



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/lp_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)

15-08-02

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

Name of applicant Vernis J. Cornett, Jr.	Title Owner
Name of organization Rush Shopping Center, LLC	Telephone number (705) 825-0591
Address (number and street, city, state, and ZIP code) 353 W. 3rd St, Connersville, IN 47331	

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

Name of applicant JOSEPH PAPACIA	Title OWNER
Name of organization PAPACIA CONSTRUCTION	Telephone number (317) 491-4208
Address (number and street, city, state, and ZIP code) 2028 S. Post Rd. INDCPS. IN 46239	

3. DESIGN PROFESSIONAL OF RECORD (If applicable)

Name of design professional JAMES A. FRITSCN	License number AR00900082
Name of organization FRITSCN ARCHITECT DEVELOPER	Telephone number (812) 934-6560
Address (number and street, city, state, and ZIP code) 410 N. WALNUT ST. BATESVILLE, IN 47006	

4. PROJECT IDENTIFICATION

Name of project STACKS RESTAURANT	State project number 378255	County RUSH
Address of site (number and street, city, state, and ZIP code) 1832 N. MAIN ST. RUSHVILLE, IN		
Type of project <input type="checkbox"/> New <input type="checkbox"/> Addition <input type="checkbox"/> Alteration <input checked="" 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: ~~14B0903212~~ 2014 IBC Specific code section: SECTION 903.2.1.2, IBC(6751AC13-22)

Nature of non-compliance (Include a description of spaces, equipment, etc. involved as necessary.): NO SPRINKLER SYSTEM

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 [X] 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: APPLICANT WILL INSTALL AN ADDITIONAL EMERGENCY EXIT IN SEATING AREA

9. DEMONSTRATION OF UNDUE HARDSHIP OR HISTORICALLY SIGNIFICANT STRUCTURE

Select at least one of the following statements: [X] 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. [X] 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: INSTALLATION OF SPRINKLER SYSTEM WOULD REQUIRE ADDITIONAL WATER SOURCE AS THE EXISTING STRUCTURE HAS NONE THE COST OF BRINGING WATER SOURCE AND INSTALLATION OF SPRINKLER SYSTEM WOULD RAISE THE COST TO A POINT THAT THE PROJECT WOULD BE TOO EXPENSIVE TO PROCEED.

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: [Signature] Please print name: JOSEPH PAPALIA Date of signature (month, day, year): 7.6.15 Signature of design professional (if applicable): [Signature] Please print name: JAMES A. FRITSCH Date of signature (month, day, year): 6.30.15

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: [Signature] Please print name: Vernis Cornett, Jr. Date of signature (month, day, year): 07-02-2015

ELECTRONICALLY FILE YOUR PROJECT WITH STATE OF INDIANA at <http://www.in.gov/dhs/2650.htm>.

This on-line filing is through a secure site, you can use it to submit your project information, pay the fees and upload your project plans.

Use Internet Browser to View this report, other browsers are not compatible to view this report



CONSTRUCTION DESIGN RELEASE

State Form 41191 (R9/5-98)

Report Printed on: June 10, 2015

Indiana Department of Homeland Security
DIVISION OF FIRE & BUILDING SAFETY
PLAN REVIEW DIVISION
402 W. Washington St., Room E245
Indianapolis, IN 46204



To: Owner / Architect / Engineer
Fritsch Architect Developer
James Anthony Fritsch AR00900082
410 N Walnut Street
Batesville IN 47006

Fax & e-mail: 8129346560, jim@jamesfritscharchitect.com

Project number 378255		Release date 06/10/15
Construction type V-B, SPK		Occupancy classification A-2, REM
Scope of release ARCH ELEC MECH PLUM		
Type of release Standard		
Project name Stacks Restaurant		
Street address 1832 N Main Street		
City RUSHVILLE	County RUSH	

The plans, specifications and application submitted for the above referenced project have been reviewed for compliance with the applicable rules of the Fire Prevention and Building Safety Commission. The project is released for construction subject to, but not necessarily limited to, the conditions listed below. THIS IS NOT A BUILDING PERMIT. All required local permits and licenses must be obtained prior to beginning construction work. All construction work must be in full compliance with all applicable State rules. Any changes in the released plans and/or specifications must be filed with and released by this Office before any work is altered. This release may be suspended or revoked if it is determined to be issued in error, in violation of any rules of the Commission or if it is based on incorrect or insufficient information. This release shall expire by limitation, and become null and void, if the work authorized is not commenced within one (1) year from the above date.

CONDITIONS:

Note : (A1A & A1B): In accordance with the affidavit sworn under penalties of perjury in the application for construction design release the plans and specifications filed in conjunction with this project shall comply with all of the applicable rules and laws of Fire Prevention and Building Safety Commission. Providing false information constitutes an act of perjury, which is a Class D felony punishable by a prison term and a fine up to \$10,000.

In accordance with Section 19 of the General Administrative Rules (675 IAC 12-6-19) a complete set of plans and specifications that conform exactly to the design that was released by the office of the state building commissioner shall be maintained on the construction jobsite as well as a copy of the design release.

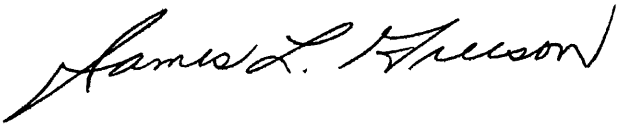
- 4G0412AC No addition or alteration shall cause an existing building, structure, or any part of the permanent heating, ventilating, air conditioning, electrical, plumbing, sanitary, emergency detection, emergency communication, or fire or explosion suppression systems to become unsafe or overloaded under the provisions of the rules of the Commission for new construction in accordance with 675 IAC 12-4-12(c).
- 8B0700 Fire resistive construction shall be maintained in accordance with Chapter 7, IBC (675 IAC 13-2.5).
- 4G0603AE Detailed plans and specifications of the fire suppression system shall be filed with the required application and appropriate fees in accordance with 675 IAC 12-6-3(a), 675 IAC 12-6-7(g)(17), and 675 IAC 13-1-8. (N.F.P.A. 13)
- 14B0903212 An automatic sprinkler system shall be provided for Group A-2 occupancies in accordance with Section 903.2.1.2, IBC (675 IAC 13-2.6).
- 14B11609 The size and spacing of grab bars shall be accordance with Section 609 ICC A117.1 and Chapter 11, IBC (675 IAC 13-2.6).
- 12P100331 A grease interceptor is required in accordance with Section 1003.3.1, IPC (675 IAC 16-1.4).
- 4G0618AP Plans and specifications of the mechanical exhaust hood and hood suppression system have not been provided, therefore that system is not part of this release. An addendum application, plans, and fees shall be submitted in accordance with 675 IAC 12-6-18(a).

Please be advised that if an administrative review of this action is desired, a written petition for review must be filed at the above address with the Fire Prevention and Building Safety Commission identifying the matter for which a review is sought no later than eighteen (18) days from the above stated date, unless the eighteenth day falls on a Saturday, a Sunday, a legal holiday under State statute, or a day in which the Department of Fire and Building Services is closed during normal business hours. In the latter case, the filing deadline will be the first working day thereafter. If you choose to petition, and the before-mentioned procedures are followed, your petition for review will be granted, and an administrative proceeding will be conducted by an administrative law judge of the Fire Prevention and Building Safety Commission. If a petition for review is not filed, this Order will be final, and you must comply with its requirements.

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Code review official TONY RIGGS TRIGGS@DHS.IN.GOV	Director, Division of Fire and Building Safety 
Address (name, title of local official, street, city, state and ZIP code) CODE ENFORCMENT OFFICER CHARLES JENKINS 101 W FIRST ST RUSHVILLE, IN 46173	
Fax & e-mail: 7659324355, FIRECHIEF@CITYOFRUSHVILLE.IN.GOV	

