



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)
16-07-01

1. APPLICANT INFORMATION (Person who would be in violation if variance is not granted; usually this is the owner)		
Name of applicant Newtown Community Church Inc.	Title	
Name of organization Newtown Community Church Inc.	Telephone number (765) 295-2364 (Church pt)	
Address (number and street, city, state, and ZIP code) 210 W. Washington St. PO Box 38 Newtown, IN 47969		
2. PERSON SUBMITTING APPLICATION ON BEHALF OF THE APPLICANT (If not submitted by the applicant)		
Name of applicant George Sanson	Title Trustee Chairman	
Name of organization Newtown Community Church Inc.	Telephone number (765) 426-5875 (George S. ecii)	
Address (number and street, city, state, and ZIP code) 210 W. Washington St. PO Box 38 Newtown, IN 47969		
3. DESIGN PROFESSIONAL OF RECORD (If applicable)		
Name of design professional	License number	
Name of organization	Telephone number ()	
Address (number and street, city, state, and ZIP code)		
4. PROJECT IDENTIFICATION		
Name of project Chair lift Installation	State project number	County Fountain
Address of site (number and street, city, state, and ZIP code) 210 W. Washington St. Newtown, IN 47969		
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):		
<input checked="" type="checkbox"/> A check made payable to the Indiana Department of Homeland Security for the appropriate amount. (see instructions)		
<input checked="" type="checkbox"/> One (1) set of plans or drawings and supporting data that describe the area affected by the requested variance and any proposed alternatives.		
<input checked="" type="checkbox"/> Written documentation showing that the local fire official has received a copy of the variance application.		
<input checked="" type="checkbox"/> 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? <input type="checkbox"/> Yes (If yes, attach a copy of the Correction Order.) <input checked="" type="checkbox"/> No		
Has a violation been issued? <input type="checkbox"/> Yes (If yes, attach a copy of the Violation and answer the following.) <input checked="" type="checkbox"/> No		
Violation issued by: <input type="checkbox"/> Local Building Department <input type="checkbox"/> State Fire and Building Code Enforcement Section <input type="checkbox"/> Local Fire Department		

7. DESCRIPTION OF REQUESTED VARIANCE

Name of code or standard and edition involved _____ Specific code section _____

Nature of non-compliance (Include a description of spaces, equipment, etc. involved as necessary.)
See attached sheet and pictures with description on back side.

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:
Even though we are proposing to install this chair lift at the primary entrance to the basement we do have two other exits out of the basement.

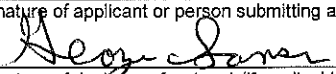
9. DEMONSTRATION OF UNDUE HARDSHIP OR HISTORICALLY SIGNIFICANT STRUCTURE

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:
We have many in our congregation that are elderly and have physical limitations. It is difficult if not impossible for them to go from our sanctuary to the basement where we hold fellowship. The basement level also has one of our two restroom facilities.

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 George Sanson	Date of signature (month, day, year) 05-24-2016
Signature of design professional (if applicable)	Please print name	Date of signature (month, day, year)

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 (month, day, year)
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Please find enclosed pictures taken of our stairways where we would like to install the chair lift, and pictures showing the other entrances and exits from our building.

Each picture has a description on the back side.

The "red carpet" stairs or upper set of stairs comes from the sanctuary to the landing.

The red carpet or upper stairway is 65" wide and 84" (7 ft.) long with 7 steps.

The "brown carpet" or lower set of stairs goes from the landing to the basement.

The brown carpet or lower stairway is 44" wide and 120" (10 ft.) long with 10 steps.

The landing is 56 x 114.

This chairlift would be on both sets of stairs, as it is needed to take people from the sanctuary to the basement, and back up.

We have chosen this chair lift over two other companies since the weight capacity on this one is much higher.

We will be consulting with our insurance company as well to make sure we know our coverage and cost from that aspect.

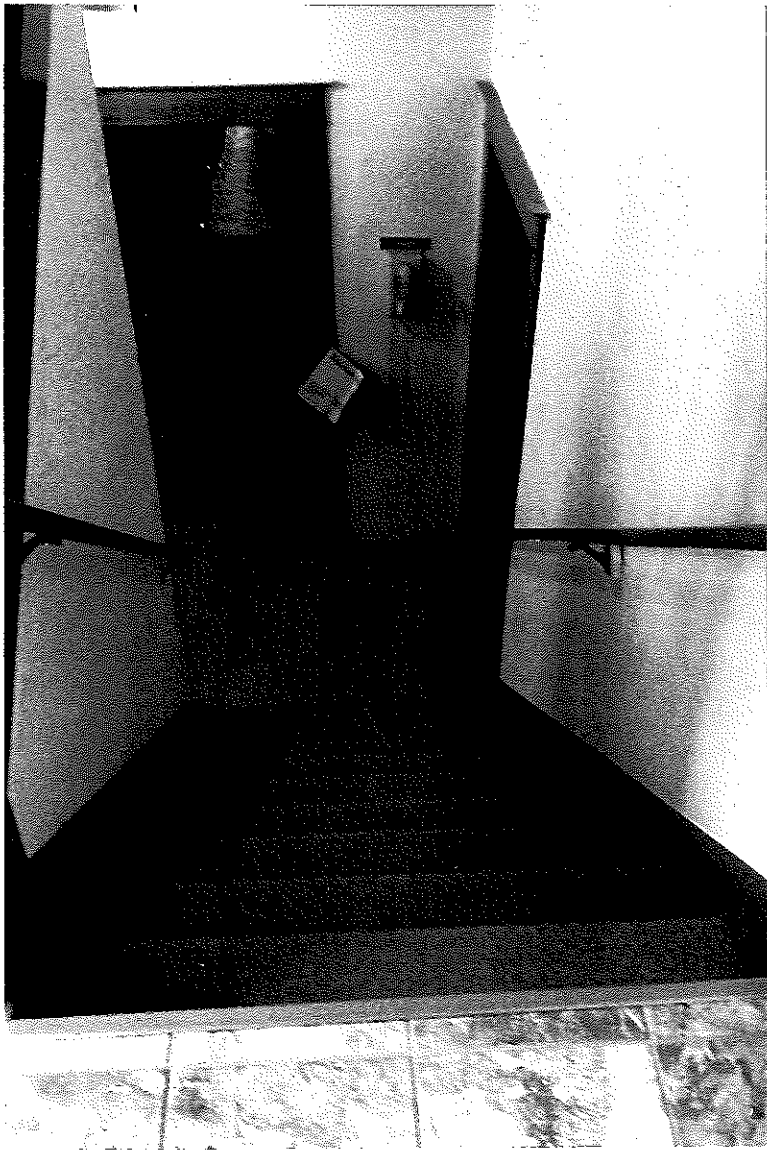
Please feel free to contact me with any questions, I can be reached at (765) 426-5875.

Thank you, George Sanson, Trustee Chairman









INSTRUCTIONS FOR APPLICATION FOR VARIANCE

Part of State Form 44400 (R7 / 10-13)

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:

A variance application, accompanied by the required fee and all other required documents, shall be submitted to request a variance from a particular section of a fire, building or other code or standard adopted by the Fire Prevention and Building Safety Commission. See Indiana Code 22-13-2-11 and 675 IAC 12-5.

A separate variance application is required for each unrelated code provision* for which a variance is being requested.

A. VARIANCE APPLICATION

The following information is required:

1. **Applicant Information:** The applicant is the person who would be in violation of a rule of the commission if he or she maintained the conditions sought to be legalized by a variance and did not obtain the variance. This person is usually the owner of the premises in question. If the applicant is a corporation, a governmental body, or any other type of legal organization, include the name of this legal organization, as well as the name and telephone number of the organization's contact person.
2. **Person Submitting Application on Behalf of the Applicant:** The name, address and telephone number of the person submitting the application, if the applicant is not the person who is submitting the application. If the person is a corporation, a governmental body, or any other type of legal organization, include the name of this legal organization, as well as the name and telephone number of the organization's contact person.
3. **Design Professional of Record:** The name, license number, address and telephone number of the design professional for the project (if there is one). A design professional is defined as registered architect or professional engineer registered under Indiana Code 25-4 or Indiana Code 25-31, respectively. If applicable, provide the name of the organization for which the design professional works.
4. **Project Identification:**
 - (a) Project Name: A name that will allow the Department to readily identify the project.
 - (b) The State project number, if the variance involves a project for which plans and design specifications have been filed for a construction design release under 675 IAC 12-6.
 - (c) The address of the premises for which the variance is being sought.
 - (d) The county of the premises for which the variance is being sought.
 - (e) The type of the project. Indicate whether the variance is being sought for new construction, an addition or alteration to an existing structure, a change of occupancy of an existing structure, or an existing structure that is none of the above.
5. **Required Additional Information:** To apply for a variance, the following shall be submitted with the application:
 - A. A \$276 check made payable to the **Indiana Department of Homeland Security** for the application filing fee (\$138) and the processing fee (\$138) for a single code provision, together with an additional fee of \$69 for each additional unrelated code provision*, where applicable.
 - B. One (1) set of plans or drawings and supporting data that describe the area affected by the requested variance and any proposed alternatives.
 - C. Written documentation showing that the local fire official has received a copy of the variance.
 - D. Written documentation showing that the local building official has received a copy of the variance.

* An "unrelated code provision" is a provision of an adopted code or standard that covers subject matter that is not contingent upon or directly affecting the requirements of a different code provision for which a variance is being sought by the same applicant at the same time.
6. **Violation Information:**
 - (a) Indicate if the request for a variance is a result of correction order issued by the Plan Review Section of the Division of Fire and Building Safety. **If so, include a copy of this correction order.**
 - (b) Indicate if the request for a variance is a result of a Notice of Violation/Order. If so, indicate the entity that issued the Notice of Violation/Order and **include a copy of this Notice of Violation/Order.**
7. **Description of Requested Variance:**
 - A. Include the name of the Code or Standard, as well as the edition. (For example, *Indiana Building Code, 2003 Edition*)
 - B. Include the specific code section for which the variance is being requested. (For example, *Section 1005.2.3*)
 - C. Describe why the variance is needed (*what conditions exist that constitute a violation*).

- 8. Demonstration that Public Health, Safety, and Welfare Will Be Protected:** The application must include sufficient facts to demonstrate one of the following:
- A. The applicant must submit facts demonstrating that noncompliance with the rule will not be adverse to the public health, safety, or welfare; or
 - B. The applicant must propose one or more alternative actions that the applicant will undertake in lieu of compliance with the rule and submit facts demonstrating that compliance with this alternative action would not be adverse to the public health, safety, or welfare. Explain why alternative actions would be adequate (*be specific*).
- 9. Demonstration of Undue Hardship or Historically Significant Structure:** The applicant must submit sufficient facts to demonstrate that compliance with the rule will either impose an undue hardship (*unusual difficulty*) upon the applicant; or prevent the preservation of an architecturally or historically significant structure.
- A. **Imposition of The Rule Would Cause an Undue Hardship Upon the Applicant:** To show that imposition of the rule would result in an undue hardship, an applicant must submit facts demonstrating that there is an unusual difficulty in meeting the requirements of the rules of the commission because of:
 - (i) Physical limitations of a construction site or its utility services;
 - (ii) Major operational problems in the use of a building or structure; or
 - (iii) Excessive costs of additional or altered construction elements.
 - B. **Imposition of the Rule Would Prevent the Preservation of an Architecturally or Historically Significant Structure:** To show that imposition of the rule would prevent the preservation of an architecturally significant or historically significant part of a building or other structure, an applicant must make two demonstrations. First, the applicant must submit facts demonstrating that the building or structure in question is historically or architecturally significant. Second, the applicant must submit facts demonstrating that imposition of the rule would prevent the preservation of all or a significant part of this building or structure.
 - (i) **Demonstration that the building or structure is historically or architecturally significant:** The applicant must submit facts demonstrating that the building or structure is important to the general, archaeological, agricultural, economic, social, political, architectural, industrial, or cultural history of the United States or of Indiana.

A building or structure shall be deemed as architecturally or historically significant if it has been placed on the National Register of Historic Places under the National Historic Preservation Act (16 U.S.C. 470 et seq.) or if it has been placed on the Register of Indiana Historic Sites and Structures under Indiana Code 14-21.

A determination that a building or structure has been determined eligible for the Register of Indiana Historic Sites and Structures by the Division of Historic Preservation and Archeology of the Indiana Department of Natural Resources creates a presumption that a structure is architecturally or historically significant.
 - (ii) **Demonstration that imposition of the rule for which the variance is being requested would prevent the preservation of all or a significant part of this building or structure:** The applicant must submit facts demonstrating that the imposition of the rule for which the variance is being requested would prevent the preservation of all or a significant part of this architecturally or historically significant building or structure.
- 10. STATEMENT OF ACCURACY:** The applicant, or the person submitting the application on behalf of the applicant, must certify under penalty of perjury that the information contained in the application is accurate. The Design Professional (if there is one) must certify that the information contained in the application is accurate if the requested variance involves a project for which plans and specifications have been, or must be, filed for a design release under 675 IAC 12-6.
- 11. STATEMENT OF AWARENESS:** If the application is submitted on the applicant's behalf, the applicant must certify under penalty of perjury that he or she is aware of the variance request and that it is made on his or her behalf.

NEWTOWN COMMUNITY CHURCH

210 West Washington Street, Post Office Box 38, Newtown, Indiana 47969 • 765-295-2361

May 23, 2016

Tom Shoaff

Building Inspector

RE: Variance Notice for Newtown Community Church

Please accept this letter as notification that the Newtown Community Church is applying for a variance to install a chair lift in our building so that we can get people from the sanctuary to the basement.

Thank You,

NEWTOWN COMMUNITY CHURCH



George Sanson, Trustee Chair

Tom Shoaff

Date



4855 S Emerson Ave. - Indianapolis, IN 46203
P: 317-784-2900 F: 317-784-6391

Proposal

March 29, 2016
Newtown Church
200 W Washington Ave, Newtown IN

This proposal is for the equipment and installation of a Bruno curved commercial stair lift.

Upper stairway: 94"

Lower stairway: 128"

This will be a 180 degree inside turn with 90 degree park at upper landing

**Proposal total, including installation and permit: \$18,390.00 plus tax of \$1287.30
(tax will be removed once tax-exempt forms are received)**

In addition the following specifications must be met by the customer:

Power needs to be supplied within site of lower landing with fused lockable disconnect

Also, for an additional fee, I can add an intermediate landing charge station and extra remote.

A variance will need to be obtained due to the width of the staircase.(by others)

Terms: 50% down, balance due upon completion.

This proposal is for budgetary purposes only. Pricing good for 60 days. When a contract is required, please let me know and one will be prepared specifically for your project.

We stand ready to help you with every phase of your project. If you have any questions, or to move forward, contact me right away. I am at your service.

Respectfully submitted,

Greg Henson

Access Elevator Sales Consultant

mobile: 317-850-6223

email: greg@accesstoday.com