



# APPLICATION FOR VARIANCE

State Form 44400 (R7 / 10-13)  
Approved by State Board of Accounts, 2013

INDIANA DEPARTMENT OF HOMELAND SECURITY  
CODE SERVICES SECTION  
302 West Washington Street, Room W246  
Indianapolis, IN 46204-2739  
[http://www.in.gov/dhs/fire/fp\\_bs\\_comm\\_code/](http://www.in.gov/dhs/fire/fp_bs_comm_code/)



**INSTRUCTIONS:** Please refer to the attached four (4) page instructions.  
Attach additional pages as needed to complete this application.

Variance number (Assigned by department)  
**15-07-07**

### 1. APPLICANT INFORMATION (Person who would be in violation if variance is not granted; usually this is the owner)

Name of applicant <b>Chuck Hill</b>	Title <b>Owner</b>
Name of organization <b>Hill's Meat Market</b>	Telephone number <b>(260) 747 5288</b>
Address (number and street, city, state, and ZIP code) <b>3211 Lower Huntington Rd, Fort Wayne, IN 46809</b>	

### 2. PERSON SUBMITTING APPLICATION ON BEHALF OF THE APPLICANT (If not submitted by the applicant)

Name of applicant	Title
Name of organization	Telephone number ( )
Address (number and street, city, state, and ZIP code)	

### 3. DESIGN PROFESSIONAL OF RECORD (If applicable)

Name of design professional <b>Dimitri Smirniotopoulos</b>	License number <b>19600181</b>
Name of organization <b>DSI Architects, Inc.</b>	Telephone number <b>(614) 718 9890</b>
Address (number and street, city, state, and ZIP code) <b>2690 W Dublin Granville Rd, Columbus, OH 43235</b>	

### 4. PROJECT IDENTIFICATION

Name of project <b>Hill's Market</b>	State project number <b>377209</b>	County <b>Allen</b>
Address of site (number and street, city, state, and ZIP code) <b>3211 Lower Huntington Dr, Fort Wayne, IN 46809</b>		
Type of project <input checked="" type="checkbox"/> New <input type="checkbox"/> Addition <input type="checkbox"/> Alteration <input type="checkbox"/> Change of occupancy <input type="checkbox"/> Existing		

### 5. REQUIRED ADDITIONAL INFORMATION

The following required information has been included with this application (check as applicable):

- A check made payable to the Indiana Department of Homeland Security for the appropriate amount. (see instructions)
- One (1) set of plans or drawings and supporting data that describe the area affected by the requested variance and any proposed alternatives.
- Written documentation showing that the local fire official has received a copy of the variance application.
- Written documentation showing that the local building official has received a copy of the variance application.

### 6. VIOLATION INFORMATION

Has the Plan Review Section of the Division of Fire and Building Safety issued a Correction Order?  
 Yes (If yes, attach a copy of the Correction Order.)      No

Has a violation been issued?  
 Yes (If yes, attach a copy of the Violation and answer the following.)      No

Violation issued by:  
 Local Building Department    
 State Fire and Building Code Enforcement Section    
 Local Fire Department

**7. DESCRIPTION OF REQUESTED VARIANCE**

Name of code or standard and edition involved 675 IAC 13-2.6, Indiana Building Code, 2014 Edition (IBC, 2012 Edition, 1st printing) ANSI A117.1-2009, EFFECTIVE December 1, 2014	Specific code section Minimum Plumbing Facilities, 2902 and Table 2902.1
Nature of non-compliance (Include a description of spaces, equipment, etc. involved as necessary.) Based upon occupancy load calculations, 2-Separate Restrooms are Required.	

**8. DEMONSTRATION THAT PUBLIC HEALTH, SAFETY, AND WELFARE WILL BE PROTECTED**

Select one of the following statements:

Non-compliance with the rule will not be adverse to the public health, safety or welfare, or

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 demonstrating that the above selected statement is true:  
The owner will not exceed the maximum occupant load which allows only one toilet facility.

TABLE 2902.1 MINIMUM NUMBER OF REQUIRED PLUMBING FIXTURES

SECTION 2902.2 Separate facilities

Exceptions:

3. Separate facilities shall not be required in mercantile occupancies in which the maximum occupant load is 100 or less.

**9. DEMONSTRATION OF UNDUE HARDSHIP OR HISTORICALLY SIGNIFICANT STRUCTURE**

Select at least one of the following statements:

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.

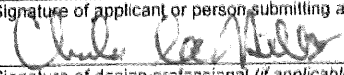

Imposition of the rule would result in an undue hardship (*unusual difficulty*) because of excessive costs of additional or altered construction elements.

Imposition of the rule would prevent the preservation of an architecturally or a historically significant part of the building or structure.

Facts demonstrating that the above selected statement is true:  
Please refer to revised Life Safety Egress First Floor Key Plan A-010 for explanation of areas accessible to the public and calculation of maximum occupant load of less than 100.

**10. STATEMENT OF ACCURACY**

I hereby certify under penalty of perjury that the information contained in this application is accurate.

Signature of applicant or person submitting application 	Please print name Chuck Hill	Date of signature (month, day, year) May 28, 2015
Signature of design professional (if applicable) 	Please print name Dimitri Smirniotopoulos	Date of signature (month, day, year) May 28, 2015

**11. STATEMENT OF AWARENESS (If the application is submitted on the applicant's behalf, the applicant must sign the following statement.)**

I hereby certify under penalty of perjury that I am aware of this request for variance and that this application is being submitted on my behalf.

Signature of applicant	Please print name	Date of signature (month, day, year)
------------------------	-------------------	--------------------------------------