



REQUEST FOR CONSIDERATION
OF
UNTIMELY FILED VARIANCE APPLICATION

1. Name of Applicant: _____

2. Date of Filing: _____

3. Prejudice Claimed (mark all that apply)

a. Excessive loss of time: _____

b. Unreasonable Cost: X

RECEIVED
IDHS

NOV 16 18

LEGALAND CODE
SERVICES

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

Re: Variance Application I.D. #
18977. Approved 11/28/2018
for 12/3/2018 FPBSC meeting
- DJB

See attached statement.

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

Jeffery R Barnett
Digitally signed by Jeffery R Barnett
Date: 2018.11.16 12:59:09 -05'00'

Signature

Hired a contractor to build a storage unit. Storage unit was built on slab without footings. He did not pull permits, therefore there is a stop work order. Contractor has abandoned us and we are working through the process. There are no shingles on the roof and no siding. If we wait 2 months, winter weather would seriously damage the walls and roofing material, escalating even more cost, which I can't afford.

Boyle, Douglas J (DHS)

From: Boyle, Douglas J (DHS)
Sent: Wednesday, November 28, 2018 3:16 PM
To: 'Jeff Barnett'
Cc: Denise Fitzpatrick (dfitzpatrick@dhs.IN.gov); nicosonr@fishers.in.us
Subject: RE: Late filing Variance

Mr. Barnett,

Your variance application I.D. number is 18977, not 18973. I apologize for my error in my previous message.

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: Fitzpatrick, Denise
Sent: Wednesday, November 28, 2018 3:05 PM
To: Boyle, Douglas J (DHS) <DoBoyle@dhs.IN.gov>
Subject: RE: Late filing Variance

Doug,

It's Variance I.D. #18977

Denise Fitzpatrick
Code Services
Indiana Department of Homeland Security
402 W. Washington Street Room E245
Indianapolis, Indiana 46204
Tel: (317)-232-6213
E-mail: dfitzpatrick@dhs.in.gov
Web: www.in.gov/dhs

From: Boyle, Douglas J (DHS)
Sent: Wednesday, November 28, 2018 2:54 PM
To: Jeff Barnett <Jeff.Barnett@eby-brown.com>
Cc: Fitzpatrick, Denise <dfitzpatrick@dhs.IN.gov>; nicosonr@fishers.in.us
Subject: RE: Late filing Variance

Mr. Barnett,

I apologize for the delay in responding back to you regarding your untimely filed variance application request. I have reviewed the information you sent me, and I approve this request to allow variance application 18973 to be considered by the Fire Prevention and Building Safety Commission at its next meeting on Monday, December 3, 2018. Denise, please go ahead and process variance application 18973 appropriately.

Mr. Barnett, Denise will process and review your variance application to ensure that is **complete** pursuant to the Fire Prevention and Building Safety Commission's rules under 675 IAC 12-5. She will contact you if you she has any questions or if there are any outstanding issues with your variance application. Please be advised that my approval of the late filing request is not an endorsement of the variance request itself, and the Fire Prevention and Building Safety Commission may have additional questions when it considers the variance application. You are **strongly encouraged** to attend the Fire Prevention and Building Safety Commission's meeting on Monday, December 3, 2018 to speak on behalf of your application. The meeting starts at 9:00 a.m. in Conference Room B of Indiana Government Center South, 302 W. Washington Street, Indianapolis, IN 46204. The public entrance to Indiana Government Center South is located at the east corner of the building off of Washington Street, across from the Statehouse.

Please also be advised that it is the Fire Prevention and Building Safety Commission, at its own discretion, may "table" your variance application until its next meeting if the members feels that they need additional information. Finally, even though the City of Indianapolis has submitted its acknowledgment to your variance application, I would appreciate it if you would also notify the City of Indianapolis or the inspector/supervisor who issued the stop work order that I have approved the late filing request and the Fire Prevention and Building Safety Commission will review the variance application on Monday, December 3, 2018, barring the variance application being incomplete. Please let me or Denise know if you have any questions.

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
Tel: (317) 650-7720
Email: DoBoyle@dhs.in.gov
Web: www.in.gov/dhs



From: Jeff Barnett [<mailto:Jeff.Barnett@eby-brown.com>]
Sent: Friday, November 16, 2018 1:05 PM
To: Boyle, Douglas J (DHS) <DoBoyle@dhs.IN.gov>
Subject: FW: Late filing Variance

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Mr. Boyle,

Attached is the appropriate form for Late filing. Also attached are photographs of the unit in its current state. They show that it still needs roofing and siding and if not corrected in a timely manner will deteriorate and put more costs to the project that I cannot afford.

Thank you,
Jeff

From: Jeff Barnett
Sent: Friday, November 16, 2018 6:58 AM
To: 'doboyle@dhs.in.gov' <doboyle@dhs.in.gov>
Subject: Late filing Variance

Mr. Boyle,

Attached is a Variance application. I am requesting that this Application go in front of the commission at the next meeting.

As noted in the Application. I hired and paid a contractor to build a storage unit. He did not pull permits and furthermore did not do footings under the slab. A stop work order was issued. He said he had talked to IDHS and was filing before November deadline. He did not. Now he has abandoned the project leaving me with a mess. Currently there are no roof shingles nor siding. Waiting for 2 months on approval in the winter months would cause considerable damage to what has already been built, leaving me with even more expenses that I cannot afford.

Thank you for your consideration,
Jeff Barnett
2715 E Thompson Rd
Indianapolis, IN 46227
317-956-9082

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Owner / Applicant Information

Jeffery R Barnett

2715 EAST THOMPSON ROAD

INDIANAPOLIS IN 46227

Phone 3179569082

Email JEFF.BARNETT@EBY-BROWN.COM

Project Information

Barnett storage unit
2715 east thompson road

indianapolis 46227

County MARION

Project Type New Addition Alteration Existing Change of Occupancy

Project Status U F=Filed U or Null=Unfiled

IDHS Issued Correction order? No **Has Violation been Issued?** yes

Violation Issued by: CBD

Local Building Official

Phone: 3173274104

Email: planreview.class1@indy.gov

Local Fire Official

Phone: 3173274104

Email: margie.bovard@indy.gov

Variance Details

Code Name: 2005 Indiana Residential Code (675 IAC 14-4.3)

R309

Conditions: Building was built on a slab with No monolithic footing.
Original Code was for Garages and Carports. This is neither. This is for use of storing tools and landscaping equipment.

DEMONSTRATION THAT PUBLIC HEALTH, SAFETY, AND WELFARE ARE PROTECTED:

1

1=Non-compliance with the rule will not be adverse to the public health, safety or w

2= Applicant will undertake alternative actions in lieu of compliance with the rule to ensure that granting of the variance will not be adverse to public health, safety, or welfare. Explain why alternative actions would be adequate (be specific).

Facts: Building is secure and anchored in 5" slab with 6" gravel base.
This unit is for storage of tools, landscaping equipment and patio furniture.

DEMONSTRATION OF UNDUE HARDSHIP OR HISTORICALLY SIGNIFICANT STRUCTURE:

Y Imposition of the rule would result in an undue hardship (unusual difficulty) because of physical limitations of the construction site or its utility services.

Imposition of the rule would result in an undue hardship (unusual difficulty) because of major operational problems in the use of the building or structure.

Y Imposition of the rule would result in an undue hardship (unusual difficulty) because of excessive costs of additional or altered construction elements.

Imposition of the rule would prevent the preservation of an architecturally or a historically significant part of the building or structure.

Facts: I paid contractor \$19,000 to build a storage unit. He did not pull required permits. Soon after stop work order was given, he found out the unit needed to have footings, and abandoned the project. He has left us high and dry without completing work he was paid to do. To make footing, entire structure and slab would have to be removed. I can barely afford to hire another builder to complete the work, let alone pay for removal. There are still roofing shingles, gutters, and siding, yet to be installed.Builder did not acquire required permits.



