



City of Bloomington
Planning and Transportation Department

August 17, 2023

Joe Davis
530 S. Washington Street
Bloomington, IN 47401

Re: Notice of Violation and Fines for Violations of Titles 20 of the Bloomington Municipal Code
Property located at 530 S. Washington Street, Bloomington, Indiana
Illegal Land Use
Parking on an Unimproved Surface

Dear Sir or Madam:

This letter serves as a Notice of Violation and Fines for a violation of 20.03.030(e) [Use-Specific Standards; Employment Uses] of the Bloomington Municipal Code (“BMC”) at 530 S. Washington Street (“Property”). Records show you are the owner of this property.

It has come to the attention of the City of Bloomington Planning and Transportation Department (“Department”) that vehicles have been parked on an unimproved surface (grass) and the prohibited outdoor storage of materials has been ongoing at the property located at 530 S. Washington Street. The City of Bloomington Housing and Neighborhood Development (HAND) Department contacted the City of Bloomington Planning and Transportation Department regarding the ongoing violations at 530 S. Washington Street. Enclosed are images from the HAND Department’s site visit to 530 S. Washington Street on 06/23/2023 depicting these violations. This property is located in the “R4 - Residential Urban” zoning district

Letters dated 08/24/2021 and 10/20/2022 were previously sent to the property owner, establishing compliance deadlines for the ongoing violations. As of the date of this letter, both violations remain unresolved.

According to the Allowed Use Table, attached, which is found in Unified Development Ordinance (UDO) **Section 20.03.020 [Use Regulations; Allowed Use Table]**, the use of “Outdoor Storage” is not permitted in the R4 district.

According to Unified Development Ordinance (UDO) **Section 20.03.030 [Use-Specific Standards];**

(C) Prohibited Storage Materials

In all zoning districts where this use is allowed, except for the MI zoning district, outdoor storage of equipment, materials, waste or scrap materials, and pallets is prohibited.

According to Unified Development Ordinance (UDO) **Section 20.07.010 [Definitions; Defined Words];**

Storage, Outdoor

The storage of any material outside of an enclosed building for a period greater than 24 hours, including but not limited to storage of items awaiting processing or repair. This use does not include “Vehicle Sales or Rental” or accessory “Outdoor Retail and Display” uses.

According to Unified Development Ordinance (UDO) **Section 20.03.030(e) [Use-Specific Standards; Employment Uses];**

(1) Storage, Outdoor

(A) Parking of Vehicles

All outdoor parking of vehicles in all zoning districts shall comply with the following standards:

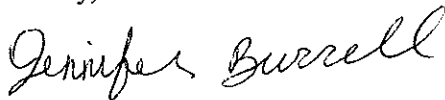
- i. Vehicles and trailers shall not be stored or parked on an unimproved surface.
- ii. Stored or parked vehicles shall not block, impede, or otherwise encroach upon a sidewalk.
- iii. Stored or parked vehicles shall not be used for other purposes, including, but not limited to, living quarters, or storage of materials.

As a result of these violations, pursuant to BMC Section 20.06.100(d), Joe Davis, is hereby assessed a fine of \$7,650.00. This is reflective of a fifty dollar (\$50) fine per day for parking on an unimproved surface beginning on 08/16/2023 and a two-thousand five-hundred dollar (\$2,500) fine per day for Illegal Land Use for the prohibited outdoor storage of materials beginning on 08/16/2023. Each day a violation is allowed to continue is considered a distinct and separate violation. Subsequent violations are twice the previous fine, up to a maximum daily fine of seven thousand five hundred dollars (\$7,500). Payment of the full amount of \$7,650.00 shall be made to City of Bloomington Planning and Transportation, 401 N. Morton St., Suite 130, Bloomington, IN 47404, no later than 08/31/2023.

You may appeal this Notice of Violation to the City of Bloomington Board of Zoning Appeals, provided that the appeal is in writing and is filed with the Board of Zoning Appeals no later than ten (10) days from the date of this NOV. Fines levied for violation of this title may be contested in the Monroe County Circuit Court.

If the assessed fine is not paid by 08/31/2023, the City of Bloomington ("City") reserves the right to initiate suit against you in the Monroe County Circuit Court in order to reduce the fines to a judgment.

Sincerely,



Jennifer Burrell
Senior Zoning Compliance Planner, Planning and Transportation Department

CC: Scott Robinson, AICP, Director, Planning and Transportation Department
Beth Rosenbarger, AICP, Assistant Director, Planning and Transportation Department
Jackie Scanlan, AICP, Development Services Manager, Planning and Transportation Department
Mike Rouker, City Attorney

Enclosure: (11) Photographs



Photo 1: Outdoor storage of materials at 530 S. Washington Street on 06/23/2023.

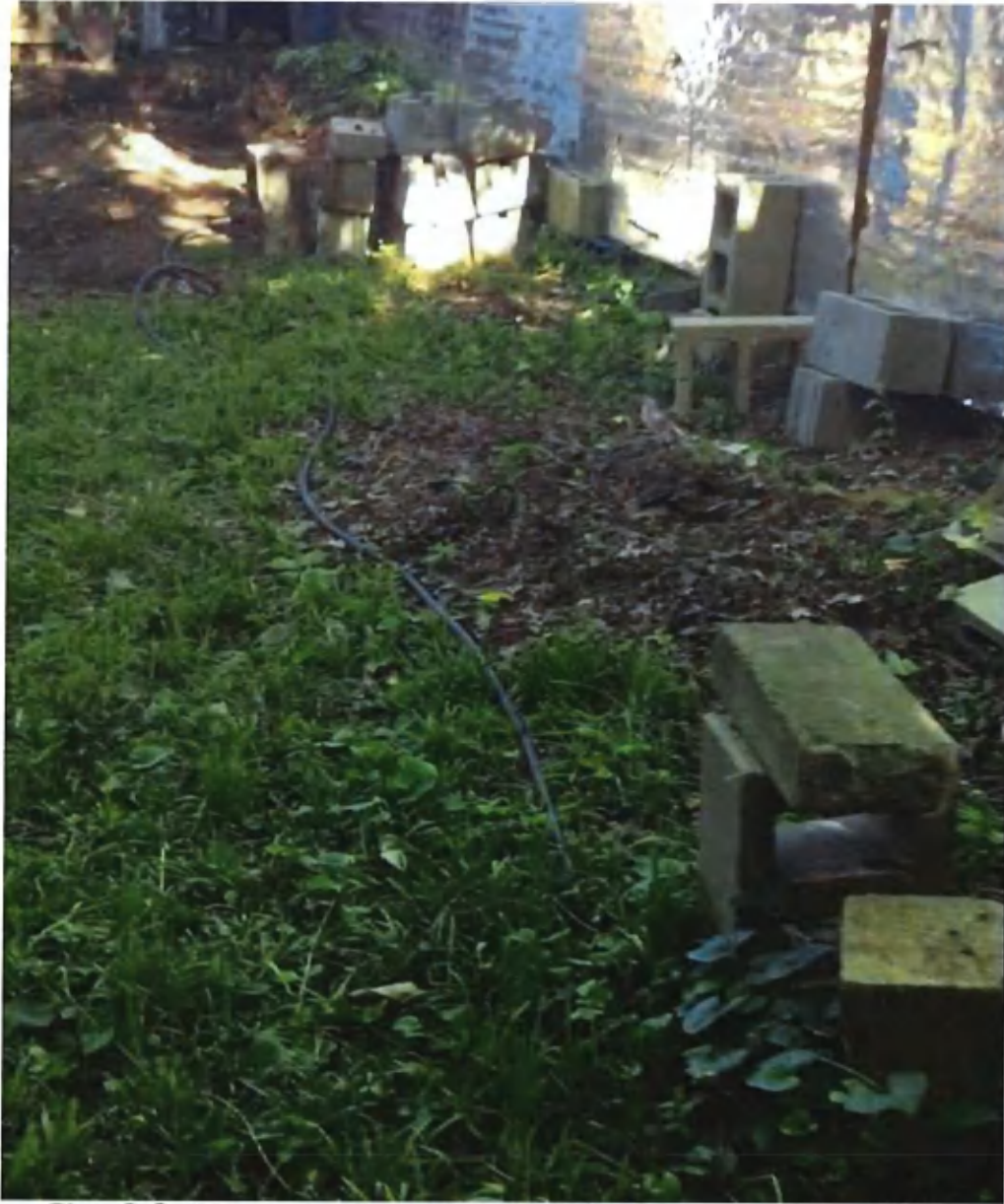


Photo 2: Outdoor storage of materials at 530 S. Washington Street on 06/23/2023.



Photo 3: Outdoor storage of materials, specifically equipment, at 530 S. Washington Street on 06/23/2023.



Photo 4: Outdoor storage of materials and parking on unimproved surface at 530 S. Washington Street on 06/23/2023.



Photo 5: Outdoor storage of materials and parking on unimproved surface at 530 S. Washington Street on 06/23/2023.



Photo 6: Outdoor storage of materials and parking on unimproved surface at 530 S. Washington Street on 06/23/2023.



Photo 7: Outdoor storage of materials at 530 S. Washington Street on 06/23/2023.



Photo 8: Outdoor storage of materials at 530 S. Washington Street on 06/23/2023.



Photo 9: Outdoor storage of materials at 530 S. Washington Street on 06/23/2023.



Photo 10: Outdoor storage of materials and parking on unimproved surface at 530 S. Washington Street on 06/23/2023.



Photo 11: Outdoor storage of materials at 530 S. Washington Street on 06/23/2023.

