



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/tp_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)

18-06-04

1. APPLICANT INFORMATION (Person who would be in violation if variance is not granted; usually this is the owner)		
Name of applicant	Title	
Michele Louise Burns	Owner	
Name of organization	Telephone number	
	(812) 679-7422	
Address (number and street, city, state, and ZIP code)		
8414 Hill Gail Dr., Indianapolis IN, 46217		
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	License number	
Name of organization	Telephone number	
	()	
Address (number and street, city, state, and ZIP code)		
4. PROJECT IDENTIFICATION		
Name of project	State project number	County
Address of site (number and street, city, state, and ZIP code)		
554 East Graham Pl., Bloomington IN, 47401		
Type of project		
<input type="checkbox"/> New <input type="checkbox"/> Addition <input type="checkbox"/> Alteration <input checked="" type="checkbox"/> Change of occupancy <input type="checkbox"/> Existing		
5. REQUIRED ADDITIONAL INFORMATION		
The following required information has been included with this application (check as applicable):		
<input checked="" type="checkbox"/> A check made payable to the Indiana Department of Homeland Security for the appropriate amount. (see instructions)		
<input type="checkbox"/> One (1) set of plans or drawings and supporting data that describe the area affected by the requested variance and any proposed alternatives.		
<input checked="" type="checkbox"/> Written documentation showing that the local fire official has received a copy of the variance application.		
<input checked="" type="checkbox"/> Written documentation showing that the local building official has received a copy of the variance application.		
6. VIOLATION INFORMATION		
Has the Plan Review Section of the Division of Fire and Building Safety issued a Correction Order?		
<input type="checkbox"/> Yes (If yes, attach a copy of the Correction Order.) <input type="checkbox"/> No		
Has a violation been issued?		
<input type="checkbox"/> Yes (If yes, attach a copy of the Violation and answer the following.) <input type="checkbox"/> No		
Violation Issued by:		
<input type="checkbox"/> Local Building Department <input type="checkbox"/> State Fire and Building Code Enforcement Section <input type="checkbox"/> Local Fire Department		

7. DESCRIPTION OF REQUESTED VARIANCE

Name of code or standard and edition involved

1980 1+2 Fam R 211

Specific code section

R 211

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

Condominium built 1983. Minimum emergency egress req. at time of constr. were H 24 in. w 18 in. Sill height 48 in. Operable area 4.75 sq ft.
Lower level bedroom window is H 19.75 (violation) W 34.75 Sill 44.5 Operable 4.76 sq ft.
(See page 3)

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:

While height of opening is 4.25 in. short, according to 1980 code, the Operable area is still within code, and it is a condo in a 110 unit complex in which owners may not change windows to not match other units. It is a spacious opening, I am confident I and most people could easily exit if needed.

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:

Only condos applying for rental permit held to standard, and HOA will not allow structural changes to windows - covenant requires matching windows, hence my application for variance

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

Michele Burns

Please print name

Michele Burns

Date of signature (month, day, year)

April 15, 2018

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)



City Of Bloomington
Housing and Neighborhood Development
CYCLE INSPECTION REPORT

456

Owner(s)

Burns, Michele L.
 8414 Hill Gail Drive
 Indianapolis, IN 46217

Prop. Location: 554 E Graham PL

Number of Units/Structures: 1/1

Units/Bedrooms/Max # of Occupants: Bld 1: 1/4/5

Date Inspected: 03/13/2018

Primary Heat Source: Electric

Property Zoning: RM

Number of Stories: 2

Inspector: Mike Arnold

Foundation Type: Basement

Attic Access: Yes

Accessory Structure: none

Monroe County records show this structure was built in 1983. The minimum emergency egress requirements at the time of construction were as follows:

Height: 24 inches
Width: 18 inches
Sill Height: 48 inches
Openable Area: 4.75 sq. ft.

Interior:Lower Level:Main Room, Utility/Bathroom:

No violations noted

Bedroom (13-11 x 10-0):Existing Egress:

Height: 19.75 inches
Width: 34.75 inches
Sill Height: 44.5 inches
Openable Area: 4.76sq. ft.

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

This window does not meet the minimum egress requirement of the Building Code in place at the time this structure was built. The applicability of this Code is under review by the State of Indiana. At this time Housing and Neighborhood Development strongly recommends repairing/replacing the window to meet the code requirements at the time of construction. Upon completion of State review this issue may be re-visited on subsequent Cycle Inspection Reports.

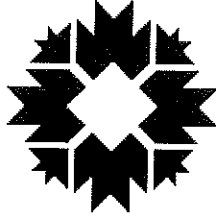
401 N Morton St
 Bloomington, IN 47404
 Fax (812) 349-3582

City Hall

bloomington.in.gov

Rental Inspection (812) 349-3420
 Neighborhood Division (812) 349-3421
 Housing Division (812) 349-3401

City of Bloomington Fire Department



Mayor John Hamilton
Chief Jason Moore

Bloomington Fire Department
300 E. 4th Street
Bloomington, IN 47402

(812) 332-9763
(812) 332-9764 FAX

Indiana Department of Homeland Security
Fire Prevention & Building Safety Commission
402 West Washington St -- Rm W246
Indianapolis IN 46204-2739

RE: Variance Application Acknowledgement

April 18, 2018

Person requesting variance:
Michelle Burns

Site:
554 E. Graham Pl., Bloomington, IN 47401

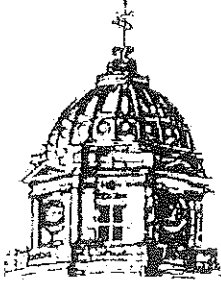
Project# N/A
Window size variance

This is acknowledgement of the request for variance for the above project

Sincerely,

A handwritten signature in black ink that reads "Timothy K. Clapp". The signature is written in a cursive, flowing style.

Tim Clapp
Bloomington Fire Department
Fire Inspection Officer
(812) 349-3889 (O)
(812) 349-3885 (F)
E-mail: clappt@bloomington.in.gov



Monroe County Building Department

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

April 27, 2018

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: 554 East Graham Place
Bloomington, IN 47401**

Applicant:

Michelle Louise Burns
8414 Hill Gail Drive
Indianapolis, IN 46217

This is to acknowledge that I have been made aware of a variance application for the above-specified location requesting variance to Section R-211 of the 1980 Indiana One & Two Family Dwelling Code.

This project involves windows in existing construction which have been inspected by The City of Bloomington property maintenance inspectors numerous times during routine inspection without citation.

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

Respectfully,

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

cc: State
file