



# 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/cis/cip\\_ba\\_comm\\_code/](http://www.in.gov/dhs/cis/cip_ba_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)

17-05-13

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

|   |   |
|---|---|
| Name of applicant<br><b>Kahlil Mwaafrika</b>  | Title<br><b>Center Director</b>           |
| Name of organization<br><b>Day Early Learning</b>   | Telephone number<br><b>(317) 291 8048</b> |
| Address (number and street, city, state, and ZIP code)<br><b>5735 W. 73<sup>rd</sup> st</b> |   |

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

|  |                         |
|--|-------------------------|
| Name of applicant                                      | Title                   |
| Name of organization                                   | Telephone number<br>( ) |
| Address (number and street, city, state, and ZIP code) |                         |

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

|  |   |
|--|---|
| Name of design professional<br><b>Candace Berger</b>   | License number                            |
| Name of organization<br><b>Enviroospace</b>            | Telephone number<br><b>(317) 909 9790</b> |
| Address (number and street, city, state, and ZIP code) |   |

### 4. PROJECT IDENTIFICATION

|   |                      |        |
|---|----------------------|--------|
| Name of project<br><b>Day Early Learning</b>  | State project number | County |
| Address of site (number and street, city, state, and ZIP code)<br><b>5735 W. 73<sup>rd</sup> st</b>   |                      |        |
| Type of project<br><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

1008.1.9.1 - Lever hardware or other compliant arrangement provided in lieu of door knobs.

Specific code section

1008 , 807

807.1 - Curtains, drapes, hangings and other decorative materials have proper flame spread rating.

Nature of non-compliance (include a description of spaces, equipment, etc. involved as necessary)

The variance to address 1008.1.9.1 would allow for current lever hardware to remain on the doors in our toddlers and two year olds rooms. The concern is that with the fledgling curiosity and walking skills of that particular age demographic poses a great risk exists for children running out of rooms unattended and unsupervised.

The variance to address 807.1 would allow a waiver for providing documentation to determine whether blinds are fire-retardant. The blinds have been in place since 2009 and have passed all subsequent inspections. We have not saved the packaging from the initial purchase. We have had the blinds inspected for product numbers and have been unable to ascertain the disclosing information.

**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 maintenance of current door handles eliminates the possibility of children being able to leave the room voluntarily.

Regarding the blinds, in the case of a fire the placement of the blinds would make them the last item to catch fire. They are only hung on windows, which are on the outskirts of classrooms, which would render them inconsequential in a fire situation. Additionally, we have regularly serviced sprinklers and fire alarm system in place. As we purchase new blinds in the future we will ensure that they are fire retardant.

**9. DEMONSTRATION OF UNDUH 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 replacement of knob doors with levers would eliminate the practical usage of door knobs, making it an unsafe environment for Toddlers and Two year olds

The cost to either replace or retard the current blinds would be excessive and cause an extreme financial burden on our center considering our Not - for - Profit status and very tight budgetary restrictions

**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)

Signature of licensed 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.