

#16483



# 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)

16-01-53

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

Name of applicant Rick Olsen	Title General Manager
Name of organization Indiana Railway Museum, Inc.	Telephone number (812) 936-2405
Address (number and street, city, state, and ZIP code) P.O. Box 150, French Lick, IN 47432	

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

Name of applicant N/A	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 N/A	License number
Name of organization	Telephone number ( )
Address (number and street, city, state, and ZIP code)	

### 4. PROJECT IDENTIFICATION

Name of project Indiana Railway Museum Tent Variance	State project number	County Orange
Address of site (number and street, city, state, and ZIP code) 8594 W. S.R. 56, French Lick, IN 47432		
Type of project <input type="checkbox"/> New <input type="checkbox"/> Addition <input type="checkbox"/> Alteration <input type="checkbox"/> Change of occupancy <input checked="" 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) Paid via online

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

2014 Ed. IFC 675 IAC 22-22.5

Specific code section

Sec. 3103.5

Nature of non-compliance (Include a description of spaces, equipment, etc. involved as necessary.)

Temporary tents, air-supported, air inflated, or tensioned membrane structures shall not be erected for a period of more than thirty (30) days within a 12-month period on a single premises.

**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:

Please See Attached Sheet

Also of Note: The Indiana Railway Museum applies for two A&E Permits each year to cover two separate event sites. The second site does not see the amount of use as the one listed on this application, but would be in violation of the listed code.

**9. DEMONSTRATION OF UNDUH 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.

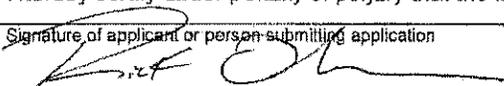
Facts demonstrating that the above selected statement is true:

The events that are hosted by the Indiana Railway Museum generate the bulk of the revenue for the Museum. As they are railroad events, they must take place adjacent to the railroad, thus they must be hosted in tents. To prohibit the use of tents, would strike a catastrophic blow to the Museum, as well as cause a significant impact to the local community due to lost tourism dollars.

**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

Rick Olsen

Date of signature (month, day, year)

12/30/2015

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)



# FIRE AND BUILDING CODE ENFORCEMENT INSPECTION REPORT ORDER

DIVISION OF FIRE AND BUILDING SAFETY  
INDIANA DEPARTMENT OF HOMELAND SECURITY  
302 WEST WASHINGTON STREET, RM E241  
INDIANAPOLIS, IN 46204  
TELEPHONE: 317-232-2222  
WEB ADDRESS: WWW.IN.GOV/DHS

Identification Number AE5928425	Name of the facility INDIANA RAILWAY MUSEUM	County ORANGE
Address of Property 8594 W STATE ROAD 56 FRENCH LICK IN 47432		Name of the Contact RICK OLSEN
Telephone Number (812) 936-2405		Email generalmgr@frenchlickrr.org
Inspection Category ENTERTAINMENT PERMIT		Inspection Date 11/09/2015
Inspection Type INITIAL		Inspection Status: VIOLATION
Name of the inspector RYAN WINEINGER		Phone: 3174176650
Email: rwineinger@dhs.in.gov		

## Violations

VIO-LATION NUMBER	RULE OR INDIANA CODE SECTION VIOLATED	DESCRIPTION OF VIOLATION	DATE BY WHICH VIOLATION MUST BE CORRECTED
1	Sec. 3103.5 2014 Edition IFC 675 IAC 22-2.5	Temporary tents, air-supported, air-inflated or tensioned membrane structures shall not be erected for a period of more than thirty (30) days within a 12-month period on a single premises.  <u>The tents set up have already been set up for over 30 days and have been re-installed with the intent to use them for an additional 60 days.</u>	12/09/2015

Facility id AE5928425	Received By Name	Signature and Date
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Due to the fact that the special events undertaken at various time of the year by the Indiana Railway Museum draw more guests than can be accommodated within the small railroad depot, and the fact that, as these events are related to the railroad and therefore must take place adjacent to the railroad tracks, tents must be utilized. An event in the spring will require the tents to be in place for 40 days, one in June for 20 days, one in September for 20 days, and the event The Polar Express, which takes place in November and December, will require the tents to be in place for an additional 10 weeks.

The tents are erected in advance of the events using industry-accepted techniques and in many cases, the Museum exceeds the requirements in ballasting a securement. After becoming a member of the Industrial Fabrics Association International Tent Division to use their ballasting tool, which was developed in conjunction with the engineering department of Clemson University, the data on tent surface ballast type, angle of guidelines, etc was entered to calculate the amount of ballast needed per tent leg. Each leg requires, 480 pounds of ballast. The Museum uses 1000 pound concrete anchors at each leg. All electrical is installed using industry accepted techniques, to include exit and emergency lighting. Such great care is taken to install the tents in a manner which exceeds all expectations that the installation has drawn compliments from state inspectors in the past.

The Museum also has an Emergency Action Plan in place dictating evacuation plans in the case of thunderstorms or winds exceeding 40 MPH. While the tents are rated to 90 MPH with canvas, it is felt that nothing good happens when wind gusts exceed 40 MPH. The tents are also monitored for snow buildup as they are used during winter months. At any time snow is expected, the tents are kept heated to eliminate this issue. Tents are inspected on a daily basis for loose straps, ballast movement, loose canvas, and any other sign of impending issue. At any time weather threatens to exceed the safety parameters laid out in the Emergency Action Plan, the tents are evacuated (if occupied) and the event is canceled. This has already been demonstrated in past years when events have been canceled due to excessive winds and thunderstorms.

Due to the great care taken to erect the tents properly, maintaining daily inspections, and a strict adherence to the Emergency Action Plan, non-compliance with the rule would NOT be adverse to public safety.