



# 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)

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

Name of applicant <b>Tom Forscht</b>	Title
Name of organization <b>Pratt Industries</b>	Telephone number <b>(219) 477-1040</b>
Address (number and street, city, state, and ZIP code) <b>3050 ANTHONY PRATT DRIVE, VALPARAISO IN 46383</b>	

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

Name of applicant <b>Christina M. Collester</b>	Title <b>Principal</b>
Name of organization <b>RTM Consultants, Inc.</b>	Telephone number <b>(317) 329-7700</b>
Address (number and street, city, state, and ZIP code) <b>6640 Parkdale Place, Suite J, Indianapolis, IN 46254</b>	

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

Name of design professional <b>James Hawthorn</b>	License number <b>AR00870101</b>
Name of organization <b>James C Hawthorn Associates</b>	Telephone number <b>(937) 477-1119</b>
Address (number and street, city, state, and ZIP code) <b>1900 Kress Wood Circle, Dayton Ohio</b>	

### 4. PROJECT IDENTIFICATION

Name of project <b>Mill Warehouse Addition</b>	State project number	County <b>Porter</b>
Address of site (number and street, city, state, and ZIP code) <b>3050 Anthony Pratt Drive Valparaiso IN 46383</b>		
Type of project <input type="checkbox"/> New <input checked="" 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	Specific code section
2014 Indiana Building Code	705.8

Nature of non-compliance (Include a description of spaces, equipment, etc. involved as necessary.)  
 Pratt Industries occupies each building (on the east and west side of the property line. The Mill and Mill Warehouse (east side) provides materials (paper rolls) that are used in the corrugating process (which takes place in the west building). The buildings will be connected by a new 20 foot wide connector. The connector will be open at the property line creating an unprotected opening at the property line .

**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:

Pratt Industries occupies each building (on the east and west side of the property line. A "water curtain" will be installed on both properties at the opening at each end of the connector at each building.

The sprinklers used for water curtain shall be quick-response, closed head, commercial-type sprinklers (ESFR) as defined by NFPA 13. Sprinkler Spacing: Sprinklers shall be spaced no more than 6- feet apart along the openings and 6" to 12" inches from the draft stop. The distance between the edge of the opening and the nearest sprinkler head shall be a maximum of 3' feet as per Section 8.15.4.3.1 NFPA 13.

It should also be noted that a water curtain will also be installed at two fire department access door locations on the building wall.

The draft stop shall be located immediately adjacent to each opening, measuring at least eighteen (18) inches deep (measured from the sprinkler's deflector), constructed of noncombustible material, that will stay in place before and during sprinkler operation.

**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:

Pratt Industries occupies each building (on the east and west side of the property line. The Mill and Mill Warehouse (east side) provides materials (paper rolls) that are used in the corrugating process (which takes place in the west building). Because of their weight (6,000 pounds each), they cannot be transported except by conveyor in a protected environment. This building addition and connector allow a continuous workflow for the manufacturing process. Without this variance, it is not possible to move the paper rolls from one building to the other within a protected environment..

**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 Christina M. Collester	Date of signature ( <i>month, day, year</i> )
Signature of design professional ( <i>if applicable</i> )	Please print name James Hawthorn	Date of signature ( <i>month, day, year</i> )

**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 Tom Forscht	Date of signature ( <i>month, day, year</i> )
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# 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/fp\\_bs\\_comm\\_code/](http://www.in.gov/dhs/fire/fp_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).*

- 8. Demonstration that Public Health, Safety, and Welfare Will Be Protected:** The application must include sufficient facts to demonstrate one of the following:
- A. The applicant must submit facts demonstrating that noncompliance with the rule will not be adverse to the public health, safety, or welfare; or
  - B. The applicant must propose one or more alternative actions that the applicant will undertake in lieu of compliance with the rule and submit facts demonstrating that compliance with this alternative action would not be adverse to the public health, safety, or welfare. Explain why alternative actions would be adequate (*be specific*).
- 9. Demonstration of Undue Hardship or Historically Significant Structure:** The applicant must submit sufficient facts to demonstrate that compliance with the rule will either impose an undue hardship (*unusual difficulty*) upon the applicant; or prevent the preservation of an architecturally or historically significant structure.
- A. **Imposition of The Rule Would Cause an Undue Hardship Upon the Applicant:** To show that imposition of the rule would result in an undue hardship, an applicant must submit facts demonstrating that there is an unusual difficulty in meeting the requirements of the rules of the commission because of:
    - (i) Physical limitations of a construction site or its utility services;
    - (ii) Major operational problems in the use of a building or structure; or
    - (iii) Excessive costs of additional or altered construction elements.
  - B. **Imposition of the Rule Would Prevent the Preservation of an Architecturally or Historically Significant Structure:** To show that imposition of the rule would prevent the preservation of an architecturally significant or historically significant part of a building or other structure, an applicant must make two demonstrations. First, the applicant must submit facts demonstrating that the building or structure in question is historically or architecturally significant. Second, the applicant must submit facts demonstrating that imposition of the rule would prevent the preservation of all or a significant part of this building or structure.
    - (i) **Demonstration that the building or structure is historically or architecturally significant:** The applicant must submit facts demonstrating that the building or structure is important to the general, archaeological, agricultural, economic, social, political, architectural, industrial, or cultural history of the United States or of Indiana.  
A building or structure shall be deemed as architecturally or historically significant if it has been placed on the National Register of Historic Places under the National Historic Preservation Act (16 U.S.C. 470 et seq.) or if it has been placed on the Register of Indiana Historic Sites and Structures under Indiana Code 14-21.  
A determination that a building or structure has been determined eligible for the Register of Indiana Historic Sites and Structures by the Division of Historic Preservation and Archeology of the Indiana Department of Natural Resources creates a presumption that a structure is architecturally or historically significant.
    - (ii) **Demonstration that imposition of the rule for which the variance is being requested would prevent the preservation of all or a significant part of this building or structure:** The applicant must submit facts demonstrating that the imposition of the rule for which the variance is being requested would prevent the preservation of all or a significant part of this architecturally or historically significant building or structure.
- 10. STATEMENT OF ACCURACY:** The applicant, or the person submitting the application on behalf of the applicant, must certify under penalty of perjury that the information contained in the application is accurate. The Design Professional (if there is one) must certify that the information contained in the application is accurate if the requested variance involves a project for which plans and specifications have been, or must be, filed for a design release under 675 IAC 12-6.
- 11. STATEMENT OF AWARENESS:** If the application is submitted on the applicant's behalf, the applicant must certify under penalty of perjury that he or she is aware of the variance request and that it is made on his or her behalf.

## B. VARIANCE SUBMITTAL DATES AND COMMISSION MEETING DATES

Respective variance cut-off dates and Commission meeting dates are as follows:

2012, 2013, 2014, and 2015 VARIANCE CALENDAR			
Meeting Date	Variance Cut-Off	Meeting Date	Variance Cut-Off
February 7, 2012	January 11, 2012	January 7, 2014	December 11, 2013
March 6, 2012	February 8, 2012	February 4, 2014	January 7, 2014
April 3, 2012	March 7, 2012	March 4, 2014	February 4, 2014
May 2, 2012	April 5, 2012	April 1, 2014	March 4, 2014
June 5, 2012	May 9, 2012	May 7, 2014	April 8, 2014
July 3, 2012	June 6, 2012	June 3, 2014	May 6, 2014
August 7, 2012	July 11, 2012	July 1, 2014	June 3, 2014
September 5, 2012	August 9, 2012	August 5, 2014	July 8, 2014
October 2, 2012	September 5, 2012	September 4, 2014	August 5, 2014
November 7, 2012	October 11, 2012	October 7, 2014	September 9, 2014
December 4, 2012	November 7, 2012	November 5, 2014	October 7, 2014
		December 2, 2014	November 4, 2014
Meeting Date	Variance Cut-Off	Meeting Date	Variance Cut-Off
January 3, 2013	December 7, 2012	January 6, 2015	December 9, 2014
February 5, 2013	January 9, 2013	February 3, 2015	January 6, 2015
March 5, 2013	February 6, 2013	March 3, 2015	February 3, 2015
April 2, 2013	March 6, 2013	April 7, 2015	March 10, 2015
May 8, 2013	April 10, 2013	May 6, 2015	April 7, 2015
June 4, 2013	May 8, 2013	June 2, 2015	May 5, 2015
July 2, 2013	June 5, 2013	July 7, 2015	June 9, 2015
August 6, 2013	July 10, 2013	August 4, 2015	July 7, 2015
September 4, 2013	August 8, 2013	September 1, 2015	August 4, 2015
October 1, 2013	September 3, 2013	October 6, 2015	September 8, 2015
November 6, 2013	October 9, 2013	November 4, 2015	October 6, 2015
December 3, 2013	November 6, 2013	December 1, 2015	November 3, 2015
		Meeting Date	Variance Cut-Off
		January 5, 2016	December 8, 2015

## C. OTHER IMPORTANT INFORMATION

1. An electronic copy of the variance application and these instructions can be found at the following web site:  
[http://www.in.gov/dhs/fire/fp\\_bs\\_comm\\_code/](http://www.in.gov/dhs/fire/fp_bs_comm_code/)
2. It is very important that the applicant and/or the responsible design professional participate in the variance evaluation process by appearing before the Commission to answer any questions about alternate design proposals or undue hardship. It is possible that the Commission will table and/or deny the variance request if the applicant and/or the responsible design professional are not present to answer questions.
3. The Code Services staff does not make copies of documents that are larger than 8-1/2" by 11". If the applicant wishes the Commission members to get a copy of the plans, include twenty-five (25) copies of these plans with the variance application package and the copies will be distributed to the Commission members in their mailing packets. The Code Services staff recommends that these extra copies be no larger than 11" x 14".
4. For some variance requests, photographs may also be helpful to the Commission members. If the applicant wishes the Commission members to have color photographs, include twenty-five (25) copies of these photographs in the variance application package and the copies will be distributed to the Commission members in their mailing packets.
5. The Commission's action on a variance is final, subject to the appeal process under Indiana Code 4-21.5-3-7.
6. The applicant will receive official notice of the Commission's decision, including appeal rights.
7. Telephone inquiries about this process can be made to 317-232-1402. The completed variance application, fee and accompanying information should be submitted to: Indiana Department of Homeland Security, Code Services Section, 302 West Washington Street, Room W246, Indianapolis, Indiana 46204-2739.



# APPLICATION FOR VARIANCE

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

Variance number (Assigned by department)

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

Name of applicant <b>Tom Forscht</b>	Title
Name of organization <b>Pratt Industries</b>	Telephone number <b>(219) 477-1040</b>
Address (number and street, city, state, and ZIP code) <b>3050 ANTHONY PRATT DRIVE, VALPARAISO IN 46383</b>	

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

Name of applicant <b>Christina M. Collester</b>	Title <b>Principal</b>
Name of organization <b>RTM Consultants, Inc.</b>	Telephone number <b>(317) 329-7700</b>
Address (number and street, city, state, and ZIP code) <b>6640 Parkdale Place, Suite J, Indianapolis, IN 46254</b>	

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

Name of design professional <b>James Hawthorn</b>	License number <b>AR00870101</b>
Name of organization <b>James C Hawthorn Associates</b>	Telephone number <b>(937) 477-1119</b>
Address (number and street, city, state, and ZIP code) <b>1900 Kress Wood Circle, Dayton Ohio</b>	

### 4. PROJECT IDENTIFICATION

Name of project <b>Mill Warehouse Addition</b>	State project number	County <b>Porter</b>
Address of site (number and street, city, state, and ZIP code) <b>3050 Anthony Pratt Drive Valparaiso IN 46383</b>		
Type of project <input type="checkbox"/> New <input checked="" 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	Specific code section
2014 Indiana Building Code	507.2, Table 508.4

Nature of non-compliance (Include a description of spaces, equipment, etc. involved as necessary.)  
 We propose to construct a 20 foot wide connector to the adjacent unlimited area building on the neighboring property. The existing building is within 60' of the property line (25 feet). The neighboring building is more than 60' from the property line. A variance was granted by the city of Valparaiso to allow the setback of 25 feet in 2014. Both buildings are equipped throughout with an automatic sprinkler system (ESFR).

The new connector will extend to and cross the property line for both buildings.

The existing buildings are over area without the property line setback of 60 feet.

**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:  
 Pratt Industries occupies each building (on the east and west side of the property line. A "water curtain" will be installed on both properties at the opening at each end of the connector at each building.

The sprinklers used for water curtain shall be quick-response, closed head, commercial-type sprinklers (ESFR) as defined by NFPA 13. Sprinkler Spacing: Sprinklers shall be spaced no more than 6- feet apart along the openings and 6" to 12" inches from the draft stop. The distance between the edge of the opening and the nearest sprinkler head shall be a maximum of 3' feet as per Section 8.15.4.3.1 NFPA 13.

It should also be noted that a water curtain will also be installed at two fire department access door locations on the building wall.

The draft stop shall be located immediately adjacent to each opening, measuring at least eighteen (18) inches deep (measured from the sprinkler's deflector), constructed of noncombustible material, that will stay in place before and during sprinkler operation.

**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:  
 Pratt Industries occupies each building (on the east and west side of the property line. The Mill and Mill Warehouse (east side) provides materials (paper rolls) that are used in the corrugating process (which takes place in the west building). Because of their weight (6,000 pounds each), they cannot be transported except by conveyor in a protected environment. This building addition and connector allow a continuous workflow for the manufacturing process. Without this variance, it is not possible to move the paper rolls from one building to the other within a protected environment..

**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 Christina M. Collester	Date of signature ( <i>month, day, year</i> )
Signature of design professional ( <i>if applicable</i> )	Please print name James Hawthorn	Date of signature ( <i>month, day, year</i> )

**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 Tom Forscht	Date of signature ( <i>month, day, year</i> )
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# 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

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## INSTRUCTIONS:

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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.
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\* 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).*

- 8. Demonstration that Public Health, Safety, and Welfare Will Be Protected:** The application must include sufficient facts to demonstrate one of the following:
- A. The applicant must submit facts demonstrating that noncompliance with the rule will not be adverse to the public health, safety, or welfare; or
  - B. The applicant must propose one or more alternative actions that the applicant will undertake in lieu of compliance with the rule and submit facts demonstrating that compliance with this alternative action would not be adverse to the public health, safety, or welfare. Explain why alternative actions would be adequate (*be specific*).
- 9. Demonstration of Undue Hardship or Historically Significant Structure:** The applicant must submit sufficient facts to demonstrate that compliance with the rule will either impose an undue hardship (*unusual difficulty*) upon the applicant; or prevent the preservation of an architecturally or historically significant structure.
- A. **Imposition of The Rule Would Cause an Undue Hardship Upon the Applicant:** To show that imposition of the rule would result in an undue hardship, an applicant must submit facts demonstrating that there is an unusual difficulty in meeting the requirements of the rules of the commission because of:
    - (i) Physical limitations of a construction site or its utility services;
    - (ii) Major operational problems in the use of a building or structure; or
    - (iii) Excessive costs of additional or altered construction elements.
  - B. **Imposition of the Rule Would Prevent the Preservation of an Architecturally or Historically Significant Structure:** To show that imposition of the rule would prevent the preservation of an architecturally significant or historically significant part of a building or other structure, an applicant must make two demonstrations. First, the applicant must submit facts demonstrating that the building or structure in question is historically or architecturally significant. Second, the applicant must submit facts demonstrating that imposition of the rule would prevent the preservation of all or a significant part of this building or structure.
    - (i) **Demonstration that the building or structure is historically or architecturally significant:** The applicant must submit facts demonstrating that the building or structure is important to the general, archaeological, agricultural, economic, social, political, architectural, industrial, or cultural history of the United States or of Indiana.  
A building or structure shall be deemed as architecturally or historically significant if it has been placed on the National Register of Historic Places under the National Historic Preservation Act (16 U.S.C. 470 et seq.) or if it has been placed on the Register of Indiana Historic Sites and Structures under Indiana Code 14-21.  
A determination that a building or structure has been determined eligible for the Register of Indiana Historic Sites and Structures by the Division of Historic Preservation and Archeology of the Indiana Department of Natural Resources creates a presumption that a structure is architecturally or historically significant.
    - (ii) **Demonstration that imposition of the rule for which the variance is being requested would prevent the preservation of all or a significant part of this building or structure:** The applicant must submit facts demonstrating that the imposition of the rule for which the variance is being requested would prevent the preservation of all or a significant part of this architecturally or historically significant building or structure.
- 10. STATEMENT OF ACCURACY:** The applicant, or the person submitting the application on behalf of the applicant, must certify under penalty of perjury that the information contained in the application is accurate. The Design Professional (if there is one) must certify that the information contained in the application is accurate if the requested variance involves a project for which plans and specifications have been, or must be, filed for a design release under 675 IAC 12-6.
- 11. STATEMENT OF AWARENESS:** If the application is submitted on the applicant's behalf, the applicant must certify under penalty of perjury that he or she is aware of the variance request and that it is made on his or her behalf.

## B. VARIANCE SUBMITTAL DATES AND COMMISSION MEETING DATES

Respective variance cut-off dates and Commission meeting dates are as follows:

2012, 2013, 2014, and 2015 VARIANCE CALENDAR			
Meeting Date	Variance Cut-Off	Meeting Date	Variance Cut-Off
February 7, 2012	January 11, 2012	January 7, 2014	December 11, 2013
March 6, 2012	February 8, 2012	February 4, 2014	January 7, 2014
April 3, 2012	March 7, 2012	March 4, 2014	February 4, 2014
May 2, 2012	April 5, 2012	April 1, 2014	March 4, 2014
June 5, 2012	May 9, 2012	May 7, 2014	April 8, 2014
July 3, 2012	June 6, 2012	June 3, 2014	May 6, 2014
August 7, 2012	July 11, 2012	July 1, 2014	June 3, 2014
September 5, 2012	August 9, 2012	August 5, 2014	July 8, 2014
October 2, 2012	September 5, 2012	September 4, 2014	August 5, 2014
November 7, 2012	October 11, 2012	October 7, 2014	September 9, 2014
December 4, 2012	November 7, 2012	November 5, 2014	October 7, 2014
		December 2, 2014	November 4, 2014
Meeting Date	Variance Cut-Off	Meeting Date	Variance Cut-Off
January 3, 2013	December 7, 2012	January 6, 2015	December 9, 2014
February 5, 2013	January 9, 2013	February 3, 2015	January 6, 2015
March 5, 2013	February 6, 2013	March 3, 2015	February 3, 2015
April 2, 2013	March 6, 2013	April 7, 2015	March 10, 2015
May 8, 2013	April 10, 2013	May 6, 2015	April 7, 2015
June 4, 2013	May 8, 2013	June 2, 2015	May 5, 2015
July 2, 2013	June 5, 2013	July 7, 2015	June 9, 2015
August 6, 2013	July 10, 2013	August 4, 2015	July 7, 2015
September 4, 2013	August 8, 2013	September 1, 2015	August 4, 2015
October 1, 2013	September 3, 2013	October 6, 2015	September 8, 2015
November 6, 2013	October 9, 2013	November 4, 2015	October 6, 2015
December 3, 2013	November 6, 2013	December 1, 2015	November 3, 2015
		Meeting Date	Variance Cut-Off
		January 5, 2016	December 8, 2015

## C. OTHER IMPORTANT INFORMATION

1. An electronic copy of the variance application and these instructions can be found at the following web site:  
[http://www.in.gov/dhs/fire/fp\\_bs\\_comm\\_code/](http://www.in.gov/dhs/fire/fp_bs_comm_code/)
2. It is very important that the applicant and/or the responsible design professional participate in the variance evaluation process by appearing before the Commission to answer any questions about alternate design proposals or undue hardship. It is possible that the Commission will table and/or deny the variance request if the applicant and/or the responsible design professional are not present to answer questions.
3. The Code Services staff does not make copies of documents that are larger than 8-1/2" by 11". If the applicant wishes the Commission members to get a copy of the plans, include twenty-five (25) copies of these plans with the variance application package and the copies will be distributed to the Commission members in their mailing packets. The Code Services staff recommends that these extra copies be no larger than 11" x 14".
4. For some variance requests, photographs may also be helpful to the Commission members. If the applicant wishes the Commission members to have color photographs, include twenty-five (25) copies of these photographs in the variance application package and the copies will be distributed to the Commission members in their mailing packets.
5. The Commission's action on a variance is final, subject to the appeal process under Indiana Code 4-21.5-3-7.
6. The applicant will receive official notice of the Commission's decision, including appeal rights.
7. Telephone inquires about this process can be made to 317-232-1402. The completed variance application, fee and accompanying information should be submitted to: Indiana Department of Homeland Security, Code Services Section, 302 West Washington Street, Room W246, Indianapolis, Indiana 46204-2739.



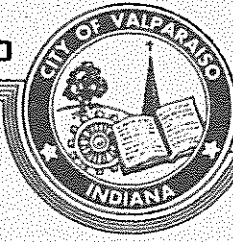






CITY OF VALPARAISO

2605 CUMBERLAND DRIVE  
VALPARAISO, INDIANA 46383



INDIANA 46383

TELEPHONE 219-462-8325  
FAX 219-531-8812

Dear Committee,

The Valparaiso Fire Department is aware of the variance application submitted to the State of Indiana Fire Marshal by Pratt Industries for the Mill Warehouse Addition (18369) property located in Valparaiso.

At this time, the fire department will support the process in place and will abide by the decision of the Indiana State Fire Marshal.

Respectfully,

A handwritten signature in black ink that reads "Chad Dutz".

Chad Dutz, Fire Chief  
City of Valparaiso

