



April 4, 2019  
By Electronic Mail and U.S. Postal Mail

Ronald Tolan  
Director of Facilities and Safety  
Indiana State Museum and Historic Sites  
650 W. Washington Street  
Indianapolis, IN 46204  
[rtolan@indianamuseum.org](mailto:rtolan@indianamuseum.org)

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

Dear Mr. Tolan:

The Fire Prevention and Building Safety Commission, at its regularly scheduled meeting on Tuesday, April 2, 2019, voted to deny your petition for review because it was not filed within the required time period, pursuant to I.C. 4-21.5-3-7. In review of the attached information, the Commission calculated the timeliness of your petition for review to be seventeen (17) days, based on the hand delivery date of the order (February 18, 2019) and the electronic submission time stamp of your petition for review (March 7, 2019).

You are advised that if you desire an administrative review of this action, you must file a written petition for review with the Fire Prevention and Building Safety Commission at the address provided below. Your petition must fully identify the matter for which you seek review no later than fifteen (15) days from the above-stated date of this letter, unless such a date is a Saturday, Sunday, legal holiday under state statute, or a 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.

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:

The Honorable Chelsea E. Smith, Administrative Law Judge

Justin Guedel, Staff Attorney for the Indiana Department of Homeland Security

File



March 29, 2019  
By Electronic Mail and U.S. Postal Mail

Ronald Tolan  
Director of Facilities and Safety  
Indiana State Museum and Historic Sites  
650 W. Washington Street  
Indianapolis, IN 46204  
[rtolan@indianamuseum.org](mailto:rtolan@indianamuseum.org)

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

Dear Mr. Tolan:

The Fire Prevention and Building Safety Commission is in receipt of your electronically-filed petition for administrative review of Inspection Report Order State Number AE2235117 – Culbertson Mansion SHS, dated 3/7/2019. The petition for review will be discussed at the next regularly scheduled meeting of the Fire Prevention and Building Safety Commission – currently scheduled to begin at 9:00 a.m. on Tuesday, April 2, 2019. The Commission will make a determination as to whether the petition was timely filed.

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 K. Guedel, IDHS Staff Attorney (via personal service and electronic mail)  
The Honorable Chelsea E. Smith, Administrative Law Judge (via personal service and electronic mail)  
File

**From:** [Reid, John](#)  
**To:** [Boyle, Douglas J \(DHS\)](#)  
**Cc:** [Cooley, Randall](#)  
**Subject:** RE: Petition for Review  
**Date:** Thursday, March 28, 2019 12:08:07 PM  
**Attachments:** [image001.png](#)

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Good afternoon Doug,

I'm sorry for the slow response. That document was hand delivered and signed 2/18/2019 . Then uploaded to the system on that same date.

I'm sorry for any inconvenience this may have caused.

Please feel free to contact me if you have any more questions.

Thanks John

**John Reid** | Senior Code Official  
Fire & Building Safety Division  
Indiana Department of Homeland Security  
302 West Washington Street, Room E-208  
Indianapolis, IN 46204  
Tel: (317) 417-6658  
Email: [jreid@dhs.in.gov](mailto:jreid@dhs.in.gov)  
Web: [www.in.gov/dhs](http://www.in.gov/dhs)

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**From:** Boyle, Douglas J (DHS)  
**Sent:** Monday, March 25, 2019 9:56 AM  
**To:** Reid, John <[JReid@dhs.IN.gov](mailto:JReid@dhs.IN.gov)>  
**Cc:** Settle, Kristin <[KSettle@dhs.IN.gov](mailto:KSettle@dhs.IN.gov)>  
**Subject:** FW: Petition for Review

Good Morning John,

We recently received a petition for administrative review of the inspection report order attached to this message. Upon review of the order that I believe you uploaded to DFBS (also attached), it appears that you served the order on someone named Kaitlyn Tisdale, but the date is not signed on the order. Before I try to process this request, would you please confirm if you hand-served this order on the date of the inspection (2/18/19)? The timeliness of petition for review request is in question, and the Fire Prevention and Building Safety Commission will need to be informed of the facts at its next meeting on Tuesday, April 2, 2019. Thanks in advance for your assistance.

**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  
Tel: (317) 650-7720  
Email: [DoBoyle@dhs.in.gov](mailto:DoBoyle@dhs.in.gov)  
Web: [www.in.gov/dhs](http://www.in.gov/dhs)



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**From:** DHS Legal Mailbox  
**Sent:** Friday, March 8, 2019 11:17 AM  
**To:** Boyle, Douglas J (DHS) <[DoBoyle@dhs.IN.gov](mailto:DoBoyle@dhs.IN.gov)>  
**Subject:** FW: Petition for Review

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**From:** [noreply@formstack.com](mailto:noreply@formstack.com) [<mailto:noreply@formstack.com>]  
**Sent:** Thursday, March 7, 2019 11:11 AM  
**To:** DHS Legal Mailbox <[Legal@dhs.IN.gov](mailto:Legal@dhs.IN.gov)>  
**Subject:** Petition for Review

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*



**Formstack Submission For:** [petition for review](#)  
Submitted at 03/07/19 11:11 AM

<b>Individual Name:</b>	RONALD TOLAN
<b>Business Name: :</b>	Culbertson Mansion SHS
<b>Phone Number:</b>	(317) 319-7093
<b>Email Address:</b>	<a href="mailto:Rtolan@indianamuseum.org">Rtolan@indianamuseum.org</a>

<b>Mailing Address:</b>	650 W Washington St INDINAPOLIS, IN 46227
<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>	4
<b>Facility   Device   Boiler ID:</b>	AE2235117
<b>Date Order Received:</b>	Feb 18, 2019
<b>How did you receive the Order? :</b>	
<b>Entity Issuing Order:</b>	Indiana Department of Homeland Security
<b>Entity Name:</b>	
<b>Upload Order:</b>	
<b>Was this order specifically directed to you?:</b>	No
<b>Explain:</b>	I'm System Facility we over see the property
<b>Have you been aggrieved or adversely 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>	No
<b>If you are not requesting review of the entire order, what is the scope of your request?:</b>	Sec1008.1.8.1 Door Handles and latches We are zoned a residential Property Indiana Code 36-4-1102 Sec 1004.3 Occupant loads We are considered a Residnetial property and we are an Historical property
<b>I request a stay of effectiveness:</b>	Yes
<b>What is the basis of your challenge? :</b>	We are zoned as a residential propert an a historical property we were inspected as a commercial property
<b>What is your desired outcome? :</b>	That we do not need the crash bars pull handles or occupoant load
<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



Jeff M. Galan, 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





# 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 AE2235117	Name of the facility CULBERTSON MANSION SHS	County FLOYD
Address of Property 914 E. MAIN STREET NEW ALBANY 47150	Name of the Contact CHUCK LOCKMAN	Telephone Number (317) 447-2198
Email clockman@indianamuseum.org	Inspection Date 02/18/2019	
Inspection Category ENTERTAINMENT PERMIT	Inspection Type INITIAL	Inspection Status: VIOLATION
Name of the inspector JOHN REID	Phone: 3174176658	
Email: 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. 901.6.2 2014 Edition IFC 675 IAC 22-2.5	Records of all system inspections, tests and maintenance required by the referenced standards shall be maintained on the premises or made readily available for a minimum of two (2) years from the date of the last inspection, except that original acceptance test reports shall be maintained for the life of the system.  <u>Unable to review the fire alarm, smoke detector test and the 90 minute load testing on the exit and egress lighting at the time of inspection.</u>	03/18/2019
2	Sec. 315.3 2014 Edition IFC 675 IAC 22-2.5	Storage of materials in buildings shall be orderly and stacks shall be stable. Storage of combustible materials shall be separated from heaters or heating devices by distance or shielding so that ignition cannot occur.  <u>Storage in the building needs to be neat and orderly.</u>	03/18/2019
3	Sec. 315.3.3 2014 Edition IFC 675 IAC 22-2.5	Combustible material shall not be stored in boiler rooms, mechanical rooms or electrical equipment rooms.  <u>Combustible storage found in the mechanical room.</u>	03/18/2019
4	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 exit doors.</u>	03/18/2019
5	Sec. 1004.3 2014 Edition IFC 675 IAC 22-2.5	Every room or space that is an assembly occupancy shall have the occupant load of the room or space posted in a conspicuous place, near the main exit or exit access doorway from the room or space. Posted signs shall be of an approved legible permanent design and shall be maintained by the owner or authorized agent.  <u>Need a posted occupant load in rental rooms.</u>	03/18/2019

*Kaitlyn Trisdale*

6	Sec. 605.3 2014 Edition IFC 675 IAC 22-2.5	A working space of not less than 30 inches (762 mm) in width, 36 inches (914 mm) in depth and 78 inches (1,981 mm) in height shall be provided in front of electrical service equipment. Where the electrical service equipment is wider than 30 inches (762 mm), the working space shall be not less than the width of the equipment. No storage of any materials shall be located within the designated working space. Exceptions: 1. Where other dimensions are required or allowed by NFPA 70. 2. Access openings into attic or underfloor areas, which provide a minimum clear opening of 20 inches (509 mm) by 40 inches (1,016 mm). <u>Storage found in front of the electric panels.</u>	03/18/2019
7	Sec. 605.4 2014 Edition IFC 675 IAC 22-2.5	Multiplug adapters, such as cube adapters, unfused plug strips or any other device not complying with NFPA 70 shall be prohibited. <u>Unfused multi plug adapter being used by the freeze.</u>	03/18/2019
8	Sec. 605.5 2014 Edition IFC 675 IAC 22-2.5	Extension cords and flexible cords shall not be a substitute for permanent wiring. Extension cords and flexible cords shall not be affixed to structures, extended through walls, ceilings or floors, or under doors or floor coverings, nor shall such cords be subject to environmental damage or physical impact. Extension cords shall be used only with portable appliances. <u>Extension cords found being used through out the building.</u>	03/18/2019
9	Sec. 605.1 2014 Edition IFC 675 IAC 22-2.5	Identified electrical hazards shall be abated. Electrical wiring, devices, appliances and other equipment that is modified or damaged and constitutes an electrical shock or fire hazard shall not be used. <u>Need documentation that the freezer that has been rewired meets the required code.</u>	03/18/2019

**Inspection Notes:**

Facility Id	Received By Name	Signature and Date
AE2235117	Kaitlyn Trisdale	

## APPEAL RIGHTS

Please be advised that if you desire administrative review of this Order and **this Order was delivered by hand**, you must file a written petition for review with the Fire Prevention and Building Safety Commission at 302 West Washington Street, Rm. W246, Indianapolis, IN 46204, identifying the violations for which you seek review no later than 15 calendar days from the hand delivery date of this Order 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 calendar 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 Order will be **FINAL** and you **MUST** comply with its requirements.

Please be advised that if you desire administrative review of **this Order and this Order was delivered by first class U.S. mail**, you must file a written petition for review with the Fire Prevention and Building Safety Commission at 302 West Washington Street, Rm. W246, Indianapolis, IN 46204, identifying the violations for which you seek review no later than 18 calendar days from the mailing date of this Order 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 calendar 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 Order will be **FINAL** and you **MUST** comply with its requirements.

Please be further advised that you may request an opportunity to informally discuss this Order prior to filing a petition for review. Such informal discussion, or a request therefor, 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, upon receipt of this Order.