



# 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)

17-12-01 (2)

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

Name of applicant <b>Rodney Wekkin</b>	Title <b>Real Estate Representative</b>
Name of organization <b>Menard, Inc.</b>	Telephone number <b>(715) 876-2984</b>
Address (number and street, city, state, and ZIP code) <b>5101 Menard Drive, Eau Claire, WI 54703</b>	

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

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

### 4. PROJECT IDENTIFICATION

Name of project <b>Menards Expansion</b>	State project number <b>IN</b>	County <b>Hendricks</b>
Address of site (number and street, city, state, and ZIP code) <b>10555 East US Highway 36 Avon, IN 46123</b>		
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 <b>2012 International Fire Code</b>	Specific code section <b>3206.6 Building access</b>
--	--

Nature of non-compliance (Includes a description of spaces, equipment, etc. involved as necessary.)  
 Menard, Inc. is proposing to add onto an existing accessory structure within the current lumber yard. Because the building is already existing and Menard, Inc. does not own the adjacent property to the south, we are requesting a variance from Section 503. Because of the proposal to not build the fire apparatus access road, we are also requesting a variance from constructing a rear access door that would not be utilized.

**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:  
 Menard, Inc. is of the opinion that non-compliance to the rule(s) will not be adverse to the public health, safety or welfare of either the guests shopping at Menards, Menard Team Members, adjacent landowners and/or the City Fire Department in the case of a fire. The fire department indicated that in the unlikely event of a fire, the fire truck would be positioned within the current lumber yard rather than utilizing the fire apparatus road. Because we are requesting a variance from the fire apparatus road, Menard, Inc. is of the opinion that there would be no need for the rear access door that would typically be required by the code.

**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.

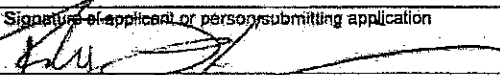
Imposition of the rule would result in an undue hardship (unusual difficulty) because of excessive costs of additional or altered construction elements.

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:  
 Menard, Inc. is of the opinion that the rule(s) would result in excessive costs associated with the purchase of adjacent property and the cost to reconfigure the storm water pond. We would need to create new civil plans to account for the additional storm water that the apparatus road would be created by the new impervious surface. In addition, we would need to further design and extend the existing storm water pipe and structure that provide drainage for the property. Both the utilities relocation and extension would result in additional construction costs. With these considerations in mind, Menard, Inc. is respectfully requesting your approval of the two requested variances.

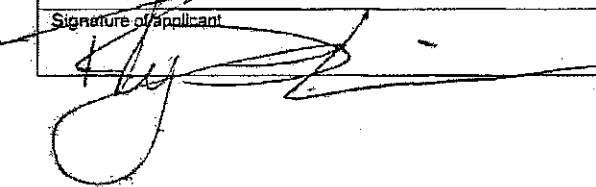
**10. STATEMENT OF ACCURACY**

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 <b>Rodney Wekkin</b>	Date of signature (month, day, year) <b>12/8/17</b>
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 <b>Rodney Wekkin</b>	Date of signature (month, day, year) <b>12/8/17</b>
--	---	--



# 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)

17-12-01

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

Name of applicant	Title
Rodney Weekin	Real Estate Representative
Name of organization	Telephone number
Menard, Inc.	(715) 876-2984
Address (number and street, city, state, and ZIP code)	
5101 Menard Drive, Eau Claire, WI 54703	

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

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

### 4. PROJECT IDENTIFICATION

Name of project	State project number	County
Menards Expansion	IN	Hendricks
Address of site (number and street, city, state, and ZIP code)		
10555 East US Highway 36 Avon, IN 46123		
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 <b>2012 International Fire Code</b>	Specific code section <b>3206.6.1.1 Number of doors required</b>
--	---

Nature of non-compliance (include a description of spaces, equipment, etc. involved as necessary.)  
 Menard, Inc. is proposing to add onto an existing accessory structure within the current lumber yard. Because the building is already existing and Menard, Inc. does not own the adjacent property to the south, we are requesting a variance from Section 503. Because of the proposal to not build the fire apparatus access road, we are also requesting a variance from constructing a rear access door that would not be utilized.

**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:

Menard, Inc. is of the opinion that non-compliance to the rule(s) will not be adverse to the public health, safety or welfare of either the guests shopping at Menards, Menard Team Members, adjacent landowners and/or the City Fire Department in the case of a fire. The fire department indicated that in the unlikely event of a fire, the fire truck would be positioned within the current lumber yard rather than utilizing the fire apparatus road. Because we are requesting a variance from the fire apparatus road, Menard, Inc. is of the opinion that there would be no need for the rear access door that would typically be required by the code.

**9. DEMONSTRATION OF UNDUE HARDSHIP OR HISTORICALLY SIGNIFICANT STRUCTURE**

Select at least one of the following statements:

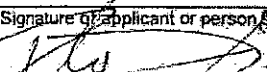
- Imposition of the rule would result in an undue hardship (unusual difficulty) because of physical limitations of the construction site or its utility services.
- Imposition of the rule would result in an undue hardship (unusual difficulty) because of major operational problems in the use of the building 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:

Menard, Inc. is of the opinion that the rule(s) would result in excessive costs associated with the purchase of adjacent property and the cost to reconfigure the storm water pond. We would need to create new civil plans to account for the additional storm water that the apparatus road would be created by the new impervious surface. In addition, we would need to further design and extend the existing storm water pipe and structure that provide drainage for the property. Both the utilities relocation and extension would result in additional construction costs. With these considerations in mind, Menard, Inc. is respectfully requesting your approval of the two requested variances.


**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 <b>Rodney Wekkin</b>	Date of signature (month, day, year) <b>12/8/17</b>
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 <b>Rodney Wekkin</b>	Date of signature (month, day, year) <b>12/8/17</b>
---	---	--