



# APPLICATION FOR VARIANCE

State Form 44400 (R8 / 6-12)

Approved by State Board of Accounts, 2012

INDIANA DEPARTMENT OF HOMELAND SECURITY  
CODE SERVICES SECTION  
302 West Washington Street, Room W246  
Indianapolis, IN 46204-2739  
[http://www.in.gov/dhs/fire/tp\\_bs\\_comm\\_code/](http://www.in.gov/dhs/fire/tp_bs_comm_code/)



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

Variance number (Assigned by department)

16-11-02

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

|  |   |
|--|---|
| Name of the applicant<br><b>Steve Baker</b>  | Title<br><b>Sales Manager</b>               |
| Name of organization<br><b>Dreyer &amp; Reinbold BMW</b>   | Telephone number<br><b>( 317 ) 573-4302</b> |
| Address (number and street, city, state, and ZIP code)<br><b>9375 Whitley Dr., Indpls., IN,46240</b> |   |

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

|  |   |
|--|---|
| Name of person on behalf of the applicant<br><b>Timothy P. Simpson</b>                                     | Title                                       |
| Name of organization<br><b>American Tent &amp; Awning Co., Inc</b>   | Telephone number<br><b>( 317 ) 632-7226</b> |
| Address (number and street, city, state, and ZIP code)<br><b>205 E. Palmer St., Indianapolis, IN 46225</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>Temporary Sales Trailers</b>  | State project number | County<br><b>Marion</b> |
| Site address (number and street, city, state, and ZIP code)<br><b>9375 Whitley Dr., Indpls., IN,46240</b>   |                      |                         |
| 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 & 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>2014 Indiana Fire Code</b> | Specific code section<br><b>Section 3103.5</b> |
|--|--|

Nature of non-compliance (include a description of spaces, equipment, etc. involved as necessary)  
Having a tent up for more than 30 days in the same location.

**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:  
The Tents will be staked down per industry standards and code. They will have no sidewall. They have been certified flame resistant, copies attached. The tents will be regularly maintained by American Tent & Awning Co. for the duration of the installation.

**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 are under construction while a new showroom is being built.

**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><i>Timothy P. Simpson</i> | Please print name<br>Timothy P. Simpson | Date of signature (month, day, year)<br>9/15/2016 |
| 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<br><i>Steve Baker</i> | Please print name<br>Steve Baker | Date of signature (month, day, year)<br>9/15/2016 |
|--|----------------------------------|---|



Department of Code Enforcement  
**Indianapolis**  
Gregory A. Ballard, Mayor

October 6, 2016

Denise Fitzpatrick  
Indiana Department of Homeland Security, Code Services  
Room W-245  
402 W. Washington St.  
Indianapolis, IN, 46024

RE: Variance-temporary structures-Dreyer & Reinbold BMW

Dear Denise,

The City of Indianapolis has received the application for variance as follows:

1. 2014 Indiana Fire Code Section 3103.5-tents will installed for more than thirty days in the same location.

We will appreciate receiving the results of the Commission's deliberations.

Sincerely,

Jeff Dean  
Building Code Analyst

# Certificate of Flame Resistance



REGISTERED  
APPLICATION  
CONCERN No.

GA-217

ISSUED BY  
**JOHN BOYLE & COMPANY, INC.**  
1803 Salisbury Hwy  
Statesville, NC 28677  
704-878-6175

Date treated or  
manufactured

12-13-2003

*This is to certify that the materials described below have been flame-retardant treated (or are inherently nonflammable).*

FOR

AMERICAN TENT & AWNING CO  
205 EAST PALMER STREET

INDIANAPOLIS  
IN 462250000

Certification is hereby made that: (Check "a" or "b")

(a) The articles described below this Certificate have been treated with a flame-retardant chemical approved and registered by the State Fire Marshal and that the application of said chemical was done in conformance with the laws of the State of California and the Rules and Regulations of the State Fire Marshal.

Name of chemical used \_\_\_\_\_ Chem. Reg. No. \_\_\_\_\_

Method of application \_\_\_\_\_

(b) The articles described below are made from a flame-resistant fabric or material registered and approved by the State Fire Marshal for such use.

Trade name of flame-resistant fabric or material used  
200

PROTEC 2000 61"13OZ WHITE Reg. No. F-12111

The Flame-Retardant Process Used WILL NOT Be Removed By Washing

JOHN BOYLE & COMPANY, INC.

JOHN BOYLE & COMPANY, INC.

*Name of Applicator or Production Superintendent*

By

*Paul B. Stelzner*  
President/Paul B. Stelzner

Control Number 07130

Order Number 26027

Invoice Number 927355

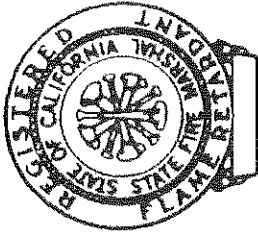
Quantity 606.00

*white for Frame Tops*

Sell Certified Flame-Retardant Fabrics By BOYLE  
Your product will meet the rigid specifications of the California Fire Marshal.

*# 255*

JOHN BOYLE & COMPANY AND DISTRIBUTORS



ISSUED BY



EVANSVILLE, INDIANA 47725  
MANUFACTURERS OF THE FINISHED  
TENT PRODUCTS DESCRIBED HEREIN

REGISTRATION  
NUMBER

F-12110

|                     |           |
|---------------------|-----------|
| Date of Shipment    | 5/11/2007 |
| Tent Identification | 04456057  |

This is to certify that the materials described have been flame-retardant treated (or are inherently nonflammable) and were supplied to:

131550  
AMERICAN TENT & AWNING  
205 E PALMER ST

INDIANAPOLIS IN 462251639

Certification is hereby made that:

The articles described on this Certificate have been treated with a flame-retardant approved chemical and that the application of said chemical was done in conformance with California Fire Marshal Code. All fabric has been tested and passes NFPA 701-99, CPAI 84, ULC 109.

|                                |   |
|--------------------------------|---|
| Serial #                       | 8023000 (1)                                 |
| Description of item certified: | FIESTA EXPANDABLE TOP 20WX20<br>WHITE VINYL |

**Flame Retardant Process Used Will Not Be Removed By  
Washing And Is Effective For The Life Of The Fabric**

JOHN BOYLE STATESVILLE NC

Signed:

*A. Clark*

Name of Applicator of Flame Resistant Finish

ANCHOR INDUSTRIES INC.

4303

## American Tent & Awning

**From:** Tim Simpson [tps67dmh@yahoo.com]  
**Sent:** Friday, October 07, 2016 12:13 PM  
**To:** American Tent & Awning  
**Subject:** Fw: Dreyer & Reinbold Variance Application

----- Forwarded Message -----

**From:** "Bovard, Margie F." <Margie.Bovard@indy.gov>  
**To:** Tim Simpson <tps67dmh@yahoo.com>  
**Sent:** Thursday, October 6, 2016 8:04 AM  
**Subject:** RE: Dreyer & Reinbold Variance Application

Received, Thank You

Margie Bovard  
Senior Fire Code Plans Examiner  
Fire and Life Safety Division  
Indianapolis Fire Department  
955 Fort Wayne Avenue  
Indianapolis, IN 46202  
Office: 317-327-5529  
Fax: 317-327-6072  
margie.bovard@indy.gov

**From:** Tim Simpson [mailto:tps67dmh@yahoo.com]  
**Sent:** Wednesday, October 05, 2016 4:43 PM  
**To:** Bovard, Margie F.; PlanReview.Class1  
**Subject:** Dreyer & Reinbold Variance Application

I'm sending this to fulfill the requirements in section 5 of the application.  
Please respond as soon as possible.  
Thank you,  
Tim Simpson  
American Tent & Awning Co., Inc.

# IMPORTANT DOCUMENT Certificate of Flame Resistance

ISSUED BY



EVANSVILLE, INDIANA 47725

MANUFACTURERS OF THE FINISHED  
TENT PRODUCTS DESCRIBED HEREIN



REGISTRATION  
NUMBER

F-12110

Date of Shipment

5/11/2007

Tent Identification

04456057

This is to certify that the materials described have been flame-retardant treated (or are inherently nonflammable) and were supplied to:

131550  
AMERICAN TENT & AWNING  
205 E PALMER ST

INDIANAPOLIS IN 462251639

Certification is hereby made that:

The articles described on this Certificate have been treated with a flame-retardant approved chemical and that the application of said chemical was done in conformance with California Fire Marshal Code. All fabric has been tested and passes NFPA 701-99, CPAI 84, ULC 109.

|   |  |
|---|--|
| Serial #  | 8023300 (2)                                      |
| Description of item certified:  | FIESTA EXPANDABLE MIDDLE<br>20W X 10 WHITE VINYL |
| Flame Retardant Process Used Will Not Be Removed By<br>Washing And Is Effective For The Life Of The Fabric *90X |  |
| Name of Applicator of Flame Resistant Finish  | JOHN BOYLE STATESVILLE NC                        |
| Signed:   | <i>John Boyle</i><br>ANCHOR INDUSTRIES INC.      |



Site Plan  
9375 Whitley Dr.

- #1 - 20x30  
Frame Tent
- #2 - 6x40  
Frame Tent
- #3 - 6x12  
Frame Tent



Date: 9/15/2016  
Project: Dreyer & Reinbold  
Estimate: #360369  
Designer: TPS