

**PUBLIC HEARING
BOARD OF HOUSING QUALITY APPEALS
CITY HALL McCLOSKEY CONFERENCE ROOM
August 21, 2013, 4:00 P.M.**

I. ROLL CALL

II. REVIEW OF SUMMARY – June 19, 2013; July 17, 2013 p. 2

III. CONSENT AGENDA

- (1) 13-RV-78 **1304-1304 ½ N. Lincoln Street**, H.A.N.D. Request for rescission of a variance. p. 6
- (2) 13-RV-79 **314-316 N. College Avenue**, H.A.N.D. Request for rescission of a variance. p. 14
- (3) 13-RV-80 **321 E. 15th Street**, H.A.N.D. Request for rescission of a variance. p. 17
- (4) 13-AA-82 **1201 S. Palmer Avenue**, William Haines. Request for relief from an administrative decision. p. 23
- (5) 13-TV-83 **1203 S. Lincoln Street**, Rosalee Trimble. Request for an extension of time to complete repairs. p. 27
- (6) 13-AA-84 **315 E. Cottage Grove Avenue**, William Aronis. Request for relief from an administrative decision. p. 32
- (7) 13-RV-85 **303 E. Smith Avenue**, H.A.N.D. Request for rescission of a variance. p. 35
- (8) 13-TV-86 **414 E. Cottage Grove Avenue**, Fred Soskel. Request for an extension of time to complete repairs. p. 41
- (9) 13-RV-87 **802 N. Fairview Street**, H.A.N.D. Request for rescission of a variance. p. 48
- (10) 13-RV-88 **401 W. Dodds Street**, H.A.N.D. Request for rescission of a variance. p. 53

IV. NEW BUSINESS

- (11) 13-TV-81 **508 N. Washington Street**, Cheryl Underwood. Request for an extension of time to complete repairs. p. 59

V. GENERAL DISCUSSION

VI. PUBLIC COMMENT

VII. ADJOURNMENT

B.H.Q.A. MEETING OF JUNE 19, 2013

SUMMARY

MEMBERS PRESENT: Megan Binder, Kris Floyd, Elizabeth Gallman, Susie Hamilton, Nikki Johnson, Eric Spoonmore, Ryan Strauser

STAFF PRESENT: Lisa Abbott, Michael Arnold, Daniel Bixler, John Hewett, Maria McCormick, Norman Mosier, Dee Wills (HAND), Greg Small (Legal)

OTHERS PRESENT: Dana Hunding, Ron Ison (Brownstone Terrace Apartments), Joanne Sabbagh (Cassiss Enterprises, LLC), Robin Young (506 W. Dixie Street)

I. REVIEW OF SUMMARY

Hamilton made a motion to approve the minutes for April 17, 2013. Strauser seconded. Motion passed, 7-0.

II. CONSENT AGENDA

1722 N. Walnut Street, Kenny Patel, 13-TV-25. Request for an extension of time to complete repairs. Previously heard March 20, 2013. Staff recommendation to grant the request with an August 20, 2013 deadline.

1109 N. Grant Street, Michael Mena, 13-TV-40. Request for an extension of time to complete repairs. Staff recommendation to grant the request with a November 29, 2013 deadline.

891 E. Waterloo Court, Richard Nazzari, 13-AA-41. Request for relief from an administrative decision. Recommendation was to grant relief from the rental registration process as long as the unit continues to be owned by current owner and is occupied by Mr. Richard Nazzari. The property will be pull dated in one year to check its status.

902 E. Waterloo Drive, Michael Chandler, 13-AA-48. Request for relief from an administrative decision. Recommendation was to grant relief from the rental registration process as long as the unit continues to be owned by current owner and is occupied by Mr. Chandler's mother. The property will be pull dated in one year to check its status.

572 E. Graham Place, Henry K. Wakhungu, 13-TV-49. Request for an extension of time to complete repairs. Staff recommendation to grant the request with a July 31, 2013 deadline.

1413 W. 11th Street, Fatih Akin, 13-TV-50. Request for an extension of time to complete repairs. Staff recommendation was to deny the request. The septic field needs to be addressed immediately.

1504 W. Arlington Road, Donna Iatarola, 13-AA-51. Request for relief from an administrative decision. Recommendation was to grant relief from the rental registration process as long as the unit continues to be owned by current owner and is occupied by Ms. Iatarola's niece. The property will be pull dated in one year to check its status.

532 E. Graham Place, Allen M. Clidinst, 13-TV-52. Request for an extension of time to complete repairs. Staff recommendation to grant the request with an August 19, 2013 deadline.

1020 N. Jackson Street, Sadika Ramahi, 13-TV-54. Request for an extension of time to complete repairs. Staff recommendation to grant the request with an August 31, 2013 deadline.

801 S. Pleasant Ridge Road, Laurie Antolovic, 13-AA-56. Request for relief from an administrative decision. Recommendation was to grant relief from the rental registration process as long as the unit continues to be owned by current owner and is occupied by Ms. Ambrosio and her children. The property will be pull dated for August 01, 2013 to check its status.

562 E. Graham Place, Ellis Investment Properties, LLC, 13-TV-57. Request for an extension of time to complete repairs. Staff recommendation to grant the request with an August 19, 2013 deadline.

803 W. Kirkwood Avenue, Linda Campbell, 13-TV-58. Request for an extension of time to complete repairs. This item was withdrawn from the Agenda.

3111 S. Leonard Springs Road, Scott May, 13-TV-59. Request for an extension of time to complete repairs. Staff recommendation to grant the request with an August 01, 2013 deadline.

512 E. 15th Street, Mecca Elkins-Patnode, 13-TV-61. Request for an extension of time to complete repairs. Staff recommendation to grant the request with an August 19, 2013 deadline.

590 E. Graham Place, Sacreb, LLC, 13-TV-62. Request for an extension of time to complete repairs. Staff recommendation to grant the request with an August 19, 2013 deadline.

501 S. Woodlawn Avenue, H.A.N.D., 13-RV-63. Request for rescission of variance. Recommendation was to grant the rescission.

623 N. Monroe Street, H.A.N.D., 13-RV-64. Request for rescission of variance. Recommendation was to grant the rescission.

Approved.

III. PETITIONS

533 E. Smith Avenue, Cassis Enterprises, LLC, 13-AA-33. The petitioner, Joanne Sabbagh, was present to request relief from an administrative decision limiting the permit to three years this time. This was previously heard April 17, 2013. Staff recommendation was to deny the request. Johnson made a motion to extend the permit length to five years this time. Hamilton seconded. Motion failed, 3-4 (Gallman, Hamilton, Johnson voted yea.) Request denied.

301 E. Brownstone Drive, Brownstone Investment Group, LLC, 13-AA-53. The petitioner, Dana Hunding and Ron Ison, were present to request relief from an administrative decision limiting the permit to three years this time. Staff recommendation was to deny the request. Johnson made a motion to deny the request. Strauser seconded. Motion passed, 7-0. Request denied.

104 E. Kirkwood Avenue, Downtown Realty, LLC, 13-TV-42 (should be 13-AA-42). Pulled from Consent Agenda. The petitioner was not present to request relief from an administrative decision limiting the permit to three years this time. Staff recommendation was to deny the request. Johnson made a motion to deny the request. Gallman seconded. Motion passed, 7-0. Request denied.

1003 W. Cottage Grove Avenue, Penny Reid, 13-TV-43. Pulled from Consent Agenda. The petitioner was not present to request an extension of time to complete the repairs. Staff recommendation was to grant the request with a July 15, 2013 deadline. Strauser made a motion to grant the request per staff recommendation. Floyd seconded. Motion passed, 7-0. Request granted.

1771 S. Henderson Street, Fatih Akin, 13-TV-55. Pulled from Consent Agenda. The petitioner was not present to request an extension of time to complete the repairs. Staff recommendation was to deny the request. Johnson made a motion to deny the request per staff recommendation. Floyd seconded. Motion passed, 7-0. Request denied.

506 W. Dixie Street, Thomas James Halpin Trust, 13-TV-60. Pulled from Consent Agenda. The petitioner, Robin Young, was present to request an extension of time to complete the repairs. Staff recommendation was to grant the request with a July 31, 2013 deadline. Hamilton made a motion to grant the request per staff recommendation. Johnson seconded. Motion passed, 7-0. Request granted.

IV. GENERAL DISCUSSION

None.

V. PUBLIC COMMENT

None.

VI. ADJOURNMENT

Floyd made a motion to adjourn. Hamilton seconded. Motion unanimously passed. Meeting adjourned at 4:52 PM.

B.H.Q.A. MEETING OF JULY 17, 2013

SUMMARY

MEMBERS PRESENT: Megan Binder, Kris Floyd, Susie Hamilton, Nikki Johnson, Eric Spoonmore, Ryan Strauser

STAFF PRESENT: Lisa Abbott, Michael Arnold, Daniel Bixler, John Hewett, Jo Stong, Dee Wills (HAND)

OTHERS PRESENT: Christiane Alawine (2375 S. Worthington Lane), Stan Garus (124 N. Bryan Street), Mary Ann Waggoner (Summit Pointe)

I. CONSENT AGENDA

630 E. Atwater Avenue, H.A.N.D., 13-RV-66. Request for rescission of variance. Recommendation was to grant the rescission.

1724 E. Hillside Drive, Union Beach, LLC, 13-TV-68. Request for an extension of time to complete repairs. Staff recommendation to grant the request with a September 17, 2013 deadline.

2375 S. Worthington Lane, Christiana Alawine & Michael M. Johnson, 13-AA-69. Request for relief from an administrative decision. Recommendation was to grant relief from the rental registration process as long as the unit continues to be owned by its current owners and occupied by Ms. Alawine and Ms. Hallock and no more than one other person. The property will be pull dated in one year to check its status.

2500 S. Rockport Road, Country View Associates, L.P., 13-TV-70. Request for an extension of time to complete repairs. Staff recommendation to grant the request with an August 30, 2013 deadline.

1113 S. High Street, H.A.N.D., 13-RV-71. Request for rescission of a variance. Recommendation was to grant the rescission.

124 N. Bryan Street, Stan Garus, 13-TV-72. Request for an extension of time to complete repairs. Recommendation was to grant with a July 31, 2013 deadline for all life safety violations and a September 17, 2013 deadline for all other repairs.

808 W. Ralston Drive, H.A.N.D., 13-RV-73. Request for rescission of a variance. Recommendation was to grant the rescission.

3320 S. Allendale Drive, Anthony Thompson, 13-TV-74. Request for an extension of time to complete repairs. Recommendation was to grant with a July 31, 2013 deadline for the window and electrical violations and a September 17, 2013 deadline for all other violations and for the State variance.

550 E. Graham Place, Curry Land Trust II, 13-TV-75. Request for an extension of time to complete repairs. Staff recommendation to grant the request with a September 17, 2013 deadline.

1211 W. 20th Street, H.A.N.D., 13-RV-76. Request for rescission of a variance. Recommendation was to grant the rescission.

Approved.

II. PETITIONS

701 E. Summitview Place, Scott May, 13-TV-65. Pulled from Consent Agenda. The petitioner, Mary Ann Waggoner, was present to request for an extension of time to complete repairs. Staff recommendation was to grant the request with a September 17, 2013 deadline. Hamilton made a motion to grant the request per staff recommendation with a November 01, 2013 deadline. Strauser seconded. Motion passed, 5-0-1 (Johnson abstained.) Request granted.

303 E. Smith Avenue, Michel J. King, 13-TV-67. Pulled from Consent Agenda. The petitioner was not present to request an extension of time to complete the repairs. Staff recommendation was to grant the request with a September 17, 2013 deadline. Floyd made a motion to grant the request per staff recommendation. Spoonmore seconded. Motion passed, 6-0. Request granted.

III. GENERAL DISCUSSION

A brief discussion of petition 13-RV-71: 1113 S. High Street about rescinding variances.

IV. PUBLIC COMMENT

None.

V. ADJOURNMENT

Floyd made a motion to adjourn. Strauser seconded. Motion unanimously passed. Meeting adjourned at 4:15 PM.



City of Bloomington
H.A.N.D.

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

Meeting Date: August 21, 2013
Petition Type: Rescind a Variance
Petition Number: 13-RV-78
Address: 1304-1304 ½ N. Lincoln St.
Petitioner: HAND
Inspector: Norman Mosier
Staff Report: June 24, 2013-Conducted Cycle Inspection
July 1, 2013-Prepared BHQA Staff Report

This property was previously granted a variance to the minimum ceiling height requirements of the Property Maintenance Code. This requirement is no longer a part of the Bloomington Municipal Code; therefore the variance must be rescinded by the Board of Housing Quality Appeals.

Staff Recommendation: Rescind the variance.
Conditions: None
Attachments: Cycle Report, BHQA Appeal, Petitioner's Letter



RECEIVED
JUL 01 2013

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: 1304-1304 1/2 N. LINCOLN ST.

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

Address: 401 N. MORION STE 130 P.O. BOX 100

City: BLGTN. State: IN. Zip Code: 47402

Phone Number: 812-349-3420 Email Address: _____

Property Owner's Name: ELK PROPERTIES c/o JEANNE KENSİK

Address: 1319 W. WOLFRAM

City: CHICAGO State: IL. Zip Code: 60657

Phone Number: 1-773-248-8203 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-78

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

HAND NEEDS TO RESCIND THE VARIANCE DATED 5-12-94
FOR CEILING HEIGHT REQUIREMENT IN THE BASEMENT AS THE
VARIANCE IS NO LONGER NEEDED, VARIANCE DOES NOT APPLY
TO THE BLOOMINGTON MUNICIPAL CODE.

Signature (required):

Norman Mosier

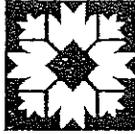
Name (please print):

NORMAN MOSIER

Date:

7-1-13

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

4023

OWNERS

Elk Properties C/O Jeanne Kensik
1319 W Wolfram
Chicago, IL 60657

AGENT

Fox, Justin
6440 Wellston Dr
Bloomington, IN 47408

Prop. Location: 1304 1/2 N Lincoln ST, 1304 N Lincoln ST
Number of Units/Structures: 2/1
Units/Bedrooms/Max # of Occupants: 1/5/5 1/1/5

Date Inspected: 06/24/2013
Primary Heat Source: Gas
Property Zoning: RH
Number of Stories: 2

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

VARIANCE

05/12/1994 Special exception to the minimum ceiling height requirements in the basement with the condition that all light fixtures are no lower than 6'4" from the floor. Reflector tape to be installed on the header in the basement hallway.

GENERAL STATEMENT:

This property was previously granted a variance to the minimum ceiling height requirements in the basement, of the Property Maintenance Code. This requirement is no longer a part of the Bloomington Municipal Code; therefore the variance should be rescinded by the Board of Housing Quality Appeals. This process may slightly delay the issuance of your Rental Occupancy Permit, but will not negatively affect the length of your permit.

INTERIOR:

UNIT 1304

Living Room/Kitchen 17 x 10-3:

Repair the surface of the ceiling to be free of holes, cracks, peeling paint and sagging materials, adjacent to the ceiling vent. BMC 16.04.060(a)

Repair or replace the exhaust fan above the stove so that it functions as intended.
BMC 16.04.060(c)

Hallway:

Replace existing hardwired smoke detector with a new hardwired smoke detector.
IC 22-11-18-3.5

Bathroom:

Seal edge of floor covering adjacent to bathtub. BMC 16.04.060(a)

Bedroom 11 x 9-6:

Repair the surface of the ceiling to be free of holes, cracks, peeling paint and sagging materials. BMC 16.04.060(a)

Existing Egress Window Measurements: Dbl hung pop out: Const. Yr. - 1950

Height: 24.5 inches

Width: 32 inches

Sill Height: 31 inches

Openable Area: 5.44 sq. ft.

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

UNIT 1304 1/2

MAIN LEVEL

Living Room 15-6 x 11-6, Dining Room 11-4 x 9-3, Kitchen 13 x 7-9:

No violations noted.

Hallway:

Replace the missing smoke detector. If the missing smoke detector was hard wired it must be replaced with a hard wired model. IC 22-11-18-3.5

Hall Bath:

Repair the sink drain to function as intended, slow. BMC 16.04.060(b)

Repair/replace the defective sink stopper assembly to function as intended.
BMC 16.04.060(b)

Repair the surface of the ceiling to be free of holes, cracks, peeling paint and sagging materials. BMC 16.04.060(a)

Hall Bath: (continued)

Clean and service the exhaust fan. BMC 16.04.060(c)

NE Bedroom 13 x 10-6:

Repair the damaged door casing. BMC 16.04.060(a)

Replace the missing receptacle cover plate on the east wall. BMC 16.04.060(b)

BASEMENT

Stairway/Hallway:

No violations noted.

Hall Bath:

Replace the water damaged and stained ceiling tiles. BMC 16.04.060(a)

Utility Room:

Replace the inoperable dryer. BMC 16.04.060(c)

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

Desired level:	0 parts per million (ppm)
Acceptable level in a living space:	9 ppm
Maximum concentration for flue products:	50 ppm
BMC 16.01.060(f) and 16.04.060 (c)	

NW Bedroom 12-6 x 10-8:

No violations noted.

Existing Egress Window Measurements: Slider: Const. Yr. - 1950

Height: 32 inches

Width: 32 inches

Sill Height: 47 inches

Openable Area: 7.11 sq. ft.

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

SW Bedroom 10-8 x 10: Same window as above.

No violations noted.

Storage Room:

Repair the hole in the door. BMC 16.04.060(a)

2nd LEVEL

Stairway/Hallway:

Repair or replace existing smoke detector in a manner so that it functions as intended.
IC 22-11-18-3.5

S Bedroom 11-2 x 11:

Repair/replace the damaged door. BMC 16.04.060(a)

Replace the missing receptacle cover plate on the east wall. BMC 16.04.060(b)

Existing Egress Window Measurements: Dbl hung pop out: Const. Yr. - 1950

Height: 24.5 inches

Width: 26 inches

Sill Height: 22.5 inches

Openable Area: 4.42 sq. ft.

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

N Bedroom 14 x 11: Same window as above.

No violations noted.

EXTERIOR:

Secure the loose concrete steps. BMC 16.04.050(a)

Secure the loose deck boards on the front porch. BMC 16.04.050(a)

Secure the handrail on the front porch so it is capable of withstanding normally imposed loads.
BMC 16.04.050(b) and BMC 16.04.060(b)

Repair/replace the broken front door sill. BMC 16.04.050(a)

Remove the furniture from the front yard and back porch. BMC 16.04.040(f)

Remove the trees from the egress window wells. BMC 16.04.050(b)

Remove the scattered trash from the property. BMC 16.04.040(a)

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 16.03.060(c) and BMC 16.10.030(b)

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. BMC 16.03.050(e) and BMC 16.10.030(b)**

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.03.030(d)

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: 21 August 2013
Petition Type: Rescind a Variance
Petition Number: 13-RV-079
Address: 314-316 N. College Ave
Petitioner: HAND
Inspector: Michael Arnold
Staff Report: 21 June 2013 Cycle Inspection

This property has a variance from bathroom exhaust for the bathrooms in Units 314 #1 and 316 #1. This structure has been completely remodeled and all bathrooms have code compliant ventilation.

Staff Recommendation: Rescind the variance
Conditions: None
Attachments: Application



RECEIVED
JUL 02 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

BY: _____

Property Address: 314-316 N College Ave

Petitioner's Name: HAND

Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number: _____ Email Address: _____

Property Owner's Name: ROC Rentals

Address: 206 1126 m² st

City: B State: IN Zip Code: 47401

Phone Number: 333-2332 Email Address: _____

Occupants: 5 4 each

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-79

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.

2010 Remodel of the property eliminates the requirement for this variance -

Signature (required):



Name (please print):

Michael Arnold

Date:

7/2/13

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
H.A.N.D.

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

Meeting Date: August 21, 2013
Petition Type: Rescind a Variance
Petition Number: 13-RV-80
Address: 321 E 15th
Petitioner: HAND
Inspector: John Hewett
Staff Report: June 24, 2013 Cycle Inspection

This property was granted a variance on November 12, 1992 for the ceiling height. This violation is no longer part of the Bloomington Municipal Code and therefore the variance must be rescinded.

Staff Recommendation: Rescind the variance
Conditions: None
Attachments: Cycle Inspection report, appeal form

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JUL 02 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

BY: _____

Property Address: 321 E 15TH ST.

Petitioner's Name: HAND

Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number: _____ Email Address: _____

Property Owner's Name: HELEN O. WILLIAMS / DESERT OWL PROPERTIES LLC

Address: 3611 S ESSEX CT.

City: BLOOMINGTON State: IN Zip Code: 47401

Phone Number: 332-0211 Email Address: CANDI.WILLIAMS@GMAIL.COM

Occupants: _____

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

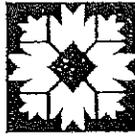
1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

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-80



City of Bloomington
Housing and Neighborhood Development

Cycle Report

496

OWNERS

Desert Owl Properties, Llc
3611 S. Essex Ct.
Bloomington, IN 47401

Prop. Location: 321 E 15th ST
Number of Units/Structures: 2/1
Units/Bedrooms/Max # of Occupants: 1/3/3 1/2/3

Date Inspected: 06/24/2013
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 1

Inspectors: John Hewett
Foundation Type: Basement
Attic Access: No
Accessory Structure:

VARIANCE

11/12/1992 Special exception granted to the minimum ceiling height requirement in the basement apartment.

This property was previously granted a variance to the ceiling height requirements of the Property Maintenance Code. This requirement is no longer a part of the Bloomington Municipal Code; therefore the variance must be rescinded by the Board of Housing Quality Appeals. This process may slightly delay the issuance of your Rental Occupancy Permit, but will not negatively affect the length of your permit.

Monroe County Assessor's records indicate this structure was built in 1966.
There were no requirements for emergency egress at the time of construction.

Room dimensions are in the file or listed on the previous cycle inspection report.

This unit has 2 approved units. During the cycle inspection, conditions were noted that indicate that this property may be in violation of Bloomington Municipal Code Title 20 with regard to the number of units or the number of sleeping rooms and density. This property needs to be brought into compliance with Title 20 within sixty (60) days from the date of this inspection to avoid possible legal action by the City of Bloomington Legal Department. *The City's Planning Department will be the Department which decides whether or not a violation of Title 20 has occurred and whether or not any violation of Title 20 has been remedied.* For more information, please contact the Planning Department at 349-3423. *Please note that the City of Bloomington Housing and Neighborhood Development Department will not issue a residential rental occupancy permit for any property that is not compliance with Title 20 of the Bloomington Municipal Code.*

Interior

Upper Unit (#2)

Living room

Properly ground the north electrical receptacle on the west wall. If the receptacle is on an ungrounded system, it is acceptable to install a 2-pole, ungrounded receptacle, or a GFCI receptacle. BMC 16.04.020(a)(5); 2009 IEC Article 406(D)(3)

SW bedroom, W center bedroom, NW bedroom

Existing Egress Window Measurements:

Height: 32 inches

Width: 38 inches

Sill Height: 46 inches

Openable Area: 8.4 sq. ft.

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

Bathroom

No violations noted.

Kitchen

Properly mount the smoke detector. IC 22-11-3.5-18

Hallway

Install a solid door at the top of the staircase to provide separation of the two units in this structure. The door shall latch on both sides. BMC16.04.020(a)(2)

Lower Unit (#1)

Kitchen

Provide power to the receptacle on the east wall. BMC 16.04.060(c)

NW bedroom

Existing Egress Window Measurements:

Height: 45 inches

Width: 16 inches

Sill Height: 37 inches

Openable Area: 5 sq. ft.

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

Living room

Replace the damaged and missing ceiling tiles. BMC 16.04.060(a)

SW bedroom

Repair the storm window to open. BMC 16.04.060 (b)

Existing Egress Window Measurements:

Height: 22 inches

Width: 33 inches

Sill Height: 48 inches
Openable Area: 5.04 sq. ft.

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

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
BMC 16.01.060(f) and 16.04.060 (c)	

Exterior

Replace the missing spindles on the deck. BMC 16.04.050 (a)

All residential rental units shall conspicuously display the unit's address number on the front of the unit. BMC 16.04.100

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 Relief from an Administrative Decision**

Meeting Date: August 21, 2013
Petition Type: Relief from an administrative decision
Variance Request: Relief from the requirement to register as a rental
Petition Number: 13-AA-84
Address: 1201 S. Palmer
Petitioner: William R. Haines

This property is owned by William R. Haines and is occupied by his daughter, Jennifer Marie Haines. City Utility records indicate that this property has been occupied by Ms. Haines since 2004 and she is currently purchasing it on contract.

Staff recommendation: Grant the relief from the rental registration process

Conditions: This unit will not be considered a rental as long as it is owned by the current owner and occupied by Jennifer Haines. This property will be pull dated for one year to check status.

Compliance Deadline: None

Attachments: Appeal form



RECEIVED
JUL 10 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: 1201 S. Palmer, Bloomington, IN.

Petitioner's Name: William R. Haines

Address: 3270 E. Moores Pike

City: Bloomington State: IN Zip Code: 47401

Phone Number: 812-325-3448 Email Address: _____

Property Owner's Name: William R. Haines

Address: 3270 E Moores Pike

City: Bloomington State: IN Zip Code: 47401

Phone Number: 812-325-3448 Email Address: whaines@indiana.edu

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-AA-82

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)

Chk. # 3156 enc.

Signature (required): *William R. Haines*

Name (please print): *WILLIAM R. HAINES* Date: *7/9/13*

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.

July 9, 2013

Board of Housing Quality Appeals
PO Box 100
Bloomington IN 47402

Re: 1209 S. Palmer, Bloomington, IN 47401

Dear Board:

I am requesting that you change the status of the property at 1201 S. Palmer, Bloomington, IN from Rental Property to Owner Occupied.

My daughter, Jennifer Marie Haines, has lived in the house since 2004. She has recently purchased the house from me on contract and she intends to remain in the house as its sole occupant. I will continue to hold title until the contract is satisfied.

Please let me know if you have any questions or need additional information. I can be reached at the phone and email address included on this appeal form.

Regards,

A handwritten signature in cursive script that reads "William R. Haines".

William R. (Bill) Haines



City of Bloomington
H.A.N.D.

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

Meeting Date: August 21, 2013
Petition Type: An extension of time to complete repairs.
Petition Number: 13-TV-83
Address: 1203 S. Lincoln St.
Petitioner: Rosalee Trimble
Inspector: Norman Mosier
Staff Report: July 10, 2013 - Conducted Complaint Inspection
July 18, 2013 – Received BHQA Appeal

It was noted during the complaint inspection that the failing tub surround is leaking water into the closet adjacent to the bathroom and into the basement causing mold in these areas. The drain in the basement is clogged which is also causing mold problems in the basement. The floor joist under the bathroom is deteriorated and broken. 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: October 21, 2013

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

Aug ^{week prior} 31st

RECEIVED
JUL 1 8 2013



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: 1203 S. Lincoln St.

Petitioner's Name: Rosalee Trimble

Address: 4425 Etter Road

City: Bloomington State: IN Zip Code: 47408

Phone Number: 812-322-4104 Email Address: rosalee.trimble1@comcast.net

Property Owner's Name: Rosalee Trimble

Address: 4425 Etter Rd.

City: Bloomington State: IN Zip Code: 47408

Phone Number: 812-322-4104 Email Address: rosalee.trimble1@comcast.net

Occupants: Tim Lukasik

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-83

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.

Due to the high demand on construction workers at this time of the year in Bloomington, I am asking for an extension of time to complete repairs. I am attempting to have repairs finished by the first of September.

Signature (required):

Rosalee Trimble

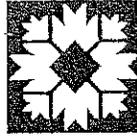
Name (please print):

Rosalee Trimble

Date:

7-16-2013

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

JUL 18 2013

COMPLAINT INSPECTION REPORT

5075

OWNERS

Trimble, Rosalee
4425 Etter Road
Bloomington, IN 47408

AGENT

Tarter, Gary A.
Po Box 1841
Bloomington, IN 47402

Prop. Location: 1203 S Lincoln ST
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/2/3

Date Inspected: 07/10/2013
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 1

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

VARIANCE

09/11/1997 Granted variance to area requirements in south central room (57.44 square feet). This room is NOT approved for sleeping purposes.

The following items are the result of a complaint inspection conducted on 07/10/2013. It is your responsibility to repair these items and to schedule a re-inspection within **fourteen (14)** days of the mailing of this report. Failure to comply with this inspection report will result in this matter being referred to the City of Bloomington Legal Department. Failure to comply with this complaint inspection report may result in fines of up to \$100.00/day. If you have questions regarding this report, please contact this office at 349-3420.

MAIN LEVEL

Hallway:

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster, south wall adjacent to the center bedroom. BMC 16.04.060(a)

Center Bedroom Closet:

Clean and remove the mold in the SE corner of the closet, then paint. BMC 16.04.060(a)

Bathroom:

Repair the tub surround to function as intended, repair the broken grout joints, and replace the deteriorated caulking. BMC 16.04.060(a)

Kitchen:

Tighten the loose receptacle and install the missing cover plate. BMC 16.04.060(b)

Back Porch:

Replace the warped and deteriorated south wall, check roof for leaks. BMC 16.04.060(a)

BASEMENT:

Repair/replace the broken and deteriorated floor joist adjacent to the bathroom.
BMC 16.04.060(a)

Clean and remove the mold in the entire basement, then paint. BMC 16.04.060(a)

Repair the drain to function as intended. BMC 16.04.060(a)

Replace the missing cover plate for the receptacle in the middle room, east wall.
BMC 16.04.060(b)

This is the end of this report.



City of Bloomington
H.A.N.D.

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

Meeting Date: August 21, 2013
Petition Type: Relief from an administrative decision
Variance Request: Relief from the requirement to register as a rental
Petition Number: 13-AA-82
Address: 315 E. Cottage Grove
Petitioner: William Aronis

This property is owned by William Aronis and is occupied by his brother, Thanasi Aronis. City Utility records indicate that this property has been occupied by Thanasi Aronis since 2010.

Staff recommendation: Grant the relief from the rental registration process

Conditions: This unit will not be considered a rental as long as it is owned by the current owner and occupied by Thanasi Aronis. This property will be pull dated for one year to check status.

Compliance Deadline: None

Attachments: Appeal form



RECEIVED
JUL 18 2013

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: 315 E COTTAGE GROVE AVE

Petitioner's Name: William P. ARONIS

Address: 1000 N. SHORE DR. NE UNIT 2

City: ~~Bloomington~~ SAINT PETERSBURG State: FL Zip Code: 33701

Phone Number 812-361-3009 Email Address: wmaronis@yahoo.com

Property Owner's Name: William ARONIS

Address: SAME AS ABOVE

City: _____ State: _____ Zip Code: _____

Phone Number: _____ Email Address: _____

Occupants: THANASI ARONIS age 78 812-334-3367

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)

REMOVE HOUSE FROM RENTAL TO FAMILY RESIDENCE

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-84

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 would like to remove the house at
315 E Cottage Grove Ave, Bloomington, IN 47408
from the rental inspection program. The
brother, Thomasi Aronis, lives in the house,
and is not paying rent.

Signature (required):

William P. Aronis

Name (please print):

Date:

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
H.A.N.D.

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

Meeting Date: August 21, 2013

Petition Type: Rescind a Variance

Petition Number: 13-RV-85

Address: 303 E. Smith Avenue

Petitioner: HAND

Inspector: Jo Stong

Staff Report: April 16, 2013: Conducted cycle inspection
April 19, 2013: Removed egress variance per 53CO1-0805-PL-01019
June 3, 2013: Conducted reinspection. All in compliance except light and ventilation requirements
June 7, 2013: Received appeal

This property was built in 1960. At the time of construction there were light and ventilation requirements for a multi-unit structure (see amended cycle report). The bedroom of unit #3 has no window. The property was granted a variance by the BHQA on March 28, 1984 for light, ventilation and egress. The egress variance has been removed. The light and ventilation variance must be rescinded.

Staff Recommendation: Rescind the variance

Conditions: None

Attachments: Application, Amended Cycle Report



RECEIVED
JUL 18 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

BY: _____

Property Address: 303 E. SMITH AVENUE

Petitioner's Name: HAND

Address: 401 N. MORTON

City: BLOTN State: IN Zip Code: 47401

Phone Number: _____ Email Address: _____

Property Owner's Name: MICHAEL J. KING

Address: 351 S. LINCOLN ST.

City: BLOTN State: IN Zip Code: 47401

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)

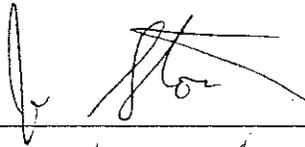
REMINDER: A \$20 filing fee must be submitted with this application before the property can be placed on the meeting agenda.

OFFICE USE ONLY
Petition Number 13-RV-85

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 was granted a variance for light, ventilation and egress by BHA on March 26, 1984. The bedroom in unit 3 has no window. The variance must be rescinded and the petitioner must apply for an egress variance with the State!
light/vent

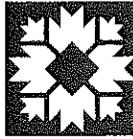
Signature (required):



Name (please print):

Jo Stong (Inspector, HANN) Date: 7.18.2013

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

Amended Cycle Report

4138

OWNERS

King, Michel
351 S. Lincoln
Bloomington, IN 47401

Prop. Location: 303 E Smith AVE
Number of Units/Structures: 3/1
Units/Bedrooms/Max # of Occupants: 3/1/1

Date Inspected: 04/16/2013
Primary Heat Source: Electric
Property Zoning: CG
Number of Stories: 1

Inspector: Jo Stong
Foundation Type: Slab
Attic Access: Yes
Accessory Structure: None

NOTE: This is an amended report. The citation for the violation in the bedroom of apartment #3 was incorrect.

The property was reinspected on June 3, 2013. All other violations have been remedied.

Monroe County Assessor's records indicate this structure was built in 1960. There were no requirements for emergency egress at the time of construction.

INTERIOR:

Unit #1

Living Room /Kitchen (12-11 x 12-5):

No violations noted.

Bedroom (11-4 x 7-9):

Replace the missing smoke detector. If the missing smoke detector was hard wired it must be replaced with a hard wired model. IC 22-11-18-3.5

Existing Egress Window Measurements (double-hung):

Height: 33 inches

Width: 21 ¼ inches

Sill Height: 46 ½ inches

Openable Area: 4.93 sq. ft.

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

Bathroom:

No violations noted.

Attic:

No violations noted.

Unit #2

Living Room/Kitchen (15-4 x 12-6):

Clean the heating/air conditioning grille. BMC 16.04.060(c)

Bedroom (11-4 x 8-0):

No violations noted.

Note: Egress window measurements are the same as in the bedroom in Unit #2.

Bathroom:

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

Unit #3

Living Room/Kitchen (16-0 x 12-7):

No violations noted.

Bedroom (12-7 x 10-5):

This room has no window and as such does not meet the minimum code requirements for light and ventilation at the time the structure was built. **The relevant code is the 1959 Indiana Building Code, section: 1305.** For that reason, the City will not issue a rental permit until either a window is installed to meet the code requirement at the time of construction, or you apply for a variance for light and ventilation 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.

Bathroom:

No violations noted.

EXTERIOR:

No violations noted.

OTHER REQUIREMENTS:

Required documentation:

A completed copy of the Tenants & Owners Rights and Responsibilities Summary must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection **or a \$25.00 fine will be levied.** BMC16.03.060(c), BMC16.10.030(b)

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(e), BMC 16.10.030(b)

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(d)

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: August 21, 2013
Petition Type: An extension of time to complete repairs.
Petition Number: 13-TV-86
Address: 414 E. Cottage Grove Ave.
Petitioner: Fred Soskel
Inspector: Norman Mosier
Staff Report: November 5, 2012-Conducted Cycle Inspection
November 9, 2012-Sent Cycle Report
December 12, 2012-Received BHQA Appeal
July 16, 2013 – BHQA Deadline
July 18, 2013 – Received BHQA Appeal

It was noted during the cycle inspection that the egress window in the SW bedroom (2nd Level) does not meet egress requirements at the time of reconstruction of the building. The window is a casement/skylight window installed in the roof of the building. The window hardware blocks egress accessibility when opened and the sill height is too high from the floor. (See measurements below). Petitioner is requesting an extension of time to make the repairs by installing a code compliant window.

Openable area required: 4.75 Sq. Ft.	Existing Area: 9.72 Sq. Ft.
Clear width required: 18 inches	Existing width: 28 inches
Clear height required: 24 inches	Existing height: 50 inches, opens to 22 inches
Max. sill height: 48 inches above floor	Existing sill height: 58 inches above floor

Staff recommendation: Deny 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: None

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



RECEIVED
JUL 18 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

BY: _____

Property Address: 414 E. Cottage Grove

Petitioner's Name: Fred Sospel

Address: 6828 Oakwood Trl. S.

City: Indianapolis State: IN Zip Code: 46262

Phone Number: 317-254-9607 Email Address: fsospel@soskelingram.com

Property Owner's Name: Fred Sospel

Address: 6828 Oakwood Trl. S.

City: Indianapolis State: IN Zip Code: 46262

Phone Number: 317-254-9607 Email Address: fsospel@soskelingram.com

Occupants: Alysa L. Feld, James C. Furnish, Lauren R. Hummel, Amber B. Max, Kara A. Schulman, Lauren E. Schwartz

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-86

SEE REVERSE

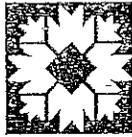
Please provide details regarding your request below; you may attach any exhibits or additional comments as you deem necessary and pertinent to your request. Be specific as to what you are requesting, the reason or justification for your request, the amount of time needed to bring the property into compliance,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

This request is for additional time to complete modification of skylight. Skylight has been purchased and received waiting on contractor for installation - tentatively scheduled for July 27th, 28th.

Signature (required): Fred Sostel

Name (please print): Fred Sostel Date: 7/17/2013

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

2387

OWNERS

Soskel, Frederick
6828 Oakwood Trail South Dr.
Indianapolis, IN 46260

Prop. Location: 414 E Cottage Grove AVE
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/7/14

Date Inspected: 11/05/2012
Primary Heat Source: Gas
Property Zoning: RH
Number of Stories: 2

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

Monroe County Assessor's records indicate this structure was built in 1899.
There were no requirements for emergency egress at the time of construction.

INTERIOR:

MAIN LEVEL

Hallway:

No violations noted.

NW Bedroom 15 x 11:

No violations noted.

Existing Egress Window Measurements: Dbl hung pop out: Const. Yr. - 1899
Height: 22 inches
Width: 30 inches
Sill Height: 31 inches
Openable Area: 4.58 sq. ft.

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

Hall Bath:

No violations noted.

NE Bedroom 13 x 12:

No violations noted. Egress window measurements same as above.

E Bathroom, Kitchen 13 x 7:

No violations noted.

Dining Room 15 x 12:

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

SE Bedroom 13 x 10:

No violations noted. Egress window measurements same as above.

E Center Bedroom 13 x 12:

No violations noted. Egress window measurements same as above.

2ND LEVEL

Stairway/Hallway, Family Room 19 x 16, Laundry Room, Hall Bath:

No violations noted.

SW Bedroom 17 x 7:

Tighten the loose window crank to function as intended. PM-303.13

NOTE: Skylight casement window installed in 1986, hardware restricts opening to 22 inches, restricting egress accessibility. Ladder attached to wall to serve as egress aid.

The emergency egress window does not meet the minimum requirements for a one and two family dwelling altered in 1986. The relevant code is the Indiana Building Code, section: 1204.

Openable area required: 4.75 sq. ft.

Existing area: 9.72 sq. ft.

Clear width required: 18 inches

Existing width: 28 inches

Clear height required: 24 inches

Existing height: 50 inches, opens to 22"

Maximum sill height: 48 inches above finished floor Existing sill: 58 inches above floor

The emergency egress window does not meet the minimum code requirements for the time the structure was 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.

NW Bedroom 18 x 10:

No violations noted.

Existing Egress Window Measurements: Dbl hung pop out: Const. Yr. - 1899

Height: 23 inches

Width: 38 inches

Sill Height: 25 inches

Openable Area: 6.07 sq. ft.

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

NE Bedroom 18 x 8:

No violations noted. Egress window measurements same as above.

BASEMENT:

Stairway:

No violations noted.

Main Room:

Replace the missing receptacle cover plate on the receptacle attached to the ceiling at the base of stairway. PM-605.1

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

Desired level: 0 parts per million (ppm)

Acceptable level in a living space: 9 ppm

Maximum concentration for flue products: 50 ppm

PM-603.1

EXTERIOR:

No violations noted.

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

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: August 21, 2013
Petition Type: Rescind a Variance
Petition Number: 13-RV-87
Address: 802 N Fairview
Petitioner: HAND
Inspector: John Hewett
Staff Report: July 5, 2013 Cycle Inspection

This property was granted a variance on May 13, 1999 for the ceiling height and for pass through. These violations are no longer part of the Bloomington Municipal Code and therefore the variance must be rescinded.

Staff Recommendation: Rescind the variance
Conditions: None
Attachments: Cycle Inspection report, appeal form

sh



RECEIVED
JUL 23 2013

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: 802 N FAIRVIEW

Petitioner's Name: HAND

Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number: _____ Email Address: _____

Property Owner's Name: JOYCE ARTHUR

Address: 201 E SOUTHERN DR.

City: BLOTN State: IN Zip Code: 47401

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-RV-87

SEE REVERSE

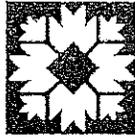
Please provide details regarding your request below; you may attach any exhibits or additional comments as you deem necessary and pertinent to your request. Be specific as to what you are requesting, the reason or justification for your request, the amount of time needed to bring the property into compliance,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

RESCIND VARIANCE NO LONGER COVERED BY
CODE.

Signature (required): _____

Name (please print): JH Date: _____

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

5895

OWNERS

Arthur, Joyce F.
201 E. Southern
Bloomington, IN 47401

Prop. Location: 802 N Fairview ST
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/2/3

Date Inspected: 07/05/2013
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 1

Inspectors: John Hewett
Foundation Type: Crawl Space
Attic Access: No
Accessory Structure:

VARIANCE

05/13/1999 Special exception to the minimum ceiling height requirement in the northwest and northeast bedrooms. Special exception to passing through a room to get to other habitable space.

This property was previously granted a variance to the ceiling height and pass through requirements of the Property Maintenance Code. These requirements are no longer a part of the Bloomington Municipal Code; therefore the variances must be rescinded by the Board of Housing Quality Appeals. This process may slightly delay the issuance of your Rental Occupancy Permit, but will not negatively affect the length of your permit.

Monroe County Assessor's records indicate this structure was built in 1940.
There were no requirements for emergency egress at the time of construction.

Interior

Living room

13-6 x 9-2

No violations noted.

Center bedroom

11-8 x 8-10

Existing Egress Window Measurements:

Height: 23 inches

Width: 27.5 inches

Sill Height: 16 inches

Openable Area: 4.39 sq. ft.

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

NE bedroom

19-3 x 8-0

Existing Egress Window Measurements:

Height: 17 inches

Width: 34.75 inches

Sill Height: 24.5 inches

Openable Area: 4.1 sq. ft.

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

Storage room

No violations noted.

Mechanical room

Boiler documentation was presented at the inspection.

Kitchen

No violations noted.

Exterior

No violations noted.

Other requirements

Required documentation:

Complete the enclosed registration form. A street address is required for both owner and agent. **This form must be signed by the owner and provided to the office within 60 days of the date of the inspection or a \$25.00 fee will be levied.** BMC 16.03.010(b), BMC 16.10.030(b)

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

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: August 21, 2013
Petition Type: Rescind a Variance
Petition Number: 13-RV-88
Address: 401 W. Dodds
Petitioner: HAND
Inspector: John Hewett
Staff Report: May 22, 2013 Cycle Inspection

This property was granted a variance on March 10, 2004 for the ceiling height and for pass through. These violations are no longer part of the Bloomington Municipal Code and therefore the variance must be rescinded.

Staff Recommendation: Rescind the variance
Conditions: None
Attachments: Cycle Inspection report, appeal form



RECEIVED
JUL 23 2013

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: 401 W DODDS

Petitioner's Name: HAND

Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number: _____ Email Address: _____

Property Owner's Name: SHARLYN ROMAINE

Address: 3200 INVERNESS FARMS

City: BLGTN State: IN Zip Code: 47401

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-RV-88

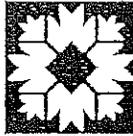
Please provide details regarding your request below; you may attach any exhibits or additional comments as you deem necessary and pertinent to your request. Be specific as to what you are requesting, the reason or justification for your request, the amount of time needed to bring the property into compliance,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

RESCIND PASS THROUGH VARIANCE AND CEILING
HELLOTT VARIANCE, THEY ARE NO LONGER PART
OF THE CODE.

Signature (required): _____

Name (please print): JH Date: _____

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

7327

OWNERS

Romaine, Sharlyn J.
3200 Inverness Farms
Bloomington, IN 47401

Prop. Location: 401 W Dodds ST
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/3/4

Date Inspected: 05/22/2013	Inspectors: John Hewett
Primary Heat Source: Gas	Foundation Type: Basement
Property Zoning: RM	Attic Access: Yes
Number of Stories: 2	Accessory Structure:

VARIANCE

03/10/2004 Special exception to passing through a bedroom to gain access to the 1st floor bathroom and 2nd floor bedroom. Special exception to the minimum ceiling height requirement in the 2nd floor bedroom with the condition that hardwired interconnecting smoke detectors be installed in all bedrooms and no head obstructions shall be placed lower than 6'5" in the 2nd floor bedroom.

This property was previously granted a variance to the pass through and ceiling height requirements of the Property Maintenance Code. This requirement is no longer a part of the Bloomington Municipal Code; therefore the variance must be rescinded by the Board of Housing Quality Appeals. This process may slightly delay the issuance of your Rental Occupancy Permit, but will not negatively affect the length of your permit.

Monroe County Assessor's records indicate this structure was built in 1923.
There were no requirements for emergency egress at the time of construction.

Interior

Living room

12-8 x 13-8

No violations noted.

NW bedroom 9-0 x 11-4, SW bedroom 9-0 x 9-7
Existing Egress Window Measurements:

Height: 22.5 inches
Width: 29 inches
Sill Height: 31 inches
Openable Area: 4.53 sq. ft.

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

Bathroom

No violations noted.

Dining room

10-4 x 13-8

No violations noted.

Kitchen

7-3 x 12-9

No violations noted.

2nd Floor

Bedroom

21-7 x 7-11

Existing Egress Window Measurements:

Height: 38.25 inches
Width: 20 inches
Sill Height: 26 inches
Openable Area: 5.31 sq. ft.

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

Back porch

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
BMC 16.01.060(f) and 16.04.060 (c)

Exterior

No violations noted.

Other requirements

Required documentation:

C 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) and 16.10.030(b)

Required documentation:

C 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 and 16.10.030(b)

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

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: August 21, 2013
Petition Type: An extension of time to complete repairs.
Petition Number: 13-TV-81
Address: 508 N. Washington Street
Petitioner: Cheryl Underwood
Inspector: Maria McCormick
Staff Report: June 10, 2013 Completed Complaint Inspection
July 7, 2013 Receive Application for Appeal

A rental complaint was received by HAND about a dead tree in the front yard of this property. A complaint report was sent to the property owner requesting removal of the tree. The petitioner requested an extension of time to remove the tree stating that she did not believe it was on her property but in the city's right of way. According to Lee Huss the city's arborist the tree is not in the city's right of way and is dead, needing to be removed. The tree is the responsibility of the petitioner. The petitioner was contacted on July 29, 2013 and advised that the tree is her responsibility and would have a compliance deadline of September 15, 2013.

Staff recommendation: Grant an extension of time.
Conditions: The tree must be removed and re-inspected by the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.
Compliance Deadline: September 15, 2013
Attachments: Application for Appeal, Complaint Inspection, Photos, Documentation from City Arborist



RECEIVED
JUL 02 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: 508 N Washington St

Petitioner's Name: Cheryl L Underwood

Address: 825 N Walnut St, Ste A

City: Bloomington State: IN Zip Code: 47404

Phone Number: (812) 3340094 Email Address: cunderwoodhomefinder.org

Property Owner's Name: same

Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number: _____ Email Address: _____

Occupants: _____

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

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

Please circle the petition type that you are requesting:

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

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

OFFICE USE ONLY
Petition Number B-TV-81

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 tree is dead but I believe it is in the city right of way as shown on recorded plats and not my responsibility to take down.

Signature (required): Cheryl L Underwood
Name (please print): Cheryl L Underwood Date: 7/2/13

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

JUN 14 2013

Cheryl Underwood
825 N. Walnut Street
Bloomington IN 47404

RE: NOTICE OF COMPLAINT INSPECTION

Dear Cheryl Underwood:

On June 10, 2013 a complaint inspection was performed at 508 N. Washington Street. During the inspection violations of the Residential Rental Unit and Lodging Establishment Inspection Program were found.

Please correct the violations cited on the enclosed inspection report within fourteen days and call this office no later than **JUN 28 2013**, to schedule the required re-inspection. Our mailing address and telephone number are listed below.

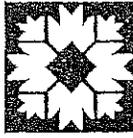
This directive is issued in accordance with Sections BMC 16.03.040 (c) and 16.10.040 (a) of the Residential Rental Unit and Lodging Establishment Inspection Program of Bloomington. You have the right to appeal to the Board of Housing Quality Appeals. If you need more than fourteen to correct the violations, or if you want to appeal any violation, an appeal form can be found at www.bloomington.in.gov/hand. If you do not have access to the internet, you may contact HAND at 812-349-3420 and a form will be provided.

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

Sincerely,

Housing & Neighborhood Development

Encl: Inspection Report



City of Bloomington
Housing and Neighborhood Development

Complaint Report

2283

OWNERS

Underwood, Cheryl
825 N. Walnut Street
Bloomington, IN 47404

Prop. Location: 508 N Washington ST

Units/Bedrooms/Max # of Occupants: Bld 1: 1/3/5 2/1/2

Date Inspected: 06/10/2013

Primary Heat Source: Gas

Property Zoning: RM

Number of Stories: 3

Number of Units/Structures: 3/1

Inspectors: Maria McCormick

Foundation Type: Basement

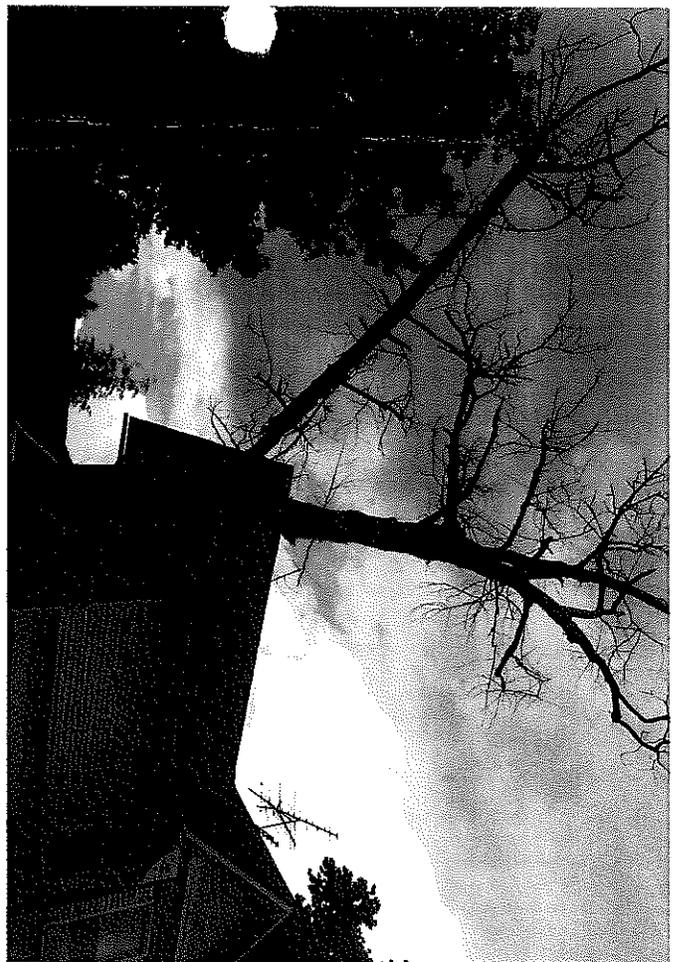
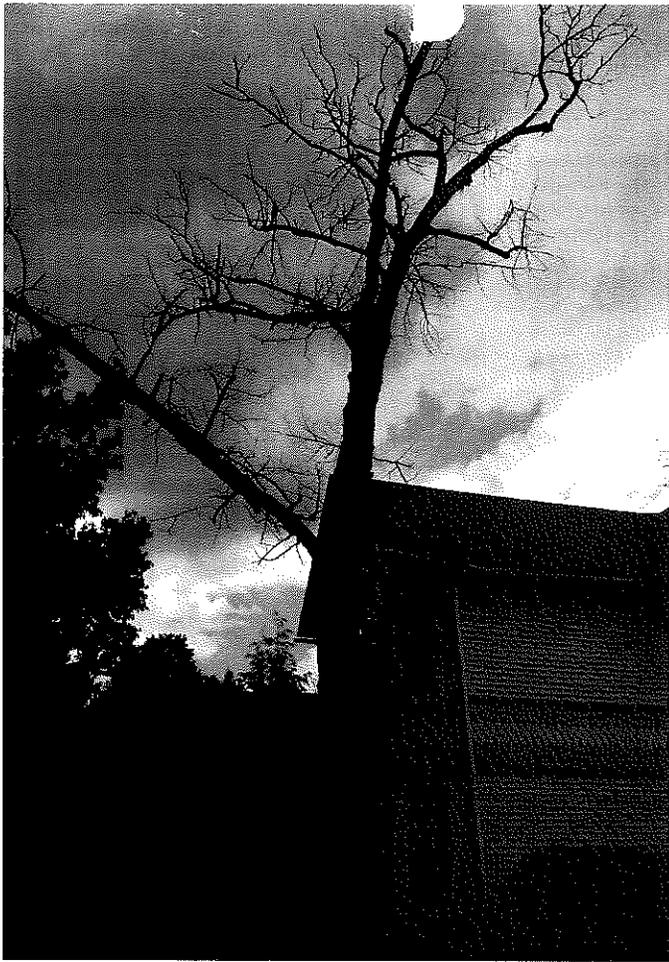
Attic Access: N/A

Accessory Structure: Garage/Storage

The following items are the result of a complaint inspection conducted on 06/10/2013. It is your responsibility to repair these items and to schedule a re-inspection within **fourteen (14)** days of the mailing of this report. Failure to comply with this inspection report will result in this matter being referred to the City of Bloomington Legal Department. Failure to comply with this complaint inspection report may result in fines of up to \$100.00/day. If you have questions regarding this report, please contact this office at 349-3420.

EXTERIOR:

All residential rental unit premises which contain trees shall maintain the trees in good health so that they pose no danger to persons or property. Remove the dead/dying tree in the southwest corner of the property adjacent to the sidewalk along North Washington Street or provide documentation from a certified professional that the tree is in good health. BMC 16.04.040(e)





Lee Huss <hussl@bloomington.in.gov>

Dead tree at 508 N. Washington St.

1 message

Maria McCormick <mccormim@bloomington.in.gov>
To: Lee Huss <hussl@bloomington.in.gov>

Fri, Jul 19, 2013 at 1:25 PM

Lee -

There is a dead tree in the front yard (southern edge) of 508 N. Washington Street. We have had a rental complaint filed about this tree. The property owner is now claiming that it is in the city's right of way and our problem to remove. Planning couldn't give me a definitive answer about the right of way and directed me to you. Would it be possible for you to let me if it is or isn't in the right of way. The property owner has requested an extension of time for this tree and I know that a couple of large limbs have all ready come down.

Thank you,
Maria McCormick

Housing & Neighborhood Development
City of Bloomington
(812) 349-3420

**TREE IS PRIVATE AND YES
STONE DEAD.**

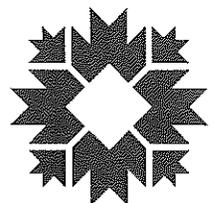


By: hussl
22 Jul 13



For reference only; map information NOT warranted.

City of Bloomington



Scale: 1" = 40'

N