



**BARTHOLOMEW COUNTY  
BOARD OF ZONING APPEALS  
(June 27, 2016 Meeting)**

**STAFF REPORT**

**Docket No. / Project Title:** B/CU-16-07 (Agam & Natalie Singh)  
**Staff:** Melissa Begley  
**Applicant:** Agam & Natalie Singh  
**Property Size:** 40.43 Acres  
**Zoning:** AG (Agricultural: General)  
**Location:** 12000 Moore's Vineyard Rd., in Ohio Township

**Background Summary:**

The applicant has indicated that the proposed conditional use will allow a tourist rental home, under the Zoning Ordinance definition for a shared housing facility (a dwelling unit occupied by more than 5 unrelated adults), within an AG (Agriculture: General Rural) zoning district. The property was previously a group home for girls, known as Youth Hope and was closed in 2013. A group home is also considered a shared housing facility, however since it is considered abandoned by the Zoning Ordinance, any legal non-conformity ("Grandfathering") no longer applies and the resumption of a shared housing use must go before the Board of Zoning appeals for Conditional Use approval.

If the requested number of renters did not exceed 5 unrelated individuals, the use would fall under the definition of single-family residential and would be permitted without conditional use approval within this zoning district. Therefore, if this request was denied, the applicant would still be permitted to rent the property up to 5 unrelated guests.

**Key Issue Summary:**

The following key issue(s) should be resolved through the consideration of this application: Is a shared housing facility – in this case a home occasionally occupied by more than 5 unrelated adults - appropriate at this location?

**Preliminary Staff Recommendation:**

Approval, all criteria have been met.

**Zoning District Intent:**

The intent of the AG (Agricultural: General) zoning district is as follows: to provide areas for a mixture of agricultural and residential land uses. This mixture is intended to support the long-term viability of agricultural operations, while also allowing increased non-agricultural development in areas adjacent to developed infrastructure. This district should be used to provide unique, rural housing options and the future ability to extend urban infrastructure.

<b>Current Property Information:</b>	
<b>Land Use:</b>	Youth Hope Facility shared housing facility (abandoned)
<b>Site Features:</b>	The site contains a dwelling, woods, and a pond.
<b>Flood Hazards:</b>	No flood hazards exist on the property.
<b>Vehicle Access:</b>	Moore's Vineyard Road (Local)

<b>Surrounding Zoning and Land Use:</b>		
	<b>Zoning:</b>	<b>Land Use:</b>
<b>North:</b>	AG (Agricultural: General)	Woods, Large lot single family residential
<b>South:</b>	AG (Agricultural: General)	Woods
<b>East:</b>	AG (Agricultural: General)	Woods, Large lot single family residential
<b>West:</b>	AG (Agricultural: General)	Woods, Large lot single family residential

<b>Interdepartmental Review:</b>	
<b>County Engineer:</b>	County Highway has no issue with this request. I don't foresee a tourist rental creating any more traffic than if it was an owner occupied residence.
<b>Code Enforcement:</b>	The State of Indiana considers a "tourist rental" the same as a single family dwelling which is required to comply with the Indiana Residential Code. The structure would need to be inspected by Code Enforcement before the initial tourist rental use. The scope of the inspection would be for what is considered life/safety/health issues only. Anything cosmetic such as paint, trim, floorcoverings, etc. are not part of the inspection.

**Planning Consideration(s):**

The following general site considerations, planning concepts, and other facts should be considered in the review of this application:

1. The applicant is proposing a conditional use to allow a "shared housing facility", within the AG (Agriculture: General Rural) zoning district. Shared housing facilities are only permitted within this zoning district by conditional use. Shared housing facilities are defined as a dwelling unit occupied as a single housekeeping unit, and therefore using common facilities for cooking, sanitation, and gathering, by more than 5 adults, and one of which is not related to the others by blood or marriage. A shared housing facility includes a boarding house, rooming house, co-housing facility, housing co-operative, and other similar facilities. If the requested number of renters did not exceed 5 unrelated individuals, the use would fall under the definition of single-family residential and would be permitted without conditional use approval within this zoning district. In this case, the applicants are proposing a tourist home that may be occupied, at times, by more than 5 unrelated people. Tourist homes are not regulated by the Zoning Ordinance and if this facility were to be rented to 5 or fewer unrelated persons it would be considered a single family dwelling and no conditional use or other approval would be needed.

2. The Youth Hope Facility was originally constructed in 1992 as a girl's group home and according to the applicant at one time housed 10 employees, in addition to the group home residents. The structure is 6,738 square feet in size with 6 bedrooms and 5 full baths.
3. The applicants purchased the property in 2013 with the intent to live at the property however other factors have kept them from moving. The applicants are requesting to use the home as a tourist rental for 3 to 4 families or 8 adults and 8 children up to a maximum of 12 adults and 12 children. It would be available for rent 10 to 15 nights a month as a single unit. Rooms will not be individually rented.
4. The property has fallen into disrepair in the last 3 years since the girls group home was closed. Per Zoning Ordinance Section 11.5(B)(8), if a legal non-conforming use is intentionally abandoned for 1 year or longer, any subsequent use of land, structure, or land and structure in combination shall conform to the provisions of this ordinance. More specifically a legal nonconforming use shall be considered intentionally abandoned if the utilities have been disconnected and the property, building or grounds have fallen into disrepair. For this reason, the applicants must go before the Board of Zoning appeals for Conditional Use approval.
5. The subject property is 40.43 acres and the majority of the property is heavily wooded. The property gains access from Moore's Vineyard Road (Local) and has a long, gravel driveway that leads up to the home. The driveway extends approximately 500 feet from Moore's Vineyard Rd. to the home. The wooded property provides adequate screening for adjacent neighbors from the proposed use.
6. The surrounding area is low-density, single-family residential, with 4 homes that have driveways onto Moore's Vineyard Road, which is approximately 20 feet in width, is a dead-end road that is approximately a half mile in length and has little traffic. A majority of the surrounding properties are heavily wooded and the houses are significantly setback from the road.
7. It is typical for single-family homes to have 2 or more cars depending on the household size and number of drivers. If the house was rented to the maximum of 6 families (12 adults and 12 children) it would be expected that there could potentially be 6 cars. The subject property has a large driveway that will provide adequate parking.
8. The applicant has indicated that tenants would be restricted from hunting on the property and there will not be any types of recreational vehicles available and guests would be restricted from using them on the property. In addition, according to the applicant, there will not be any signage associated with the proposed use.

### **Comprehensive Plan Consideration(s):**

The Future Land Use Map indicates the future use of this property as General Rural District.

The following Comprehensive Plan goal(s) and/or policy(ies) apply to this application:

1. **Policy 6-G:** Allow all types of housing such as accessory units.
2. **Policy 13-A:** Encourage proper maintenance of buildings and grounds, to promote economic stability, health, and safety.

### **Provisional Findings of Fact/Decision Criteria**

Section 12.4(D) of the Zoning Ordinance permits the Board of Zoning Appeals to allow conditional uses that meet the criteria listed below. The Board may impose reasonable conditions as part of an approval.

1. **The proposal will not be injurious to the public health, safety, and general welfare of the community.**

*Provisional Findings:* The proposed use of a shared housing facility would generate minimal traffic along Moore's Vineyard Road. The existing house is located on a large property that is surrounded by woods and is approximately 500 feet from the road. This request would not be injurious to the public health and safety. *This criterion has been met.*

2. **The development of the property will be consistent with the intent of the development standards established by the Zoning Ordinance for similar uses.**

*Provisional Findings:* There will not be any changes or alterations to the property and it currently meets all development standards for the AG (Agriculture: General Rural) zoning district. The surrounding area is all residential, and the proposed use will continue to be residential. The Zoning Ordinance also intends for the AG zoning district to provide unique, rural housing opportunities. *This criterion has been met.*

**3. Granting the conditional use will not be contrary to the general purposes served by the Zoning Ordinance, and will not permanently injure other property or uses in the same zoning district and vicinity.**

*Provisional Findings:* The property will continue to be used for residential purposes. The property will be professionally managed, which will prevent the property from being neglected. The Zoning Ordinance permits 5 unrelated individuals to occupy a home; the request is to allow a maximum 6 families (12 adults and 12 children). In addition, the home is located on a lot that is heavily wooded and secluded from surrounding neighbors. While the turnover of occupants of this secluded property might occasionally inconvenience neighbors with requests for directions, the surrounding properties will not be permanently injured. *This criterion has been met.*

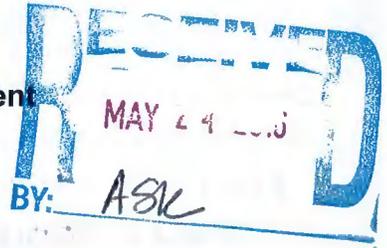
**4. The proposed use will be consistent with the character of the zoning district in which it is located and the recommendations of the Comprehensive Plan.**

*Provisional Findings:* The proposed shared housing provides a unique housing opportunity that will not significantly impact the zoning district in which it is located in regards to increased traffic or density. The use will take place in an established residence that will remain physically the same. *This criterion has been met.*

**Board of Zoning Appeals Options:**

In reviewing a request for conditional use the Board may (1) approve the petition as proposed, (2) approve the petition with conditions, (3) continue the petition to a future meeting of the Board, or (4) deny the petition (with or without prejudice). Failure to achieve a quorum or lack of a positive vote on a motion results in an automatic continuance to the next regularly scheduled meeting.

### Columbus – Bartholomew County Planning Department Conditional Use Application



**Planning Department Use Only:**

Jurisdiction:  Columbus  Bartholomew County  
Zoning: AG  
Docket No.: B/D5-16-07  
Hearing Procedure:  Board of Zoning Appeals  Hearing Officer

**Conditional Use Application:**

Note: It is recommended that all conditional use applications are reviewed in a meeting with a Planning Department staff member prior to being filed. Please contact the Planning Department at 812.376.2550 to schedule that meeting.

**Applicant Information (the person or entity that will own and/or execute what is proposed):**

Name: NATASHA SINGH  
Address: 2092 PARKSIDE DRIVE COLUMBUS IN 47203  
(number) (street) (city) (state) (zip)  
Phone No.: 408-910-8694 Fax No.: \_\_\_\_\_ E-mail Address: SINGH.NATASHA@GMAIL.COM

**Property Owner Information (the "owner" does not include tenants or contract buyers):**

Name: AGAM SINGH & NATASHA SINGH  
Address: 2092 PARKSIDE DRIVE COLUMBUS IN 47203  
(number) (street) (city) (state) (zip)  
Phone No.: 408-230-0324 Fax No.: \_\_\_\_\_ E-mail Address: AGAMNY@GMAIL.COM

**Notification Information (list the person to whom all correspondence regarding this application should be directed):**

Name: AGAM SINGH  
Address: 2092 PARKSIDE DRIVE COLUMBUS IN 47203  
(number) (street) (city) (state) (zip)  
Phone No.: 408-230-0324 Fax No.: \_\_\_\_\_ E-mail Address: AGAMNY@GMAIL.COM

How would you prefer to receive official documentation regarding this request (please check one)? If no or multiple selections are made e-mail will be used.  E-mail  Fax  Mail

**Property Information:**

Address: 12000 MOORES VINEYARD COLUMBUS IN 47201  
(number) (street) (city) (state) (zip)

or General Location (if no address has been assigned provide a street corner, subdivision lot number, or attach a legal description):

**Conditional Use Requested:**

I am requesting a conditional use as listed by Section 3.6 (B) of the Zoning Ordinance to allow the following:

RENT THE HOME AS A TOURIST RENTAL

"SHARED HOUSING FACILITY"

**Conditional Use Criteria:**

The Columbus & Bartholomew County Zoning Ordinance establishes specific criteria that each must be met in order for a conditional use to be approved. Describe how the conditional use requested meets each of the following criteria.

1. **The approval of the conditional use will not be injurious to the public health, safety, and general welfare of the community.**

The approval to use the current existing property as a vacation rental will not be injurious to public health, safety and general welfare of the community. Folks visiting the property will comply with basic public and road safety rules.

2. **The development of the property will be consistent with the intent of the development standards established by the Zoning Ordinance for similar uses.**

The property / dwelling already exists - has 6 bedrooms. Any improvements will be consistent with ~~standards~~<sup>intent</sup> the intent of the development standards established by the Zoning Ordinance for similar uses.

3. **Granting the conditional use will not be contrary to the general purposes served by the Zoning Ordinance, and will not permanently injure other property or uses in the same zoning district and vicinity.**

That is correct. We will comply.

4. **The conditional use will be consistent with the character of the zoning district in which it is located and the recommendations of the Comprehensive Plan.**

That is correct. We will comply.

**Applicant's Signature:**

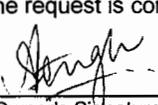
The information included in and with this application is completely true and correct to the best of my knowledge and belief.

  
\_\_\_\_\_  
(Applicant's Signature) NATASHA SINGH

5-24-2016  
(Date)

**Property Owner's Signature (the "owner" does not include tenants or contract buyers):**

I authorize the filing of this application and will allow the Planning Department staff to enter this property for the purpose of analyzing this request. Further, I will allow a public notice sign to be placed and remain on the property until the processing of the request is complete.

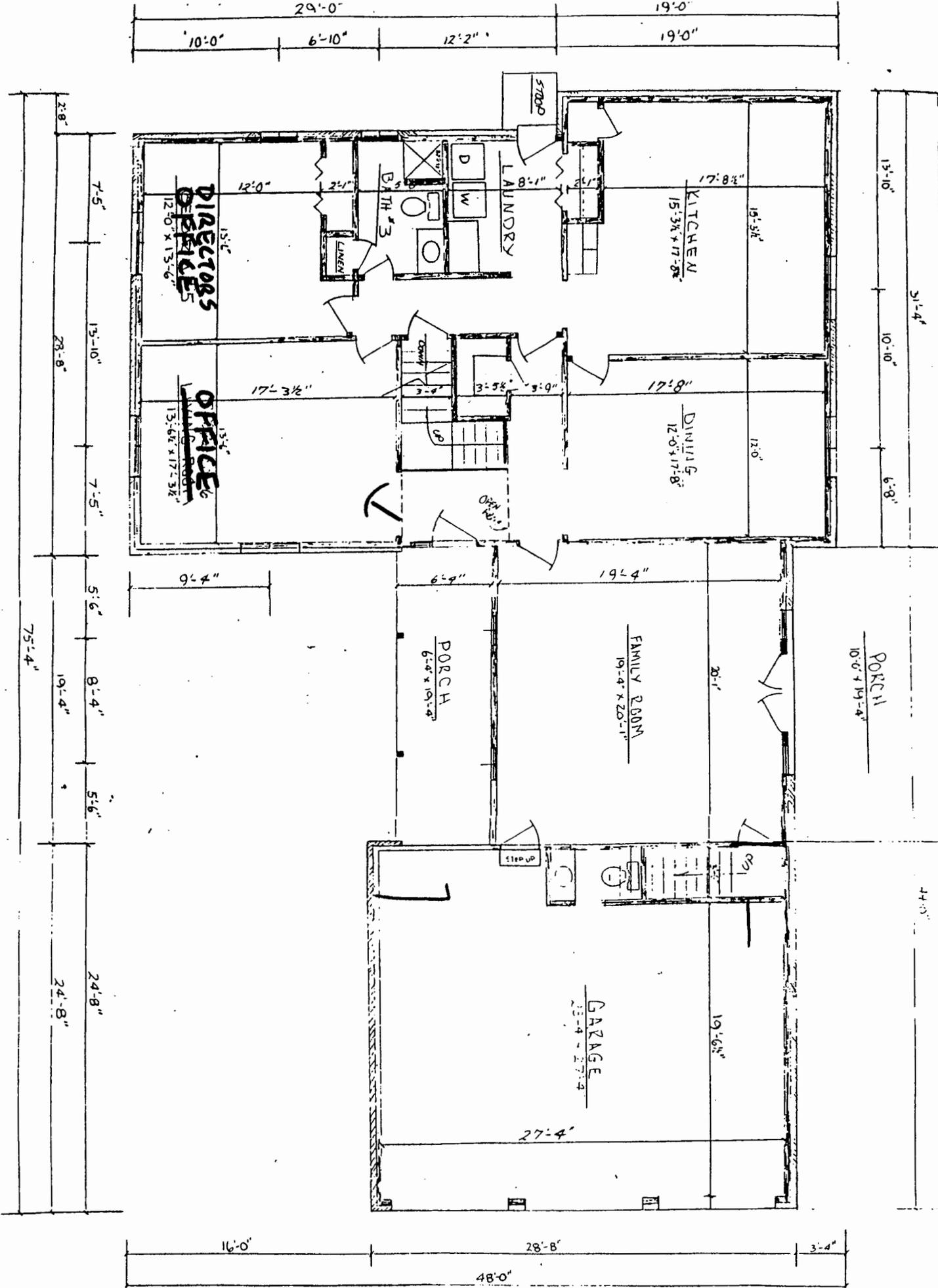
   
\_\_\_\_\_  
(Owner's Signature)

5-24-2016  
(Date)

AGAM SINGH & NATASHA SINGH  
(Owner's Printed Name)

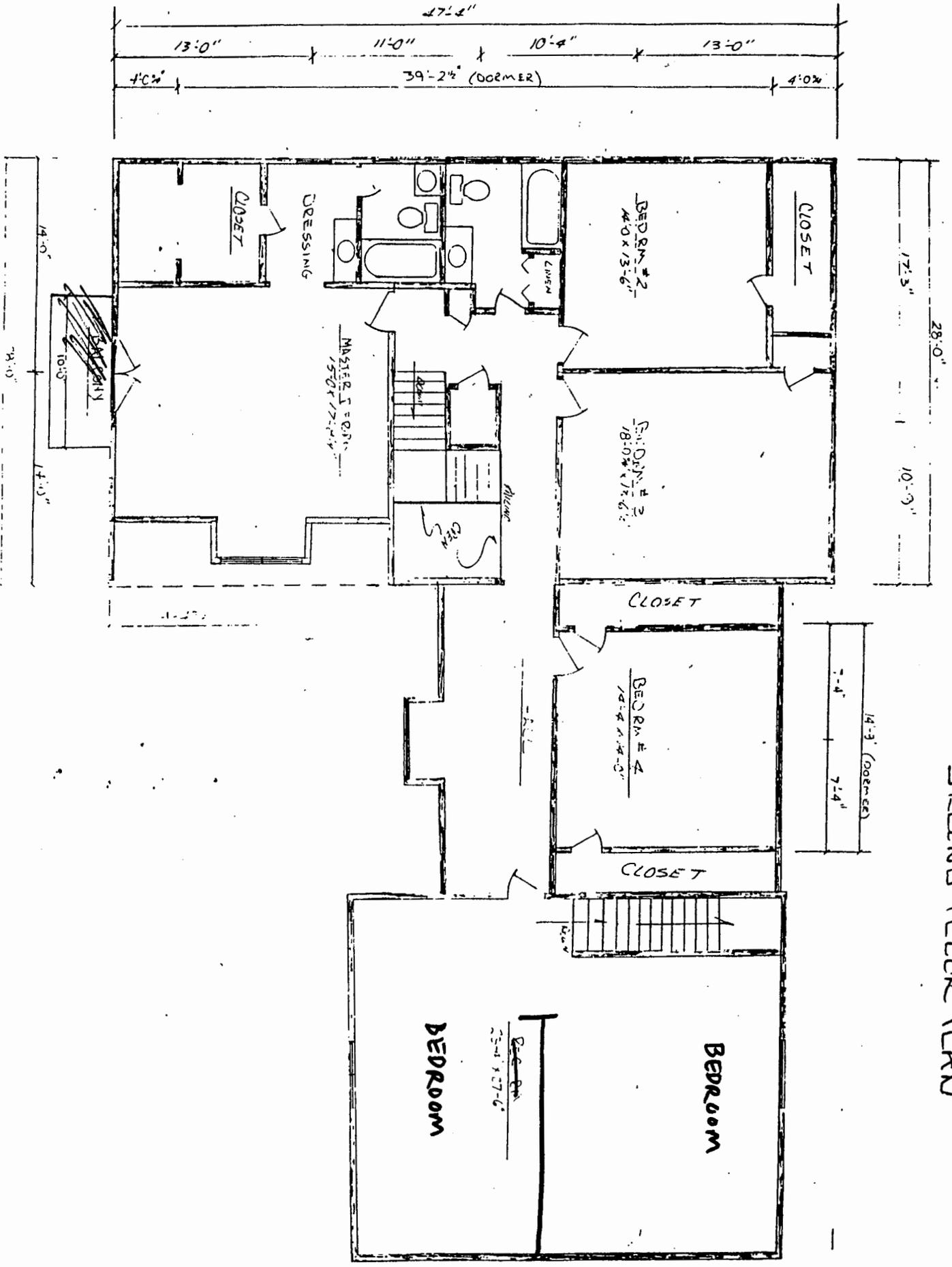
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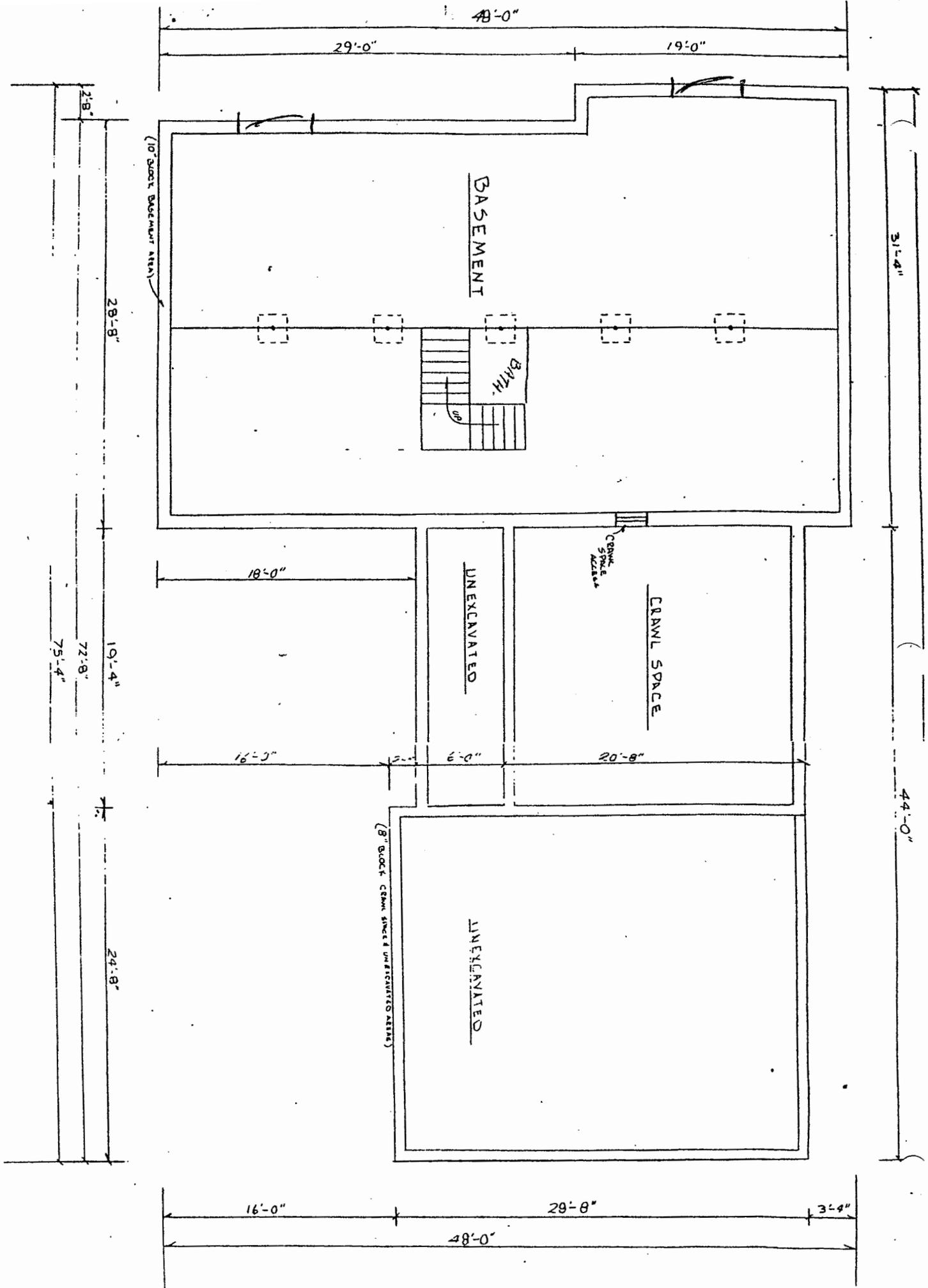
If the person signing as the "owner" is not specifically listed as such in the records of Bartholomew County please indicate their relationship to that officially listed person, corporation or other entity.



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# SECOND FLOOR PLAN





General Information	
Occupancy	Single-Family
Description	Single-Family R 01
Story Height	1 1/2
Style	34 Newer 1.5 Story 32
Finished Area	6738 sqft
Make	

Plumbing		
	#	TF
Full Bath	5	15
Half Bath	0	0
Kitchen Sinks	1	1
Water Heaters	1	1
Add Fixtures	0	0
<b>Total</b>	<b>7</b>	<b>17</b>

Floor Finish	
<input type="checkbox"/> Earth	<input type="checkbox"/> Tile
<input checked="" type="checkbox"/> Slab	<input checked="" type="checkbox"/> Carpet
<input checked="" type="checkbox"/> Sub & Joint	<input checked="" type="checkbox"/> Unfinished
<input type="checkbox"/> Wood	<input type="checkbox"/> Other
<input type="checkbox"/> Parquet	

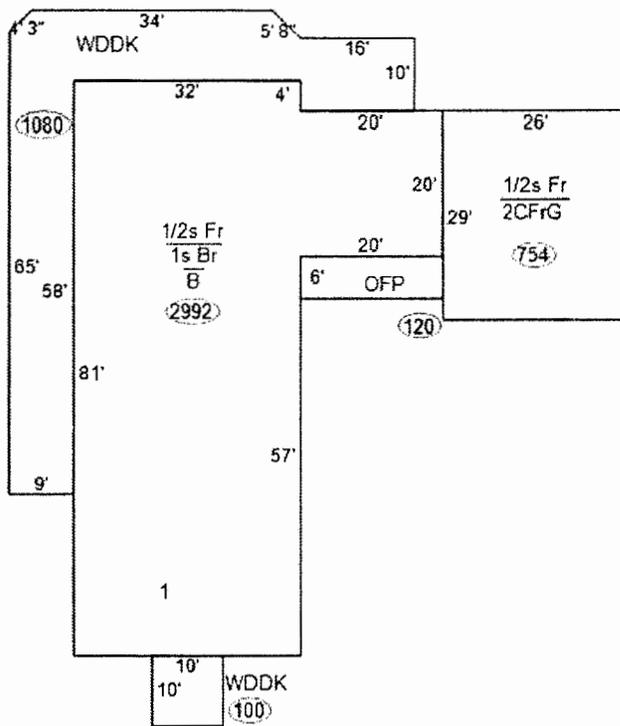
Accommodations	
Bedrooms	6
Living Rooms	1
Dining Rooms	1
Family Rooms	1
<b>Total Rooms</b>	<b>10</b>

Wall Finish	
<input checked="" type="checkbox"/> Plaster/Drywall	<input checked="" type="checkbox"/> Unfinished
<input type="checkbox"/> Paneling	<input type="checkbox"/> Other
<input type="checkbox"/> Fiberboard	

Heat Type	
Central Warm Air	

Roofing				
<input type="checkbox"/> Built-Up	<input type="checkbox"/> Metal	<input checked="" type="checkbox"/> Asphalt	<input type="checkbox"/> Slate	<input type="checkbox"/> Tile
<input type="checkbox"/> Wood Shingle	<input type="checkbox"/> Other			

Exterior Features		
Description	Area	Value
Porch, Open Frame	120	\$5,000
Wood Deck	1080	\$14,200
Wood Deck	100	\$2,100



Specialty Plumbing		
Description	Count	Value

Cost Ladder					
Floor	Constr	Base	Finish	Value	Totals
1	7	2992	2992	\$173,800	
2					
3					
4					
1/4					
1/2	1Fr	3746	3746	\$75,500	
3/4					
Attic					
Bsmt		2992	0	\$51,000	
Crawl					
Slab					
				<b>Total Base</b>	<b>\$300,300</b>
<b>Adjustments</b>				<b>1 Row Type Adj. x 1.00</b>	<b>\$300,300</b>
Unfin Int (-)					\$0
Ex Liv Units (+)					\$0
Rec Room (+)				2:1530	\$9,600
Loft (+)					\$0
Fireplace (+)					\$0
No Heating (-)					\$0
A/C (+)				1/2:3746 1:2992	\$9,200
No Elec (-)					\$0
Plumbing (+ / -)				17 - 5 = 12 x \$800	\$9,600
Spec Plumb (+)					\$0
Elevator (+)					\$0
				<b>Sub-Total, One Unit</b>	<b>\$328,700</b>
				<b>Sub-Total, 1 Units</b>	
Exterior Features (+)				\$21,300	\$350,000
Garages (+) 754 sqft				\$19,300	\$369,300
Quality and Design Factor (Grade)					1.05
Location Multiplier					0.97
				<b>Replacement Cost</b>	<b>\$376,132</b>

Summary of Improvements																					
Description	Res Eligibl	Story Height	Construction	Grade	Year Built	Eff Year	Eff Co	Age	nd	Base Rate	LCM	Adj Rate	Size	RCN	Norm Dep	Remain. Value	Abn Obs	PC Nbhd	Mrkt	Improv Value	
: Single-Family R 01	100%	1 1/2	3/6 Masonry	C+1	1992	1992		24	A		0.97			\$376,132	22%	\$293,380	5%	100%	1.07	1.0000	\$298,200
: Utility Shed R 01	0%	1	SV	D	1900	1900		116	A		0.97		8'x12'		65%		0%	100%	1.00	1.0000	\$300

# ADDITIONAL INFORMATION

## Facility use over decades

Since the 80s, the house was a group home for a not-for-profit organization (Youth Hope) with approx 10 employees (based on a web search), that provided rehabilitation services to young females. We feel that using this as a vacation rental does not significantly alter the volume of use as it has been for 20 years.

## Seclusion, size and acreage (40 acres)

The home is on a cul de sac. It is more than 450 feet away from the access road. It is behind heavy trees and cannot be seen from the road. Distance from the house to the next door neighbors is similarly significant.

The lot to the south of the property is marked forest reserve. There are other large lots around it. The size of the lot (40 acres) should ensure the visitors and neighbors privacy and mutual space.

## About us - applicants

We are a small family of three (our son is 8 years old). We first saw this property in 2013 and fell in love with it. We purchased it with the full intent to move there. Time has passed, but we're still living in our current house that we have on Parkside Drive. There are two impediments to fully moving to this property.

1. property is in disrepair externally and internally. Allowing to rent it out a few nights a month would ease the financial burden incurred in conducting the repairs. And also with regular use, we will be able to maintain it regularly and keep it safe.
2. property is a little distant from in-town activities that our son and us engage in on a daily basis (taekwondo, swimming, social friends, playgrounds). As he grows up a little more, he will really be looking for the open spaces provided here at Moores Vineyard and we can make our stay there much more permanent.

## Intended use

We fully respect the peace and quiet in the area. Average number of families for a home this size would be 3-4 families (8 adults and 8 children total) for 10-15 nights a month. The maximum would be six families (12 adults and 12 children or a total of 24 at any point in time).

Again, the size of the lot will help ensure the visitors and neighbors privacy.

We are completely willing to receive any special instructions the guests need to comply with.



# GIS OVERVIEW



# PROPERTY OVERVIEW



# PROPERTY OVERVIEW



# PROPERTY OVERVIEW



# APPROACH – 5 MILES FROM I65 EXIT



# APPROACH – 5 MILES FROM I65 EXIT



# SECLUDED DRIVEWAY / HOUSE



# REPAIRS AND MAINTENANCE NEEDED



# REPAIRS AND MAINTENANCE NEEDED



# REPAIRS AND MAINTENANCE NEEDED



# REPAIRS AND MAINTENANCE NEEDED



# ADDITIONAL INFORMATION

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## Seclusion, size and acreage (40 acres)

The home is on a cul de sac. It is more than 450 feet away from the access road. It is behind heavy trees and cannot be seen from the road. Distance from the house to the next door neighbors is similarly significant.

The lot to the south of the property is marked forest reserve. There are other large lots around it. The size of the lot (40 acres) should ensure the visitors and neighbors privacy and mutual space.

## About us - applicants

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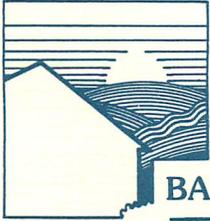
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BARTHOLOMEW COUNTY HEALTH DEPARTMENT

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August 25, 1992

Youth Hope, Inc.  
2072 S. 550 W.  
Columbus, IN 47201

RE: Septic System  
South side of Sprague Road 1/2 mile  
East of Sawmill Road

Dear Sir/Madam:

Enclosed is a copy of the septic system that was installed at the above refernced property by Mr. Ron Pruitt and inspected by our department on August 20, 1992. A copy of this septic system inspection will be kept on file at our office. Please review the enclosed pamphlet on water conservation. If you have further questions, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Lou Poppa".

Lou Poppa, R.E.H.S.  
Assistant Director  
Environmental Health Division

LP/tf

Enclosure

BARTHOLOMEW COUNTY SEPTIC SYSTEM INSTALLATION INSPECTION  
(per Bartholomew County Ordinance 1985-10)

OWNER YOUTH HOPE PERMIT NO. 2804  
TOWNSHIP Ohio SECTION 14  
LOCATION SOUTH SIDE OF SPRAGUE ROAD 1/2 MILE EAST OF SAWMILL ROAD  
ADDRESS \_\_\_\_\_  
INSTALLER RON PRUITT NEW  REPAIR

TYPE OF SYSTEM flood dosed trickle feed

A. Septic Tank: Size 2,000 gallons Baffles  Gas Tight Riser

- 1. In compliance with Table I and II. (pg. 4, Ordinance 1985-10)
- 2. Inlet-Outlet connections sealed properly.
- 3. Inlet-Outlet lines watertight.

B. Distribution Box Size 2 6 hole Material Concrete

- 1. Installed to remain level and provide equal distribution of flow to individual lines.
- 2. 5' of watertight pipe connecting D-box to field.
- 3. D-box watertight.
- 4. D-box provided with removable lid for access.

C. Absorption Field

- 1. Located in accordance with distances in Table I. (pg. 4, Ordinance 1985)
- 2. Minimum trench width 18", Maximum depth of 36". Actual trench width 36"; depth 28"
- 3. Approved gravel or stone 2" above and 6" below tile. Amount of stone 140 tons.
- 4. Top of stone covered with 6" layer of straw, geotextile fabric or other approved material.
- 5. All trenches with equal absorption area.
- 6. Gravel, stone, or other is mixture of sizes 1/2 - 2 1/2".
- 7. Absorption lines individually connected to D-box.
- 8. Trenches uniformly level.
- 9. No single lateral exceeds 100'.
- 10. Minimum trench separation of 7 1/2' on center.
- 11. Total square feet 3000
- 12. Meets all requirements as stated on on-site evaluation.

INSPECTOR Matthew Galbraith REHS DATE 8-20-82

REVIEWED [Signature] FORM SENT TO OWNER August 25, 1992



### SEPTIC SYSTEM INFORMATION SHEET

A septic inspection for loan purposes will not be scheduled by the Environmental Health Division until this questionnaire is completed and signed by the seller and buyer. All questions must be answered. Circle the correct answer or fill in the blank. Please return to the Health Department.

Owner's Name YOUTH HOPE, LLC.

Property Address \_\_\_\_\_ Age of Home \_\_\_\_\_

Well Type:  Driven  Dug  Bored  Drilled  Unknown  Municipal Water

Depth \_\_\_\_\_ Location \_\_\_\_\_

How long have you lived at this address? \_\_\_\_\_ Number of bedrooms \_\_\_\_\_

Do you have a  septic finger system  dry well or  both?

How old is your septic system? BACK YARD Who installed it? ?

Where is the septic system located? BACK YARD Where is the dry well? ?

Does your septic system have an effluent pump?  Yes  No Any problems? \_\_\_\_\_

Does all water, i.e., washing machine, kitchen sink, dishwasher, lavatory, and toilet, drain into the same system?  Yes  No  
Explain \_\_\_\_\_

Have you had any problems with the septic system, i.e., seepage, water ponding, backup into the house, or toilet not flushing?  
 Yes  No Explain \_\_\_\_\_

Have there been any repairs, changes, or alternations to the septic system?  Yes  No  Unknown  
When? \_\_\_\_\_ Who? \_\_\_\_\_

Was a repair permit obtained from the Health Department?  Yes  No  Unknown

Are there any pipes, conduits, or other conveyance, including downspouts, that discharge surface, ground, or wastewater on or off the property?  Yes  No Explain \_\_\_\_\_

Do you have a metal, cement, or other septic tank? ?

When was the septic tank last pumped? \_\_\_\_\_ How frequently? \_\_\_\_\_

Sherry L. Yeato  
Seller (Board President)

\_\_\_\_\_  
Seller Date

Alaska  
Buyer

Alaska  
Buyer Date 5/21/13

Revised August 1996