

**PUBLIC HEARING  
BOARD OF HOUSING QUALITY APPEALS  
CITY HALL McCLOSKEY CONFERENCE ROOM  
August 15, 2012, 4:00 P.M.**

I. ROLL CALL

II. REVIEW OF SUMMARY – June 20, 2012 pp. 3-4

III. OLD BUSINESS

- (1) 12-TV-42 **515, 521 & 545 E. Smith Avenue**, DB Crossing, LLC. Request for an extension of time to complete repairs. Previously heard April 18, 2012.  
pp. 5-8

IV. NEW BUSINESS

- (2) 12-AA-94 **904 S. Lincoln Street**, Grace Fellowship Assembly of God. Request for relief from an administrative decision.  
pp. 9-11
- (3) 12-AA-95 **613 W. Duncan Drive**, Cole Roberts. Request for relief from an administrative decision.  
pp. 12-14
- (4) 12-TV-96 **1181-1193 E. Cobblefield Court**, Downtown Real Estate, LLC. Request for an extension of time to complete repairs.  
pp. 15-30
- (5) 12-TV-97 **325 E. 10<sup>th</sup> Street**, 606 Building Company. Request for an extension of time to complete repairs.  
pp. 31-37
- (6) 12-TV-98 **606 S. Grant Street**, Belkacem Zoulin. Request for an extension of time to complete repairs.  
pp. 38-45
- (7) 12-TV-99 **1719 & 1737 N. Lincoln Street**, Kevin Nguyen. Request for an extension of time to complete repairs.  
pp. 46-54
- (8) 12-TV-100 **327 E. 2<sup>nd</sup> Street**, Tariq Khan. Request for an extension of time to complete repairs.  
pp. 55-63
- (9) 12-TV-101 **502 E. Graham Place**, Thomas Volke. Request for an extension of time to complete repairs.  
pp. 64-72
- (10) 12-TV-102 **419 N. Washington Street**, Fierst Rentals. Request for an extension of time to complete repairs.  
pp. 73-81
- (11) 12-TV-103 **519, 541 & 543 E. Smith Avenue**, DB Crossing, LLC. Request for an extension of time to complete repairs.  
pp. 82-94
- (12) 12-TV-104 **523 & 525 E. Smith Avenue**, Harold & Sandra Sabbagh. Request for an extension of time to complete repairs.  
pp. 95-106

V. GENERAL DISCUSSION

VII. PUBLIC COMMENT

VIII. ADJOURNMENT

**BHQA CONSENT AGENDA  
CITY HALL McCLOSKEY CONFERENCE ROOM  
August 15, 2012, 4:00 P.M.**

Relief from Administrative Decision

- (2) 12-AA-94 **904 S. Lincoln Street**, Grace Fellowship Assembly of God. Request for relief from an administrative decision. pp. 9-11
- (3) 12-AA-95 **613 W. Duncan Drive**, Cole Roberts. Request for relief from an administrative decision. pp. 12-14

Extension of time – State Variance

- (4) 12-TV-96 **1181-1193 E. Cobblefield Court**, Downtown Real Estate, LLC. Request for an extension of time to complete repairs. pp. 15-30
- (7) 12-TV-99 **1719 & 1737 N. Lincoln Street**, Kevin Nguyen. Request for an extension of time to complete repairs. pp. 46-54
- (9) 12-TV-101 **502 E. Graham Place**, Thomas Volke. Request for an extension of time to complete repairs. pp. 64-72
- (11) 12-TV-103 **519, 541 & 543 E. Smith Avenue**, DB Crossing, LLC. Request for an extension of time to complete repairs. pp. 82-94
- (12) 12-TV-104 **523 & 525 E. Smith Avenue**, Harold & Sandra Sabbagh. Request for an extension of time to complete repairs. pp. 95-106

Extension of time – Complete Repairs

- (5) 12-TV-97 **325 E. 10<sup>th</sup> Street**, 606 Building Company. Request for an extension of time to complete repairs. pp. 31-37
- (8) 12-TV-100 **327 E. 2<sup>nd</sup> Street**, Tariq Khan. Request for an extension of time to complete repairs. pp. 55-63

# B.H.Q.A. MEETING OF JUNE 20, 2012

## SUMMARY

MEMBERS PRESENT: Kris Floyd, Elizabeth Gallman, Susie Hamilton, Nikki Johnson, Katherine Lessing, Ryan Strauser

STAFF PRESENT: Lisa Abbott, Michael Arnold, Daniel Bixler, John Hewett, Maria McCormick, Jo Stong (HAND), Patty Mulvihill (Legal)

OTHERS PRESENT: Tara White (GT Rentals)

### I. REVIEW OF SUMMARY

Hamilton made a motion to approve the minutes for April 18, 2012 and May 16, 2012. Gallman seconded. Motion passed, 6-0.

### II. CONSENT AGENDA

(1) Extensions of Time- Complete Repairs:

**615 W. 15<sup>th</sup> Street, Acacia Investments, LLC, 12-TV-67.** Request for an extension of time to complete repairs. Recommendation was to grant with a March 20, 2013 deadline.

**111 E. 16<sup>th</sup> Street, Karen Haley, 12-TV-70.** Request for an extension of time to complete repairs. Recommendation was to grant with a March 5, 2013 deadline.

**623 N. Kerry Drive, Thomas & Renee Dreher, 12-TV-71.** Request for an extension of time to complete repairs. Recommendation was to grant with an August 15, 2012 deadline.

**407 E. Smith Avenue, Dolores Rockwood, 12-TV-77.** Request for an extension of time to complete repairs. Recommendation was to grant with a June 29, 2012 deadline for all life-safety violations and a July 30, 2012 deadline for all other violations.

**1000 S. Ballantine Road, Fuchs Investments, LLC, 12-TV-79.** Request for an extension of time to complete repairs. Recommendation was to grant with a July 10, 2012 deadline.

**2517 S. Milton Drive, Wallace Wampler, 12-TV-81.** Request for an extension of time to complete repairs. Recommendation was to grant with a June 27, 2012 deadline for all smoke detectors and an August 20, 2012 deadline for all other repairs.

**Approved.**

(2) Extensions of Time- State Variance:

**1739 N. Lincoln Street, Tempo Properties, Inc., 12-TV-75.** Request for an extension of time to complete repairs. Recommendation was to grant with an August 20, 2012 deadline.

**2360 S. Henderson Street, Beverley Chen, 12-TV-76.** Request for an extension of time to complete repairs. Recommendation was to grant with an August 20, 2012 deadline.

**Approved.**

(3) Rescission of Variance:

**1004-1004 ½ W. 6<sup>th</sup> Street, H.A.N.D., 12-RV-69.** Request for rescission of variance. Recommendation was to grant the rescission.

**1413 S. Walnut Street, H.A.N.D., 12-RV-80.** Request for rescission of variance. Recommendation was to grant the rescission.

**414 E. Hillside Drive, H.A.N.D., 12-RV-82.** Request for rescission of variance. Recommendation was to grant the rescission.

**Approved.**

Grant variance:

**318 E. Smith Avenue, Norman Ladd, 12-V74.** Request for an exception or modification to the Housing Property Maintenance Code. Recommendation was to deny the request.

**Approved.**

### III. PETITIONS

**210 E. 12<sup>th</sup> Street, Richard Pollert, 12-V-68.** Pulled from Consent Agenda. The petitioner, Tara White of GT Rentals, was present to request an exception or modification to the Housing Property

Maintenance Code for bedroom size. A State Variance is required. Staff recommendation was to grant an extension of time for the petitioner to obtain the State Variance with a deadline of September 30, 2012. Strauser made a motion to grant the request per staff recommendation. Hamilton seconded. Motion passed, 6-0. Request granted.

**219 E. Burks Drive/3382 S. Burks Court, Dara May, 12-TV-36.** The petitioner was not present to request for an extension of time to complete repairs. Previously heard March 21, 2012. Staff recommendation was to grant the request with a deadline of July 20, 2012. Floyd made a motion to grant the request per staff recommendation. Hamilton seconded. Motion passed, 6-0. Request granted.

**432 S. College Avenue, Monroe County Convention Building Corp., 12-V-72.** The petitioner was not present to request an exception or modification to the Housing Property Maintenance Code. Staff recommendation was to grant the variance. Floyd made a motion to table. Strauser seconded. Motion passed, 6-0. Request tabled to next month. Request was made to secure pictures and a floor plan.

**1207 S. Lincoln Street, Jonathan Cargill, 12-TV-73.** The petitioner was not present to request an extension of time to complete repairs and a variance for the bathroom requirement to have either an openable window or mechanical ventilation. Staff recommendation was to grant the variance and the request for an extension of time with a deadline of August 20, 2012. Hamilton made a motion to grant the request per staff recommendation. Lessing seconded. Motion passed, 5-1 (Johnson voted nay). Request granted.

**2307 E. Winding Brook Court, Kristianne Kuntz, 12-TV-78.** Pulled from Consent Agenda. The petitioner was not present to request an extension of time to complete repairs. Staff recommendation was to grant the request with a deadline of July 02, 2012. Strauser made a motion to grant the request per staff recommendation. Strauser withdrew motion. Hamilton made a motion to grant the request with an August 20, 2012 deadline. Gallman seconded. Motion passed, 6-0. Request granted.

IV. GENERAL DISCUSSION

None.

V. PUBLIC COMMENT

None.

VI. ADJOURNMENT

Strauser made a motion to adjourn. Floyd seconded. Motion passed, unanimously. Meeting adjourned at 4:51 PM.



City of Bloomington  
H.A.N.D.

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

Meeting Date: August 15, 2012

Petition Type: An extension of time to complete repairs.

Petition Number: 12-TV-42

Address: 515, 521, & 545 E Smith St.

Petitioner: Tempo Properties Inc.

Inspector: John Hewett

Staff Report: November 1, 2011 Cycle Inspection  
 January 25, 2012 Re-inspection, all but windows complied  
 February 10, 2012 Sent remaining violations report  
 March 4, 2012 Start legal  
**April 18, 2012 Received Extension from Board.**  
 June 22, 2012 Received Appeal under Old Business

During the Cycle inspection it was noted that the egress window in the front bedroom does not meet the minimum size required by the Building Code in place at the time of construction. The petitioner is requesting a variance from the State of Indiana. Window size is as follows:

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1985:

Openable area required:	4.75sq. ft.	Existing area:	5.4 sq. ft.
Clear width required:	18"	Existing width:	34.25"
<b>Clear height required:</b>	<b>24"</b>	<b>Existing height:</b>	<b>22.75"</b>
Maximum sill height:	48" above finished floor	Existing sill:	31"

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 20, 2012

Attachments: Petitioner's letter

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JUN 22 2012

Page 1 of 2



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:** 515/521/545 E. Smith Ave, Bloomington IN

**Petitioner's Name:** TEMPO Properties

**Address:** PO Box 5727

**City:** Bloomington

**State:** Indiana

**Zip Code:** 47407

**Phone Number:** (812) 336-2026

**E-mail Address:** dave\_tempoproperties@yahoo.com

**Owner's Name:** D.B. Crossing

**Address:** 1673 Bellemeade Dr

**City:** Bloomington

**State:** Indiana

**Zip Code:** 47401

**Phone Number:** 812-336-2026

**E-mail Address:** dave\_tempoproperties@yahoo.com

**Occupants:** 2 in each unit

**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)

12-TV-42 (OLD)

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 asking for an extension of time as we have filed the necessary paperwork for the window variance to the state, and we are still awaiting their response. We have done our due diligence, and area at the mercy of the State at this point in them getting back to us regarding this issue. Thank you

Signature (Required): W. Thornbury

Name (Print): William Thornbury Date: 6/22/12

**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  
H.A.N.D.

### Board of Housing Quality Appeals

Meeting Date: August 15, 2012  
Petition Type: Relief from an administrative decision  
Variance Request: Relief from the requirement to register as a rental  
Petition Number: 12-AA-94  
Address: 904 S. Lincoln Street  
Petitioner: Grace Fellowship Assembly of God

Prior to the expiration of the rental permit, the owner notified HAND that this property is being used by the church as housing for the Youth Director, Joe James, and his family. The church would like it removed from the rental inspection program.

Staff recommendation: Grant the relief from the rental registration process

Conditions: This agreement shall remain in force so long as the church continues to use this property as housing for the Youth Director, Joe James, and his family.

Compliance Deadline: None

Attachments: Appeal form, letter from petitioner



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

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BY: \_\_\_\_\_

Property Address: 904 So. LINCOLN ST.

Petitioner's Name: GRACE FELLOWSHIP ASSEMBLY OF GOD

Address: 915 S. WASHINGTON ST.

City: BLOOMINGTON, State: INDIANA Zip Code: 47401

Phone Number: (812) 325-0435 E-mail Address: \_\_\_\_\_

Owner's Name: GRACE Fellowship ASSEMBLY OF GOD

Address: 915 S. WASHINGTON ST

City: BLOOMINGTON, State: INDIANA Zip Code: 47401

Phone Number: 812 325-0435 E-mail Address: \_\_\_\_\_

Occupants: TWO

**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: FOR USE AS CHURCH PARSONAGE

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 month's agenda!

(Will be assigned by BHQA)  
12-AA-94  
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 DESIRE TO NO LONGER USE THE HOUSE AS A RENTAL. WE NEED THE HOUSE AS A PARSONAGE FOR OUR YOUTH DIRECTOR & WIFE. WE ALSO NEED TO USE THE BASEMENT FOR CHURCH STORAGE. ALSO, IT HAS A LARGE ROOM WHERE WE CAN HAVE BIBLE STUDIES.

WE ARE PLEASED TO TELL YOU THE NEIGHBORS ARE REALLY HAPPY IT WILL NO LONGER BE A RENTAL.

THANK YOU FOR YOUR TIME AND CONSIDERATION

PASTOR ROBERT S. CLENDENING

Signature (Required):

*Robert S. Clending - Pastor*

Name (Print): ROBERT S. CLENDENING

Date: 6-25-12

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 for Relief from an Administrative Decision**

Meeting Date: August 15, 2012  
Petition Type: Relief from an administrative decision  
Variance Request: Relief from the requirement to register as a rental  
Petition Number: 12-AA-95  
Address: 613 W. Duncan Dr.  
Petitioner: Cole R. Roberts

At the inspection for the renewal of the Residential Rental Occupancy Permit the owner stated that he would prefer not to renew, because his daughter and her husband live in this unit and he plans to put her name on the deed. This unit will not be rented to anyone else in the future.

Staff recommendation: Grant the relief from the rental registration process

Conditions: This unit will not be considered a rental as long as it is owned by the current owner and occupied by his daughter Margaret Huseby and her husband. This property will be pull dated for one year to check status.

Compliance Deadline: None

Attachments: Appeal form



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

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BY:.....

Petitioner's Name: Cole R. Roberts

Petitioner's Address & Phone Number: 611 W. Duncan Drive - 812-606-6037

Owner's Name: Cole R. Roberts

Owner's Address & Phone Number: 611 W. Duncan Drive - 812-339-0901

Address of Property: 613 W. Duncan Drive

Occupant(s) Name(s): Margaret Huseby

- 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

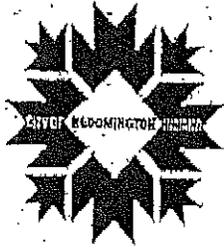
I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: C. Ray Roberts

Name (print): Cole Ray Roberts

12-AA-95  
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.)

The property at 613 W. Duncan Drive is no longer being used as a rental now or in the future as my daughter has lived there for the past 4 years - I am requesting the status be changed as a rental to a family guest house.

Signature: C. Ray Roberts Date: 6-30-2012



City of Bloomington  
H.A.N.D.

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

Meeting Date: August 15, 2012

Petition Type: An extension of time to complete repairs.

Petition Number: 12-TV-96

Address: 1181-1193 E. Cobblefield Court

Petitioner: Michael Latham

Inspector: Jo Stong

Staff Report: April 16, 2012: Conducted cycle inspection  
April 26, 2012: Met maintenance at property again to measure windows  
May 7, 2012: Mailed cycle report  
July 2, 2012: Received appeal

During a cycle inspection it was noted that the sleeping room windows in these properties do not meet egress requirements for the time of construction. Requirements and measurements follow. The petitioner is requesting an extension of time of two months to petition the State for a variance to these windows.

**UNIT 1181**

North Bedroom:

**Openable area required: 5.7 sq. ft.**  
Clear width required: 20"  
Clear height required: 24"  
Maximum sill height: not more than 44  
inches above finished floor

**Existing area: 4.64 sq. ft.**  
Existing width: 27"  
Existing height: 24 3/4"  
Existing sill: 22"

East Bedroom:

**Openable area required: 5.7 sq. ft.**  
Clear width required: 20"  
Clear height required: 24"  
Maximum sill height: not more than 44  
inches above finished floor

**Existing area: 4.64 sq. ft.**  
Existing width: 27"  
Existing height: 24 3/4"  
Existing sill: 22"

**UNIT 1185**

West Bedroom:

**Openable area required: 5.7 sq. ft.**  
Clear width required: 20"  
Clear height required: 24"  
Maximum sill height: not more than 44  
inches above finished floor

**Existing area: 5.54 sq. ft.**  
Existing width: 31"  
Existing height: 25 ¾"  
Existing sill: 22"

Northeast Bedroom:

**Note: Windows must be measured at the reinspection.**

**UNIT 1187 (3BR)**

Northeast Bedroom:

Openable area required: 5.7 sq. ft.  
Clear width required: 20"  
Clear height required: 24"  
**Maximum sill height: not more than 44**  
inches above finished floor

Existing area: 7.11 sq. ft.  
Existing width: 32 ½"  
Existing height: 31 ½"  
**Existing sill: 45"**

Southeast Bedroom:

Openable area required: 5.7 sq. ft.  
Clear width required: 20"  
Clear height required: 24"  
**Maximum sill height: not more than 44**  
inches above finished floor

Existing area: 7.11 sq. ft.  
Existing width: 32 ½"  
Existing height: 31 ½"  
**Existing sill: 45"**

**UNIT 1193 (2BR)**

Southeast Bedroom:

**Openable area required: 5.7 sq. ft.**  
Clear width required: 20"  
**Clear height required: 24"**  
Maximum sill height: not more than 44  
inches above finished floor

**Existing area: 3.38 sq. ft.**  
Existing width: 27"  
**Existing height: 18"**  
Existing sill: 22"

Northeast Bedroom:

**Openable area required: 5.7 sq. ft.**  
Clear width required: 20"  
**Clear height required: 24"**  
Maximum sill height: not more than 44  
inches above finished floor

**Existing area: 3.42 sq. ft.**  
Existing width: 27"  
**Existing height: 18 ¼"**  
Existing sill: 21"

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: October 15, 2012

Attachments: Appeal, cycle report, floor plans, photo



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

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JUL 02 2012

BY: \_\_\_\_\_

Property Address: 1181-1193 E. Cobblefield Ct.

Petitioner's Name: Michael Latham

Address: 1501 East Hillside Drive

City: Bloomington State: IN Zip Code: 47401

Phone Number: 812370-2366 E-mail Address: mlatham@deerparkmgmt.com

Owner's Name: Downtown Real Estate, LLC

Address: 1501 East Hillside Dr

City: Bloomington State: IN Zip Code: 47401

Phone Number: 812370-2366 E-mail Address: mlatham@deerparkmgmt.com

Occupants: 8

**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: extension of time to complete repairs

**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)

12-TV-96

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.

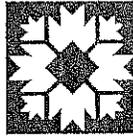
This building was built in 2000, and at the time passed all county and HAWD inspections for egress windows. Subsequently, it has passed at least one, possibly 2 HAWD inspections regarding egress windows. We now need to petition the state for a variance as 7 windows are now not in compliance - and need time for that to take place - 2 months

Signature (Required): Michael Latman

Name (Print): Michael Latman Date: ~~7/19/12~~ 7/2/2012

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  
Housing and Neighborhood Development**

Cycle Report

6385

**OWNERS**

=====  
Downtown Realty Llc DbA Deer Park Management  
1501 E. Hillside Dr.  
Bloomington, IN 47401

Prop. Location: 1181-1193 E Cobblefield CT  
Number of Units/Structures: 4/1  
Units/Bedrooms/Max # of Occupants: 2/2/3, 2/3/3

Date Inspected: 04/16/2012  
Primary Heat Source: Gas  
Property Zoning: RS  
Number of Stories: 2

Inspectors: Jo Stong  
Foundation Type: Crawl Space  
Attic Access: Yes  
Accessory Structure: Attached Garages

Monroe County Assessor's records indicate this structure was built in 2000.

The egress requirements at the time of construction are as follows:

Openable height: 24 inches

Openable width: 20 inches

Sill height: Not more than 44 inches above finished floor

Openable area: 5.7 square feet

**INTERIOR:**

Floor plans and room measurements are included in the file. Only rooms with violations will be included in this report.

**UNIT 1181 (2BR)**

Dining Room:

Repair the sliding glass door and sliding screen to function as intended and to slide easily. PM-303.15

Kitchen:

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

Replace the fire extinguisher with an approved unit (existing unit is BC only). 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:

Clean the heating/air conditioning return grill. PM-603.1

North Bedroom:

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 2000. The relevant code is the 1998 Indiana Building Code, Section: 310.4.

**Openable area required: 5.7 sq. ft.**

Clear width required: 20"

Clear height required: 24"

Maximum sill height: not more than 44

" above finished floor

**Existing area: 4.64 sq. ft.**

Existing width: 27"

Existing height: 24 3/4"

Existing sill: 22"

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](http://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.

Bathroom:

Properly seal the tub where it meets the floor. PM-304.3

Scrape and paint above the tub surround where paint is peeling. PM-304.3

East Bedroom:

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 2000. The relevant code is the 1998 Indiana Building Code, Section: 310.4.

**Openable area required: 5.7 sq. ft.**

Clear width required: 20"

Clear height required: 24"

Maximum sill height: not more than 44

" above finished floor

**Existing area: 4.64 sq. ft.**

Existing width: 27"

Existing height: 24 3/4"

Existing sill: 22"

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](http://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.

**UNIT 1185 (3BR)**

Kitchen:

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

Replace the fire extinguisher with an approved unit (existing unit is BC only). 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.

Northeast Bedroom:

Move the headboard of the bed so that it is not blocking the windows. PM-702.1

**Note: Windows must be measured at the reinspection.**

Southeast Bedroom:

Existing Egress Window Measurements (casement):

Height: 31 ½ inches

Width: 32 ½ inches

Sill Height: 44 inches

Openable Area: 7.11 sq. ft.

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

West Bedroom:

Repair the window to open easily. Every window shall be capable of being easily opened and held in position by its own hardware. PM-303.13.2

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 2000. The relevant code is the 1998 Indiana Building Code, Section: 310.4.

**Openable area required: 5.7 sq. ft.**

Clear width required: 20"

Clear height required: 24"

Maximum sill height: not more than 44

**Existing area: 5.54 sq. ft.**

Existing width: 31"

Existing height: 25 ¾"

” above finished floor

Existing sill: 22”

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](http://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.

### **UNIT 1187 (3BR)**

#### Kitchen:

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

Replace the fire extinguisher with an approved unit (existing unit is BC only). 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.

#### Southwest Bedroom:

No violations noted.

#### Existing Egress Window Measurements (sliding):

Height: 32 ¼ inches

Width: 31 ½ inches

Sill Height: 43 inches

Openable Area: 7.05 sq. ft.

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

#### Northeast Bedroom:

Replace the crank on the casement window. PM-303.13.2

Clean the return air grill on the ceiling. PM-603.1

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 2000. The relevant code is the 1998 Indiana Building Code, section: 310.4.

Openable area required: 5.7 sq. ft.

Clear width required: 20”

Clear height required: 24”

Existing area: 7.11 sq. ft.

Existing width: 32 ½”

Existing height: 31 ½”

**Maximum sill height:** not more than 44  
" above finished floor

**Existing sill: 45"**

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](http://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.

Southeast Bedroom:

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 2000. The relevant code is the 1998 Indiana Building Code, section: 310.4.

Openable area required: 5.7 sq. ft.

Existing area: 7.11 sq. ft.

Clear width required: 20"

Existing width: 32 ½"

Clear height required: 24"

Existing height: 31 ½"

**Maximum sill height:** not more than 44  
" above finished floor

**Existing sill: 45"**

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](http://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.

Southeast (Master) Bath:

No violations noted.

**UNIT 1193 (2BR)**

Dining Room:

Repair the sliding glass door and sliding screen to function as intended and to slide easily. PM-303.15

Kitchen:

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

Replace the fire extinguisher with an approved unit (existing unit is BC only). 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:

Properly seal the entire perimeter of the tub/shower where it meets the floor. PM-304.3

Southeast Bedroom:

Provide operating power to smoke detector. PM-704.1

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 2000. The relevant code is the 1998 Indiana Building Code, Section: 310.4.

**Openable area required: 5.7 sq. ft.**

Clear width required: 20"

**Clear height required: 24"**

Maximum sill height: not more than 44

" above finished floor

**Existing area: 3.38 sq. ft.**

Existing width: 27"

**Existing height: 18"**

Existing sill: 22"

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](http://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.

Northeast Bedroom:

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 2000. The relevant code is the 1998 Indiana Building Code, Section: 310.4.

**Openable area required: 5.7 sq. ft.**

Clear width required: 20"

**Clear height required: 24"**

Maximum sill height: not more than 44

" above finished floor

**Existing area: 3.42 sq. ft.**

Existing width: 27"

**Existing height: 18 ¼"**

Existing sill: 21"

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](http://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.

Crawlspace:

No violations noted.

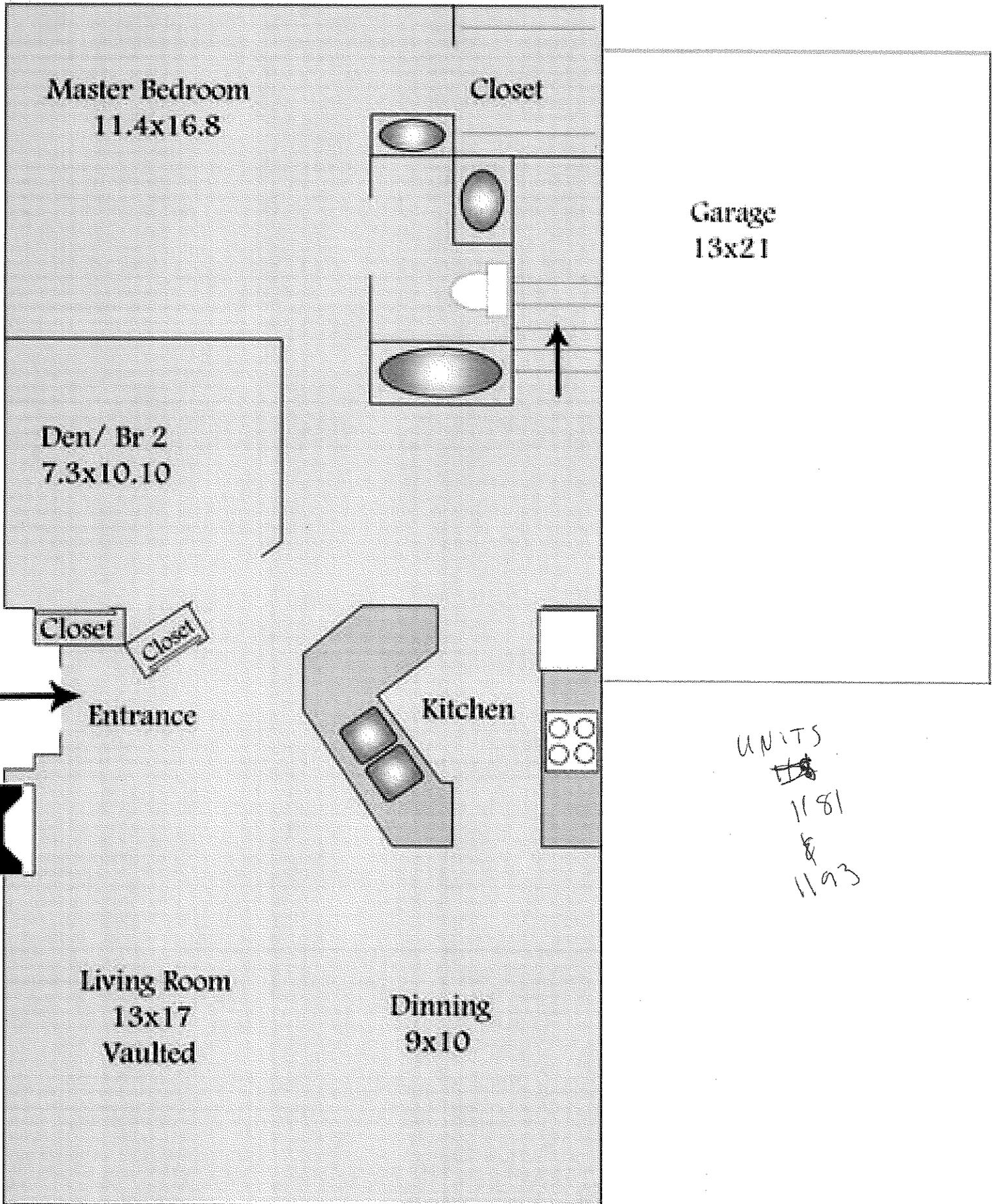
**OTHER REQUIREMENTS:**

**Required documentation:**

Complete the enclosed registration form. A street address is required for both owner and agent. **This form must be signed by the owner.** BMC16.12.060

**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)**

Thank you for your cooperation in the Residential Rental Occupancy Permit Program.



MAIN FLOOR

UNITS  
1185  
&  
1187

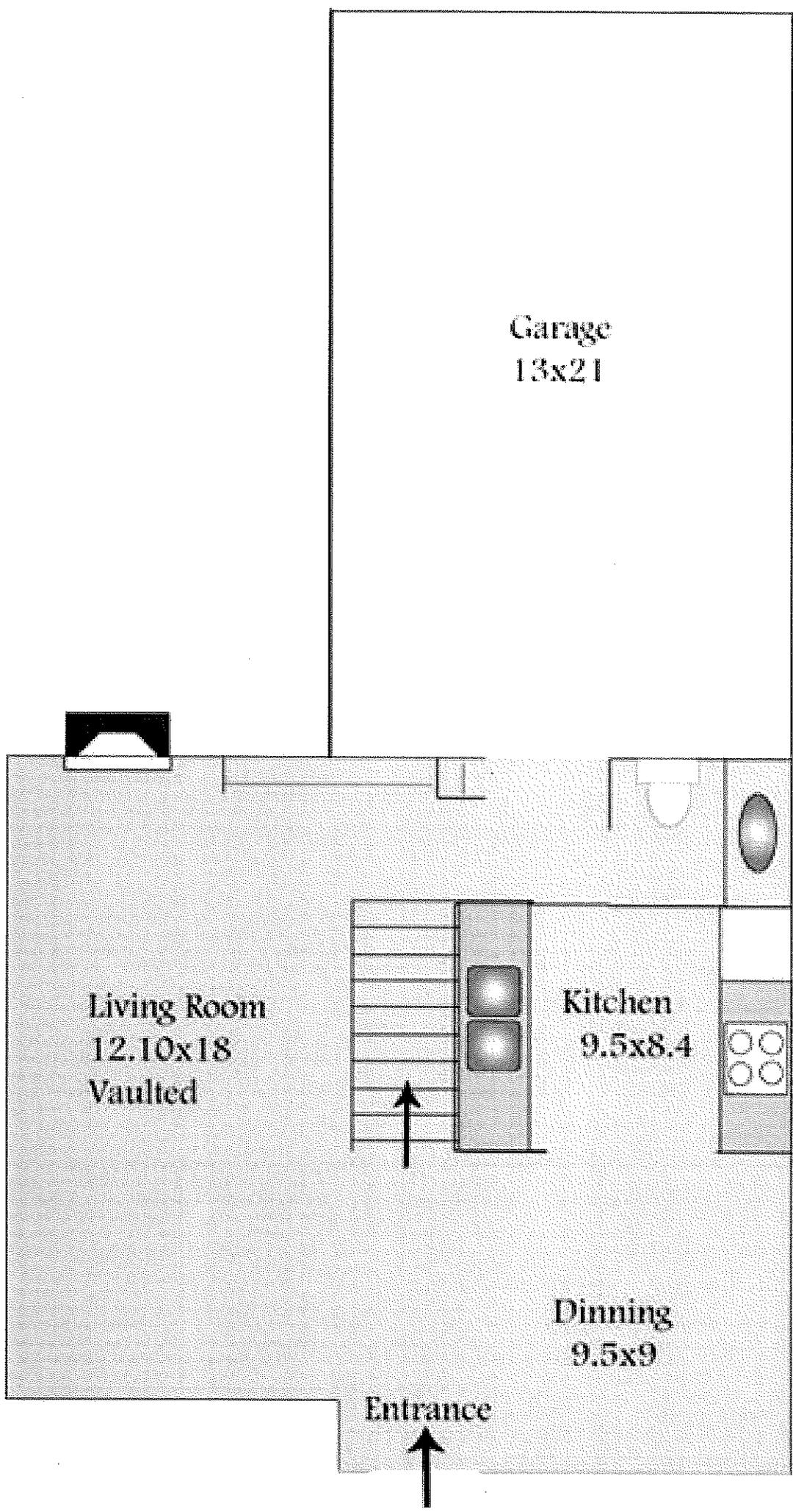
Garage  
13x21

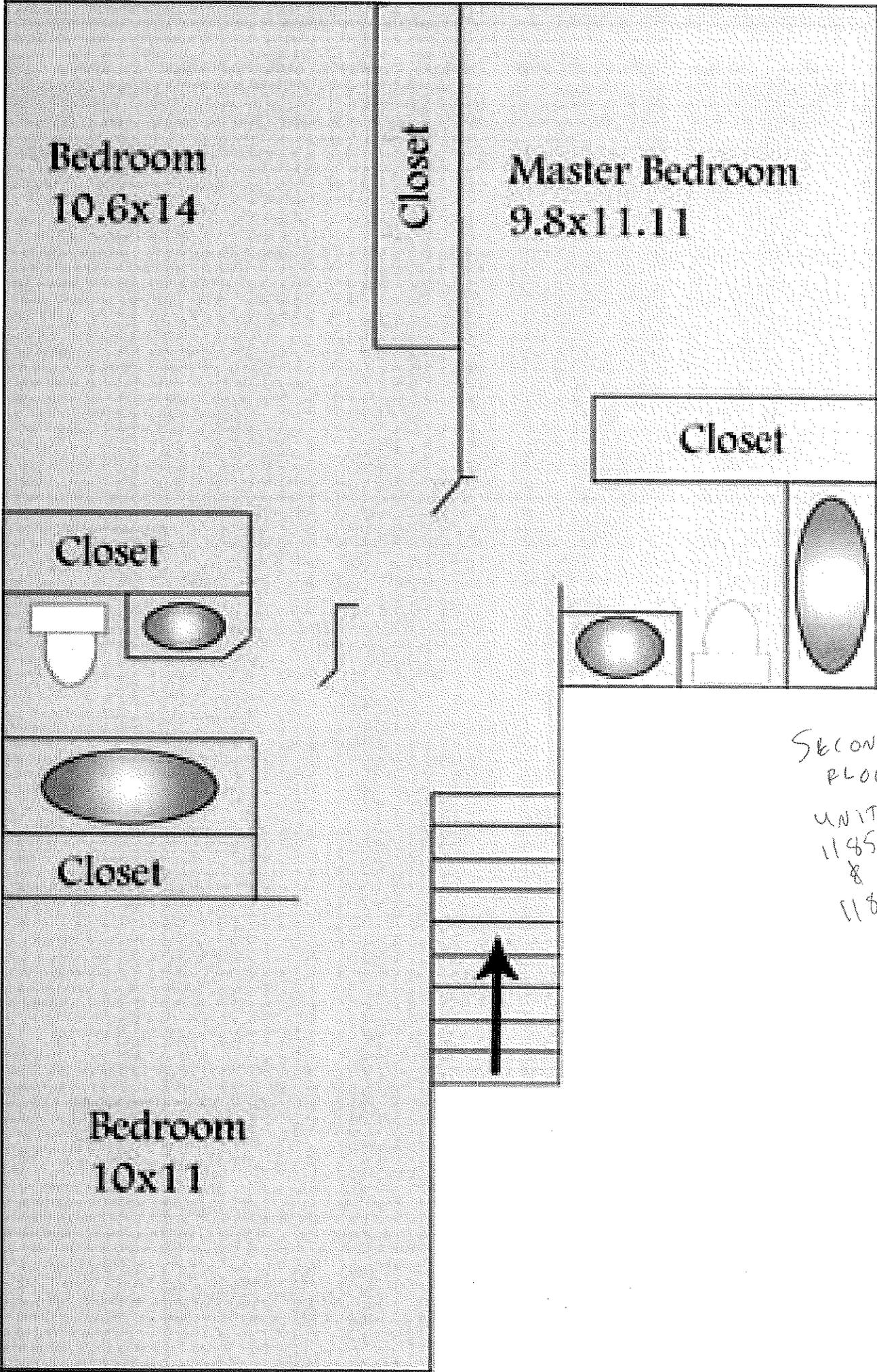
Living Room  
12.10x18  
Vaulted

Kitchen  
9.5x8.4

Dinning  
9.5x9

Entrance









City of Bloomington  
H.A.N.D.

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

Meeting Date: August 15, 2012  
Petition Type: An extension of time to complete repairs.  
Petition Number: 12-TV-97  
Address: 325 E. 10<sup>th</sup> Street Apt. 1-5  
Petitioner: Parker Real Estate Management  
Inspector: Maria McCormick  
Staff Report: 05/15/12 Cycle inspection completed  
07/06/12 Received Application for Appeal

During the cycle inspection it was noted that 3 of the living room windows needed to be repaired to be weather tight and function as intended. The petitioner is requesting an extension of time to complete the replacement of these windows, which needed to be ordered.

Staff recommendation: Grant the extension of time.  
Conditions: All repairs specified above (all other repairs maintain the original 60 day deadline) 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: September 14, 2012  
Attachments: Application for Appeal, Cycle 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**  
JUL 06 2012

BY:.....

**Property Address:** 325 E 10th St # 1-5

**Petitioner's Name:** Candi Mullis

**Address:** 621 N Walnut St/ P.O. Box 1112

**City:** Bloomington

**State:** Indiana

**Zip Code:** 47402

**Phone Number:** (812) 339-2115

**E-mail Address:** cmullis@parkermgt.com

**Owner's Name:** 606 Building Company

**Address:** 1149 Linden Drive

**City:** Bloomington

**State:** Indiana

**Zip Code:** 47408

**Phone Number:** 812-336-2300

**E-mail Address:**

**Occupants:** Anirban Chakraborty, Soumya Ghosh, Arpita Ganguly, Kathleen Carney, Emily Weisbard, Linda Sapp, Brian Falaas, Kara Fitzpatrick, Timothy Paton



**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)

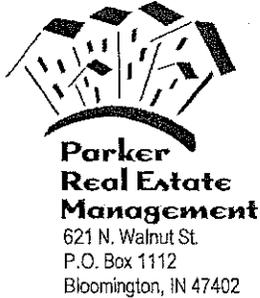
**Reminder:**

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)

12-TV-97

Petition Number: \_\_\_\_\_



June 27, 2012

City Of Bloomington  
Housing and Neighborhood Development  
P.O. Box 100  
Bloomington, Indiana 47402

To Whom It May Concern:

Enclosed you will find the Application for Appeal and the \$20.00 filing fee for 325 E 10<sup>th</sup> St.

A cycle inspection was conducted on May 15<sup>th</sup>, 2012. All violations have been corrected except for the windows. I have requested estimates to replace all windows and have requested for owner approval. I need an extension of time to complete the replacement of the windows. I am requesting the extension of time till September 14, 2012.

The windows in question have been violated for:

Repair or replace all 3 windows in the living to be weather tight, the sashes shall fit snugly and properly with in the frames and be easily openable and shall remain open on their own hardware as part of the window.

There are 30 windows in this building and the windows will need to be ordered and installed. For the reason stated above we are requesting the extension of time.

Yours Truly,  
Candi Mullis  
Maintenance Coordinator  
Parker Real Estate Mgt.  
cmullis@parkermgt.com  
812-339-2115



City of Bloomington  
Housing and Neighborhood Development

Cycle Report

798

OWNERS

606 Building Company  
1149 Linden Drive  
Bloomington, IN 47408

AGENT

Parker Real Estate Management  
P.O. Box 1112  
Bloomington, IN 47402

Prop. Location: 325 E 10th ST  
Units/Bedrooms/Max # of Occupants: 2/2/4 3/1/2  
Date Inspected: 05/15/2012  
Primary Heat Source: Electric  
Property Zoning: RM  
Number of Stories: 2

Number of Units/Structures: 5/1  
Inspectors: Maria McCormick  
Foundation Type: Slab  
Attic Access: Yes  
Accessory Structure: None

Monroe County Assessor's records indicate that this structure was built in 1969. At that time there were no minimum requirements for emergency egress.

All bedroom windows have the following measurements unless otherwise noted:

Existing Egress Window Measurements:

Height: 31 ½ inches  
Width: 21 inches  
Sill Height: 16 inches  
Openable Area: 4.60 sq. ft.

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

INTERIOR:

Apt. 1 –

Living Room 14-0 x 10-8:

Repair or replace all three (3) windows to be weather tight. The sashes shall fit snugly and properly within the frame. Windows shall be easily and fully openable and shall remain fully open using hardware that is part of the window. PM-303.13, PM-303.13.2

Hallway:

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

Kitchen:

No violation noted.

North Bedroom 12-0 x 10-0/Bathroom:

No violation noted.

South Bedroom 18-0 x 9-8/Bathroom:

Properly re-caulk around the countertop to eliminate water infiltration. PM-304.3

This room has a door to the exterior for egress.

Apt. 2 –

Living Room 14-0 x 10-8:

Repair or replace the northwest to be weather tight. The sashes shall fit snugly and properly within the frame. Windows shall be easily and fully openable and shall remain fully open using hardware that is part of the window. PM-303.13, PM-303.13.2

Hallway:

Repair or replace closet doors so they function as intended. PM-304.6

Kitchen:

No violation noted.

North Bedroom 12-0 x 10-0/Bathroom:

No violation noted.

Existing Egress Window Measurements:

Height: 25 ¾ inches

Width: 21 ½ inches

Sill Height: 27 inches

Openable Area: 3.85 sq. ft.

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

Hallway:

Repair or replace closet doors so they function as intended. PM-304.6

South Bedroom 18-0 x 9-8/Bathroom:

Secure loose GFCI electrical receptacle. PM-605.1

Repair or replace the southwest to be weather tight. The sashes shall fit snugly and properly within the frame. Windows shall be easily and fully openable and shall remain fully open using hardware that is part of the window. PM-303.13, PM-303.13.2

This room has a door to the exterior for egress.

**Apt. 3 –**

Kitchen 10-0 x 8-0; Living Room 18-0 x 12-0; Bedroom 11-6 x 11-0:

No violations noted.

Bathroom:

Properly re-caulk around the countertop to eliminate water infiltration. PM-304.3

Seal the base of shower surround at the top of the tub. PM-304.1

**Apt. 4 –**

Mechanical Closet:

Properly cap the unused pipe adjacent to the water heater. PM-504.1

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

Determine why fuses keep blowing and the electricity flickers in the apartment. Provide documentation that this issue has been resolved. PM-604.3

Living Room 14-0 x 12-6, Kitchen 10-9 x 8-6; Bedroom 12-8 x 11-6; Bathroom:

No violations noted.

**Apt. 5 –**

Living Room 20-3 x 12-0; Bedroom 14-0 x 11-3; Kitchen; Bathroom:

No violations noted.

**Common Hallway –**

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

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

Replace the missing protective cover for the light fixture over the door of Apt. 2. PM-605.1

EXTERIOR:

Scrape and paint exterior surfaces where paint is peeling and all metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion. All metal surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. PM-303.2 (This item only has a compliance deadline of May 15, 2013.)

Repair or replace the door on the furnace closet for apartment 1. The door should be weather tight and exclude the entrance of rodents and be easily operable. PM-303.13

Replace the missing protective cover for the light fixture at the front entry to the apartments. PM-605.1

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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: August 15, 2012  
Petition Type: An extension of time to complete repairs.  
Petition Number: 12-TV-98  
Address: 606 S. Grant Street  
Petitioner: Tec Telelit (for Belkacem Zoulim)  
Inspector: Jo Stong  
Staff Report: March 2, 2012: Conducted cycle inspection  
March 23, 2012: Mailed cycle report  
July 6, 2012: Conducted reinspection  
July 11, 2012: Received appeal

During a cycle inspection it was noted that the garage on the property was significantly deteriorated. Violations of the Property Maintenance Code were cited, and it was noted in the cycle report that the building would be addressed under the Indiana Unsafe Building Law. Orders to Repair or Remove were issued on March 19, 2012. This garage is co-owned by Robert Aloe, the owner the adjacent property (328 E. University). Mr. Aloe received a Certificate of Zoning Compliance to demolish the garage on May 23, 2012. No further permits are needed. Staff feels that 30 days is enough time to demolish this structure.

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: September 17, 2012  
Attachments: Cycle report, photos, application for appeal



RECEIVED  
JUL 11 2012

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](mailto:hand@bloomington.in.gov)

Property Address: 606 S. Grant

Petitioner's Name: Belkacem Zoulin

Address: 344 Wilmington Court

City: Bloomington State: IN Zip Code: 47401

Phone Number: 360-9360 Email Address: Zoulin@yahoo.com

Property Owner's Name: ↑ same

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email Address: \_\_\_\_\_

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.

Please circle the petition type that you are requesting:

- A) An extension of time to complete repairs (Petition type TV)
- B) A modification or exception to the Housing Property Maintenance Code (Petition type V)
- C) Relief from an administrative decision (Petition type AA)
- D) Rescind a variance (Petition type RV)

**REMINDER:** A \$20 filing fee must be submitted with this application before the property can be placed on the meeting agenda.

OFFICE USE ONLY  
Petition Number 12-TV-98

SEE REVERSE

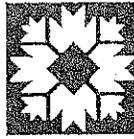
Please provide details regarding your request below; you may attach any exhibits or additional comments as you deem necessary and pertinent to your request. Be specific as to what you are requesting, the reason or justification for your request, the amount of time needed to bring the property into compliance, and any modifications and/or alterations you are suggesting.

Garage will be demolished. But it is a shared garage and it is in the process of ~~the~~ getting a demo permit, being contracted, etc. Requesting an extension of time until 10-30-12 to complete demolition.

Signature (required): Teclit Ag Teclit

Name (please print): TECLIT AG TELELE Date: 7-11-12

You may attend the meeting. If you attend, please note that all petitioners presenting a matter to the Board shall be limited to no more than five minutes to present their case and arguments. Additional time can be granted if deemed appropriate by the Board. Please note that if your property is listed on the consent agenda it is more likely than not that your property will not be individually discussed during the Board's meeting.



City of Bloomington  
Housing and Neighborhood Development

Cycle Report

579

OWNERS

Zoulim, Belkacem  
344 S. Wilmington Court  
Bloomington, IN 47401

AGENT

Telelit, Tec  
344 Wilmington Ct.  
Bloomington, IN 47401

Prop. Location: 606 S Grant ST  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: 1/3/3

Date Inspected: 03/02/2012  
Primary Heat Source: Gas  
Property Zoning: RM  
Number of Stories: 1

Inspectors: Jo Stong  
Foundation Type: Basement  
Attic Access: No  
Accessory Structure: Garage

Monroe County Assessor's records indicate this structure was built in 1899 (default year for Monroe County records).

There were no requirements for emergency egress at the time of construction.

**INTERIOR:**

Living Room 15-0 x 11-1):  
No violations noted.

Kitchen 11-0 x 9-0):  
Provide operating power to smoke detector. PM-704.1

Southeast Bedroom (11-8 x 10-1):

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

Existing Egress Window Measurements (double-hung; both sashes removable):

Height: 38 ¼ inches

Width: 22 ¼ inches

Sill Height: 43 inches

Openable Area: 5.91 sq. ft.

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

Hallway:

Replace existing smoke detector with a new smoke detector. PM-102.8 & PM-704.1

Northwest Bedroom (10-7 x 8-11):

No violations noted.

Existing Egress Window Measurements (double-hung; both sashes removable):

Height: 48 inches

Width: 22 ¾ inches

Sill Height: 29 inches

Openable Area: 7.58 sq. ft.

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

Bathroom:

Secure toilet to its mountings. PM-504.1

Remove old moldy caulk and properly seal the entire perimeter of the tub/shower including the floor. PM-304.3

Properly seal the window in the tub/shower. PM-304.3

Scrape and paint ceiling where paint is peeling or wood is exposed. PM-304.3

Northeast Bedroom (11-1 x 10-9):

No violations noted.

Existing Egress Window Measurements (double-hung; both sashes removable):

Height: 50 ¾ inches

Width: 33 inches

Sill Height: 28 ½ inches

Openable Area: 11.63 sq. ft.

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

**BASEMENT**

Scrape and paint in stairwell where paint is peeling or wood is exposed. PM-304.3

Properly repair the leaking water heater, or replace it. PM-504.1

Replace the access cover on the water heater. PM-504.1

Properly seal the water heater flue pipe at the chimney. PM-603.1

Replace the missing interior cover on the fuse box. PM-604.3

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

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

Storage Room:

Repair the broken window pane. PM-303.13

**EXTERIOR:**

Install an approved closing device for the front (east) storm door. PM-102.8 & PM-303.15  
Properly repair, replace or remove damaged and deteriorated carpet on the front porch. All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions. PM-302.3

Scrape and paint exterior surfaces where paint is peeling or wood is exposed (especially windows). PM-303.2  
(the painting violation has a one-year deadline from the date of the cycle inspection)

Garage:

Properly reconnect the gutter and downspout on the southeast corner. PM-303.7

Scrape and paint where paint is peeling or wood is exposed. PM-303.2  
(the painting violation has a one-year deadline from the date of the cycle inspection)

The deteriorated garage has been noted and will be addressed under the Indiana Unsafe Building law.

**OTHER REQUIREMENTS:**

**Required documentation:**

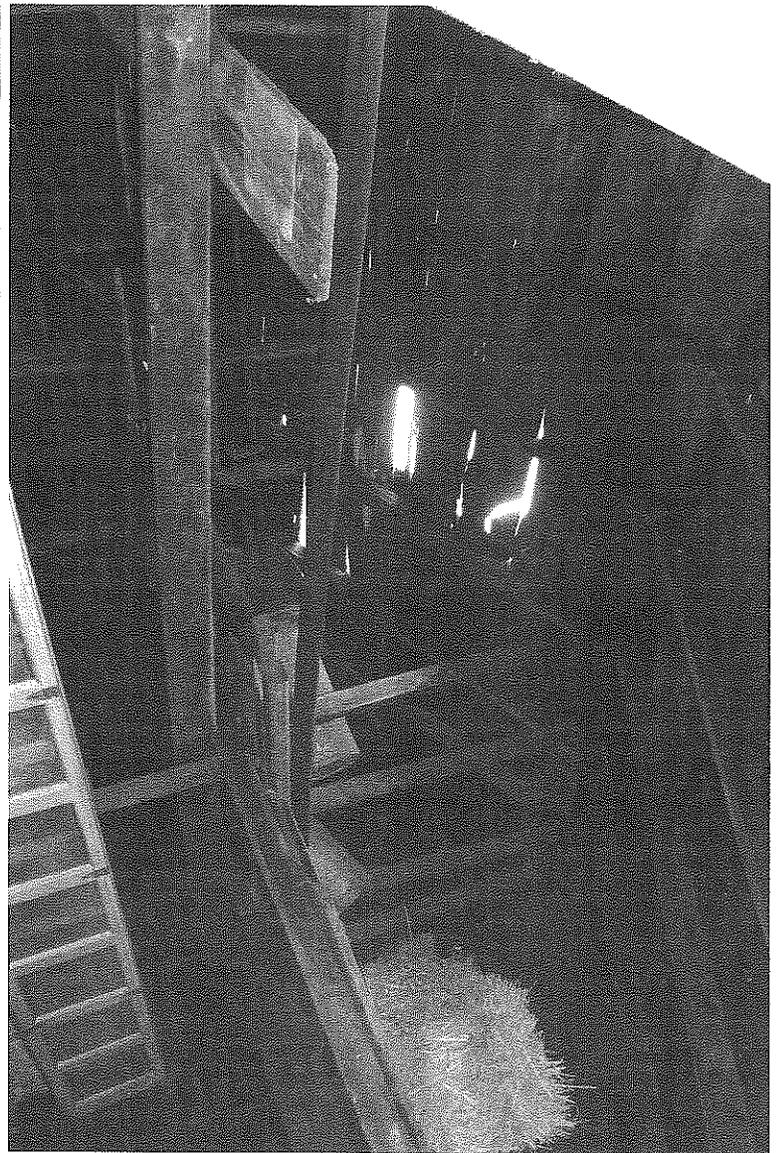
A completed copy of the Tenants & Owners Rights and Responsibilities Summary must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.050 (d).

**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)**

Thank you for your cooperation in the Residential Rental Occupancy Permit Program.





City of Bloomington  
H.A.N.D.

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

Meeting Date: August 15, 2012

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

Petition Number: 12-TV-99

Address: 1719 & 1737 N. Lincoln St.

Petitioner: William Thornbury (Tempo Properties)

Inspector: Norman Mosier

Staff Report: June 5, 2012 – Conducted Cycle Inspection  
July 12, 2012 – Conducted Re-inspection and Received BHQA Application

It was noted during the cycle inspection that the bedroom windows do not meet egress requirements. Petitioner is requesting an extension of time to secure a state egress window variance.

Staff recommendation: Grant the request.

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: October 15, 2012

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



RECEIVED  
JUL 12 2012

Application for Appeal  
To The  
Board of Housing Quality Appeals  
P.O. Box 100  
Bloomington, IN 47402  
812-349-3420  
[hand@bloomington.in.gov](mailto:hand@bloomington.in.gov)

BY: \_\_\_\_\_

Property Address: 1719, 1737 N. Lincoln, Bloomington IN

Petitioner's Name: William Thornburg (Temgo Properties Inc)

Address: P.O. Box 5727

City: Bloomington State: IN Zip Code: 47401

Phone Number: 812-336-2026 Email Address: \_\_\_\_\_

Property Owner's Name: Kwin Nguyen

Address: 4019 S. Grant Ct.

City: Bloomington State: IN Zip Code: 47403

Phone Number: 812-336-2026 Email Address: \_\_\_\_\_

Occupants: (4)

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.

Please circle the petition type that you are requesting:

- (A) An extension of time to complete repairs (Petition type TV)
- (B) A modification or exception to the Housing Property Maintenance Code (Petition type V)
- (C) Relief from an administrative decision (Petition type AA)
- (D) Rescind a variance (Petition type RV)

REMINDER: A \$20 filing fee must be submitted with this application before the property can be placed on the meeting agenda.

OFFICE USE ONLY

Petition Number 12-TV-99

SEE REVERSE





City of Bloomington  
Housing and Neighborhood Development

CYCLE REPORT

3106

OWNERS

Nguyen, Kevin  
4019 S. Crane Ct  
Bloomington, IN 47403

AGENT

Thornbury, William D.  
P.O Box 5727  
Bloomington, IN 47407

Prop. Location: 1719 N Lincoln ST  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: 1/2/4

Date Inspected: 06/05/2012  
Primary Heat Source: Electric  
Property Zoning: RH  
Number of Stories: 2

Inspectors: Norman Mosier  
Foundation Type: Slab  
Attic Access: Yes  
Accessory Structure: None

The Monroe County Assessor's records indicate that this structure was built in 1990.  
Minimum egress requirements for a multi-family dwelling built at the time of construction.  
Openable area: 5.7 Sq. Ft.  
Clear height: 24 inches  
Clear width: 20 inches  
Sill height: Not more than 44 inches above finished floor

INTERIOR:

MAIN LEVEL

Living Room 15 x 12:

Secure the loose receptacle and replace the missing cover plate for the receptacle on the north wall adjacent to the east wall. PM-605.1

Kitchen, Bathroom/Laundry Room, Furnace Closet:

No violations noted.

**UPSTAIRS**

Stairway/Hallway:

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

E Bedroom 13 x 10-11:

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1990. The relevant code is the Indiana Building Code, section: 1204.

<b><u>Openable area required: 5.7 sq. ft.</u></b>	<b><u>Existing area: 4.49 sq. ft.</u></b>
Clear width required: 20 inches	Existing width: 34 inches
<b><u>Clear height required: 24 inches</u></b>	<b><u>Existing height: 19 inches</u></b>
Maximum sill height: 44 inches above finished floor	Existing sill: 26 inches

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](http://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.

E Bathroom, Toilet Room, W Bathroom:

No violations noted.

W Bedroom 13 x 10-7:

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1990. The relevant code is the Indiana Building Code, section: 1204.

<b><u>Openable area required: 5.7 sq. ft.</u></b>	<b><u>Existing area: 4.49 sq. ft.</u></b>
Clear width required: 20 inches	Existing width: 34 inches
<b><u>Clear height required: 24 inches</u></b>	<b><u>Existing height: 19 inches</u></b>
Maximum sill height: 44 inches above finished floor	Existing sill: 26 inches

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](http://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 violations noted.

**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)



City of Bloomington  
Housing and Neighborhood Development

CYCLE REPORT

3098

OWNERS

Nguyen, Kevin  
4019 S. Crane Ct  
Bloomington, IN 47403

AGENT

Thornbury, William D.  
P.O Box 5727  
Bloomington, IN 47407

Prop. Location: 1737 N Lincoln ST  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: 1/2/4

Date Inspected: 06/05/2012  
Primary Heat Source: Electric  
Property Zoning: RH  
Number of Stories: 2

Inspectors: Norman Mosier  
Foundation Type: Slab  
Attic Access: Yes  
Accessory Structure: None

The Monroe County Assessor's records indicate that this structure was built in 1990.  
Minimum egress requirements for a multi-family dwelling built at the time of construction.  
Openable area: 5.7 Sq. Ft.  
Clear height: 24 inches  
Clear width: 20 inches  
Sill height: Not more than 44 inches above finished floor

INTERIOR:

MAIN LEVEL

Living Room 15 x 12, Kitchen, Bathroom/Laundry Room, Furnace Closet:  
No violations noted.

UPSTAIRS

Stairway/Hallway:  
No violations noted.

E Bedroom 13 x 10-11:

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1990. The relevant code is the Indiana Building Code, section: 1204.

<b><u>Openable area required: 5.7 sq. ft.</u></b>	<b><u>Existing area: 4.49 sq. ft.</u></b>
Clear width required: 20 inches	Existing width: 34 inches
<b><u>Clear height required: 24 inches</u></b>	<b><u>Existing height: 19 inches</u></b>
Maximum sill height: 44 inches above finished floor	Existing sill: 26 inches

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](http://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.

E Bathroom:

Repair/replace the towel rack broken off of the wall. PM-304.3

Toilet Room:

Secure the loose exhaust fan cover. PM-304.3

W Bathroom:

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

Replace the defective light switch. PM-605.1

W Bedroom 13 x 10-7:

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1990. The relevant code is the Indiana Building Code, section: 1204.

<b><u>Openable area required: 5.7 sq. ft.</u></b>	<b><u>Existing area: 4.49 sq. ft.</u></b>
Clear width required: 20 inches	Existing width: 34 inches
<b><u>Clear height required: 24 inches</u></b>	<b><u>Existing height: 19 inches</u></b>
Maximum sill height: 44 inches above finished floor	Existing sill: 26 inches

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](http://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 violations noted.

EXTERIOR:

Repair/replace the damaged sliding glass door screen on the porch. PM-303.15

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: August 15, 2012

Petition Type: An extension of time to complete repairs.

Petition Number: 12-TV-100

Address: 327 E. 2nd

Petitioner: Tariq Khan

Inspector: Robert Hoole

Staff Report: April 20, 2012                      Cycle inspection report mailed  
   July 13, 2012                                      Appeal filed

The petitioner is requesting an extension of time to complete the replacement of electrical service entrance cables.

Staff recommendation: Grant the extension of time

Conditions: **This extension of time is for electrical repairs only. No extension of time is granted for other repairs.** Electrical 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: September 1, 2012

Attachments: Cycle inspection report, appeal form

*je*

RECEIVED  
JUL 13 2012



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](mailto:hand@bloomington.in.gov)

Property Address: 327 E. 2<sup>nd</sup> STREET

^ Petitioner's Name: TARIQ KHAN

Address: 1201 W. Allen St. #19

City: BLOOMINGTON State: IN Zip Code: 47401

Phone Number: 812 369-1661 Email Address: \_\_\_\_\_

Property Owner's Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email Address: \_\_\_\_\_

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.

Please circle the petition type that you are requesting:

- A) An extension of time to complete repairs (Petition type TV)
- B) A modification or exception to the Housing Property Maintenance Code (Petition type V)
- C) Relief from an administrative decision (Petition type AA)
- D) Rescind a variance (Petition type RV)

REMINDER: A \$20 filing fee must be submitted with this application before the property can be placed on the meeting agenda.

OFFICE USE ONLY  
Petition Number 12-TV-100

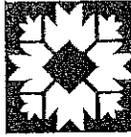
SEE REVERSE

Please provide details regarding your request below; you may attach any exhibits or additional comments as you deem necessary and pertinent to your request. Be specific as to what you are requesting, the reason or justification for your request, the amount of time needed to bring the property into compliance, and any modifications and/or alterations you are suggesting.

HAND wanted us to change the thick wire that brings power to the house. We got the permit from the building dept. Wilkinson Electric was schedule to replace the wire. They replaced the ~~the~~ wire and ~~had~~ were suppose to contact Duke since meter base was involved. Wilkinson got into an accident and is not available to do the job. We have contacted WIRE NUT ELECTRIC to do the job but they think there is more work to be done. So we need a little more time to get the job done since they are busy.

Signature (required): Tariq Khan  
Name (please print): TARIQ KHAN Date: 7/13/12

You may attend the meeting. If you attend, please note that all petitioners presenting a matter to the Board shall be limited to no more than five minutes to present their case and arguments. Additional time can be granted if deemed appropriate by the Board. Please note that if your property is listed on the consent agenda it is more likely than not that your property will not be individually discussed during the Board's meeting.



City of Bloomington  
Housing and Neighborhood Development

Cycle Report

2554

OWNERS

=====

Khan, Tariq  
1201 W. Allen Street # 19  
Bloomington, IN 47401

Prop. Location: 327 E 2nd ST  
Number of Units/Structures: 4/1  
Units/Bedrooms/Max # of Occupants: 3/1/2 1/2/4

Date Inspected: 04/16/2012  
Primary Heat Source: Gas  
Property Zoning: RH  
Number of Stories: 2

Inspectors: Robert Hoole  
Foundation Type: Basement  
Attic Access: No  
Accessory Structure:

Monroe County Assessor's records indicate this structure was built in 1920.  
There were no requirements for emergency egress at the time of construction.

This property has 4 approved dwelling units. During the cycle inspection, conditions were noted that indicate that this property may be in violation of Bloomington Municipal Code Title 20 with regard to number of units and usage. This property needs to be brought into compliance with Title 20 within sixty (60) days from the date of this inspection to avoid possible legal action by the City of Bloomington Legal Department. *The City's Planning Department will be the Department which decides whether or not a violation of Title 20 has occurred and whether or not any violation of Title 20 has been remedied.* For more information, please contact the Planning Department at 349-3423. *Please note that the City of Bloomington Housing and Neighborhood Development Department will not issue a residential rental occupancy permit for any property that is not compliance with Title 20 of the Bloomington Municipal Code.*

INTERIOR

1

Entry hall

Provide operating power to smoke detector. PM-704.1

Living room (15 x 15)

This room contains a fireplace. It has been sealed to prevent use.

1<sup>st</sup> floor bedroom / bath (12 x 15)

Provide operating power to smoke detector. PM-704.1

**Existing Egress Window Measurements:**

**Height:** 33 inches  
**Width:** 30 ½ inches  
**Sill Height:** 18 inches  
**Openable Area:** 6.98 sq. ft.

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

2<sup>nd</sup> floor hallway

Provide operating power to smoke detector. PM-704.1

2<sup>nd</sup> floor kitchen (10 x 10)

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

2<sup>nd</sup> floor bath

No violations noted.

2<sup>nd</sup> floor northeast bedroom (12 x 12)

Scrape and paint the ceiling to match adjacent areas. PM-304.3

**Existing Egress Window Measurements:**

**Height:** 28 inches  
**Width:** 22 inches  
**Sill Height:** 28 inches  
**Openable Area:** 4.27 sq. ft.

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

2nd floor southeast bedroom (13 x 13)

**Existing Egress Window Measurements:**

**Height:** 26 inches  
**Width:** 30 ½ inches  
**Sill Height:** 27 inches  
**Openable Area:** 5.50 sq. ft.

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

2<sup>nd</sup> floor southwest bedroom (13 ½ x 10)

Repair the windows to remain fully open using hardware that is part of the window. The windows cannot be measured at this time. PM-303.13.2

3

Entry hallway

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

The tenant has stored combustibles in close proximity to the furnace. A separate tenant violation will be issued. PM-603.3

Bedroom (10 x 10)

There is an air conditioner installed in the window. The window cannot be measured at this time.

Bath

No violations noted.

Main room (12 x 18)

Replace the missing receptacle cover plate at the south end of the east wall. PM-605.1

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

4

Living room (10 x 15)

No violations noted.

Kitchen (8 x 12)

Replace the GFCI receptacle at the south end of the countertop. PM-605.2

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

Hallway

Provide operating power to smoke detector. PM-704.1

Bath

No violations noted.

Bedroom (10 x 13)

There is an air conditioner installed in the window. It cannot be measured at this time.

Laundry

No violations noted.

## Storage room

No violations noted.

## Basement

Thoroughly clean and service the furnaces, 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

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

Install a smoke detector in an approved location. If wall mounted, it shall be located between 4 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall.  
PM-704.1

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

## EXTERIOR

Remove and replace the deteriorated electrical service entrance cables. PM-605.1

## 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: August 15, 2012

Petition Type: An extension of time to complete repairs.

Petition Number: 12-TV-101

Address: 502 E Graham Place

Petitioner: Candi Mullis

Inspector: John Hewett

Staff Report: June 25, 2012      Cycle Inspection  
                          July 9, 2012      Report Sent  
                          July 16, 2012      Received Appeal

During the Cycle Inspection the windows were cited for not meeting the minimum requirements for egress at the time of construction. The petitioner has requested time to secure a variance from the State of Indiana. Window Measurements are as follows:

Basement window:

Openable area required:	4.75sq. ft.	Existing area:	4.81sq. ft.
Clear width required:	18"	Existing width:	34.25"
<b>Clear height required:</b>	<b>24"</b>	<b>Existing height:</b>	<b>20.25"</b>
Maximum sill height:	48" above finished floor	Existing sill:	39"

Upper floor windows:

Openable area required:	4.75sq. ft.	Existing area:	5.05 sq. ft.
Clear width required:	18"	Existing width:	31"
<b>Clear height required:</b>	<b>24"</b>	<b>Existing height:</b>	<b>23.5"</b>
Maximum sill height:	48" above finished floor	Existing sill:	31"

Staff recommendation: Grant the extension

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

*Handwritten mark*

of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: October 15, 2012

Attachments: Cycle Report, Petitioner's 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**  
JUL 10 2012

BY: \_\_\_\_\_

**Property Address:** 502 E Graham Place Bloomington Indiana 47401

**Petitioner's Name:** Candi Mullis

**Address:** 621 N Walnut St/ P.O. Box 1112 47404

**City:** Bloomington

**State:** Indiana

**Zip Code:** 47404

**Phone Number:** (812) 339-2115

**E-mail Address:** cmullis@parkermgt.com

**Owner's Name:** Thomas Volke

**Address:** 8250 W Holly Rd

**City:** Mequon

**State:** Wisconsin

**Zip Code:** 53092

**Phone Number:** 262-424-2368

**E-mail Address:** \_\_\_\_\_

**Occupants:** Amairani Romero, Angela Romero

**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:**

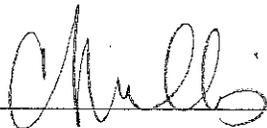
A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

<p>(Will be assigned by BHQA)</p> <p>12-TV-101</p> <p>Petition Number: _____</p>
--

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): Candi Mullis

Date: 7/13/12

**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**



**Parker  
Real Estate  
Management**

621 N. Walnut St.  
P.O. Box 1112  
Bloomington, IN 47402

July 11, 2012

City Of Bloomington  
Housing and Neighborhood Development  
P.O. Box 100  
Bloomington, In. 47402

To Whom It May Concern:

Enclosed please find the Application for Appeal and the \$20.00 filing fee for 502 E. Graham Place.

A cycle inspection was conducted on June 25, 2012. All violations have been complete except for the windows that now are in non-compliance. I have asked the Department of Homeland Security and the Fire Prevention and Building Safety Commission for a variance for these windows. I am requesting an extension of time to complete the application process and the approval decision till October 1, 2012. The commission meeting and review is on September 5, 2012. After the review meeting we will need to have copies of the variance, if granted to provide to the HAND Department.

Per the inspection:

Basement Bedroom: The egress window does not meet the minimum code requirements for the time the structure was built. The window shall be altered or replaced to meet the code requirements at the time of construction.

Existing Egress Window Measurements:

Height: 20.25 inches	Required Height: 24"
Width: 34.25 inches	Required Width: 18"
Sill Height: 39 inches	Required Sill Height: 48" above the floor
Openable Area: 4.81 Sq. Ft.	Required Openable Area: 4.75 Sq. Ft

2<sup>nd</sup> Floor East Bedroom- The egress window does not meet the minimum code requirements for the time the structure was built. The window shall be altered or replaced to meet the code requirements at the time of construction.

Existing Egress Window Measurements:

Height: 23.5 inches	Required Height: 24"
Width: 31 inches	Required Width: 18"
Sill Height: 31 inches	Required Sill Height: 48" above the floor
Openable Area: 5.05 Sq. Ft.	Required Openable Area: 4.75 Sq. Ft

2<sup>nd</sup> Floor West Bedroom- The egress window does not meet the minimum code requirements for the time the structure was built. The window shall be altered or replaced to meet the code requirements at the time of construction.

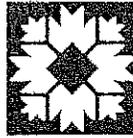
Existing Egress Window Measurements:

Height: 23.5 inches	Required Height: 24"
Width: 31 inches	Required Width: 18"
Sill Height: 31 inches	Required Sill Height: 48" above the floor
Openable Area: 5.05 Sq. Ft.	Required Openable Area: 4.75 Sq. Ft

For the reasons stated above we request an extension of time.

There is one window in the basement bedroom and this window pops out of it's casing to provide the extra space for egress. This window has never been violated in past inspections.

Yours Truly,  
Candi Mullis  
Maintenance Coordinator  
Parker Real Estate Mgt.



City of Bloomington  
Housing and Neighborhood Development

Cycle Report

419

OWNERS

Volke, Thomas  
8250 W. Holly Rd  
Mequon, WI 53092

AGENT

Parker Real Estate Management  
P O Box 1112  
Bloomington, IN 47402

Prop. Location: 502 E Graham PL  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: 1/2/4

Date Inspected: 06/25/2012	Inspectors: John Hewett
Primary Heat Source: Electric	Foundation Type: Basement
Property Zoning: RM	Attic Access: Yes
Number of Stories: 2	Accessory Structure:

Monroe County Assessor's records indicate this structure was built in 1932.

Minimum emergency egress requirements for the time of construction:

Openable area required: 4.75 sq. ft.  
Clear width required: 18"  
Clear height required: 24"  
Maximum Allowable Sill Height: 48" above finished floor

Interior

Entry. ½ Bathroom  
No violations noted.

Living room  
Provide operating power to smoke detector. PM-704.1

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

Basement

Main room

Provide operating power to smoke detector. PM-704.1

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1983. The relevant code is the 1980 Indiana Building Code, section: 1204.

Openable area required:	4.75sq. ft.	Existing area:	4.81sq. ft.
Clear width required:	18"	Existing width:	34.25"
<b>Clear height required: 24"</b>		<b>Existing height:</b>	<b>20.25"</b>
Maximum sill height:	48" above finished floor	Existing sill:	39"

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](http://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.

Laundry/mechanical

No violations noted.

2<sup>nd</sup> Floor

E bedroom, W bedroom

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1983. The relevant code is the 1980 Indiana Building Code, section: 1204.

Openable area required:	4.75sq. ft.	Existing area:	5.05 sq. ft.
Clear width required:	18"	Existing width:	31"
<b>Clear height required: 24"</b>		<b>Existing height:</b>	<b>23.5"</b>
Maximum sill height:	48" above finished floor	Existing sill:	31"

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](http://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.

Bathroom

No violations noted.

Exterior

No violations noted.

Deck

No violations noted.

Other requirements

**Required documentation:**

**Complete the enclosed registration form. A street address is required for both owner and agent. This form must be signed by the owner. BMC16.12.060**

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: August 15, 2012

Petition Type: An extension of time to complete repairs.

Petition Number: 12-TV-102

Address: 419 N. Washington Street

Petitioner: Dan Fierst

Inspector: Maria McCormick

Staff Report: 10/21/2011 Cycle inspection completed  
03/20/12 1<sup>st</sup> Re-inspection  
05/10/12 2<sup>nd</sup> re-inspection all complied but exterior paint & sidewalk  
06/28/12 Sent Legal Letter  
07/18/12 Received application of appeal

During the cycle inspection it was noted that the a portion of the sidewalk along Washington Street need to be replaced. The petitioner is requesting an extension of time that will coincide with the exterior painting deadline to complete this work. All other violations found during the cycle inspection have been repaired and re-inspected.

Staff recommendation: Grant the extension of time.

Conditions: All repairs specified above 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: October 21, 2012

Attachments: Application for Appeal, Remaining Violations Report

*Handwritten mark*



Application for Appeal  
To The  
Board of Housing Quality Appeals

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

RECEIVED  
JUL 16 2012

hand@bloomington.in.gov

Property Address: 418 N Washington

BY: No FEE PD DATE: 07-18-12

Petitioner's Name: Don First

RECEIVED  
JUL 18 2012

Address: 26 E Cottage Group

City: Bloomington State: IN Zip Code: 47408

BY: PAID

Phone Number: 812-287-0669 Email Address: don@firstpart.com

Property Owner's Name: Reed First

Address: 2292 V Belknap Ct

City: Bloomington State: IN Zip Code: 47401

Phone Number: 287-0036 Email Address: \_\_\_\_\_

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.

Please circle the petition type that you are requesting:

- A) An extension of time to complete repairs (Petition type TV)
- B) A modification or exception to the Housing Property Maintenance Code (Petition type V)
- C) Relief from an administrative decision (Petition type AA)
- D) Rescind a variance (Petition type RV)

REMINDER: A \$20 filing fee must be submitted with this application before the property can be placed on the meeting agenda.

OFFICE USE ONLY  
Petition Number 12-TV-102

SEE REVERSE

Please provide details regarding your request below; you may attach any exhibits or additional comments as you deem necessary and pertinent to your request. Be specific as to what you are requesting, the reason or justification for your request, the amount of time needed to bring the property into compliance, and any modifications and/or alterations you are suggesting.

FIRST Rentals needs more time to  
comply w/ this.

Signature (required):



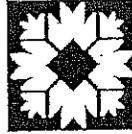
Name (please print):

Dan Fink

Date:

July 16

You may attend the meeting. If you attend, please note that all petitioners presenting a matter to the Board shall be limited to no more than five minutes to present their case and arguments. Additional time can be granted if deemed appropriate by the Board. Please note that if your property is listed on the consent agenda it is more likely than not that your property will not be individually discussed during the Board's meeting.



City of Bloomington  
Housing and Neighborhood Development

Remaining Violation Report  
Re-inspected 03/20/2012

2833

**MAR 28 2012**

OWNERS

Fierst, Roger L.  
2202 Belhaven Court  
Bloomington, IN 47408

Prop. Location: 419 N Washington ST  
Units/Bedrooms/Max # of Occupants: 1/5/5  
Date Inspected: 10/21/2011  
Primary Heat Source: Gas  
Property Zoning: RM  
Number of Stories: 2

AGENT

Fierst, Dan P.  
430 N. Washington Street  
Bloomington, IN 47408

Number of Units/Structures: 1/1

Inspectors: Maria McCormick  
Foundation Type: Basement  
Attic Access: Yes  
Accessory Structure: None

**REINSPECTION REQUIRED**

This report is your final notice from the Housing and Neighborhood Development Office that this rental property continues to be in violation of the Housing-Property Maintenance Code of Bloomington.

If you have made all of the repairs on this report, contact our office immediately to schedule the required re-inspection.

Failure to make repairs or to schedule the required re-inspection will result in this matter being referred to the City Legal Department. Legal action may be initiated against you under Section 16.12.100 of the Bloomington Municipal Code.

It is your responsibility to contact the Housing and Neighborhood Development Office to schedule the required re-inspection. Our mailing address and telephone number are listed below.

Monroe County Assessor's records indicate that the two eastern most upper level bedrooms in this structure were built in 1891. At that time there were no minimum requirements for emergency egress. The western most upper level bedrooms and the mail level bedroom were built in Nov. 2001. The minimum requirements for emergency egress for One and Two Family Dwellings built between 2001 - 2005:

Clear Height: 22"

Clear Width: 20"

Sill Height: 44" above the floor

Openable Area: 5.7 sq. ft.

5/10/12

INTERIOR:

**Main Level –**

NW Bedroom 15-6 x 14-10/Bathroom:

- C 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
- C Every window shall be capable of being easily opened and held in position by its own hardware. Repair the north window to function as intended. PM-303.13.2
- C Seal edge of floor covering adjacent to bathtub. PM-304.1

**2<sup>nd</sup> Level –**

SW Bedroom 15-6 x 15-6/Bathroom:

- C Repair/replace the damaged door. PM-304.6

EXTERIOR:

NC Scrape and paint exterior surfaces where paint is peeling or wood is exposed. PM-303.2  
(This item has a compliance deadline of October 21, 2012.)

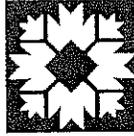
NC All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions. Replace or repair the sidewalk along Washington Street. PM-302.3

OTHER REQUIREMENTS:

The following documents were not provided to the office or reviewed by the inspector within 60 days of the date of the inspection, and as such a fine will be levied:

- A completed copy of the **Tenants & Owners Rights and Responsibilities Summary** BMC16.12.050 (d).
- **Inventory & Damage List:** 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  
**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  
Housing and Neighborhood Development

JAN 17 2012

Remaining Violation Report

2833

OWNERS

Fierst, Roger L.  
2202 Belhaven Court  
Bloomington, IN 47408

AGENT

Fierst, Dan P.  
430 N. Washington St.  
Bloomington, IN 47408

Prop. Location: 419 N Washington ST  
Date Inspected: 10/21/2011  
Inspectors: Maria McCormick  
Primary Heat Source: Gas  
Property Zoning: RM  
Number of Stories: 2

Number of Units/Structures: 1 / 1  
Number of Bedrooms: 5  
Max # of Occupants: 5  
Foundation Type: Basement  
Attic Access: Yes  
Accessory Structure: None

**REINSPECTION REQUIRED**

This report is your final notice from the Housing and Neighborhood Development Office that this rental property continues to be in violation of the Housing-Property Maintenance Code of Bloomington.

If you have made all of the repairs on this report, contact our office immediately to schedule the required re-inspection.

Failure to make repairs or to schedule the required re-inspection will result in this matter being referred to the City Legal Department. Legal action may be initiated against you under Section 16.12.100 of the Bloomington Municipal Code.

It is your responsibility to contact the Housing and Neighborhood Development Office to schedule the required re-inspection. Our mailing address and telephone number are listed below.

Monroe County Assessor's records indicate that the two eastern most upper level bedrooms in this structure were built in 1891. At that time there were no minimum requirements for emergency egress. The western most upper level bedrooms and the mail level bedroom were built in Nov. 2001. The minimum requirements for emergency egress for One and Two Family Dwellings built between 2001 – 2005:

Clear Height: 22"

Clear Width: 20"

Sill Height: 44" above the floor

Openable Area: 5.7 sq. ft.

3/20/12

INTERIOR:

Main Level –

Entry:

- ☐ Replace the cracked/broken window pane in the entry door. PM-303.13.1

Middle Living Room 15-5 x 15-3:

- ☐ Repair/replace the damaged door. PM-304.6

Dining Room 15-3 x 12-9:

- ☐ 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 the hole in the west wall. PM-304.3

- ☐ Replace broken electrical receptacle covers. PM-605.1

Kitchen 17-6 x 15-2:

- ☐ Properly re-caulk around the countertop to eliminate water infiltration. PM-304.3

- ☐ Replace the missing knobs on the stove so that the stove may function as intended. PM-404.7

- ☐ Replace the cracked/broken window pane in the breakfast area. PM-303.13.1

- ☐ Repair the holes in the wall in the breakfast area. PM-304.3

NW Bedroom 15-6 x 14-10/Bathroom:

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

Every window shall be capable of being easily opened and held in position by its own hardware. Repair the north window to function as intended. PM-303.13.2

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

no access

3/20/12

Bathroom:

- C Repair the holes in the walls. PM-304.3
- C Secure toilet to its mountings. PM-504.1

**Basement –**

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

- C 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

**2<sup>nd</sup> Level –**

Bathroom:

- C Seal the base of shower surround at the top of the tub. PM-304.1
- C Repair the holes in the walls. PM-304.3

SW Bedroom 15-6 x 15-6/Bathroom:

- C 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
- C Replace the missing protective cover for the light fixture. PM-605.1
- NC Repair/replace the damaged door. PM-304.6

CHECK WINDOW MEASUREMEAMENTS AT RE-INSPECTION. 25<sup>3</sup>/<sub>4</sub>W 26<sup>1</sup>/<sub>4</sub>H  
21.5W

NW Bedroom 15-4 x 15-0/Bathroom:

- C Repair or replace existing smoke detector in a manner so that it functions as intended. PM-704.1
- C Secure toilet to its mountings. PM-504.1
- C Seal the base of shower surround at the top of the tub. PM-304.1

EXTERIOR:

*no* Scrape and paint exterior surfaces where paint is peeling or wood is exposed. PM-303.2  
(This item has a compliance deadline of October 21, 2011.)

*no* All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions. Replace or repair the sidewalk along Washington Street. PM-302.3

OTHER REQUIREMENTS:

The following documents were not provided to the office or reviewed by the inspector within 60 days of the date of the inspection, and as such a fine will be levied:

*reviewed*

- A completed copy of the Tenants & Owners Rights and Responsibilities Summary BMC16.12.050 (d).
- Inventory & Damage List: 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 **BMC16.12.040**

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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: August 15, 2012

Petition Type: An extension of time to complete repairs.

Petition Number: 12-TV-103

Address: 519, 541 & 543 E. Smith Avenue

Petitioner: Tempo Properties, Inc (William Thornbury)

Inspector: Jo Stong

Staff Report:

<b>519</b>	<b>541</b>	<b>543</b>
February 9, 2012: Conducted cycle inspection	June 28, 2012: Conducted cycle inspection	June 28, 2012: Conducted cycle inspection
February 17, 2012: Sent cycle report	July 9, 2012: sent cycle report	July 9, 2012: sent cycle report
April 25, 2012: Sent Remaining Violations report	July 18, 2012: Received appeal	July 18, 2012: Received appeal
May 29, 2012: Sent Legal letter		
June 4, 2012: Agent scheduled reinspection		
July 12, 2012: Conducted reinspection		
July 18, 2012: Received appeal		

During cycle inspections of the three properties above it was noted that windows did not meet the minimum emergency egress requirements for the time of construction (1985).

Minimum emergency egress requirements for the time of construction:

Openable area required: 4.75 sq. ft.

Clear width required: 18"

Clear height required: 24"  
Maximum Allowable Sill Height: 48" above finished floor

Existing Window Measurements:

519	541	543
Openable area: 5.31 sq. ft.	Existing area: 5.33 sq. ft.	Existing area: 5.13 sq. ft.
Openable width: 34 inches	Existing sill: 31 inches	Existing width: 34 inches
Sill height: 30 ¼ inches	<b>Existing height: 22 ¾ inches</b>	Existing sill: 31 inches
<b>Openable height: 22 ¾ inches</b>	Existing width: 33 ¾ inches	<b>Existing height: 21 ¾ inches</b>

The petitioner is requesting an extension of time of sixty days to secure a variance from the State for 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: October 15, 2012  
September 9, 2012 for all other violations

Attachments: Cycle reports, application for appeal



RECEIVED  
JUL 18 2012

BY: AL 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: 519, 541, 543 E. Smith Av, Bloomington IN

Petitioner's Name: TEMP Properties Inc (William Thornburg)

Address: P.O. Box 5727

City: Bloomington State: IN Zip Code: 47407

Phone Number: 812-336-2026 Email Address: \_\_\_\_\_

Property Owner's Name: DB. Crossing (David Byrne)

Address: 1637 Bellemade Dr

City: Bloomington State: IN Zip Code: 47402

Phone Number: 812-336-2026 Email Address: \_\_\_\_\_

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.

Please circle the petition type that you are requesting:

- A) An extension of time to complete repairs (Petition type TV)
- B) A modification or exception to the Housing Property Maintenance Code (Petition type V)
- C) Relief from an administrative decision (Petition type AA)
- D) Rescind a variance (Petition type RV)

REMINDER: A \$20 filing fee must be submitted with this application before the property can be placed on the meeting agenda.

OFFICE USE ONLY  
Petition Number 12-TV-103

Please provide details regarding your request below; you may attach any exhibits or additional comments as you deem necessary and pertinent to your request. Be specific as to what you are requesting, the reason or justification for your request, the amount of time needed to bring the property into compliance, and any modifications and/or alterations you are suggesting.

Please allow an extension of time (60 days) for me to get the necessary paperwork from the state for a window variance for the listed properties. Thank You!

Signature (required):



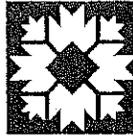
Name (please print):

William Thornbury

Date:

7/17/12

You may attend the meeting. If you attend, please note that all petitioners presenting a matter to the Board shall be limited to no more than five minutes to present their case and arguments. Additional time can be granted if deemed appropriate by the Board. Please note that if your property is listed on the consent agenda it is more likely than not that your property will not be individually discussed during the Board's meeting.



**City of Bloomington  
Housing and Neighborhood Development**

Cycle Report

1758

**OWNERS**

=====  
Db Crossing, Llc  
1673 Bellemeade Dr.  
Bloomington, IN 47401

**AGENT**

=====  
Tempo Management  
P.O. Box 5727  
Bloomington, IN 47407

Prop. Location: 519 E Smith AVE  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: 1/2/4

Date Inspected: 02/09/2012  
Primary Heat Source: Electric  
Property Zoning: PUD  
Number of Stories: 1

Inspectors: Jo Stong  
Foundation Type: Slab  
Attic Access: No  
Accessory Structure: None

Monroe County Assessor's records indicate this structure was built in 1985.

Minimum emergency egress requirements for the time of construction:

Openable area required: 4.75 sq. ft.

Clear width required: 18"

Clear height required: 24"

Maximum Allowable Sill Height: 48" above finished floor

**INTERIOR:**

Kitchen (18-0 x 10-8):  
No violations noted.

Living Room (16-0 x 12-6):

Install a smoke detector in an approved location. If wall mounted, it shall be located between 4 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall.

PM-704.1

Southwest Bedroom (13-0 x 12-9):

No violations noted.

**Note:** A door leading directly to the exterior serves as the emergency egress for this sleeping room.

Bathroom:

No violations noted.

Southeast Bedroom (13-8 x 9-10):

Minimum emergency egress requirements  
for the time of construction:

Openable area required: 4.75 sq

Clear width required: 18"

**Clear height required: 24"**

Maximum Allowable Sill Height: 48"  
above finished floor

EXISTING MEASUREMENTS

Openable area: 5.31 sq. ft.

Openable width: 34 inches

**Openable height: 22 ¾ inches**

Sill height: 30 ¼ inches

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1985. The relevant code is the 1980 Indiana Building Code, section 1204.

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](http://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.

OTHER REQUIREMENTS:

**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)**

Thank you for your cooperation in the Residential Rental Occupancy Permit Program.

Corporation Counsel  
Margie Rice

City Attorney  
Vickie Renfrow



City of Bloomington  
Legal Department

Assistant City Attorneys  
Susan Failey  
Barbara E. McKinney  
Jacquelyn F. Moore  
Patricia M. Mulvihill  
Michael M. Rouker

May 24, 2012

DB Crossing, LLC  
1673 Bellemeade Drive  
Bloomington, Indiana 47401

Re: Property located at 519 East Smith Avenue, Bloomington

Dear Property Owner:

Our office has received a referral from the Housing and Neighborhood Development Department concerning your failure to make repairs pursuant to a cycle inspection conducted by the City of Bloomington at the above referenced property. The violations listed in the April 25, 2012 inspection report should all now be remedied.

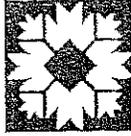
Please be advised that you need to schedule an inspection of said property within fourteen (14) days of the date of this letter and bring said property into compliance. The initiation of legal proceedings against you for failing to comply with the Bloomington Municipal Code is a viable option. If legal proceedings are initiated, you may be fined up to one hundred dollars (\$100.00) per day for each day that the property has remained out of compliance with the Bloomington Municipal Code.

Please give prompt attention to this matter by contacting the Housing and Neighborhood Development Department at (812) 349-3401.

Sincerely,

Patricia M. Mulvihill  
Assistant City Attorney

cc: Housing and Neighborhood Development Department  
Tempo Management, P.O. Box 5727, Bloomington, Indiana 47407



541 E. Smith Avenue

July 6, 2012

Page 1 of 3

City of Bloomington  
Housing and Neighborhood Development

Cycle Report

1768

OWNERS

Db Crossing, Llc  
1673 Bellemeade Dr.  
Bloomington, IN 47401

AGENT

Tempo Management  
P.O. Box 5727  
Bloomington, IN 47407

Prop. Location: 541 E Smith AVE  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: 1/2/4

Date Inspected: 06/28/2012  
Primary Heat Source: Electric  
Property Zoning: PUD  
Number of Stories: 1

Inspector: Jo Stong  
Foundation Type: Slab  
Attic Access: No  
Accessory Structure: None

Monroe County Assessor's records indicate this structure was built in 1985.

Minimum emergency egress requirements for the time of construction:

Openable area required: 4.75 sq. ft.

Clear width required: 18"

Clear height required: 24"

Maximum Allowable Sill Height: 48" above finished floor

INTERIOR:

**Note:** Room dimensions are in the file and are not included in this report.

89

Kitchen/Dining Nook:

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

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

West Bedroom:

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1985. The relevant code is the 1980 Indiana Building Code, section: 1204.

Openable area required: 4.75 sq. ft.	Existing area: 5.33 sq. ft.
Clear width required: 18 inches	Existing width: 33 ¾ inches
<b>Clear height required: 24 inches</b>	<b>Existing height: 22 ¾ inches</b>
Maximum sill height: Not more than 48 inches above finished floor	Existing sill: 31 inches

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](http://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.

Bathroom:

No violations noted.

East Bedroom:

**Note:** A door leading directly to the exterior serves as the emergency egress for this sleeping room.

Remove the items blocking the egress door. The clear opening area for the emergency egress shall not be blocked by furniture or storage. PM-102.3 & PM-702.4

Provide operating power to smoke detector. PM-704.1

Living Room:

No violations noted.

**EXTERIOR:**

Deck:

541 E. Smith Avenue

July 6, 2012

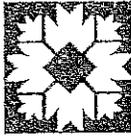
Page 3 of 3

No violations noted.

**OTHER REQUIREMENTS:**

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)

Thank you for your cooperation in the Residential Rental Occupancy Permit Program.



City of Bloomington  
Housing and Neighborhood Development

Cycle Report

1769

OWNERS

Db Crossing, Llc  
1673 Bellemeade Dr.  
Bloomington, IN 47401

AGENT

Tempo Management  
P.O. Box 5727  
Bloomington, IN 47407

Prop. Location: 543 E Smith AVE  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: 1/2/4

Date Inspected: 06/28/2012  
Primary Heat Source: Electric  
Property Zoning: PUD  
Number of Stories: 1

Inspector: Jo Stong  
Foundation Type: Slab  
Attic Access: No  
Accessory Structure: None

Monroe County Assessor's records indicate this structure was built in 1985.

Minimum emergency egress requirements for the time of construction:

Openable area required: 4.75 sq. ft.

Clear width required: 18"

Clear height required: 24"

Maximum Allowable Sill Height: 48" above finished floor

INTERIOR:

**Note:** Room dimensions are in the file and are not included in this report.

Bathroom:

Properly seal the top of the tub/shower surround. PM-304.3

Living Room:

Mount the smoke detector in a proper location (it is too low). If wall mounted, it shall be located between 4 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall. PM-704.1

East Bedroom:

**Note:** A door leading directly to the exterior serves as the emergency egress for this sleeping room.

No violations noted.

Kitchen/Dining nook:

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

West Bedroom:

Provide operating power to smoke detector. PM-704.1

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1985. The relevant code is the 1980 Indiana Building Code, section: 1204.

Openable area required: 4.75 sq. ft.	Existing area: 5.13 sq. ft.
Clear width required: 18 inches	Existing width: 34 inches
<b>Clear height required: 24 inches</b>	<b>Existing height: 21 ¾ inches</b>
Maximum sill height: Not more than 48 inches above finished floor	Existing sill: 31 inches

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](http://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.

Mechanical Room:

No violations noted.

**EXTERIOR:**

Deck:

No violations noted.

543 E. Smith Avenue

July 6, 2012

Page 3 of 3

**OTHER REQUIREMENTS:**

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)

Thank you for your cooperation in the Residential Rental Occupancy Permit Program.



City of Bloomington  
H.A.N.D.

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

Meeting Date: August 15, 2012  
Petition Type: An extension of time to complete repairs.  
Petition Number: 12-TV-104  
Address: 523 & 525 E. Smith Avenue  
Petitioner: Tempo Properties, Inc  
Inspector: Jo Stong  
Staff Report: June 28, 2012: Conducted cycle inspection of both properties  
July 9, 2012: Sent cycle report  
July 19, 2012: Received appeal

During a cycle inspection of the two above properties it was noted that windows did not meet the minimum emergency egress requirements for the time of construction (1985).

Minimum emergency egress requirements for the time of construction:

Openable area required: 4.75 sq. ft.

Clear width required: 18"

Clear height required: 24"

Maximum Allowable Sill Height: 48" above finished floor

Existing Window Measurements:

**523**  
Existing area: 5.21 sq. ft.  
Existing width: 33 ¾ inches  
Existing sill: 29 ¼ inches  
**Existing height: 22 ¼ inches**

**525**  
Existing area: 5.31 sq. ft.  
Existing sill: 30 inches  
**Existing height: 22 ½ inches**  
Existing width: 34 inches

The petitioner is seeking an extension of time to secure a variance from the State for the windows. An application for the variance has been sent to the State.

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: October 15, 2012 for a variance from the state  
September 9, 2012 for all other violations

Attachments: Cycle reports, appeal, State Variance application

RECEIVED  
JUL 19 2012



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: 523 & 525 East Smith Avenue

Petitioner's Name: TEMPO Properties, Inc.

Address: 2676 East 2nd Street; PO Box 5727

City: Bloomington State: IN Zip Code: 47407

Phone Number: 812-336-2026 E-mail Address: tempo-properties@yahoo.com

Owner's Name: Harold & Sandra Sabbagh

Address: 2609 Spuewood Lane

City: Bloomington State: IN Zip Code: 47401

Phone Number: 812-339-9446 E-mail Address: ssabbagh@homefinder.org

Occupants: Amelia Smith Elizabeth Lokset  
523 - Courtney Bronbosz 525 - Meghan Jackson

**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 Variance

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)  
Petition Number: 12-TV-104

Please provide details regarding your request below; you may attach any exhibits or additional comments as you deem necessary and pertinent to your request. Be specific as to what you are requesting, the reason or justification for your request, the amount of time needed to bring the property into compliance, and any modifications and/or alterations you are suggesting.

*See attached Application for Variance  
sent to Department of Homeland Security*

Signature (required): *Joanne Sabbegh*  
Name (please print): *Joanne Sabbegh* Date: *7-17-12*

You may attend the meeting. If you attend, please note that all petitioners presenting a matter to the Board shall be limited to no more than five minutes to present their case and arguments. Additional time can be granted if deemed appropriate by the Board. Please note that if your property is listed on the consent agenda it is more likely than not that your property will not be individually discussed during the Board's meeting.



# APPLICATION FOR VARIANCE

State Form 44400 (R6 / 6-12)

Approved by State Board of Accounts, 2012

INDIANA DEPARTMENT OF HOMELAND SECURITY  
 CODE SERVICES SECTION  
 302 West Washington Street, Room W246  
 Indianapolis, IN 46204-2739  
[http://www.in.gov/dhs/firefp\\_bs\\_comm\\_code/](http://www.in.gov/dhs/firefp_bs_comm_code/)

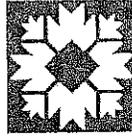


**INSTRUCTION:** Please refer to the attached four (4) page instructions.  
 Attach additional pages as needed to complete this application.

Variance number (Assigned by department)

1. APPLICANT INFORMATION (Person who would be in violation if variance is not granted; usually this is the owner)		
Name of the applicant Harold & Sandra Sabbagh	Title Owners	
Name of organization Dumax, LLC	Telephone number ( 812 ) 339-3446	
Address (number and street, city, state, and ZIP code) 2609 Spicewood Lane, Bloomington, IN 47401		
2. PERSON SUBMITTING APPLICATION ON BEHALF OF THE APPLICANT (If not submitted by the applicant)		
Name of person on behalf of the applicant Dave Thornbury	Title Property Manager	
Name of organization TEMPO Properties, Inc.	Telephone number ( 812 ) 336-2026	
Address (number and street, city, state, and ZIP code) 2676 East 2nd Street, Bloomington, IN 47401		
3. DESIGN PROFESSIONAL OF RECORD (If applicable)		
Name of design professional	License number	
Name of organization	Telephone number ( )	
Address (number and street, city, state, and ZIP code)		
4. PROJECT IDENTIFICATION		
Name of project Henderson Crossing	State project number	County Monroe
Site address (number and street, city, state, and ZIP code) 523 and 525 East Smith Avenue		
Type of project: <input type="checkbox"/> New <input type="checkbox"/> Addition <input type="checkbox"/> Alteration <input type="checkbox"/> Change of occupancy <input checked="" type="checkbox"/> Existing		
5. REQUIRED ADDITIONAL INFORMATION		
The following required information has been included with this application (check as applicable):		
<input checked="" type="checkbox"/> A check made payable to the Indiana Department of Homeland Security for the appropriate amount. (see instructions)		
<input type="checkbox"/> One (1) set of plans or drawings and supporting data that describe the area affected by the requested variance and any proposed alternatives.		
<input checked="" type="checkbox"/> Written documentation showing that the local fire official has received a copy of the variance application.		
<input checked="" type="checkbox"/> Written documentation showing that the local building official has received a copy of the variance application.		
6. VIOLATION INFORMATION		
Has the Plan Review Section of the Division of Fire & Building Safety issued a Correction Order? <input type="checkbox"/> Yes (if yes, attach a copy of the Correction Order) <input checked="" type="checkbox"/> No		
Has a violation been issued? <input type="checkbox"/> Yes (if yes, attach a copy of the Violation and answer the following) <input type="checkbox"/> No		
Violation issued by: <input checked="" type="checkbox"/> Local Building Department <input type="checkbox"/> State Fire and Building Code Enforcement Section <input type="checkbox"/> Local Fire Department		





**City of Bloomington  
Housing and Neighborhood Development**

**Cycle Report**

1761

**OWNERS**

=====  
Sabbagh, Harold & Sandra  
2609 Spicewood Ln.  
Bloomington, IN 47401

**AGENT**

=====  
Tempo Management  
P.O. Box 5727  
Bloomington, IN 47407

Prop. Location: 525 E Smith AVE  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: 1/2/4

Date Inspected: 06/28/2012  
Primary Heat Source: Electric  
Property Zoning: PUD  
Number of Stories: 1

Inspector: Jo Stong  
Foundation Type: Slab  
Attic Access: No  
Accessory Structure: None

Monroe County Assessor's records indicate this structure was built in 1985.

Minimum emergency egress requirements for the time of construction:

Openable area required: 4.75 sq. ft.

Clear width required: 18"

Clear height required: 24"

Maximum Allowable Sill Height: 48" above finished floor

**INTERIOR:**

**Note:** Room dimensions are in the file and are not included in this report.

Kitchen/Dining nook:

Replace the battery in the smoke detector (it is beeping) so that it functions as intended. PM-704.1

East Bedroom:

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1985. The relevant code is the 1980 Indiana Building Code, section: 1204.

Openable area required: 4.75 sq. ft.	Existing area: 5.31 sq. ft.
Clear width required: 18 inches	Existing width: 34 inches
<b>Clear height required: 24 inches</b>	<b>Existing height: 22 ½ inches</b>
Maximum sill height: Not more than 48 inches above finished floor	Existing sill: 30 inches

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](http://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.

Mechanical Room:

No violations noted.

Bathroom:

**Note:** The water was turned off in this unit and could not be checked. The water system will be checked at the reinspection.

No other violations noted.

West Bedroom:

**Note:** A door leading directly to the exterior serves as the emergency egress for this sleeping room.

No violations noted.

Living Room:

Repair or replace the smoke detector above the bedroom doorway so that it functions as intended (or remove it—there is another functioning smoke detector in this room). PM-704.1

**EXTERIOR:**

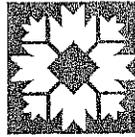
Deck:

No violations noted.

**OTHER REQUIREMENTS:**

**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)**

Thank you for your cooperation in the Residential Rental Occupancy Permit Program.



City of Bloomington  
Housing and Neighborhood Development

Cycle Report

1760

OWNERS

Sabbagh, Harold & Sandra  
2609 Spicewood Ln.  
Bloomington, IN 47401

AGENT

Tempo Management  
P.O. Box 5727  
Bloomington, IN 47407

Prop. Location: 523 E Smith AVE  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: 1/2/4

Date Inspected: 06/28/2012  
Primary Heat Source: Electric  
Property Zoning: PUD  
Number of Stories: 1

Inspector: Jo Stong  
Foundation Type: Slab  
Attic Access: No  
Accessory Structure: None

Monroe County Assessor's records indicate this structure was built in 1985.

Minimum emergency egress requirements for the time of construction:

Openable area required: 4.75 sq. ft.

Clear width required: 18"

Clear height required: 24"

Maximum Allowable Sill Height: 48" above finished floor

INTERIOR:

**Note:** Room dimensions are in the file and are not included in this report.

Entry:

Repair the entry door to be weather tight. No gaps shall be visible around the edges. PM-303.13

Kitchen/Dining Nook:

No violations noted.

Living Room:

No violations noted.

West Bedroom:

**Note:** A door leading directly to the exterior serves as the emergency egress for this sleeping room.

No violations noted.

East Bedroom:

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1985. The relevant code is the 1980 Indiana Building Code, section: 1204.

Openable area required: 4.75 sq. ft.

Existing area: 5.21 sq. ft.

Clear width required: 18 inches

Existing width: 33 ¾ inches

**Clear height required: 24 inches**

**Existing height: 22 ¼ inches**

Maximum sill height: Not more than 48 inches

above finished floor

Existing sill: 29 ¼ inches

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).

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Mechanical Room:

No violations noted.

**EXTERIOR:**

No violations noted.

**OTHER REQUIREMENTS:**

523 E. Smith Avenue

July 5, 2012

Page 3 of 3

**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)**

Thank you for your cooperation in the Residential Rental Occupancy Permit Program.