

Owner / Applicant Information

Paul Bloemker

530 N. WARPATH DR.

MILAN IN 47031

Phone 5132563888

Email PBLOEMKER@SEIDATA.COM

Submitter Information

Melissa Tupper

RTM Consultants, Inc.

6640 Parkdale Place

Indianapolis IN

Phone 3173297700

Email tupper@rtmconsultants.com

Designer Information

James Fritsch

James Fritsch, Architect

410 N. Walnut St.

Batesville IN

Phone 8129346560

Email jim@jamesfritscharchitect.com

Project Information

Nichalos Pizza

530 N. Warpath Dr.

Milan IN 47031

County RIPLEY

Project Type New ☐ Addition ☐ Alteration ☐ Existing ☐ Change of Occupancy ☒

Project Status ☒ U F=Filed U or Null=Unfiled

IDHS Issued Correction order? ☐ Has Violation been Issued? ☐

Violation Issued by: NA

Local Building Official

Phone:

Email:

Local Fire Official

Phone:

Email:

Variance Details

Code Name: 12-4-11 Change of Occupancy or Use of Existing Buildings
675 IAC 12-4-11(b)

Conditions: The project involves the conversion the of an existing building previously used as a bingo hall (A-3 Occupancy) to a pizza shop (A-2 Occupancy). The variance request is to permit a change of use of an existing building without complying with the rules for new construction or without evaluating the change of use using Chapter 34.

The building will be classified as an A-2 Occupancy. The building is 1-story, Type VB construction, and 4,425 square feet.

DEMONSTRATION THAT PUBLIC HEALTH, SAFETY, AND WELFARE ARE PROTECTED:

- ☐ 1=Non-compliance with the rule will not be adverse to the public health, safety or w
- ☐ 2= 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: The proposed use will not increase the occupant load of the existing building.

The building is 1-story.

The maximum travel distance is an exit is 75 feet, code permits 200 feet.

Exit signs and emergency lighting will be provided as required for new construction.

DEMONSTRATION OF UNDUE HARDSHIP OR HISTORICALLY SIGNIFICANT STRUCTURE:

- ☐ 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.
- ☒ Y 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: The owner's undue hardship is the cost to provide additional systems in order to comply using chapter 34 or to upgrade the building to bring it into compliance with the current code, which would include the requirement for an automatic sprinkler system. It is an undue cost hardship for small restaurants to have to install an automatic sprinkler system, the code reduced the occupant load for when a sprinkler was required for A-2 occupancies from 300 to 100. The primary reason for this reduction was due to several recent nightclub incidents, which is a much different environment than that you will find in a small restaurant like this one. A fire alarm system isn't required until the building has a calculated occupant load of 300 or more.

