



# 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)

16-06-04

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

|  |   |
|--|---|
| Name of applicant<br><b>SHARI PHILLIPS</b>   | Title<br><b>PRESIDENT</b>                 |
| Name of organization<br><b>OLD TOWN PLAYERS</b>  | Telephone number<br><b>(812) 882-8269</b> |
| Address (number and street, city, state, and ZIP code)<br><b>432 BROADWAY ST VINCENNES, IN 47591</b> |   |

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

|   |   |
|---|---|
| Name of applicant<br><b>GEORGE R JUNE</b>   | Title<br><b>OWNER/OPERATOR</b>            |
| Name of organization<br><b>ACCESSIBILITY LIFTS OF IN, LLC</b>                                       | Telephone number<br><b>(317) 727-2202</b> |
| Address (number and street, city, state, and ZIP code)<br><b>P.O. BOX 219 NOBLESVILLE, IN 46061</b> |   |

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

|  |                         |
|--|-------------------------|
| Name of design professional                            | License number          |
| Name of organization                                   | Telephone number<br>( ) |
| Address (number and street, city, state, and ZIP code) |                         |

### 4. PROJECT IDENTIFICATION

|  |                      |                       |
|--|----------------------|-----------------------|
| Name of project<br><b>OLD TOWN PLAYERS</b>   | State project number | County<br><b>Knox</b> |
| Address of site (number and street, city, state, and ZIP code)<br><b>432 BROADWAY ST VINCENNES, IN 47591</b>   |                      |                       |
| Type of project<br><input type="checkbox"/> New <input type="checkbox"/> Addition <input checked="" 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<br><b>ICC/ANSI A117.1 2005</b>   | Specific code section<br><b>410.2.1 DOORS &amp; GATES</b> |
| Nature of non-compliance <i>(Include a description of spaces, equipment, etc. involved as necessary.)</i><br><b>SAME LOCATION UPDRADE FROM PREVIOUS VPL EQUIPMENT WITH UNEXPECTED FLUSH STEEL HATCH SWING DOORS WITH PROPER SAFETIES AND LOCKS BUILT IN TO BRING UP THE SAFETY STANDARDS</b> |   |
| <b>POWER DOOR OPENERS NOT AFFORDABLE</b>   |   |

**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:  
See #9

**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.

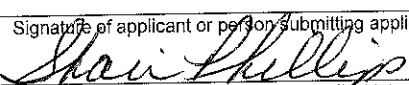
Imposition of the rule would result in an undue hardship *(unusual difficulty)* because of excessive costs of additional or altered construction elements.

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:  
Old Town Players took possession of the building and VPL from the previous owner and started to have problems with the drive unit requiring expensive repairs and with no end in sight decided to replace... Old Town Players decided to upgrade the VPL for operational purposes but was ill advised by the locals on the code requirements, after purchasing the lift replacement, they were periodically inspected by Randall L Ross QEI S-96 and was told to stop the replacement and that code was circumvented by not applying for an alteration permit. The doors were of the 1987 code for such a lift with set back doors and deflector plates to prevent a person from standing in the ledge or pinch/shear point areas. Old Town Players were advised to replace the doors but could not endure the additional expense of the autodoor openers tripling the cost of the door upgrade.  
We are providing attached equipment drawings, door drawings and poor photos of the previous doors to show the upgrade of safety and security of the public is in our best interest within our means, if we are required to purchase and install auto-openers in addition to the doors we have already agreed to install for safety, we will be in a position to close down all of the upgrades and close due to lack of access to the theatre level.

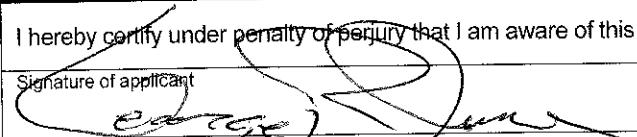
**10. STATEMENT OF ACCURACY**

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

|   |  |  |
|---|--|--|
| Signature of applicant or person submitting application<br> | Please print name<br><b>Shari Phillips</b> | Date of signature <i>(month, day, year)</i><br><b>5/2/2016</b> |
| 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<br> | Please print name<br><b>George R June</b> | Date of signature <i>(month, day, year)</i><br><b>5/2/2016</b> |
|--|---|--|

**409.4 Elevator Car Requirements.** Elevator cars shall comply with Section 409.4.

**409.4.1 Inside Dimensions of Elevator Cars.** Elevator cars shall provide a clear floor area 36 inches (915 mm) minimum in width and 48 inches (1220 mm) minimum in depth.

**409.4.2 Floor Surfaces.** Floor surfaces in elevator cars shall comply with Section 302.

**409.4.3 Platform to Hoistway Clearance.** The clearance between the car platform sill and the edge of any hoistway landing shall be  $1\frac{1}{4}$  inches (32 mm) maximum.

**409.4.4 Leveling.** Each car shall automatically stop at a floor landing within a tolerance of  $\frac{1}{2}$  inch (13 mm) under rated loading to zero loading conditions.

**409.4.5 Illumination.** The level of illumination at the car controls, platform, and car threshold and landing sill shall be 5 foot-candles (54 lux) minimum.

**409.4.6 Elevator Car Controls.** Elevator car controls shall comply with Sections 409.4.6 and 309.4.

**409.4.6.1 Buttons.** Control buttons shall be  $\frac{3}{4}$  inch (19 mm) minimum in their smallest dimension. Control buttons shall be raised or flush.

**409.4.6.2 Height.** Buttons with floor designations shall comply with Section 309.3.

**409.4.6.3 Location.** Controls shall be on a sidewall, 12 inches (305 mm) minimum from any adjacent wall.

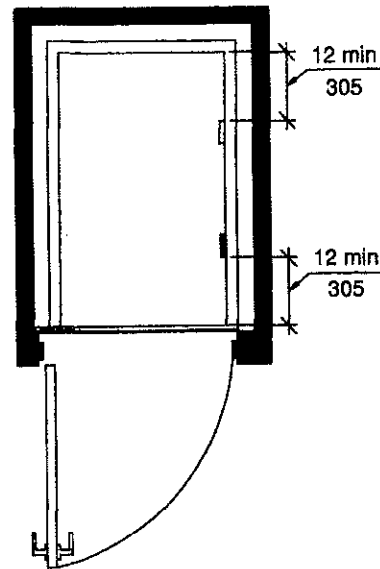
**409.4.7 Emergency Communications.** Emergency communications systems shall comply with Section 409.4.7.

**409.4.7.1 Type.** A telephone and emergency signal device shall be provided in the car.

**409.4.7.2 Operable Parts.** The telephone and emergency signaling device shall comply with Section 309.3.

**409.4.7.3 Compartment.** If the device is in a closed compartment, the compartment door hardware shall comply with Section 309.

**409.4.7.4 Cord.** The telephone cord shall be 29 inches (735 mm) minimum in length.



**Fig. 409.4.6.3**  
Location of Controls in Private  
Residence Elevators

#### 410 Platform Lifts

**410.1 General.** Platform lifts shall comply with Section 410 and ASME/ANSI A18.1 listed in Section 105.2.6. Platform lifts shall not be attendant operated and shall provide unassisted entry and exit from the lift.

**410.2 Lift Entry.** Lifts with doors or gates shall comply with Section 410.2.1. Lifts with ramps shall comply with Section 410.2.2.

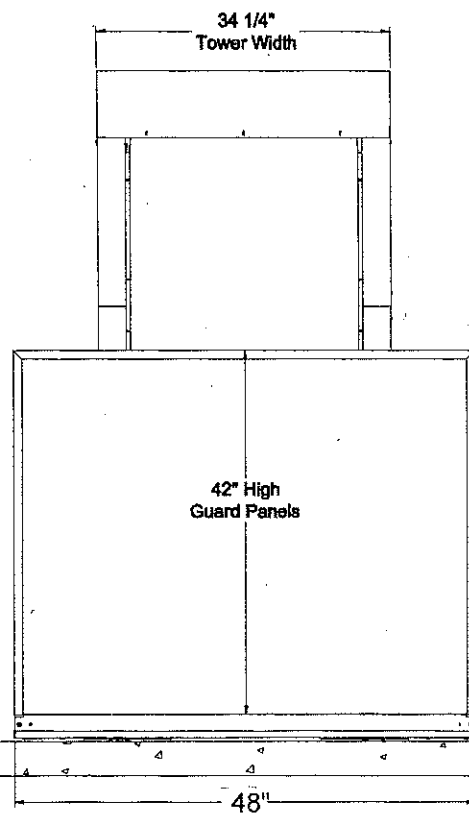
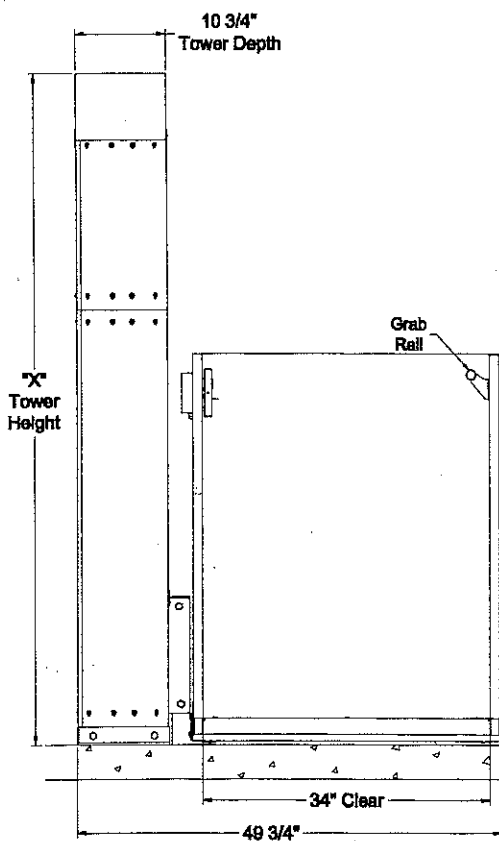
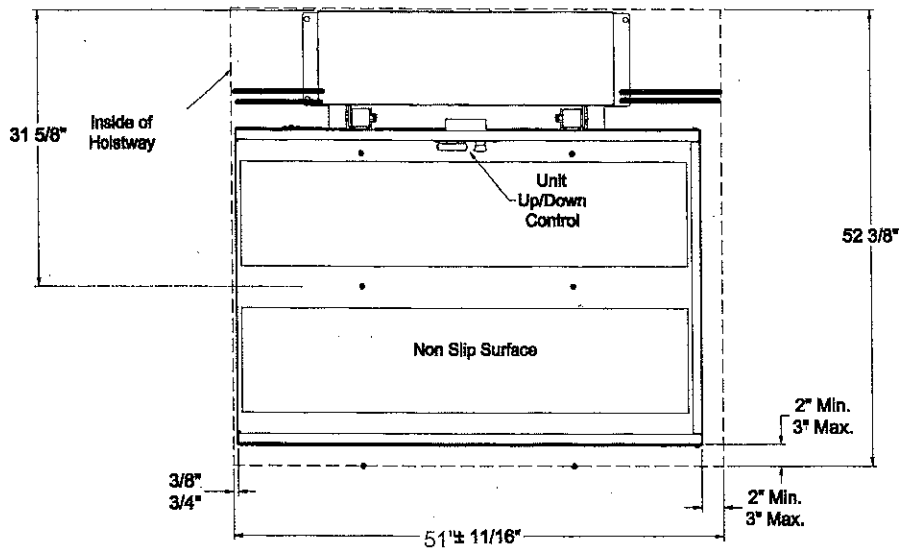
**410.2.1 Doors and Gates.** Doors and gates shall be low energy power operated doors or gates complying with Section 404.3. Doors shall remain open for 20 seconds minimum. End door clear opening width shall be 32 inches (815 mm) minimum. Side door clear opening width shall be 42 inches (1065 mm) minimum.

**EXCEPTION:** Lifts serving two landings maximum and having doors or gates on opposite sides shall be permitted to have self-closing manual doors or gates.

**410.2.2 Ramps.** End ramps shall be 32 inches (815 mm) minimum in width. Side ramps shall be 42 inches (1065 mm) minimum in width.

**410.3 Floor Surfaces.** Floor surfaces of platform lifts shall comply with Section 302.

**410.4 Platform to Runway Clearance.** The clearance between the platform sill and the edge of any runway landing shall be  $1\frac{1}{4}$  inch (32 mm) maximum.



Due to structural issues the platform need to be changed from 54" in length to 48" no other changes to be made.

**Left Hand Shown - Right Hand Opposite**  
**For Hoistway Installation Only**

| Model    | "X"  | Max. Lift Height |
|----------|------|------------------|
| CPL 800  | 125" | 101"             |
| CPL 1000 | 149" | 125"             |
| CPL 1200 | 173" | 149"             |
| CPL 1400 | 197" | 171"             |

**Harmar**

18505 E. 163rd Street Lake Winnebago, MO 64034  
 PHONE: (816) 637-0661 FAX: (816) 537-0641

This drawing is furnished only for informational purposes on a confidential basis, and neither the drawing or items thereon are to be reproduced or used in any manner.

PRODUCT: CPL36"x48" ENTER/EXIT SAME SIDE

|           |            |                |         |
|-----------|------------|----------------|---------|
| DRAWN: TB | SCALE: NTS | DATE: 05/17/10 | SIZE: A |
|-----------|------------|----------------|---------|

|           |           |              |
|-----------|-----------|--------------|
| PAGE NO.: | REVISION: | DRAWING NO.: |
|           |           | 36"x48" EESS |

Old Town Players Vincennes, IN  
 revised drawings 3/17/2016

ST# 160203

DATE  
 BY  
 REVISION DESCRIPTION  
 REV.



INSTALLATION OR ALTERATION PERMIT

# INDIANA

Operating Certificate Not Valid Until Certified by an Indiana Licensed Inspector

This Certificate has been issued by the Division of Fire and Building Safety



State Number  
160203

Date Issued  
02/03/2016

Contract #

Owner:  
OLD TOWN PLAYERS  
432 BROADWAY ST  
VINCENNES IN 47591

Contractor:  
ACCESSIBILITY LIFTS OF IND  
PO BOX 219  
NOBLESVILLE IN 46061

Type: VWL

Capacity: 750

Indiana State Fire Marshal : James L. Greeson

## HOOSIER SAFETY

Department of Homeland Security  
Division of Fire & Building Safety  
302 W. Washington St., Rm W246  
Indianapolis, IN 46204

INDIANA LAW REQUIRES CONSPICUOUS POSTING OF THIS CERTIFICATE



OPERATING CERTIFICATE

# INDIANA

Operating Certificate Not Valid Until Certified by an Indiana Licensed Inspector

This Certificate has been issued by the Division of Fire and Building Safety



State Number  
160203

Date Issued

Elevator Location:  
OLD TOWN PLAYERS  
432 BROADWAY ST  
VINCENNES IN 47591

CERTIFICATION  
Inspector:

Date Inspected:

State Lic.#:

QEI #:

Capacity: 750

Type: VWL

Indiana State Fire Marshal : James L. Greeson

## HOOSIER SAFETY

Department of Homeland Security  
Division of Fire & Building Safety  
302 W. Washington St., Rm W246  
Indianapolis, IN 46204

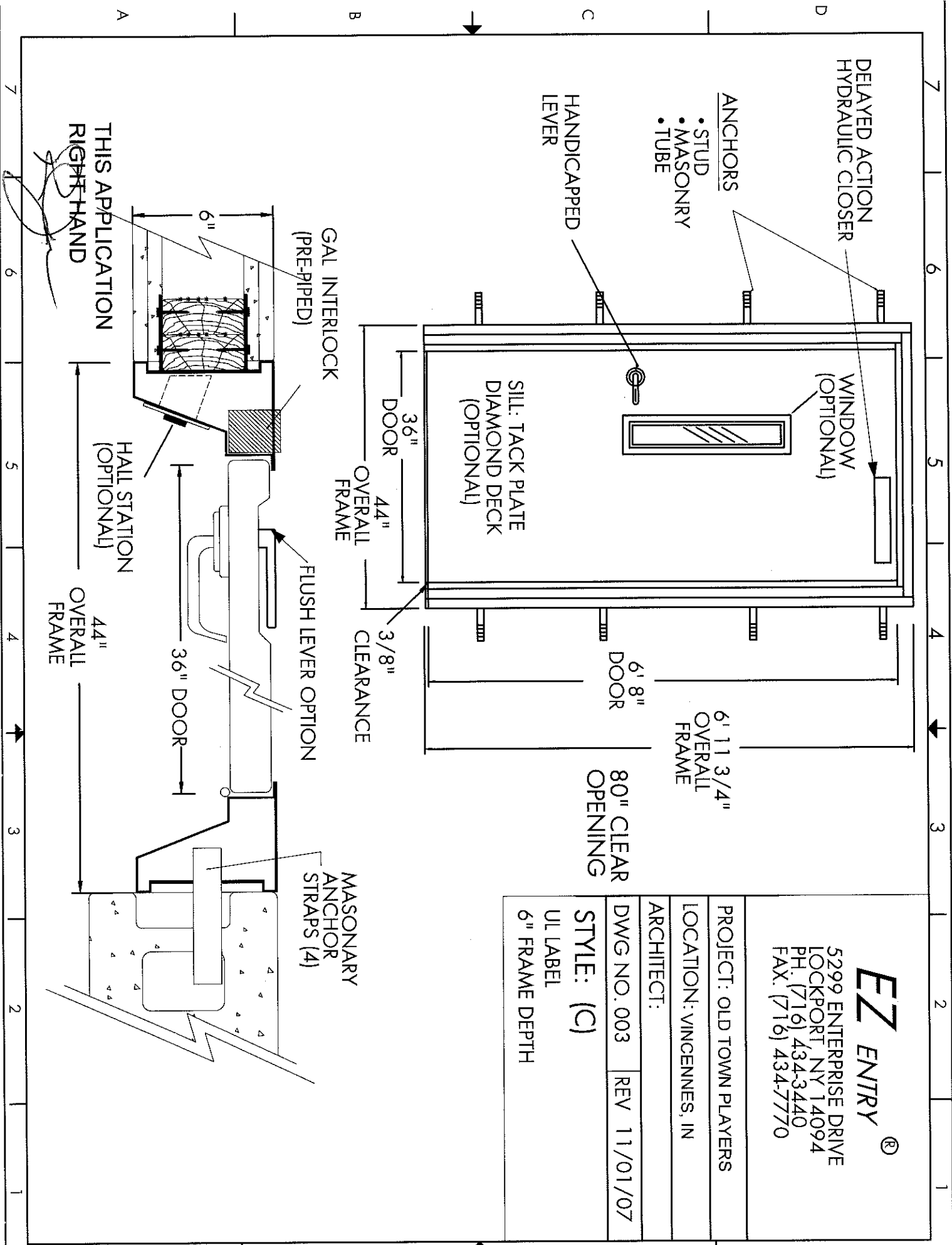
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Indiana Department of Homeland Security  
Division of Fire and Building Safety  
302 W. Washington St., Rm:W246  
Indianapolis, IN 46204



ACCESSIBILITY LIFTS OF IND  
PO BOX 219  
NOBLESVILLE IN 46061

*IN. Gov/dhs*



**EZ ENTRY**®  
 5299 ENTERPRISE DRIVE  
 LOCKPORT, NY 14094  
 PH. (716) 434-3440  
 FAX. (716) 434-7770

PROJECT: OLD TOWN PLAYERS

LOCATION: VINCENNES, IN

ARCHITECT:

DWG NO. 003 | REV 11/01/07

STYLE: (C)  
 UL LABEL  
 6" FRAME DEPTH

