



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/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)

17-03-05

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

| | |
|--|---|
| Name of applicant Alan Collins | Title President |
| Name of organization Construction Management & Design, Inc. | Telephone number (574) 935-6666 |
| Address (number and street, city, state, and ZIP code) 1906 N.Oak Drive Plymouth IN. 46563 | |

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

| | |
|--|---|
| Name of applicant James Lenczowski | Title President |
| Name of organization J.S.L. & Associates, Inc. | Telephone number (574) 310-7130 |
| Address (number and street, city, state, and ZIP code) 1119 S. 26th Street South Bend, IN 46615 | |

3. DESIGN PROFESSIONAL OF RECORD (If applicable)

| | |
|---|---|
| Name of design professional Dale A Clingerman | License number PE60016122 |
| Name of organization | Telephone number (219) 369-6471 |
| Address (number and street, city, state, and ZIP code) 1312 Carriage Court Apt. D LaPorte, IN 46530 | |

4. PROJECT IDENTIFICATION

| | | |
|---|---------------------------------------|----------------------------|
| Name of project 12 Unit Senior Patio Villas | State project number 389082 | County Kosciusko |
| Address of site (number and street, city, state, and ZIP code) 100 block Aqueduct Lane/2600 block Parent Drive Warsaw, IN 46850 | | |
| 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 NFPA 13R vrs NFPA 13D | Specific code section IBC 903.3.1.2 903.3.1.3 |
|---|---|

Nature of non-compliance (Include a description of spaces, equipment, etc. involved as necessary.)
 These are Senior Rental units age 55 and over, the costs for NFPA 13R verses that of NFPA 13D is approximately \$ 6,000.00 per building, this cost would be passed on to the tenant resulting in a rental rate which would exceed that of what Seniors (especially retired seniors living on Social Security) could afford to live within their means. The basic difference between NFPA 13R and NFPA 13D is the sprinkling of the garage and the volume and time of the flow of water. (Previous variance 13-10-13 was based on 8 units typical of the proposed 12 unit buildings.)

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 IBC 903.3.1.2 states that group R buildings up to and including 4 stories shall have NFPA 13R sprinkler system, IBC 903.3.1.3 states that one and two family dwelling shall have NFPA 13D. Since these individual units are seperated with a one hour seperation wall between each unit and each garage (see sheet A-7 Common wall sections & A-8 Roof framing of the drawings) extending up to the underside of the sheathing they would be considered self contained individual units. They are also, one story units on slab with no additional floors above the main floor. Therefor public health, safety or welfare would not be an issue as it would be contained within an individual unit which would still have a NFPA13D system

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.

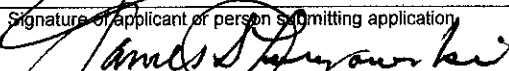
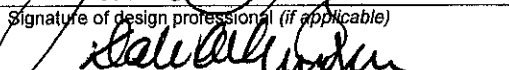
Imposition of the rule would result in an undue hardship (unusual difficulty) because of excessive costs of additional or altered construction elements.

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:
 Cost difference between a NFPA 13R system verses NFPA 13D is approximately \$ 6,000.00 per building which equates to \$500.00 per unit which would have to be passed onto the rental fees charged to Seniors, possibly putting rental costs out of reach or beyond their means.

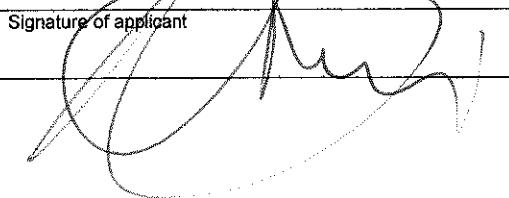
10. STATEMENT OF ACCURACY

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 James S Lenczowski | Date of signature (month, day, year) |
| Signature of design professional (if applicable)  | Please print name Dale A Clingerman | 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 Alan Collins | Date of signature (month, day, year) |
|--|--|--------------------------------------|

Subject: Re: Fw: Tippe Downs 12 unit buildings
From: Ray Behling (rbehling@warsaw.in.gov)
To: jslasc1@sbcglobal.net;
Date: Friday, January 20, 2017 2:24 PM

I have received a copy of the variance application.

Ray Behling
Building Commissioner
City of Warsaw
Building & Planning
574.372.9548

On Fri, Jan 20, 2017 at 1:28 PM, James Lenczowski <jslasc1@sbcglobal.net> wrote:
Second request, please respond via e mail that you have received a copy of this variance

*Thank you for your time & consideration
God Speed*

J. S. Lenczowski

*J.S.L. & Associates, Inc. 574-310-7130
Architectural Design / Construction Management*

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On Monday, January 16, 2017 8:40 AM, James Lenczowski <jslasc1@sbcglobal.net> wrote:

Good morning gentlemen,

Attached find application for sprinkler variance for the 12 unit buildings at Tippe River Downs. CMD is making application for variance to use 13D system verses 13R system. Please respond via e-mail that you have received a copy of the variance application

*Thank you for your time & consideration
God Speed*

J. S. Lenczowski

*J.S.L. & Associates, Inc. 574-310-7130
Architectural Design / Construction Management*

Subject: Re: Tippe Downs 12 unit buildings
From: Joe Fretz (jfretz@warsaw.in.gov)
To: jslasc1@sbcglobal.net;
Date: Tuesday, January 17, 2017 8:24 AM

James

I did receive an e-mail of the variance application for Tippe Downs 12 Unit building.

Joe

Saving Lives Through Prevention, Education and Training

Joe Fretz
Fire Marshal
Warsaw-Wayne Fire Territory
109 E. Main St.
Warsaw, IN 46580
Office: 574-372-9502
Cell: 574-377-0373
Fax: 574-267-3276
jfretz@warsaw.in.gov

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