



February 25, 2019
By Electronic Mail and U.S. Postal Mail

Jason A. Lopp, Esq.
McNeely Stephenson
318 Pearl Street, Suite 200
New Albany, IN 47150
jason.a.lope@msth.com

Re: Petition for Administrative Review – Variance No. 19-02-16 – Eric & Joyce Erwin Residence – LP Tank

Dear Mr. Lopp:

The Commission is in receipt of your petition for administrative review of Variance No. 19-02-16 – Eric & Joyce Erwin Residence – LP Tank, dated 2/22/2019. The petition for review is timely and has been granted by the Commission. The petition has been assigned to the Commission's administrative law judge.

The judge's office will contact you to make arrangements for further proceedings. Should you have any questions, you may contact our staff attorney assigned to the matter, Justin Guedel at jguedel@dhs.in.gov or (317) 234-9515.

Sincerely,

Douglas J. Boyle, Director
Fire Prevention and Building Safety Commission
Indiana Department of Homeland Security
302 W. Washington Street, Room E-208
Indianapolis, IN 46204
doboyle@dhs.in.gov
(317) 650-7720

Enclosure

cc: Justin Guedel, IDHS Staff Attorney (by personal service and electronic mail)
The Honorable Chelsea E. Smith, Administrative Law Judge (by personal service and electronic mail)
File



**MCNEELY
STEPHENSON**

ATTORNEYS AT LAW

Jason A. Lopp
New Albany Office
Jason.A.Lopp@msth.com

February 22, 2019

Douglas J. Boyle
Director – Fire Prevention and Building
Safety Commission
Department of Homeland Security
302 W. Washington, Room E-208
Indianapolis, IN 46204



Hand-delivered

Re: Request for Administrative Review – Variance 19-02-16

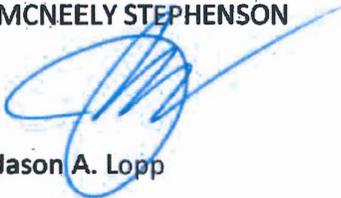
Dear Mr. Boyle:

One behalf of the owner, this letter is a petition for review to the Fire Prevention and Building Safety Commission regarding Variance 19-02-16. A copy of the action taken is attached.

Thank you for your attention to this matter. If you have any questions, please let us know.

Respectfully,

MCNEELY STEPHENSON


Jason A. Lopp

JAL/bg
Enclosures



ERIC J. HOLCOMB, Governor
STATE OF INDIANA

DEPARTMENT OF HOMELAND SECURITY

BRYAN J. LANGLEY, EXECUTIVE DIRECTOR

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

Eric Erwin

February 7, 2019

1005 FOX HUNTER'S POINT

NEW ALBANY, IN 47150

Dear Eric Erwin,

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 with all alternatives offered, as a part of its published agenda, at its regular meeting on February 5, 2019.

Project Number	Project Name	Variance Number
0	Eric & Joyce Erwin Residence - LP Tank	19-02-16

Commission Conditions

Edition	Code	Code Section	Commission Action & Date
2005 Indiana Residential Code (675 IAC 14-4.3)		G2412.2	Not Approved 02/05/2019

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,

A handwritten signature in black ink, appearing to read "D. J. Boyle", written in a cursive style.

Douglas J. Boyle
Fire Prevention and Building Safety Commission
Indiana Department of Homeland Security



RTM CONSULTANTS, INC.
6640 Parkdale Place, Suite J
INDIANAPOLIS, IN 46254-4698

Douglas J. Boyle
Director – Fire Prevention and Building
Safety Commission
Department of Homeland Security
302 W. Washington , Room E-208
Indianapolis, IN 46204

BUILDING CODES ♦ FIRE PROTECTION ♦ ADA ♦ JCAHO/CMS/HFAP

RECEIVED
IDHS

FEB 25 2019

COMMISSION
STAFF

Hand-delivered