

**PUBLIC HEARING
BOARD OF HOUSING QUALITY APPEALS
CITY HALL McCLOSKEY CONFERENCE ROOM
February 20, 2013, 4:00 P.M.**

**Of the items on the agenda, all but numbers (1),
(2) and (11) are on the Consent Agenda.**

I. ROLL CALL

II. REVIEW OF SUMMARY – January 16, 2013 p. 3

III. OLD BUSINESS

- (1) 12-TV-135 **2622 N. Walnut Street**, Olympus Properties. Request for an extension of time to complete repairs. Previously heard December 19, 2012. pp. 5-32
- (2) 12-TV-1129 **402 W. Wilson Street**, Spicer Rentals. Request for an extension of time to complete repairs. Previously heard November 28, 2012. pp. 33-39

IV. NEW BUSINESS

- (3) 13-TV-06 **2600 S. Olcott Boulevard**, Silvana Falconi. Request for an extension of time to complete repairs. pp. 40-46
- (4) 13-RV-07 **729 E. Hunter Avenue**, H.A.N.D. Request to rescind a variance. pp. 47-55
- (5) 13-TV-08 **1017 W. 7th Street**, Philip N. Jones. Request for an extension of time to complete repairs. pp. 56-64
- (6) 13-TV-09 **1121 S. Henderson Street**, Joseph Christine, LLC. Request for an extension of time to complete repairs. pp. 65-72
- (7) 13-TV-10 **117 S. Bryan Avenue**, Richard A. Martin & Jane M. Lewis. Request for an extension of time to complete repairs. pp. 73-78
- (8) 13-TV-11 **3442 E. Longview Avenue**, Frank Kristl. Request for an extension of time to complete repairs. pp. 79-84
- (9) 13-TV-12 **1106 S. Madison Street**, Sharon Dalton. Request for an extension of time to complete repairs. pp. 85-91
- (10) 13-TV-14 **425 N. Dunn Street**, Lorna Schenk. Request for an extension of time to complete repairs. pp. 92-100
- (11) 13-AA-15 **591 E. Waterloo Court**, Billie J. Woods. Request for relief from an administrative decision. pp. 101-104
- (12) 13-TV-16 **908 S. Madison Street**, Bill Bergren. Request for an extension of time to complete repairs. pp. 105-110
- (13) [WITHDRAWN] 13-V-17 **1215 N. Dunn Street**, Jerry Fox. Request for a

modification or exception to the Housing Property Maintenance Code.

V. GENERAL DISCUSSION

VI. PUBLIC COMMENT

VII. ADJOURNMENT

B.H.Q.A. MEETING OF JANUARY 16, 2013

SUMMARY

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

STAFF PRESENT: Lisa Abbott, Daniel Bixler, John Hewett, Maria McCormick, Norman Mosier (HAND),
Patricia Mulvihill (Legal)

I. REVIEW OF SUMMARY

Hamilton made a motion to approve the minutes for December 19, 2012. Lessing seconded. Motion passed, 5-0.

II. ELECTION OF 2013 OFFICERS

Hamilton nominated Kris Floyd for Chair and Ryan Strauser for Vice-Chair. Gallman seconded. Motion passed, 5-0.

III. CONSENT AGENDA

1300 S. Madison Street, Sura Gail Tala, 13-TV-01. Request for an extension of time to complete repairs. Staff recommendation to grant the request with a March 16, 2013 deadline.

615 N. Lincoln Street, Dana Morrison, 13-TV-02. Request for an extension of time to complete repairs. Staff recommendation to grant the request with a July 16, 2013 deadline.

3100 E. Braeside Drive, Scott May, 13-TV-03. Request for an extension of time to complete repairs. Staff recommendation to grant the request with a January 31, 2013 deadline for life safety violations, March 16, 2013 deadline for interior repairs, and January 16, 2014 deadline for exterior repairs.

414 E. Cottage Grove Avenue, Fred Soskel, 13-TV-04. Request for an extension of time to complete repairs. Staff recommendation to grant the request with a July 16, 2013 deadline.

1511, 1157 & 1163 S. Fenbrook Lane, Inland Group Management, LLC, 13-TV-05. Request for an extension of time to complete repairs. Staff recommendation to grant the request with a March 16, 2013 deadline.

Approved.

IV. GENERAL DISCUSSION

General discussion of legislation before Indiana State House concerning rental inspections.

V. PUBLIC COMMENT

None.

VI. ADJOURNMENT

Gallman made a motion to adjourn. Floyd seconded. Motion unanimously passed. Meeting adjourned at 4:17 PM.





City of Bloomington
H.A.N.D.

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

Meeting Date: February 20, 2013

Petition Type: An extension of time to complete repairs.

Petition Number: 12-TV-135

Address: 2622 N. Walnut Street

Petitioner: Olympus Properties

Inspector: Robert Hoole

Staff Report: February 28, 2012 Cycle Inspection
August 7, 2012 Re-inspection
October 8, 2012 Amended RV
November 24, 2012 Received appeal
January 8, 2013 Request to be reconsidered -- Old Business

Per previous staff report:

The petitioner is requesting an extension of time to address the roof issue. This violation was not cited on the original report as the roof issue was not evident at that time. This property was delayed as there was a Title 20 concern that was not fully addressed until June. During this time, the roof issue became evident by the placement of a large blue tarp held down by two tires. An amended Remaining Violations report was sent on 10/8/12. Since that time, a second blue tarp has been placed on the roof. The owner is assessing whether to pursue an entire roof replacement or repair the section(s) that is leaking. All of the violations on the cycle report have been complied.

An extension was granted until January 31, 2013.

On January 8, 2013, the property manager requested to be heard under Old Business to revise this deadline. Staff requested that they submit information regarding the roof and the reason for the delay. See attached documentation submitted on 1/31/13.

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

Compliance Deadline: May 15, 2013

Attachments: Cycle Inspection Report, petitioner's letter



Lisa Abbott <abbottl@bloomington.in.gov>

2622 N Walnut HAND violation

4 messages

Property Manager <manager@olympusproperties.com>

Thu, Jan 31, 2013 at 1:40 PM

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

Lisa, our attorney (Michael McBride) wanted me to email this doc to you to be included in the information pack to the BHQA. I think he just wants them to be aware of how difficult it is to fix a roof in the dead of winter. Sorry for the delay on this. Thanks for your help.

--

Rick Krouse
Property Manager
Olympus Properties
"We're where you want to live!"
Tel: (812) 334-8200
Fax: (812) 961-1115
manager@olympusproperties.com
www.olympusproperties.com

(812) 339-4477 Noise Complaints - Bloomington Police Department
(888)343-0437 Olympus Properties' After-Hours EMERGENCY Line
We support the Bloomington Police Department's Quiet Nights Initiative

 **Docs for BHQA.pdf**
5912K

HeraldTimesOnline.com

Today's weather: Snow! And lots of slide-offs ...

Lynne Foster Shifriss

December 21, 2012

Good morning, readers,

On the police scanner, I'm hearing lots of talk about slide-offs, especially on Ind. 37. In fact, the State Police say, if you don't have to go out, stay home!

The National Weather Service does not have a definitive figure on how much snow we got during the night, and won't have for a couple of hours. So, readers, feel free to comment! (The figures online at the [National Weather Service "observed weather" page](#) for this area are just for liquid precipitation, according to the meteorologist I just spoke to.)

We should have areas of blowing snow until about midday today, possibility of flurries in the afternoon.

The winds are still strong, with westerly winds gusting up to 45 mph at times.

Just now, it's snowing lightly and is 25 degrees.

Sunrise this morning will be at 8:02 a.m.

Today, the high will be about 32 degrees.

Tonight, the low will get down to about 21, and skies will be partly cloudy, although no snow or rain is expected tonight.

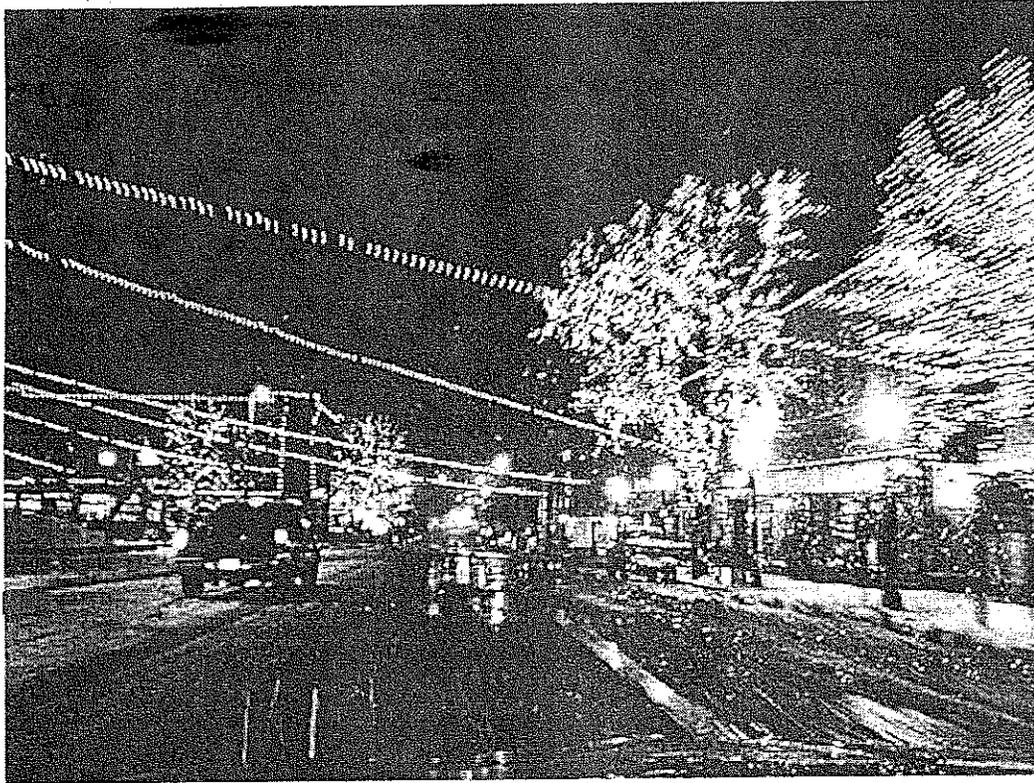
Sunset tonight will be at 5:27 p.m.

Tomorrow during the day, high temp will be about 39 and expect mostly sunny skies.

Readers can report closings and delays at closings@heraldt.com or by calling the main newsroom number at 331-4341.

Sign up for text and email alerts from the H-T [here](#).

A good day to you and yours.



Ray Brown | Herald-Times 3:30 a.m. Dec. 21, headed south through the Courthouse Square.

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Bloomington prepping for blizzard

By Jon Blau

331-4266 | jblau@heraldt.com

December 24, 2012

Update

A blizzard warning will be in effect for Bloomington beginning at 1 a.m. Wednesday, according to forecasters, who are calling for as much as a foot of snow.

John Kwiatkowski, a meteorologist with the National Weather Service in Indianapolis, said his office is predicting 10 to 12 inches of snow for south-central Indiana with "moderate confidence." And while forecasts are always subject to change, especially when it comes to snow, Kwiatkowski said earlier predictions of six inches are not something "you want to bet the mortgage on."

The storm system moving through the Ohio Valley should be a powerful one, he added, dumping large amounts of precipitation along with wind gusts at about 40 miles per hour through Wednesday. Ice, on the other hand, will be only a minor outcome compared to snow accumulations and wind, Kwiatkowski said.

The city of Bloomington has started prepping for the storm, and 26 salt trucks are scheduled to dispatch at about midnight to pre-treat the roadways, according to Joe VanDeventer, acting director of the street department. Bloomington police stopped by the street department Tuesday, as well, to pick up four-wheel drive trucks for use during the storm.

Earlier

Evidence of last week's storm will be gone Christmas Eve and the following morning, with only spots of snow on the ground, but, for those willing to count it, a storm Tuesday night might bring a "white Christmas" after all.

Forecasters are calling for six inches of snow to hit Bloomington, with a winter storm watch in effect for 24 hours starting 7 p.m. Tuesday. Road conditions will also be hazardous, because wind gusts are expected to exceed 30 to 40 mph, according to Crystal Pettet, a meteorologist with the National Weather Service in Indianapolis.

Last week's snowfall and fear of this current storm has caused some retailers to run out of ice melt. Bloomington Hardware has been sending its customers to Kroger at College Mall, according to employee Justin Bogart. The local shop has been out of salt bags since the weekend, but demand has remained high.

Many larger department stores and Kroger groceries are also stocked with the chemical melting agent. Sears at College Mall had 40 to 50 bags as of 1 p.m., the store's warehouse manager said. Lowes on Gates Drive reported substantial stocks of salt in its home and gardening section, as well.

Pettet, however, said sleet and freezing rain from this storm should remain to the east of Bloomington, but temperatures Tuesday into Wednesday will stay cold enough to increase snow accumulations. The system was in the inner midwest as of early afternoon, Pettet said, but is projected to dip down into Texas and pick up steam as it heads north toward the Ohio Valley.



David Snodgress | Herald-Times Lennon Beasley spreads an ice melter on the sidewalk at Bloomington Hardware Friday morning.

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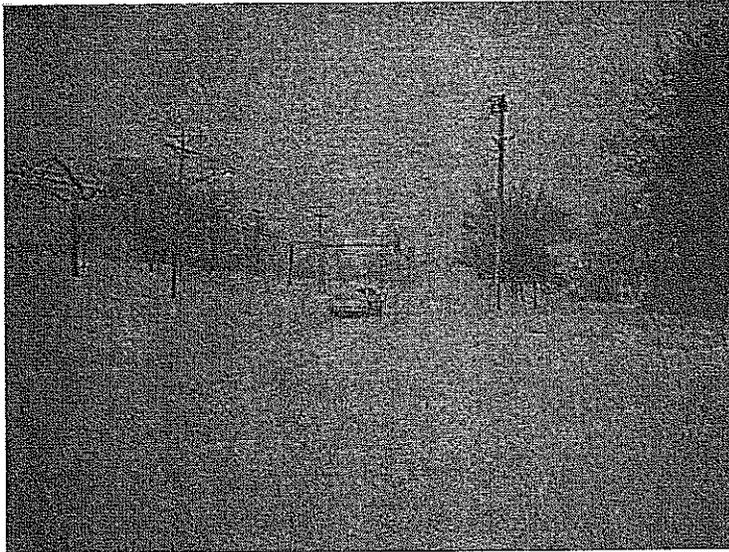
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State police issue snow emergency for Monroe, Owen, Brown and Morgan

H-T report

December 26, 2012, last update: 12/26 @ 1:16 pm

[click photos to advance \(if photos\)](#)



A lone vehicle travels down South Walnut Street in Bloomington on Wednesday morning as snow continues to fall. Carol Kugler | Herald-Times

Owen, Monroe, Brown and Morgan are under a snow emergency and have limited travel only for emergencies and public safety personnel, according to the Indiana State Police.

According to ISP, Ind. 37 at the Monroe/Morgan, Ind. 37 is now open to one lane in spots. The area had been clogged while police worked a 40-50 car stand still in the southbound lane at the Morgan/Monroe County line. This is not a crash, however traffic will not be able to move until crews have cleared the roadway, which may take 1-2 hours. Clean up in this area has stalled as current weather conditions continue.

The Indiana State Police Bloomington District includes Monroe, Owen, Greene, Brown, Lawrence and Morgan Counties.

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ISP also shared these tips with drivers during this inclement weather.

- Do not call city, county or state police to check on road conditions — police agencies across the state want to keep phone lines open for emergency phone calls
- For up-to-date weather information the best source is your favorite TV or radio station or check the National Weather Service at <http://www.crh.noaa.gov/ind/>
- Visit www.TrafficWise.IN.gov or dial toll-free 1-800-261-ROAD (7623) for updated Indiana travel information, including road conditions, road closures, construction information, crashes and other traffic alerts
- If you must drive during any period of the storm a fully charged and functioning cell phone is your best friend
- If involved in a crash and no one is injured and the involved vehicles are still drivable, move to a safe area to exchange names, vehicle and license plate information, along with driver license number and insurance agent name and phone number with the other driver
- During severe weather conditions law enforcement will be busy responding to emergency calls and will not be able to take reports of crashes where there is only damage to property
- Vehicles left abandoned along interstate and state road right-of-ways are subject to immediate removal during inclement weather events.

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Snow brings Bloomington to a standstill

By Abby Tonsing
December 26, 2012

331-4245 | atonsing@heraldt.com

A blizzard of snow paralyzed Bloomington and much of Indiana Wednesday, and emergency conditions were declared by state and local officials who asked people to avoid driving as roads filled with 11 or more inches of white stuff.

No serious local accidents or other incidents due to the storm had been reported by Wednesday evening.

But Ind. 37 near the Monroe / Morgan County line was clogged and stalled by an estimated 40 slide-offs and visibility problems Wednesday morning. "None of those were crashes, it was just a parking lot of people who couldn't move," state police Sgt. Curt Durnil said. One lane opened later in the day.

Ind. 37 headed south from Bloomington to Bedford was also down to one lane in spots.

Monroe County officials lifted its snow emergency declaration and downgraded to a "watch" by 5 p.m. Wednesday after the National Weather Service downgraded the area's blizzard warning to a winter weather advisory.

National Weather Service meteorologist Earl Breon said volunteer weather spotters in the Bloomington area had measured 11.5 inches of snow by 10:30 Wednesday morning.

"I would imagine that's pretty close to a final total," he said.

The last time Bloomington saw a significant amount of snow in a single session was back on Dec. 23, 2004. Then, 13.5 inches fell.

Regardless of the downgraded weather and travel warnings, city, county and emergency official maintained the motto: If you don't have to go out, stay put.

"We still do not recommend driving unless absolutely necessary but roads are passable at this time," Monroe County Emergency Management Director Jim Comerford stated in an email Wednesday evening.

Plows on main city streets moved snow aside enough for some motorist to venture out, but traffic was light because of the driving cautions. On the county roads, plows had a slow time of it moving the deep heavy snow. Eventually, those roads became passable.

The same couldn't be said in Greene County.

Emergency declarations closed all Greene County roads to keep drivers from venturing out and risking accidents. Greene County roads were considered impassable and were not expected to be open to traffic until Friday, according to an email from Roger Axe, director of Greene County's Emergency Management Agency.

"Unless it is an emergency please stay off the roads," Axe said.

Three Greene County Highway trucks crashed while clearing roads, and officials requested only emergency vehicles venture out on the roads.

Indiana Department of Transportation crews assisted Greene County Highway crews in opening Lone Tree Road from Ind. 54 to Ind. 48 in order to provide access to Greene County General Hospital.

In Bloomington, buses were not running, and government and IU offices were closed, as were College Mall, the AMC movie theaters and most other businesses.

Some stores and restaurants that started the day out open went ahead and closed early.

By 5 p.m. Wednesday, the IU Bloomington campus resumed its normal operations and was scheduled to be open on Thursday.

The homeless shelters made plans to open early for the night and offer extra daytime sheltering hours, particularly because the Monroe County Library and other places of public refuge were not open.

By 2 p.m. Wednesday, the heavy snowfall had slackened to snow showers, but blowing and drifting snow were a continuing concern on Wednesday.

Thursday might offer a brief reprieve, as the National Weather Service's forecast called for partly sunny skies and a high near 30 and clam winds Thursday night.

The weather service calls for a 30 percent chance of snow Friday night and Saturday.

Busy with the county roads, John Chambers, county highway superintendent, said Wednesday afternoon that it had been a struggle so far to plow the snow away.

"We've just struggled all day trying to keep the roads open," Chambers said. "I think we've succeeded. But everything's bad."

From 5 a.m. until about 1:30 p.m. Wednesday, Monroe County Sheriff's deputies responded to 26 slide-offs and four property damage accidents, according to an email from Chief Deputy Mike Pershing.

Chambers predicted that blowing and drifting of east/west roads would continue to be a problem for the county's 27 plow trucks and 27 route drivers, who started work about 4 a.m. Wednesday when the snow started to fall. Once Monroe County's snow emergency lifted Wednesday evening, Chambers said that all main county roads had been plowed. They may not look pretty, but they were passable, he said.

"We are continuing to go over the routes," Chambers said. "We still have a lot of work to do, a lot of subdivisions that we need to tweak. We got a lot of snow, and there's nowhere to put it."

Bloomington's director of public works Susie Johnson acknowledged her crews also had problems simply

finding spots to move the snow. "When we plow the streets, the snow has to go somewhere. And when you're in a neighborhood, it has to go to the side of the road," she said. Some city driveways may have gotten blocked by snow, she said. "I'm aware of that, and really sorry that it happened. But there really is no other alternative."

Chambers anticipated sending his drivers home for a break late Wednesday night, save a skeleton crew for emergencies during the night.

The plan was similar for city crews. Three crew members would work four-hour rotations through the night in case of emergencies. Early Thursday, they'd hit it again, plow right to city curbs, Johnson said.

Chambers said he'd have his full fleet right back at it Thursday morning as well, plowing and sanding: "We're just going to do it all over again."

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Susan Bright shovels snow from the sidewalk in front of Nick's English Hut. Bright said employees who couldn't walk to work were asked to stay home because roads are dangerous to drive on. Jeremy Hogan | Herald-Times



Jay Kotecha, left, and Erin Madar use snow shoes to walk on South Dunn near Kirkwood Wednesday. Jeremy Hogan | Herald-Times



A woman carries groceries on snow covered Kirkwood. Jeremy Hogan | Herald-Times



Heading toward the Sample Gates, Yasukiko Aoliki, left, heads home after trekking downtown for a haircut only to find the business closed. Jeremy Hogan | Herald-Times



Heading toward the Sample Gates, Yasukiko Aoliki heads home after trekking downtown for a haircut only to find the business closed. Jeremy Hogan | Herald-Times



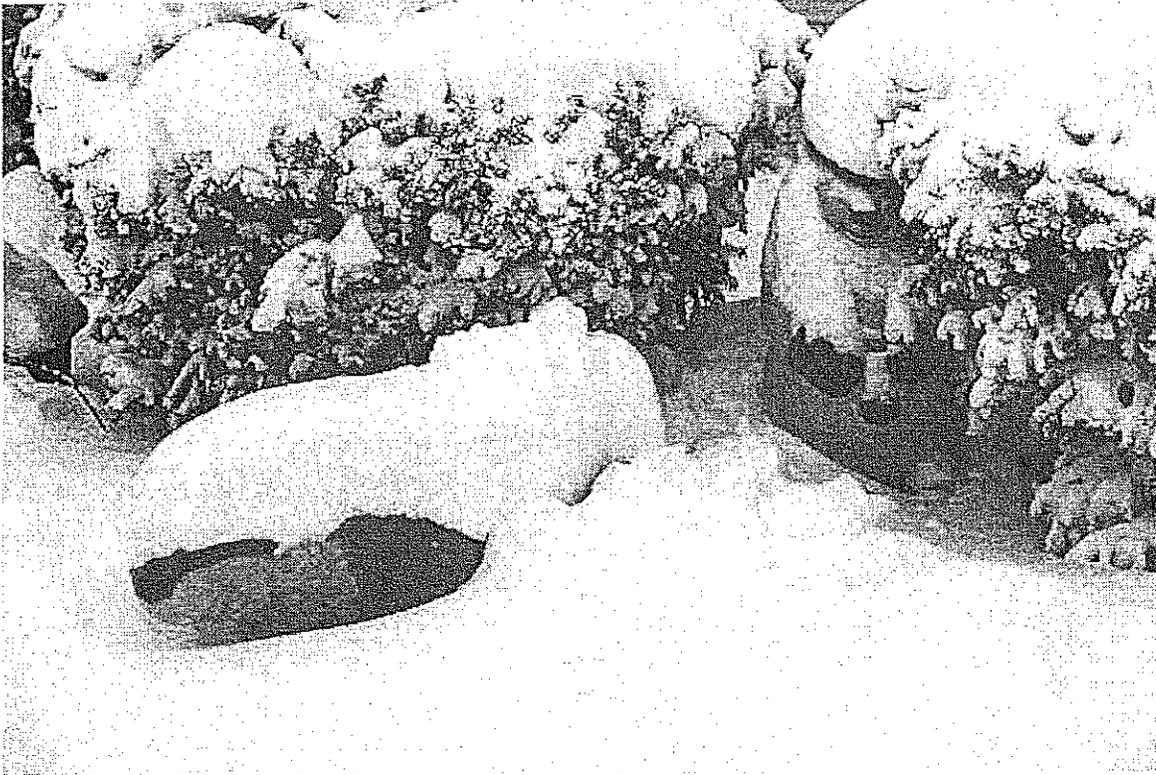
Jason Hamilton clears a sidewalk along 7th Street. Jeremy Hogan | Herald-Times



Ralph Norris clears snow from the doors of a garage on West 8th Street. Jeremy Hogan | Herald-Times



Snow covers a fence along West 8th Street. Jeremy Hogan | Herald-Times



A snow covered Santa is fallen in heavy snow in a yard on West 8th Street. Jeremy Hogan | Herald-Times

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More snow is on the way tonight

By Abby Tonsing
December 28, 2012

331-4245 | atonsing@heraldt.com

More snow is on the way.

The National Weather Service has issued a winter weather advisory from 7 tonight until 7 a.m. Saturday for Monroe, Brown, Greene, Lawrence, Morgan, Owen and surrounding counties.

New snow accumulations of 3 to 5 inches are possible as a low pressure system passes through Kentucky and moves into central Indiana, according to the weather service.

"The most significant snow will be from this evening into the early morning hours, but it won't entirely end until near dawn tomorrow," meteorologist John Kwiatkowski said Friday afternoon.

Add that new snow to the more than 12 inches of snow volunteer weather spotters recorded in and around Bloomington during Wednesday's storm.

Temperatures tonight will dip to 26, But with the wind chill, it might feel like it's 20.

Saturday's high temperature will hit 32, and some snow showers might linger during the day.

The good news: The National Weather Service forecast calls for dry and sunny skies on Sunday with a high near 33.

The next chance of snow might be Monday, Kwiatkowski said, but it's too early to tell how significant that snowfall might be.

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More snow greets Hoosiers on New Year's Eve; winter weather advisory issued

By Victoria Ison 331-4243 | vison@herald.com
December 31, 2012, last update: 12/31 @ 3:39 pm



Left: Snow covers the streets in Bloomington, Indiana, on Tuesday, Jan. 1, 2013. Right: Snow covers the ground in a residential area in Bloomington, Indiana, on Tuesday, Jan. 1, 2013.

Bloomington is seeing its fourth snowfall in less than two weeks.

The new year could bring with it two to four inches of snow, forecast to accumulate by 7 a.m. Tuesday, according to a winter weather advisory issued by the National Weather Service. The advisory applies to much of central and southern Indiana, including Monroe and all neighboring counties.

"It might cause the roads to get slick, especially more toward the evening as people go out," said Chad Swain, meteorologist at the National Weather Service's Indianapolis office. "We want people to be extra careful when traveling because of that and the holiday."

So far, Indianapolis has received 14 inches of snow, making it the ninth snowiest December since 1871. The average amount of snowfall for Indianapolis in the month of December is 6.9 inches.

While the National Weather Service doesn't keep records on the frequencies of snowfalls, Swain said the weather Indiana received in the past two weeks is probably not as unusual as it may feel.

"It happens occasionally," Swain said. "It just seems like a lot because last year we hardly had any snow at all."

Still, the frequency and timing of the recent winter weather has been keeping the weather service busy, Swain said. He said there are usually at least two meteorologists on duty in the office, but when severe weather is happening a third will be called in to help field phone calls, crunch data and compare observations with records.

"It gets pretty intense at times, especially during the holidays when a lot of people are on vacation and we're working with bare-bones staffing," Swain said. "It definitely keeps you busier."

In addition to today's snowfall, mostly below freezing temperatures that haven't allowed for much melting could mean we approach the record for the maximum amount of snow measured on the ground at any one time, Swain said. That was 20 inches, in January 1978.

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Years with the most snowfall in Indianapolis in December, according to data from the National Weather Service:

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- 1973, 27.5 inches
- 1895, 21.5 inches
- 2010, 16.6 inches
- 2000, 16.3 inches
- 1981, 15.6 inches
- 1977, 15.2 inches
- 1996, 14.6 inches
- 2005, 14.1 inches
- 2012 through Dec. 30, 14 inches
- 2004, 13.1 inches
- 1915, 13.1 inches

- no comments
- Morning weather/traffic update: Watch for icy patches
no comments
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no comments
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Overcast

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28°

7°

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Today's weather: Slight chance of snow

H-T Report

January 5, 2013

The National Weather Service forecast today calls for a slight chance of rain and snow showers after 3 p.m. It will be mostly cloudy, with a high near 35. The chance of precipitation is 20 percent.

Tonight, there's a chance of snow showers and freezing drizzle before 7 p.m., then a chance of flurries and freezing drizzle. It will be cloudy, with a low around 28. Chance of precipitation is 10 percent.

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Birding

Snow brings birds to area feeders in larger numbers

By Dawn Hewitt
January 6, 2013

812-331-4377 | dhewitt@heraldt.com

A foot of snow brings problems, but it also brings birds to bird feeders like shoppers on Black Friday.

At my feeders last week, several species uncommon in my yard turned up to partake where the dining was easy.

On Dec. 26, during the heavy snow, I had dozens of house sparrows, plus more than usual of the regulars: cardinals, juncos, modos (mourning doves), house finches and blue jays. But a common grackle showed up, too. I haven't seen that species at my feeders since spring. Lots of people dislike grackles, but I think they're spectacular, and this one was very welcome in my yard.

Also during the snow, a pair of eastern towhees showed up under the hopper to collect spilled seed. Towhees were regulars in my yard years ago, but until last week, I hadn't seen one at my feeders for several years. I was very happy to see a male and female there, and they seem to be visiting every day.

The same day, Jess Gwinn and Maureen Forrest, who live in Newark, had a female cowbird and a female red-winged blackbird at their feeders. Like grackles, those species are much more common at feeders in the spring than in the winter.

They also had "a bazillion of the usual suspects" at their feeders, they reported to Bloomington-Birds-L, the local birding email list.

On Dec. 27, a pair of eastern bluebirds landed in the winterberry bush just outside my kitchen window to gobble the red-orange berries, and then a northern mocking bird landed there to do the same, scaring off the bluebirds.

Under my feeders, I spotted a fox sparrow. Song sparrows are regulars in my yard, and in the winter, I often try to transmogrify them into fox sparrows, but the rust and gray bird I saw that day was genuine. I think that's just the third time I've spotted that species in my yard.

On Dec. 28, the first starling of the season visited my suet feeder and apparently told all his friends about the free food, because the next day, about a dozen starlings showed up to dine.

A male brown-headed cowbird also turned up, which was a surprise.

Bryce Robeson, who lives in eastern Monroe County, also had a few unusual species at his feeders on Dec. 26 and Dec. 27: a brown thrasher and a male rusty blackbird.

A brown thrasher, presumably the same one, has overwintered at the Robeson property for several years, but its recent appearance was the first time he had seen it this winter.

Rusty blackbird is an amazing find, and a property first, Robeson reported. Rusty blackbirds are most common in Indiana in the winter, but they're still considered uncommon or even rare. It's a species most commonly found in swamps and among huge flocks of blackbirds in rural fields. How cool to have one at a feeder!

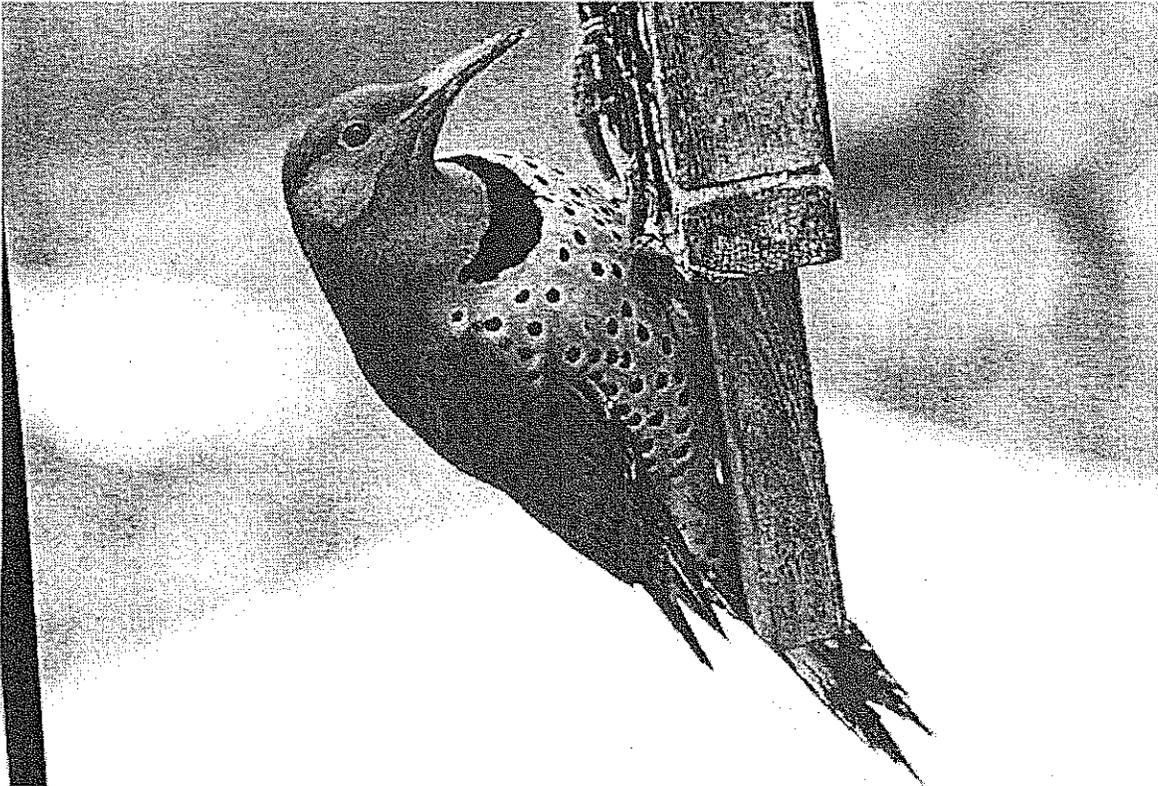
Robeson said it visited several feeders, and stuck around for about an hour.

One week ago, John Castrale spotted an eastern phoebe at the Spring Mill State Park lake, near the bridge. Phoebes are common here in the summer, but rare in the winter.

Jean Furlong, who lives in Unionville, said a Cooper's hawk visited a tree near her feeders on Dec. 27, and two days later, a red-shouldered hawk landed in another tree nearby. A week or so earlier, a red-tailed hawk visited her property, too. "I've also seen hawks flying around that I could not identify but am very happy to have these beauties around," she posted to the email list.

On Christmas Day, Bob Kissel drove from the north side of Bloomington to the Indiana state line, near Chicago, counting hawks all the while. His tally for the 3.5-hour trip: 25 red-tails, three kestrels, three rough-legs and one red-shouldered. Good thing the snow hadn't started falling yet, or he might have been distracted from birding.

Contact birding columnist Dawn Hewitt at 812-331-4377 or dhewitt@heraldt.com.



A female northern flicker visits a suet feeder Dec. 27, the day after the heavy snowstorm, at a home between Bloomington and Ellettsville. Billie Dodd | Courtesy photo

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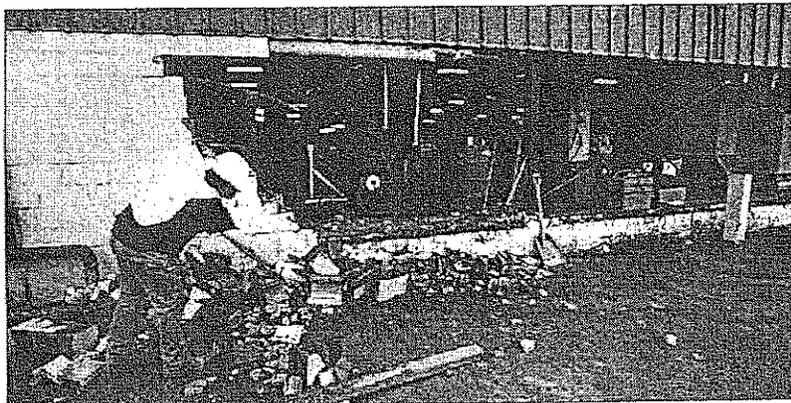
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High winds cause scattered damage to buildings, trees in Monroe, Greene counties

By Laura Lane 331-4362 | llane@heraldt.com

January 30, 2013, last update: 1:31 @ 12:08 am

[Click photos to advance \(5 photos\)](#)



Jim Altman helps clean up a concrete block wall at Griner Engineering that fell during a wind storm early Wednesday. Dale Clampit, of Environmental Risk Services, said the wind caused the metal siding to "flap like a kite" which created enough stress to knock over the concrete blocks. Clampit said they planned they planned to install plastic as a temporary wall. David Stodgrass | Herald-Times

MORE: Indiana Weather Service: No tornado Wednesday morning

PHOTO GALLERY: View more photos from after the storm.

There was a tornado warning but no tornado early Wednesday in Greene and Monroe counties, although 70-mph winds downed utility poles and also trees, including a large rotten one that destroyed the camper trailer of a man who luckily was not here when the tree fell.

The 1 a.m. storm also damaged a few houses in western Monroe County and eastern Greene County. And a 50-foot section of concrete-block wall fell at Griner Engineering just west of Bloomington.

Michael Scrogam, a 54-year-old disabled Navy veteran, until Wednesday lived in a small trailer in a campground near the Scenic View Restaurant on Ind. 446, southeast of Bloomington. He was at his daughter's house in Mooresville for a Hamburger Helper dinner Tuesday night when they heard news a storm was approaching.

His daughter convinced him to stay the night, and he is sure glad she did. "That tree wiped out the camper, fell right on it, it's a scrap pile," Scrogam said. "It's God's grace that saved me. I probably would have been up listening to the weather reports on the TV or the radio in the living room right where it fell."

The Red Cross is paying for Scrogam to stay five nights at the Summerhouse Inn hotel. His camper was not insured, so Scrogam is not sure where he will go after that.

Early reports of a tornado and extensive damage in Solsberry that brought several television crews to the area were unfounded. Two Red Cross emergency response teams, one from Bloomington and another from Terre Haute, surveyed the area but found just minor damage, such as missing shingles and blown-off siding.

"They really didn't find anything in Greene County," said Monroe County Red Cross Director Sue Gulley.

The National Weather Service confirmed an EF-1 tornado with winds of 55-95 mph damaged the roof and porch of an Orange County home near West Baden Springs early Wednesday. The tornado traveled 400 yards and was 75 yards wide. A weak Indiana tornado touched down in Elizabeth, near Louisville, Ky., and there was other wind damage around the state.

Indiana State Police Sgt. Curt Dumit said he, too, had heard Solsberry was hit hard, but troopers responding found just minor damage and downed power lines that caused electricity outages. "It did take down some trees and limbs, but there was little structural damage found," he said.

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Ind. 43 from Solsberry to Hendricksville was closed to traffic in the early-morning hours because of trees and debris strewn along the two-lane highway.

When Eastern Greene Volunteer Fire Department's personnel learned threatening weather was headed their way, firefighters pulled firetrucks out of the station and sounded the sirens as a warning to residents. There are no weather-alert sirens in the rural area.

In Monroe County, tornado sirens went off at 1 a.m. after the National Weather Service issued a tornado warning for portions of Greene, Monroe and Owen counties, said Monroe County Emergency Management Director Jim Comerford. He said the sirens sounded when the warning went out, about half an hour before the rain and heavy winds hit Monroe County.

"The siren was a good 25 minutes early and gave people plenty of advance notice," he said.

He heard complaints that some people did not hear the sirens. Comerford said it's likely they were asleep when the sirens went off, but woke up later when the storm hit. "People said, 'The storm woke me up, but I did not hear the sirens,' and I think that explains why."

Early-morning traffic was disrupted in the area of Vernal Pike and Harts Trail Road because a large shed had been blown into the intersection.

Indiana University issued a tornado-warning alert for the Bloomington campus at 1:02 a.m. Students were advised to "go immediately to the lowest level of the building you are in or near, and take cover in an area with no windows." IU issued an all-clear at 1:29 a.m.

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City of Bloomington
H.A.N.D.

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

Meeting Date: February 20, 2013

Petition Type: An extension of time to complete repairs.

Petition Number: 12-TV-129

Address: 402 W. Wilson Street

Petitioner: Kevin Spicer

Inspector: Robert Hoole

Staff Report: September 21, 2012 Cycle inspection report mailed
October 24, 2012 Appeal filed
January 10, 2013 Second appeal filed

The petitioner is requesting an extension of time to replace windows that were cited as not meeting the egress requirements in place at the time of construction. After considering the cost of securing a variance as opposed to the benefits of replacing the windows the petitioner elected to replace them. New windows have been ordered and will take approximately three weeks to be delivered and installation might have to be postponed due to winter weather. The petitioner expects to have them installed by the week of March 18, 2013.

The emergency egress window does not meet the minimum requirements for a one and two family dwelling built in 1988. The relevant code is the 1987 Indiana Residential Code, section: R-211.2.

Openable area required:	4.75 sq. ft.	Existing area:	4.33 sq. ft.
Clear width required:	18"	Existing width:	26"
Clear height required:	24"	Existing height:	24"
Maximum sill height:	48" above finished floor	Existing sill:	29"

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: March 22, 2013

Attachments: Appeal form, cycle inspection report



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

RECEIVED
JAN 10 2013

BY: _____

Petitioner's Name: Spicer Rentals / Kevin Spicer

Petitioner's Address & Phone Number: 237 E. Winslow Rd. 812-333-4663
Bloomington, IN 47401

Owner's Name: Kevin Spicer

Owner's Address & Phone Number: Same

Address of Property: 402 W. Wilson St.

Occupant(s) Name(s): Kyle Collins + Amanda Davis

- 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: Kevin A. Spicer

Name (print): Kevin Spicer

12-TV-129
(OLD)
Petition Number: _____

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



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

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

I am having new windows installed.
It takes 3-4 weeks to order them and
then additional time to get them
installed. I am asking for an extension
until the week of March 18, 2013
to get the work completed and then
have the final inspection.

Thank You!

Kevin Spicer

Signature: Kevin J. Spicer Date: 1-9-13

Cycle Report

2352

OWNERS

=====
Spicer Rentals
237 E. Winslow Road
Bloomington, IN 47401

Prop. Location: 402 W Wilson ST
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/2/3

Date Inspected: 09/05/2012
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 1

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

The Monroe County Assessors records indicate that this house was built in 1988.
Minimum egress requirements for One and Two Family Dwellings built or altered between June 1976 and November 1990:

Openable area: 4.75 Sq. Ft.
Clear width: 18"
Clear height: 24"
Sill height: 48" max.

INTERIOR

Kitchen (9 x 10)

No violations noted.

Living room (15 x 18)

No violations noted.

Bath

No violations noted.

East bedroom (12 x 11)

The emergency egress window does not meet the minimum requirements for a one and two family dwelling built in 1988. The relevant code is the 1987 Indiana Residential Code, section: R-211.2.

Openable area required:	4.75 sq. ft.	Existing area:	4.33 sq. ft.
Clear width required:	18"	Existing width:	26"
Clear height required:	24"	Existing height:	24"
Maximum sill height:	48" above finished floor	Existing sill:	29"

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

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

West bedroom (12 x 11)

The emergency egress window does not meet the minimum requirements for a one and two family dwelling built in 1988. The relevant code is the 1987 Indiana Residential Code, section: R-211.2.

Openable area required:	4.75 sq. ft.	Existing area:	4.33 sq. ft.
Clear width required:	18"	Existing width:	26"
Clear height required:	24"	Existing height:	24"
Maximum sill height:	48" above finished floor	Existing sill:	29"

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

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

EXTERIOR

No violations noted.

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)

This is the end of this report.



City of Bloomington
H.A.N.D.

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

Meeting Date: February 20, 2013

Petition Type: An extension of time to complete repairs.

Petition Number: 13-TV-06

Address: 2600 S. Olcott Blvd.

Petitioner: Silvana Falconi

Inspector: Maria McCormick

Staff Report: During the cycle inspections it was noted that the egress windows in two bedrooms do not meet code for the time of construction. The petitioner is requesting an extension of time to obtain a variance from the State of Indiana for the egress windows.

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

Existing area: 5.08 sq. ft.
Existing width: 12"
Existing height: 61"
Existing sill: 19" above finished floor

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

Existing area: 4.54 sq. ft.
Existing width: 12"
Existing height: 54 1/2"
Existing sill: 25" above finished floor

Staff recommendation: Grant the extension of time

Conditions: The variance from the State of Indiana must be received into the HAND office 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: April 30, 2013

Attachments: Application for Appeal; Cycle Report



RECEIVED
JUN 31 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

Property Address: 2600 Olcott Blvd. Bloomington IN 47401

Petitioner's Name: Silvana Falconi

Address: 147 Kelton St. Apt. 701

City: Allston State: MA Zip Code: 02134

Phone Number: 812 361 6618 Email Address: silvanafalconi@gmail.com

Property Owner's Name: Silvana Falconi

Address: 147 Kelton St Apt 701

City: Allston State: MA Zip Code: 02134

Phone Number: 812 361 6618 Email Address: silvana.falconi@gmail.com

Occupants: 3

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 13-TV-06

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.

I need an extension until March 29, 2013
I have submitted a Variance Application form and therefore more time it is needed until I get the results and repairs done. My house was built under the 1987 Indiana Residential Code / Indiana Building Code, section R-211.2 The emergency egress window does not meet the minimum code requirements for the time the structure was built.
I need to wait for the results before doing anything.
The board meeting for the variance application will be on February 5th, 2013

Signature (required): Silvana Falconi

Name (please print): Silvana Falconi Date: 12/26/12

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

9954

OWNERS

Falconi, Silvana
147 Kelton Street Apt 701
Boston, MA 02134

AGENT

Hallmark Rentals & Mgmt., Inc.
1205 N. Walnut Street
Bloomington, IN 47404

Prop. Location: 2600 S Olcott BLVD
Units/Bedrooms/Max # of Occupants: 1/4/3
Date Inspected: 11/19/2012
Primary Heat Source: Electric
Property Zoning: RS
Number of Stories: 2

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

Monroe County Assessor's records indicate that this structure was built in 1990. These are the minimum requirements for emergency egress for single family structures built between 1987 and 1990.

Clear Height: 24"

Clear Width: 18"

Sill Height: 48" above the finished floor

Openable Area: 4.75 sq. ft.

Exception: Casement windows having a sill height of not greater than 8" above the finished floor shall provide a minimum net clear opening width dimension of 14".

INTERIOR:

Main Level --

Entry; Dining Room 13-5 x 13-9; Kitchen 13-5 x 12-3; Family Room 16-4 x 17-6;

Laundry/Mechanical Room; Garage:

No violation noted.

Living Room 13-5 x 15-4:

Show documentation that the fireplace has been inspected within the last twelve months, or permanently and visibly seal the fireplace to prevent its use. Service and inspection shall include the firebox, damper, chimney and/or flue. Cleaning by a professional service is highly recommended. PM-603.1

43

East Bedroom 10-3 x 14-8:

The emergency egress window does not meet the minimum requirements for a one and two family dwelling/multi-unit structure built in 1990. The relevant code is the 1987 Indiana Residential Code/ Indiana Building Code, section: R-211.2.

Openable area required: 4.75 sq. ft.

Existing area: 5.08 sq. ft.

Clear width required: 18"

Existing width: 12"

Clear height required: 24"

Existing height: 61"

Maximum sill height: 48" above finished floor

Existing sill: 19"

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

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

2nd Level --

Master Bedroom 16-7 x 17-8/Bathroom:

Secure toilet to its mountings. PM-504.1

Existing Egress Window Measurements:

Height: 61 ½ inches

Width: 18 inches

Sill Height: 16 ½ inches

Openable Area: 7.70 sq. ft.

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

Bathroom; Hallway:

No violation noted.

NE Bedroom 10-8 x 17-11:

No violation noted.

Existing Egress Window Measurements:

Height: 43 ½ inches

Width: 23 inches

Sill Height: 37 inches

Openable Area: 6.97 sq. ft.

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

SE Bedroom 10-5 x 12-3:

The emergency egress window does not meet the minimum requirements for a one and two family dwelling/multi-unit structure built in 1990. The relevant code is the 1987 Indiana Residential Code/ Indiana Building Code, section: R-211.2.

Openable area required: 4.75 sq. ft.

Existing area: 4.54 sq. ft.

Clear width required: 18"

Existing width: 12"

Clear height required: 24"

Existing height: 54 1/2"

Maximum sill height: 48" above finished floor

Existing sill: 25"

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

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

EXTERIOR:

Clean debris from the roof, gutters and downspouts. PM-303.7

Trim all tree branches away from the siding and roofline to maintain a 3' clearance. PM-302.4.1

Cap the unused pipe on the south side of the back patio. PM-504.1

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)**

OTHER REQUIREMENTS CONTINUED:

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)

This is the end of this report.



City of Bloomington
H.A.N.D.

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

Meeting Date: February 20, 2013
Petition Type: Rescind a Variance
Petition Number: 13-RV-07
Address: 729 E. Hunter
Petitioner: HAND
Inspector: Jo Stong
Staff Report: December 28, 2012: Conducted Cycle Inspection
January 3, 2013: Submitted appeal

On November 12, 2003 this property received a variance to the minimum room size requirements for the southeast room in Unit #4 (southeast bedroom, 13-0 x 6-1). There were no code requirements for minimum room size at the time of construction (1920). Additionally, the Residential Rental Unit and Lodging Establishment Inspection Program has no requirements for minimum room size. The variance is no longer necessary.

Staff Recommendation: Rescind the variance

Conditions: None

Attachments: Application, inspection report



RECEIVED

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

BY: _____

Property Address: 729 E. Hunter Avenue

Petitioner's Name: H.A.N.D.

Address: 401 N. MORTON SUITE 130

City: BLOOMINGTON State: IN Zip Code: 47404

Phone Number: 349-3420 Email Address: _____

Property Owner's Name: KUNGA NORBA

Address: P.O. Box 3251

City: BLOOMINGTON State: IN Zip Code: 47402

Phone Number: 323-6087 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)

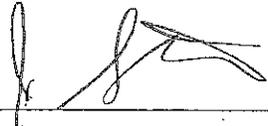
REMINDER: A \$20 filing fee must be submitted with this application before the property can be placed on the meeting agenda.

OFFICE USE ONLY
Petition Number 13-RV-07

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.

This property has a variance for unit #45 SE. Room regarding minimum room size requirements. There was no code requirement at the time of construction 1920, additionally the new code has no ~~such~~ other requirements than time of construction. Variance is no longer needed.

Signature (required): 

Name (please print): JO STONE Date: 1.3.2013

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

879

OWNERS

Norbu, Kunga G.
Po Box 3251
Bloomington, IN 47402

Prop. Location: 729 E Hunter AVE
Number of Units/Structures: 4/1
Units/Bedrooms/Max # of Occupants: 4/2/2

Date Inspected: 12/28/2012
Primary Heat Source: Gas
Property Zoning: RM
Number of Stories: 2

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

VARIANCE

11/12/2003 Special exception to the minimum room size requirements in Unit #4 southeast room.
(This variance will be presented to the Board of Housing Quality Appeals for rescission at their meeting on February 20, 2013)

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

INTERIOR:

COMMON ENTRY HALL

It is strongly recommended that the metal head fire extinguisher be serviced or replaced.

Remove the duct tape and the temporary cover for the heat register and properly seal or terminate it. BMC 16.04.040, BMC 16.04.04.060 (c)

50

UNIT #1

Living Room (15-4 x 12-2):

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.
BMC 16.04.060(b)

East Center Bedroom (11-10 x 9-11):

No violations noted.

Existing Egress Window Measurements (double-hung):

Height: 25 inches
Width: 28 inches
Sill Height: 23 inches
Openable Area: 4.86 sq. ft.

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

Bathroom:

Secure toilet to its mountings. BMC 16.04.060(c)

Kitchen (10-8 x 10-6):

It is strongly recommended that 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.

West Bedroom (9-9 x 8-5):

No violations noted.

Existing Egress Window Measurements (double-hung):

Height: 22 inches
Width: 29 ½ inches
Sill Height: 37 ¾ inches
Openable Area: 4.51 sq. ft.

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

UNIT #2

Bedroom/Living Room (12-0 x 11-4):

Repair window to latch securely. BMC 16.04.060(b)

Existing Egress Window Measurements (double-hung):

Height: 29 ¾ inches
Width: 39 inches
Sill Height: 23 inches
Openable Area: 8.06 sq. ft.

Center Bedroom (13-6 x 12-0):

Replace existing smoke detector with a new smoke detector. BMC 16.04.060(b)

Existing Egress Window Measurements (double-hung):

Height: 34 inches
Width: 27 ½ inches
Sill Height: 22 ½ inches
Openable Area: 6.49 sq. ft.

Bathroom:

Repair sink drain to function as intended (it is clogged). BMC 16.04.060(b)

Rear Bedroom (8-11 x 8-6):

Provide operating power to smoke detector. BMC 16.04.060(b)

Scrape and paint interior window surfaces where paint is peeling or wood is exposed. BMC 16.04.060(f)

Existing Egress Window Measurements (double-hung):

Height: 20 ½ inches
Width: 29 ½ inches
Sill Height: 38 inches
Openable Area: 4.19 sq. ft.

At the time this structure was built, there were no code requirements for emergency egress for a sleeping room. The Housing & Neighborhood Development Department strongly recommends that the sleeping room egress windows be modified or replaced with a larger window to aid in emergency escape. BMC-16.04.020

Kitchen (12-0 x 9-6):

Repair window to latch securely (north window, west wall). BMC 16.04.060(b)

Repair the door to open and close easily as intended. BMC 16.04.060(a)

It is strongly recommended that 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.

COMMON HALLWAY

It is strongly recommended that the metal head fire extinguisher be serviced or replaced.

Remove the duct tape and the temporary cover for the heat register and properly seal or terminate it. BMC 16.04.040, BMC 16.04.04.060 (c)

UNIT #3Living Room (13-8 x 10-1):

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.
BMC 16.04.060(b)

Northeast Bedroom (10-6 x 10-0):

No violations noted.

Existing Egress Window Measurements (double-hung):

Height: 25 inches

Width: 27 ½ inches

Sill Height: 23 inches

Openable Area: 4.77 sq. ft.

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

Bathroom:

No violations noted.

Kitchen (15-0 x 9-2):

Install a smoke detector in an approved location (outside of the northwest bedroom, as far as possible from the stove). 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. BMC 16.04.060(b)

Northwest Bedroom (12-3 x 12-0):

No violations noted.

Existing Egress Window Measurements (double-hung):

Height: 24 ½ inches

Width: 33 ½ inches

Sill Height: 23 inches

Openable Area: 5.70 sq. ft.

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

UNIT #4Living Room (13-10 x 11-5):

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.
BMC 16.04.060(b)

Southeast Bedroom (13-0 x 6-1):

No violations noted.

Existing Egress Window Measurements (double-hung):

Height: 22 ½ inches

Width: 31 ½ inches

Sill Height: 23 inches
Openable Area: 4.92 sq. ft.

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

Kitchen (11-9 x 11-4):

It is strongly recommended that 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.

Bathroom:

Secure toilet to its mountings. BMC 16.04.060(c)

Repair the toilet to eliminate constantly running water. BMC 16.04.060(c)

Clean and service the exhaust fan so that it functions as intended. BMC 16.04.060(c)

Properly seal the entire perimeter of the tub/shower including the floor. BMC 16.04.060(a)

Hallway:

Repair the crack in the ceiling in a workmanlike manner and paint repair to match surroundings.
BMC 16.04.060(a)

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.
BMC 16.04.060(b)

Northwest Bedroom (12-9 x 11-9):

No violations noted.

Existing Egress Window Measurements (double-hung):

Height: 21 ½ inches
Width: 33 ½ inches
Sill Height: 22 inches
Openable Area: 5.00 sq. ft.

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

EXTERIOR:

Trim all tree branches away from the siding and roofline to maintain a 3' clearance. BMC 16.04.040(e)

Reconnect the gutters to the downspouts at the southwest corner. BMC 16.04.050(b)

Clean debris from the roof, gutters and downspouts. BMC 16.04.050(a)

Properly tuck point all missing or defective mortar joints (especially on west side: Mortar gone and/or chipping). BMC 16.04.040(a) and BMC 16.04.050(a)

BASEMENT

Not accessible. The basement doors were covered with heavy snow. The basement must be inspected at the reinspection. However the owner states that there is a gas furnace in the basement.

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	BMC 16.04.060(c)

GARAGE

Will be inspected at the reinspection.

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. BMC 16.12.060 (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 shall at that time jointly complete an inventory and damage list, and this shall be signed by the owner and at least one tenant. Duplicate copies of the inventory and damage list shall be retained by all parties. 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. BMC 16.03.050

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.03.030(d): 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 16.03.030(c)

Thank you for your cooperation in the Residential Rental Occupancy Permit Program.
This is the end of this report.



City of Bloomington
H.A.N.D.

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

Meeting Date: February 20, 2013

Petition Type: An extension of time to complete repairs.

Petition Number: 13-TV-08

Address: 1017 W. 7th Street

Petitioner: Candi Mullis/Parker Real Estate Management

Inspector: Jo Stong

Staff Report: October 31, 2012: Conducted Cycle Inspection
November 1, 2012: Removed egress variance per 53CO1-0805PL-01019
November 13, 2012: Sent cycle report
January 9, 2013: Received appeal

On December 18, 1986 this property was granted a variance to the light and ventilation requirements in the east bedroom of the east unit, and to allow the sill height to remain as is (52"). Around 1999, a new window was added to this room. The required and existing measurements are as follows:

Requirements from the Indiana One and Two Family Dwelling Code, 1997, Sec. 310.2:

Openable area required: 4.75 sq. ft.; 5.7 sq. ft. if removing sashes
Clear width required: 20" for double hung windows; 18" for casements
Clear height required: 22"
Maximum Allowable Sill Height: 44" above finished floor

Existing Measurements of added window:

Height: 20 ½ inches
Width: 27 inches
Sill Height: 38 ½ inches
Openable Area: 3.84 sq. ft.

The petitioner is requesting an extension of time to secure a variance from the State for this room. Petitioner states that all violations have been corrected except for the windows.

JS

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: April 20, 2013

Attachments: Inspection Report, Appeal

RECEIVED
JAN 09 2008



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: 1017 W 7th EAST
Petitioner's Name: CANDI Mullis / PARKER REAL Estate Mgt.
Address: P.O. Box 1112 / 621 N. Walnut St
City: Bloomington State: IN Zip Code: 47404
Phone Number: 812.339.2115 Email Address: Cmullis@parkermgst.com
Property Owner's Name: Philip N. Jones
Address: 911 Prospect St. #3
City: Takoma Park State: Md Zip Code: 20912
Phone Number: 202.256.5641 Email Address: PhilipJones@icfconsulting
Occupants: Eric Dalton

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 13-TV-08

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.

see attached Cover letter.

Signature (required):

C Mullis

Name (please print):

CANDI Mullis

Date:

1/8/13

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.



December 17, 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 1017 W.
7th St.

A cycle inspection was conducted on October 31, 2012. All violations have been corrected except for the windows. I have requested a variance for the windows through the Department of Homeland Security. I will need an extension of time to complete the variance and to provide HAND a copy till *March 10, 2013.*

The window in question has been violated for:
Not meeting egress requirements at the time the structure was built. *or 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

2672

OWNERS

=====
Phil Jones
911 Prospect St. #3
Takoma Park, MD 20912

AGENT

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

Prop. Location: 1017 W 7th ST
Number of Units/Structures: 2/1
Units/Bedrooms/Max # of Occupants: 1/2/3 1/1/2

Date Inspected: 10/31/2012
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 1
Inspector: Jo Stong
Foundation Type: Crawl Space
Attic Access: No
Accessory Structure: None

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

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

A window was added in the east bedroom of the east unit between 1986 and 2001. The egress requirements which may apply to this window are 1983 CABO, and the 1987, 1990, or 1993 Indiana One- and Two-Family Dwelling Code. Requirements are as follows:

1983	1987	1990	1997
Height: 24 inches	24 inches	24 inches	22 inches
Width: 18 inches	18 inches	18 inches	20 inches
Sill: 48 inches	48 inches	44 inches	44 inches
Openable			4.75 or 5.7 if
Area: 4.75 sq. ft.	4.75 sq. ft.	4.75 sq. ft.	sash is removed

INTERIOR:

EAST UNIT

Living Room (15-1 x 14-10):

No violations noted.

Kitchen (16-2 x 10-3):

Replace the missing knob for the right rear burner on the gas range. PM-603.1

Reposition the strike plate on the north door so that the door latches securely. PM-303.15

Mechanical Room:

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

Desired level:	0 parts per million (ppm)
Acceptable level in a living space:	9 ppm
Maximum concentration for flue products:	50 ppm PM-603.1

East Bedroom (11-0 x 8-11):

Existing Egress Window Measurements:

- Height: 20 ½ inches**
- Width: 27 inches
- Sill Height: 38 ½ inches
- Openable Area: 3.84 sq. ft.**

The emergency egress window does not meet the minimum requirements for a one- and two-family dwelling built or altered between 1986-2001. The relevant codes are the 1983 CABO, sec. R 211.2; 1987 Indiana One and Two Family Dwelling Code Sec. R-211.2; 1990 Indiana One and Two Family Dwelling Code Sec. 210.2; and/or the 1997 Indiana One and Two Family Dwelling Code, Sec 310.2.

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

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

West Bedroom (11-7 x 7-9) + (7-2 x 6-3):

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

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

Bathroom:

Properly repair the damaged south wall by the bathtub. PM-304.3

Properly secure/re-hang the door on the vanity cabinet. PM-304.3

WEST UNIT

Kitchen (13-3 x 8-7):

No violations noted.

Bedroom (11-9 x 9-2):

No violations noted.

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

Height: 27 inches

Width: 26 ¼ inches

Sill Height: 25 ¾ inches

Openable Area: 4.92 sq. ft.

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

Bathroom:

No violations noted.

Mechanical Room:

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

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

PM-603.1

Living Room (14-3 x 13-1):

No violations noted.

EXTERIOR:

Front Porch:

Repair or replace damaged or deteriorating roofing and ceiling material. This is to be done in a workmanlike manner and includes but is not limited to damaged or deteriorating roofing material, sheathing, and all structural members. PM-303.4, PM-303.7, PM-303.10

Determine the source of the leak and properly eliminate it. PM-303.7

Seal all cracks and openings between the porch ceiling and the interior fascia header boards. PM-303.10

Crawlspace:

Not accessible.

Remaining Exterior Property Area:

Properly repair the boot on the electric service entry pole on the south roof. PM-604.3

Trim all tree branches away from the siding and roofline to maintain a 3' clearance. PM-302.4.1

Clean debris from the roof, gutters and downspouts. PM-303.7

Remove and properly dispose of all trash on property, including mattress, box springs, microwave, etc. PM-302.1

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.

This is the end of this report.



City of Bloomington
H.A.N.D.

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

Meeting Date: February 20, 2013

Petition Type: An extension of time to complete repairs.

Petition Number: 13-TV-09

Address: 1121 S. Henderson St.

Petitioner: Parker Real Estate Mgmt.

Inspector: Norman Mosier

Staff Report: December 31, 2012 – Conducted Complaint Inspection
January 17, 2013 – Received BHQA Appeal

It was noted during the complaint inspection that numerous violations were cited. Petitioner is requesting an extension of time to complete the repairs.

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: April 15, 2013

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

RECEIVED
APR 17 2013



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: 1121 S. Henderson St.

Petitioner's Name: CANDI Mullis

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

City: Bloomington State: IN Zip Code: 47404

Phone Number: 812 339 2115 Email Address: cmullis@parkermgt.com

Property Owner's Name: Joseph Christine LLC

Address: 3756 Sterling Ave.

City: Bloomington State: In Zip Code: 47401

Phone Number: _____ Email Address: _____

Occupants: Allyson Gillespie, Nicholas Gillespie

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 13-TV-09

SEE REVERSE



January 16, 2013

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 1121 S Henderson St.

An off cycle complaint inspection was conducted on December 31, 2012. We are in the process of obtaining estimates and doing several of the repairs. There is a retaining wall for the steps leading to the basement that will not be completed in the 2 weeks allotment of time. We are in the process of obtaining estimates for this repair.

There are 2 flooring repairs: #1- Hallway- Properly repair the soft floor at the NE bdrm entry door, this includes but not limited to replacing or repairing the damaged or deteriorated floor covering, decking and structural members.
#2- Kitchen- Properly repair the floor that is uneven, causing the floor covering to crack in different areas. This includes but not limited to replacing or repairing the damaged or deteriorated floor covering, decking and structural members.
We are currently obtaining estimates for these repairs.

Chimney- We have sealed the exterior of the chimney and are going to build a wall around the interior of the chimney to make it weather tight.

Exterior- Repair/ replace the failing foundation around the structure to include the front porch foundation. We are in the process of adding mortar to all the block foundation, this block foundation has never had any type of mortar between the blocks or has never been tuck pointed in the past.

On Tuesday January 22, 2013 I will be calling to schedule a re-inspection for all items on the inspection that has been completed.

For the reason stated above we are requesting the extension of time till February 22, 2013.

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



City of Bloomington
Housing and Neighborhood Development

COMPLAINT INSPECTION REPORT

1136

OWNERS

Joseph Christine, Llc
3756 Sterling Ave.
Bloomington, IN 47401

AGENT

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

Prop. Location: 1121 S Henderson ST
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/2/3

Date Inspected: 12/31/2012
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 1

Inspectors: Norman Mosier
Foundation Type: Basement
Attic Access: No
Accessory Structure: None

The following items are the result of a complaint inspection conducted on **12/31/2012**. It is your responsibility to repair these items and to schedule a reinspection within fourteen (14) days of the receipt of this report. Failure to comply with this inspection report will result in this matter being turned over to the City Legal Department. If you have questions regarding this report, please contact this office at 349-3420.

INTERIOR:

Living Room:

Properly repair, then clean and surface coat damaged or stained ceiling area.
BMC 16.04.060(a)

NW Bedroom:

Install the south door properly, door does not fit jamb and does not latch properly.
BMC 16.04.060 (a)

Return air vent covered by carpet, install vent correctly. BMC 16.04.060 (a)

NW Bedroom:

Repair the windows to be weather tight, trim has gap around windows between trim and window frame. The sashes shall fit snugly and properly within the frame. Replace any missing or deteriorated glazing compound. Windows shall be easily and fully openable and shall remain fully open using hardware that is part of the window. BMC 16.04.060(a)

The right side trim on the north window is falling off of window. BMC 16.04.060(a)

½ Bath:

Seal the hole for the drain under the sink through the cabinet floor and through the subfloor to prevent cold air infiltration. BMC 16.04.060(a)

Repair the damaged and loose trim on the door. BMC 16.04.060(a)

Hallway:

Seal around the chimney, to be weather tight. BMC 16.04.060 (a)

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster, north wall at ceiling. BMC 16.04.060(a)

Properly repair the soft floor at NE bedroom entry door. This includes but is not limited to replacing or repairing damaged or deteriorated floor covering, decking and structural members. BMC 16.04.060(a)

Properly install the door leading to the bathroom, has gap at the top. BMC 16.04.060(a)

NE Bedroom:

Repair the windows to be weather tight, trim has gap around windows between trim and window frame. The sashes shall fit snugly and properly within the frame. Replace any missing or deteriorated glazing compound. Windows shall be easily and fully openable and shall remain fully open using hardware that is part of the window. BMC 16.04.060(a)

Return air vent covered by carpet, install vent correctly. BMC 16.04.060 (a)

NE Bedroom Closet:

Repair the deteriorated closet doorway. BMC 16.04.060 (a)

Secure the loose trim and install missing trim. BMC 16.04.060 (a)

S Bedroom Closet:

Secure the loose trim in the closet. BMC 16.04.060 (a)

Bathroom:

Seal the hole for the drain under the sink through the cabinet floor and through the subfloor to prevent cold air infiltration. BMC 16.04.060(a)

Bathroom: (continued)

Seal both sides of the plumbing vent stack at the wall to prevent cold air infiltration.
BMC 16.04.060(a)

Seal the hole in the floor at lower left side of doorway of bathroom to prevent cold air infiltration coming from the basement. BMC 16.04.060(a)

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster, east wall at doorway. BMC 16.04.060(a)

Kitchen:

Secure the loose trim on the west doorway. BMC 16.04.060(a)

Properly repair, then clean and surface coat damaged or stained ceiling area, check roof for leaks. BMC 16.04.060(a)

Seal the west wall at the ceiling to prevent cold air infiltration coming from the attic.
BMC 16.04.060(a)

Properly repair floor that is uneven causing the floor covering to crack in different areas. This includes but is not limited to replacing or repairing damaged or deteriorated floor covering, decking and structural members. BMC 16.04.060(a)

BASEMENT

Repair the east basement stairway retaining wall. BMC 16.04.050(a)

EXTERIOR:

Repair/replace the failing foundation around the structure to include the front porch foundation. BMC 16.04.050(a)

This is the end of this report.



City of Bloomington
H.A.N.D.

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

Meeting Date: February 20, 2013

Petition Type: An extension of time to complete repairs.

Petition Number: 13-TV-10

Address: 117 S. Bryan Street

Petitioner: Richard A. Martin & Jane M. Lewis

Inspector: Jo Stong

Staff Report: February 27, 2012: Conducted Cycle Inspection
March 5, 2012: Sent report
May 4, 2012: Conducted reinspection. All in compliance except for exterior painting.
May 9, 2012: Sent temporary permit.
December 28, 2012: Conducted drive-by inspection; painting not complete.
January 7, 2013: Sent Exterior Extension reminder
January 17, 2013: Received appeal

The petitioners are requesting an extension of time until the spring to complete exterior painting at the property. They cite expenses coming from large and unexpected repairs apart from the violations noted on the report.

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: May 31, 2013

Attachments: Cycle Report, Appeal

RECEIVED
JAN 17 2013



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

Property Address: 117 South Bryan Ave.
Petitioner's Name: Richard A. Martin + JANE M. LEWIS
Address: PO Box 1297
City: BLOOMINGTON State: IN Zip Code: 47402-1297
Phone Number: 812 336 7400 Email Address: tinurisk@bloomington-in.us
Property Owner's Name: SAME
Address: _____
City: _____ State: _____ Zip Code: _____
Phone Number: _____ Email Address: _____
Occupants: Ardea Smith + Aviva Tawakoli

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 13-TV-10

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.

After the inspection last year we experience several repair issues that consumed our time and available cash flow for this property - we completed the installation of central air conditioning begun 2 years before when the furnace was replaced, repair a sewer line problem caused by an invasion of roots (dug up & replaced faulty section of sewer line), replaced the Kicker stove that no longer functioned properly for baking, repair the furnace external chimney stack and roof vent boots, replace carpeting infested by fleas (no more pets allowed) & repaired bathroom ceiling damaged by leaking roof vent boot.

We intend to paint the exterior this spring after correcting a leaking roof ridge vent problem we recently discovered. (Older homes can be difficult to make sustainable)

Signature (required):



Name (please print):

Richard Martin

Date:

Jan 15, 2013

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

89

OWNERS

Martin, Richard A
P.O. Box 1297
Bloomington, IN 47402

Prop. Location: 117 S Bryan AVE
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/3/3

Date Inspected: 02/27/2012
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 1

Inspectors: Jo Stong
Foundation Type: Crawl Space
Attic Access: Yes
Accessory Structure: None

VARIANCE

07/27/1983 The Board of Housing Quality Appeals granted a variance to the bedroom access requirements for the east bedroom, provided that no locks are installed on the common doors and the exterior door to the bedroom remain operable at all times.

Monroe County Assessor's records indicate this structure was built in 1950.
There were no requirements for emergency egress at the time of construction.

INTERIOR:

Living Room (23-4 x 11-11):
No violations noted.

76

Kitchen (9-0 x 6-5):

Properly mount the fire extinguisher in an approved location. 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:

No violations noted.

Attic:

No violations noted.

Bathroom:

Replace the missing protective cover for the exhaust fan. PM-605.1

Mechanical Closet:

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

North Bedroom (13-8 x 8-1):

Existing Egress Window Measurements (double-hung):

Height: 14 inches
Width: 28 ¾ inches
Sill Height: 31 inches
Openable Area: 2.80 sq. ft.

At the time this structure was built, there were no code requirements for emergency egress for a sleeping room. The Housing & Neighborhood Development Department strongly recommends that the sleeping room egress windows be modified or replaced with a larger window to aid in emergency escape. BMC-16.04.400 (b)

South Bedroom (11-11 x 10-5):

Existing Egress Window Measurements (double-hung):

Height: 16 ¾ inches
Width: 28 ¾ inches
Sill Height: 29 ½ inches
Openable Area: 3.34 sq. ft.

At the time this structure was built, there were no code requirements for emergency egress for a sleeping room. The Housing & Neighborhood Development Department strongly recommends that

the sleeping room egress windows be modified or replaced with a larger window to aid in emergency escape. BMC-16.04.400 (b)

East Bedroom/Laundry Area (14-4 x 11-8):

No violations noted.

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

EXTERIOR:

Provide a cover for the dryer exhaust on the north side. PM-303.6

Scrape and paint exterior surfaces 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)

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: February 20, 2013
Petition Type: An extension of time to complete repairs.
Petition Number: 13-TV-11
Address: 3442 E. Longview Ave.
Petitioner: Gerard Pauwels C/O Frank Kristl Trust
Inspector: Norman Mosier
Staff Report: November 9, 2012 – Conducted Cycle Inspection
January 16, 2013 – Received BHQA Appeal

It was noted during the cycle inspection that the retaining wall for the south stairway entrance to the basement is failing and needs to be repaired. Petitioner is requesting an extension of time to complete the repair of the retaining wall.

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: August 15, 2013

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



RECEIVED

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: 3442 LONGVIEW DRIVE
Petitioner's Name: GERARD PAUWELS FOR FRANK KRISTL TRUST
Address: 3708 DEVONSHIRE LN
City: BLGTN State: IN Zip Code: 47408
Phone Number: 812-336-7421 Email Address: gpauwels@iquest.net
Property Owner's Name: FRANKLIN R. KRISTL TRUST
Address: SAA
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 13-TV-11

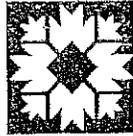
SEE REVERSE

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.

PROPERTY AT 3442 LOUVIEW IS A RENTAL.
IT WAS INSPECTED BY HAND ON NOV 20, 2012
AND ALL REQUIRED REPAIRS WERE COMPLETED IN
TIMELY FASHION EXCEPT: REPAIR TO A RETAINING
WALL SHELTERING OUTSIDE STAIRWAY TO BASEMENT.
EXTENSION IS REQUESTED FOR 6 MONTHS SO EXCAVATION
AND REPAIR CAN BE MADE IN GOOD WEATHER

Signature (required): Gerard W. Pauwels
Name (please print): GERARD W. PAUWELS Date: 1/17/13

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

6135

OWNERS

Kristl, Frank R. TRUST
25 Fairlane Dr.
Warsaw, IN 46580

AGENT

Pauwels, Colleen K.
3708 Devonshire Lane
Bloomington, IN 47408

Prop. Location: 3442 E Longview AVE
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/3/3

Date Inspected: 11/09/2012
Primary Heat Source: Gas
Property Zoning: RS
Number of Stories: 1

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

Monroe County Assessor's records indicate this structure was built in 1962.
There were no requirements for emergency egress at the time of construction.

GENERAL STATEMENT:

Egress window measurements for structure are as follows:

Existing Egress Window Measurements: Dbl hung pop out: Const. Yr. - 1962
Height: 37 inches
Width: 28 inches
Sill Height: 44 inches
Openable Area: 7.19 sq. ft.

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

82

INTERIOR:

Living Room 20-6 x 13-10:

Properly ground the electrical receptacles. If the receptacles are on an ungrounded system, it is acceptable to install a 2-pole, ungrounded receptacle, or a GFCI receptacle. PM-605.1

Dining Area 11-6 x 11-6:

Properly ground the electrical receptacles. If the receptacles are on an ungrounded system, it is acceptable to install a 2-pole, ungrounded receptacle, or a GFCI receptacle. PM-605.1

Garage:

Properly install a weather strip on the south entrance door to exclude air infiltration as completely as possible, and to substantially exclude rain. PM-303.13

Attic:

No violations noted.

Kitchen:

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

Mount the fire extinguisher. 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.

Properly ground the electrical receptacle on the north wall. If the receptacle is on an ungrounded system, it is acceptable to install a 2-pole, ungrounded receptacle, or a GFCI receptacle. PM-605.1

Hallway, Bathroom:

No violations noted.

NE Bedroom 13-5 x 9-8: See general statement.

Properly ground the electrical receptacle on the east wall. If the receptacle is on an ungrounded system, it is acceptable to install a 2-pole, ungrounded receptacle, or a GFCI receptacle. PM-605.1

NW Bedroom 10-7 x 8-2: See general statement.

Properly ground the electrical receptacles. If the receptacles are on an ungrounded system, it is acceptable to install a 2-pole, ungrounded receptacle, or a GFCI receptacle. PM-605.1

Master Bedroom 13-6 x 11-7: See general statement.

No violations noted.

Master Bath:

No violations noted.

BASEMENT

Stairway:

No violations noted.

Main Room:

Replace the inaudible smoke detector. PM-704.1

Laundry Area:

No violations noted.

SW Room:

Properly ground the electrical receptacles. If the receptacles are on an ungrounded system, it is acceptable to install a 2-pole, ungrounded receptacle, or a GFCI receptacle. PM-605.1

NW Room:

No violations noted.

Furnace Area:

No violations noted.

EXTERIOR:

Scrape and paint exterior surfaces where paint is peeling or wood is exposed, all window sills.
PM-303.2

(This violation has a one-year deadline from the date of the Cycle Inspection.)

Stairway: (To Basement)

Repair the failing retaining wall on the south side of stairway. PM-303.10

Every flight of interior stairs with 3 or more risers and every flight of exterior stairs with 2 or more risers shall be provided with handrails. Porches, balconies, decks or raised floor surfaces located more than 30 inches above the floor or grade below shall have guards not less than 36 inches in height. Open sides of stairs with a total rise of more than 30 inches above the floor or grade below shall have guards not less than 34 inches in height measured vertically from the nosing of the treads. Guards and handrails on opens sides of stairs shall be provided with intermediate railings that do not allow passage of a 4" diameter sphere. PM-303.12.1 (exterior)

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)

This is the end of this report.



City of Bloomington
H.A.N.D.

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

Meeting Date: February 20, 2013

Petition Type: An extension of time to complete repairs.

Petition Number: 13-TV-12

Address: 1106 S Madison

Petitioner: Sharon Dalton

Inspector: John Hewett

Staff Report: February 21, 2012 Cycle Inspection
May 14, 2012 Re-inspection, issued temp permit
January 18, 2013 Received appeal

Exterior painting was cited during the Cycle Inspection. This work is not completed within the 1 year deadline. The Petitioner is requesting additional time.

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: April 1, 2013

Attachments: Cycle Inspection, Petitioner's letter

RECEIVED

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: 1106 S Madison

Petitioner's Name: Sharon Dalton / Pegasus Properties

Address: POB 37

City: Smithville State: IN Zip Code: 47458

Phone Number: 812-824-3230 Email Address: _____

Property Owner's Name: Sharon Dalton

Address: POB 37

City: Smithville State: IN Zip Code: 47458

Phone Number: 812-824-3230 Email Address: pegasusproperties@gmail.com

Occupants: Jack Grubb Elizabeth Lopez

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 13-TV-12

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.

We began painting the exterior trim. We are probably 75% completed. Bad weather has prevented us from completing.

We request an extension of time to complete the painting. Hoping to do this sooner than March 15th, depending on the weather.

Requesting an extension of time till April 1, 2013

Signature (required):



Name (please print):

Sharan Datta

Date:

1-16-2013

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

1364

OWNERS

Brennan, Sharon / Pegasus Properties
P.O. Box 37
Smithville, IN 47458

AGENT

Pegasus Property Mgmt.
P.O. Box 37
Smithville, IN 47458

Prop. Location: 1106 S Madison ST
Number of Units/Structures: 2/1
Units/Bedrooms/Max # of Occupants: 1/2/3 1/1/1

Date Inspected: 02/21/2012	Inspectors: John Hewett
Primary Heat Source: Gas	Foundation Type: Basement
Property Zoning: RC	Attic Access: no
Number of Stories: 1	Accessory Structure: shed

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

Interior

Unit 1 (front)

Living room

12-0 x 13-0

Provide operating power to smoke detector. PM-704.1

NE bedroom

10-1 x 12-10

Existing Egress Window Measurements:

Height: 23.5 inches

Width: 39 inches

Sill Height: 23.5 inches

Openable Area: 6.36 sq. ft.

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

Kitchen

11-7 x 13-0

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

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.

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

Bath

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

Clean and service the exhaust fan so that it functions as intended. PM-603.1

NW bedroom

9-8 x 11-6

Repair the damaged south wall. PM-304.3

Existing Egress Window Measurements:

Height: 26 inches

Width: 27 inches

Sill Height: 24 inches

Openable Area: 4.875 sq. ft.

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

Unit 2 (back unit)

Kitchen

7-6 x 8-0

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

Bathroom

No violations noted.

SE room

9-6 x 11-9

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

Bedroom

7-7 x 10-5

Existing Egress Window Measurements:

Height: 32.5 inches

Width: 15 inches

Sill Height: 46 inches

Openable Area: 3.38 sq. ft.

At the time this structure was built, there were no code requirements for emergency egress for a sleeping room. The Housing & Neighborhood Development Department strongly recommends that the sleeping room egress windows be modified or replaced with a larger window to aid in emergency escape. BMC-16.04.400 (b)

Back porch

No violations noted.

Living room

11-6 x 9-6

Provide power to the receptacles on the north floor and SE floor. PM-605.1

Basement

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	

Exterior

Secure the SW downspout. PM-303.7

Shed

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. PM-303.2

This violation has a one-year deadline from the date of the Cycle Inspection.

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

C
REC'D
3-2-12
UNIT #1
3-22-12
UNIT #2
JH/MAC

C
SAME
C

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: February 20, 2013

Petition Type: An extension of time to complete repairs.

Petition Number: 13-TV-14

Address: 425 N. Dunn Street

Petitioner: Candi Mullis

Inspector: Jo Stong

Staff Report: January 13, 2012: Conducted Cycle Inspection
February 6, 2012: Sent cycle report
May 7, 2012: Conducted reinspection. Exterior painting not complied.
May 30, 2012: Sent temporary permit
November 16, 2012: Conducted drive-by inspection; exterior painting not complete.
November 28, 2012: Sent exterior extension reminder
January 15, 2013: Conducted drive-by inspection; exterior painting not complete.
January 18, 2013: Sent remaining violations report
January 18, 2013: Received appeal

The petitioner is requesting an extension of time until March, 1, 2013 to complete the painting. Petitioner states that painter who was hired has not completed his work.

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: April 20, 2013

Attachments: Cycle report, appeal



RECEIVED
JUN 18 2013

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

Property Address: 425 N. Dunn

Petitioner's Name: CANDI Mullis

Address: PO Box 1112 / 621 N. Walnut St

City: Bloomington State: In Zip Code: 47404

Phone Number: 812 339 2115 Email Address: cmullis@parkermgf.com

Property Owner's Name: LORRA Schenk

Address: 4797 E. Bethel Lane

City: Bloomington State: In Zip Code: 47408

Phone Number: 812 345 2695 Email Address: _____

Occupants: Evan Ottenweller, Daniel Schulman, Aaron Maisel
David Needleman, Perry Barnett, Jared Ostern
Jeff Needleman, Jedd Horn

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 13-TV-14

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.

See attached

Signature (required):

Mullis

Name (please print):

Pandi Mullis

Date:

1/16/13

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

311

OWNERS

=====
Schenk , Mark & Lorna
4797 E. Bethel Lane
Bloomington, IN 47408

AGENT

=====
Parker Real Estate Management
Po Box 1112
Bloomington, IN 47402

Prop. Location: 425 N Dunn ST
Date Inspected: 01/13/2012
Inspectors: Jo Stong
Primary Heat Source: Gas
Property Zoning: RM
Number of Stories: 2

Number of Units/Structures: 9 / 1
Number of Bedrooms: 9 sleeping rooms
Max # of Occupants: 1 each unit
Foundation Type: Basement
Attic Access: No
Accessory Structure: None

NOTE: This structure has been a rooming house in the past and currently has nine sleeping rooms. The rental occupancy permit from this point forward shall indicate that this is a rooming house. The occupant load shall be nine; each sleeping room shall have an occupant load of one. Each sleeping room shall have a separate lease, and the leases shall be made available to a HAND representative upon request.

95

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

INTERIOR:

GENERAL VIOLATION: Many of the windows in this structure were extremely difficult to open. Repair all openable windows to open easily, stay in position with their own hardware, and latch securely. PM-303.13.2, PM-303.13

Entry, Hall:

No violations noted.

Living Room (15-2 x 11-6):

Repair and paint the hole in the ceiling in a workmanlike manner (northeast corner). PM-304.3

Repair the broken pane in the south window, and repair it to latch securely. PM-303.13.2, PM-303.13

Replace the missing register on the east wall in the south corner. PM-603.1, PM-304.4

South Bath:

No violations noted.

West Bath:

Replace the broken toilet. PM-504.1

Repair sink drain to function as intended (it is clogged). PM-504.1

Repair the faucet to eliminate the dripping. PM-504.1

Replace the deteriorated glazing compound on the windows in a workmanlike manner. PM-303.13.1

Southwest Bedroom (14-10 x 11-2):

Replace the deteriorated glazing compound on the windows in a workmanlike manner. PM-303.13.1

See General Violation (south window will not open fully). Every window shall be capable of being easily opened and held in position by its own hardware. PM-303.13.2

Existing Egress Window Measurements (double-hung):

Height: 18 inches

Width: 36 inches

Sill Height: 27 inches

Openable Area: 4.50 sq. ft.

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

Northwest Bedroom (13-3 x 11-2):

No violations noted.

Existing Egress Window Measurements (double-hung):

Height: 23 inches

Width: 33 inches

Sill Height: 24 inches

Openable Area: 5.27 sq. ft.

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

Hallway:

Repair and paint the crack in the ceiling in a workmanlike manner (northeast corner). PM-304.3

Scrape and paint the walls of the hallway. PM-304.3

North Center Bedroom (11-2 x 8-11):

See General Violation. Repair the window to open easily. **NOTE: Window must be measured at the reinspection.**

Northeast Bedroom (14-6 x 8-9):

No violations noted.

Existing Egress Window Measurements (double-hung):

Height: 26 $\frac{3}{4}$ inches

Width: 32 inches

Sill Height: 24 inches

Openable Area: 5.94 sq. ft.

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

SECOND FLOOR

Stairway:

Install a handrail on the lower flight of stairs. Every flight of stairs which is more than 3 risers high shall have handrails. PM-304.5.1

Repair the crack in the northwest corner and paint it. PM-304.3

Furnace Closet:

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

Kitchen (10-5 x 8-11):

No violations noted.

South Bathroom:

No violations noted.

Southeast Bedroom (#5) (12-2 x 9-8):

Existing Egress Window Measurements (double-hung):

- Height: 19 inches**
- Width: 34 inches
- Sill Height: 28 inches
- Openable Area: 4.49 sq. ft.

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

Southwest Bedroom (#4) (11-8 x 9-8):

Properly install the hard-wired smoke detector (it is hanging by its wires). PM-704.1

Existing Egress Window Measurements (double-hung):

- Height: 22 inches
- Width: 32 inches
- Sill Height: 28 inches
- Openable Area: 4.89 sq. ft.

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

West Bath:

Re-hang the towel bar. PM-304.3

Clean and service the exhaust fan so that it functions as intended. PM-603.1

Remove the old moldy caulk at the bottom of the shower and recaulk. PM-304.3

East Center Bedroom (#6) (10-3 x 10-2):

Existing Egress Window Measurements (double-hung):

Height: 18 ½ inches
Width: 33 ½ inches
Sill Height: 27 ½ inches
Openable Area: 4.30 sq. ft.

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

Northwest Bedroom (11-10 x 10-1):

No violations noted.

Existing Egress Window Measurements (double-hung):

Height: 22 inches
Width: 34 inches
Sill Height: 28 inches
Openable Area: 5.19 sq. ft.

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

Northeast Bedroom (#7) (12-5 x 9-10):

See General Violation. Repair the north window to function as intended. PM-303.13.2

NOTE: Window must be measured at the reinspection.

BASEMENT

Reconnect the dryer exhaust so that it vents to the exterior. PM-403.5

Eliminate the water leak in the shutoff valve. PM-504.3

Properly install the hard-wired smoke detector (it is hanging by its wires). PM-704.1

Mechanical Room:

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

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

Seal all openings in exterior walls. No exterior light shall be visible. All exterior walls shall be free from holes, breaks and loose or rotting materials; and maintained weatherproof and properly surface-coated where required to prevent deterioration. PM-303.6

EXTERIOR:

Properly seal around the old door on the second story (south side). PM-303.6

Repair or replace the deteriorated posts and bases on the front porch. PM-303.8

Properly tuck point all missing or defective mortar joints. PM-302.7 & PM-303.10

Eliminate the pipe going into the basement on the east side (south corner). PM-303.6

Remove and properly dispose of all accumulated or scattered trash on property. PM-302.1

Scrape and paint exterior surfaces 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)

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 Relief from an Administrative Decision

Meeting Date: February 20, 2013
Petition Type: Relief from an administrative decision
Variance Request: Relief from the requirement to register as a rental
Petition Number: 13-AA-15
Address: 591 E. Waterloo Court
Petitioner: Billie J. Woods

The owner is requesting that this be removed from Title 16 requirements as it is occupied by his mother's partner, Sylvia Bassell.

Staff recommendation: Grant relief from the rental registration process provided that the unit is occupied by Sylvia "Kay" Bassell.

Conditions: This unit will not be considered a rental as long as it is owned by the current owner and occupied by Sylvia Bassell and any other persons who meet the definition of Family per Title 20. This property will be pull dated for one year to check status.

Compliance Deadline: None

Attachments: Appeal form



RECEIVED

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

Property Address: 591 WATERLOO COURT

Petitioner's Name: BLUE WOODS

Address: 302 Hickory Drive

City: ELLETTSVILLE State: IN Zip Code: 47429

Phone Number: ⁽⁸¹²⁾ 876-9307 Email Address: Bwoods@stonebelt.org

Property Owner's Name: BLUE WOODS

Address: 302 Hickory Drive

City: ELLETTSVILLE State: IN Zip Code: 47429

Phone Number: ⁽⁸¹²⁾ 876-9307 Email Address: Bwoods@stonebelt.org

Occupants: KAY BASSEN

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: ? PLEASE SEE ATTACHED

- 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 13-AA-15

SEE REVERSE

To: Board of Housing Quality Appeals
Re: 591 Waterloo Court

Hello.

My name is Billie Woods and I own a condominium in Sherwood Green (the property located at 591 Waterloo Court). I received a letter in the mail on 1/16/13 that explained I needed to register as a landlord in Bloomington and schedule an inspection. I would like to appeal the classification of my property as a rental unit. Upon consulting with the HAND office on my situation, they recommended I give as much detail as possible in my appeal, so please bear with me while I share my story.

The property at 591 Waterloo Court belonged to my mother, Patricia Woods, who passed away on October 2, 2004. Ownership then transferred to me as her next of kin. The person who currently lives in the unit, is Sylvia "Kay" Bassell, who was in a relationship with my mother and lived with her at the time of her death.

Ms Bassell met my mother online several years ago and over time they decided to move in together. Kay moved in to the condo in September of 2003. My mother had a multitude of health related problems including non-Hodgkin's lymphoma and in July of 2004, her health severely worsened and she became bedridden. At that time, Kay also became my mother's primary caregiver. Prior to her passing that October, mom asked that I allow Ms Bassell to continue to live in the home as long as she chooses to.

For the last 8 years, Kay Bassell has been living in the home. She is now in her 70s and her only income is social security. There is no lease, but our verbal agreement is that she will send me only enough money per month so that I can cover the property taxes and home owners' insurance, as I myself work for a non-profit and I am not in a financial position to be able to maintain the expenses on this property.

It had never occurred to me to register with the city as a landlord as this felt very much like a personal/family agreement rather than a landlord/tenant relationship. My situation came to the attention of HAND because the Sherwood Green Home Owners' Association, had been aware since my mother died, that while I technically own the property, it is Kay who lives there, and they included that information in a report they submitted earlier this year.

It was my mother's last request that Kay be able to live out her days there, but I never wanted to be a landlord, nor do I desire to be one now. I only want to abide by my mother's wishes and do right by Kay Bassell by allowing her to live in her home as long as she chooses. At whatever time Kay passes away or if she were move to another location, my plan is to either sell the unit or move into it myself. I assure you I have no intention at all of seeking other occupants.

Therefore, I ask that you please grant me exception from classifying the property I own as a rental unit.

Thank you ~

Billie Woods



City of Bloomington
H.A.N.D.

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

Meeting Date: February 20, 2013
Petition Type: An extension of time to complete repairs.
Petition Number: 13-TV-16
Address: 908 S. Madison St.
Petitioner: Luis Roncayolo
Inspector: Norman Mosier
Staff Report: November 2, 2012 – Conducted Cycle Inspection
January 23, 2013 – Received BHQA Appeal

It was noted during the cycle inspection that the front retaining wall is failing. Also the trimming and/or removal of damaged trees, brush, etc. Petitioner is requesting an extension of time to complete repairs.

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: August 15, 2013

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

RECEIVED
JAN 23 2013



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

Property Address: 908 S. MADISON ST.

Petitioner's Name: LUIS RONCAYOLO

Address: 908 S. MADISON ST.

City: BLOOMINGTON State: IN Zip Code: 47403-2561

Phone Number: 812/333-0327 Email Address: LUIS@RONCAYOLO.COM

Property Owner's Name: BILL BERGEN

Address: 1333 44th St.

City: DES MOINES State: IA Zip Code: 50311-2507

Phone Number: 515/277-1728 Email Address: bbergen1728@msn.com

Occupants: 1

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 13-TV-16

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.

1) FRONT RETAINING WALL - we would like 6 months to find someone to repair the wall and for warmer weather so they can work on it.

PM 302.7

2) REMOVAL OF DAMAGED TREES, YARD WASTE, BRUSH. We would like 6 months to find tree people to cut and remove the trees that need it

PM-102.3 & PM-302.1

Signature (required):

Luis Roncayolo

Name (please print):

LUIS RONCAYOLO

Date:

1/23/2013

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

5338

OWNERS

Madison Properties Lc
1333 44th St.
Des Moines, IA 50311

AGENT

Roncayolo, Luis
908 S. Madison St.
Bloomington, IN 47403

Prop. Location: 908 S Madison ST
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/3/3

Date Inspected: 11/02/2012
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 1

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

Monroe County Assessor's records indicate this structure was built in 1926.
There were no requirements for emergency egress at the time of construction.

GENERAL STATEMENT

Egress window measurements for structure are as follows:

Existing Egress Window Measurements: Dbl hung: Const. Yr. - 1926
Height: 24 inches
Width: 26 inches
Sill Height: 30 inches
Openable Area: 4.33 sq. ft.

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

GENERAL VIOLATION:

Replace the missing and deteriorated (cracked and peeling) glazing compound on the windows.
PM-303.13

INTERIOR:

Living Room 13 x 11:

Repair the entry storm door to latch properly. PM-303.15

Dining room 12 x 11-2, Kitchen, Back Room, Hallway, Bathroom:

No violations noted.

W Bedroom 11 x 7-6: See general statement.

No violations noted.

Middle Bedroom 11-4 x 7-7: See general statement.

No violations noted.

E Bedroom 11 x 11: See general statement.

No violations noted.

BASEMENT

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

Repair the wooden support post to the left of the stairway to be plumb and secure, post is moving out from underneath beam. PM-304.2

Properly secure all support posts at the top and bottom to eliminate the possibility of movement. PM-304.2

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

Reconnect the ductwork adjacent to the furnace, several connections. PM-607.1

Eliminate the source of the raw sewage. Remove raw sewage and treat the area with lime dust. PM-304.1

EXTERIOR:

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. PM-303.2
(The above violation has a one-year deadline from the date of the Cycle Inspection.)

Re-attach the lattice on the north side of the front porch. PM-303.10

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Repair the damaged storm window on the south west corner of structure. PM-303.13

Repair the hole in the wall adjacent to the middle window. PM-303.6

Repair the failing retaining wall on the east side of property. PM-302.7

Remove and properly dispose of yard waste/brush pile, and limbs. PM-102.3 & PM-302.1

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)

This is the end of this report.