



# 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)

15-05-3

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

Name of applicant	Title
Bryan Stumpf	Vice President
Name of organization	Telephone number
Estridge Development Management LLC	(317) 669-6209
Address (number and street, city, state, and ZIP code)	
12965 Old Meridian Street, Carmel, IN 46032	

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

Name of applicant	Title
same as above	
Name of organization	Telephone number
	( )
Address (number and street, city, state, and ZIP code)	

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

Name of design professional	License number
G. Evan Nelms	PE11400535
Name of organization	Telephone number
Innovative Engineering & Consulting, Inc.	(317) 769-2514
Address (number and street, city, state, and ZIP code)	
3961 Perry Boulevard, Whitestown, IN 46075	

### 4. PROJECT IDENTIFICATION

Name of project	State project number	County
Harmony		Hamilton
Address of site (number and street, city, state, and ZIP code)		
14000 block Ditch Road, Westfield, IN 46074		
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	Specific code section
Indiana Fire Code, 2008 Edition	503.2.1 Dimensions

Nature of non-compliance (include a description of spaces, equipment, etc. involved as necessary.)  
 Harmony is a new, mixed use development in Westfield (see Exhibit 1). Within the single family residential portion of the development some of the lots have garages in the rear of the lot (see Exhibit 2). This variance request seeks a two foot reduction to the width of the paved portion of the private drives serving the garages from 20 feet to 18 feet. Approval of the variance does not change the width of the access easement within which the private drives are located (see Exhibit 3).

This variance is requested for the entire single family residential portion of the Harmony development.

**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:

Reducing the width of the private drives serving the garages by two feet does not create a hazardous condition. The private drives are located within 20-foot wide access easements. Approval of the variance does not change the width of these access easements. The rear yard setbacks in the community are 20 feet providing a 60-foot wide clear space from the garage door of one home to the garage door on the opposite side of the private drive. The homes have a minimum two-car garage. Many of the homes are expected to have three-car garages. These driveways allow more hardscape for emergency movement along the private drives. Parking is NOT allowed on the private drives.

The private drives are concrete with an inverted crown. This creates an even surface on the private drives. By using concrete there are no abrupt changes caused by curbs (see Exhibit 3).

The water mains and hydrants are located in the front of the homes. Large fire equipment will not use the private drives.

The Westfield Plan Commission has already approved a waiver reducing the width of the private drives to 18 feet conditioned upon approval of the reduction by the Indiana Fire Prevention and Building Safety Commission (see Exhibit 4). The Westfield Fire Department has provided a letter of support for our variance request (see Exhibit 5).

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

Select at least one of the following statements:

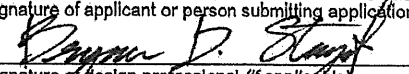

- Imposition of the rule would result in an undue hardship (unusual difficulty) because of physical limitations of the construction site or its utility services.
- Imposition of the rule would result in an undue hardship (unusual difficulty) because of major operational problems in the use of the building 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 extra space created by reducing the drive width by two feet allows for better placement of the underground utilities located within the 20-foot easements that flank each side of the access easement without diminishing the circulation or emergency access to the homes abutting the private drives. While it may not sound like much space created by approval of the variance, the additional area not under pavement allows for spacing and installation of utilities without the additional cost associated with locating the utilities under the paved areas.

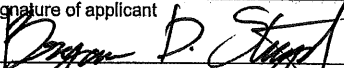
**10. STATEMENT OF ACCURACY**

I hereby certify under penalty of perjury that the information contained in this application is accurate.

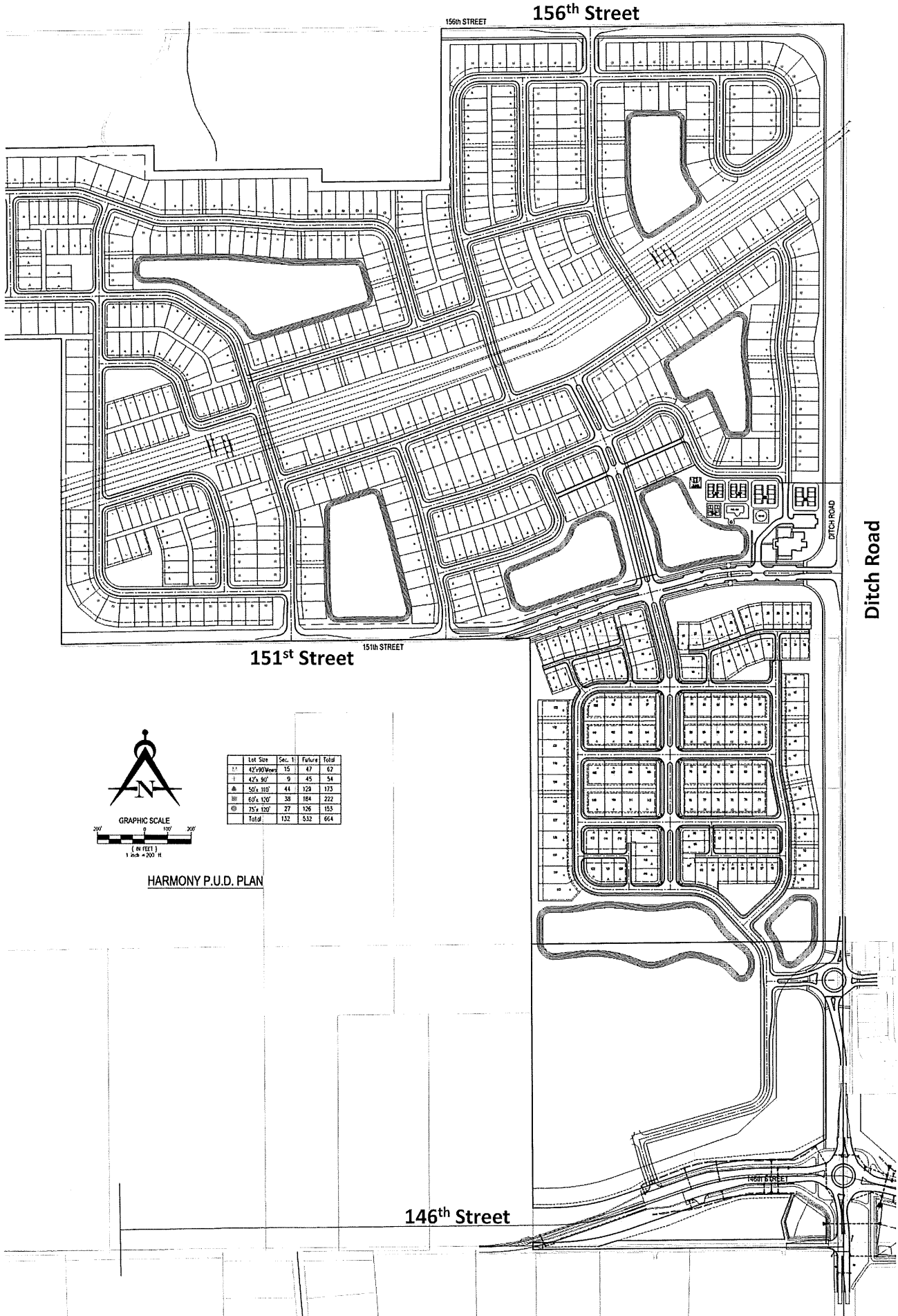
Signature of applicant or person submitting application 	Please print name Bryan Stumpf	Date of signature (month, day, year) 04-06-15
Signature of design professional (if applicable) 	Please print name G. Evan Nelms	Date of signature (month, day, year) 04-06-15

**11. STATEMENT OF AWARENESS (If the application is submitted on the applicant's behalf, the applicant must sign the following statement.)**

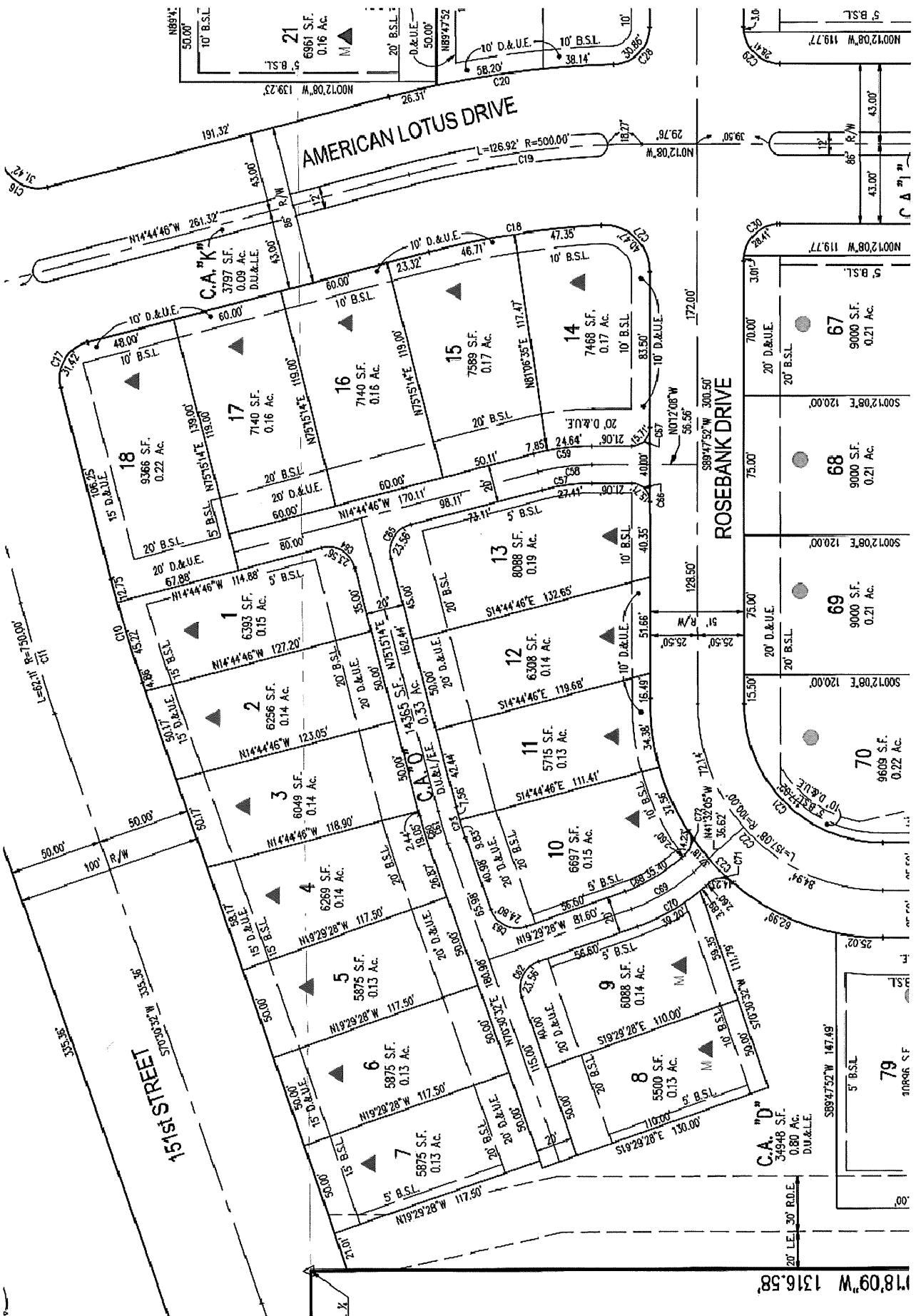
I hereby certify under penalty of perjury that I am aware of this request for variance and that this application is being submitted on my behalf.

Signature of applicant 	Please print name Bryan D. Stumpf	Date of signature (month, day, year) 04.06.15
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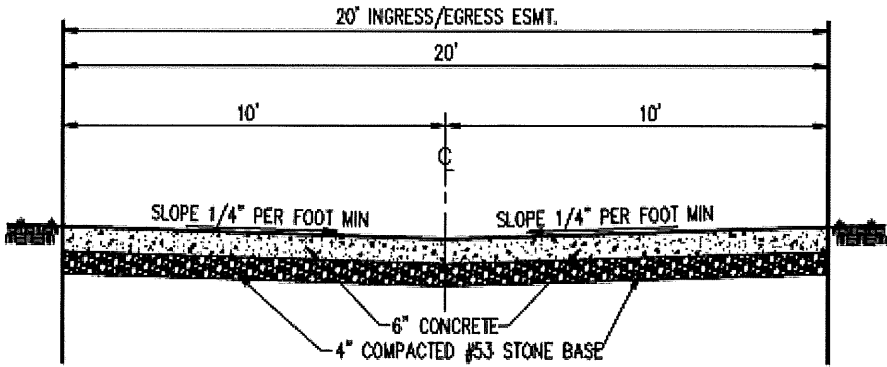
# Exhibit 1 – Harmony Conceptual Land Plan



# Exhibit 2 – Enlargement of Rear-Load Lots from Approved Primary Plat



# Exhibit 3 – Alley Cross Section from Approved Primary Plat



## TYPICAL ALLEY SECTION

NTS

# Exhibit 4 - Westfield Plan Commission Meeting Minutes

Westfield-Washington Advisory Plan Commission  
May 19, 2014 / 7:00 pm Westfield City Hall  
Page 1

Westfield-Washington Advisory Plan Commission (APC) held a meeting on Monday, May 19, 2014, scheduled for 7:00 PM at the Westfield City Hall.

**Opening of Meeting:** 7:00 PM

**Roll Call:** Note Presence of a Quorum.

**APC Members Present:** Dan Degnan, Steve Hoover, Robert Horkay, Ken Kingshill, Andre Maue, Robert Spraeetz, and Danielle Tolan.

**City Staff Present:** Kevin Todd, Senior Planner; Andrew Murray, Associate Planner, and Brian Zaiger, City Attorney

**Approval of Minutes:** April 21, 2014 and May 5, 2014 APC Minutes

Motion: To approve the Minutes for the April 21, 2014 and May 5, 2014 APC Meeting.

Motion: Horkay; Second: Tolan; Vote: Approved 7-0

Murray reviewed the APC Rules & Procedures.

**Case No. 1404-DP-08 & 1404-SPP-06**

Description: *CarDon Senior Living*

CarDon Development Company, LLC, by Weihe Engineers, Inc. requests Overall Development Plan and Primary Plat approval for 2 lots on approximately 16 acres +/- in the CarDon Senior Living PUD District.

**Case No. 1405-DP-15 & 1405-SIT-07**

Description: *CarDon Senior Living*

Northeast corner of 146<sup>th</sup> Street and Ditch Road

CarDon Development Company, LLC, by Weihe Engineers, Inc. requests Detailed Development Plan and Site Plan approval for a comprehensive senior living community on Lot 1 approximately 13 acres +/- in the CarDon Senior Living PUD District.

Murray presented an overview of the petitions for the CarDon senior living projects together. He stated that the submitted plans for 1404-DP-08 & 1404-SPP-06 and 1405-DP-15 & 1405-SIT-07 are compliant with all applicable ordinances. He added that staff recommends the Advisory Plan Commission approve the petitions as presented with the following condition: That all necessary approvals are obtained from the Department of Public Works, Hamilton County Surveyors Office, Hamilton County Highway Department and Citizens Westfield prior to the issuance of an improvement location permit.

Motion to approve 1404-DP-08 & 1404-SPP-06 and 1405-DP-15 & 1405-SIT-07 with the following condition:

1. That all necessary approvals are obtained from the Department of Public Works, Hamilton County Surveyors Office, Hamilton County Highway Department and Citizens Westfield prior to the issuance of an improvement location permit.

Motion: Maue: Second: Horkay: Vote: 7-0.

**Case No. 1405-SPP-10**

Description: *Habitat for Humanity – Birch Street Plat*  
Hamilton County Habitat for Humanity, by American Structurepoint, Inc.  
Requests Primary Plat approval for 2 single-family residential lots on approximately 0.42 acre+/- in the SF-4 District.

Murray presented an overview of the petition for 1405-SPP-10, as outlined in the staff report and reported that there were no changes since the public hearing on May 5, 2014. He noted that the plans are compliant with all applicable ordinances and stated that staff recommends approval.

Hoover asked about the lot sizes adjacent to the proposed plat.

Murray stated that the lot sizes on Birch Street average between 9,000-10,000 square feet per lot. He added that the two requested lots fall within that range.

Motion to approve 1405-SPP-10.

Motion: Horkay: Second: Hoover: Vote: 7-0.

**Case No. 1405-DP-11 & 1405-SPP-08**

Description: *Harmony, Sections 1 & 2 – Primary Plat*  
Northwest and southwest corners of 151<sup>st</sup> Street and Ditch Road  
Estridge Development Management LLC, by Innovative Engineering & Consulting, Inc. requests Development Plan, Primary Plat, and associated plat waiver request approval for 133 single-family residential lots on approximately 60.98 acres +/- in the Harmony PUD District.

Todd presented an overview of 1405-DP-11 & 1405-SPP-08, as outlined in the staff report and highlighted changes that were made to the petition since the public hearing on May 5, 2014. He reviewed the requested subdivision waiver requests and reported that the request regarding the alley width reduction has been modified based on conversations with the Westfield Fire Department. He said that the request is now for a reduction from 20' to 18', and explained that the Indiana Fire Prevention and Building Safety Commission would also need to approve this reduction request, since the same standard also appears on the Fire Code. Todd also explained that the landscaping plan has minor deficiencies and requested that approval of the landscaping plan be delegated to staff.

Hoover asked if the 18' alley will include curbs.

Todd said that they will not include curbs.

Kingshill asked if the Westfield Public Works Department and Westfield Fire Department have signed off on alley width reduction, but the state had not.

Todd stated that if the state approves a variance request for the alley width reduction, then the City will be fine with it too.

Kingshill asked if the City's fire code is more restrictive than the state's.

Todd stated that the City has adopted the State Fire Code.

Petitioner, Brian Stumpf, Estridge gave an update and explanation regarding the modifications since the May 5<sup>th</sup> public hearing.

Hoover asked for explanation of the driveway separation request, and asked if this neighborhood is different than other neighborhoods.

Todd stated that the lots in Harmony are smaller than other neighborhoods, so it is virtually impossible to meet the standard on the smaller lots.

Stumpf added that it is particularly hard to meet the standard when a lot is directly across from a "T-intersection".

Todd recommended approval of 1405-DP-11 & 1405-SPP-08 with the following staff recommendations:

1. Approve the following subdivision control waiver requests: 1) to reduce the centerline radius from 150' to 100'; 2) to reduce the driveway separation requirement from 75' to 30' for Lots 19,42,43,46,47,49,60,61,81 & 82; and; 3) to reduce the alley width requirement from 20' to 18' with the following condition:
  1. That approval of the alley width reduction only be valid upon approval by the Indiana Fire Prevention and Building Safety Commission to vary the fire apparatus access road width requirement of the Indiana Fire Code, Section 503.2.1
2. If the waiver requests are approved, then approve 1405-DP-11 & 1405-SPP-08 with the following conditions:
  1. That final approval of the landscaping plan be delegated to the Economic and Community Development staff; and,
  2. That all necessary approvals be obtained from the Westfield Public Works Department, the Hamilton County Surveyor's Office and Citizens Westfield prior to the issuance of an improvement location permit.
3. If the waiver requests are not approved, then continue 1405-DP-11 & 1405-SPP-08 to the next APC meeting, because the plans will not be compliant with the subdivision control ordinance.

Motion to approve the three subdivision waiver requests: 1) to reduce the centerline radius from 150' to 100'; 2) to reduce the driveway separation requirement from 75' to 30' (for Lots 19, 42, 43, 46, 47, 49, 60, 61, 81 & 82); and 3) to reduce the alley width requirement from 20' to 18'



with the following condition:

1. That approval of the alley width reduction only be valid upon approval by the Indiana Fire Prevention and Building Safety Commission to vary the fire apparatus access road width requirement of the Indiana Fire Code, Section 503.2.1

Motion: Horkay: Second: Degnan: Vote: 7-0.

Motion to approve 1405-DP-11 & 1405-SPP-08 with the following conditions:

1. That final approval of the landscaping plan be delegated to the Economic and Community Development staff; and,
2. That all necessary approvals be obtained from the Westfield Public Works Department, the Hamilton County Surveyor's Office and Citizens Westfield prior to the issuance of an improvement location permit.

Motion: Hoover: Second: Horkay: Vote: 7-0.

**Case No. 1405-DP-16 & 1405-SPP-12 [CONTINUED]**

Description: *North Walk*

740 North Union Street

The Anderson Corporation, by Elements Engineering, requests Development Plan and Primary Plat approval for 7 duplex lots on approximately 2.648 acres+/- in the North Walk PUD District.

**Case No. 1405-DP-12 & 1405-SPP-09 [CONTINUED]**

Description: *Woodbury Ridge*

East side of Casey Road approximately 2,000 feet north of SR 32  
Redwood Acquisition, LLC, by American Structurepoint, Inc. requests Development Plan and Primary Plat approval for 136 multi-family units on approximately 20 acres+/- in the Springmill Trails PUD District.

**Case No. 1405-DP-14 & 1405-SPP-13 [CONTINUED]**

Description: *Retreat on the Monon*

Southwest and Southeast corners of 161<sup>st</sup> Street and Monon Trail  
Pulte Group, by Weihe Engineering requests Development Plan, Primary Plat, And associated plat waiver request approval for a 90-unit condominium Development on approximately 13.52 acres +/- in the Viking Meadows PUD District.

**Case No. 1405-SPP-11 (CONTINUED)**

Description: *Grand Park Village, Section I*

Henke Development Group, by Weihe Engineers, Inc. requests Primary Plat approval for 6 lots on approximately 9 acres +/- in the Grand Park Village PUD District.



## Exhibit 5 - Letter of Support from Westfield Fire Dept.

# WESTFIELD FIRE DEPARTMENT

*"Weaving the Traditions of our Past into the Realities of our Future."*

March 18, 2015

Mr. Bryan Stumpf  
Vice President of Development  
Estridge Homes  
12965 Old Meridian Street  
Carmel, IN 46032

Mr. Stumpf,

The Harmony Project new section that is being proposed shows the alley ways width to be 18 feet wide. The Indiana Fire Prevention Code, 2012 International Fire Code, requires the minimum width of fire apparatus access roads be 20 feet wide. The proposed plan shows the width to be 2 feet less than what the code requires under section 503.2.1.

#### 503.2.1 Dimensions.

Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

Since the alley ways will be 2 feet less than what the code requires, the drive in front of the homes will exceed the minimum required under the code. The Westfield Fire Department does not object to the variance to reduce the alley ways to 18 feet.

If you have any questions, please feel free to contact me at 317-804-3307.

Respectfully,

  
Garry Harling, Division Chief / Fire Marshal  
Westfield Fire Department

