



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/



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

Variance number (Assigned by department)

17-04-01

1. APPLICANT INFORMATION (Person who would be in violation if variance is not granted; usually this is the owner)		
Name of applicant	Title	
Jason Kraus	Construction Project Manager	
Name of organization	Telephone number	
Kohl's	(952-210-4118)	
Address (number and street, city, state, and ZIP code)		
W165 N5830 Ridgewood Drive Menomonee Falls, WI 53051		
2. PERSON SUBMITTING APPLICATION ON BEHALF OF THE APPLICANT (If not submitted by the applicant)		
Name of applicant	Title	
Tim Roessler	Construction Project Manager	
Name of organization	Telephone number	
Clayco Inc.	(312-229-6427)	
Address (number and street, city, state, and ZIP code)		
35 E. Wacker Drive Chicago IL 60601		
3. DESIGN PROFESSIONAL OF RECORD (If applicable)		
Name of design professional	License number	
Christopher Cedergreen	AR10100134	
Name of organization	Telephone number	
Forum Studio Inc.	(314-429-5100)	
Address (number and street, city, state, and ZIP code)		
2199 Innerbelt Business Center Drive St. Louis MO 63114		
4. PROJECT IDENTIFICATION		
Name of project	State project number	County
Kohl's Ecommerce (EFC5)	387640	Hendricks
Address of site (number and street, city, state, and ZIP code)		
9998 Allpoints Parkway Plainfield, IN 46168		
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):		
<input checked="" type="checkbox"/> A check made payable to the Indiana Department of Homeland Security for the appropriate amount. (see instructions)		
<input checked="" type="checkbox"/> One (1) set of plans or drawings and supporting data that describe the area affected by the requested variance and any proposed alternatives.		
<input checked="" type="checkbox"/> Written documentation showing that the local fire official has received a copy of the variance application.		
<input checked="" type="checkbox"/> 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?		
<input type="checkbox"/> Yes (If yes, attach a copy of the Correction Order.) <input checked="" type="checkbox"/> No		
Has a violation been issued?		
<input type="checkbox"/> Yes (If yes, attach a copy of the Violation and answer the following.) <input checked="" type="checkbox"/> No		
Violation issued by:		
<input type="checkbox"/> Local Building Department <input type="checkbox"/> State Fire and Building Code Enforcement Section <input type="checkbox"/> Local Fire Department		

7. DESCRIPTION OF REQUESTED VARIANCE

Name of code or standard and edition involved IFC 1016 675 IAC 22-2.5-11 1016.22	Specific code section 675 IAC 22-2.5-11 1016.2.2
Nature of non-compliance (Include a description of spaces, equipment, etc. involved as necessary.) There are two locations where the 400 max travel distance is exceeded by approximately 30'	

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 area in question will only be fully manned during the peak season - around the Christmas holiday. The egress path(s) will be painted on the floor in yellow. The building is protected by ESFR sprinkler system. Kohl's provides semi-annual fire drills and fire training for employees that work in this area. Plainfield Fire has reviewed the issue and agrees with the course of action. (See attached.)

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:

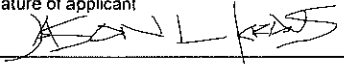
10. STATEMENT OF ACCURACY

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 Tim Roessler	Date of signature (month, day, year) 2/20/17
Signature of design professional (if applicable) 	Please print name Christopher Cedergreen	Date of signature (month, day, year) 2/20/17

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 Tim Roessler Jason Kraus	Date of signature (month, day, year) 2/20/17
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PLAINFIELD FIRE TERRITORY

4010 S. CLARKS CREEK ROAD

PLAINFIELD, IN 46168

OFFICE: (317) 839 - 6939 FAX: (317) 838 - 3716

To: David DeGaetano, Tim Roessler, Dan Cahalan
From: Alan Trauner
RE: 9998 Allpoints Parkway
Date: 2/22/2017

To whom it may concern,

After doing actual measurements of possible travel distances and reviewing the intended operation of the Kohl's warehouse and shipping operation at 9998 Allpoints Parkway in Hendricks County, Indiana, it is my opinion that a variance will be required to allow operations to be completed in the area between the automated pick system and the shipping area on the east side of the building.

675 IAC 22-2.5-11 adds section 1016.2.2 to the IFC to allow for 400 feet of travel distance when the building is protected with an ESFR sprinkler system, which this building does have an ESFR sprinkler. I measured an actual travel distance of 430 feet from the area of concern to the nearest exit. After seeing what obstacles are in the way of direct travel to the exit, I feel it is safer for employees who may be in the area to exit horizontally on a safe, stable surface than to have to go up and over a conveyor system on stairs that would be potentially uncomfortable and unsafe if there were sprinkler operation or smoke in the building. A stair system would have to extend approximately 12 feet or higher to clear the obstacle in the way.

Based on my conversations with the Kohl's engineers I would be comfortable with a variance on travel distance as long as the following precautions are in place.

- 1) Mark all egress pathways leading out of the area in question as that pathway passes through the dock area so that there is a clear path to the egress doors with no obstructions from normal operations in the facility. A marked path with striped lines and wording indicating that the area is an exit path is necessary and must be in place at the time of the certificate of occupancy inspection.
- 2) All employees who are to operate in the area of question must be trained on the direction of travel to their closest exit in the event of an emergency. Annual fire drills should be conducted for all personnel and as new employees are brought in they should be advised of the emergency exit plan.
- 3) Place an emergency egress plan on each work station that is within the extended travel distance area. Make sure that it is maintained in a place that is visible and that the plan is in good, legible condition at all times.
- 4) Maintain the ESFR sprinkler system and the associated alarm system at all times. If the system were to have any impairment whatsoever, the area that exceeds the travel distance should not be occupied even if fire watch is in place.

If these requirements are met, I have no objection to the granting of a variance for employees to occupy the area that is 430 feet from the nearest exit. Feel free to contact me with any questions you may have. I will continue to monitor the situation as we near the certificate of occupancy inspection so that once employees occupy this area, we have the needed safety systems in place.

Thank you,

Alan R. Trauner,
Investigator/Inspector
Plainfield Fire Territory
Office: 317-839-6939 Ex 18
Cell: 317-979-5820
atrauner@plainfieldfire.com

INSTRUCTIONS FOR APPLICATION FOR VARIANCE

Part of State Form 44400 (R7 / 10-13)

INDIANA DEPARTMENT OF HOMELAND SECURITY
CODE SERVICES SECTION
302 West Washington Street, Room W246
Indianapolis, IN 46204-2739
http://www.in.gov/dhs/fire/tp_bs_comm_code/

INSTRUCTIONS:

A variance application, accompanied by the required fee and all other required documents, shall be submitted to request a variance from a particular section of a fire, building or other code or standard adopted by the Fire Prevention and Building Safety Commission. See Indiana Code 22-13-2-11 and 675 IAC 12-5.

A separate variance application is required for each unrelated code provision* for which a variance is being requested.

A. VARIANCE APPLICATION

The following information is required:

1. **Applicant Information:** The applicant is the person who would be in violation of a rule of the commission if he or she maintained the conditions sought to be legalized by a variance and did not obtain the variance. This person is usually the owner of the premises in question. If the applicant is a corporation, a governmental body, or any other type of legal organization, include the name of this legal organization, as well as the name and telephone number of the organization's contact person.
2. **Person Submitting Application on Behalf of the Applicant:** The name, address and telephone number of the person submitting the application, if the applicant is not the person who is submitting the application. If the person is a corporation, a governmental body, or any other type of legal organization, include the name of this legal organization, as well as the name and telephone number of the organization's contact person.
3. **Design Professional of Record:** The name, license number, address and telephone number of the design professional for the project (if there is one). A design professional is defined as registered architect or professional engineer registered under Indiana Code 25-4 or Indiana Code 25-31, respectively. If applicable, provide the name of the organization for which the design professional works.
4. **Project Identification:**
 - (a) **Project Name:** A name that will allow the Department to readily identify the project.
 - (b) The State project number, if the variance involves a project for which plans and design specifications have been filed for a construction design release under 675 IAC 12-6.
 - (c) The address of the premises for which the variance is being sought.
 - (d) The county of the premises for which the variance is being sought.
 - (e) The type of the project. Indicate whether the variance is being sought for new construction, an addition or alteration to an existing structure, a change of occupancy of an existing structure, or an existing structure that is none of the above.
5. **Required Additional Information:** To apply for a variance, the following shall be submitted with the application:
 - A. A \$276 check made payable to the **Indiana Department of Homeland Security** for the application filing fee (\$138) and the processing fee (\$138) for a single code provision, together with an additional fee of \$69 for each additional unrelated code provision*, where applicable.
 - B. One (1) set of plans or drawings and supporting data that describe the area affected by the requested variance and any proposed alternatives.
 - C. Written documentation showing that the local fire official has received a copy of the variance.
 - D. Written documentation showing that the local building official has received a copy of the variance.

* An "unrelated code provision" is a provision of an adopted code or standard that covers subject matter that is not contingent upon or directly affecting the requirements of a different code provision for which a variance is being sought by the same applicant at the same time.
6. **Violation Information:**
 - (a) Indicate if the request for a variance is a result of correction order issued by the Plan Review Section of the Division of Fire and Building Safety. **If so, include a copy of this correction order.**
 - (b) Indicate if the request for a variance is a result of a Notice of Violation/Order. If so, indicate the entity that issued the Notice of Violation/Order and **include a copy of this Notice of Violation/Order.**
7. **Description of Requested Variance:**
 - A. Include the name of the Code or Standard, as well as the edition. (For example, *Indiana Building Code, 2003 Edition*)
 - B. Include the specific code section for which the variance is being requested. (For example, *Section 1005.2.3*)
 - C. Describe why the variance is needed (*what conditions exist that constitute a violation*).