



October 17, 2019  
By Electronic Mail and U.S. Postal Mail

John Spicklemire  
Vice President of System and Facility Management  
Indiana State Museum and Historic Sites  
650 W. Washington Street  
Indianapolis, IN 46204  
[jspicklemire@indianamuseum.org](mailto:jspicklemire@indianamuseum.org)

**Re: Petition for Administrative Review – Inspection Report Order State Number AE2235117 – Culbertson Mansion SHS**

Dear Mr. Spicklemire:

The Fire Prevention and Building Safety Commission (Commission) is in receipt of your petition for administrative review of IDHS Inspection Report Order State Number AE2235117 – Culbertson Mansion SHS, dated 10/3/2019. Your petition for administrative review will be reviewed and discussed at the next regularly scheduled meeting of the Commission – currently scheduled to begin at 9:00 a.m. on Thursday, November 7, 2019. Pursuant to Indiana Code § 4-21.5-3-7, the Commission will make a determination as to whether you, as the petitioner, have standing and qualify for review of this order.

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](mailto:doboyle@dhs.in.gov)  
(317) 650-7720

Enclosure

cc: Justin Guedel, IDHS Deputy General Counsel – representing the respondent (by personal service and electronic mail)  
File

**From:** [Guedel, Justin K](#)  
**To:** [Boyle, Douglas J \(DHS\)](#)  
**Subject:** FW: Petition for Review  
**Date:** Monday, October 7, 2019 12:44:18 PM  
**Attachments:** [68379161\\_idhs\\_fire\\_code\\_insp\\_report.pdf](#)  
[68380022\\_Culbertson Mansion - Official Zoning Verification 2.20.19.pdf](#)

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**Justin K. Guedel** | Deputy General Counsel  
Indiana Department of Homeland Security  
302 W. Washington Street, Rm. E208  
Indianapolis, IN 46204  
(317) 234-9515  
[JGuedel@dhs.IN.gov](mailto:JGuedel@dhs.IN.gov)

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**From:** DHS Legal Mailbox  
**Sent:** Monday, October 07, 2019 12:20 PM  
**To:** Guedel, Justin K <[JGuedel@dhs.IN.gov](mailto:JGuedel@dhs.IN.gov)>  
**Subject:** FW: Petition for Review

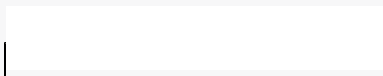
**Justin K. Guedel** | Deputy General Counsel  
Indiana Department of Homeland Security  
302 W. Washington Street, Rm. E208  
Indianapolis, IN 46204  
(317) 234-9515  
[JGuedel@dhs.IN.gov](mailto:JGuedel@dhs.IN.gov)

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**From:** [noreply@formstack.com](mailto:noreply@formstack.com) [<mailto:noreply@formstack.com>]  
**Sent:** Thursday, October 03, 2019 7:32 AM  
**To:** DHS Legal Mailbox <[Legal@dhs.IN.gov](mailto:Legal@dhs.IN.gov)>  
**Subject:** Petition for Review

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**Formstack Submission For:** [petition for review](#)  
Submitted at 10/03/19 7:32 AM

**Individual Name:**

John Spicklemire

<b>Business Name: :</b>	Culbertson Mansion SHS
<b>Phone Number:</b>	(317) 234-2722
<b>Email Address:</b>	<a href="mailto:jspicklemire@indianamuseum.org">jspicklemire@indianamuseum.org</a>
<b>Mailing Address:</b>	650 W Washington Street Indianapolis, IN 46204
<b>Are you represented by an attorney?:</b>	No
<b>Attorney Name:</b>	
<b>Firm:</b>	
<b>Phone Number:</b>	
<b>Email Address:</b>	
<b>Mailing Address:</b>	
<b>Order Number:</b>	1
<b>Facility   Device   Boiler ID:</b>	AE2235117
<b>Date Order Received:</b>	Oct 01, 2019
<b>How did you receive the Order? :</b>	Hand Delivery
<b>Entity Issuing Order:</b>	Indiana Department of Homeland Security
<b>Entity Name:</b>	
<b>Upload Order:</b>	<a href="#">View File</a>
<b>Was this order specifically directed to you?:</b>	No
<b>Explain:</b>	I'm the VP of System Facility Management, we over see the property
<b>Have you been aggrieved or adversely</b>	

<b>affected by the order?:</b>	No
<b>Explain:</b>	
<b>If the order was not specifically directed to you and you have not been aggrieved or adversely affected by the order, are you entitled to review under some other law? :</b>	
<b>What law?:</b>	
<b>I request review of the entire order described above:</b>	Yes
<b>If you are not requesting review of the entire order, what is the scope of your request?:</b>	
<b>I request a stay of effectiveness:</b>	Yes
<b>What is the basis of your challenge? :</b>	We are zoned as a residential property and historical property, we were inspected as a commercial property.
<b>What is your desired outcome? :</b>	The we do not need to install the commercial crash bars pull handles on exterior doors.
<b>Additional information in support of my request:</b>	
<b>Additional Attachments:</b>	<a href="#">View File</a>
<b>Additional Attachments:</b>	
<b>Additional Attachments:</b>	

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Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038





# 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

<b>Identification Number</b> AE2235117	<b>Name of the facility</b> CULBERTSON MANSION SHS	<b>County</b> FLOYD
<b>Address of Property</b> 914 E. MAIN STREET NEW ALBANY IN 47150		<b>Name of the Contact</b> CHUCK LOCKMAN
<b>Email</b> clockman@indianamuseum.org		<b>Telephone Number</b> (317) 447-2198
<b>Inspection Category</b> ENTERTAINMENT PERMIT		<b>Inspection Date</b> 10/01/2019
<b>Inspection Type</b> INITIAL		<b>Inspection Status:</b> VIOLATION
<b>Name of the inspector</b> JOHN REID		<b>Phone:</b> 3174176658
<b>Email:</b> jreid@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. 1008.1.8.1 2008 Edition IBC 675 IAC 13-2.5	Door handles, pulls, latches, locks and other operating devices on doors required to be accessible by Chapter 11 shall not require tight grasping, tight pinching or twisting of the wrist to operate.  <u>Twist latches found on required exit doors.</u>	11/01/2019

<b>Facility Id</b> AE2235117	<b>Received By Name</b>	<b>Signature and Date</b>
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If you are receiving this notice, property that you own or have control over has been inspected by the Indiana Department of Homeland Security (Department). Depending on the outcome of this inspection, alleged violations may have been found. If violations were found, the below information describes what this notice means and how to request review of the violations contained in this report.

### NOTICE OF VIOLATIONS

This report is to notify you that violations are believed to exist on your property. However, if you enter into a corrective plan and correct these violations by the correction date provided in this report, no enforcement actions or sanctions will commence. If you fail to enter into a corrective plan, the Department will move forward with enforcement of this order and the imposition of sanctions.

If you would like to enter into a corrective plan, sign and return this notice to your inspector within five (5) days of receiving this report.

Terms of corrective plan:

1. I agree to correct the violations contained on this report by the date provided.
2. I understand my failure to correct these violations by the correction date will result in the enforcement of this report and sanctions, including but not limited to, a fine of up to \$250 per day per violation.
3. I understand no extensions of time are permitted unless they are granted in writing by Department.
4. I understand that entering into this corrective plan is not an admission that a violation has occurred.
5. I agree to protect the safety and property of other persons as outlined by the Department while corrections are underway.
6. I agree to notify the Department, by the compliance date, that all violations have been corrected, and I am aware that my failure to do so may result in sanctions being ordered.
7. I understand that in order for the Department to determine compliance, an additional inspection may be performed and the Department must notify me of the determination of my compliance within thirty (30) days following the earlier of: (a) the correction date contained in this report; or (b) the date the Department is provided notice that the violations have been corrected.

Printed Name: \_\_\_\_\_ Signature: \_\_\_\_\_

If you choose not to enter into a corrective plan and would like to request **informal review** of this report, please complete the informal review form located at <https://www.in.gov/dhs/appeals.htm>. Following the receipt of this form, the Department may modify or reverse the report, and will attempt to respond to your request within five (5) business days, however, a request for an informal review does not extend the deadline for filing a petition for review. Additionally, if you have any questions regarding this report, you may contact that Department at (317)

232-2222.

If you do not enter into a corrective plan or receive a determination modifying or reversing this report, the requirements of this report are effective fifteen (15) days after service and must be complied with until such time that: (1) this order is overturned on review; (2) an administrative law judge issues a stay of enforcement; or (3) the Department consents to the request for stay in writing.

If you desire a formal administrative review of these violations, you must comply with the requirement of Indiana Code IC 4-21.5-3-7 and file a written petition for review within fifteen (15) days after receiving notice of these violations. Your petition for review must state facts demonstrating that you are: (1) a person to whom the order is specifically directed; (2) aggrieved or adversely affected by the order; or (3) entitled to review under any law. You may submit your petition by the following methods:

**U.S. MAIL OR PERSONAL SERVICE**

Indiana Department of Homeland Security  
Fire Prevention and Building Safety Commission  
c/o Legal Counsel  
302 W. Washington Street, Rm. E208  
Indianapolis, IN 46204

**ONLINE**

By completing the form at  
<https://www.in.gov/dhs/appeals.htm>

For additional information about the administrative review process and applicable templates that may be used for filings, visit the following link <https://www.in.gov/dhs/appeals.htm>.





Jeff M. Gahan, Mayor

CITY OF NEW ALBANY, INDIANA  
NEW ALBANY CITY PLAN COMMISSION  
NEW ALBANY BOARD OF ZONING APPEALS  
SCOTT B. WOOD, DIRECTOR

20 February 2019

Indiana Department of Natural Resources

650 West Washington Street

Indianapolis, Indiana 46204

In Reference: 22-05-02-801-599.000-008 – 914 East Main Street, New Albany, IND

To Whom It May Concern:

The above-referenced property, known state-wide as *The Culbertson Mansion*, is zoned R-3, Multi-Family (medium density). The mansion is a state-operated historic site and is considered a legal, non-conforming use in the local zoning district. It should be noted that properties owned by the State of Indiana are exempt from local zoning requirements under Indiana Code 36-7-4-1102 "Miscellaneous provisions; supplemental nature of planning law".

If you have any questions, you may contact me at this office.

Thank you.

NEW ALBANY CITY PLAN COMMISSION

Scott Wood

Director | Secretary and Zoning Officer

Copy: Shane Gibson, Corporate Counsel