



# 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)

16-08-02

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

Name of applicant	Title
Matt Murley	Owner
Name of organization	Telephone number
Cluckers - Corydon	(502) 299-9211
Address (number and street, city, state, and ZIP code)	
SR-135 & SR-337, Corydon, Indiana 47112	

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

Name of applicant	Title
Bradley H. Needham	Designer
Name of organization	Telephone number
Studio Kremer, Inc.	(502) 499-1100
Address (number and street, city, state, and ZIP code)	
3258 Ruckriegel Parkway, Louisville, Kentucky 40299	

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

Name of design professional	License number
Scott E. Kremer	AR19600214
Name of organization	Telephone number
Studio Kremer Architects	(502) 499-1100
Address (number and street, city, state, and ZIP code)	
3258 Ruckriegel Parkway, Louisville, Kentucky 40299	

### 4. PROJECT IDENTIFICATION

Name of project	State project number	County
Cluckers - Corydon	381869	Harrison
Address of site (number and street, city, state, and ZIP code)		
SR-135 & SR-337, Corydon, Indiana 47112		
Type of project		
<input type="checkbox"/> New <input type="checkbox"/> Addition <input checked="" 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	Specific code section
International Building Code 2012	1005 & 1018.2
<p>Nature of non-compliance (Include a description of spaces, equipment, etc. involved as necessary.)</p> <p>The construction is complete and being reviewed by the local inspector, who raised a question regarding the exit corridor width. While 44 inches is the standard width required, Section 1005.5 Distribution of egress capacity, allows for a width reduction if the exit way can accommodate at least 50 % of the total occupant load.</p> <p>Our occupant load is less than 130 total people. Per Section 1005.3.2, each person will be calculated at .2 inches, such that 130 people will require a minimum of 26 total inches of exit. While there are three exits shown, per 1005.5, we are to calculate no fewer than half to pass through any exit. By that formula, 130 people x .5 equals 65 people; 65 people times .2 inches equals 13 inches per exit. With three exits from the space provided, our occupant load per door is approximately 43, which is less than the 50 occupant load which would allow for a 36 inch exit.</p> <p>For two of the three exits, we have more than the minimum clearance required, but for one of the exits we have provided 42 inches clear and request that that 42 inches be approved in this case for Cluckers.</p>	

**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:

Applicant plans to create an additional egress door within required distances to further reduce egress load on the corridor in question.

**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:

Reconstruction of the corridor shall reduce the floor space within the ADA compliant toilet rooms. Costs of demolition and reconstruction of corridor walls and sales downtime during reconstruction.

**10. STATEMENT OF ACCURACY**

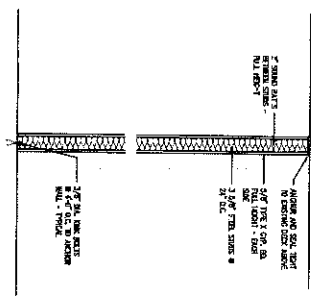
I hereby certify under penalty of perjury that the information contained in this application is accurate.

Signature of applicant or person submitting application	Please print name	Date of signature (month, day, year)
	Bradley H. Needham	5-23-2016
Signature of design professional (if applicable)	Please print name	Date of signature (month, day, year)
	Scott E. Kremer	5-23-2016

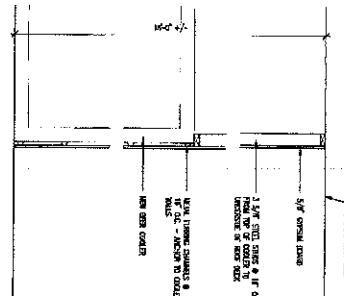
**11. STATEMENT OF AWARENESS (If the application is submitted on the applicant's behalf, the applicant must sign the following statement.)**

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.

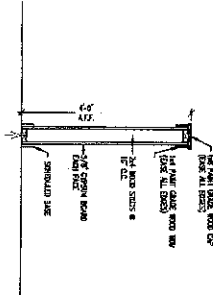
Signature of applicant	Please print name	Date of signature (month, day, year)
	Matt Murley	5-24-2016



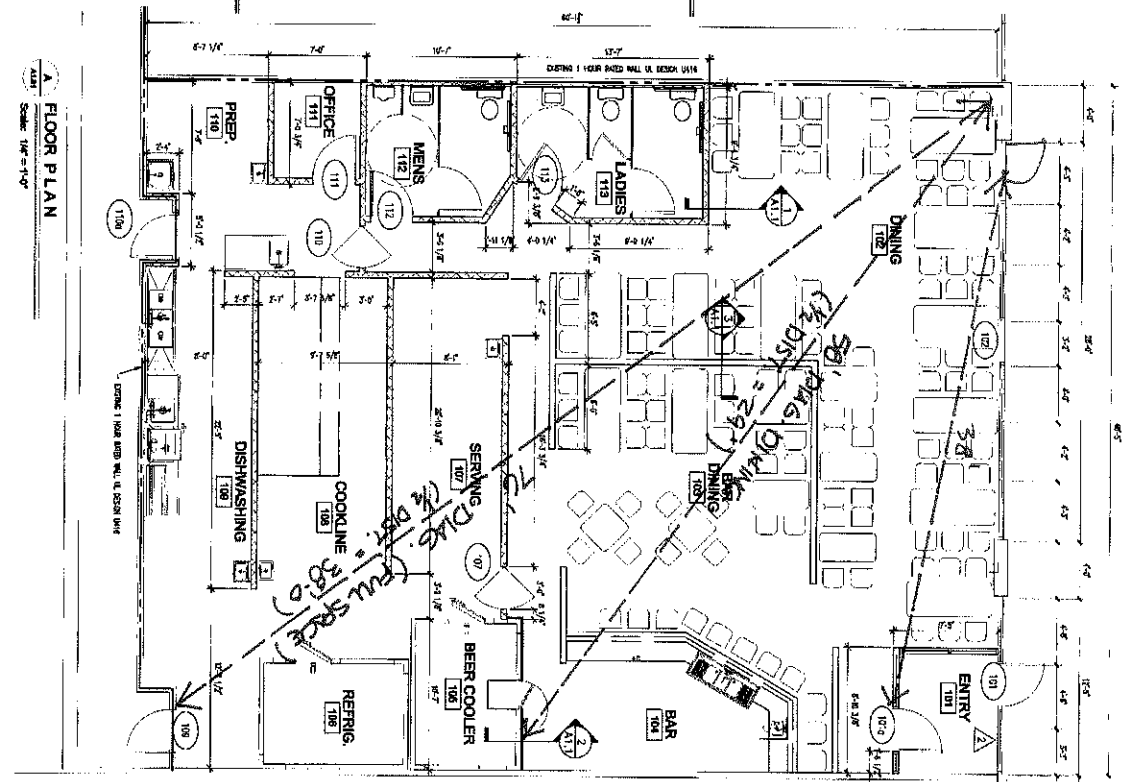
20 TYPICAL FULL HEIGHT WALL  
SCALE: 1/4\"/>



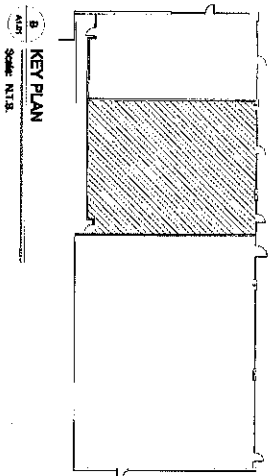
21 WALL AT BEER COOLER  
SCALE: 1/4\"/>



22 HALF HEIGHT WALL  
SCALE: 1/4\"/>



A FLOOR PLAN  
SCALE: 1/8\"/>



B KEY PLAN  
SCALE: N.T.S.

**GENERAL NOTES:**

CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE SPECIFICATIONS AND DETAILS SHOWN ON THESE PLANS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.

**CODE DATA**

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<p><b>A1.1</b></p>	<p>DATE: 11-20-2015 DRAWN BY: [Signature] CHECKED BY: [Signature] REVISIONS: 12-15-2015 1-1-2016</p>	<p>PLAN AND DETAILS</p> <p><b>CLUCKERS</b> CORYDON, INDIANA</p>	<p>studio kremer architects</p> <p>3268 Roodlregal Parkway, Louisville, KY 40260 TEL: 502.496.1100 FAX: 496.1101</p>
	<p>DATE: 2015.08</p>	<p>STAMP: [Professional Engineer Seal]</p>	<p>STAMP: [Professional Architect Seal]</p>

## **Brad Needham**

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**From:** Brad Needham  
**Sent:** Wednesday, June 15, 2016 9:38 AM  
**To:** Building@harrisoncounty.in.gov; rwineinger@dhs.in.gov  
**Cc:** Scott Kremer; Matt Murley; Brad Needham  
**Subject:** Variance Application for Cluckers - Corydon  
**Attachments:** Variance Application 6-15-2016.pdf

Greetings!

Please find attached Application for Variance.

The originals have been mailed to Ms. Beth Sutor, Code Service Section, Indiana Department of Homeland Security.

Call or email if questions.

Peace,

Bradley Needham