

**PUBLIC HEARING
BOARD OF HOUSING QUALITY APPEALS
CITY HALL McCLOSKEY CONFERENCE ROOM
October 12, 2011
4:00 P.M.**

I. ROLL CALL

II. REVIEW OF SUMMARY

III. OLD BUSINESS

- (1) 11-TV-27 **589 E. Graham Place**, Kevin & Sally Young. Request for an extension of time to complete repairs. Previously heard on March 9, 2011 and June 8, 2011. On the Consent Agenda. p. 4
- (2) 11-TV-60 **423 S. Fess Avenue**, College Rentals. Request for an extension of time to complete repairs. Previously heard on April 13, 2011. On the Consent Agenda. pp. 5-9
- (3) 11-TV-93 **1214-1216 N. Grant Street**, CS Property Mgt. Request for an extension of time to complete repairs. Previously heard on July 13, 2011. On the Consent Agenda. pp. 10-13
- (4) 11-TV-108 **211 S. Kimble Drive**, Hai T. Mai. Request for an extension of time to complete repairs. Previously heard on August 10, 2011. On the Consent Agenda. pp. 14-16
- (5) 11-TV-109 **2455 E. Tamarack Trail**, Five Star Quality Care-IN, LLC. Request for an extension of time to complete repairs. Previously heard on August 10, 2011. On the Consent Agenda. pp. 17-35
- (6) 11-V-120 **306 S. Union Street**, Robert Price & Mary Runnells. Request for a modification or exception to the Property Maintenance Code. Previously heard on September 14, 2011. Tabled. pp. 36-46

IV. NEW BUSINESS

- (7) 11-TV-122 **2123 S. Bent Tree Drive**, Colin Chang. Request for an extension of time to complete repairs. On the Consent Agenda. pp. 47-52
- (8) 11-AA-123 **1711 E. Winslow Road**, Carole Heslin. Request for relief from an administrative decision to consider this a rental property. On the Consent Agenda. pp. 53-55
- (9) 11-RV-124 **719-719 ½ E. 2nd Street**, H.A.N.D. Request to rescind a variance. On the Consent Agenda. pp. 56-60
- (10) 11-RV-125 **108 S. Rogers Street**, H.A.N.D. Request to rescind a variance. On the Consent Agenda. pp. 61-64
- (11) 11-AA-126 **536 N. Washington Street**, Eric Terhorst. Request for relief from an administrative decision to consider this a rental property. pp. 65-73
- (12) 11-TV-127 **210-212-214 E. 17th Street**, Mecca Elkins-Patnode. Request for an

extension of time to complete repairs. On the Consent Agenda. pp. 74-89

- (13) 11-TV-128 **800 N. Smith Road**, Regency Consolidated Residential. Request for an extension of time to complete repairs. On the Consent Agenda. pp. 90-100

V. **GENERAL DISCUSSION**

VI. **PUBLIC COMMENT**

VII. **ADJOURNMENT**

**BOARD OF HOUSING QUALITY APPEALS
CONSENT AGENDA
CITY HALL McCLOSKEY CONFERENCE ROOM
October 12, 2011, 4:00 P.M.**

I. Extension of time- State Variance

- (1) 11-TV-27 **589 E. Graham Place**, Kevin & Sally Young. Request for an extension of time to complete repairs. Previously heard on March 9, 2011 and June 8, 2011.
p. 4
- (7) 11-TV-122 **2123 S. Bent Tree Drive**, Colin Chang. Request for an extension of time to complete repairs.
pp. 47-52
- (12) 11-TV-127 **210-212-214 E. 17th Street**, Mecca Elkins-Patnode. Request for an extension of time to complete repairs.
pp. 74-89

II. Extension of time- Complete repairs

- (2) 11-TV-60 **423 S. Fess Avenue**, College Rentals. Request for an extension of time to complete repairs. Previously heard on April 13, 2011.
pp. 5-9
- (3) 11-TV-93 **1214-1216 N. Grant Street**, CS Property Mgt. Request for an extension of time to complete repairs. Previously heard on July 13, 2011.
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- (4) 11-TV-108 **211 S. Kimble Drive**, Hai T. Mai. Request for an extension of time to complete repairs. Previously heard on August 10, 2011.
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- (5) 11-TV-109 **2455 E. Tamarack Trail**, Five Star Quality Care-IN, LLC. Request for an extension of time to complete repairs. Previously heard on August 10, 2011.
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- (13) 11-TV-128 **800 N. Smith Road**, Regency Consolidated Residential. Request for an extension of time to complete repairs.
pp. 90-100

III. Administrative Decision

- (8) 11-AA-123 **1711 E. Winslow Road**, Carole Heslin. Request for relief from an administrative decision to consider this a rental property.
pp. 53-55

IV. Recision of variance

- (9) 11-RV-124 **719-719 ½ E. 2nd Street**, H.A.N.D. Request to rescind a variance.
pp. 56-60
- (10) 11-RV-125 **108 S. Rogers Street**, H.A.N.D. Request to rescind a variance.
pp. 61-64



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: October 12, 2011

Petition Type: An extension of time to complete repairs

Petition Number: 11-TV-27 (old)

Address: 589 E. Graham Place

Petitioner: Kevin Young

Inspector: Jo Stong

Staff Report: December 1, 2010: Conducted cycle inspection
December 3, 2010: Sent cycle report
January 19, 2011: Received appeal
March 9, 2011: BHQA granted an extension of time until March 31, 2011
for all repairs other than windows, and until May 9, 2011 for window replacement
March 21, 2011: Reinspection scheduled for April 8, 2011
April 8, 2011: Conducted reinspection. All but windows in compliance
May 9, 2011: Received second appeal
June 8, 2011: BHQA granted extension of time until August 8, 2011
August 17, 2011: Sent remaining violations report
August 23, 2011: Spoke w/owner. Property vacant. Confirmed 9.7.2011
September 13, 2011: Received third appeal

During a cycle inspection several violations of the Property Maintenance Code were noted, including windows that did not meet egress requirements at the time the building was constructed. The petitioner believed the windows could be altered to meet requirements but found they could not. He is now seeking an additional extension of time to obtain a variance from the state for the windows. A hearing with the state is set for October.

Staff recommendation: Grant the extension of time

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: November 12, 2011

Attachments: None

js



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: October 12, 2011

Petition Type: An extension of time to complete repairs

Petition Number: 11-TV-60 (old)

Address: 423 S. Fess Avenue

Petitioner: Jeanne Walters Real Estate

Inspector: Jo Stong

Staff Report: January 3, 2011: Conducted cycle inspection
January 14, 2011: Sent report
March 14, 2011: Received appeal
April 13, 2011: BHQA granted an extension of time to complete repairs
until July 1, 2011
June 29, 2011: Received email with reconfiguration plans from agent
August 31, 2011: Planning Department approved reconfiguration plans

This property is being brought back before the board for an additional extension of time to complete repairs. The property will need walls moved and removed and considerable renovation to be brought into compliance.

Staff recommendation: Grant the extension of time

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: November 12, 2011

Attachments: Current floor plan, reconfiguration plans

A



Application For Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov

Property Address: 423 South Fess Avenue, Bloomington, IN 47401

Petitioner's Name: Jeanne Walters

Address: 107 East 6th Street

City: Bloomington

State: Indiana

Zip Code: 47408

Phone Number: (812) 331-8951

E-mail Address: ashley@jeannewalters.com

Owner's Name: Mort Rubin dba College Rentals LLC

Address: 3300 Dundee Road Suite C4

City: Northbrook

State: Illinois

Zip Code: 60062

Phone Number: 847-272-1234

E-mail Address: mrubinlawyer@sbcglobal.net

Occupants: 10

The following conditions must be found in each case in order for the Board to consider the request:

- 1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Identify the variance type that you are requesting from the following drop down menu:

Variance Type: An extension of time to complete repairs. (Petition Type: TV)

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)
11-TV-60 (old)
Petition Number: _____

Handwritten initials

In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
 - 1. Specify the code reference number you are appealing.
 - 2. Detail why you are requesting the variance.
 - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
 - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
 - 1. Detail the existing variance.
 - 2. Specify the reason the variance is no longer needed.

Extensive repairs are needed due to reconfiguration by the previous owner. Request is for an extension until July 1, 2011.

Inspector Jo Stong and the City of Bloomington Planning Department are familiar with this situation.

Jeanne Walters

Signature (Required): _____

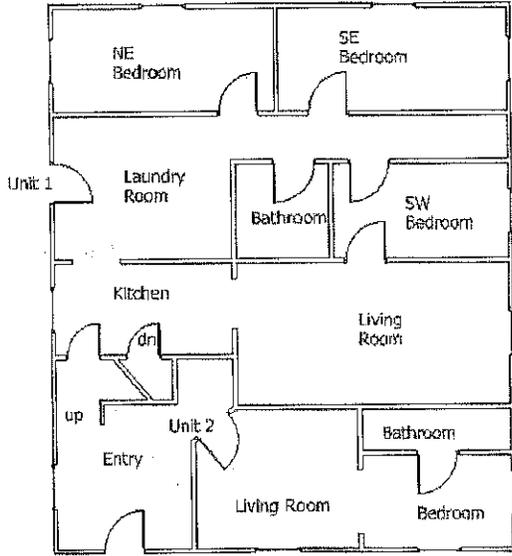
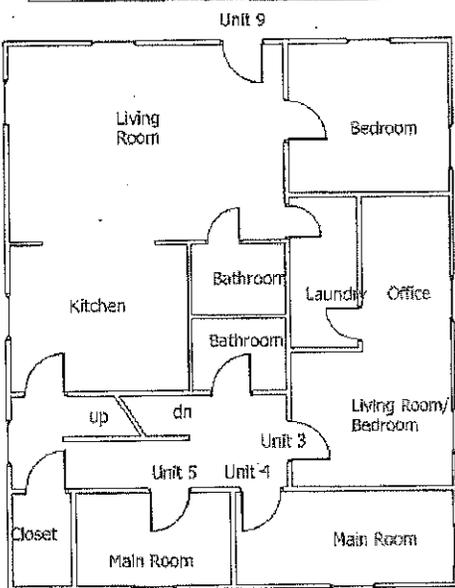
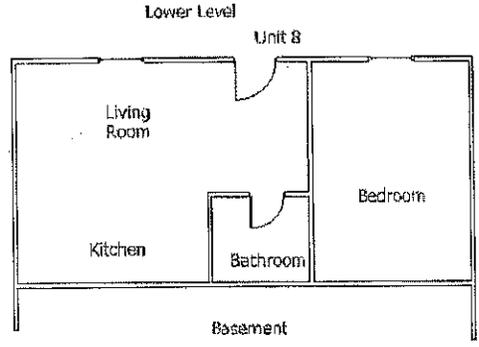
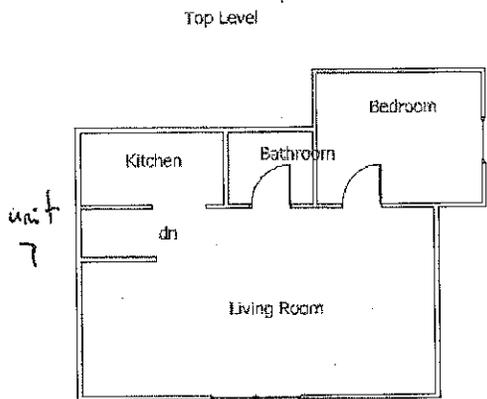
Name (Print): Jeanne Walters Date: 3/14/11

Important information regarding this application format:

- 1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
- 2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

Print Form

103
7



Second Level

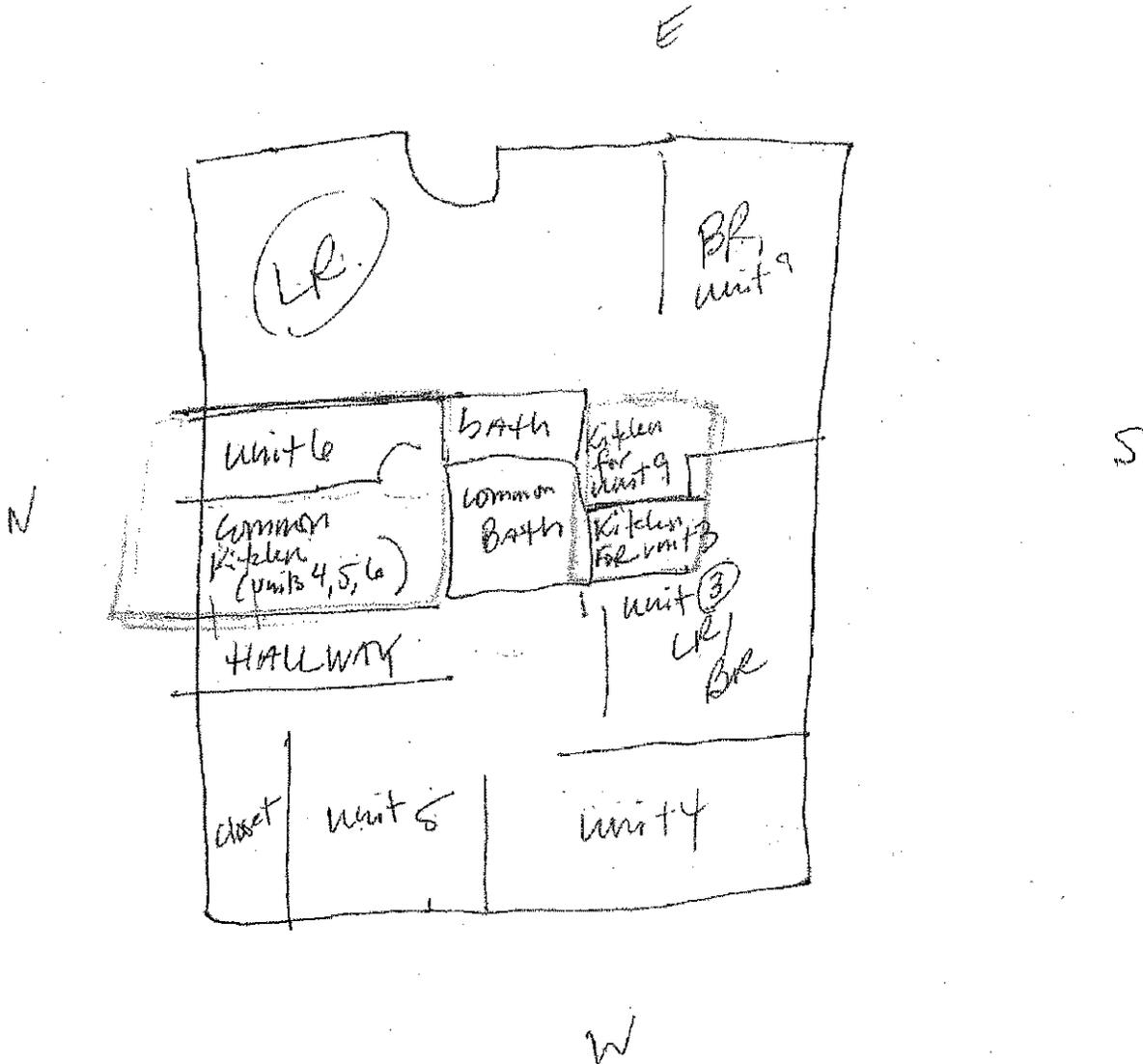
Main Level

423 S. Fess Ave.
~~Old~~ Floor Plan.
 CURRENT

Jenna E WALTERS Rent Estate 4235 Fess

423 Fess: request for reconfiguration set-up

As a result of recent meetings and review of layout to meet compliance, we would like to reconfigure the space on the second level as follows:





City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: October 12, 2011
Petition Type: An extension of time to complete repairs
Petition Number: 11-TV-93 (old)
Address: 1214 & 1216 N. Grant Street
Petitioner: CS Property Management
Inspector: Maria McCormick
Staff Report: April 11, 2011 Completed cycle inspection
June 13, 2011 Received application of appeal
September 12, 2011 Received request for additional extension of time
September 27, 2011 Re-inspection on interior of the property

During the cycle inspection it was noted that there was roof and soffits needed to be repaired or replaced. In addition the wall in the unoccupied apartment 1216 ½ is bowing inward, we have requested that the wall either be repaired or that documentation be provided from a structural engineer that the foundation is sound. The petitioner is requesting a second extension of 90 days to determine if they will be repairing the structure or removing at the end of the current lease term. All interior violations have been repaired and re-inspected.

Staff recommendation: Grant the extension of time.

Conditions: All roof, soffit, guttering, painting and basement structural items must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: December 13, 2011

Attachments:

Re-inspection report



**City of Bloomington
Housing and Neighborhood Development**

Remaining Violation Report

533

OWNERS

Ferguson, Stephen L.
225 N. Washington St.
Bloomington, IN 47408

Ferguson, Connie M.
225 N. Washington St.
Bloomington, IN 47408

AGENT

Cs Property Management
225 N. Washington St.
Bloomington, IN 47408

Prop. Location: 1214-1216 N Grant ST
Date Inspected: 04/11/2011
Inspectors: Maria McCormick
Primary Heat Source: Gas
Property Zoning: RH
Number of Stories: 1

Number of Units/Structures: 4 / 1
Number of Bedrooms: 1 & 2
Max # of Occupants: 2 & 4
Foundation Type: Basement
Attic Access: Yes
Accessory Structure: None

VARIANCE

12/03/1980 Granted a variance to the minimum light and ventilation requirements at 1214-1/2 N. Grant. Granted a variance to the minimum light and ventilation requirement in the bedroom and to the minimum light requirement in the living room at 1216-1/2 N. Grant.

1216 1/2 N. Grant –

Properly repair the south basement wall in a manner that allows it to properly & safely support normally imposed loads. It is bowing inward. An alternative to repairing the wall is to provide signed and stamped documentation from a structural engineer that the basement walls are structurally sound and capable of supporting the upper level. PM-303.5, PM-304.2, 102.03

EXTERIOR:

Repair or replace damaged or deteriorating roofing. This is to be done in a workmanlike manner and includes but is not limited to damaged or deteriorating roofing material, sheathing, and all structural members. PM-303.4 & PM-303.7

12

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. PM-303.2
(This item only has a compliance deadline of April 11, 2012.)

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: October 12, 2011

Petition Type: An extension of time to complete repairs

Petition Number: 11-TV-108 (old)

Address: 211 S. Kimble Drive Unit C12

Petitioner: Peter Nguyen

Inspector: Jo Stong

Staff Report: June 1, 2011: Received complaint
June 2, 2011: Conducted complaint inspection
June 7, 2011: Sent complaint report
June 20, 2011: Received appeal
August 10, 2011: BHQA granted an extension of time until August 31,
2011 to complete repairs
September 8, 2011: Reinspection conducted.

This unit is being brought back to the board for an additional extension of time to complete repairs. At the reinspection on September 8, the unit was vacant. It was not in compliance. The property owner says she intends to fully renovate the unit and make it the model unit. She states that it will not be rented.

Staff recommendation: Grant the extension of time

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: February 1, 2012, or prior to occupancy

Attachments: Appeal

JS



Application for Appeal
 To The
 Board of Housing Quality Appeals
 P.O. Box 100
 Bloomington, IN 47402
 812-349-3420

Petitioner's Name: ~~Kenmy~~ Peter Nguyen

Petitioner's Address & Phone Number: 211 S. Kimble Dr. C12 Bloomington IN 47404

Owner's Name: Peter L. Nguyen

Owner's Address & Phone Number: 2700 E. Briggs Bend, Bloomington IN 47401

Address of Property: 211 S. Kimble Dr. C12, Bloomington IN 47404

Occupant(s) Name(s): Kenmy

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.

- A. An extension of time to complete repairs. (Petition type: TV)
 - ↳ Specify the items that need the extension of time to complete
 - ↳ Explain why the extension is needed
 - ↳ Specify the time requested
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
 - ↳ Specify the code reference number you are appealing
 - ↳ Detail why you are requesting the variance
 - ↳ Specify the modifications and or alterations you are suggesting
- C. Relief from an administration decision. (Petition type: AA)
 - ↳ Specify the decision being appealed and the relief you are seeking
- D. Rescind a variance. (Petition type: RV)
 - ↳ Detail the existing variance
 - ↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: Lon A. Raines

Name (print): Lon A. Raines

(Will be assigned by BHQA)
 11-TV-108 (OLD)
 Petition Number: _____

(Please use the reverse side for further explanation and/or request)



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

(Please write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.)

I am currently and have been getting bids for job to be correctly repaired. However w/ rainy season all basement / foundation repair companies are booked. Sooner I believe we can have the problem corrected / fix would be a month, Sooner I can get a contractor to start a job is in 2 weeks.

Signature: Ron A Rames

Date: 6/20/11



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: October 12, 2011

Petition Type: An extension of time to complete repairs

Petition Number: 11-TV-109

Address: 2455 E. Tamarack Trail

Petitioner: Meadowood Retirement Community

Inspector: Mosier/Hewett/Arnold

Staff Report: May 31, 2011 – Conducted Cycle Inspection
July 11, 2011 – Received Initial BHQA Appeal
September 9, 2011 Received BHQA Appeal for Old Business

During the Cycle inspection it was noted that numerous windows are in need of repair, as in, not opening properly, not latching properly, or need to be weather tight. Petitioner is requesting an additional extension of time to get corporate approval, receive and install the windows.

Staff recommendation: Grant the extension of time.

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: December 12, 2011

Attachments: BHQA Appeal, Petitioner's Letter, Cycle Report

A

RECEIVED
SEP 08 2011
BY: _____



**Application For Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov**

Property Address: 2455 Tamarack Trail

Petitioner's Name: Meadowood Retirement Community

Address: 2455 Tamarack Trail

City: Bloomington

State: Indiana

Zip Code: 47408

Phone Number: (812) 336-7060

E-mail Address: rhornstein@5sqa.com

Owner's Name: Five Star Quality Care-IN, LLC

Address: 2455 Tamarack Trail

City: Bloomington

State: Indiana

Zip Code: 47408

Phone Number: 812-336-7060

E-mail Address: rhornstein@5sqa.com

Occupants: Retirement community with rental garden and apartment homes

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Identify the variance type that you are requesting from the following drop down menu:

Variance Type: An extension of time to complete repairs. (Petition Type: TV)

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

11-TV-109

Petition Number: _____

In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
 - 1. Specify the code reference number you are appealing.
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 - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
 - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
 - 1. Detail the existing variance.
 - 2. Specify the reason the variance is no longer needed.

The only remaining task, as identified in the HAND report, is the installation of replacement windows. Given the sizeable expenditure, it was necessary to receive corporate approval at various levels thus creating a delay. Owner now confirms the windows are ordered and anticipated arrival is thirty (30) days ~~from the dated Application For Appeal.~~ Owner respectfully requests an additional thirty (30) days for installation. *from date due to be complete.*
Rh 9-8-11

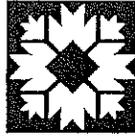
Signature (Required): Randy Hornstein for Meadowood

Name (Print): Randy Hornstein for Meadowood Date: 9/8/11

Important information regarding this application format:

- 1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
- 2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

Print Form



City of Bloomington
Housing and Neighborhood Development

Cycle Report

7197

OWNERS

FIVE STAR QUALITY CARE
400 CENTRE STREET
NEWTON, MA 02458

AGENT

TARGET, NANCI
2455 E. TAMARACK TRAIL
BLOOMINGTON IN 47408

Prop. Location: 2455 E TAMARACK TRAIL
Date Inspected: 05/31/2011
Inspectors: Mosier/Hewett/Arnold
Primary Heat Source: Electric/Gas
Property Zoning: PUD
Number of Stories: 2

Number of Units/Structures: 185 / 24
Number of Bedrooms: 1,2,3
Max # of Occupants: 2,3,4,5
Foundation Type: Crawl Space/Slab
Attic Access: No
Accessory Structure: Garages

NOTE:

- 🏠 Room dimensions are in the file or listed on the previous cycle inspection report.
 - 🏠 Only Units/Rooms with violations shall be listed on this report.
-

MAIN APARTMENT BLDG:

The Monroe County Assessors records indicate that these structures were built in 1982.
Minimum egress requirements for Multi-Family Dwellings built at the time of construction.

Openable area: 4.75 Sq. Ft.
Clear width: 18 inches
Clear height: 24 inches
Sill height: 48 inches above the finished floor

GARDEN HOME APARTMENTS

The Monroe County Assessors records indicate that these structures were built in 1982.
Minimum egress requirements for One and Two Family Dwellings at the time of construction
Openable area: 4.75 Sq. Ft.
Clear width: 18 inches
Clear height: 24 inches
Sill height: 48 inches above the finished floor

SYCAMORE RIDGE HOMES:

The Monroe County Assessors records indicate that these structures were built in 2009.
Minimum egress requirements for One and Two Family Dwellings at the time of construction.

Openable area: 5.70 Sq. Ft., **Exception: Grade Floor Openings shall have 5.0 Sq. Ft.**
Clear width: 20 inches
Clear height: 22 inches
Sill height: 48 inches above the finished floor

INTERIOR:

Egress window measurements for Garden Homes on E. Juniper Place are as follows:

Existing Egress Window Measurements: Casement: Const. Yr. - 1982

- Height: 55.5 inches**
- Width: 20 inches**
- Sill Height: 24 inches**
- Openable Area: 7.71 sq. ft.**

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Garden Homes
E. Juniper Place
UNIT 901

Dining Room:

Every window shall be capable of being easily opened and closed by its own hardware, to the right and left of doorway. PM-303.13.2

Kitchen:

The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks (repair faucet in a manner so that there is adequate water pressure and volume) . PM-505.3

Crawlspace:

Repair the exhaust fan to function as intended. PM-603.1

UNIT 903

NOTE: Repair all smoke detectors in this unit to be interconnected. PM-704.1

Dining Room:

Repair the fogged window to the right of the exterior door, to function as intended.
PM-303.13

UNIT 905

Living Room:

Provide a complete directory of all service panels and circuits. PM-605.1

Sun Room:

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster.
PM-304.3

Kitchen:

Seal the backsplash on the counter top. PM-304.3

UNIT 907

Water Heater Closet:

Temperature/pressure relief (TPR) valve discharge tubes:

- shall not be reduced in size from the valve outlet
- shall be rigid galvanized, rigid copper, or any CPVC pipe
- shall not have a threaded discharge end
- drain by gravity
- shall have a minimum 1" air gap where discharging into a sanitary drain, or an approved air break
- shall extend to within 6" of floor. PM-505.4

UNIT 913

Living Room:

Repair/replace the defective window crank on the window. PM-303.13

UNIT 919

Garage:

Repair/replace the deteriorated entry door, rusted. PM-303.15

UNIT 915

Back Porch:

Replace the deteriorated storm door and install the missing closing device. PM-303.15

UNIT 917

Den:

From May 15th to October 15th of each year, every door opening directly from any rental unit to the outdoors, and every window or other outside opening used for ventilation purposes shall be supplied with approved screening. PM-303.14

UNIT 917 (continued)

Den:

Right side window missing set screw for the window crank. PM-303.13

Replace the missing interconnected smoke detector. PM-704.1

Kitchen:

A minimum **1A 10BC** classification fire extinguisher shall be **mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress.** The securing mechanism must be no more than 5 feet above the floor.
PM-704.3.

UNIT 921

Master Bedroom:

Repair the left window to function as intended, won't close and latch. PM-303.13.2

UNIT 925:

Unit is in process of turn over, will check @ re-inspection.

UNIT 926

Repair all smoke detectors in this unit to be interconnected. PM-704.1

UNIT 927

Den:

Every window shall be capable of being easily opened and closed by its own hardware, left window, repair the defective window crank to function as intended.
PM-303.13.2

Bedroom:

Every window shall be capable of being easily opened and closed by its own hardware, also repair the windows to latch properly. PM-303.13.2

UNIT 931

Kitchen:

A minimum **1A 10BC** classification fire extinguisher shall be **mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress.** The securing mechanism must be no more than 5 feet above the floor.
PM-704.3.

UNIT 932

Basement:

Replace the loud garbage disposal. PM-504.1

UNIT 933

Kitchen:

A minimum 1A 10BC classification fire extinguisher shall be **mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress.** The securing mechanism must be no more than 5 feet above the floor.
PM-704.3.

Hallway:

Repair the smoke detector to function as intended. PM-704.1

Bathroom:

Seal edge of floor covering adjacent to bathtub. PM-304.1

Replace the loud exhaust fan. PM-603.1

UNIT 935

Guest Bedroom:

Repair the window to be weather tight and to latch properly. PM-303.13.2

UNIT 940

Repair all smoke detectors in this unit to function and to be interconnected. PM-704.1

UNIT 938

Den:

Replace the deteriorated storm door. PM-303.15

E Sassafras Circle

Egress window measurements for Garden Homes on E. Sassafras Circle are as follows:

Existing Egress Window Measurements: Casement: Const. Yr. - 1982

Height: 54 inches

Width: 21 inches

Sill Height: 24 inches

Openable Area: 7.87 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

UNIT 1003

Entryway:

Properly repair/replace loose, damaged, or missing floor covering. (grout cracked)
PM-304.4

UNIT 1005

Middle Bedroom:

Repair the smoke detector in this bedroom to be interconnected. PM-704.1

UNIT 1007

Kitchen:

A minimum 1A 10BC classification fire extinguisher shall be mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress. The securing mechanism must be no more than 5 feet above the floor. PM-704.3.

Bathroom:

Repair the sink drain stopper assembly to function as intended, missing clip. PM-504.1

UNIT 1011

Kitchen:

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster. Repair the nail holes adjacent to the ceiling. PM-304.3

Dining Room:

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster. Repair the nail holes at the bulkhead. PM-304.3

Living Room:

Repair the surface of the ceiling to be free of holes, cracks, peeling paint and sagging materials. Adjacent to ceiling and the entryway. PM-304.3

Bathroom:

Repair the surface of the ceiling to be free of holes, cracks, peeling paint and sagging materials. PM-304.3

UNIT 1013

Master Bedroom:

Every window shall be capable of being easily opened and closed by its own hardware. Repair the right side window to function as intended. PM-303.13.2

UNIT 1015

Replace all of the missing window cranks in this unit. PM-303.13.2

UNIT 1019

Unit is in process of turn over, will check @ re-inspection.

UNIT 1023

Kitchen:

A minimum 1A 10BC classification fire extinguisher shall be mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress. The securing mechanism must be no more than 5 feet above the floor. PM-704.3.

UNIT 1043

Kitchen:

Repair or replace the peeling linoleum. PM-304.4

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster, adjacent to the refrigerator. PM-304.3

UNIT 1045

Dining Room:

Finish the drywall repair, sand and paint. PM-304.3

UNIT 1047

Repair all smoke detectors in this unit to function and to be interconnected. PM-704.1

UNIT 1053

Kitchen:

A minimum **1A 10BC** classification fire extinguisher shall be **mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress.** The securing mechanism must be no more than 5 feet above the floor.
PM-704.3.

UNIT 1014

Kitchen:

A minimum **1A 10BC** classification fire extinguisher shall be **mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress.** The securing mechanism must be no more than 5 feet above the floor.
PM-704.3.

UNIT 1016

Garage:

Replace the defective doorknob on entry door to unit, locks inadvertently. PM-304.6

UNIT 1020

Master Bedroom:

Repair all smoke detectors in this room to be interconnected. PM-704.1

Master Bathroom:

Seal edge of floor covering adjacent to bathtub. PM-304.1

UNIT 1026

R Bedroom:

Repair the window to close properly, won't close under normal operation of hardware.
PM-303.13.2

UNIT 1028

Hallway:

Replace the inaudible smoke detector. PM-704.1

Hall Bath:

Seal edge of floor covering adjacent to bathtub. PM-304.1

UNIT 1030

Kitchen:

A minimum 1A 10BC classification fire extinguisher shall be **mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress.** The securing mechanism must be no more than 5 feet above the floor. **PM-704.3**

UNIT 1048

L Bedroom:

Repair the windows to latch and be weather tight. PM-303.13.2

UNIT 1050

Living Room:

Repair the left window to be weather tight. PM-303.13.2

Hall Bath:

Seal edge of floor covering adjacent to bathtub. PM-304.1

Remove the old caulk from the sink counter top and re-seal with new caulk. PM-304.3

UNIT 1052

Repair all smoke detectors in this unit to be interconnected. PM-704.1

UNIT 1056

No access at time of cycle inspection, will check at re-inspection.

E. Linden Dr.

Egress window measurements for Garden Homes on E. Linden Dr. are as follows:

Existing Egress Window Measurements: Casement: Const. Yr. - 1982

Height: 54 inches

Width: 24 inches

Sill Height: 24 inches

Openable Area: 9.00 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

UNIT 1123

Living Room:

Repair the door to latch properly. PM-303.15

Master Bathroom:

Repair the toilet to flush properly, insufficient water to bowl. PM-504.1

UNIT 1125

Master Bedroom:

Replace the missing cover plate on receptacle, adjacent to the east door. PM-605.1

Den:

Tighten the loose light switch cover plate. PM-605.1

UNIT 1128

Kitchen:

Repair/replace the dishwasher to function as intended. PM-504.1

UNIT 1130

Finish the re-modeling of unit, check @ re-inspection.

UNIT 1132

Living Room:

Install a closing device on the entry storm door. PM-303.15

UNIT 1137

Living Room:

Secure the loose flooring @ the bedroom entryway. PM-304.4

UNIT 1147

Finish the re-modeling of unit, check @ re-inspection.

UNIT 1151

Master Bathroom:

Replace flexible drain pipe with approved rigid piping. PM-504.1

SYCAMORE RIDGE HOUSES

Egress window measurements for Sycamore Ridge Houses are as follows:

Existing Egress Window Measurements: Casement: Const. Yr. - 2009

Height: 54 inches

Width: 24.5 inches

Sill Height: 25.5 inches

Openable Area: 9.18 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

UNIT 787

Utility Room:

Thoroughly clean and service the furnace, inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

Desired level:	0 parts per million (ppm)
Acceptable level in a living space:	9 ppm
Maximum concentration for flue products:	50 ppm

PM-603.1

UNIT 791

NOTE:

Repair all smoke detectors in this unit to be interconnected. PM-704.1

Main Floor

1st Bedroom:

Shim the door to function as intended, swings open. PM-304.6

Bathroom:

Shim the door to function as intended, swings open. PM-304.6

Living Room:

Repair the north window, left side, to latch properly. PM-303.13.2

Kitchen:

Repair the deadbolt to function as intended on entry door to garage. PM-304.6

Repair the pantry door to latch properly. PM-304.6

Master Bedroom:

Repair the sliding glass door to function as intended, out of square, weather tight.
PM-303.15

Replace the missing window screen on south window, right side. PM-303.14

LOWER LEVEL

Family Room:

Repair the north window, left side to latch properly. PM-303.13.2

Utility Room:

Repair the door to fit the door jamb. PM-304.6

Utility Room: (continued)

Thoroughly clean and service the furnace, inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

Desired level:	0 parts per million (ppm)
Acceptable level in a living space:	9 ppm
Maximum concentration for flue products:	50 ppm

PM-603.1

MAIN APARTMENT BUILDING

Existing Egress Window Measurements: Casement: Const. Yr. - 1982

Height: 54 inches
Width: 20 inches
Sill Height: 21 inches
Openable Area: 7.5 sq. ft.

Existing Egress Window Measurements: Casement: Const. Yr. - 1982

Height: 55 inches
Width: 18 inches
Sill Height: 21 inches
Openable Area: 6.88 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Common areas:

No violations noted.

LOWER LEVEL

UNIT 001

Living Room:

Repair the windows to be weather tight. PM-303.13

UNIT 002

Living Room:

Replace the missing handle for the sliding screen door. PM-303.15

2nd Bedroom:

Repair the right window to open and close as intended, taped shut. PM-303.13

UNIT 010

Hallway:

Eliminate all unused openings in service panel/junction box, by installing approved rigid knockout blanks. PM-604.3

UNIT 018

Bathroom:

Repair or replace exhaust fan so that it functions as intended. PM-603.1

UNIT 022

R Bathroom:

Repair the toilet not to run constantly. PM-504.1

Bedroom:

Scrape and paint interior surfaces where paint is peeling or bare surfaces are exposed, window frame. PM-304.3

UNIT 024

Kitchen:

Repair the 1st light to function as intended, needs new ballast. PM-605.1

Living Room:

Repair the sliding glass door to latch as intended. PM-303.15

Bedroom:

Repair both windows to open and close as intended. PM-303.13

R Bathroom:

Repair the sink drain to function as intended, slow. PM-504.1

1ST FLOOR

UNIT 102

Kitchen:

Repair the 1st light fixture to function as intended, not working. PM-605.1

Living Room:

Repair the far left window to open easily. PM-303.13

UNIT 110

Bedroom:

Repair the windows to open and close easily. PM-303.13

UNIT 111

Living Room:

Secure the smoke detector to its base, hanging down. PM-704.1

UNIT 114

Kitchen:

Repair the garbage disposal to function as intended, jammed. PM-603.1

UNIT 116

Bedroom:

Repair the windows to fully open and close. PM-303.13

UNIT 117

L Bathroom:

Repair the exhaust fan to function as intended, fallen down. PM-603.1

UNIT 119

Living Room:

Repair the sliding glass door to latch properly. PM-303.15

UNIT 121

Kitchen:

Repair the loose trim adjacent to the refrigerator. PM-304.3

UNIT 124

Bedroom:

Repair or replace existing smoke detector in a manner so that it functions as intended.
PM-704.1

UNIT 126

Kitchen:

Repair the leak @ the faucet handle and tighten the loose handle. PM-504.1

UNIT 134

Hall Bath:

Repair or replace exhaust fan so that it functions as intended. PM-603.1

Far Right Bedroom:

Repair the windows to open and close properly. PM-303.13

Living Room:

Repair the right window to open and close properly. PM-303.13

Left Bedroom:

Repair the right window to open and close properly. PM-303.13

UNIT 136

Bedroom:

Rearrange furniture in a manner that does not block or hinder access to emergency egress window. PM-102.3 & PM-702.1

2ND FLOOR

UNIT 201

Bedroom:

Repair the right window to open and close properly. PM-303.13

UNIT 203

Bedroom:

Repair the right window to open and close properly. PM-303.13

UNIT 204

Den:

Repair the windows to be weather tight. PM-303.13

UNIT 210

No access. Check at re-inspection.

UNIT 211

Bedroom:

Repair the left window to open and close properly. PM-303.13

UNIT 214

Living Room:

Repair the left window on the right wall to unlock and to open and close properly.
PM-303.13

UNIT 216

Kitchen:

Repair the faucet to eliminate the constant dripping. PM-504.1

Bathroom:

Replace the broken or defective toilet seat. PM-504.1

Bedroom:

Every window shall be capable of being easily opened and closed by its own hardware.
PM-303.13.2

Living Room:

Repair the left window to open and close easily. PM-303.13.2

UNIT 217

Hallway:

Properly install the door that is off of the track. PM-304.6

UNIT 218

Living Room:

Repair the window on the left wall, left side to open and close properly. PM-303.13.2

UNIT 234

Bedroom:

Every window shall be capable of being easily opened and closed by its own hardware.
PM-303.13.2

UNIT 237

Den:

Every window shall be capable of being easily opened and closed by its own hardware.
PM-303.13.2

Bedroom:

Every window shall be capable of being easily opened and closed by its own hardware.
PM-303.13.2

UNIT 238

Living Room:

Provide a complete directory of all service panels and circuits. PM-605.1

Replace the missing window screen for the sliding glass door. PM-303.14

Repair the sliding glass door to latch properly. PM-303.15

3rd FLOOR

Common Hallway:

Repair/replace the deteriorated windows on the west end of the hallway. PM-303.13

UNIT 329

Master Bedroom:

Repair the window on the south wall, left side to close and latch properly. PM-303.13.2

UNIT 334 - Note: Repair all smoke detectors in this unit to be interconnected. PM-704.1

1st Bedroom:

Replace the missing clip for the hardware on the right side window, to function as intended.
PM-303.13.2

Master Bedroom:

Repair the left window to latch properly and to be weather tight. PM-303.13.2

UNIT 337 - Note: Repair all smoke detectors in this unit to be interconnected. PM-704.1

L Bedroom:

Repair the left window to close properly and to latch properly. PM-303.13.2

EXTERIOR:

UNIT 901

Crawlspace:

Repair the exhaust fan to function as intended. PM-603.1

UNIT 919

Garage:

Replace the deteriorated and rusted garage door. Pm-303.15

UNIT 1101

Replace the missing shingles on the roof, and repair/replace the trim. PM-303.7

UNIT 1128

Garage:

Repair the gutter not to leak, water comes into the garage and makes the carpet wet.
PM-303.7

UNIT 1145

Paint the exterior of structure @ the front door. PM-303.2

UNIT 1156

Repair/replace the trim @ the front door and paint. PM-303.2

UNIT 1158

Trim bushes away from the siding and roofline to maintain a 3' clearance, so that the windows will open. PM-302.4.1

UNIT 218

Repair the exterior siding on the sun room so that birds will not nest there. PM-303.6

Scrape and paint exterior surfaces where paint is peeling or wood is exposed on the two garages west of main building. PM-303.2

(The above violation has a one-year deadline from the date the Cycle Inspection Report.)

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Variance**

Meeting Date: October 12, 2011

Petition Type: A modification or exception to the Property Maintenance Code

Variance Request: Request a variance to the requirement that sump pumps not discharge into the sanitary sewer.

Petition Number: 11-V-120

Address: 306 S. Union

Petitioner: Robert Price and Mary Runnels

Inspector: John Hewett

Staff Report: June 22, 2011 Cycle Inspection conducted.
July 7, 2011 Report sent
August 8, 2011 Received Appeal.
September 14, 2011 Tabled by BHQA

During the Cycle inspection the inspector cited a sump pump that discharges into the sanitary sewer line. This is a violation of the PMC. The inspector spoke to a representative of the Utilities Department who recommended that the board grant this variance request for this particular application. The Board tabled this Appeal in September pending further review. Attached is a letter from the Utilities Dept. and a copy of the Utilities Rules that pertain to this Appeal.

Staff recommendation: Grant the request

Conditions: None

Compliance Deadline: None

Attachments: Cycle Report, Petitioners letter, Utilities Rules, Utilities letter



Application For Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov

RECEIVED
AUG 08 2011

BY: _____

Property Address: 306 S. Union, Bloomington, IN

Petitioner's Name: Robert Price and Mary Runnells

Address: 1329 S. High St

City: Bloomington

State: Indiana

Zip Code: 47401

Phone Number: 334-8831

E-mail Address: robprice@comcast.net mrun4@comcast.net

Owner's Name: Robert C. Price and Mary M. Runnells

Address: 1329 S. High St.

City: Bloomington

State: Indiana

Zip Code: 47401

Phone Number: 334-8831

E-mail Address: robprice@comcast.net mrun4@comcast.net

Occupants: Daniel McRae, Christopher Ebling, Andrew Kendall, Andrew DeFrancisi, Greg Myers beginng 8/15/11

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Identify the variance type that you are requesting from the following drop down menu:

Variance Type: A modification or exception to the Housing Property Maintenance Code. (Petition Type: V)

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

11 - ✓ - 120

Petition Number: _____

In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
 - 1. Specify the code reference number you are appealing.
 - 2. Detail why you are requesting the variance.
 - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
 - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
 - 1. Detail the existing variance.
 - 2. Specify the reason the variance is no longer needed.

We are requesting an exception to PM-507.2, requiring that sump pump shall discharge to the exterior of a structure, unless used as a lift station for grey water from a washing machine or laundry basin.

The house was built in the early 1950's. The sump pump in the basement to the best of our knowledge has always discharged into the city sewer system. We have owned the house since 2008, and in that time, the only water that has gone into the sump is overflow from the washing machine (which normally discharges to the sewer), water drawn out of the basement air from the humidifier, and water from a burst water pipe. The basement does not flood, and this winter was remodelled to upgrade the bedroom and recreation area and to add a bathroom. The basement is now fully finished except for a small laundry room where the sump pump is located. A screen has been placed over the sump well to keep debris out.

The sump has not been deemed to be in violation in the past; we request that it continue to be grandfathered.

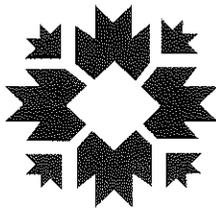
Signature (Required): Mary M. Runnels

Name (Print): Mary M. Runnels Date: 8/8/11

Important information regarding this application format:

- 1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
- 2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.





CITY OF BLOOMINGTON UTILITIES
Administration

September 19, 2011

In Re: 306 S. Union Street, Bloomington, IN

Ms. Lisa Abbott, Director
City of Bloomington Housing and Neighborhood Development Department
Showers Government Center
Bloomington, IN 47402-0100

Ms. Abbott:

I have reviewed your file regarding the above referenced residential property. Because the sump pump in question is used for removal of untreated waste water (washing machine grey water overflows and condensation water from a dehumidifier), the Utilities Department will require it to be connected directly to the sanitary sewer. Allowing the subject water to be discharged to the environment is prohibited because the effluent from these two sources is considered to be polluted.

This ruling assumes that no unpolluted water (roof run-off, storm water) will be collected and discharged to the sanitary sewer in accordance with the Utilities Department Rules, Regulations and Standards of Service Sections 19.2.9, "Unpolluted Waters" and 19.2.15, "Storm Water".

Rule-making authority in this matter is permitted under Utilities Department Rule 19.6, "Special Agreements".

Please feel free to contact me with any questions you may have.

Sincerely,


John N. Langley
Deputy Utilities Director

SECTION 19 PROHIBITIONS AND LIMITATIONS ON WASTEWATER DISCHARGES

19.1 General Prohibitions. It shall be unlawful to discharge within CBU jurisdiction, or in any area under the jurisdiction of said City, any sanitary wastewater, industrial waste, or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of these Rules.

19.2 Prohibitions on Wastewater Discharges. No person shall discharge or deposit or cause or allow to be discharged or deposited into the wastewater treatment system any wastewater which contains the following:

19.2.1 Wax, grease or oil concentrations of more than 150 mg/1 (milligrams/liter) whether emulsified or not, or containing substances which may solidify or become viscous at temperatures between 32 degrees F and 150 degrees F (0 degrees C and 65 degrees C) at the point of discharge into the system.

19.2.2 Explosive Mixtures. Liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or to be injurious in any other way to the water or wastewater treatment system or personnel. At no time shall two successive readings on an explosion hazard Meter, at the point of discharge into the sewer system, be more than five percent (5%), nor any single reading over 10 percent (10%) of the Lower Explosive Limit (L.E.L.) of the Meter. Prohibited materials include, but are not limited to gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides.

19.2.3 Noxious Materials. Noxious or malodorous solids, liquids or gases, which either singly or by interaction with other wastes, are capable of creating a public nuisance or hazard to life, or are or may be sufficient to prevent entry into a sewer for its maintenance and repair.

19.2.4 Improperly Shredded Garbage. Garbage that has not been ground to such a degree that all particles will be carried freely in suspension under flow conditions normally prevailing in the public sewers, with no particle greater than one-half (½) inch in any dimension.

19.2.5 Radioactive Wastes. Radioactive wastes or isotopes of such half-life or concentration that they do not comply with regulations or orders issued by the appropriate authority having control over their use and which will or may cause damage or hazards to the wastewater facilities or personnel operating the system.

19.2.6 Solid Or Viscous Wastes. Solid or viscous wastes which will or may cause obstruction to the flow in a sewer, or otherwise interfere with the proper operation of the wastewater treatment system. Prohibited materials include, but are not limited to,

grease, unground garbage, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastic, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, and similar substances.

- 19.2.7 Excessive Discharge Rate. Wastewater at a flow rate or containing such concentrations or quantities of pollutants that exceed for any time period longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration of quantities or flow during normal operation and that would cause a treatment process upset and subsequent loss of treatment efficiency.
- 19.2.8 Toxic Substances. Any toxic substances in amounts exceeding standards promulgated by the Administrator of the United States Environmental Protection Agency pursuant to the Act (see definitions) and chemical elements or compounds, phenols or other taste-or-odor-producing substances, or any other substances which are not susceptible to treatment or which may interfere with the biological processes or efficiency of the treatment system, or that will pass through the system. These standards are subject to change.
- 19.2.9 Unpolluted Waters. Any unpolluted water including, but not limited to, water of stormwater origin, which will increase the hydraulic load on the treatment system.
- 19.2.10 Discolored Material. Wastes with objectionable color not removable by the treatment process.
- 19.2.11 Corrosive Material. Any waste which will cause corrosion or deterioration of the treatment system. All wastes discharged to the public sewer system must have a pH value in the range of (6.0) to (9.0) standard units. Prohibited materials include, but are not limited to, acids, sulfides, concentrated chloride and fluoride compounds and substances which will react with water to form acidic products.
- 19.2.12 Temperature Greater Than 150°F. Any liquid or vapor having a temperature higher than one hundred fifty degrees (150°) F or sixty-five degrees (65°) C.
- 19.2.13 Unusual B.O.D. Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the wastewater treatment plant.
- 19.2.14 Slugs. Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.
- 19.2.15 Stormwater. Any stormwater, surface water, ground water, roof runoff (whether directly or indirectly), foundation drainage, yard drains or other sub-surface drainage to any sanitary sewer.

19.2.16 Roof Runoff. Roof runoff shall be brought to the surface according to the specifications of the City Engineering Dept. Roof runoff must be controlled and directed so that it will not inflow or infiltrate into foundation backfill media or drains (unless adequately and visibly piped to daylight), or into sanitary lateral backfill media or drains. Splash plates or downspout extensions shall be adequate to assure clear passage onto the lawn and away from the foundations. Upon thirty days notice, the Utility may require:

19.2.16.1 Proof that roof runoff does not flow or infiltrate into foundation backfill media or drains, or into sanitary lateral backfill media.

19.2.16.2 Modifications to the roof run off system to assure that passage to the sanitary sewer is not possible.

19.2.17 Site Development. Site development grading shall not direct surface waters to flow over sanitary sewer laterals or mains or toward building foundations. Site grading shall direct surface water away from sanitary sewer laterals to the extent that is reasonable.

19.3 Limitations on Wastewater Discharges. No person shall discharge or convey, or permit or allow to be discharged or conveyed, to a public sewer any wastewater containing pollutants of such character or quantity that will:

19.3.1 Not be susceptible to treatment or interfere with the process or efficiency of the treatment system;

19.3.2 Constitute a hazard to human or animal life, or to the stream or water course receiving the treatment plant effluent;

19.3.3 Violate pretreatment standards established by CBU, the State of Indiana, or USEPA;

19.3.4 Cause the treatment plant to violate its NPDES permit or applicable receiving water standards.

19.3.5 Except as approved by the Director, only wastewater from Monroe County and contiguous counties shall be accepted for treatment at CBU facilities.

19.4 Mandatory Connections. All wastewater sources located on property that is adjacent to an easement or public roadway in which a public sewer is located, shall be connected to the public sewer. This connection shall take place within three (3) years of the effective date of these rules or three (3) years from the construction of any new sewer.

19.5 Abatement of Privies or Septic Systems. No septic system or outside privy shall be installed or constructed where a sanitary sewer is adjacent or available to any property unless such septic system or outside privy is consistent with City, County, or Indiana State Health Department regulations.

19.6 Special Agreements. Nothing in this section shall be construed as preventing any special agreement or arrangement between the Utility and any user or potential user of the wastewater treatment system whereby wastewater of unusual strength or character is accepted into the system and specially treated subject to any payments or user charges as may be applicable.

19.7 Septage. Septage shall only be accepted for treatment by the Utility at a site designated by the Director. Septage will be accepted only as long as the treatment processes and final effluent are not adversely affected. All septic haulers must provide the Utility with the names, addresses, and septage volumes from all of their customers whose septage is brought for treatment. Fees will be charged per the current rate schedule.

19.7.1 Permits. All septage haulers must have on file at the Utility a current State of Indiana wastewater management permit and wastewater management vehicle license to deliver septage to our facilities.

19.7.1.1 Recreational Vehicles. Recreational vehicles and vehicles under special agreements are exempt from this requirement. Recreational vehicles with tanks under 150 gallons may discharge free of charge.

19.7.2 Commercial Restaurants and Food Processors. Commercial restaurants and other food-processing facilities' septage will be approved only after the specific facilities are approved by the Utility. This approval will be accomplished only after the Utility has reviewed and approved the restaurant's grease management program. The status of this approval may be reviewed and subsequently revised at any time at the discretion of the Director.

19.7.3 Oil Separation Tanks. Septage from oil separation tanks or similar catchments at service stations, gas stations, auto repair facilities or other facilities that generate petroleum-based discharges shall not be accepted by the Utility. Direct discharge into sanitary sewers is prohibited.

19.7.4 Septage Outside of Monroe County. Septage generated outside of Monroe County shall be required to pay a surcharge fee to dump at Utility treatment facilities as outlined in the wastewater rate schedule. Loads that are mixed with septage from Monroe County and another county shall be charged at the out-of-county rate.

19.8 Personal Use of Biosolids. Any person who takes biosolids, or has biosolids delivered to him, in any form, from any wastewater treatment plant serving the Utility, does so at his own risk.



City of Bloomington
Housing and Neighborhood Development

Cycle Report and Permit Upgrade Report

1843

OWNERS

PRICE, ROBERT C.
1329 S. HIGH STREET
BLOOMINGTON, IN 47401

RUNNELLS, MARY M.
1329 S. HIGH STREET
BLOOMINGTON, IN 47401

Prop. Location: 306 S UNION ST
Date Inspected: 06/22/2011
Inspectors: John Hewett
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 2

Number of Units/Structures: 1 / 1
Number of Bedrooms: 5
Max # of Occupants: 5
Foundation Type: Basement
Attic Access: No
Accessory Structure:

Monroe County Assessor's records indicate this structure was built in 1953. There were no requirements for emergency egress at the time of construction. The basement bedroom was remodeled under a building permit issued in 2010. The egress requirements at the time of modification are as follows.

Openable area required: 5.0 sq. ft. on grade floor windows, 5.7 all other floors
Clear width required: 20"
Clear height required: 22"
Maximum Allowable Sill Height: 44" above finished floor

Interior

Living room

12-7 x 15-3

Every window shall be capable of being easily opened and held in position by its own hardware. PM-303.13.2 (south window)

Kitchen

10-8 x 11-8

No violations noted.

Bathroom

Replace the missing protective cover for the light fixture. PM-605.1

Hall

Provide operating power to smoke detector. PM-704.1

44

NW bedroom

10-0 x 12-1

Existing Egress Window Measurements: Single hung replacement. Appears it was replaced pre-2001.

Height: 19.5 inches

Width: 29 inches

Sill Height: 29 inches

Openable Area: 3.92 sq. ft.

At the time this structure was built, there were no code requirements for emergency egress for a sleeping room. The Housing & Neighborhood Development Department strongly recommends that the sleeping room egress windows be modified or replaced with a larger window to aid in emergency escape. BMC-16.04.040 (b)

NE bedroom

12-1 x 10-5

The window measurements are the same as noted above.

Basement

Main room (north of stairs)

12-1 x 10-5

No violations noted.

Main room (south of stairs)

15-1 x 15-5

No violations noted.

NW bedroom

12-1 x 9-5

Existing Egress Window Measurements:

Height: 41 inches

Width: 24 inches

Sill Height: 42 inches

Openable Area: 6.83 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Bathroom

No violations noted.

Laundry

Provide a complete directory of all service panels and circuits. PM-605.1

Sump pumps shall discharge to the exterior of a structure, unless used as a lift station for grey water from a washing machine or laundry basin. PM-507.2

Mechanical room

No violations noted.

2nd Floor

Bathroom

Repair or replace the GFCI receptacle to power down when tripped. PM-605.1

S bedroom

10-10 x 11-9

Existing Egress Window Measurements: Replacement single hung windows which appear to have been replaced pre-2001

Height: 19.5 inches

Width: 25 inches

Sill Height: 31 inches

Openable Area: 3.38 sq. ft.

At the time this structure was built, there were no code requirements for emergency egress for a sleeping room. The Housing & Neighborhood Development Department strongly recommends that the sleeping room egress windows be modified or replaced with a larger window to aid in emergency escape. BMC-16.04.040 (b)

N bedroom

12-6 x 10-10

Every window shall be capable of being easily opened and held in position by its own hardware. PM-303.13.2 (north window)

The window measurements are the same as noted above.

Exterior

No violations noted.

Other requirements

Required documentation:

A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC 16.12.050 (d)

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.040**

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: October 12, 2011
Petition Type: An extension of time to complete repairs
Petition Number: 11-TV-122
Address: 2123 S. Bent Tree Dr.
Petitioner: Colin Chang
Inspector: John Hewett
Staff Report: June 17, 2011 Cycle Inspection
July 29, 2011 Re-inspection
August 18, 2011 Sent RV report
August 30, 2011 Received appeal

During the inspection, bedroom windows were cited for not meeting the minimum egress requirements at the time of construction. The petitioner is requesting a variance from the State of Indiana and needs an extension of time. The window measurements are as follows:

Openable area required:	4.75 sq. ft.	Existing area:	3.97sq. ft.
Clear width required:	18"	Existing width:	26"
Clear height required:	24"	Existing height:	22"
Maximum sill height:	44" above finished floor	Existing sill:	27"

Code: 1990 Indiana One and Two Family Dwelling Code section 210.2

Staff recommendation: Grant the extension of time

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: December 12, 2011

Attachments: Cycle Inspection Report, Petitioner's letter

Handwritten initials



**Application For Appeal
To The
Board of Housing Quality Appeals**

**P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov**

RECEIVED
AUG 30 2011

BY:.....

Property Address: 2123 S. BENT TREE DR.

Petitioner's Name: COLIN CHANG

Owners Address: 3805 E. Winston St.

City: BLOOMINGTON State: IN Zip Code: 47401

Phone Number: (812) 322-1357 (cell)
(812) 391-3695 (cell) E-mail Address: colinchang22@gmail.com
wife

Owner's Name: COLIN CHANG & Joellan Chang

Address: Same as above

City: _____ State: _____ Zip Code: _____

Phone Number: _____ E-mail Address: _____

Occupants: Renters: Justin & Sarah Heimer & family

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Identify the variance type that you are requesting from the following drop down menu:

Variance Type: Applying to the state for variance of minimum windows requirements
modification or exception to Housing Property Maintenance
code (Petition Type V)

Reminder:
A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

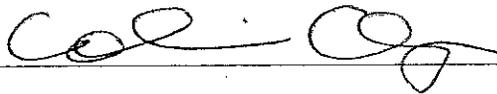
(Will be assigned by BHQA)
11-TV-122
Petition Number: _____

In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
 - 1. Specify the code reference number you are appealing.
 - 2. Detail why you are requesting the variance.
 - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
 - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
 - 1. Detail the existing variance.
 - 2. Specify the reason the variance is no longer needed.

I am awaiting an answer from the STATE re: a window egress variance. My house was evidently built with windows that did not meet the minimum size requirements. The commission's next meeting date will not be until Oct 4, 2011 (10/4/2011) which is past my 60 day due date from HAND. Code: 1990 Indiana One & Two Family Dwelling Code section 40.2

Signature (Required): _____



Name (Print): _____

COLIN CHANG

Date: _____

8/19/11

Important information regarding this application format:

1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

Print Form



City of Bloomington
Housing and Neighborhood Development

Cycle Report

9556

OWNERS

CHANG, COLIN & JOELLAN
3805 E. WINSTON STREET
BLOOMINGTON, IN 47401

Prop. Location: 2123 S BENT TREE DR	Number of Units/Structures: 1 / 1
Date Inspected: 06/17/2011	Number of Bedrooms: 3
Inspectors: John Hewett	Max # of Occupants: 3
Primary Heat Source: Gas	Foundation Type: Slab
Property Zoning: PUD	Attic Access: Yes
Number of Stories: 2	Accessory Structure:

The Monroe County Assessors records indicate that this structure was built in 1993. These are the minimum egress requirements for One and Two Family Dwellings at the time of construction.

Clear opening height: 24"
Clear opening width: 18"
Sill height: 44" above finished floor
Openable area: 4.75 sq. ft.

Smoke detectors shall be installed outside each separate sleeping area in the immediate vicinity of the bedrooms and on each additional story of the building, including basements and cellars but not including crawlspaces and uninhabitable attics. Required smoke detectors shall receive their power from the building wiring. Smoke detectors shall be interconnected so that the actuation of one alarm triggers the other alarms. PM-704.1

Interior

Living room
12-0 x 23-6
No violations noted.

Kitchen
11-0 x 9-7

A minimum IA 10BC classification fire extinguisher shall be mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress. The securing mechanism must be no more than 5 feet above the floor. PM-704.3.

Laundry
No violations noted.

ORN

50

Garage

No violations noted.

Family room

14-4 x 13-4

No violations noted.

Dining room

10-10 x 9-8

No violations noted.

2nd Floor

Hall bathroom, Master bathroom

No violations noted.

N bedroom 11-3 x 13-3, SE bedroom 10-8 x 11-0, SW bedroom 10-4 x 9-3

The emergency egress window does not meet the minimum requirements for a one and two family dwelling built in 1993:

Openable area required:	4.75 sq. ft.	Existing area: 3.97sq. ft.
Clear width required:	18"	Existing width: 26"
Clear height required:	24"	Existing height: 22"
Maximum sill height:	44" above finished floor	Existing sill: 27"

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

Exterior

No violations noted.

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



Lisa Abbott <abbottl@bloomington.in.gov>

Water check

2 messages

Lisa Abbott <abbottl@bloomington.in.gov>
To: Triana Johnson <johnsotk@bloomington.in.gov>

Wed, Apr 27, 2011 at 9:38 PM

Triana,

Can you do a water check for me on 2123 S. Bent Tree Drive? Last time we checked, there was no water usage. Please let me know.

Thanks.

Lisa

Triana Johnson <johnsotk@bloomington.in.gov>
To: Lisa Abbott <abbottl@bloomington.in.gov>

Thu, Apr 28, 2011 at 10:12 AM

Hi Lisa,

Hope you are doing well.

This is the usage for the last 4 months.

April 0 usage
March 2k gal
February 5k gal
January 6k gal

Let me know if you need anymore info.

Thanks and have a great day!

[Quoted text hidden]

--
Triana Johnson
City of Bloomington Utilities
Customer Service Coordinator
phone: 812 349-3939
fax: 812 331-5407



City of Bloomington
H.A.N.D.

Board of Housing Quality Appeals
Staff Report: Petition for Relief from an Administrative Decision

Meeting Date: October 12, 2011
Petition Type: Relief from an administrative decision
Variance Request: Relief from the requirement to register as a rental
Petition Number: 11-AA-123
Address: 1711 E. Winslow Road
Petitioner: Carole Heslin

This property is owned by Carole Heslin and is occupied by her daughter, Leah Heslin. Utilities are in the name of Mr. Heslin who is recently deceased and it appears from water usage that one person is residing in the property.

Staff recommendation: Grant the relief from the rental registration process

Conditions: This agreement shall remain in force so long as Ms. Heslin resides in the property with no more than one other person. This property will be pull dated for 2013 to check residency.

Compliance Deadline: None

Attachments: Appeal form, letter from petitioner

Dec



Application For Appeal
To The
Board of Housing Quality Appeals

P.O. Box 100
Bloomington, IN 47402
812-349-3420

RECEIVED
AUG 29 2011

hand@bloomington.in.gov BY: _____

Property Address: 1711 E WINSLOW ROAD

Petitioner's Name: CAROLE HESLIN

Address: 1909 E. EVA HILL DRIVE

City: BLOOMINGTON State: IN Zip Code: 47401

Phone Number: 812-369-8345 E-mail Address: _____

Owner's Name: SAME

Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number: _____ E-mail Address: _____

Occupants: LEAH HESLIN

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Identify the variance type that you are requesting from the following drop down menu:

Variance Type: _____

Reminder:
A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)
11-AA-123
Petition Number: _____

In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
 - 1. Specify the code reference number you are appealing.
 - 2. Detail why you are requesting the variance.
 - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
 - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
 - 1. Detail the existing variance.
 - 2. Specify the reason the variance is no longer needed.

I have no idea what to write in this space. My daughter is living in the house alone. I know of no violation.

Signature (Required): Carole Heslin

Name (Print): Carole Heslin Date: 8-25-11

Important information regarding this application format:

- 1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
- 2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

Print Form



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition to Rescind Variance**

Meeting Date: October 12, 2011
Petition Type: Rescind a Variance
Petition Number: 11-RV-124
Address: 719-719 ½ E. 2nd Street
Petitioner: HAND
Inspector: Jo Stong
Staff Report: May 12, 2011: Conducted cycle inspection
May 25, 2011: Sent report
July 25, 2011: Conducted reinspection

On February 11, 1993 the BHQA denied a request for a pass-through variance in the lower unit. At that time, the only way to get to the bathroom was through the north bedroom. With this decision, the lower unit was limited to one bedroom, and this was written on the next permit and subsequent permits until the present. At some point the property was modified, and the pass-through situation no longer exists. The HAND Department is requesting that the board rescind this limitation, restoring the lower level to a two-bedroom unit with an occupant load of three. The upper unit remains a one-bedroom unit with an occupant load of 2.

Staff Recommendation: Rescind the variance

Conditions: None

Attachments: Application, Floor Plan

de

RECEIVED
SEP 01 2011



BY: _____ Application For Appeal

To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov

Property Address: 719, 719 1/2 E. 2nd St.

Petitioner's Name: HAND

Address: 401 N. Morton St. Blgtn.

City: _____ State: _____ Zip Code: 47404

Phone Number: 349-3420 E-mail Address: hand@bloomington.in.gov

Owner's Name: William & Heather Street

Address: 1743 W. School Street

City: Chicago State: Illinois Zip Code: 60657

Phone Number: (773) 550-6900 E-mail Address: jstreet@auditrecovery.net

Occupants: _____

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Identify the variance type that you are requesting from the following drop down menu:

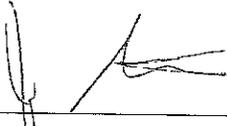
Variance Type: RV

Reminder:
A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)
11-RV-124
Petition Number: _____

In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
 - 1. Specify the code reference number you are appealing.
 - 2. Detail why you are requesting the variance.
 - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
 - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
 - 1. Detail the existing variance.
 - 2. Specify the reason the variance is no longer needed.

Signature (Required): 

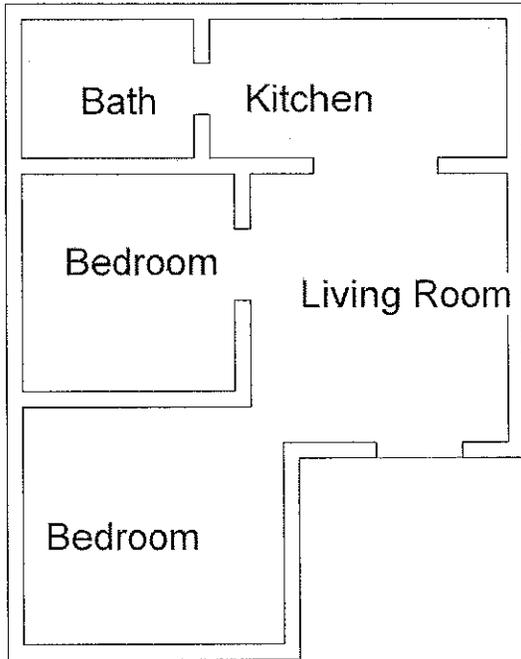
Name (Print): Jo Stang Date: 9.1.11

Important information regarding this application format:

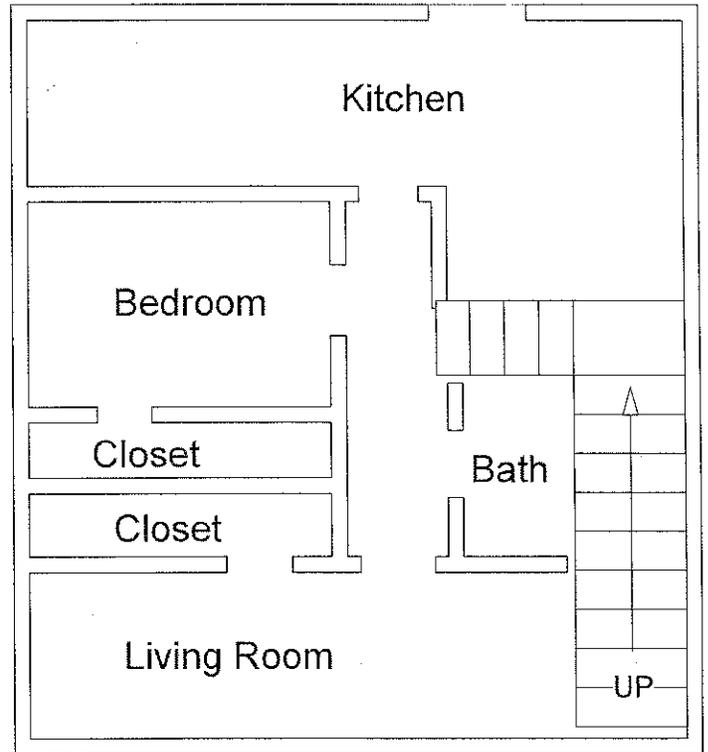
- 1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
- 2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

Print Form *

On February 11, 1993 the BHQA denied a request for a pass-through variance in the lower unit. At that time, the only way to get to the bathroom was through the north bedroom. With this decision, the lower unit was limited to one bedroom, and this was written on the next permit and subsequent permits until the present. At some point the property was modified, and the pass-through situation no longer exists. The HAND Department is requesting that the board rescind this limitation, restoring the lower level to a two-bedroom unit with an occupant load of three. The upper unit remains a one-bedroom unit with an occupant load of 2.



LOWER UNIT (719)



UPPER UNIT (719 1/2)

(NOT TO SCALE)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition to Rescind Variance**

Meeting Date: October 12, 2011

Petition Type: Petition to rescind a variance

Petition Number: 11-RV-125

Address: 108 S. Rogers

Petitioner: HAND

Inspector: Robert Hoole

Staff Report: During a recent cycle inspection it was noted that the unit has been remodeled and the pass-through variance is no longer needed.

Staff Recommendation: Rescind the variance

Conditions: None

Attachments: Application, floorplan

Handwritten mark



Application for Appeal
 To The
 Board of Housing Quality Appeals
 P.O. Box 100
 Bloomington, IN 47402
 812-349-3420

RECEIVED
 SEP 13 2011

Petitioner's Name: HAND

BY: _____

Petitioner's Address & Phone Number: _____

Owner's Name: N & N Enterprises

Owner's Address & Phone Number: PO Box 1605, 47402

Address of Property: 108 S. Rogers

Occupant(s) Name(s): _____

- The following conditions must be found in each case in order for the Board to consider the request:
1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
 2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.

- A. An extension of time to complete repairs. (Petition type: TV)
 - ↳ Specify the items that need the extension of time to complete
 - ↳ Explain why the extension is needed
 - ↳ Specify the time requested
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
 - ↳ Specify the code reference number you are appealing
 - ↳ Detail why you are requesting the variance
 - ↳ Specify the modifications and or alterations you are suggesting
- C. Relief from an administration decision. (Petition type: AA)
 - ↳ Specify the decision being appealed and the relief you are seeking
- D. Rescind a variance. (Petition type: RV)
 - ↳ Detail the existing variance
 - ↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: Robert Hoole

Name (print): Robert Hoole

(Will be assigned by BHQA)
 11-RV-125
 Petition Number: _____

(Please use the reverse side for further explanation and/or request)

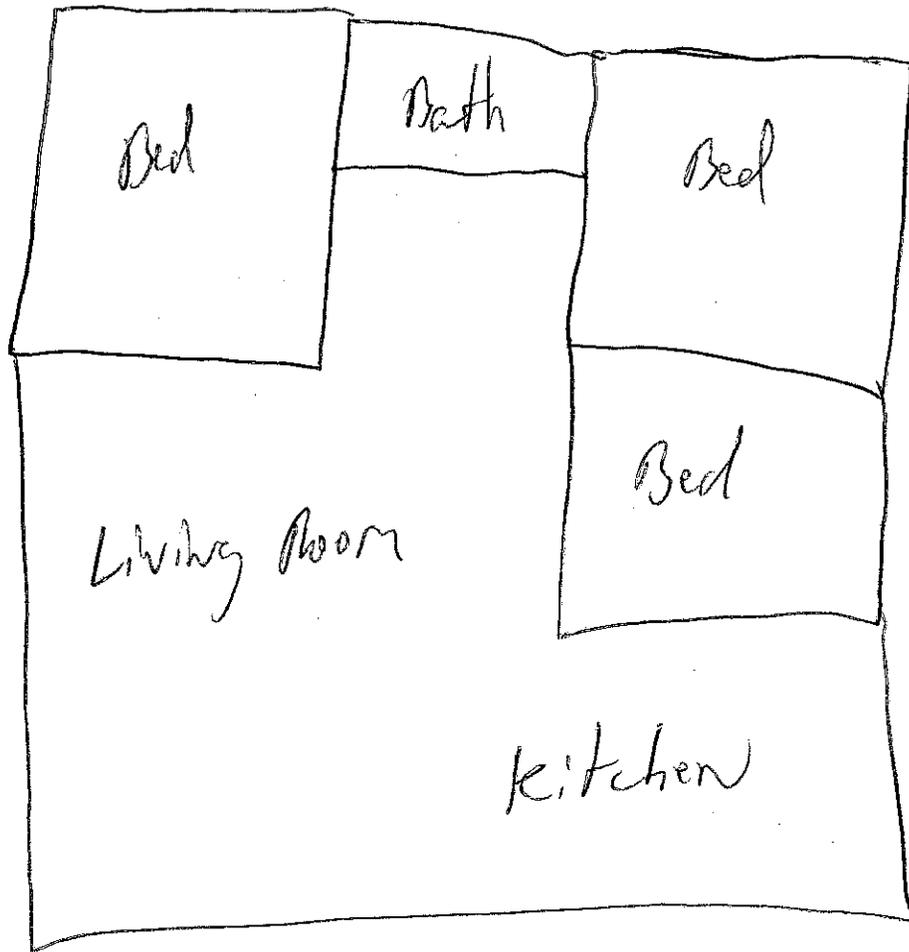


Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

(Please write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.)

Pass through variance no longer needed,

Signature: _____ Date: _____





City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Relief from an Administrative Decision**

Meeting Date: October 12, 2011
Petition Type: Relief from an administrative decision
Variance Request: Relief from IDL & TRR fines/reimbursement
Petition Number: 11-AA-126
Address: 536 S. Washington
Petitioner: Eric G. Terhorst

The cycle was conducted on 5/6/11. The IDL & TRR were noted under "Other Requirements" on the cycle report. Mr. Terhorst called on 7/20/11 prior to his reinspection that day and spoke to Janet Roberts and said he could not get the IDL & TRR faxed to us. Ms. Roberts explained that there is a fine for not providing it. Not everything was complied on the reinspection. On 7/28/11 he called to say that the remaining work was completed and the inspector did a drive-by on 8/1/11. On 8/25/11 we sent a billing statement for inspection fee and fines for the IDL & TRR. On 9/12/11, Mr. Terhorst came in and paid his billing statement, including the fines, and brought the IDL & TRR at that time. He then filed an appeal on the fine and requested a reimbursement.

Per BMC 16.12.100 (d), "Notwithstanding the preceding provisions, the fine for violations of Sections 16.12.040(e) and 16.12.0505(d) of this chapter shall be twenty-five dollars." HAND's policy is that if the IDL and TRR are not presented within the sixty day compliance period, the fines are assessed. Mr. Terhorst did not provide the IDL & TRR until well after the compliance period and he was notified both in writing (cycle report) and orally (conversation with Ms. Roberts) that fines would be assessed if they were not provided.

Staff recommendation: Deny the request.

Conditions: None.

Compliance Deadline: None

Attachments: Appeal form, letter from petitioner, cycle report & file notes from 7/20/11.



Application For Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov

RECEIVED
SEP 12 2011
BY:

Property Address: 536 S. Washington

Petitioner's Name: Eric G. Terhorst

Address: 1614 Walnut Ave

City: Wilmette

State: Illinois



Zip Code: 60091

Phone Number: 3122587126

E-mail Address: eterhorst@fana.com

Owner's Name: Eric G Terhorst

Address: 1614 Walnut Ave

City: Wilmette

State: Illinois



Zip Code: 60091

Phone Number: 3122587126

E-mail Address: eterhorst@fana.com

Occupants: Five current student tenants

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Identify the variance type that you are requesting from the following drop down menu:

Variance Type: An extension of time to complete repairs. (Petition Type: TV)



Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

11-~~AP~~-126

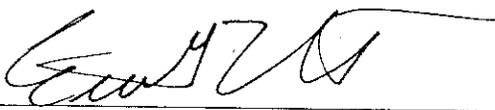
Petition Number: _____

In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
 - 1. Specify the code reference number you are appealing.
 - 2. Detail why you are requesting the variance.
 - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
 - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
 - 1. Detail the existing variance.
 - 2. Specify the reason the variance is no longer needed.

Following a recent HAND inspection of the rental property, I completed all required physical repairs within the time required but was unable to provide HAND with 1) a completed Tenants and Owners Responsibility Form and 2) an inventory and damage list completed by the tenants.

I am now able to provide that and have done so to the HAND inspector.

Signature (Required): 

Name (Print): Eric G Terhorst

Date: 8/17/2011

Important information regarding this application format:
1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

Print Form



City of Bloomington
Housing and Neighborhood Development

RENTAL PERMIT INFORMATION

MAY 20 2011

Eric Terhorst
1614 Walnut Avenue
Wilmette, IL 60091

Property Location: 536 S. Washington Street

Please find enclosed the Cycle Inspection Report which detail recommendations and violations found during the recent inspection of your rental property. You have sixty (60) days from the date of this letter to correct the violations listed on the report.

Once violations have been corrected, it is your responsibility to call the Housing and Neighborhood Development office by **JUL 20 2011** to schedule a re-inspection. You have the right to appeal any violation to the Board of Housing Quality Appeals. An appeal form can be found at www.bloomington.in.gov/hand. If you do not have access to the internet, you may contact HAND at 349-3420 and a form will be provided.

This report is issued in accordance with Section PM106.1 and PM106.2 of the Housing-Property Maintenance Code. Residential Rental Occupancy Permits will not be issued until all interior and exterior violations have been corrected, and all fees have been paid. Please be advised that non-compliance by the deadlines listed in this letter can limit the permit period to a maximum of three (3) years. A copy of the Notice of Fees can be found at www.bloomington.in.gov/hand. If you do not have access to the internet, you may contact HAND at 349-3420 and a form will be provided.

If you have any questions regarding the permit process, please call weekdays between 8:00 a.m. and 5:00 p.m., at (812) 349-3420.

Sincerely,

Housing and Neighborhood Development Department

Enclosures: Inspection Report

Xc: Lynn Wilson



City of Bloomington
Housing and Neighborhood Development

Cycle Report

2303

OWNERS

TERHORST, ERIC G.
1614 WALNUT AVENUE
WILMETTE, IL 60091

AGENT

WILSON, LYNN
1567 W. LEIGHTON LANE
BLOOMINGTON IN 47403

Prop. Location: 536 S WASHINGTON ST	Number of Units/Structures: 1 / 1
Date Inspected: 05/06/2011	Number of Bedrooms: 5
Inspectors: John Hewett	Max # of Occupants: 5
Primary Heat Source: Gas	Foundation Type: Basement
Property Zoning: RC	Attic Access: No
Number of Stories: 2	Accessory Structure:

Monroe County Assessor's records indicate this structure was built in 1930.
There were no requirements for emergency egress at the time of construction.

Interior

Entry

No violations noted.

Living room

17-7 x 15-4

Replace the missing/broken electrical receptacle cover plate on the north wall. PM-605.1

Dining room

14-7 x 13-9

Install a solid cover plate on the open junction box on the floor along the west wall. PM-605.1

Kitchen

13-6 x 10-3

69

A minimum 1A 10BC classification fire extinguisher shall be **mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress.** The securing mechanism must be no more than 5 feet above the floor. PM-704.3.

Install a cable clamp where the power supply enters the garbage disposal. PM-605.1

NW bedroom

11-7 x 9-6

Replace the missing smoke detector. If the missing smoke detector was hard wired it must be replaced with a hard wired model. PM-704.1

Repair/replace the damaged door. PM-304.6

Every door available as an exit shall be capable of being opened easily from the inside. PM-702.3 (remove the hasp lock on the outside of the door)

Existing Egress Window Measurements:

Height: 19 inches

Width: 33 inches

Sill Height: 30 inches

Openable Area: 4.35 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Hallway

Interior walls shall be free of holes. Repair the holes in the wall and paint the repaired areas. PM-304.3

Replace the missing smoke detector. If the missing smoke detector was hard wired it must be replaced with a hard wired model. PM-704.1

Bathroom

Secure the sink to the wall and properly support the sink in place. PM- 504.1

Properly seal the entire perimeter of the tub/shower including the floor. PM-304.3

Properly repair the door jamb and frame. PM-304.1

SW bedroom

11-3 x 11-8

Replace the missing smoke detector. If the missing smoke detector was hard wired it must be replaced with a hard wired model. PM-704.1

The window measurements are the same as noted above.

2nd Floor

E bedroom

15-8 x 13-3

Replace the missing protective cover for the light fixture. PM-605.1

Every door available as an exit shall be capable of being opened easily from the inside. PM-702.3 (remove the hasp lock on the outside of the door)

Existing Egress Window Measurements:

Height: 21 inches
Width: 35 inches
Sill Height: 23 inches
Openable Area: 5.1 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Bathroom

No violations noted.

SW bedroom

9-6 x 12-3

Every door available as an exit shall be capable of being opened easily from the inside. PM-702.3 (remove the hasp lock on the outside of the door)

The window measurements are the same as noted above.

NW bedroom

11-8 x 13-2

The window measurements are the same as noted above.

No violations noted.

Basement

Every flight of stairs which is more than 3 risers high shall have handrails. Secure the handrail to the wall. PM-304.5.1

W room

No violations noted.

Center room

Thoroughly clean and service the furnace, inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

Desired level:	0 parts per million (ppm)
Acceptable level in a living space:	9 ppm
Maximum concentration for flue products:	50 ppm

PM-603.1

E room

Replace the missing/broken electrical receptacle cover plate on the east wall at the ceiling. PM-605.1

Bathroom

No violations noted.

Exterior

Repair the damaged storm door. PM-303.15

NC
OC
Repair the damaged gutters on the front porch. PM-303.7

Properly secure the loose SW storm window. PM-303.13.1

Repair the broken and damaged vinyl siding on the north end of the front porch. PM-303.6

Other requirements

Required documentation:

NC
OC
A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC 16.12.050 (d)

Required documentation:

NC
OC
The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.040**

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)

ADDRESS: 536 S. Washington

FILE # 2303

Date	Contact	Initials
5-11-06	Send NTR	
12-06	SENT 1 ST NTR Pull 10.27.06	
-25-06	Rec'd new reg. form. I updated the rental system of	
1-7-08	Jimmison. cycle 4-10-08 at 9:00 Get new reg. form	
10-08	CONDUCTED CYCLE INSPECTION, SEND REPORT.	
15-08	Sent rpt. Pull 6-15-08	
28.0	call with Rem 5.30.08 (Fri) call w/o (SP)	
30.07	Completed reinspection with owner. Complied Issue permit	
6-08	Sent Bill pull 7-7-08	
24-08	PAID Sent 3 yr. permit Pull 5-30-2011	
2.10	Did partial cycle of this house by mistake. Notes in file	
4.27.11	Lynn Wilson called scheduled cycle 2/11 Fri 5/6/11 @ 1:30 pm w/ JH	
6/11	Cycle w/o	
13/11	SEND REPORT	
20-11	Sent cycle report. pull 7-20-11 to JH	
11	Brian called to ask when 7-20-11 @ 1:30 (JH) p8. 2-11	
2/11	Brian called stated he could not get the TRP's or More in document for his faxed - told him there is a \$50 fine if we don't receive the doc's - he said "ok"	



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: October 12, 2011

Petition Type: An extension of time to secure a state variance for egress windows.

Petition Number: 11-TV-127

Address: 210, 212, 214 E. 17th St.

Petitioner: Mecca Elkins-Patnode

Inspector: Norman Mosier

Staff Report: August 18, 2011 - Conducted Cycle Inspection
September 14, 2011 – Received BHQA Appeal

Petitioner is requesting an extension of time to secure a state egress variance from the Fire Prevention and Building Safety Commission, Department of Homeland Security. See egress window measurements on following pages.

Staff recommendation: Grant the extension of time.

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: December 12, 2011

Attachments: BHQA Appeal, Petitioner's Letter, Cycle Report, Additional pages showing egress window measurements.

AE



Application For Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov

RECEIVED
SEP 14 2011

Property Address: 210, 214, 212 E. 17th Street BY: _____

Petitioner's Name: Mecca Elkins - Patnode

Address: 220 E. 17th St.

City: Blgtn. State: IN Zip Code: 47408

Phone Number: 331-7777 E-mail Address: mecca@elkinspropertiesrent.com

Owner's Name: Barry Elkins

Address: 220 E. 17th Street

City: Blgtn. State: Indiana Zip Code: 47408

Phone Number: 331-7777 E-mail Address: —

Occupants: 5 person units 3 units

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Identify the variance type that you are requesting from the following drop down menu:

Variance Type: Window Egress

Reminder:
A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)
11-TV-127
Petition Number: _____

In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
 - 1. Specify the code reference number you are appealing.
 - 2. Detail why you are requesting the variance.
 - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
 - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
 - 1. Detail the existing variance.
 - 2. Specify the reason the variance is no longer needed.

A) 1. Egress windows
 2. Need time extended for variance to go through the state process.
 3. Approximate time 2 months just to make sure enough time for state process.

B) 1. Indiana Fire & Building safety Commission BMC-16.04.020 (b)
 2. The window is a 1/2 inch smaller don't think it would stop a person from coming in or out the windows.
 3. A variance, with the state over the size of windows.

C) I am appealing window egress size and extension of time to appeal to the state.

Signature (Required):

Mecca L. Elkins-Patnode

Name (Print):

Mecca L. Elkins-Patnode

Date:

9/12/11

Important information regarding this application format:

1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

Print Form



City of Bloomington
Housing and Neighborhood Development

Cycle Report

5009

OWNERS

ELKINS, BARRY
220 E. 17TH ST.
BLOOMINGTON, IN 47408

AGENT

ELKINS - PATNODE, MECCA
220 E. 17TH STREET
BLOOMINGTON IN 47408

Prop. Location: 210, 212, 214 E 17TH ST	Number of Units/Structures: 3 / 1
Date Inspected: 08/18/2011	Number of Bedrooms: 5 each
Inspectors: Norman Mosier	Max # of Occupants: 5 each
Primary Heat Source: Electric	Foundation Type: Basement
Property Zoning: RC	Attic Access: Yes
Number of Stories: 2	Accessory Structure: Det. Garage-Landlord use only

The Monroe County Assessor's records indicate that this structure was built in 1992.
Minimum egress requirements for multi-family structure at the time of construction.
Openable area: 5.7 Sq. Ft.
Clear width: 20 inches
Clear height: 24 inches
Sill height: 44 inches above finished floor

NOTE:

- ☞ All fire extinguishers must be inspected every 30 days and a record of that inspection shall be kept. Metal head extinguishers shall be subjected to maintenance at intervals of not more than one (1) year and shall have a tag or label securely attached that indicates the month and year the maintenance was performed as well as the identity of the person/company performing the service. Metal head extinguishers must be recharged every six years and hydro-tested every 12 years per NFPA-10. Plastic head extinguishers must be replaced every 12 years per NFPA-10. PM-704.3
- ☞ Room dimensions are in the file or listed on the previous cycle inspection report.

INTERIOR:

UNIT 214

MAIN LEVEL

Living/Dining Room:

No violations noted.

Kitchen:

All fire extinguishers must be inspected every 30 days and a record of that inspection shall be kept. Metal head extinguishers shall be subjected to maintenance at intervals of not more than one (1) year and shall have a tag or label securely attached that indicates the month and year the maintenance was performed as well as the identity of the person/company performing the service. Metal head extinguishers must be recharged every six years and hydro-tested every 12 years per NFPA-10. Plastic head extinguishers must be replaced every 12 years per NFPA-10. PM-704.3

Repair/replace the defective exhaust fan on the range hood. PM-603.1

BASEMENT

Stairway/Hallway, Laundry Closet, Water Heater Closet, Furnace Closet:

No violations noted.

Hall Bath:

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster east wall @ shower head. PM-304.3

E Bedroom:

Existing Egress Window Measurements: Slider: Const. Yr - 1992

Height: 29.5 inches

Width: 24 inches

Sill Height: 44 inches

Openable Area: 4.92 sq. ft.

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1992:

<u>Openable area required: 5.7 sq. ft.</u>	<u>Existing area: 4.92 sq. ft.</u>
Clear width required: 20 inches	Existing width: 24 inches
Clear height required: 24 inches	Existing height: 29.5 inches
Maximum sill height: 44 inches above finished floor	Existing sill: 44 inches above finished floor

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

West Bedroom:

Existing Egress Window Measurements: Dbl hung pop out: Const. Yr - 1992

Height: 26.5 inches

Width: 32 inches

Sill Height: 43.5 inches

Openable Area: 5.88 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

2nd LEVEL

Stairway/Hallway:

No violations noted.

E Bedroom:

Existing Egress Window Measurements: Dbl hung pop out: Const. Yr - 1992

Height: 23.5 inches

Width: 33.5 inches

Sill Height: 30 inches

Openable Area: 5.47 sq. ft.

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1992:

Openable area required: 5.7 sq. ft.	Existing area: 5.47 sq. ft.
Clear width required: 20 inches	Existing width: 33.5 inches
Clear height required: 24 inches	Existing height: 23.5 inches
Maximum sill height: 44 inches above finished floor	Existing sill: 30 inches above finished floor

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

Middle Bedroom:

Existing Egress Window Measurements: Dbl hung pop out: Const. Yr - 1992

Height: 23.5 inches

Width: 33.5 inches

Sill Height: 30 inches

Openable Area: 5.47 sq. ft.

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1992:

Openable area required: 5.7 sq. ft.

Existing area: 5.47 sq. ft.

Clear width required: 20 inches

Existing width: 33.5 inches

Clear height required: 24 inches

Existing height: 23.5 inches

Maximum sill height: 44 inches above finished floor

Existing sill: 30 inches above finished floor

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

Hall Bath:

Secure toilet to its mountings. PM-504.1

W Bedroom:

Existing Egress Window Measurements: Dbl hung pop out: Const. Yr - 1992

Height: 23.5 inches

Width: 33.5 inches

Sill Height: 30 inches

Openable Area: 5.47 sq. ft.

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1992:

Openable area required: 5.7 sq. ft.

Existing area: 5.47 sq. ft.

Clear width required: 20 inches

Existing width: 33.5 inches

Clear height required: 24 inches

Existing height: 23.5 inches

Maximum sill height: 44 inches above finished floor

Existing sill: 30 inches above finished floor

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

Attic:

No Access.

UNIT 212

MAIN LEVEL

Living/Dining Room:

No violations noted.

Kitchen:

All fire extinguishers must be inspected every 30 days and a record of that inspection shall be kept. Metal head extinguishers shall be subjected to maintenance at intervals of not more than one (1) year and shall have a tag or label securely attached that indicates the month and year the maintenance was performed as well as the identity of the person/company performing the service. Metal head extinguishers must be recharged every six years and hydro-tested every 12 years per NFPA-10. Plastic head extinguishers must be replaced every 12 years per NFPA-10. PM-704.3

BASEMENT

Stairway/Hallway, Laundry Closet, Furnace Closet, Water heater Closet:

No violations noted.

Hall Bath:

Repair/replace the defective exhaust fan. PM-603.1

N Bedroom:

Existing Egress Window Measurements: Slider: Const. Yr. - 1992

Height: 28 inches

Width: 24 inches

Sill Height: 44 inches

Openable Area: 4.67 sq. ft.

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1992:

Openable area required: 5.7 sq. ft.

Existing area: 4.67sq. ft.

Clear width required: 20 inches	Existing width: 24 inches
Clear height required: 24 inches	Existing height: 28 inches
Maximum sill height: 44 inches above finished floor	Existing sill: 44 inches above finished floor

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

S Bedroom:

Existing Egress Window Measurements: Slider: Const. Yr. - 1992
Height: 28 inches
Width: 24 inches
Sill Height: 44 inches
Openable Area: 4.67 sq. ft.

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1992:

<u>Openable area required: 5.7 sq. ft.</u>	<u>Existing area: 4.67sq. ft.</u>
Clear width required: 20 inches	Existing width: 24 inches
Clear height required: 24 inches	Existing height: 28 inches
Maximum sill height: 44 inches above finished floor	Existing sill: 44 inches above finished floor

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

2nd LEVEL

Stairway/Hallway:

No violations noted.

N Bedroom:

Existing Egress Window Measurements: Dbl hung pop out: Const. Yr. - 1992

Height: 21 inches
Width: 29.75 inches
Sill Height: 32 inches
Openable Area: 4.34 sq. ft.

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1992:

<u>Openable area required: 5.7 sq. ft.</u>	<u>Existing area: 4.34sq. ft.</u>
Clear width required: 20 inches	Existing width: 21 inches
Clear height required: 24 inches	Existing height: 29.75 inches
Maximum sill height: 44 inches above finished floor	Existing sill: 32 inches above finished floor

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

Middle Bedroom:

Repair the door to latch properly. PM-304.6

Existing Egress Window Measurements: Dbl hung pop out: Const. Yr. - 1992

Height: 21 inches
Width: 29.75 inches
Sill Height: 32 inches
Openable Area: 4.34 sq. ft.

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1992:

<u>Openable area required: 5.7 sq. ft.</u>	<u>Existing area: 4.34sq. ft.</u>
Clear width required: 20 inches	Existing width: 21 inches
Clear height required: 24 inches	Existing height: 29.75 inches
Maximum sill height: 44 inches above finished floor	Existing sill: 32 inches above finished floor

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

Hall Bath:

Seal the top of the shower surround. PM-304.1

Clean and service the exhaust fan. PM-603.1

S Bedroom:

Repair the door to fit the door jamb. PM-304.6

Existing Egress Window Measurements: Dbl hung pop out: Const. Yr. - 1992

Height: 21 inches

Width: 29.75 inches

Sill Height: 32 inches

Openable Area: 4.34 sq. ft.

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1992:

Openable area required: 5.7 sq. ft.

Existing area: 4.34sq. ft.

Clear width required: 20 inches

Existing width: 21 inches

Clear height required: 24 inches

Existing height: 29.75 inches

Maximum sill height: 44 inches above finished floor

Existing sill: 32 inches above finished floor

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

Attic:

No access.

UNIT 210

MAIN LEVEL

Living/Dining Room:

No violations noted.

Kitchen:

Properly install or replace the aerator on sink faucet so that it functions as intended.
PM-504.1

Repair the faucet sprayer on the sink to function as intended by the manufacturer, or remove and properly terminate the line for the sprayer. PM-504.1

BASEMENT

Stairway/Hallway, Laundry Closet, Furnace Closet, water Heater Closet:

No violations noted.

Hall Bath:

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster, west wall @ top of shower surround. PM-304.3

N Bedroom:

Repair the surface of the ceiling to be free of holes, cracks, peeling paint and sagging materials. PM-304.3

Existing Egress Window Measurements: Slider: Const. Yr. - 1992

Height: 28 inches

Width: 24 inches

Sill Height: 44 inches

Openable Area: 4.67 sq. ft.

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1992:

Openable area required: 5.7 sq. ft.

Existing area: 4.67 sq. ft.

Clear width required: 20 inches

Existing width: 24 inches

Clear height required: 24 inches

Existing height: 28 inches

Maximum sill height: 44 inches above finished floor

Existing sill: 44 inches above finished floor

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)

UNIT 214

BASEMENT

E Bedroom:

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1992:

Openable area required: 5.7 sq. ft.

Existing area: 4.92 sq. ft.

Clear width required: 20 inches

Existing width: 24 inches

Clear height required: 24 inches

Existing height: 29.5 inches

Maximum sill height: 44 inches above finished floor Existing sill: 44 inches above finished floor

2nd LEVEL

E Bedroom:

Existing Egress Window Measurements: Dbl hung pop out: Const. Yr - 1992

Height: 23.5 inches

Width: 33.5 inches

Sill Height: 30 inches

Openable Area: 5.47 sq. ft.

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1992:

Openable area required: 5.7 sq. ft.

Existing area: 5.47 sq. ft.

Clear width required: 20 inches

Existing width: 33.5 inches

Clear height required: 24 inches

Existing height: 23.5 inches

Maximum sill height: 44 inches above finished floor Existing sill: 30 inches above finished floor

Middle Bedroom:

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1992:

Openable area required: 5.7 sq. ft.

Existing area: 5.47 sq. ft.

Clear width required: 20 inches

Existing width: 33.5 inches

Clear height required: 24 inches

Existing height: 23.5 inches

Maximum sill height: 44 inches above finished floor Existing sill: 30 inches above finished floor

W Bedroom:

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1992:

Openable area required: 5.7 sq. ft.

Existing area: 5.47 sq. ft.

Clear width required: 20 inches

Existing width: 33.5 inches

Clear height required: 24 inches

Existing height: 23.5 inches

Maximum sill height: 44 inches above finished floor Existing sill: 30 inches above finished floor

Unit 212

BASEMENT

N Bedroom:

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1992:

Openable area required: 5.7 sq. ft.

Existing area: 4.67sq. ft.

Clear width required: 20 inches

Existing width: 24 inches

Clear height required: 24 inches

Existing height: 28 inches

Maximum sill height: 44 inches above finished floor Existing sill: 44 inches above finished floor

S Bedroom:

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1992:

Openable area required: 5.7 sq. ft.

Existing area: 4.67sq. ft.

Clear width required: 20 inches

Existing width: 24 inches

Clear height required: 24 inches

Existing height: 28 inches

Maximum sill height: 44 inches above finished floor Existing sill: 44 inches above finished floor

2ND LEVEL

N Bedroom:

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1992:

Openable area required: 5.7 sq. ft.

Existing area: 4.34sq. ft.

Clear width required: 20 inches

Existing width: 21 inches

Clear height required: 24 inches

Existing height: 29.75 inches

Maximum sill height: 44 inches above finished floor Existing sill: 32 inches above finished floor

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Openable area required: 5.7 sq. ft.

Existing area: 4.34sq. ft.

Clear width required: 20 inches

Existing width: 21 inches

Clear height required: 24 inches

Existing height: 29.75 inches

Maximum sill height: 44 inches above finished floor Existing sill: 32 inches above finished floor

S Bedroom:

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1992:

Openable area required: 5.7 sq. ft.

Existing area: 4.34sq. ft.

Clear width required: 20 inches

Existing width: 21 inches

Clear height required: 24 inches

Existing height: 29.75 inches

Maximum sill height: 44 inches above finished floor

Existing sill: 32 inches above finished floor

UNIT 210

BASEMENT

N Bedroom:

Existing Egress Window Measurements: Slider: Const. Yr. - 1992

Height: 28 inches

Width: 24 inches

Sill Height: 44 inches

Openable Area: 4.67 sq. ft.

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1992:

Openable area required: 5.7 sq. ft.

Existing area: 4.67 sq. ft.

Clear width required: 20 inches

Existing width: 24 inches

Clear height required: 24 inches

Existing height: 28 inches

Maximum sill height: 44 inches above finished floor

Existing sill: 44 inches above finished floor

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Clear width required: 20 inches

Existing width: 24 inches

Clear height required: 24 inches

Existing height: 28 inches

Maximum sill height: 44 inches above finished floor

Existing sill: 44 inches above finished floor



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: October 12, 2011

Petition Type: An extension of time to complete repairs

Petition Number: 11-TV-128

Address: 800 N. Smith Road

Petitioner: Regency Consolidated Residential, LLC

Inspector: Arnold

Staff Report: August 5, 2011 – Conducted Complaint Inspection
August 23, 2011 – Received written request for more time
September 15, 2011-- Received BHQA Appeal

A complaint inspection was conducted on the railings at Meadow Park Apartments on August 5th. The handrails and balcony railings do not meet the minimum requirements at the time of construction. Petitioner has engaged an architect to determine how to best retrofit the railings to meet code.

Staff recommendation: Grant the extension of time.

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: November 15, 2011 to determine course of action
July 30, 2012 to complete the work

Attachments: BHQA Appeal, Petitioner's Letter, Petitioner's email, Complaint Report



Application For Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov

RECEIVED
SEP 15 2011

BY:

Property Address: 800 North Smith Road

Petitioner's Name: Meadow Park Apartments

Address: 800 North Smith Road

City: Bloomington

State: Indiana

Zip Code: 47408

Phone Number: (812) 339-5544

E-mail Address: j.dearborn@regencyapartments.com

Owner's Name: Regency Consolidated Residential, LLC

Address: 1701 Broadmoor Drive, Suite 200

City: Champaign

State: Illinois

Zip Code: 61821

Phone Number: 217-359-7031

E-mail Address: d.macfarland@regencyapartments.com

Occupants: Apartment residents

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Identify the variance type that you are requesting from the following drop down menu:

Variance Type: An extension of time to complete repairs. (Petition Type: TV)

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

11-TV-128

Petition Number: _____

In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
 - 1. Specify the code reference number you are appealing.
 - 2. Detail why you are requesting the variance.
 - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
 - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
 - 1. Detail the existing variance.
 - 2. Specify the reason the variance is no longer needed.

We are requesting an extension of time so that we can determine how we are going to raise the height of the handrails on the elevated walkways on the front of the buildings. Initially we were uncertain if we were going to request a state variance on the height of the handrails and we have decided not to proceed with the variance request. Now we are trying to decide whether we should just add a piece to the top of the rails so that they meet the height requirement or should we replace all of the handrails. We have engaged an architect, Michael Chamblee, to prepare recommendations and cost estimates for both alternatives for us. We have also contacted Joedy Dillard, a local contractor, for his recommendation. I would estimate we should know which alternative we will take in no more than 60 days. If you need additional information please do not hesitate to contact me. Doug MacFarland, Vice President of Property Management, Regency Consolidated Residential, LLC, 1701 Broadmoor Drive, Suite 200, Champaign, IL 61821 (217) 359-7031 ex. 26 d.macfarland@regencyapartments.com. Thank you for your consideration.

Signature (Required):



Name (Print): Douglas MacFarland

Date: 9/12/11

Important information regarding this application format:

- 1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
- 2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.





Lisa Abbott <abbottl@bloomington.in.gov>

Meadow Park Apartments

MacFarland, Doug <D.MacFarland@regencyapartments.com>

Tue, Aug 23, 2011
at 1:59 PM

To: "abbottl@bloomington.in.gov" <abbottl@bloomington.in.gov>
Cc: "Pratten, Bob" <R.Pratten@regencyapartments.com>, "Jones, Nancy" <N.Jones@regencyapartments.com>

Hi Ms Abbot:

This is in response to your letter dated August 16, 2011 concerning the inspection of the handrails and railings at Meadow Park Apartments, 800 North Smith Road. We have engaged an architect to review what options we have regarding the findings in the report but at this point we do not know when we will receive their recommendation. Therefore we are requesting an extension of the August 30th deadline to respond to the findings in your report. If you need additional information or have any questions please do not hesitate to contact me. Thank you for your cooperation.

Sincerely,

Doug MacFarland

Doug MacFarland, CPM, CCIM
Vice President of Property Management
Regency Consolidated Residential, LLC
1701 Broadmoor Drive, Suite 200
Champaign, IL 61821
(217) 359-7031 ex. 26
(217) 552-8735 cell
d.macfarland@regencyapartments.com

Lisa Abbott <abbottl@bloomington.in.gov>

Tue, Aug 23, 2011 at 3:37
PM

To: "MacFarland, Doug" <D.MacFarland@regencyapartments.com>
Cc: Patricia Mulvihill <mulvihill@bloomington.in.gov>

Mr. MacFarland,

Your request for an extension of the August 30th deadline to respond to the complaint inspection report is granted. We will need a response on how your company plans to

proceed on or before Monday, September 19, 2011. If you feel that your company will require additional time past September 19, 2011, please file for an Extension of Time with the City's Board of Housing and Quality Appeals. You can find the appeal form at <http://bloomington.in.gov/media/media/application/pdf/327.pdf>.

Thank you for working with us on this matter.

Lisa Abbott
]



City of Bloomington
Housing and Neighborhood Development

AUG 16 2011

Regency Consolidated Residential, LLC
1701 Broadmoor Drive Suite #200
Champaign IL 61821

RE: NOTICE OF COMPLAINT INSPECTION

Dear Regency Consolidated Residential, LLC:

On August 5, 2011 a complaint inspection was performed at 800 N. Smith Road. During the inspection violations of the Bloomington Housing Code were found.

Please correct the violations cited on the enclosed inspection report within fourteen days and call this office no later than **AUG 30 2011**, to schedule the required re-inspection. Our mailing address and telephone number are listed below.

This directive is issued in accordance with Section PM 106.0 of the Housing-Property Maintenance Code of Bloomington. You have the right to appeal to the Board of Housing Quality Appeals. If you need more than fourteen to correct the violations, or if you want to appeal any violation, an appeal form can be found at www.bloomington.in.gov/hand. If you do not have access to the internet, you may contact HAND at 812-349-3420 and a form will be provided.

Please remember, it is your responsibility to contact the Housing and Neighborhood Development Department to schedule the required re-inspection.

Sincerely,

Housing & Neighborhood Development

Encl: Inspection Report



**City of Bloomington
Housing and Neighborhood Development**

Complaint Inspection Report

1777

OWNERS

=====

REGENCY CONSOLIDATED RESIDENTIAL, LLC
1701 BROADMOOR DR. SUITE #200
CHAMPAIGN, IL 61821

AGENT

=====

DEARBORN, JANE
800 N. SMITH ROAD
BLOOMINGTON IN 47408

Prop. Location: 800 N SMITH RD
Date Inspected: 08/05/2011
Inspectors: Mike Arnold
Primary Heat Source: Gas
Property Zoning: RH
Number of Stories: 2

Number of Units/Structures: 107 / 9
Number of Bedrooms: 1 & 2, 1-4br
Max # of Occupants: 2 & 4, 5
Foundation Type: Basement
Attic Access: Yes
Accessory Structure: none

Note: Monroe County records indicate the structures for this property were built in 1968 and 1969.

The following items are the result of a complaint inspection conducted on **08/05/2011**. It is your responsibility to decide whether you wish to repair the violation or to ask the State for a variance within fourteen (14) days of receipt of this report. After this decision is made, a timeline for compliance will be scheduled. Failure to comply with this inspection report will result in this matter being turned over to the City Legal Department. If you have questions regarding this report, please contact this office at 349-3420.

Exterior:

General Condition:

The handrails and balcony railings do not meet the minimum requirements for the time of construction. The 1962 Indiana Building Code requires handrails for stairs to be 30" above the nosing of the tread and railings for balconies to be not less than three feet in height. See attachment for measurements of handrails and railings for this property. The handrails and railings shall be altered or replaced to meet the code requirement at the time of construction, or you may apply for a variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

PM-303.12.1 (exterior)

Meadow Park Handrails

Building	Upper Guardrail	Metal Stair	Metal Stair	Concrete Stair	Concrete Stair	1st Floor Railing	1st Floor Stair	1st Floor Stair	Window Well
		Front of Tread	Back of Tread	Front of Tread	Back of Tread		Front of Tread	Back of Tread	
A	29	26	36	28	37.5				
B	29	29	37	29	37				
C	29.25	29	37	30.5	38.25	29.25			
D	29	29	37	28	38				
E	29	29	36.5	27	34	29	29	36	
F	28.75	30.5	38	29.5	35.5				
G	29	31	38.5	30	36.5	29.25	31.5	37.5	
H	28.75	30.5	37.5	27	34				
I	29	30	38	28.25	36				
J									
K	29	29	37.5	29.5	36.25				
L	28.75	29	36.5	29.5	36.5				
M	29	31	38						
N	29	30	36.5	29	35	29.5	27	36	
O	28.75	29.5	36.5	29.5	36	30			30
P	29	28.5	35.5	28	34	29.5			30
Q	29	29	37	28	33.75				
R	29.5	29	37	29.75	37				
S	29	31.5	38.5	28.5	36				
T	29	31	38	28.5	35.5	29.5			
U	28.75	30	37						
V	28.75	30.5	38						
W	29	30	37	30	36.5				
X 1-8	29	34.5	38.25	27.5	35	29.5			
X 9-16	29	30	36.5	29	36				29.25
X 17-24	29	28	35	30	35.5				29
X 33-40	29	30	36.5	30	36.5	29.5	32.5	39	
Y 1-8	29	29.5	36.5	29	36	28.75			
Y 9-16	30	29	36	30	36				30
Y 17-24	29	30	37	30	36.5	36.25			30.5
Y 25-32	29	29	35	29	36	37			29.5
Z 1-8	29	30	37	28.5	35.5	29.25			
Z 9-16	29.25	29.5	36.5	29.5	36.5	29			
Z 17-24	29	30.5	36	28.5	35.5		30	37	

Balcony 40-41

All measurements are in inches

or from both sides when the building is occupied. Locks, if provided, shall not require a key to operate from the inside.

No door shall swing out over a sidewalk, alley or street. (See Section 4507.)

Railings

Sec. 3305. All stairways shall have walls or well-secured balustrades or guards on each side and handrails shall be placed on at least one side of every stairway and stairways exceeding forty-four inches (44") in width shall have handrails placed on each side. Stairways over seven feet (7') wide shall be provided with one or more continuous intermediate handrails substantially supported and the number and position of intermediate handrails shall be such that there is not more than sixty-six inches (66") between adjacent handrails.

Handrails and railings shall be placed thirty inches (30") above the nosing of treads and ends of handrails shall be returned to the wall.

Lighting

Sec. 3306. Every stairway or other means of exit into corridors and passageways appurtenant thereto shall be provided with an adequate system of lighting, either natural or artificial. Lights in the exit signs shall be kept burning at all times that the building served by such stairways or exits is being used or occupied. See Lighting and Signs, Chapter 34.

Detail Requirements

Sec. 3307. Stairways and landings, returns and passageways serving such stairways shall be not less than forty-four inches (44") wide; except, that for dwellings and when serving mezzanines or not more than one family or one apartment in buildings not exceeding two stories in height, the required width may be reduced to not less than three feet (3'). All such widths shall be clear of all obstruction; except that handrails attached to walls may project within the required width not more than three and one-half inches (3 1/2") at each side when the stairway is forty-four inches (44") or more in width and on one side when the stairway width is less than forty-four inches (44"). If newels project above tops of rails a minimum clear width of not less than that specified in this paragraph shall be provided between the face of the newel and the face of the wall or newel opposite.

The rise of stairway shall be not more than seven and one-half inches (7 1/2") and the tread exclusive of the nosing not less than ten inches (10") (maximum pitch 37 degrees), and there shall be not more than seventeen risers in any one run between landings; providing, that stairways in dwellings and stairways serving mezzanine floors may have a rise of not more than eight inches (8") and a tread exclusive of the nosing of not less than nine inches (9").

In Groups A, B and C occupancies, the walls at the outer corners of landings should be curved on a radius of at least two feet (2'), or a 45 degree splay not less than twenty inches (20") wide shall be provided to eliminate right angle corners.

Every required stairway including stairways in Group I occupancies shall have a head room clearance of not less than six feet six inches (6'-6") measured vertically from the nearest nosing to the nearest soffit.

Stairway Enclosures

Sec. 3308. All required stairways and ramps in buildings of Type III, IV or V two stories or more in height and in buildings of Type I and II, three stories or more in height, including landings and parts of floors between stairways which lie in the path of travel, shall be enclosed as specified under Occupancy in Part III, under Types of Construction in Part V, and Chapter 80; except that monumental stairways leading only from the street floor level to the second floor or basement which do not constitute required means of exit in public buildings or stores shall be exempted from the enclosure requirements.

Exit enclosures shall not be used for storage in any manner whatsoever and shall not contain any material or equipment liable to cause fire, explosion or panic.

Stairways Required

Sec. 3309. The number of stairways provided for each use or occupancy shall be as required in Table No. 33-A for three-story buildings. For two-story buildings the allowable areas may be increased 50 per cent. For buildings four stories or more in height the allowable areas shall be decreased 2 per cent per floor for each floor above the third floor to and including the eighth floor and shall be decreased 1 per cent for each additional floor above the eighth floor; provided, that in no case shall there be less than two stairways serving each floor for each building three stories or more in height. When the entire building is sprinklered in accordance with the provisions of Chapter 38 the allowable areas in Table No. 33-A may be increased 33 1/2 per cent.

See Chapters 6, 7, 8, 9 and 10 for any special requirements pertaining to Group A, B, C, D and E respectively.

Where a cellar or basement in a Group D, E, F, G and H occupancy is used for other than storage or furnace room purposes, exits, stairs or ramps shall be provided as for the same occupancies on the second floor, except that any basement used by the public or any basement to be used by more than twenty employees simultaneously shall have not less than two stairways.

skylight does not exceed twenty feet (20') above the grade, but in other cases metal frames and metal sash bars shall be used.

Glass used for the transmission of light, if placed in floors or sidewalks, shall be supported by metal or reinforced concrete frames, and such glass shall be not less than one-half inch ($\frac{1}{2}$ " in thickness. Any such glass over sixteen square inches (16 sq. in.) in area shall have wire mesh embedded in the same or shall be provided with a wire screen underneath as specified for skylights in this Section. All portions of the floor lights or sidewalk lights shall be of the same strength as is required by these Rules and Regulations for floor or sidewalk construction, except in cases where the floor is surrounded by a railing not less than three feet six inches (3'-6") in height, in which case the construction shall be calculated for not less than roof loads.

Bays and Balconies Construction

Sec. 3603. Construction of walls and floors in bay and oriel windows shall conform to the construction allowed for exterior walls and floors of the type of construction of the building to which they are attached. The roof covering of a bay or oriel window shall conform to the requirements for roofing of the main roof of the building.

All exterior balconies attached to or supported by masonry walls shall have brackets or beams constructed of wire, steel, concrete or other incombustible material. All railings for balconies or porches shall be not less than three feet (3') in height above the floor of such balcony or porch.

Penthouses and Roof Structures

Sec. 3604. No penthouse or other projection above the roof shall exceed twenty-eight feet (28') in height above the roof when used as an enclosure for tanks or for elevators which run to the roof and in all other cases shall not extend more than twelve feet (12') in height above the roof. The aggregate area of all penthouses and other roof structures shall not exceed 20 per cent of the area of the roof. No penthouse, bulkhead or any other similar projection above the roof shall be used for manufacturing, business, habitation, offices or storage, except that they be permitted to be used for the making of blue prints, photographic prints, for scientific observation, for summer houses or for Group I occupancies.

Room structures of Type I buildings shall be constructed with walls, floors and roof as required for the main portion of the building.

Walls of roof structures parallel to and within four feet (4') of the exterior walls of Type II or III buildings shall be constructed the same as the exterior wall of the story immedi-

ately below. Such wall shall project two feet (2') above the roof and two feet (2') beyond the sides of such roof structure, except that the side projection shall not be required when the adjoining side walls are of masonry. Walls other than those occurring within four feet (4') of an exterior wall on Type II or III buildings shall be of not less than one-hour fire-resistive construction. The restrictions of this paragraph shall not prohibit the placing of wood flagpoles or similar structures on the roof of any building.

Towers and Spires

Sec. 3605. Towers or spires when enclosed shall have exterior walls as required for the building to which they are attached. Towers not enclosed and which extend more than seventy-five feet (75') above grade shall have their framework constructed of iron, steel or reinforced concrete. No tower or spire shall occupy more than one-fourth of the street frontage of any building to which it is attached and in no case shall the base area exceed sixteen hundred square feet (1,600 sq. ft.) unless it conforms entirely to the type of construction requirements of the building to which it is attached and is limited in height as a main part of the building. If the area of the tower or spire exceeds one hundred square feet (100 sq. ft.) at any horizontal cross section its supporting frame shall extend directly to the ground. The roof covering of spires shall be as required for the main roof of the rest of the structure.

Skeleton towers used as radio masts and placed on the roof of any building shall be constructed entirely of incombustible materials when more than twenty-five feet (25') in height and shall be directly supported on an incombustible framework to the ground. They shall be designed to withstand a wind load from any direction as specified in Section 2807 in addition to any other loads.