



MITCHELL E. DANIELS, Jr., Governor
STATE OF INDIANA

DEPARTMENT OF HOMELAND SECURITY JOSEPH E. WAINSCOTT, JR., EXECUTIVE DIRECTOR

Indiana Department of Homeland Security
 Indiana Government Center South
 302 West Washington Street
 Indianapolis, IN 46204
 317-232-3980

May 20, 2010

STUART MILNER
 STUART B MILNER & ASSOCIATES
 102 E SPRINGFIELD AVE
 UNION, MO 63084

Dear STUART MILNER,

This letter provides notice below of the action taken by the Fire Prevention and Building Safety Commission on your application(s) for a variance(s) from the Commission's rules under IC 22-13-2-11 and 675 IAC 12-5. The Commission considered the application, as a part of its published agenda, at its regular meeting on April 6, 2010.

Project Number	Project Name	Variance Number
	GARVIN INDUSTRIAL ASSOCIATES	10-02-14

Commission Conditions

1. Keep sprinkler system on and maintain it for some protection
2. Annual dry trip test
3. Annual fire pump test
4. Maintain system monitoring
5. Valve off all accelerators
6. Repair system leaks as they occur
7. Repair main leaks as they occur
8. No increase in occupancy on 2nd level (current occ is about 10%) without fully compliant sprinkler system
9. Add NFPA 664 dust collection system in the woodworking occupancy
10. Add a sign at each riser stating that the system is being maintained under a variance, with a copy of the variance and conditions to be posted in the office

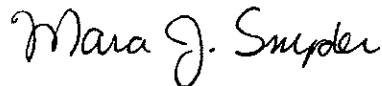
Edition	Code	Code Section	Commission Action
2008	IFC	901.6	Approved
*	*		N/A
*	*		N/A

You are advised that if you desire an administrative review of this action, you must file a written petition for review at the above address with the Fire Prevention and Building Safety Commission. Your petition must fully identify the matter for which you seek review no later than eighteen(18) calendar days from the above stated date of this letter, unless such date is a Saturday, Sunday, legal holiday under state statute, or day that the Department of Homeland Security's offices are closed during regular business hours; in which case the deadline would

be the first day thereafter that is not a Saturday, Sunday, legal holiday under state statute, or day that the Department of Homeland Security's offices are closed during regular business hours. If you do so, your petition for review will be granted and an administrative proceeding will be conducted by an administrative law judge appointed by the Fire Prevention and Building Safety Commission. If you do not file a petition for review, this action will be final.

Please be further advised that you may request an opportunity to informally discuss this matter prior to filing a petition for review. Such informal discussion, or request therefore, does not extend the deadline for filing a petition for review and, therefore, any request for an informal discussion should be made promptly, preferably by telephone or e-mail, upon receipt of this letter.

Sincerely,



Mara J. Snyder
Legal & Code Services,
Department of Homeland Security

Attachments(s)



MITCHELL E. DANIELS, Jr., Governor
STATE OF INDIANA

DEPARTMENT OF HOMELAND SECURITY

JOSEPH E. WAINSCOTT, JR., EXECUTIVE DIRECTOR

Indiana Department of Homeland Security
Indiana Government Center South
302 West Washington Street
Indianapolis, IN 46204
317-232-3980

STUART MILNER
STUART B MILNER & ASSOCIATES
102 E SPRINGFIELD AVE
UNION, MO 63084

April 9, 2010

Dear STUART MILNER,

This letter provides notice below of the action taken by the Fire Prevention and Building Safety Commission on your application(s) for a variance(s) from the Commission's rules under IC 22-13-2-11 and 675 IAC 12-5. The Commission considered the application, as a part of its published agenda, at its regular meeting on April 6, 2010.

Project Number	Project Name	Variance Number
	GARVIN INDUSTRIAL ASSOCIATES	10-02-14

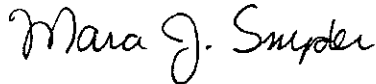
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Sincerely,

A handwritten signature in cursive script that reads "Mara J. Snyder".

Attachments(s)

Mara J. Snyder
Legal & Code Services,
Department of Homeland Security



APPLICATION FOR VARIANCE

State Form 44400 (R3 / 11-08)
Approved by State Board of Accounts, 2008

INDIANA DEPARTMENT OF HOMELAND SECURITY
CODE SERVICES SECTION
302 West Washington Street, Room W246
Indianapolis, IN 46204-2739
http://www.in.gov/dhs/fire/lp_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)

10-02-14

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

Name of the applicant Stuart B Milner	Title President
Name of organization Stuart B Milner & Associates	Telephone number (866) 842-5280
Address (number and street, city, state, and ZIP code) 102 E Springfield Ave. Union, Missouri 63084	

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

Name of person on behalf of the applicant Roger L Lehman	Title Principal
Name of organization RLehman Consulting	Telephone number (812) 424-3991 cell 812-589-0331
Address (number and street, city, state, and ZIP code) 1220 N Red Bank Rd. Evansville, IN 47720	

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 Garvin Industrial Associates	State project number	County Vanderburgh
Site address (number and street, city, state, and ZIP code) 1511 Read St Evansville, IN 47710		
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)

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.

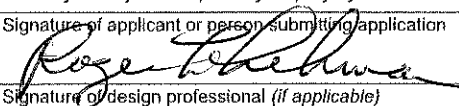
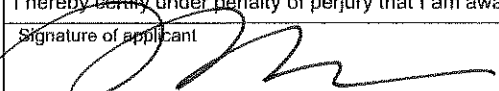
6. VIOLATION INFORMATION

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	Specific code section	
2008 Indiana Fire Code	901.6	
Nature of non-compliance (include a description of spaces, equipment, etc. involved as necessary)		
Currently functional 6 riser dry sprinkler system will not be maintained in compliance with all portions of NFPA 25		
8. DEMONSTRATION THAT PUBLIC HEALTH, SAFETY, AND WELFARE WILL BE PROTECTED		
Select one of the following statements:		
<input type="checkbox"/> Non-compliance with the rule will not be adverse to the public health, safety or welfare; or <input checked="" type="checkbox"/> 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 (<i>be specific</i>).		
Facts demonstrating that the above selected statement is true:		
See attached		
9. DEMONSTRATION OF UNDUE HARDSHIP OR HISTORICALLY SIGNIFICANT STRUCTURE		
Select at least one of the following statements:		
<input checked="" type="checkbox"/> Imposition of the rule would result in an undue hardship (<i>unusual difficulty</i>) because of physical limitations of the construction site or its utility services. <input checked="" type="checkbox"/> Imposition of the rule would result in an undue hardship (<i>unusual difficulty</i>) because of major operational problems in the use of the building or structure. <input checked="" type="checkbox"/> Imposition of the rule would result in an undue hardship (<i>unusual difficulty</i>) because of excessive costs of additional or altered construction elements. <input type="checkbox"/> 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:		
see attached		
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	Date of signature (month, day, year)
	Roger L. Lehman, CBO	March 16, 2010
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)
	Stuart B. Milner	March 16, 2010

Section 8 Applicant will undertake alternative actions in lieu of compliance with the rule to insure granting of the variance will not be adverse to public health, safety or welfare.

Building is currently protected by a 6 riser fully monitored dry sprinkler system and owner will continue maintenance and servicing including leak repair and general annual testing.

Owner will install or cause to be installed within 90 days an NFPA 664 compliant dust collection system in the area of the building used as wood working shop.

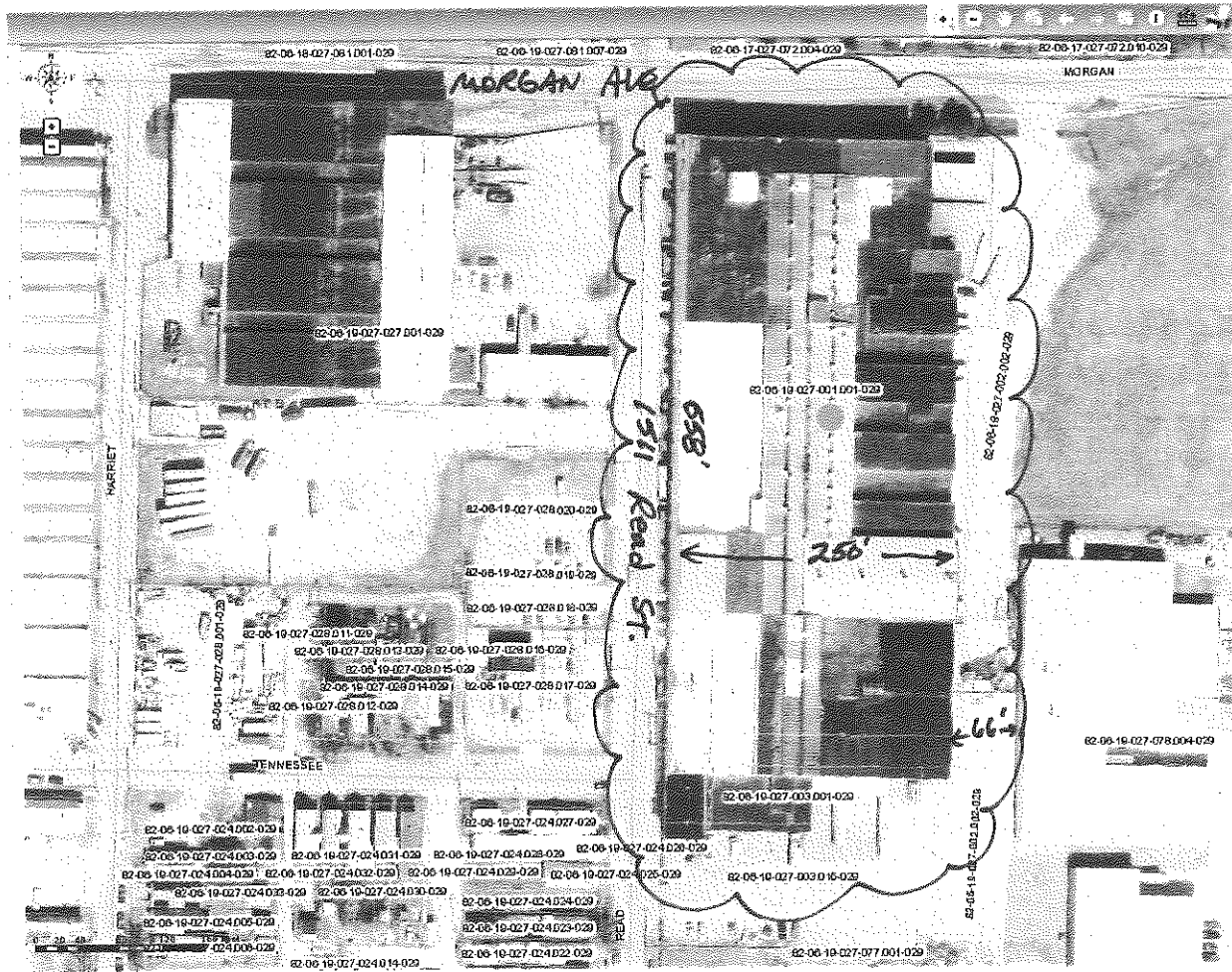
Building is completely surrounded by paved drives 60' in width on East and South sides and by public streets on West and North sides for ease of fire fighting access. (See attached aerial photo)

Section 9 Undue Hardship

Garvin Industrial Associates (GIA) purchased this 60 year old, 2 story, former Whirlpool air conditioner factory in the mid 1980's. At time of purchase the sprinkler system was a functioning wet system. Concerned with potential for freezing in unused areas, the owners undertook a project to convert a wet system to a 6 riser dry system. GIA maintained the system according to applicable codes until they were notified about 2 ½ years ago they must have the system flushed, have all the heads inspected and, of course, make whatever changes were necessary to bring the system up to current standards. GIA investigated complying with the updated rules and were given a firm estimate of \$240,000 to perform the flushing, repairs and servicing to bring the 6 systems up to date. GIA cannot afford to do this scope of work on a minimum income generating property. Their current square foot rent ranges from \$.05 to \$.29 per sq. ft. per month with an average rent over the entire building (leased and not leased) about \$.13 per month. To perform this work would represent a cost of over \$1.00 per sq. ft. and if using only the leased areas bringing in \$.13 or more per sq. ft. would be over \$2.00 per income generating sq. ft., about the cost of a new system!

Vanderburgh County Assessor's records show the true tax value of the improvements (the building) on this lot as \$275,300. (See attached Property record cards)

GIA intends to continue to provide, and will certify as part of this variance request, annual inspections by a certified sprinkler contracting company, and agrees to repair any leaks and problems within the existing sprinkler system or with the monitoring/notification component to keep the system functional. GIA's insurance carrier annually inspects this facility and GIA maintains all aspects of fire and life safety in conformance with their requirements. Mandating total NFPA 25 Sprinkler testing and maintenance Standards on this extremely old, but functioning, system would cause GIA to consider shuttering the building which would then be destined to become another unusable building shell in this already struggling economy.



82-06-19-027-001-020

82-06-19-027-001-020

82-06-17-027-021-004-020

82-06-17-027-022-010-020

MORGAN AVE

MORGAN

82-06-19-027-001-020

82-06-19-027-001-020

82-06-19-027-001-020

82-06-19-027-028-030-020

82-06-19-027-028-010-020

82-06-19-027-028-018-020

82-06-19-027-028-011-020

82-06-19-027-028-013-020

82-06-19-027-028-015-020

82-06-19-027-028-015-020

82-06-19-027-028-014-020

82-06-19-027-028-017-020

82-06-19-027-028-013-020

TENNESSEE

82-06-19-027-003-001-020

82-06-19-027-078-004-020

82-06-19-027-024-002-020

82-06-19-027-024-027-020

82-06-19-027-024-020-020

82-06-19-027-024-003-020

82-06-19-027-024-031-020

82-06-19-027-024-028-020

82-06-19-027-024-020-020

82-06-19-027-024-004-020

82-06-19-027-024-032-020

82-06-19-027-024-020-020

82-06-19-027-024-025-020

82-06-19-027-003-015-020

82-06-19-027-024-005-020

82-06-19-027-024-024-020

82-06-19-027-024-023-020

82-06-19-027-024-006-020

82-06-19-027-024-022-020

82-06-19-027-077-001-020

82-06-19-027-024-014-020

82-06-19-027-001.001-029 ADMINISTRATIVE INFORMATION

GARVIN INDUSTRIAL ASSOCIATES LP 1511 READ ST
OWNERSHIP Tax ID 11-470-27-001-001
GARVIN INDUSTRIAL ASSOCIATES LP TRANSFER OF OWNERSHIP
1532 FENPARK DR Date
FENTON, MO 63026-2916
MORGAN'S SUB WOODS PLAT PT L 3 & FT L 5 & L 6
03/01/1989 NATIONAL INDUSTRIAL \$0 Bk/Pg: 4, 8606

Printed 09/17/2009 Card No. 1 of 1

INDUSTRIAL

Property Class 350 Industrial Warehouse
TAXING DISTRICT INFORMATION
Jurisdiction 82 VANDERBURGH
Area 006 Pigeon
District 029
Section & Plat 000
Routing Number 27-1-1

Site Description
Topography: Level
Public Utilities: All
Street or Road: Paved
Neighborhood: Static
Land Type

VALUATION RECORD

Assessment Year	03/01/2001	03/01/2002	03/01/2006	03/01/2007	03/01/2008	03/01/2009
Reason for Change	100pct AV	4Y Reval	Trending	Form 130	Trending	Trending
VALUATION	I 72800	236700	591800	343000	343000	343000
Appraised Value	B 265900	239000	239000	274800	274800	275300
VALUATION	T 338700	475700	830800	617800	617800	618300
True Tax Value	I 72800	236700	591800	343000	343000	343000
	B 265900	239000	239000	274800	274800	275300
	T 338700	475700	830800	617800	617800	618300

LAND DATA AND CALCULATIONS

Rating	Measured	Table	Prod. Factor	Soil ID	Acresage	Depth Factor	Effective	Depth	Base Rate	Adjusted Rate	Extended Value	Influence Factor	Value
													343040
													343040

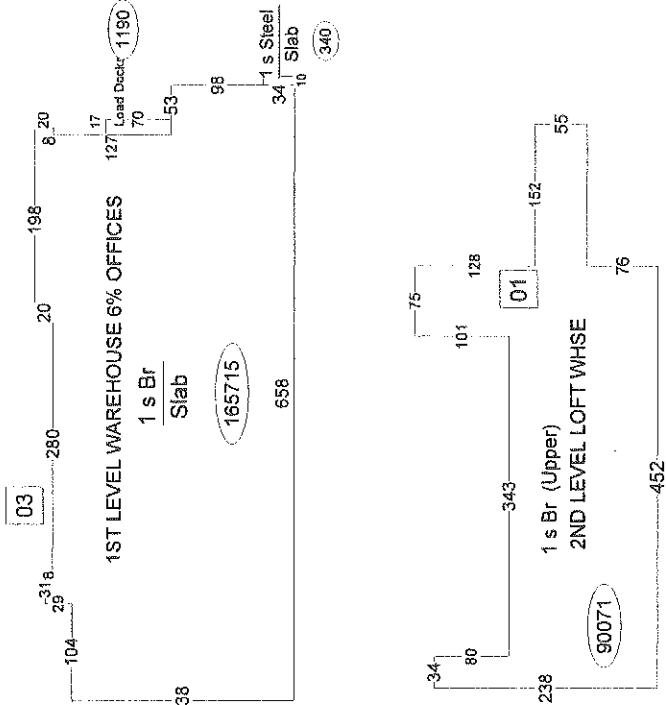
MEMO:
 T Drw 1 Cd 23249 12/7/84
 1/20/89 Drw 4 Cd 7944 Easement RT/OF/W
 Mar'l Industrial to Garvin Industrial Drw 4 Cd 6606 3-1-89
 BOS Change Reproduction Cost & Depreciation
 95P96 BOR Made Heat Adj/Allowed 50% Obsolescence on
 95P97 F-11 Allowed a total of 75% Obsolescence
 Commercial Bldg hazed Permit#CON051545E
 2002P2003 Added 10x34 Metal Bldg per reassessment
 inspection (dj)
 (3094R00043577 12/15/04 QC)
 2006P2007 Appeal, Corrected Land Value and combined code
 27-2-1 to this code. 8/25/07 (jks)
 2006P2007 Appeal approved by county 3/12/06 (jkg)

Supplemental Cards
 MEASURED ACRES 4.1800
 FARMLAND COMPUTATIONS
 Parcel Acreage
 81 Legal Drain NV [-]
 82 Public Roads NV [-]
 83 UT Towers NV [-]
 9 Homesites (+)
 91/92 Excess Acreage [-]
 TOTAL ACRES FARMLAND
 TRUE TAX VALUE
 Supplemental Cards
 TRUE TAX VALUE 343040
 Measured Acreage
 Average True Tax Value/Acre
 TRUE TAX VALUE FARMLAND
 Classified Land Total
 Homesite(s) Value (+)
 Excess Acreage Value (+)
 Supplemental Cards
 TOTAL LAND VALUE 345000

PHYSICAL CHARACTERISTICS

ROOFING									
Built-up									
WALLS									
Frame	B	1	2	U					
Brick	Yes								
Metal	Yes								
Guard									
FRAMING									
Wd Jst	B	1	2	U	0				
		0	166055	90071	0				
FINISH									
	UF	SF	FO	FD					
1	156112	0	0	9943					
2	90071	0	0	9943					
Total	246183	0	0	9943					
HEATING AND AIR CONDITIONING									
	B	1	2	U	0				
Heat	0	166055	0	0					
A/C	0	9943	0	0					
Sprink	0	156112	90071	0					
PLUMBING	Residential Commercial								
Full Baths	#	TF	#	TF					
Half Baths			8	16					
Extra Fixtures			0	16					
TOTAL									
OTHER FIXTURES									
Circ 54" Wash Ftns			G/F	ES	SS				
Refrigerated Water Coolers				4	2				

IMPROVEMENT DATA



SPECIAL FEATURES

Description	Value
FELVHYD	37960
LOADDOCK	21300
INDCRPY	5580

SUMMARY OF IMPROVEMENTS

ID	Use	Sty	Const	Year	Eff	Base	Feat-	Adj	Size	or	Computed	PhysObsol	Market	%		
		Hgt	Type	Grade	Const	Year	Rate	Wres	Rate	Area	Value	Depr	Depr	Adj	Comp	Value
C	LWRHSE	0.00	C	1939	1940	AV	0.00	N	0.00	256126	4787320	80	75	100	275300	

(ICM: 96.00)

Data Collector/Date: 10/25/1999
Appraiser/Date: dj 06/20/2002
Neighborhood: Neigh 337 AV
Supplemental Cards: 275300
TOTAL IMPROVEMENT VALUE

**APPLICATION FOR VARIANCE**

State Form 44400 (R3 / 11-08)

Approved by State Board of Accounts, 2008

INDIANA DEPARTMENT OF HOMELAND SECURITY
 CODE SERVICES SECTION
 302 West Washington Street, Room W246
 Indianapolis, IN 46204-2739
http://www.in.gov/dhs/firefp_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)

10-02-14

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

Name of the applicant Stuart B Milner	Title President
Name of organization Stuart B Milner & Associates	Telephone number (866) 842-5280
Address (number and street, city, state, and ZIP code) 102 E Springfield Ave. Union, Missouri 63084	

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

Name of person on behalf of the applicant Roger L Lehman	Title Principal
Name of organization RLehman Consulting	Telephone number (812) 424-3991 cell 812-589-0331
Address (number and street, city, state, and ZIP code) 1220 N Red Bank Rd. Evansville, IN 47720	

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 Garvin Industrial Associates	State project number	County Vanderburgh
Site address (number and street, city, state, and ZIP code) 1511 Read St Evansville, IN 47710		
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)

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
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7. DESCRIPTION OF REQUESTED VARIANCE

Name of code or standard and edition involved 2008 Indiana Fire Code	Specific code section 901.6
---	--------------------------------

Nature of non-compliance (include a description of spaces, equipment, etc. involved as necessary)
Currently functional 6 riser dry sprinkler system will not be maintained in compliance with all portions of NFPA 25

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:
See attached

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.
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see attached

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 Roger L Lehman, CBO	Date of signature (month, day, year) March 16, 2010
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 Stuart B Milner	Date of signature (month, day, year) March 16, 2010
------------------------	--------------------------------------	--

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Parcel Number: 82-06-19-027-001.001-029, Parcel Address: 1511 READ ST, PENTON, MO 63026-2916

County Address: 1511 READ ST, PENTON, MO 63026-2916

INDUSTRIAL

VALUATION RECORD

Table with columns: Assessment Year, Assessed Value, Market Value, True Tax Value, etc. Rows show valuation data for years 2006, 2007, and 2008.

LAND DATA AND CALCULATIONS

Table with columns: Acres, Square Feet, Acres, etc. Shows land area and calculation details.

Supplemental Cards: REARVED PARCELS, FARMLAND CONSERVATION, etc. Includes detailed notes on land use and valuation.

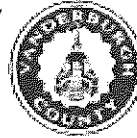
Supplemental Cards: EMPLOYMENT, etc. Includes information on employment status and related taxes.

10-02-14



CITY OF EVANSVILLE VANDERBURGH COUNTY

BUILDING COMMISSION



Jonathan Weinzapfel
Mayor

Benjamin Miller, C.B.O.
Building Commissioner

1 N.W. ML King Jr. Boulevard
Room 310, Civic Center Complex
Evansville, IN 47708

www.evansvillegov.org

Building Permitting
Phone (812) 436-7879

Floodplain Information
Phone (812) 435-2350

Contractor Licensing
Phone (812) 436-7880

Building Inspection
Phone (812) 436-7867

April 1, 2010

Department of Homeland Security
Legal and Codes Services
302 West Washington Street Room 243
Indianapolis, IN 46204

To whom it may Concern:

Re: Variance 1511 Reed St. Garvin Industrial Park IFC 901.6

The Evansville Vanderburgh County Building Commission is aware of the variances being requested for the above project.

As the local building official, I support this variance request for relief from the requirements of NFPA 25. This very large old building that has been well maintained over the past 20 or so years currently has a functioning dry sprinkler system. I understand that the owner could have requested relief from undue hardship by requesting a variance to eliminate the system.

I support the current request to eliminate the unaffordable requirements imposed by NFPA 25, in equality utilizing a "maintain as is" program of repair and annual testing for functionality. In addition to maintaining the current system "as-is", the building owner has pledged to install an NFPA 664 dust collection system for the area used as a woodworking shop within this project.

Sincerely,

Benjamin Miller, C.B.O.
Building Commissioner

10-02-14



City of Evansville
Evansville Fire Department

550 S.E. EIGHTH STREET
EVANSVILLE, INDIANA 47713-1786
(812) 435-6235
FAX (812) 435-6248
TDD/Hearing Impaired (812) 436-4925

JONATHAN WEINZAPFEL
MAYOR

KEITH G. JARBOE
FIRE CHIEF

INSPECTIONS
(812) 436-4459

CLIFF A. WEAVER
CHIEF INSPECTOR

March 25, 2010

INDIANA DEPT HOMELAND SECURITY
Code Services Section
302 W Washington Street, RM W246
Indianapolis, IN 46204-2739

RE: Application for Variance for:

Garvin Industrial 1511 Read St.

Dear Sir,

We recognize and Acknowledge a variance request for:

Garvin Industrial 1511 Read St.

Roger L Lehman, CBO
EVSC Project Manager
310 SE Eighth St
Evansville, IN 47708
phone 812-435-0931

Sincerely,

Cliff A. Weaver

Cliff A. Weaver Battalion Chief
Evansville Fire Department
Chief of Inspections and Prevention
550 SE 8th Street
Evansville, Indiana 47713-1786



MITCHELL E. DANIELS, Jr., Governor

STATE OF INDIANA

DEPARTMENT OF HOMELAND SECURITY

JOSEPH E. WAINSCOTT, JR., EXECUTIVE DIRECTOR

Indiana Department of Homeland Security
Indiana Government Center South
302 West Washington Street
Indianapolis, IN 46204
317-232-3980

STUART MILLNER
STUART B MILLNER & ASSOCIATES
102 E SPRINGFIELD AVE
UNION, MO 63084

March 3, 2010

Dear STUART MILLNER,

This letter provides notice below of the action taken by the Fire Prevention and Building Safety Commission on your application(s) for a variance(s) from the Commission's rules under IC 22-13-2-11 and 675 IAC 12-5. The Commission considered the application, as a part of its published agenda, at its regular meeting on March 2, 2010.

Project Number	Project Name	Variance Number
	GARVIN INDUSTRIAL ASSOCIATES	10-02-14

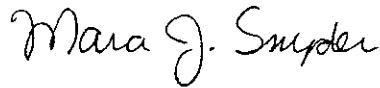
Commission Conditions

Edition	Code	Code Section	Commission Action
	GAR	675 IAC 12-4-9	Tabled

You are advised that if you desire an administrative review of this action, you must file a written petition for review at the above address with the Fire Prevention and Building Safety Commission. Your petition must fully identify the matter for which you seek review no later than eighteen(18) calender days from the above stated date of this letter, unless such date is a Saturday, Sunday, legal holiday under state statute, or day that the Department of Homeland Security's offices are closed during regular business hours; in which case the deadline would be the first day thereafter that is not a Saturday, Sunday, legal holiday under state statute, or day that the Department of Homeland Security's offices are closed during regular business hours. If you do so, your petition for review will be granted and an administrative proceeding will be conducted by an administrative law judge appointed by the Fire Prevention and Building Safety Commission. If you do not file a petition for review, this action will be final.

Please be further advised that you may request an opportunity to informally discuss this matter prior to filing a petition for review. Such informal discussion, or request therefore, does not extend the deadline for filing a petition for review and, therefore, any request for an informal discussion should be made promptly, preferably by telephone or e-mail, upon receipt of this letter.

Sincerely,

A handwritten signature in cursive script that reads "Mara J. Snyder".

Attachments(s)

Mara J. Snyder
Legal & Code Services,
Department of Homeland Security



MITCHELL E. DANIELS, Jr., Governor
STATE OF INDIANA

DEPARTMENT OF HOMELAND SECURITY

JOSEPH E. WAINSCOTT, JR., EXECUTIVE DIRECTOR

Indiana Department of Homeland Security
Indiana Government Center South
302 West Washington Street
Indianapolis, IN 46204
317-232-3980

February 3, 2010

STUART MILLNER
STUART B MILLNER & ASSOCIATES
102 E SPRINGFIELD AVE
UNION, MO 63084

Dear STUART MILLNER,

This letter provides notice below of the action taken by the Fire Prevention and Building Safety Commission on your application(s) for a variance(s) from the Commission's rules under IC 22-13-2-11 and 675 IAC 12-5. The Commission considered the application, as a part of its published agenda, at its regular meeting on February 2, 2010.

Project Number	Project Name	Variance Number
	GARVIN INDUSTRIAL ASSOCIATES	10-02-14

Commission Conditions

Edition	Code	Code Section	Commission Action
	GAR	675 IAC 12-4-9	Tabled

You are advised that if you desire an administrative review of this action, you must file a written petition for review at the above address with the Fire Prevention and Building Safety Commission. Your petition must fully identify the matter for which you seek review no later than eighteen(18) calendar days from the above stated date of this letter, unless such date is a Saturday, Sunday, legal holiday under state statute, or day that the Department of Homeland Security's offices are closed during regular business hours; in which case the deadline would be the first day thereafter that is not a Saturday, Sunday, legal holiday under state statute, or day that the Department of Homeland Security's offices are closed during regular business hours. If you do so, your petition for review will be granted and an administrative proceeding will be conducted by an administrative law judge appointed by the Fire Prevention and Building Safety Commission. If you do not file a petition for review, this action will be final.

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Sincerely,

Mara J. Snyder

Attachments(s)

Mara J. Snyder
Legal & Code Services,
Department of Homeland Security

I have met with the Evansville Fire Department Chief Inspector Cliff Weaver and have obtained a Variance acknowledgement letter. Our discussion was based on the owner continuing to do basic maintenance on the system. They also asked, and we agreed, not to lease out any additional space on the 2nd floor unless the system serving that area is brought up to current standards. I explained in this economy renting any additional area on the 2nd level is unlikely, but if the opportunity arose we would contact EFD and discuss the conditions at that time.

I have also met with Building Commissioner Ben Miller who has sent a letter of support for this variance if we keep the system on in some form or fashion.

I have also met with Tri-State Fire Protection, who indicated the system was in reasonably good shape, was functional and they would be willing to service it under the proposed conditions. We discussed a "minimum maintenance" plan which would include:

- 1) Annual dry trip test
- 2) Annual fire pump test
- 3) Maintaining the system monitoring
- 4) Valving off the accelerators (most are already, a source of nuisance trips)
- 5) Repair of system leaks as they occur
- 6) Repairing main leaks if they occur
- 7) No increased occupancy on 2nd floor w/o discussion and approval of EFD
- 8) Adding a NFPA 664 dust collection system to wood working occupancy
- 9) Adding a sign at the sprinkler risers indicating the system is being maintained and inspected under a Variance from the Fire and Building Safety Commission and that a copy of the variance would be available at the site office.

We would request the Commission find these conditions acceptable for this project.

Snyder, Mara

From: Cooley, Erica
Sent: Tuesday, October 04, 2011 3:18 PM
To: Snyder, Mara
Cc: Hawkins, James
Subject: RE: Garvin Industrial 664

I am pleased to tell you that after my inspection today, Garvin Industrial is in compliance. Let me know if you need a copy of the inspection report.

Thanks,

Erica A. Cooley, CBO, CBI, CFI, CPE
Code Enforcement
Division of Fire and Building Safety
Indiana Department of Homeland Security
Cell: (317) 501-0472
Fax: (317) 233-0307
www.in.gov/dhs

-----Original Message-----

From: Snyder, Mara
Sent: Thursday, September 29, 2011 1:10 PM
To: Cooley, Erica
Subject: Fw: Garvin Industrial 664

Please let me know the results of your inspection. Thank you.

----- Original Message -----

From: Lehman, Roger [<mailto:Roger.Lehman@evsc.k12.in.us>]
Sent: Thursday, September 29, 2011 11:58 AM
To: Snyder, Mara
Subject: Garvin Industrial 664

Mara, Attached are pics of completed wall. This along with the dust cover on the spray booth and interconnect on the electric for the dust collection system completes our NFPA 664 related construction. I will contact Erica to do a Final inspection.

Thanks, Roger

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

Roger Lehman
VARIANCE #

10-02-14

SBC PROJECT #

PROJECT NAME

GARVIN INDUSTRIAL ASSOCIATES

SIGNATURES

✓

APPROPRIATE CODE / SECTION

✓

PLANS

LBO NOTIFICATION

✓

NOTIFICATION OF MEETING

LFO NOTIFICATION

✓

CONTACT / DATE

4-5 received mail from Roger Lehman with signatures - sent him an e-mail that still do not have the LBO.

STAFF COMMENTS

Blank lined area for staff comments.