@rtmconsultants.com

Designer Information

William Browne, Jr., FAIA
Ratio Design
101 South Pennsylvania Street

Indianapolis IN

Phone 3176334040

Email bbrowne@ratiodesign.com

Project Information

5858 North College Avenue Apartments
5858 North College Avenue

Indianapolis IN 46220

County MARION

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: Other Code (Not in the list provided)

Table 403.3, 2014 IMC

Conditions: The kitchen will not be provided with mechanical exhaust to the exterior, which is required per current Indiana Mechanical Code.
The project involves construction of lower level parking garage, with 4-stories of residential apartments above. The garage + a portion of the 1st floor to be occupied by commercial tenants will be designed as a Type IA podium, with the apartments designed as Type VA Construction.

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 welfare.

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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. Table 403.3, footnote g, of the 2008 Indiana Mechanical Code (IMC) was interpreted to allow recirculation and transfer of air in a kitchen in lieu of exhaust to the exterior.
2. Sec. 918.6, exc. 5.1, of the current IMC permits kitchen return air.
3. Operable windows are provided in dwelling units to meet the requirement for outdoor air per Sec. 402, IMC.
4. Previous variances have been either approved, or in the case of recent Variance 15-12-32(L), received a ruling of no variance required.

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 apparent model code change between the 2006 and 2012 Editions of the IMC is not accounted for in any of the commentaries or in the available code change documentation.