



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/



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

Variance number (Assigned by department)

15-09-02

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

Name of applicant	Title
Elliott and Sherry Wicker	Owner
Name of organization	Telephone number
	(317) 514-6853
Address (number and street, city, state, and ZIP code)	
406 W. Pearl St., Greenwood, IN 46142	

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

Name of applicant	Title
n/a	
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
n/a	
Name of organization	Telephone number
	()
Address (number and street, city, state, and ZIP code)	

4. PROJECT IDENTIFICATION

Name of project	State project number	County
Wicker Room Addition	n/a	Johnson
Address of site (number and street, city, state, and ZIP code)		
same		
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	Specific code section
Location on lot – openings	675 IAC14-4.2-18, Section R302.2
Nature of non-compliance <i>(Include a description of spaces, equipment, etc. involved as necessary.)</i> Code says: Where structures are placed closer than 3 feet to the property line, the limitation on openings in exterior walls shall not apply if a perpetual, platted, and recorded easement creates a nonbuildable separation of at least 6 feet between structures on adjacent properties. Home owner has received a variance from the City of Greenwood to build a 12' x 26' addition extending out to the property line onto the west side of his existing home. However, the home owner wants to put bedroom windows in the wall structure that will be closer than 3 feet to the property line and request a variance of R302.2 for this new addition and any other new or existing additions to the home or structures on his parcel.	

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:
Owner owns both the platted parcel and the unplatted adjacent parcel (approximately 2 acres, zoned R1/R2) to the west. The unplatted adjacent parcel has no residential structures, so the public health, safety, and welfare would not be affected by the granting of this variance. Furthermore, the City of Greenwood building code does not allow the construction of new structures closer than 10 feet to the property line, so even if a new structure were built on the adjacent property there would be at least 10 feet of nonbuildable separation between the 2 structures, which exceeds the codes' 6 foot minimum.

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.

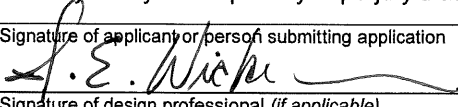
Imposition of the rule would result in an undue hardship *(unusual difficulty)* because of excessive costs of additional or altered construction elements.

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:
Without the granting of this variance, the addition will be reduced by 3 feet, making one of the 2 bedrooms only 7 feet 4 inches x 10 feet 4 inches, which is too small for a bedroom and would not blend well with the existing style or lay-out of the home, nor is it the owners' preference. Additionally, since the parcel the home is on is narrow (55 feet) the owner initially sought to join both of these parcels to avoid the current limitations, but the cost was prohibitive. The only room for expansion is either up (too costly) or to the west due to public right-a-ways on the north, east, and west.

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 Elliott Wicker	Date of signature <i>(month, day, year)</i> 7/21/15
Signature of design professional <i>(if applicable)</i>	Please print name	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.)*

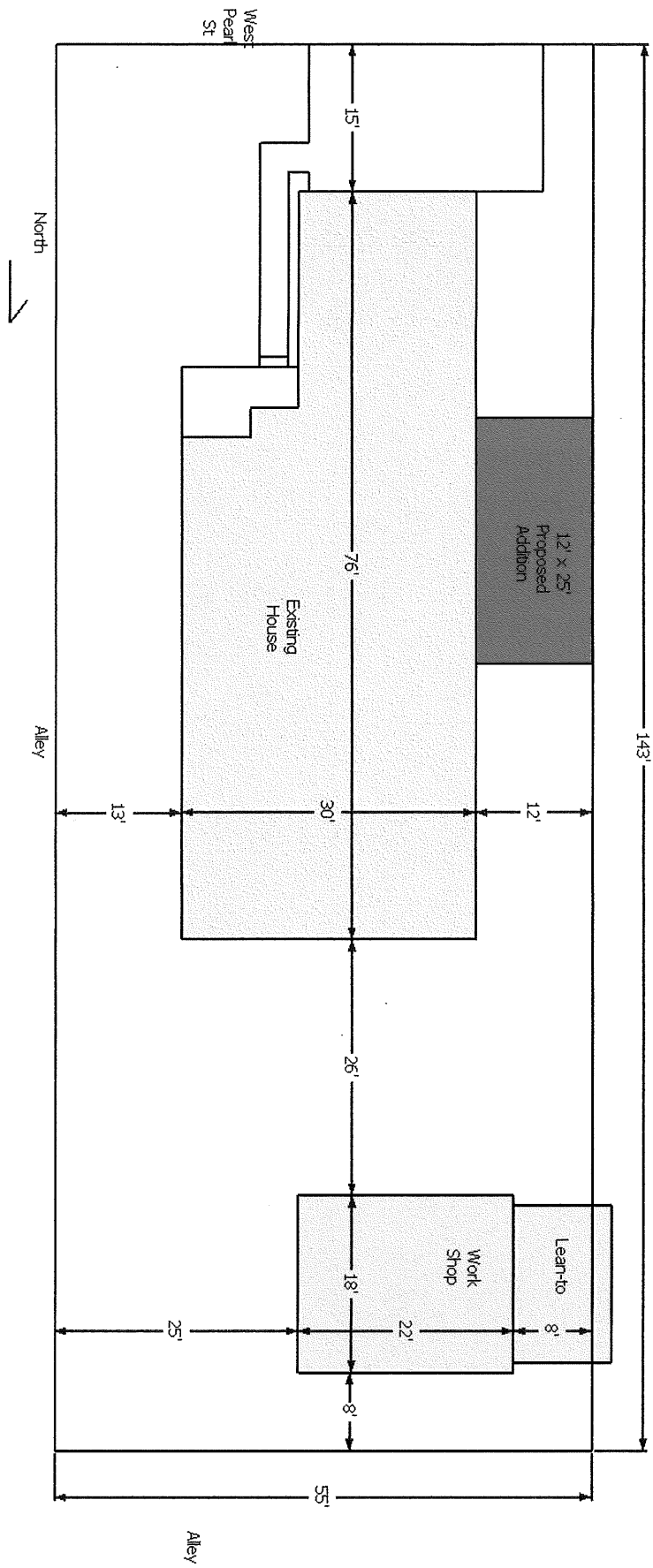
I hereby certify under penalty of perjury that I am aware of this request for variance and that this application is being submitted on my behalf.

Signature of applicant	Please print name	Date of signature <i>(month, day, year)</i>
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PLOT PLAN

LOT 9 in SCHUDDER'S ADDITION
406 W. PEARL ST.

NORVELL E. and SHERRY A. WICKER





PERRY ST

BROADWAY ST

GREENWOOD ST

MAIN ST

PEARL ST

41-02-32-024-0351000-026

41-02-32-024-1091004-026

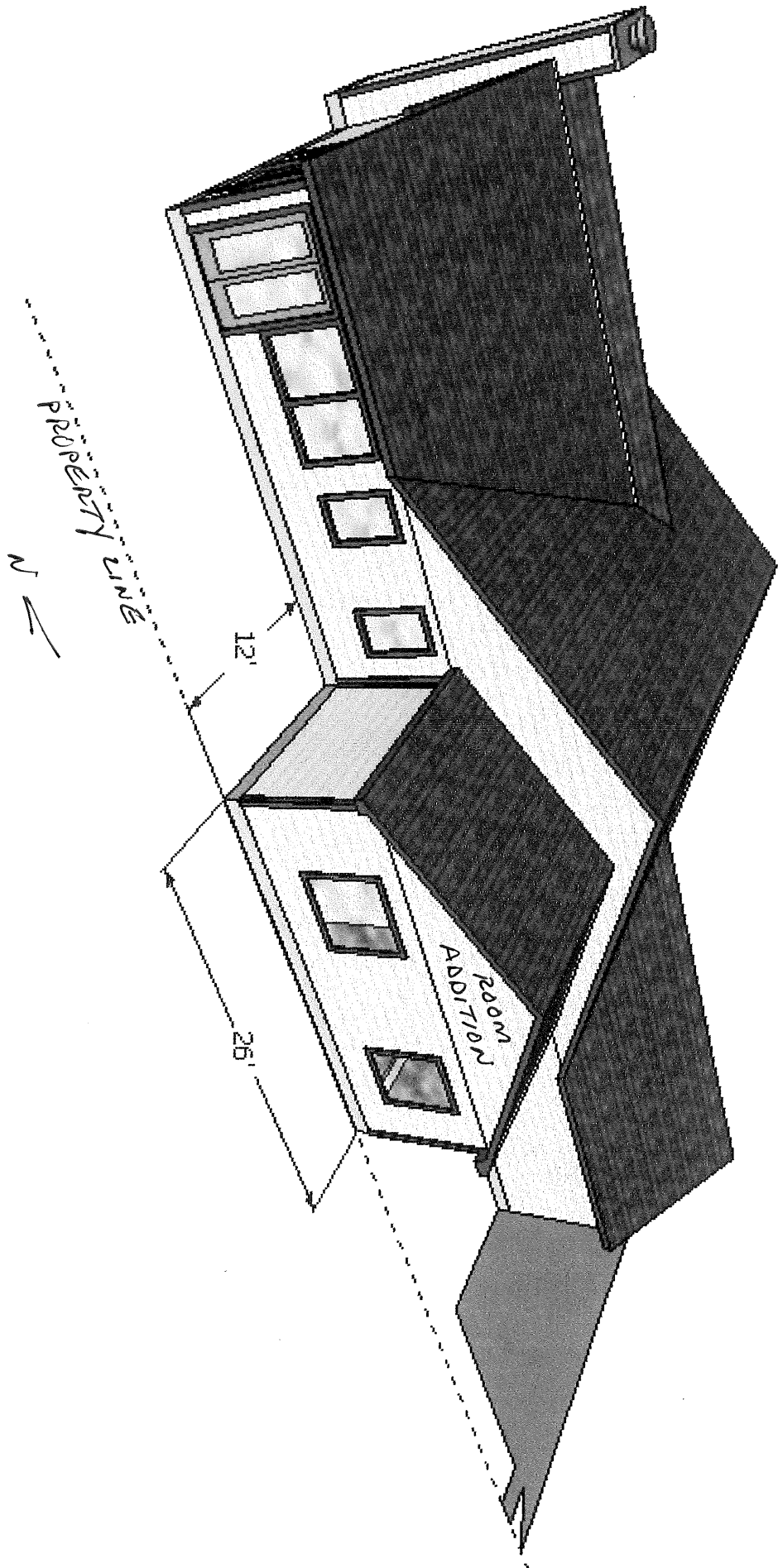
41-02-32-031-004001-026

41-02-32-031-004000-026

107 ft

ANTHONY PEREZ

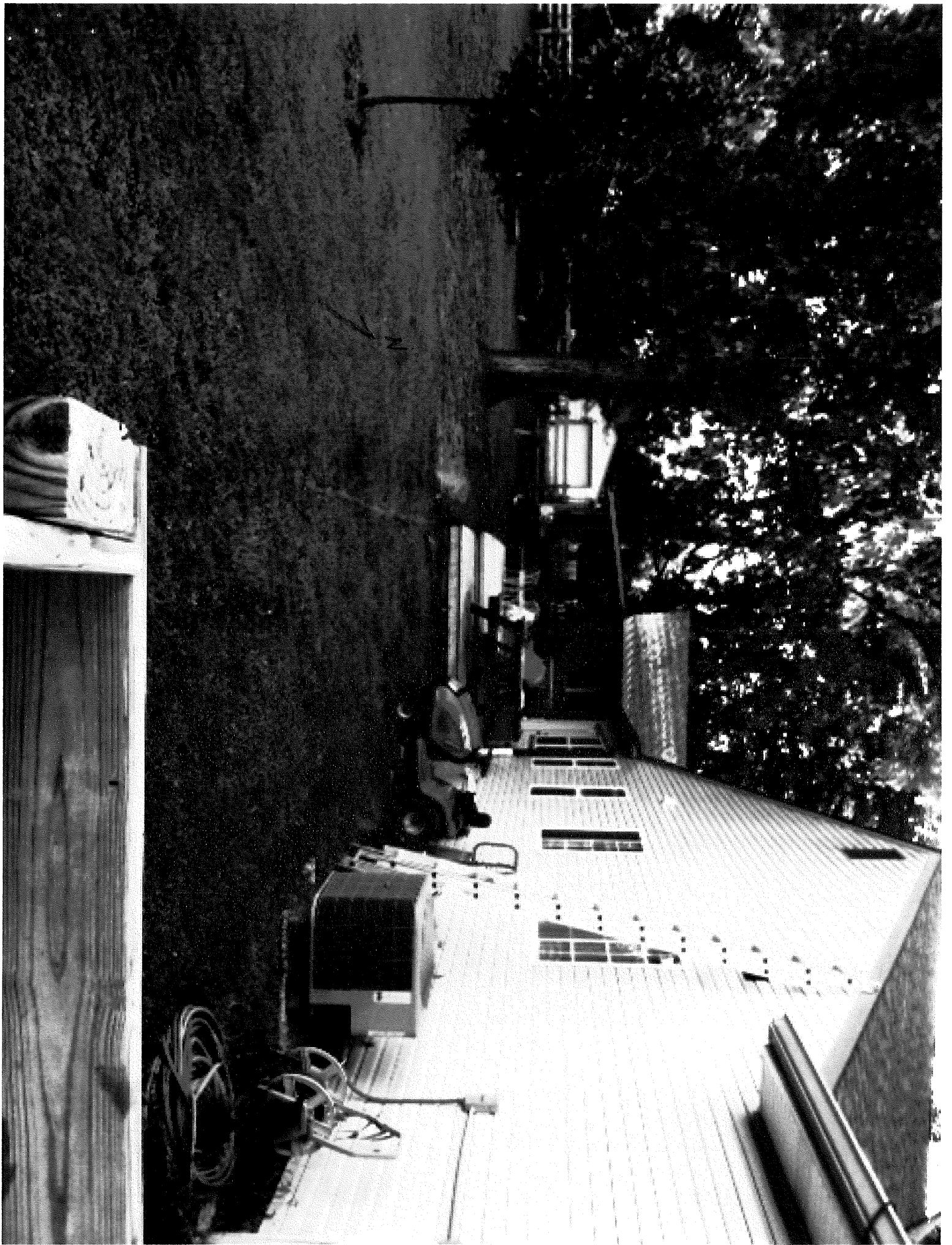
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west view



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Department of Community Development Services
Division of Planning & Zoning

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Greenwood, Indiana 46143
(317) 881-8698
FAX (317) 887-5616
www.greenwood.in.gov

July 30, 2015

Mark A. Richards, P.E.
*Director of Community
Development Services and
City Engineer*
richardma@greenwood.in.gov

William P. Peoples
Director of Planning, Zoning
peoplesb@greenwood.in.gov

Lowell A. Weber
Building Commissioner
weberl@greenwood.in.gov

Norvell E. & Sherry A. Wicker
406 W. Pearl Street
Greenwood, IN 46142

In reference to request for a State variance at:

**406 W. Pearl Street
Greenwood, IN 46142**

Dear Mr. & Mrs. Wicker:

This letter is to confirm receipt of a copy of the Application for Variance for the above referenced project.

This acknowledgement does not mean that I am in favor of or opposed to the variance request, it only represents that I have received a copy of the variance request, which will be submitted to the Fire Prevention and Building Safety Commission for a Commission hearing.

If you have any comments or questions, please don't hesitate to call my office.

Sincerely,

Lowell A. Weber
Building Commissioner

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