

Owner / Applicant Information

Eric Erwin

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Submitter Information

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Project Information

Eric & Joyce Erwin Residence - LP Tank

1005 Fox Hunter's Point

New Albany IN 47150

County FLOYD

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

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

IDHS Issued Correction order? ☒ No Has Violation been Issued? ☒ yes

Violation Issued by: CBD

Local Building Official

Phone:

Email:

Local Fire Official

Phone:

Email:

## Variance Details

Code Name: 2005 Indiana Residential Code (675 IAC 14-4.3)  
G2412.2

Conditions: The recently constructed detached accessory garage structure is located approximately 6 feet from the below-ground 1,000-gallon LP tank on the property. IRC Section G2412.2 references the IFC (Sec. 6104.3) and NFPA 58 (Sec. 6.3.1). Both IFC and NFPA 58 require 10 feet of separation to a building. See attached email from the LBO with pictures of measurements.

The LP tank has been existing in this location for approximately 14 years. The garage was constructed approximately 1.5 years ago.

### 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

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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: 1. This same variance was approved for this condition in October, 2018 (18-10-27). That application was inadvertently sent to the incorrect LFO. This application is to correct the discrepancy.

2. The garage does not have any exterior equipment posing an ignition hazard, nor any air intakes or other hazards illustrated by the NFPA 58 Appendix - see attached.

3. The LBO has indicated that they are not opposed to the variance - see attached.

4. Based upon proximity to a normally unoccupied structure and lack of specific hazard addressed by the code, the lack of 10 feet of separation will not be adverse to safety.

### DEMONSTRATION OF UNDUE HARDSHIP OR HISTORICALLY SIGNIFICANT STRUCTURE:

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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: Relocating the tank or the garage would be an excessive cost relative to the lack of hazard posed by the installation.