

STATE OF INDIANA  
BEFORE THE FIRE PREVENTION AND  
BUILDING SAFETY COMMISSION

IN RE:	)	CAUSE NO.
	)	
SALOMON FARM LEARNING)	)	DHS-1752-FPBSC-028
CENTER	)	
	)	
	)	

**NON-FINAL ORDER OF DISMISSAL**

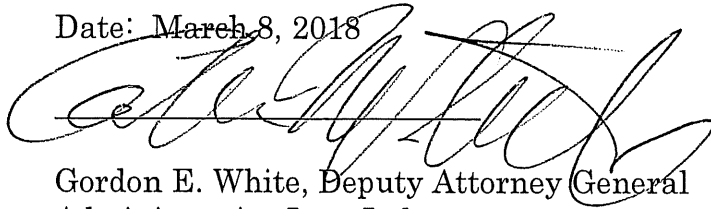
Petitioner filed a petition for review of a Construction Design Release which mandated that the building in question required a sprinkler system. After initiation of the appeal the parties agreed that a sprinkler system was necessary unless a variance was obtained from the Fire Prevention and Building Safety Commission ("Commission"). As a result, the parties decided jointly that this proceeding should be dismissed and addressed through the variance process. See Exhibit A, "Joint Motion to Dismiss".

**Accordingly, the Administrative Law Judge now enters this Non-Final Order of Dismissal.** The ultimate authority in this matter is the Fire Prevention and Building Safety Commission. Indiana Code § 4-21.5-3-29(d) requires any party seeking to preserve an objection to this order for judicial review to file a written objection that

1. identifies the basis of the objection with reasonable particularity; and
2. is filed with the Commission within fifteen days (or any longer period set by statute) after this order is served.

In the absence of an objection from a party or notice from the Commission of its intent to review any issue related to this order, the Commission shall affirm this order in accordance with Indiana Code § 4-21.5-3-29(c). **This order will be considered by the Commission on April 3, 2018 at 9:00 a.m. (EDT), in Conference Center Room B, Indiana Government Center South, 302 West Washington Street, Indianapolis, IN 46204.**

Date: March 8, 2018

A handwritten signature in black ink, appearing to read "Gordon E. White", is written over a horizontal line. The signature is fluid and cursive.

Gordon E. White, Deputy Attorney General  
Administrative Law Judge  
Indiana Department of Homeland Security  
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STATE OF INDIANA  
BEFORE THE FIRE PREVENTION AND BUILDING  
SAFETY COMMISSION

IN RE:	)	CAUSE NO.
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SALOMON FARM LEARNING	)	DHS-1752-FPBSC-028
CENTER	)	
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JOINT MOTION TO DISMISS

Pursuant to agreement, the parties respectfully request the above captioned matter be dismissed. In support of this request, the parties state the following:

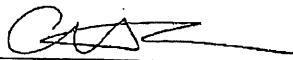
1. On September 5, 2017, Respondent issued a Construction Design Release to Petitioner with the requirement that an automatic sprinkler system be provided for the facility.
2. On September 20, 2017, Petitioner filed their Petition for Review of this Order.
3. Following the initiation of this review, the parties determined that the facility in question should be classified as an A-2 occupancy and that a sprinkler system would be required for this facility, unless a variance was obtained from the Fire Prevention and Building Safety Commission (the "Commission").
4. On January 17, 2018, a variance request was filed with the Commission to permit construction of this project without the necessary sprinkler system.
5. Based upon the understanding that this project is proceeding as an A-2 occupancy and that a variance will be required to omit the sprinkler system, the parties agree that this proceeding should be dismissed and addressed through the variance process.

WHEREFORE, the parties respectfully request this matter be dismissed with prejudice.

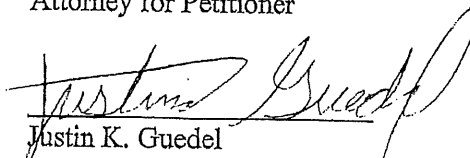
*Exhibit A*

Date: 3/5/18

Respectfully submitted,



Carol Helton  
Attorney for Petitioner



Justin K. Guedel  
Attorney for Respondent