

ERIC J. HOLCOMB, Governor  
STATE OF INDIANA

INDIANA DEPARTMENT OF HOMELAND SECURITY  
302 West Washington Street  
Indianapolis, IN 46204



August 23, 2018  
By U.S. Mail

Karen Cyman  
HighPoint Orchard  
3321 N. Old Highway 421  
Greensburg, IN 47240

**Re: Petition for Review – Inspection Report Order State Number BU29287: HighPoint Orchard**

Dear Ms. Cyman:

The Commission is in receipt of your petition for review of Inspection Report Order State Number BU29287: HighPoint Orchard, dated 7/31/2018. 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](mailto:JGuedel@dhs.in.gov) or (317) 234-9515.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. J. Boyle', is written over a light blue horizontal line.

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

cc: Justin Guedel, IDHS Staff Attorney  
The Honorable Chelsea E. Smith, Administrative Law Judge  
File



3321 N. Old Hwy. 421

Greensburg, IN 47240

812-560-8208

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To: Fire Prevention and Building Safety Commission

From: Karen Cyman, Owner

Re: Violation – Appeal for Review

Date: August 9, 2018

HighPoint Orchard was established in 2005 and a new construction building for apple sales, gift, and refreshments was developed. Mr. David Neuman inspected the building at that time and it was deemed approved and given appropriate occupancy permit.

As our business evolved, in 2009 our two- story Mill Barn was renovated to allow us more space for meetings, tours, special events. The barn was renovated and approved by Kenny Buening of our local planning commission. As far as we were concerned, we were definitely compliant. November 28, 2017 my husband, Randy passed away unexpectedly. Following funeral, finding “my new normal”, I evaluated business to determine what I **could** do with my time and resources continuing our business. I cleared out retail space, painted, freshened and created additional space for various events.

Kenny Buening contacted me and asked me to contact Walt Knaepple. When meeting with Mr. Knaepple, he advised codes have changed/evolved to be compliant. I am asking for a review and consideration for appeal.

Respectfully,  
  
Karen Cyman, HighPoint Orchard



Highpoint Orchard  
3321 N. Old US Highway 421  
Greensburg, IN 47240-9371

**PRIORITY**  
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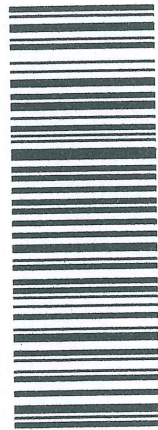
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ATTN: Chris Clouse  
Violation Appeal  
Fire Prevention and Bldg. Safety Commission  
302 W. Washington St. Rm W246  
Indianapolis, IN 46204



# 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 <b>BU29287</b>	Name of the facility <b>HIGHPOINT ORCHARD</b>	County <b>DECATUR</b>
Address of Property <b>3321 N OLD HWY 421 GREENSBURG IN 47240</b>	Name of the Contact <b>KAREN CYMAN</b>	Telephone Number <b>(812) 663-4534</b>
Email <b>karencyman@hotmail.com</b>	Inspection Date <b>07/31/2018</b>	
Inspection Category <b>BUSINESS/MANUFACTURING</b>	Inspection Type <b>INITIAL</b>	Inspection Status: <b>VIOLATION</b>
Name of the inspector <b>WALTER KNAEPPLER</b>	Phone: <b>3176953665</b>	
Email: <b>wknaepple@dhs.in.gov</b>		

### Violations

VIO-LATION NUMBER	RULE OR INDIANA CODE SECTION VIOLATED	DESCRIPTION OF VIOLATION	DATE BY WHICH VIOLATION MUST BE CORRECTED
1	675 IAC 12-4-11 Occupancy of existing buildings	<p>Sec. 11. (a) Any building or structure lawfully in existence at the time of the adoption of any rule of the commission for new construction may have its existing use or occupancy continued without having to be altered to comply with such a rule.</p> <p>(b) No change in the character or use of any building or structure shall be permitted that shall cause the building or structure to be classified within a different occupancy group or within a different division of the same occupancy group, unless the building or structure complies with, or is made to comply with the:</p> <p>(1) current rules of the commission for new construction for the proposed revised use of the building; or</p> <p>(2) provisions of:</p> <p>(A) Chapter 34 of the Indiana Building Code (675 IAC 13-2.6-34)</p> <p><u>Two building have been converted to occupancy Group A from Agricultural for the purpose of an event center.</u></p>	08/31/2018

Facility Id <b>BU29287</b>	Received By Name	Signature and Date
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*Mr. Clouse,*

*I sent Appeal letter under separate cover, earlier this week. I did not include ID number. I am hoping you can coordinate info.*

*Thank you!*

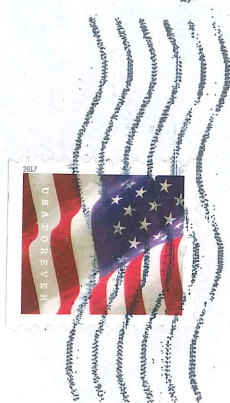
*Karen Cyman*

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Attn: Chris Clouel  
Fire Safety - Bldg. Commission  
309 W. Washington St. Rm. W246  
Indpls IN 46204

46204-276759

