



REQUEST FOR CONSIDERATION
OF
UNTIMELY FILED VARIANCE APPLICATION

1. Name of Applicant: Dennis Bradshaw

2. Date of Filing: Thursday, February 21, 2019 - Variance ID #19189

3. Prejudice Claimed (mark all that apply)

a. Excessive loss of time: X

b. Unreasonable Cost: X



4. Evidence Supporting Claim of Prejudice (please attach copies of all supporting documentation)

See explanation attached.

By submitting this form, I swear that the information provide above is true and accurate.

Dennis W Bradshaw

Digitally signed by Dennis W
Bradshaw
Date: 2019.02.22 10:18:51 -05'00'

Signature

Approved 3/1/19 for 3/5/19
FPBSC Meeting. - DJB

The vault at the Sidney and Lois Eskenazi Museum of Art is existing and the owner is waiting to start moving in the items to be stored in the vault pending the Commission's discussion on the variance request. The issue with the existing fire suppression system was not discovered until recently and a quick cost effective solution has not been found. Waiting until the Commission's April 2nd agenda to know the Commission's decision would cause a loss of valuable time.

From: [Dennis Bradshaw](#)
To: [Boyle, Douglas J \(DHS\)](#)
Cc: [Fitzpatrick, Denise](#)
Subject: RE: Late Filing
Date: Friday, March 1, 2019 11:34:10 AM
Attachments: [image001.png](#)

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

Thank you very much!

Dennis W. Bradshaw
Senior Associate

FIRE PROTECTION & CODE CONSULTANTS, LLC
1520 Main Street
Indianapolis, Indiana, 46224

T: 317-486-5188 x24
F: 317-486-5189
C: 317-313-1899

From: Boyle, Douglas J (DHS) [mailto:DoBoyle@dhs.IN.gov]
Sent: Friday, March 1, 2019 10:36 AM
To: Dennis Bradshaw
Cc: Fitzpatrick, Denise
Subject: RE: Late Filing

Okay, Dennis. I am going to go ahead and approve the late filing request for Variance ID #19189, since I do believe that this additional information more substantively shows that there will be a hardship due to both excessive loss of time and unreasonable costs, and so that Denise can review the application and provide it a variance number for the Commission's agenda before she leaves today.

I would still like you to provide me the supporting documentation as proof and evidence of these claims. I would also appreciate it if this type of substantive information and supporting documentation (as required by the non-rule policy) were provide with the request form upon initial submission of the late filing request, in order to make the process easier and more efficient for everyone. I am obviously not going to be fully aware of the specific circumstances in the field that drive these dire requests, so it is always better to provide as much information as possible.

Please let me know if you have any questions.

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
Web: www.in.gov/dhs



From: Dennis Bradshaw [<mailto:dennisb@fpccllc.com>]
Sent: Friday, March 1, 2019 9:28 AM
To: Boyle, Douglas J (DHS) <DoBoyle@dhs.IN.gov>
Subject: RE: Late Filing
Importance: High

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Doug,

The Architect gave me the initial hardship numbers. They are trying to get some documentation on the move cost from the museum. However here is the initial response back from the Director of the museum that explains the time and cost impact:

We will do our best. The immediate impact will be that we will have to defer the pickup of our ancient jewelry collection, which is currently being stored in a vault on campus. Anita had scheduled this for March. Such a delay will impact other parts of our move back in schedule, which could be compared to the work of an air traffic controller bringing in a fleet of aircraft for series of tightly coordinated safe landings. The cost of such a ripple effect is difficult to calculate. It is not so much of a money question, but a question of impact to our tight timeframe due to rescheduling. So the potential cost could be anywhere from a few thousand dollars to over \$100,000, especially if we have to hire additional staff to help us.

I realize that you are extremely busy and I would not push the issue if it was not so important.

Thank you,

Dennis W. Bradshaw
Senior Associate

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From: Boyle, Douglas J (DHS) [<mailto:DoBoyle@dhs.IN.gov>]

Sent: Thursday, February 28, 2019 7:09 PM

To: Dennis Bradshaw

Subject: RE: Late Filing

Can your client or the architect provide documentation of the agreement to move the art pieces back into the museum and the vault on March 11, 2019, and proof that the moving company will charge IU/the museum \$500,000 dollars if the company is forced to reschedule the move date until after the April 2nd meeting? If you provide me that documentation, I will approve the late filing request.

Douglas J. Boyle | Director – Fire Prevention and Building Safety Commission

Indiana Department of Homeland Security

302 W. Washington Street, Room E-208

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From: Dennis Bradshaw [<mailto:dennisb@fpcllc.com>]

Sent: Thursday, February 28, 2019 4:21 PM

To: Boyle, Douglas J (DHS) <DoBoyle@dhs.IN.gov>

Subject: RE: Late Filing

Importance: High

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Doug,

I just got off of the phone with the Architect and he informed me that the cost of the move for the

Museum is approximately 1.5 million dollars and should they be delayed or have to reschedule it could cost them .5 million dollars in cancellation and or rescheduling fees. The schedule for the move was made many months in advance.
This is clearly a unreasonable cost hardship.

Thank you for your consideration,

Dennis W. Bradshaw
Senior Associate

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From: Boyle, Douglas J (DHS) [<mailto:DoBoyle@dhs.IN.gov>]
Sent: Thursday, February 28, 2019 1:14 PM
To: Dennis Bradshaw
Subject: RE: Late Filing

Dennis,

I apologize for the delay in getting back to you on this request. I reviewed your attachment, and your request really does not provide any specific and reliable evidence that your client will be prejudiced by having to wait until a later meeting due to excessive loss of time and/or unreasonable costs, as required by the Commission's non-rule policy.

Unless you can provide me more substantive and reliable information, including supporting documentation, as to why Variance ID #19189 must absolutely be considered by the Commission at its next meeting on March 5, 2019, I do not approve approve this late filing request.

Sincerely,

Douglas J. Boyle | Director – Fire Prevention and Building Safety Commission
Indiana Department of Homeland Security
302 W. Washington Street, Room E-208
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From: Dennis Bradshaw [<mailto:dennisb@fpccllc.com>]

Sent: Friday, February 22, 2019 10:27 AM

To: Boyle, Douglas J (DHS) <DoBoyle@dhs.IN.gov>

Subject: Late Filing

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

Doug,

I have attached a request for late filing for the Sidney and Lois Eskenazi Museum of Art Vault (variance ID #19189).

The Museum has been undergoing a major renovation and nearing completion. The new administrator of the museum has done an thorough investigation of the fire suppression system and how it may affect the art pieces.

After a discussion with the design team it was determined that a variance would be the quickest and most cost effective solution.

I have filed everything for the variance.

If there is anything I can do to help this to be on the Commission's March agenda just let me know.

Thank you,

Dennis

Dennis W. Bradshaw

Senior Associate

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