




City of Blue Ash
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David M. Waltz
City Manager

TO: Blue Ash City Council Members
FROM: Greg Preece, Assistant Fire Chief 
RE: Appeal of Blue Ash Codified Ordinances – 1501.13 (7) & 14
Outlier Technologies – 6824 Ashfield Drive
DATE: May 24, 2010

Reason for Appeal Hearing:

On April 26, 2010 the Fire Department reviewed plans for an alteration/renovation of an existing 2-story building at 6824 Ashfield Drive. The plans were not approved due to the drawing not noting the addition of fire sprinklers or an alarm system as required by Blue Ash Code, specifically section 1501.13 (7) and 1501.13 (14). Section 1501.13 (7) provides details where sprinklers must be installed in business use group occupancies. Section 1501.13 (14) is the primary reason for the appeal and reads:

“No existing building shall be reconstructed or structurally altered without conforming to this section, when that reconstruction or alteration exceeds the lesser of: (A) Twenty-five percent (25%) its total area, or (b) 5,000 square feet in area.”

The attached documents supported by the applicant spell out their reasoning for requesting a reversal of the decision made by the fire department.

Information from the Fire Department:

We have denied plans in the past using 1501.13 (14), however; it was from the aspect a new or upgraded fire alarm system was needed, not a sprinkler system. The majority of buildings in Blue Ash which would require sprinklers/fire alarms according to our code already has them and only requires upgrades to their fire alarm system when they complete renovations. You may recall an appeal from the owner of Slatt's Pub at 4858 Cooper Road in 2006, however; that was due to the building becoming larger than 5,000 square feet after the addition.

In this case, the applicant states the Blue Ash Fire Code only requires fire alarms and sprinklers when structural alterations exceed the lesser of 25% of its total floor area or 5,000 square feet. The applicant goes on to state the *structural* alterations of this project are 71 square feet, which is less than 1% of the total area. While this is true, the applicant is also removing several interior wall assemblies and reconstructing rooms within the building including conference rooms, restrooms and open space office areas. In addition, the plans call for partial removal of existing masonry exterior wall assemblies for new door/window openings and conducting work with the building's roof. This is demonstrated on the drawings provided in the

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RICHARD R. BROWN
Fire Chief



applicant's letter to council. The area of this work is well over 25% of the total floor area.

The applicant's letter points out the 2007 Ohio Building Code does not require a fire alarm or sprinkler system in this occupancy and it is the code the City uses in the building permit review and as our governing building code. The applicant does not, however; mention the permit review process also verifies compliance with the Ohio Fire Code and Blue Ash Fire Code. While it is true the Ohio Building Code does not require the system, the Ohio Revised Code and Ohio Fire Code allow local municipalities to adopt code provisions that exceed the minimum safety requirements within the State of Ohio codes. Blue Ash has had a sprinkler and fire alarm requirement in our code since the mid-1970s. The Fire Department is charged with applying the Fire Code equally and fairly to all citizens and attempts to do so in the best, most practical manner.

Opinion of the Fire Department

The Fire Department would recommend denial of the appeal and the requirements of the Blue Ash Ordinances be enforced.

Thank you for your consideration in this matter.