



January 5, 2012

REF: Hoosier Village Retirement Center – Baptist Homes of Indiana
Variance 12-30-11 (LRC)

Town Manager
(317) 873-8245
Fax: 873-8021

Clerk/Treasurer
(317) 873-5410
Fax: 873-8021

Fire
(317) 873-5358
Fax: 773-3022

Parks & Recreation
(317) 733-2273
Fax: 733-2275

Planning
(317) 873-5108
Fax: 873-8021

Police
(317) 873-5967
Fax: 873-8026

Town Court
(317) 873-8240
Fax: 873-8021

Streets
(317) 873-4544
Fax: 733-2275

Waste Water
(317) 873-2332
Billing Only
(317) 873-2469

Concerning Variance Request 12-30-11 (Hoosier Village Retirement Center – Baptist Homes of Indiana), the Zionsville Fire Department would like to address concerns with the variance as filed.

The variance that is proposed is in reference to the Zionsville Fire Protection Ordinance (2010-16) Article V, Section 1-B. This Article and Section requires the need for an approved water source to be in place prior to the issuance of the building permit for combustible construction. The Fire Protection Ordinance requires that for the addition of the new buildings at Hoosier Village an additional water main must be installed to complete the required looped system. This is required due to the number of new hydrants being installed for the new construction, in addition to the pre-existing conditions.

Listed below (as submitted by Baptist Homes of Indiana) are the items stated and attached with the variance application that have been listed as temporary alternatives in lieu of the complete new water system being installed prior to the issuance of the building permit for combustible construction.

1. *Flow calculations for relevant hydrants must meet the required gpm's for the building served.*
2. *The water main extension up Zionsville Road and the emergency access road is currently guaranteed with an official, legally binding bond as part of a previous variance filed and approved for the memory support and wellness buildings, which are also part of the approved Hoosier Village expansion.*
3. *Completion of the water main extension up Zionsville Road and the emergency access road is required prior to the issuance of any certificates of occupancy related to the approved Hoosier Village expansion. The memory support and wellness buildings are currently scheduled for completion in June.*

Previously, a variance (9-23-11) with conditions was granted for combustible construction on the Memory Support Building and the Wellness Center. The Zionsville Fire Department was in favor of that variance based on the location, size and the conditions that were included in the request. The Zionsville Fire Department was only presented with the structure drawings for the Memory Support Building and the Wellness Center prior to the submittal for Variance 9-23-11. Therefore, only those two (2) buildings were reviewed and acknowledged.

Concerning this variance, the LRC structure is significantly larger (157,000 sq. ft., 3 floors), as well as the proximity to two occupied licensed care facilities and living quarters. Even with the three (3) alternatives listed above, the Zionsville Fire Department does not agree that these alternatives provide a safe environment for which combustible construction should begin on this structure. These alternatives are in place for buildings under construction and were not intended to be used for additional combustible construction. The Zionsville Fire Department has requested on numerous occasions to both Messer Construction and Baptist Homes of Indiana, updates and information regarding the installation of the water mains along Zionsville Road and Nuttall Oak Road (Emergency Access Road). No information has been provided regarding a date for the installation to begin or a final in-service timeframe. The additional condition that was put in place and agreed on during the development phase of a siren activated and Knox key controlled security gate on Nuttall Oak Road has not been installed.

Fire Department Staff feels that it has continued to work fairly with Hoosier Village Retirement Center and Baptist Homes of Indiana. We have allowed combustible construction on two buildings equaling 42,705 sq. ft. and the continued use of an emergency access road as a construction entrance / road. According to Indiana Fire Code (675 IAC 22-2.4) Section 503.4; there shall not be obstructions including the parking of vehicles on fire department access roads (all roads within the complex). The Zionsville Fire Department has continued to remain fair in understanding the need for construction traffic to load and unload using the roadways and has not required a dedicated loading / unloading zone.

Fire Department Staff would like to thank Messer Construction, Baptist Homes of Indiana and Hoosier Village for their invitation on October 12, 2011 to attend the weekly construction progress meetings. However, due to limited availability in hours, and several on-going projects, the Fire Marshal has not been able to attend. Meeting minutes provided by Messer Construction have been reviewed.

Please note Baptist Homes of Indiana and Messer Construction was made aware of the requirements of the Fire Protection Ordinance during meetings on February 15, 2011, March 1, 2011, March 15, 2011, April 21, 2011 and other various emails, on-site meetings and phone conversations.

Conclusion

Concerning this variance (12-30-11), the Zionsville Fire Department would recommend that no new combustible construction be approved to begin until the water main along Zionsville Road and Nuttall Oak Road, hydrants and test certifications have been completed, connected to the current system and placed in-service; and recommend denial of this Variance (12-30-11) based on the fact that no progression has been made with regards to these items and no information has been provided for installation or completion dates as has been requested on numerous occasions.

Town of Zionsville Fire Protection Ordinance
VARIANCE REQUEST

Date: 12/29/11

Upon the application of a property owner or lessee with consent of the owner, the Town of Zionsville Safety Board may grant a variance from the requirements of an article adopted pursuant to the Ordinance; provided, however that no variance shall be granted unless it is determined that strict compliance would result in practical difficulty and that the variance, if granted, would not unreasonably jeopardize the safety of the occupants or intended occupants, firefighters or the public. All violations cited shall remain in effect during this request process.

1. No variance shall be granted locally for any code or regulation that has been set forth by the Indiana Fire and Building Safety Commission. All variances regarding those violations shall be filed for at the State level.
2. Financial hardship alone shall not be grounds for a variance.

An application for a variance shall be made in writing and filed at the Zionsville Fire Department Headquarters located at 1100 W. Oak St., Zionsville, IN. Once filed with the Zionsville Fire Department, the following shall occur:

1. You will be notified of the date and time for the Town of Zionsville Safety Board meeting. You will have the opportunity to present to the Board your reasons for requesting this variance.
2. The Town of Zionsville Safety Board shall retain the ability to table the variance request for one (1) 30 day period to research the request if needed.

PLEASE PROVIDE THE FOLLOWING INFORMATION:

NAME OF BUSINESS: Hoosier Village
ADDRESS: 9875 Cherryleaf Dr., Indianapolis, IN 46268
NAME OF OWNER: BMI
ADDRESS OF OWNER: 5415 Bearberry Ln.
PHONE NUMBER OF OWNER: 317-873-3371
NAME OF PERSON REQUESTING VARIANCE: John Dattilo

The requirements of the article (s), from which a variance is sought:

Ordinance No. 2010-16, Article IV, Section 1, B.

The manner in which compliance with the regulations would result in practical difficulty:

Getting work scheduled for the Zionsville Road water main extension prior to combustible construction on the LRC is not possible and would require a work stoppage.

Feasible alternatives which would adequately protect the occupants, intended occupants, firefighters and / or the public:

Please see attached.

John Dattilo
Applicant's Signature

12/29/11
Date

*Please use additional sheets of paper if necessary.

FD Use Only	
Received By	
Date	Time

1. Flow calculations for relevant hydrants must meet the required gpm's for the building served.
2. The water main extension up Zionsville Road and the emergency access road is currently guaranteed with an official, legally binding bond as part of a previous variance filed and approved for the memory support and wellness buildings, which are also part of the approved Hoosier Village expansion.
3. Completion of the water main extension up Zionsville Road and the emergency access road is required prior to the issuance of any certificates of occupancy related to the approved Hoosier Village expansion. The memory support and wellness buildings are currently scheduled for completion in June.



ZIONSVILLE **Fire Department**

RECEIPT

The Zionsville Fire Department has received :

Variance Request from Hoosier Village

Date: December 30, 2011 at 3:35pm

Signed Tiffany Howard
(ZFD Representative)

P.O. Box 459 • Zionsville, Indiana 46077

Phone: 317.873.5358 • Email: zfd@zionsvillefire.com • Fax: 317.733.3022