



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)
16-05-01

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

Name of applicant Dwayne Woods	Title owner
Name of organization	Telephone number (812) 606-1994
Address (number and street, city, state, and ZIP code) 1101 east Miller Drive Bloomington, IN 47401	

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

Name of applicant	Title
Name of organization	Telephone number ()
Address (number and street, city, state, and ZIP code)	

3. DESIGN PROFESSIONAL OF RECORD (If applicable)

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

4. PROJECT IDENTIFICATION

Name of project Woodst Woods	State project number N/A	County Monroe
Address of site (number and street, city, state, and ZIP code) 148 & 150 Willow Court Bloomington, IN 47401		
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.
- 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

Housing And neighborhood Development

7. DESCRIPTION OF REQUESTED VARIANCE

Name of code or standard and edition involved R204	Specific code section 14180 14180, CABO One and two family Dwelling code, Section R204.
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Nature of non-compliance (Include a description of spaces, equipment, etc. involved as necessary.)
 The duplex located at 148 & 150 Willow Court are mirrored units built on two levels with the lower level ranging from 36" to walk-out elevation. One of the bedrooms on both sides have a horizontal dimension of 6' - 8" rather than the standard minimum 7'. The duplex was built in 1994 and we acquired it in the spring of 2011 through an FDIC auction. Both units were inspected by HAND at that time and were granted new occupancy permits. The windows in these rooms are set to where sill height is at grade elevation and the windows are in compliance for egress.

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:
 EXTERIOR WALL IS BLOCKED WITH DRYWALL COVERING THE OPPOSING WALL THIS WOULD IMPEND ONTO THE STAIRS WHICH WOULD THEN VIOLATE CODE. NO WAY TO MAKE ROOM LARGER

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:
 NO WAY TO EFFECTUALLY ENLARGE ROOM, THIS WOULD SUBSTANTIALLY BE VERY DIFFICULT TO RECURSE MONEY.

10. STATEMENT OF ACCURACY

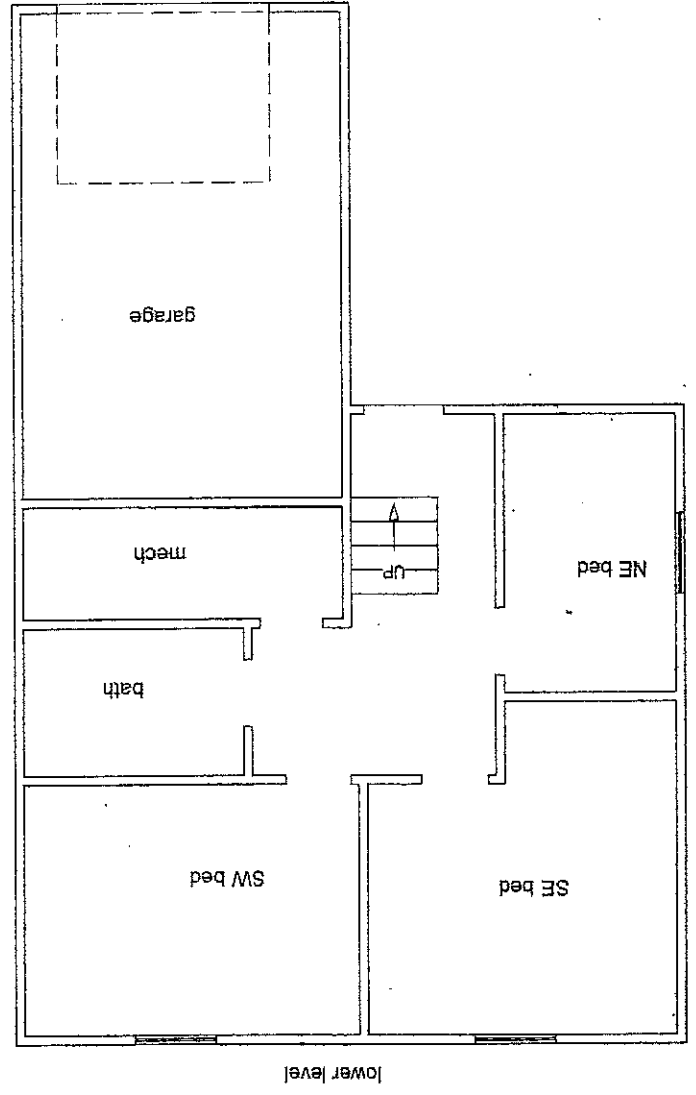
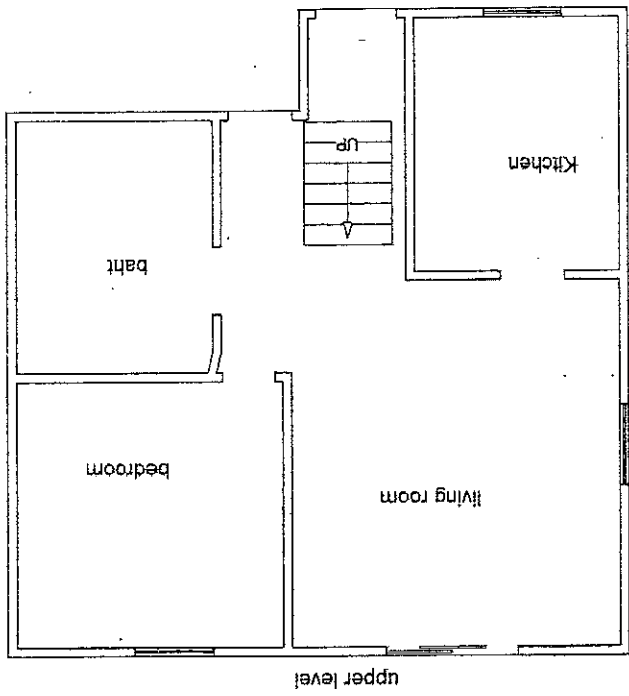
I hereby certify under penalty of perjury that the information contained in this application is accurate.

Signature of applicant or person submitting application <i>Don Woods</i>	Please print name Dwayne Woods	Date of signature (month, day, year) 3/15/2016
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)
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One and Two Family Dwelling Code

change of air every 30 minutes, artificial light is provided capable of producing an average illumination of 6 footcandles over the area of the room at a height of 30 inches above the floor level, and the opening is not required by Section R-210.

R-203.2 Alcove rooms: When alcove rooms open without obstruction into adjoining rooms, the required window openings to the outer air shall be based on the combined floor area of room and alcove. For purpose of determining light and ventilation requirements, any room may be considered as a portion of an adjoining room when at least one-half of the area of the common wall is open and unobstructed and provides an opening of not less than one-tenth of the floor area of the interior room but not less than 25 square feet.

R-203.3 Bathrooms: Bathrooms, water closet compartments and other similar rooms shall be provided with aggregate glazing area in windows of not less than 3 square feet, one-half of which must be openable.

Exception: The glazed areas shall not be required where artificial light and an approved mechanical ventilation system capable of producing a change of air every 12 minutes are provided. Bathroom exhausts shall be vented directly to the outside.

R-203.4 Required glazed openings: Required glazed openings shall open directly onto a street or public alley, or a yard or court located on the same lot as the building.

Required glazed openings may face into a roofed porch where the porch abuts a street, yard or court and the longer side of the porch is at least 65 percent open and unobstructed and the ceiling height is not less than 7 feet.

SECTION R-204 — ROOM SIZES

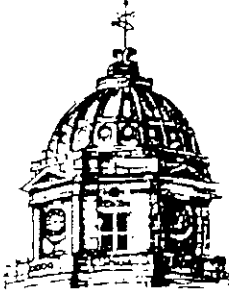
Every dwelling unit shall have at least one habitable room which shall have not less than 150 square feet of floor area. Other habitable rooms shall have an area of not less than 70 square feet. Every kitchen shall have not less than 50 square feet of floor area.

Habitable rooms, except kitchens, shall be not less than 7 feet in any horizontal dimension.

SECTION R-205 — CEILING HEIGHT

Habitable rooms, except kitchens, shall have a ceiling height of not less than 7 feet 6 inches for at least 50 percent of their required areas. Not more than 50 percent of the required area may have a sloped ceiling less than 7 feet 6 inches in height with no portion of the required areas less than 5 feet in height. If any room has a furred ceiling, the prescribed ceiling height is required for at least 50 percent of the area thereof, but in no case shall the height of the furred ceiling be less than 7 feet.

Portions of a room with a sloping ceiling measuring less than 5 feet 0 inches or a furred ceiling measuring less than 7 feet 0 inches from the



Monroe County Building Department

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

April 26, 2016

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: **Woods**
148 & 150 Willow Court
Bloomington, IN 47401

Applicant: Duayne Woods
1101 East Miller Drive
Bloomington, IN 47401

This is to acknowledge that I have been made aware of a variance application for the above-specified location requesting variance to **Section R204 of the 1989 Indiana One & Two Family Dwelling Code**.

This project addresses the minimum room size requirements of the Code.

The Monroe County Building Department acknowledges this request for variance and requests approval as submitted.

Respectfully,

A handwritten signature in black ink, appearing to read 'Jim Gerstbauer', is written over a horizontal line.

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

cc: State, file