



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/firefp_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)
 16-05-76 (E)

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

Name of applicant	Title
Geralyn Humphrey	Owner
Name of organization	Telephone number
Emerald Acres Wedding Barn	(317) 628-0919
Address (number and street, city, state, and ZIP code)	
65 N 700 E, Whitestown, IN 46075	

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

Name of applicant	Title
Dennis W Bradshaw	Senior Associate
Name of organization	Telephone number
FP&C Consultants, LLC	(317) 486-5188
Address (number and street, city, state, and ZIP code)	
1520 Main Street, Indianapolis, 46224	

3. DESIGN PROFESSIONAL OF RECORD (If applicable)

Name of design professional	License number
Jon Byrum, RA	
Name of organization	Telephone number
Byrum Architects	(317) 574-8808
Address (number and street, city, state, and ZIP code)	
11728 Arborhill Drive, Zionsville, IN 46077	

4. PROJECT IDENTIFICATION

Name of project	State project number	County
Emerald Acres Wedding Barn	Unfiled	Boone
Address of site (number and street, city, state, and ZIP code)		
65 N 700 E, Whitestown, IN 46075		
Type of project		
<input type="checkbox"/> New <input type="checkbox"/> Addition <input type="checkbox"/> Alteration <input checked="" 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 Indiana Building Code 2014 Edition	Specific code section Section 1009.7.2
Nature of non-compliance (include a description of spaces, equipment, etc. involved as necessary.) The existing 100+ year old stairs were recently replaced by new stairs in the same location. Due to the limited floor openings bound by the existing heavy timber beams, the new stairs have a rise of approximately 7.8 inches and a run of approximately 9.25 inches. The code requires the stairs to have a maximum rise of 7 inches and a minimum run of 11 inches.	

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 stairs will be modified to have enclosed risers. Code compliant guardrails will be provided. New handrails are being provide on both sides of the stairs to comply as much as possible with the code. Handrail height, grip and extensions at the top of the stairs will comply with the code.
- Bottom handrail extensions will be reduced so they do not reduce the egress width of the bottom landings.

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.

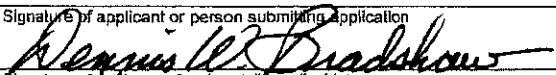

Imposition of the rule would prevent the preservation of an architecturally or a historically significant part of the building or structure.

Facts demonstrating that the above selected statement is true:

The owner's hardship is the existing barn structure (columns and beams) do not allow enough space to construct code compliant stair risers and tread dimensions. Modifying the existing heavy timber structure to allow adequate space for a stair with a code compliant rise and run would be extremely difficult and cost prohibitive for this project.

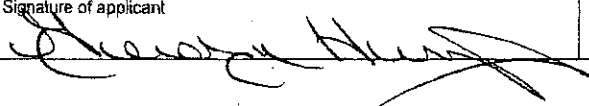
10. STATEMENT OF ACCURACY

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 Dennis W Bradshaw	Date of signature (month, day, year) 6-3-16
Signature of design professional (if applicable) 	Please print name Jon Byrum, RA	Date of signature (month, day, year) 6-3-16

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 Geralyn Humphrey	Date of signature (month, day, year) 6-3-16
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Variance number (Assigned by department)
 16-05-76 (F)

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Geralyn Humphrey	Owner
Name of organization	Telephone number
Emerald Acres Wedding Barn	(317) 628-0919
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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 Indiana Building Code 2014 Edition	Specific code section Section 1012.6
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Nature of non-compliance (include a description of spaces, equipment, etc. involved as necessary.)
Due to the limited space at the landing at the bottom of the stairs new handrails will be provided that will not have compliant extensions at the bottom of the stairs. The code requires the new handrails to extend the distance of one tread beyond the last tread.

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:

1. New handrails are being provide on both sides of the stairs to comply as much as possible with the code. Handrail height, grip and extensions at the top of the stairs will comply with the code.
2. Bottom handrail extensions will be reduced so they do not reduce the egress width of the bottom landings.

9. DEMONSTRATION OF UNDUE HARDSHIP OR HISTORICALLY SIGNIFICANT STRUCTURE

Select at least one of the following statements:

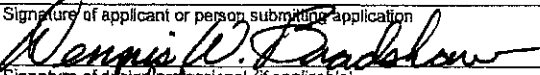

- Imposition of the rule would result in an undue hardship (unusual difficulty) because of physical limitations of the construction site or its utility services.
- Imposition of the rule would result in an undue hardship (unusual difficulty) because of major operational problems in the use of the building 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:

The owner's hardship is the existing barn structure (columns and beams) do not allow enough space for code compliant stair landings and the egress width at the landings would be further reduced by providing the code required handrail extensions.


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 Dennis W Bradshaw	Date of signature (month, day, year) 6-3-16
Signature of design professional (if applicable) 	Please print name Jon Byrum, RA	Date of signature (month, day, year) 6-3-16

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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 Gerilyn Humphrey	Date of signature (month, day, year) 6-3-16
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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 Indiana Building Code 2014 Edition	Specific code section Section 1009.8
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Nature of non-compliance (include a description of spaces, equipment, etc. involved as necessary.)
 The existing 100+ year old stairs were recently replaced by new stairs in the same location. Due to the limited floor openings bound by the existing heavy timber beams, the new stairs have a bottom landing that will not be 44 inches in depth. The code requires the landing to have a depth in the direction of travel equal to the required width of the stair.

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:

1. The stairs will be modified to have enclosed risers. Code compliant guardrails will be provided. New handrails are being provide on both sides of the stairs to comply as much as possible with the code. Handrail height, grip and extensions at the top of the stairs will comply with the code.
2. Bottom handrail extensions will be reduced so they do not reduce the egress width of the bottom landings.
3. If the stair landings were classified as existing the landing dimension would be acceptable under Section 3412, IBC.

9. DEMONSTRATION OF UNDUE HARDSHIP OR HISTORICALLY SIGNIFICANT STRUCTURE

Select at least one of the following statements:

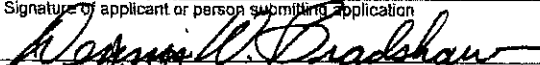

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Facts demonstrating that the above selected statement is true:

The owner's hardship is the existing barn structure (columns and beams) do not allow enough space to construct code compliant stair landings. Modifying the existing heavy timber structure to allow adequate space for code compliant stairs and landings would be extremely difficult and cost prohibitive for this project.


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 Dennis W Bradshaw	Date of signature (month, day, year) 6-3-16
Signature of design professional (if applicable) 	Please print name Jon Byrum, RA	Date of signature (month, day, year) 6-3-16

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 GERALYN HUMPHREY	Date of signature (month, day, year) 6-3-16
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MICHAEL R. PENCE, Governor
STATE OF INDIANA

DEPARTMENT OF HOMELAND SECURITY

DAVID W. KANE, EXECUTIVE DIRECTOR

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

GERALYN HUMPHREY
EMERALD ACRES WEDDING BARN
65 N 700 E

August 3, 2016

WHITESTOWN, IN 46075

Dear GERALYN HUMPHREY,

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 August 2, 2016.

<u>Project Number</u>	<u>Project Name</u>	<u>Variance Number</u>
0	EMERALD ACRES WEDDING BARN	16-05-76

Commission Conditions

A compliant exterior stair is to be added, provide code-compliant wiring, the occupant load shall be posted at 100 persons, the driveway shall be widened per fire department request, and the basement shall be closed off and not used.

Valid until August 2, 2018.

<u>Edition</u>	<u>Code</u>	<u>Code Section</u>	<u>Commission Action & Date</u>
Other Code (Not in the list provided)		3412.6.11 and 1009.4, 2014 IBC	Approved with Commission condition(s) 08/02/2016
Other Code (Not in the list provided)		3412.6.11, 2014 IBC	Approved with Commission condition(s) 08/02/2016
Other Code (Not in the list provided)		3401.1, 2014 IBC	Approved as submitted 08/02/2016
Other Code (Not in the list provided)		3401.3	Approved with Commission condition(s) 08/02/2016

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) calendar days from

