



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/fo_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)

16-12-22

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

Name of applicant	JAMES WEAVER	Title	Owner
Name of organization	APEX UNION MILLS, LLC	Telephone number	(317) 843-5751
Address (number and street, city, state, and ZIP code)			
12900 N MERIDIAN ST. SUITE 125, CARMEL, IN 46032			

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

Name of applicant	N/A	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	N/A	License number	
Name of organization		Telephone number	()
Address (number and street, city, state, and ZIP code)			

4. PROJECT IDENTIFICATION

Name of project	SINGLE TENANT OFFICE/WAREHOUSE	State project number	N/A	County	HENDRICKS
Address of site (number and street, city, state, and ZIP code)					
8824 UNION MILLS DRIVE, CAMBY, IN 46113					
Type of project					
<input type="checkbox"/> New <input type="checkbox"/> Addition <input type="checkbox"/> Alteration <input type="checkbox"/> Change of occupancy <input checked="" 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 12-4-9(g) Specific code section: _____

Nature of non-compliance (Include a description of spaces, equipment, etc. involved as necessary.)
See attached documents of salient facts and additional narrative. - Exhibit A

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 building is on a 3.88 parcel and there are no other buildings in close proximity. See aerial drawing and summary of salient facts attached. Exhibit B

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:
See additional narrative attached explaining the magnitude of cost to maintain building at 40° for approximately 4,000 degree days thru the winter in Candy, Indiana. Exhibit A

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 <i>James E. Wedver</i>	Please print name James E. Wedver	Date of signature (month, day, year) 10/28/2016
Signature of design professional (if applicable)	Please print name	Date of signature (month, day, year)

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)
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Apex Union Mills, LLC - Attachment documenting excessive cost of maintaining heat in building to keep pipes from freezing.

The rectangular building is approximately 60 feet wide and 700 feet long with 20 foot ceilings which computes to 840,000 cubic feet.. All the equipment has been removed and the building is now vacant. The building is under financial stress and has been listed for sale or lease by CBRE. No viable prospects have yet been identified.

Historical weather statistics indicate 3,987 heating degree days for the Camby, Indiana area from November through April. The cost to maintain heat at 40 degrees for a vacant building with 840,000 cubic feet of space will exceed my financial resources.

If no tenant or purchase is secured by mid November, I respectfully request a variance which will allow the hydraulic fire supression system to be inoperable.

Exhibit A

1 of 2

SUMMARY OF SALIENT FACTS

Property Owner of Record: Apex Union Mills, LLC
Property Type: Single-Tenant Office/Warehouse
Property Address: 8824 Union Mills Road
Town, County, Township, State: Camby, Hendricks, Guilford Township, Indiana

Real Estate Appraiser: Stephen W. Cobb, MAI Inspection
Indiana Certified General Appraiser CG69100069 Exterior Only

Appraisal Client: Mr. Jim Weaver

Site Area: 3.88 acres or 169,013 SF per plat provided
Construction Dates: 2000

Improvement Size: 40,500 NRA
40,500 GBA

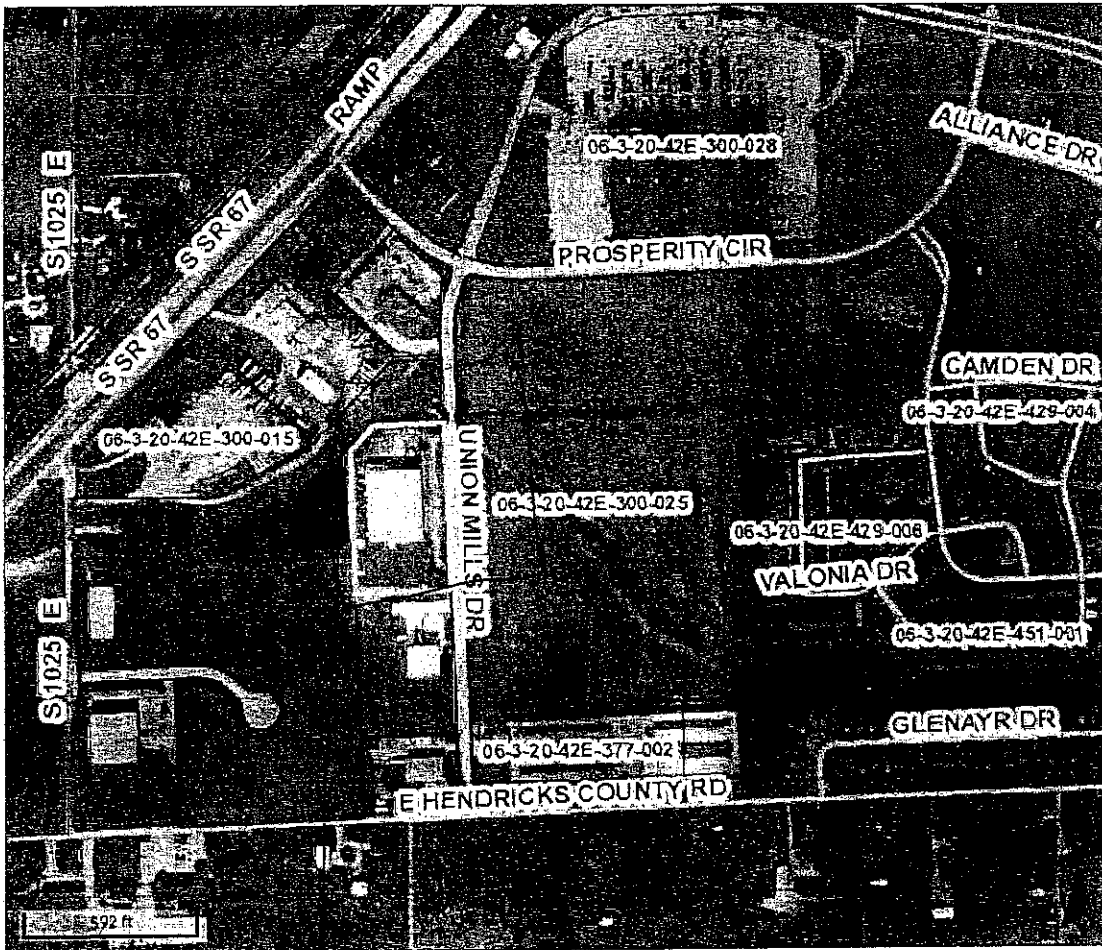
Parcel Numbers: 32-16-20-351-001.000-011

FEMA Flood Map Number: 180415 0150 B D
Effective Map Date: March 16, 1981
Flood Designation: Apparent Zone X

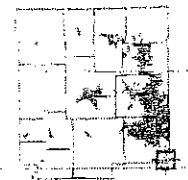
Date of Report: March 31, 2016

Effective Dates of Appraisal: March 29, 2016
Reporting Option: Restricted Appraisal Report

Exhibit A
2 of 2



Overview



Legend

- Parcels
- Right of Way
- Townships
- Road Centerlines
- Culverts
- Culverts 2008

Parcel ID	32-16-20-351-001.000-011	Alternate ID	06-3-20-42E 351-001	Owner	Apex Union Mills LLC
Sec/Twp/Rng	0020-0014-2E	Class	INDUSTRIAL LIGHT MANUFACTURING & ASSEMBLY	Address	C/O JAMES WEAVER
Property Address	8824 Union Mills Dr	Acreage	3.88		12900 N MERIDIAN ST STE 125
District	Camby				Carmel, IN 46032
Brief Tax Description	Gulford Township Lot 81 Heartland Crossing Business Park 3.88ac From 300-021 Conservancy (Note: Not to be used on legal documents)				

Date created: 3/30/2016

Developed by
 The Schneider Corporation

Exhibit B

Apex Building