



# APPLICATION FOR VARIANCE

State Form 44400 (F7 / 10-13)  
Approved by State Board of Accounts, 2013

INDIANA DEPARTMENT OF HOMELAND SECURITY  
CODE SERVICES SECTION  
302 West Washington Street, Room W 246  
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)

15-01-16

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

Name of applicant	Paul Yoder	Title	Owner
Name of organization	River Woodworking	Telephone number	( ) (260)593-3005
Address (number and street, city, state, and ZIP code)			
	1755 W 700S	Topeka	Indiana 46571

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

Name of applicant	Paul Kimmerle, P.E.	Title	Project Engineer
Name of organization	Kimmerle Engineering	Telephone number	( ) (260) 336-0337
Address (number and street, city, state, and ZIP code)			
	6060 S 1100 E	Hudson	Indiana 46747

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

Name of design professional	Paul Kimmerle, P.E.	License number	IN PE #19600389
Name of organization	Kimmerle Engineering	Telephone number	( ) (260) 336-0337
Address (number and street, city, state, and ZIP code)			
	6060 S 1100 E	Hudson	Indiana 46747

### 4. PROJECT IDENTIFICATION

Name of project	River Woodworking	State project number	not yet designed	County	LaGrange
Address of site (number and street, city, state, and ZIP code)					
	1755 W 700S	Topeka	Indiana	46571	
Type of project					
<input type="checkbox"/> New <input checked="" 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 2014 Indiana Building Code (adopted IBC 2012)	Specific code section 903.2.4.1
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Nature of non-compliance (include a description of spaces, equipment, etc. involved as necessary.)  
**Variance being requested:** To not install sprinklers as required by Code  
  
**Alternative Proposed:** To install a dust collection system meeting the requirements of NFPA 664 (1998), Standard for Prevention of Fires and Explosions in Wood Processing and Woodworking Facilities.

**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:  
**Primary Reason for requesting the Variance:**  
 The proposed facility will make use of dust collection equipment which will be attached to woodworking machines to immediately expel the dust from the building operations. The case is being presented to show that the woodworking process does create finely divided combustible waste, **however** the dust collection system evacuates the dust immediately from the building operations, and the workplace thus remains relatively clean and at a lower risk for fire and explosion. The ICC Commentary on this section of the code even goes on to explain that this rule requires sprinklers "[d]ue to the *potential amount* of combustible dust that could be generated during woodworking operations." The dust collection equipment prevents this large "*potential amount*" of dust from being in the building.

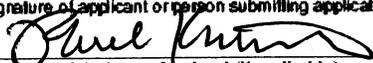
**9. DEMONSTRATION OF UNDUE HARDSHIP OR HISTORICALLY SIGNIFICANT STRUCTURE**

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:  
 The proposed facility is to be located in rural LaGrange county. There is no city water supply, nor is it likely that city water will become available in the near future. The cost associated with constructing a well and storage tank (approx \$125,000) to service the required automatic sprinkler system is beyond that of what the project can bear. Also, subdividing the building into smaller areas with firewalls will not be very effective for the manufacturing process, which is the primary purpose for the building. The dust collector system is intended to be installed for additional reasons as well: worker safety, cleanliness, and proper equipment operation.  
 There are and are proposed adjacent buildings which will not contain wood dust particle producing operations. This building will be seperated by a distance which is greater than the minimum required by Table 602 for each building.

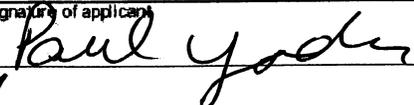
**10. STATEMENT OF ACCURACY**

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 Paul Kimmerle, P.E.	Date of signature (month, day, year) 12-5-14
Signature of design professional (if applicable) 	Please print name Paul Kimmerle, P.E.	Date of signature (month, day, year) 12-5-14

**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 Paul Yoder	Date of signature (month, day, year) 12-6-14
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Sign

# Kimmerle Engineering



kimmerleengineering.com  
6060 South 1100 East  
Hudson, IN 46747  
(260) 336-0337 cell  
(260) 351-2501

## Variance Proposal for:

Paul Yoder  
River Woodworking  
Dust Collector System in lieu of sprinkler system required by 903.2.4.1  
Proposed Addition to Woodworking Facility  
(Proposed Facility addition location 1755 W 700S, Topeka, LaGrange Co, IN)

## Rule being requested for Variance:

IBC 903.2.4.1 Woodworking Operations

"An automatic sprinkler system shall be provided throughout all Group F-1 occupancy fire areas that contain woodworking operations in excess of 2,500 square feet (232 m<sup>2</sup>) in area which generate finely divided combustible waste or use finely divided combustible materials.."

## Variance being requested:

To not install sprinklers as required by Code

## Alternative Proposed:

To install a dust collection system meeting the requirements of NFPA 664, Standard for Prevention of Fires and Explosions in Wood Processing and Woodworking Facilities.

## Primary Reason for requesting the Variance:

The proposed facility will make use of dust collection equipment which will be attached to woodworking machines to immediately expel the dust from the building operations. The case is being presented to show that the woodworking process does create finely divided combustible waste, *however* the dust collection system evacuates the dust immediately from the building operations, and the workplace thus remains relatively clean and at a lower risk for fire and explosion. The ICC Commentary on this section of the code even goes on to explain that this rule requires sprinklers "[d]ue to the *potential amount* of combustible dust that could be generated during woodworking operations." The dust collection equipment prevents this large "*potential amount*" of dust from being present in the building.

## Additional Reasons for requesting the variance:

The proposed facility is to be located in rural LaGrange County. There is no city water supply, nor is it likely that city water will become available in the near future. The cost associated with constructing a well and storage tank to service the required automatic sprinkler system is beyond that of what the project can bear. Also, subdividing the building into smaller areas with firewalls will not be very effective for the manufacturing process, which is the primary purpose for the building. The dust collector system is intended to be installed for additional reasons as well: worker safety, cleanliness, and proper equipment operation.

This addition will not cause the building to exceed 12,000sf, so we are not asking for a variance from 903.2.4. This addition will have appropriate Fire Separation Distances (FSD) as required by Table 602.

## Precedence of Variance Ruling:

The logic for this requested variance follows the same logic as was previously applied for and gained in several other rural Amish woodworking shops.

## Refer to Variances:

# 05-05-27 Alvin Beechy,  
# 05-05-42 K&R Woodworking,  
# 05-07-5 Masterpiece Crafts,  
# 06-04-15 C&J Woodworking,  
# 06-05-14 Schwartz Rolltops,  
# 07-01-8 A&J Woodworking,  
# 07-08-1 RH Yoder Woodwrkng,  
# 08-03-40 Stoney Acres Wdwrkng,

# 08-05-7 L&N Woodworking,  
# 10-06-17 Forks Valley Wdwrkng,  
# 11-10-16 RH Yoder Woodwrkng,  
# 11-10-17 J&R Woodworking,  
# 12-03-39 Long Lane Furniture  
# 12-06-04 A&M Woodworking  
# 12-07-19 Honeybee Furniture

#13-02-49 E&S Wood Creations  
#13-05-58 Westpoint Woodworking  
#13-12-11 Valley Line Wdwrkng  
#14-05-7 Streamside Wood Shop  
#14-06-31 Old Town Oak  
#14-08-14 Superior Hardwoods  
#14-08-45 Double L Woodworking  
...among others.



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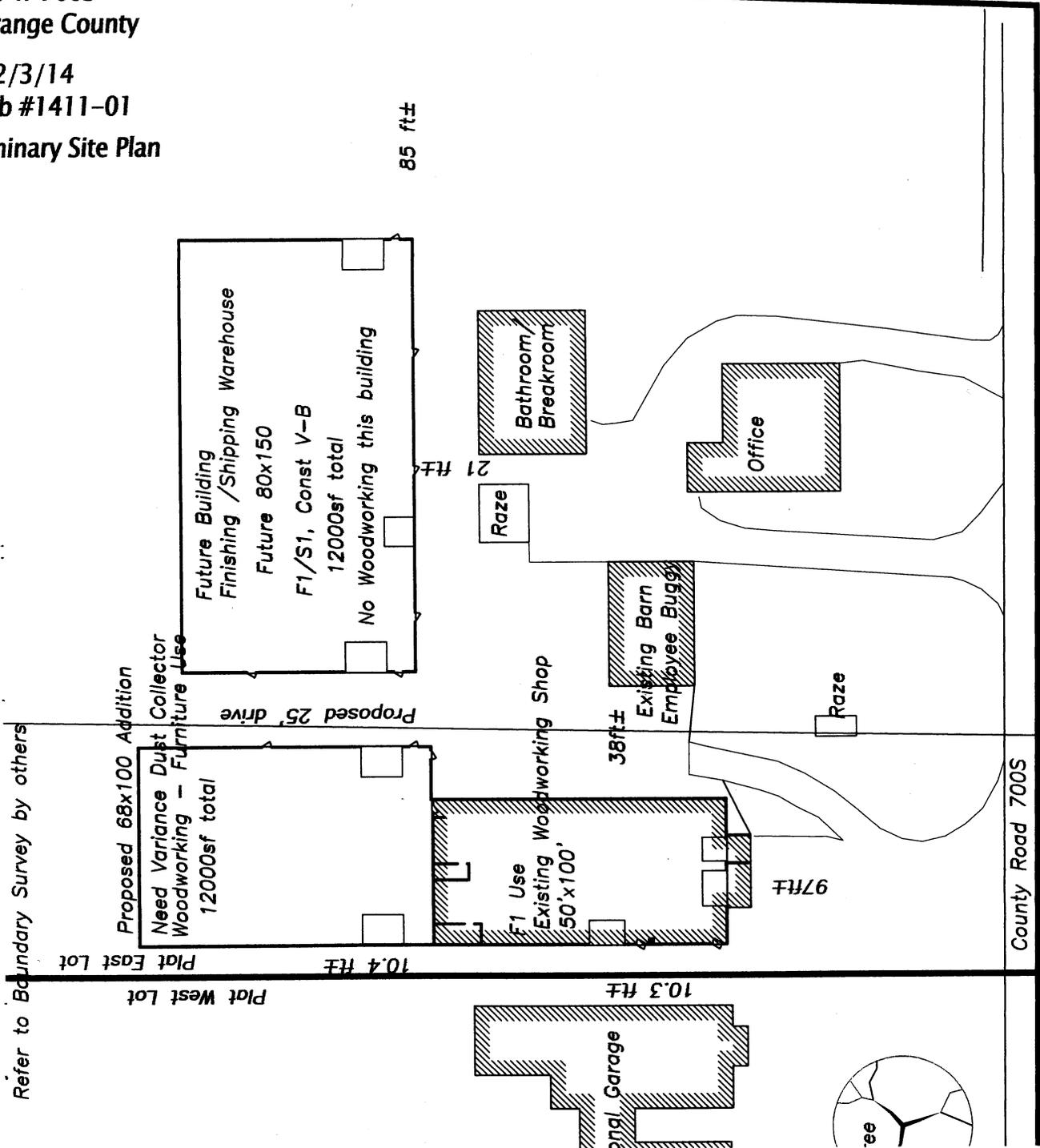
work prepared for:

Paul Yoder  
 River Woodworking  
 1755 W 700S  
 LaGrange County

12/3/14

Job #1411-01

Preliminary Site Plan



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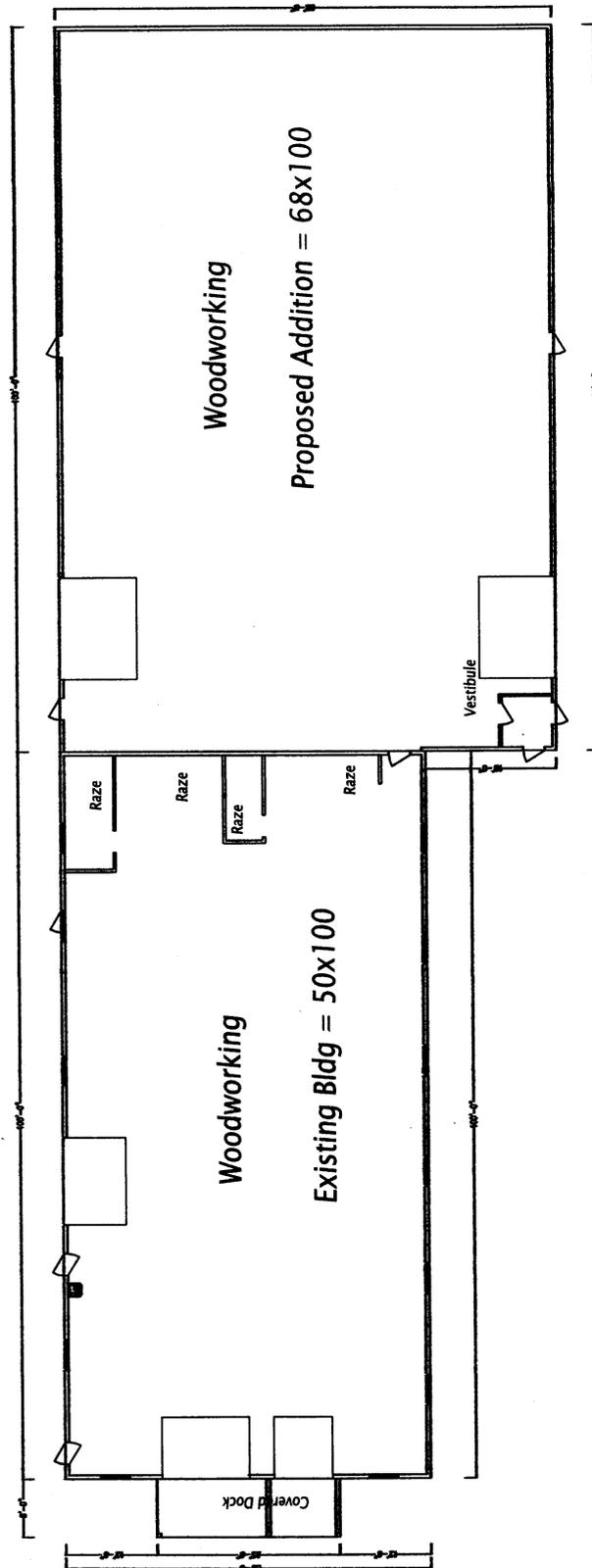
work prepared for:

Paul Yoder  
River Woodworking  
1755 W 700S  
LaGrange County

12/3/14

Job #1411-01

Preliminary Floor Plan

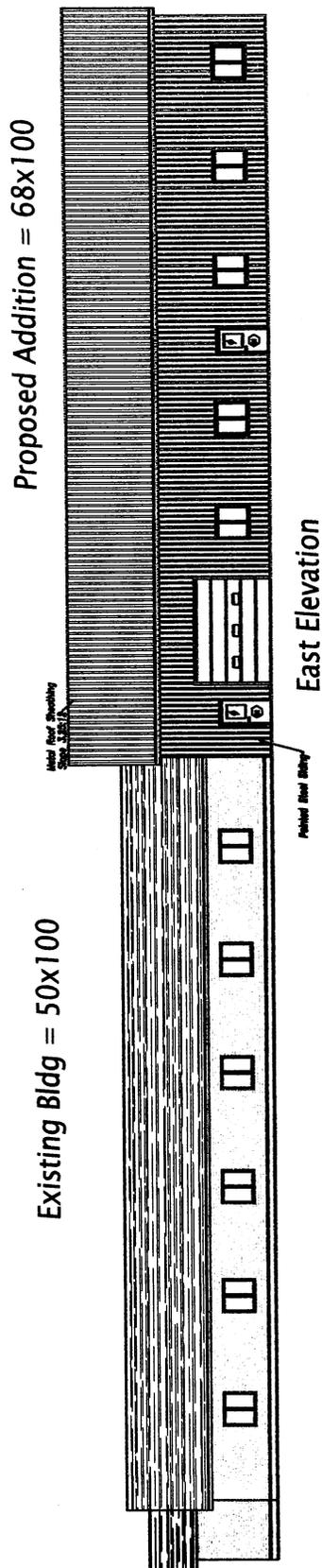


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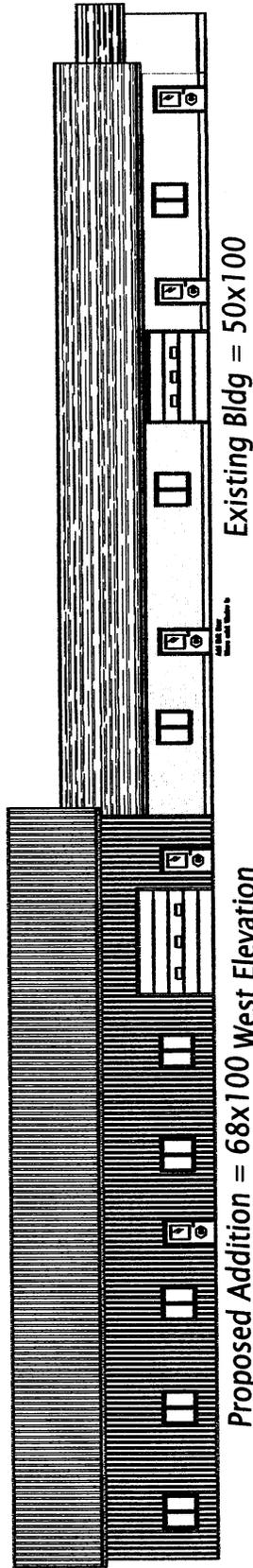


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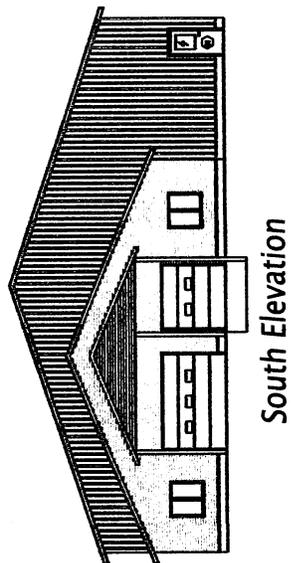
work prepared for:  
Paul Yoder  
River Woodworking  
1755 W 700S  
LaGrange County  
12/3/14  
Job #1411-01  
Preliminary Elevations



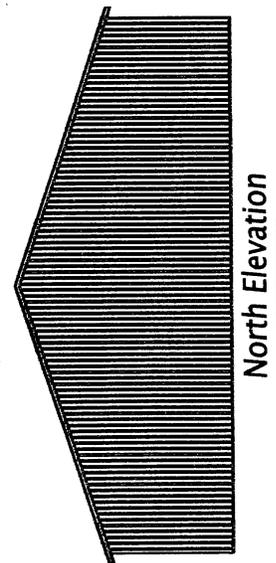
East Elevation



Proposed Addition = 68x100 West Elevation



South Elevation



North Elevation