



APPLICATION FOR VARIANCE

State Form 44400 (R7 / 10-13)
Approved by State Board of Accounts, 2013

INDIANA DEPARTMENT OF HOMELAND SECURITY CODE SERVICES SECTION

302 West Washington Street, Room W246
Indianapolis, IN 46204-2739
http://www.in.gov/dhs/fire/fp_bs_comm_code/



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

Variance number (Assigned by department)

15-67-03

1. APPLICANT INFORMATION (Person who would be in violation if variance is not granted; usually this is the owner)

Name of applicant	Title
Lia Morris	Owner
Name of organization	Telephone number
	(812) 323-0974
Address (number and street, city, state, and ZIP code)	
416 Northlane, Dr., Bloomington, IN 47404	

2. PERSON SUBMITTING APPLICATION ON BEHALF OF THE APPLICANT (If not submitted by the applicant)

Name of applicant	Title
Vicky Holdeman	Property Manager
Name of organization	Telephone number
Pyramid Properties	(812) 323-0974
Address (number and street, city, state, and ZIP code)	
PO Box, 1745, Bloomington, IN 47402	

3. DESIGN PROFESSIONAL OF RECORD (If applicable)

Name of design professional	License number
NA	
Name of organization	Telephone number
	()
Address (number and street, city, state, and ZIP code)	

4. PROJECT IDENTIFICATION

Name of project	State project number	County
1735 N. Lincoln window variance	NA	Monroe
Address of site (number and street, city, state, and ZIP code)		
1735 N. Lincoln St., Bloomington, IN 47408		
Type of project		
<input type="checkbox"/> New <input type="checkbox"/> Addition <input type="checkbox"/> Alteration <input type="checkbox"/> Change of occupancy <input checked="" type="checkbox"/> Existing		

5. REQUIRED ADDITIONAL INFORMATION

The following required information has been included with this application (check as applicable):

- A check made payable to the Indiana Department of Homeland Security for the appropriate amount. (see instructions)
- One (1) set of plans or drawings and supporting data that describe the area affected by the requested variance and any proposed alternatives.
- Written documentation showing that the local fire official has received a copy of the variance application. - Emailed to you by fire official.
- Written documentation showing that the local building official has received a copy of the variance application.

6. VIOLATION INFORMATION

Has the Plan Review Section of the Division of Fire and Building Safety issued a Correction Order?

Yes (If yes, attach a copy of the Correction Order.) No

Has a violation been issued?

Yes (If yes, attach a copy of the Violation and answer the following.) No

Violation issued by:

Local Building Department
 State Fire and Building Code Enforcement Section
 Local Fire Department

7. DESCRIPTION OF REQUESTED VARIANCE

Name of code or standard and edition involved

Specific code section

1987 Indiana Building Code, section R-211.2

R-211.2

Nature of non-compliance (Include a description of spaces, equipment, etc. involved as necessary.)

Emergency egress windows do not meet minimum requirements for a one and two family dwelling built in 1990. Clear height required is 24 inches and existing height is 20 inches.

8. DEMONSTRATION THAT PUBLIC HEALTH, SAFETY, AND WELFARE WILL BE PROTECTED

Select one of the following statements:

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

Facts demonstrating that the above selected statement is true:

Openable area required is 4.75 sq. ft and existing area is 4.72 sq. ft. Clear width required is 18 inches and existing width is 34 inches. Maximum sill height is 48" above finished floor and existing sill is 36 inches.

9. DEMONSTRATION OF UNDUE HARDSHIP OR HISTORICALLY SIGNIFICANT STRUCTURE

Select at least one of the following statements:

- Imposition of the rule would result in an undue hardship (*unusual difficulty*) because of physical limitations of the construction site or its utility services.
- Imposition of the rule would result in an undue hardship (*unusual difficulty*) because of major operational problems in the use of the building or structure.
- Imposition of the rule would result in an undue hardship (*unusual difficulty*) because of excessive costs of additional or altered construction elements.
- Imposition of the rule would prevent the preservation of an architecturally or a historically significant part of the building or structure.

Facts demonstrating that the above selected statement is true:

The condo association will not allow the replacement of windows in order to preserve the overall look of the building. This would mean that the owner would be unable to lease the property and obtain an occupancy permit. This property was purchased as an investment property and has had a variance in the past through the Bloomington Housing and Neighborhood Development.

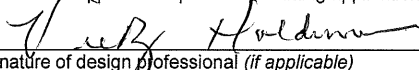
10. STATEMENT OF ACCURACY

I hereby certify under penalty of perjury that the information contained in this application is accurate.

Signature of applicant or person submitting application

Please print name

Date of signature (month, day, year)



Vicky Holdeman

5/20/15

Signature of design professional (if applicable)

Please print name

Date of signature (month, day, year)

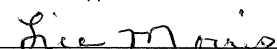
11. STATEMENT OF AWARENESS (If the application is submitted on the applicant's behalf, the applicant must sign the following statement.)

I hereby certify under penalty of perjury that I am aware of this request for variance and that this application is being submitted on my behalf.

Signature of applicant

Please print name

Date of signature (month, day, year)



Lia Morris

5/20/15



Supporting Data

City of Bloomington
Housing and Neighborhood Development

APR 30 2015

RENTAL PERMIT INFORMATION

Morris, Lia
416 Northlane Dr.
Bloomington, IN. 47408

Property Location: 1735 N. Lincoln St.

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

Once violations have been corrected, it is your responsibility to call the Housing and Neighborhood Development office by **JUN 29 2015** to schedule a re-inspection. You have the right to appeal any violation to the Board of Housing Quality Appeals. An appeal form can be found at www.bloomington.in.gov/hand. If you do not have access to the internet, you may contact HAND at 812-349-3420 and a form will be provided.

This report is issued in accordance with BMC 16.10.020(a) and 16.10.040(a) of the Residential Rental Unit and Lodging Establishment Inspection Program. Residential Rental Occupancy Permits will not be issued until all interior and exterior violations have been corrected, and all fees have been paid. Please be advised that non-compliance by the deadlines listed in this letter can limit the permit period to a maximum of three (3) years. A copy of the Notice of Fees can be found at www.bloomington.in.gov/hand. If you do not have access to the internet, you may contact HAND at 349-3420 and a form will be provided.

If your address has changed since your last inspection, please submit a new registration form to the HAND Department. You can find the registration form online at the website listed above. If you do not have internet access, you may contact HAND at 812-349-3420 and a form will be mailed.

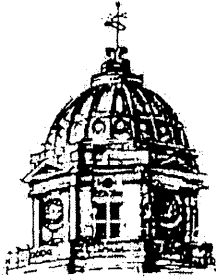
If you have any questions regarding the permit process, please call weekdays between 8:00 a.m. and 5:00 p.m., at (812) 349-3420.

Sincerely,

Housing and Neighborhood Development Department

Enclosures: Inspection Report

Xc Pyramid Properties



Monroe County Building Department

Monroe County Government Center
501 North Morton Street, Suite 220 - B
(812) 349-2580 Fax (812) 349-2967

May 26, 2015

Indiana Department of Homeland Security
Fire Prevention & Building Safety Commission
402 West Washington Street – Room W246
Indianapolis, IN 46204-2739

RE: **Variance Application Acknowledgement**
MONROE COUNTY

Project Identification: **1735 North Lincoln Street**
Bloomington, IN 47408

Applicant: Lia Morris
416 Northlane Drive
Bloomington, IN 47401

Submitted by: Vickie Holdeman
Pyramid Properties
P.O. Box 1745
Bloomington, IN 47402

This is to acknowledge that I have been made aware of a variance application for the above-specified location requesting variance to the appropriate **Section R-211 of the applicable Indiana One & Two Family Dwelling Code.**

This project involves windows in existing construction which has been inspected by The City of Bloomington property maintenance inspectors numerous times during routine inspection without citation. A copy of the Housing & Neighborhood report was not submitted for consideration.

The Monroe County Building Department acknowledges this request for variance.

Respectfully,

Jim Gerstbauer, CBO
Monroe County / City of Bloomington
Building Commissioner

cc: State, file



**City of Bloomington
Housing and Neighborhood Development**

Cycle Report

3131

OWNERS

=====
Morris, Lia
416 Northlane Dr.
Bloomington, IN 47408

AGENT

=====
Pyramid Properties
P.O. Box 1745
Bloomington, IN 47402

Prop. Location: 1735 N Lincoln ST
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/2/5
Date Inspected: 04/08/2015
Primary Heat Source: Electric
Property Zoning: RH
Number of Stories: 2

Inspectors: Dee Wills
Foundation Type: Slab
Attic Access: Yes
Accessory Structure: None

Monroe County Assessor's records indicate this structure was built in 1990.
The egress requirements at the time of construction are as follows:

Openable height: 24 inches
Openable width: 18
Sill height: Not more than 48 inches above finished floor
Openable area: 4.75 square feet

INTERIOR

Main Level

Living Room (19-8 x 11-6)

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

Kitchen (5-7 x 5-4)

Properly re-caulk above the sink countertop to eliminate water infiltration. BMC 16.04.060(a)

Repair the faucet sprayer on the sink to function as intended by the manufacturer, or remove and properly terminate the line for the sprayer. BMC 16.04.060(c)

½ Bathroom/ Laundry/ Utility Closet

No violations noted.

Upper Level

Front Bedroom (12-5 x 10-7)

Replace damaged or torn window screen. BMC 16.04.060(a)

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: 4.72 sq. ft.
Clear width required: 18 "	Existing width: 34 "
Clear height required 24 "	Existing height: 20 "
Maximum sill height: 48" above finished floor	Existing sill: 36 "

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.

Hallway

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

Front Bathroom

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

Replace the missing protective cover for the light fixture. BMC 16.04.060(c)