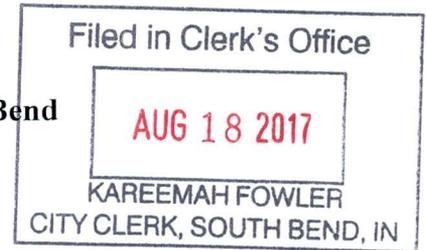


Before the Common Council of the City of South Bend



**ERIC BOYD,**

Appellant,

v.

**HISTORIC PRESERVATION  
COMMISSION OF SOUTH BEND AND  
ST. JOSEPH COUNTY,**

Appellee.

RE: Application for Certificate of  
Appropriateness, No. 2017-0602A

**CERTIFICATION OF DOCUMENTS OF RECORD FROM HISTORIC  
PRESERVATION COMMISSION**

Elicia Feasel, being first duly sworn upon her oath, deposes and states as follows:

1. I am over the age of twenty-one (21) years.
2. I have never been adjudicated and am not insane or incompetent.
3. I make the statements contained herein based on my personal knowledge and would so testify in person in a court of law.
4. I am a resident of the State of Indiana.
5. I am the Executive Director of the Historic Preservation Commission ("HPC") of South Bend and St. Joseph County and have served in such capacity at all times relevant to this appeal filed by Eric Boyd, COA Application # 2017-0602A.
6. As Executive Director of the HPC, I have supervisory authority for all of HPC's official record keeping and documentation, and I am familiar with the record keeping practices of the HPC.
7. I have examined the attached records consisting of sixty-one (61) pages, which consist of the following:
  - (a) Letter of Denial of Mr. Boyd's Application dated June 23, 2017;

- (b) Mr. Boyd's Application for Certificate of Appropriateness # 2017-0602A;
- (c) Staff Report concerning the Certificate of Appropriateness # 2017-0602A;
- (d) Documentation concerning the previous Certificate of Appropriateness Application # 2016-0809 for a similar project, including:
  - (i) Application for Certificate of Appropriateness # 2016-0809;
  - (ii) Correspondence from the Building Commissioner;
  - (iii) Letter of Denial of Certificate of Appropriateness #2016-0809 application;
  - (iv) Staff report concerning Certificate of Appropriateness Application # 2016-0809;
- (e) Violation Notice from the Building Department to Mr. Boyd dated March 2, 2017;
- (f) Minutes from a public meeting of the HPC dated June 19, 2017.

8. I certify that the attached records are either exact copies or originals retrieved from the permanent records of the HPC.

9. These records are being filed with the South Bend City Clerk's Office on August 18, 2017 in compliance with the deadline established by the South Bend Common Council for the HPC to submit a certified copy of the minutes and all documents of record regarding action taken by HPC and its staff on Certificate of Appropriateness Application # 2017-0602A.

10. These records were made at or near the time by, or from information transmitted by, a person with knowledge of these matters.

11. These records were kept in the course of HPC's regularly conducted business activity, and were made by regularly conducted activity as a regular practice.

I affirm, under the penalties for perjury, that the foregoing representations are true.

Date: 17 Aug 17

edw  
Elicia Feasel, HPC Executive Director



South Bend and St. Joseph County  
**HISTORIC PRESERVATION COMMISSION**

227 WEST JEFFERSON BLVD  
SOUTH BEND, IN 46601-1830  
www.stjosephcountyindiana.com/sjchp/index.html  
Phone: 574-235-9798 Fax: 574-235-9578  
e-mail: SBSJCHPC@co.st-joseph.in.us



Timothy S. Kluscinski, President

A Certified Local Government

Elicia Feasel, Executive Director

June 23, 2017

Eric Boyd  
1240 West Thomas Street  
South Bend, IN 46601

Dear Mr. Boyd,

The Commissioners, at the regularly scheduled monthly Historic Preservation Commission meeting on June 19, 2017, unanimously denied approval of the items originally listed on COA Application# 2017-0602A: "Mono roof 4/12 pitch, rise west to east ending at center of building resting on ledger/East stud wall. Low profile mono roof resting south brick wall and interior brick wall. Open courtyard. " Following is the record from the meeting concerning your project which states the reasons why your application was denied:

**Commissioner Gordon moved to deny application as submitted.** Seconded by Commissioner Anderson. President Kluscinski clarified that votes in the affirmative will support the motion to deny the application and reminded the members to state their reasons when voting. Roll call was ordered.

**Commissioner Hertel (AYE):** *Under Standards and Guidelines Group B Section C this would alter and modify the structure and change it greatly by adding this type of roof; plus, we are lacking information on the materials to be used for completion of the roof.*

**Commissioner Buccellato (AYE):** *The design simply does not meet the existing character of the structure.*

**Commissioner Anderson (AYE):** *It would alter the façade, architectural integrity, and its style, which are some of the most important things we have to make a decision on as a Commission.*

**Commissioner Gordon (AYE):** *It is not in keeping with the guidelines for this building, does not keep the historical character or look of the building, and we are missing some information of how that roof would be covered.*

**Commissioner Kluscinski (AYE):** *Ordinance 9037-99 designating 1240 West Thomas Street as a Local Landmark details a number of stylistic features, specifically two-story Period Revival Fire Station with flat roof and limestone parapet coping. Long term preservation of the structure and safety of its occupants are not served by the installation which is both inadequate and architecturally inappropriate. I affirm the staff recommendation for flat roof and the noted remedies for violations of Minimum Maintenance Standards and seek the support of this body, the Building Department, Code Enforcement, and the owner's cooperation to effect changes that will preserve this unique and special building. I also believe that the current roof being proposed is not in keeping with the Standards and Guidelines that the Commission must use in review of all the local historic landmarks under its jurisdiction. I believe that other more appropriate remedies exist and should be explored instead of granting this particular application.*

**COMMISSIONERS**

Thomas Gordon (Vice President)  
Mike Voll (Treasurer)  
Jennifer Parker (Architectural Historian)  
Elizabeth Hertel (Secretary)  
Kevin Buccellato

**STAFF**

Deb Parcell, Deputy Director  
Brett Hummer, Legal Counsel  
Steve Szaday, Preservation Specialist

**HISTORIC  
PRESERVATION  
COMMISSION**  
OF SOUTH BEND & ST. JOSEPH COUNTY  
EST. 1973



South Bend and St. Joseph County  
**HISTORIC PRESERVATION COMMISSION**

227 WEST JEFFERSON BLVD  
SOUTH BEND, IN 46601-1830  
[www.stjosephcountyindiana.com/sjchp/index.html](http://www.stjosephcountyindiana.com/sjchp/index.html)  
Phone: 574-235-9798 Fax: 574-235-9578  
e-mail: SBSJCHPC@co.st-joseph.in.us



Timothy S. Kluscinski, President

A Certified Local Government

Elicia Feasel, Executive Director

**Commissioner Molnar (AYE):** *The design is too far outside of the mandated Standards and Guidelines which the Commission, by law, must follow. The roof would be prominent in display in the front of the structure, as opposed to the rear. I would be in favor of looking at something with a lower pitch, not necessarily a flat roof.*

**Six in favor, none opposed.**

**Vote: 6 – 0 COA#2017-0602A Denied.**

Although the historic preservation commission did not find your proposed project to be architecturally appropriate and did not believe that the denial would be a detriment to the public or cause hardship, the commission and staff believe it is important to save this building. Accordingly, staff believes that it is important to revisit design alternatives that were mentioned during deliberation. As a compromise to in-kind flat roof replacement, members of the Commission suggested a deviation for a hip roof (originating from the north facade parapet and having a downward slope to the south). This would make a drastic improvement over the current plan by not detracting from key architectural features, still be compatible with water management/drainage proposals and allow for building material from the current structure to be reused. The latter representing a significant cost savings for you.

HPC Staff encourages you to thoughtfully consider this alternative design concept and welcomes the opportunity to consult on a new application. Thank you for your continued stewardship of this local landmark.

Please contact this office with any questions or concerns or for any assistance.

Sincerely,

Debra Parcell, Deputy Director

cc Building Department  
Code Enforcement  
Department of Community Investment

**COMMISSIONERS**

Thomas Gordon (Vice President)  
Mike Voll (Treasurer)  
Jennifer Parker (Architectural Historian)  
Elizabeth Hertel (Secretary)  
Kevin Buccellato  
Brandon Anderson  
Michele Gelfman  
Joseph Molnar

**STAFF**

Deb Parcell, Deputy Director  
Brett Hummer, Legal Counsel  
Steve Szaday, Preservation Specialist

**HISTORIC  
PRESERVATION  
COMMISSION**  
OF SOUTH BEND & ST. JOSEPH COUNTY  
EST. 1973



# Application

- FOR -

## Certificate of Appropriateness

HISTORIC PRESERVATION COMMISSION  
of SOUTH BEND & ST. JOSEPH COUNTY

125 S. Lafayette Blvd., South Bend, IN 46601

<http://www.stjosephcountyindiana.com/departments/SJCHP/index.htm>

p: 574-235-9798

f: 574-235-9578

e: SBSJCHPC@co.st-joseph.in.us



**OFFICE USE ONLY** >>>> **DO NOT COMPLETE ANY ENTRIES CONTAINED IN THIS BOX** <<<< **OFFICE USE ONLY**

Date Received: June 2, 2017 Application Number: 2017 - 0602A

Past Reviews:  YES (Date of Last Review) 8/9/2016  NO

Staff Approval authorized by: \_\_\_\_\_ Title: \_\_\_\_\_

Historic Preservation Commission Review Date: June 19, 2017

Local Landmark  Local Historic District (Name) \_\_\_\_\_

National Landmark  National Register District (Name) \_\_\_\_\_

Certificate of Appropriateness:

Denied  Tabled  Sent To Committee  Approved and issued: \_\_\_\_\_

(Please Print)

Address of Property for proposed work: 1240 W. Thomas St. South Bend, IN 46601  
(Street Number—Street Name—City—Zip Code)

Name of Property Owner(s): Eric H. Boyd Phone #: 812-704-3005

Address of Property Owner(s): 1240 W. Thomas St. South Bend, IN 46601  
(Street Number—Street Name—City—Zip Code)

Name of Contractor(s): Eric H. Boyd Phone #: 812-704-3005

Contract Company Name: Boyd Services 4999-16

Address of Contract Company: 1240 W. Thomas St. South Bend, IN 46601  
(Street Number—Street Name—City—Zip Code)

Current Use of Building: Commercial  
(Single Family—Multi-Family—Commercial—Government—Industrial—Vacant—etc.)

Type of Building Construction: Brick  
(Wood Frame—Brick—Stone—Steel—Concrete—Other)

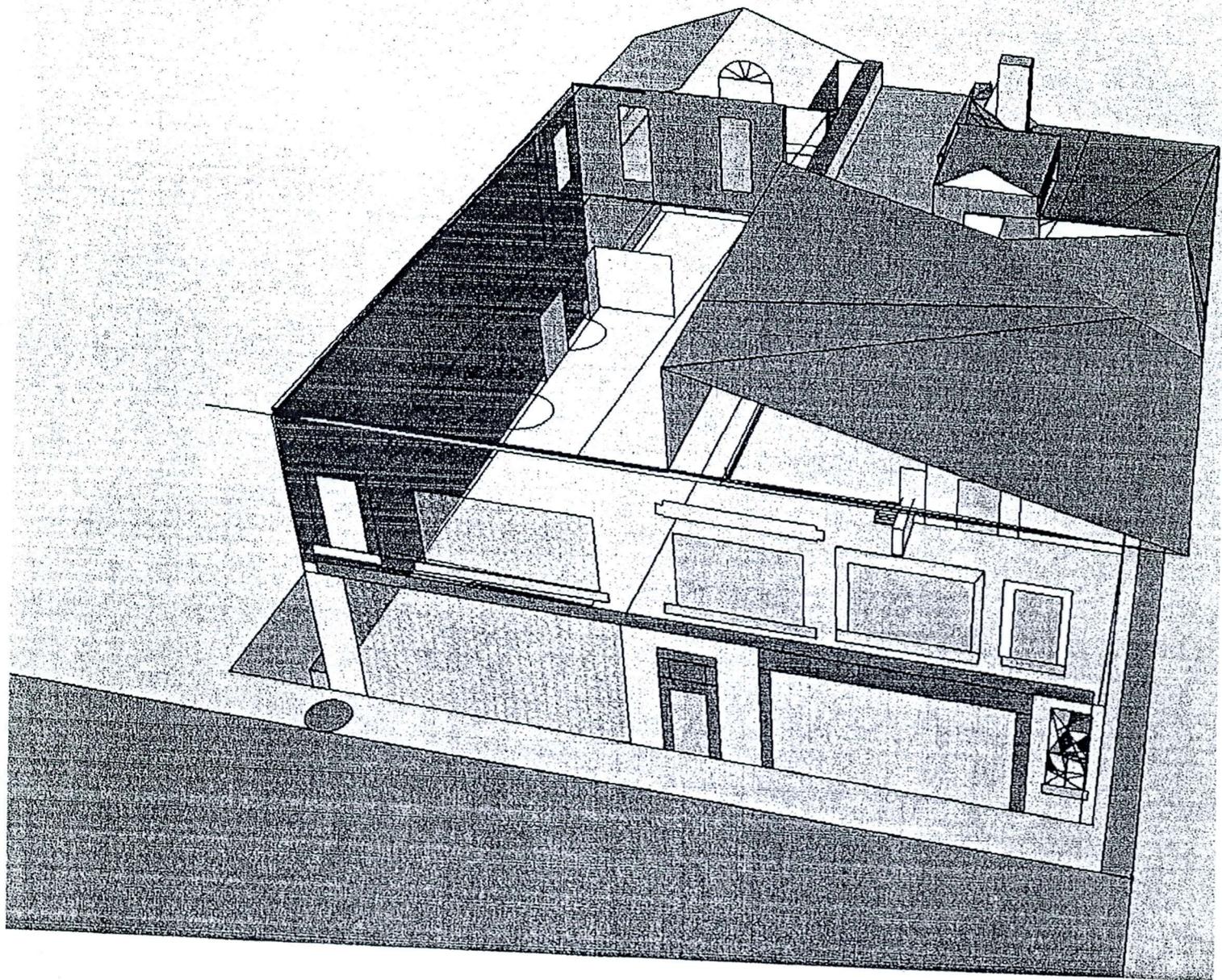
Proposed Work:  In-Kind  Landscape  New  Replacement (not in-kind)  Demolition  
(more than one box may be checked)

Description of Proposed Work: Mono Roof 4/12 pitch, rise west to East ending at Center of Building resting on ledger / East stud wall. Low profile mono Roof resting South Brick wall and interior Brick wall. Open Courtyard

Owner/Contractor Fax #: \_\_\_\_\_ e-mail: boydmaster@55c.yuboo.com  
(Staff will correspond with only one designee)

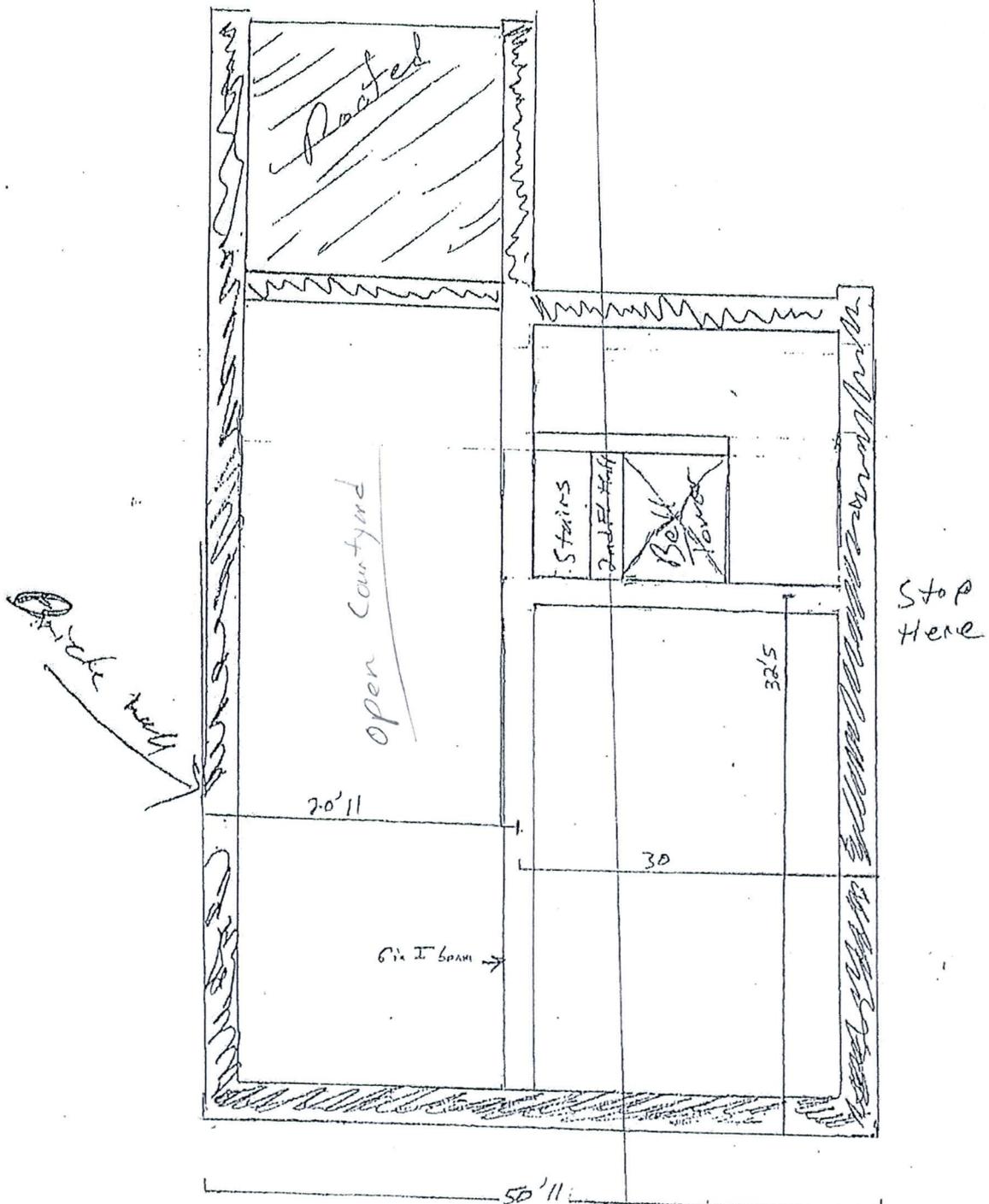
X Eric H. Boyd and/or X Eric H. Boyd  
Signature of Owner Signature of Contractor

APPLICATION REQUIREMENTS ARE LISTED ON REVERSE SIDE





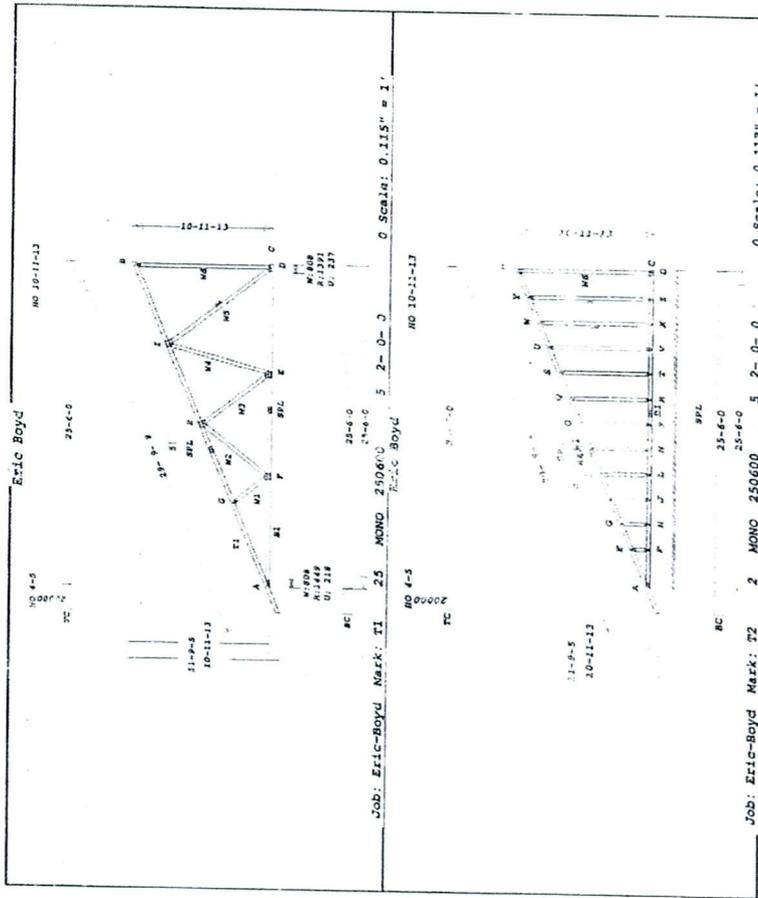
Site Plan



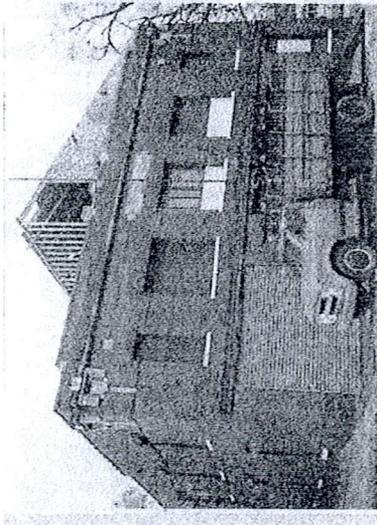
Roofing This Half

Eric\_Boyd\_9-10-14.pdf

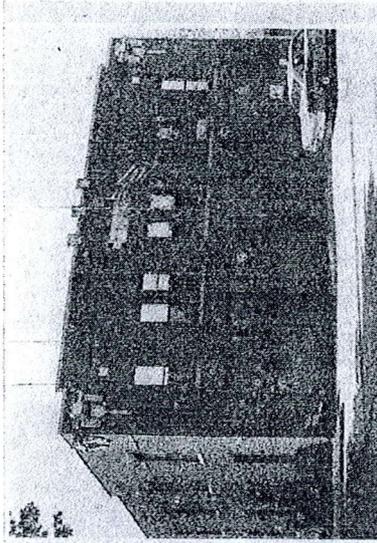
2 of 2



Layout for Truss Design



**RIGHT:** South Bend Fire Station No. 4, at Walnut and Thomas streets, as seen in 1967.



**LEFT:** Former South Bend Fire Station No. 4, as seen Wednesday. Tribune Photo/SANTIAGO FLORES

ess | **D1** Obituaries | **D3** Classifieds



To subscribe call  
**1-800-220-7378**

# SIQUEIRA, L.L.C.

---

November 23, 2016

Re: Eric Boyd, 1240 W. Thomas, South Bend, IN

Gentlemen,

I was asked to do a structural inspection on the building at the above referenced address on November 21, 2016. The inspection was limited to specific issues as stated below. Eric stated that all joists, rafters & beams used were pine – (SPF) #2. I assumed any studs to be SPF stud grade.

1. Joists spanning 17.5' running east-west at 16" oc, supported at masonry walls. I find these to be inadequate. A 2x4 stud wall should be added north-south, to support joists, limiting joist span to 14'. Assuming a 6' opening, the header should be (2) 2x10.
2. Steel beams at courtyard – south face at 2<sup>nd</sup> floor level & (2) at west face at north end –(1) at roof level & (1) at 2<sup>nd</sup> floor level. These are adequate, except that the roof level beam at west face is sagging. Eric intends to build a 2x6 wall (16" oc) under it, which should take care of the problem. (3) studs should be placed under where the east west steel beam meets the north south beam.
3. Courtyard wall bracing. In the absence of a roof and 2<sup>nd</sup> floor, the exterior walls lack bracing. The north & east walls need to be permanently braced. At the least, (3) beams – each (3) 2x12 across the width should be installed at between 15'-18' above 1<sup>st</sup> floor. These beams should be placed at ¼ points along the length of the courtyard. Then, beams running north south should be placed at the end bays, from east west beam to wall at mid courtyard width. The beams should be extended into a 4" pocket into wall. Alternately, a 2x12 ledger – 2' long with (2) ¾" x 6" bolts, 16" oc min hor. can be used in lieu of the pockets. At the 2x6 stud wall, the beam should bear on the face of (3) 2x6 studs. Also, it is suggested that the trash pile in the courtyard should be removed. It is also noted that without a roof, provisions will have to be made to dispose of snow & drain rain water in the courtyard.
4. Framed mono-sloped roof at North West: A ledger (2) 2x8s should be added to the east stud wall, raised up to be snug under the birdsmouth cut rafters. Hurricane clips should be added- rafter to ledger. 16d nails at 8" oc – ledger to wall top plate and (2) 16d nails to each stud below. Note that the 1<sup>st</sup> 2x8 should be nailed as above & the 2<sup>nd</sup> 2x8 nailed to the 1<sup>st</sup> – 2 rows 16d nails at 12" oc. Add blocking 2' oc at north end bay at rafters to ext. framed wall. Attach wall to masonry at top of existing parapet.
5. At the South West end at 1<sup>st</sup> floor ceiling, the 10x10 timber beam running east west bears on a built up column. The load is calculated at just over 2700 lbs & the built up column should be adequate.
6. Just to the north of the office, 2x4 joists spanning 10' were used. This should be removed and replaced with 2x8 joists at 16" oc.

---

TEXAS

FLORIDA

INDIANA

COLORADO

15635 EMBERS DRIVE, MISHAWAKA, IN. 46545 E-MAIL: BVBIQ@GOMCABT.NET TEL: 734-341-3881

# SIQUEIRA, L.L.C.

---

If the above corrections are made as stated, these specific issues will be resolved.

Sincerely,



Brian V. Siqueira, P.E.



**STAFF REPORT**  
CONCERNING APPLICATION FOR A  
**CERTIFICATE OF APPROPRIATENESS**

**Date:** June 2, 2017

**Application Number:** 2017-0602A (Application delivered by property owner to Building Department on June 1, 2017)

**Property Location:** 1240 West Thomas Street

**Architectural Style/Date/Architect or Builder:** Period Revival/1920/Firehouse #4

**Property Owner:** Eric A. Boyd

**Landmark or District Designation:** Local Landmark, ordinance #9037-99

**Rating:** Outstanding

**DESCRIPTION OF STRUCTURE/ SITE:** Firehouse #4 is a 2-story rectangular brick building. It had a flat roof with limestone parapet coping, metal parapet scupper/cornice with brick brackets underneath and ornate limestone detailing at the ends. The windows are 1/1 double-hung with limestone sills. There is a brick side chimney, and a roof penthouse with hip roof.

**ALTERATIONS:** Most of the windows in this former firehouse have been boarded up prior to a 2007 fire. RME 2011-1110 approved replacement of metal roof to secure the building and protect it from the elements, although there is no evidence it was ever installed. An asymmetrical gabled roof has been installed without an approved COA on approximately half of the main structure, as well as a second story addition and gabled roof on the rear of the building. Areas where large overhead garage doors were originally located have been covered with vinyl siding. Most window openings have been covered with plywood or vinyl siding. COA 2016-0809 to construct shed roof over part of building, and second floor addition atop one-story brick portion at rear of building with vinyl siding and replacement windows was denied.

**APPLICATION ITEMS:** Mono roof 4/12 pitch, rise west to east ending at center of building resting on ledger/East stud wall. Low profile mono roof resting south brick wall and interior brick wall. Open courtyard.

**DESCRIPTION OF PROPOSED PROJECT:** See COA 2016-0809, pending with the Building Department as a Violation of City Ordinance. Not in compliance with the Violation Remedy Requirements as ordered to be completed by March 13, 2017.

Owner has constructed a 4/12 single sloping roof surface over part of, roughly one half, of the main building, from the west exterior wall 30' east to a 10'H wall built on existing brick interior wall, with a 1' overhang at west wall. Concrete floor of open courtyard is 6-8" lower than adjacent floor. Owner plans to utilize existing floor drain and lower floor height to manage accumulated moisture in the courtyard. This roof has been installed without COA.

See report of structural inspection by Siqueira, LLC, submitted with this application. In summary, the inspection reveals inadequate joists spanning 17.5' running east-west at 16" oc, supported at masonry walls; roof level beam sag, exterior walls that lack bracing, trash pile in "courtyard", recommended provisions to dispose of snow and drain rain in "courtyard", multiple deficiencies in the framed mono-sloped roof at North West, and 2x4 joists spanning 10' that are insufficient.

**PRESERVATION SPECIALIST REPORT:** n/a

**STANDARDS AND GUIDELINES:** Group B

#### A. Maintenance

The maintenance of any historical structure or site shall in no way involve any direct physical change except for the general cleaning and upkeep of the landmark. The Commission shall encourage the proper maintenance of all structure or sites.

#### B. Treatment

Treatment shall be defined as any change of surface materials that will not alter the style or original form. Such improvements include re-roofing, glazing, or landscaping lawns and may involve a change that can potentially enhance or detract from the character of the landmark. A treatment change of any surface whether on the landmark or in its environment may require a Certificate of Appropriateness if it significantly alters the appearance of the landmark. Although these kinds of changes may not require a Building Permit, a Certificate of Appropriateness may be necessary. The commission should review the proposed treatment for character and style consistency with the original surfaces.

#### C. Renovation and Additions

**Renovation is the modification of a structure, which does not alter the general massing while an addition, is a change in mass. A modification, which involves the removal of a part of the landmark, should be considered under demolition (see demolition). Additions to landmarks should not detract from the original form and unity of the landmark and should not cover singular examples of architectural detail. Additions to landmarks should be added in a manner that does not disrupt the visible unity of overall appearance of the site. The proportions, materials and ratios of the existing structures should be carried through in the additions. Care should be taken not to change or alter the following:**

**1. Structure—Necessary structural improvements, where safety demands should be accomplished in such a way as to cause minimal visual change to the original style and construction.**

**2. Material—Additions and improvements involving any new material in the landmark should be of the same material as the original. It should be the same size and texture. An alternative material may be allowed if it duplicates the original.**

**a. wood—all wood trim should conform with existing trim in shape and size.**

**b. siding materials—the Commission discourages the covering or alteration of original materials with additional siding. Structures already sided with incompatible materials should be returned to a siding similar to the original when renovation is considered.**

#### D. Demolition

Historic landmarks shall not be demolished. When a landmark poses a threat to the public safety, and demolition is the only alternative, documentation by way of photographs, measured drawings, or other descriptive methods should be made of both the exterior and interior of the landmark. The person or agency responsible for demolition of the landmark shall be responsible for this documentation.

#### E. Moving

The moving of landmarks is discouraged, however, moving is preferred to demolition. When moving is necessary, the owner of the landmark must apply to the Commission for a Certificate of Appropriateness.

#### F. Signs

No neon or flashing signs will be permitted unless they are original to the structure. Billboards and super-graphics will also be disallowed. Only one appropriate identifying sign will be permitted per business.

#### G. Building Site and Landscaping

##### 1. Required

Major landscaping items, trees, fencing, walkways, private yard lights, signs (house numbers) and benches which reflect the property's history and development shall be retained. Dominant land contours shall be retained. Structures such as: gazebos, patio decks, fixed barbecue pits, swimming pools, tennis courts, green houses, new walls, fountains, fixed garden furniture, trellises, and other similar structures shall be compatible to the historic character of the site and neighborhood and inconspicuous when viewed from a public way.

##### 2. Recommended

New site work should be based upon actual knowledge of the past appearance of the property found in photographs, drawings, and newspapers. Plant materials and trees in close proximity to the building that are causing deterioration to the buildings historic fabric should be removed. However, trees and plant materials that must be removed should be immediately replaced by suitable flora. Front yard areas should not be fenced except in cases where historic documentation would indicate such fencing appropriate. Fencing should be in character with the buildings style, materials, and scale.

### 3. Prohibited

No changes may be made to the appearance of the site by removing major landscaping items, trees, fencing, walkways, outbuildings, and other elements before evaluating their importance to the property's history and development. Front yard areas shall not be transformed into parking lots nor paved nor blacktopped. The installation of unsightly devices such as TV reception dishes and solar collectors shall not be permitted in areas where they can be viewed from public thoroughfares.

Minimum Maintenance Standards approved by the Historic Preservation Commission, December 16, 1991, state that "all landmarks and all contributing structures located in an historic district shall be preserved from decay and deterioration, and shall be maintained in good repair and kept structurally sound. The owner or other person having charge or control of landmarks and property in an historic district shall not allow or permit deterioration of such property from defects or conditions which in the judgment of the Commission produce a detrimental effect on the character of the district as a whole or the life and character of the landmark, structure or property in question." In particular, this property exhibits the following from the itemized (but not exclusive) list of detrimental conditions:

- b. **Deterioration of roofs or other horizontal members causing conditions such as sagging, splitting, buckling, crumbling, holes, missing shingles or similar conditions;**
- e. **The ineffective waterproofing of exterior walls, roof and foundations, including broken windows or doors;**
- h. **The deterioration of any feature so as to create or permit the creation of any hazardous or unsafe condition or conditions.**

**STAFF RECOMMENDATION:** After careful review of this application, it appears to a large degree to be similar as applied for in COA application 2016-0809 that was denied by HPC and is a pending Violation of City Ordinance with the Building Department. As in COA 2016-0809, Staff does not recommend approval of the roof deviation from flat to asymmetrical gable and does not recommend a roof on only half of the structure as it does not conform to the standards and guidelines, A, B, and C. Staff recommends approval of a flat roof covering the entire main structure. Staff recommends that the owner be in compliance with the Building Department at the request of the Building Commissioner and that all work is remanded to the discretion of the Building Department prior to installation. Staff recommends that the owner be in compliance with Code Enforcement as there are noted violations of Minimum Maintenance Standards.

Elicia Feasel  
Executive Director  
Deb Parcell  
Deputy Director

**Elicia Feasel - Fwd: 1240 Thomas COA Application**

---

**From:** Debra Parcell  
**To:** Elicia Feasel  
**Date:** 6/6/2017 2:09 PM  
**Subject:** Fwd: 1240 Thomas COA Application

---

>>> Ayoka Paek <apaek@southbendin.gov> 6/1/2017 3:47 PM >>>  
Hello,

We accepted a COA application HPC's behalf. Please pick it up as soon as you are able. We have it in our safe, so if either myself or Elizabeth is not here mention that it is in Elizabeth's "safe folder".

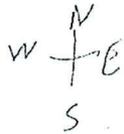
Warm regards,

**Ayoka Paek, MCIP**  
Zoning and Business Services Administrator  
(574) 235-9554  
[apaek@southbendin.gov](mailto:apaek@southbendin.gov)  
St. Joseph County/City of South Bend  
Building Department  
125 S. Lafayette Blvd, STE 100  
South Bend, IN 46601

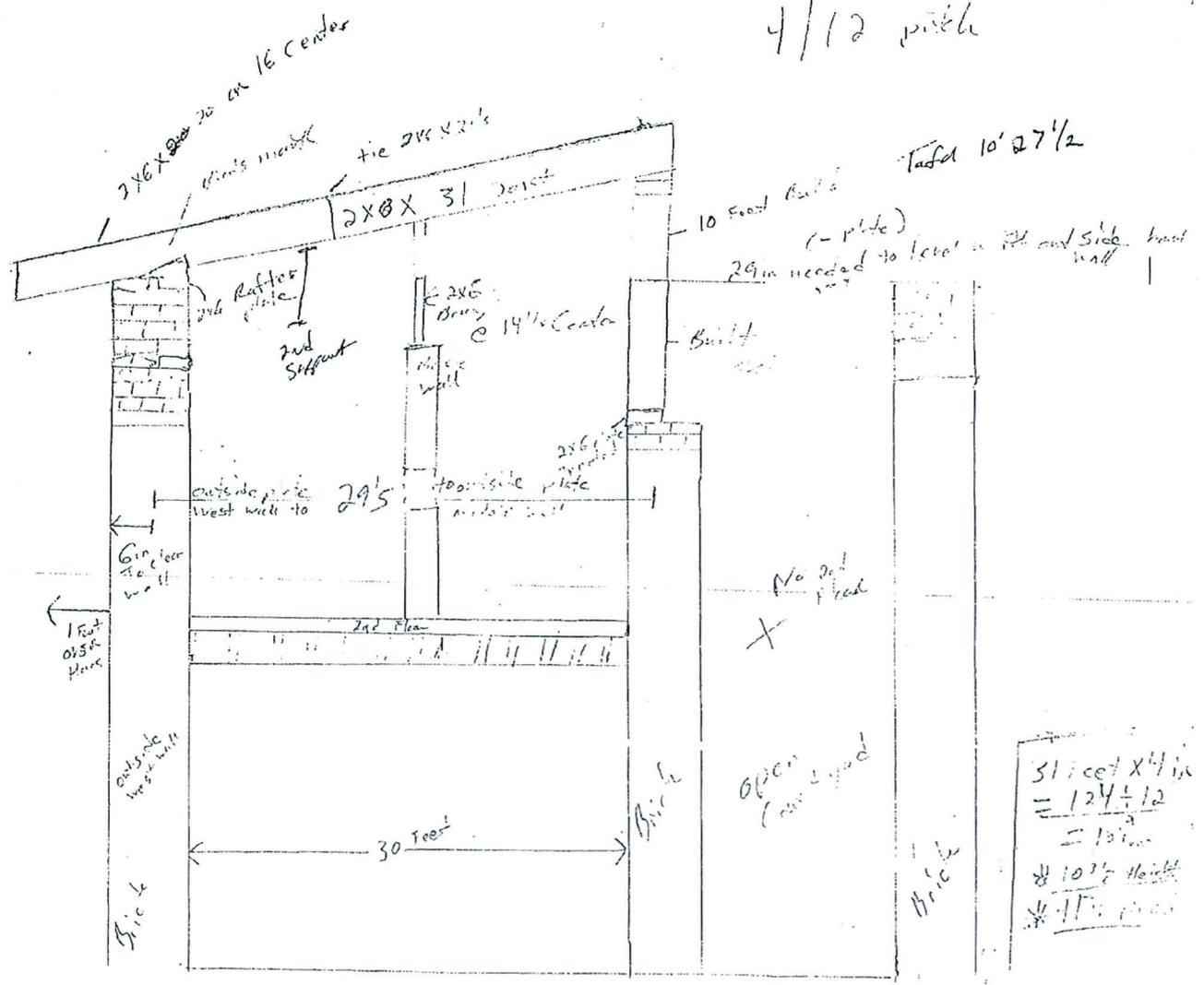
*The information provided in this email is in response to the specific information requested and does not necessarily represent all of the restrictions and allowances applicable to any properties identified in this email.*

---



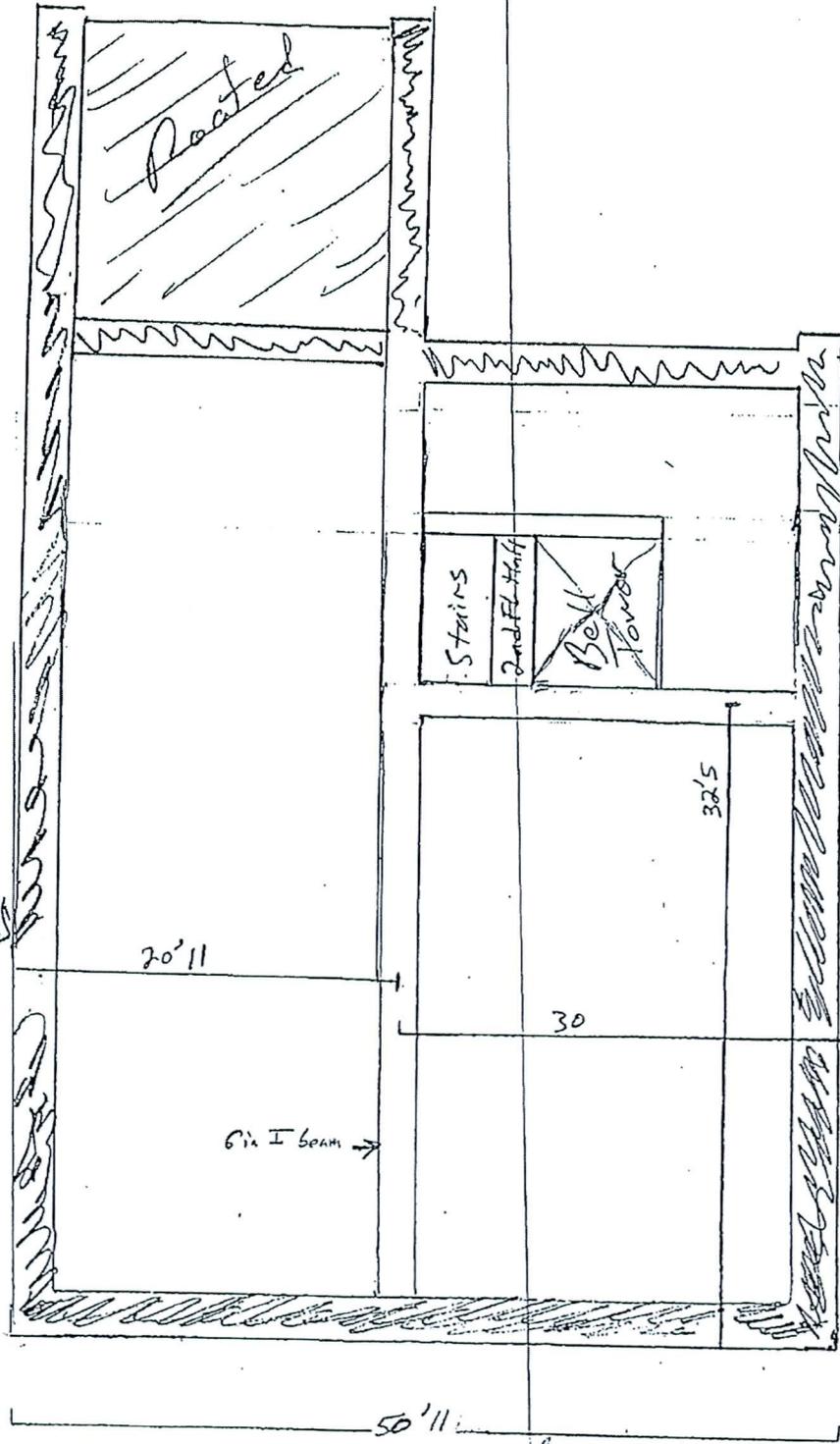


4/12 pitch



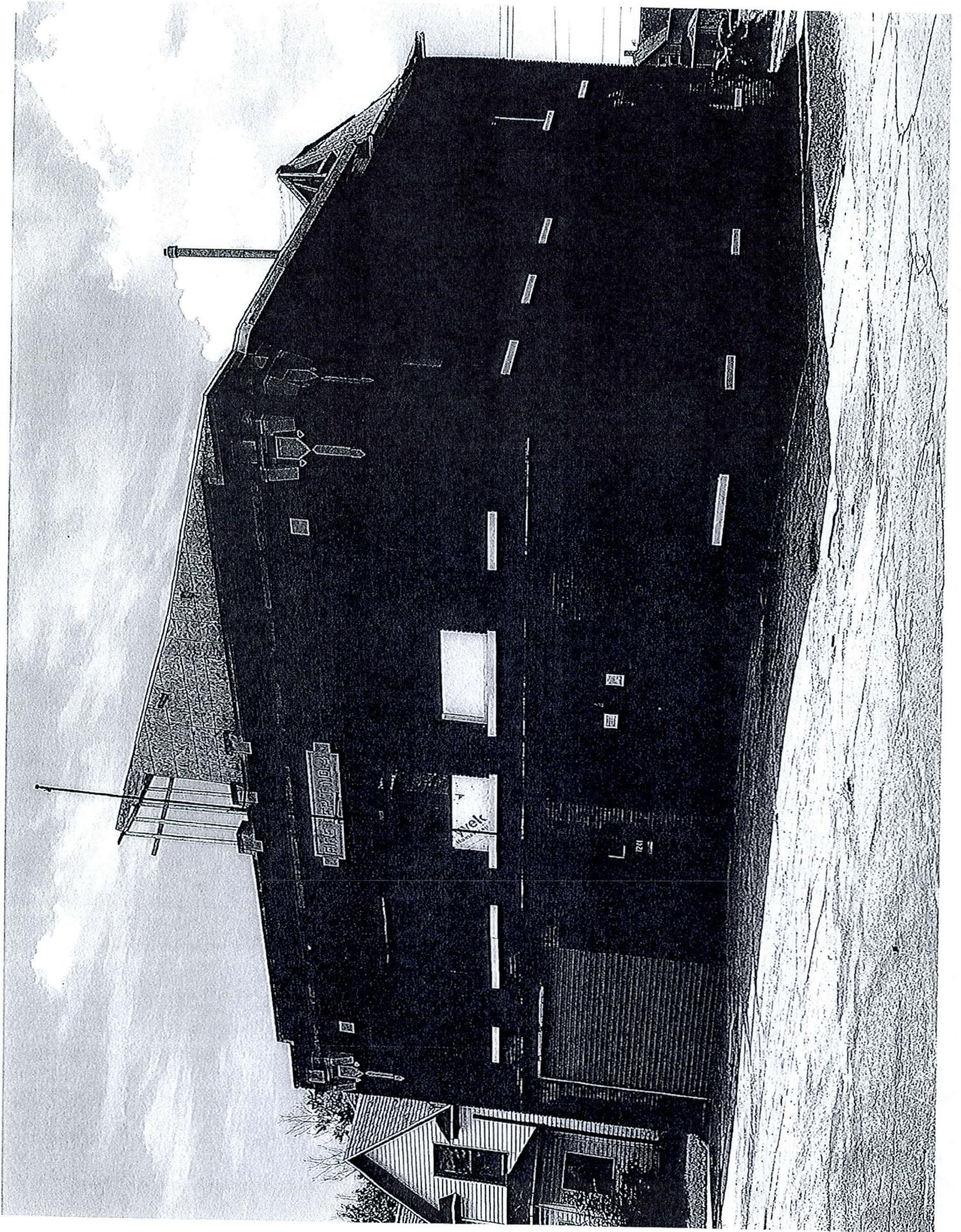
$31 \text{ feet} \times \frac{1}{2} \text{ in}$   
 $= 124 \frac{1}{2}$   
 $= 125$   
 $\div 10 \frac{1}{2} \text{ height}$   
 $\approx 11 \frac{1}{2}$

Brick wall



Stop Here

Roofing This Half





1240 Thomas 2012



1240 Thomas 2012





JAMES D. MARKLE, R.A.  
Design/Plan Review Specialist

ST. JOSEPH COUNTY/SOUTH BEND  
BUILDING DEPARTMENT

125 S. LAFAYETTE BLVD.  
SUITE 100  
SOUTH BEND, IN 46601  
(574) 235-9554  
FAX (574) 235-5541

CHARLES C. BULOT  
BUILDING COMMISSIONER



AYOKA PAK, MCP, MCIP  
Zoning & Business  
Services Administrator

August 10, 2016

Elicia Feasel  
Historic Preservation

Re: 1240 Thomas, South Bend, IN

Dear Elicia:

On October 13, 2015, this office issue a Building Permit for Commercial Roofing at the above-referenced address. What was to be a structural repair and reroofing job has now morphed into a partial roof on the main building and a new second story addition on the rear of the building. None of this has been properly permitted.

I recently met with the owner and indicated that all work is to stop until this department receives a formal submission and plan set for the proposed work. We will not issue any additional permits until such time that all proposed and current work meets basic building standards.

This is a case where our best intentions to help preserve the historic integrity of a local building did not pan out as expected.

Sincerely,  
Charles C. Bulot, C.B.O., C.F.M.

Building Commissioner

# NOTICE OF PERMIT CONSTRUCTION

St. Joseph County and City of South Bend  
Building Department  
(574) 235-9554

DATE: 10/13/2015

PERMIT NUMBER: BD15005044

ADDRESS: 1240 THOMAS, SE CRN WITH WALNUT, N OF WESTERN AVE.

CONTRACTOR: BOYD SERVICES

PERMIT TO CONSTRUCT: PARTIAL ROOF

Lot No. Add'n. 48 COMMISSIONER'S OF S PT BANK OUTLOT 85 & 86

BOYD, ERIC (812)704-3005

Owner's Name Phone

1207 W Thomas St South Bend, IN 46601

Owner's Present Mailing Address/Email

Zoning MU Twp. PORTAGE Multiple Unit Count

Valuation \$500.00 Height Acreage 0.19

018-3074-2912

ABZA Date: State No.

Front Rear Side

Building Permit Fee \$30.00

Contractor BOYD SERVICES (812)704-3005 boydmaster455@yahoo.com

Electric Permit Fee

Contractor

Plumbing Permit Fee

Contractor

Heating Permit Fee

Contractor

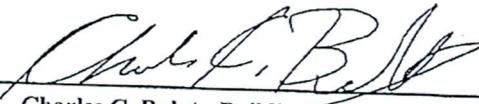
Subtotal \$ 30.00

Penalty \$

Total \$ 30.00

kwldawsk

Signature

  
Charles C. Bulot - Building Commissioner

The person or contractor listed above hereby certifies that the statements contained herein are true and correct and in consideration of the granting of the permit agree to save St. Joseph County and City of South Bend harmless from any and all damages and agree to perform the work covered by this permit in conformity with the laws of the State of Indiana and the Ordinances of St. Joseph County and the City of South Bend, Indiana.

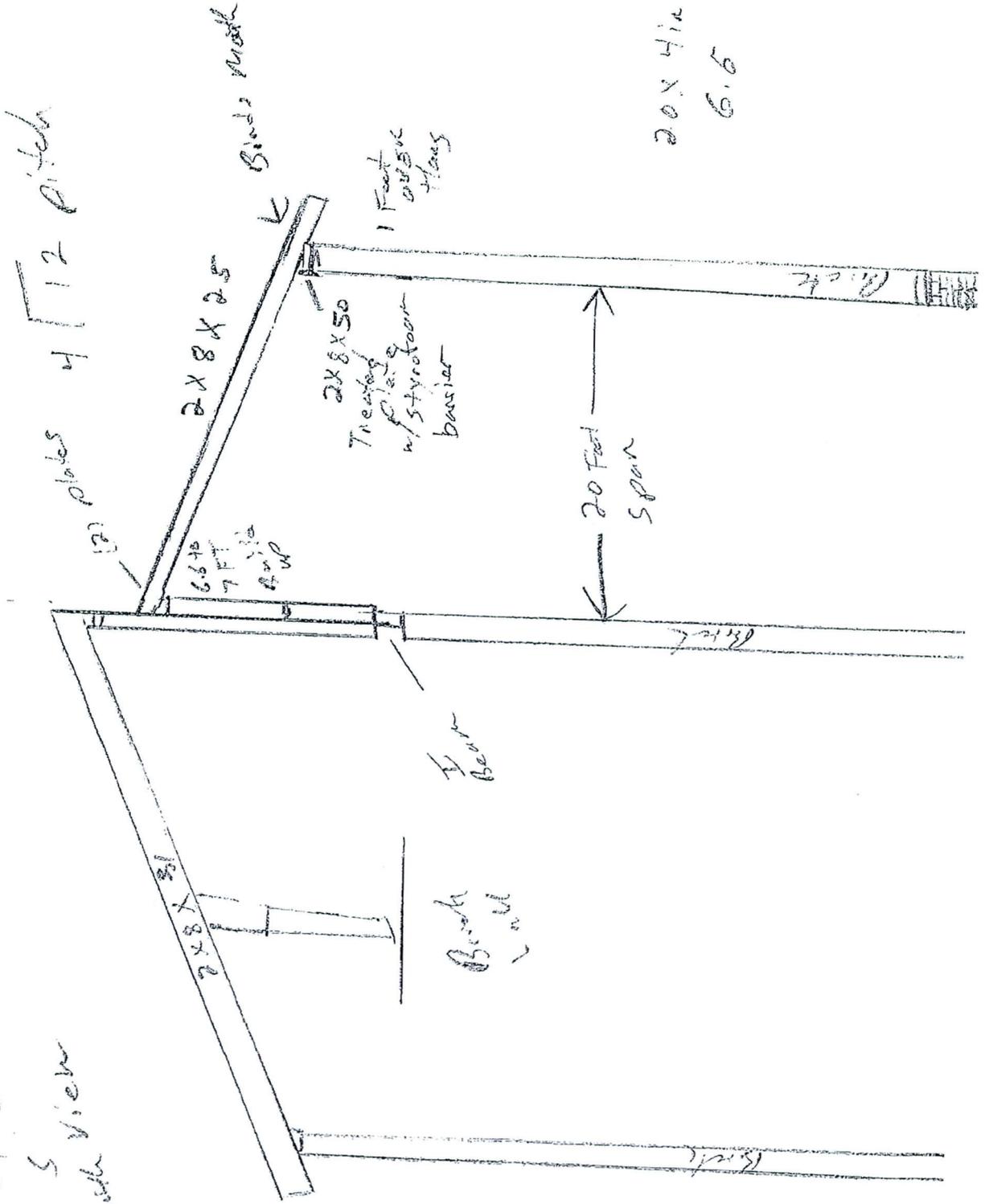
I agree to call for an inspection approval before any concrete is poured for footings and walls, or any framing, electrical, plumbing, or heating material is covered. I understand that a Final Inspection may be necessary and a Certificate of Occupancy shall be issued prior to occupancy being allowed. I also understand that this is only a Building Permit. Separate permits are to be obtained for any heating, ventilation, air conditioning, electric or plumbing work.

Understanding of the laws and rules regarding this permit is certified by applicant's signature above. This permit is valid for two (2) years from date of issuance, or as determined by the Building Department.

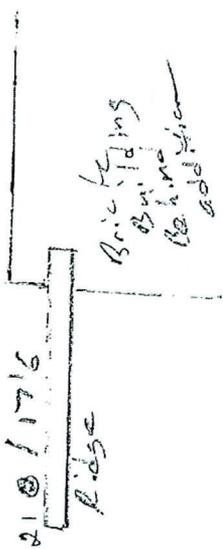
**This Placard must be posted until project is completed. Failure to comply will result in a citation and fine.**

# Phase II

N  
W  
S  
View  
South

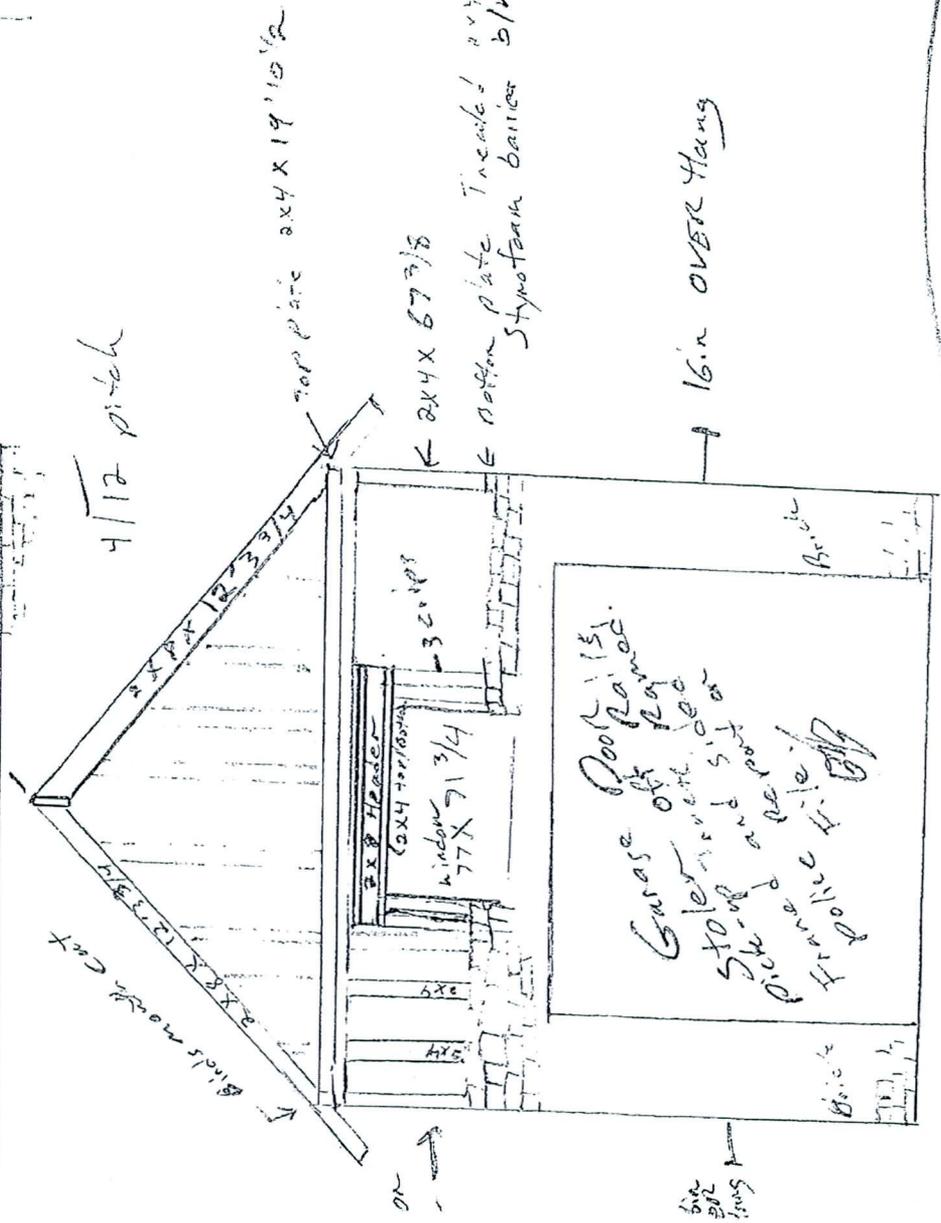


$$20 \times 4 \times 12 = 80 \div 12 = 6.6$$



Washer 2x8 x 77 3/4  
3-cups

side wall  
fit in  
2x4 for  
support  
for  
ridge

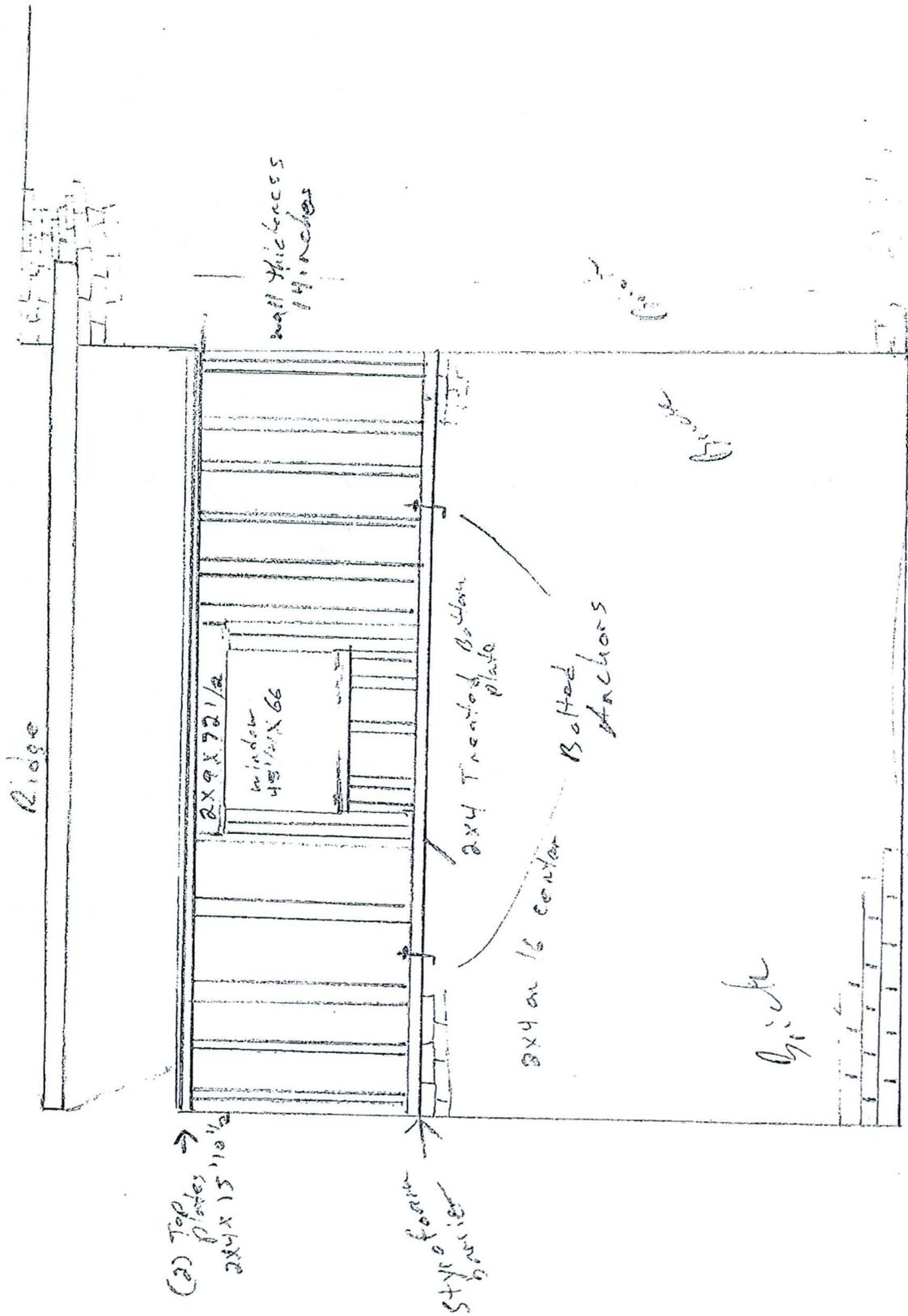


2x4 x 67 3/8  
Bottom plate Insulated w/ w. (I) Battled Fiberglass  
Styrofoam barrier b/w Brick and Treated bottom  
plate

Garage  
Stops  
Dicks  
Frame  
Police  
Pool  
15  
Rained

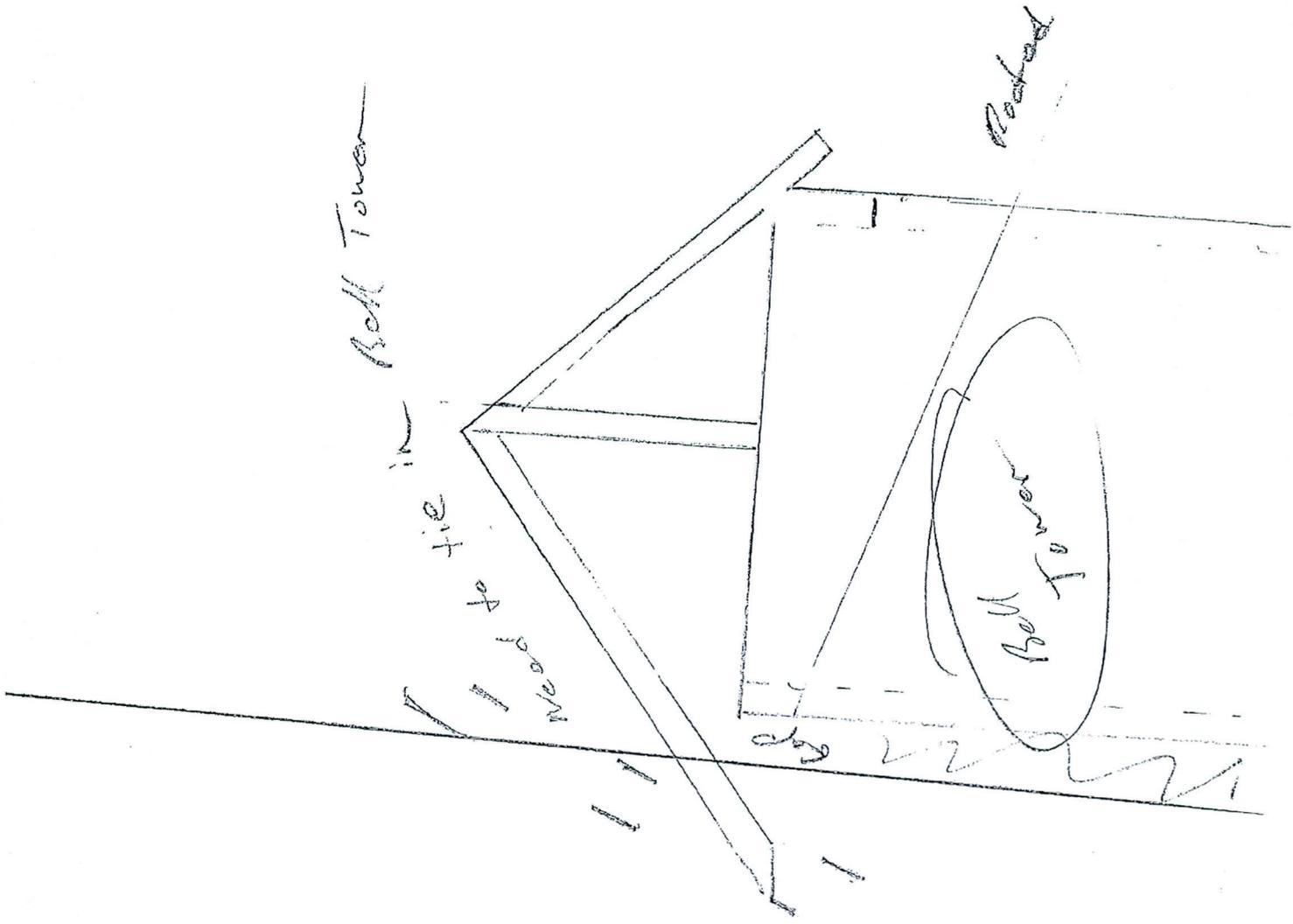
Small view of elevation

Small  
2x4



East View of addition  
 Same As 1054

West View



Concrete

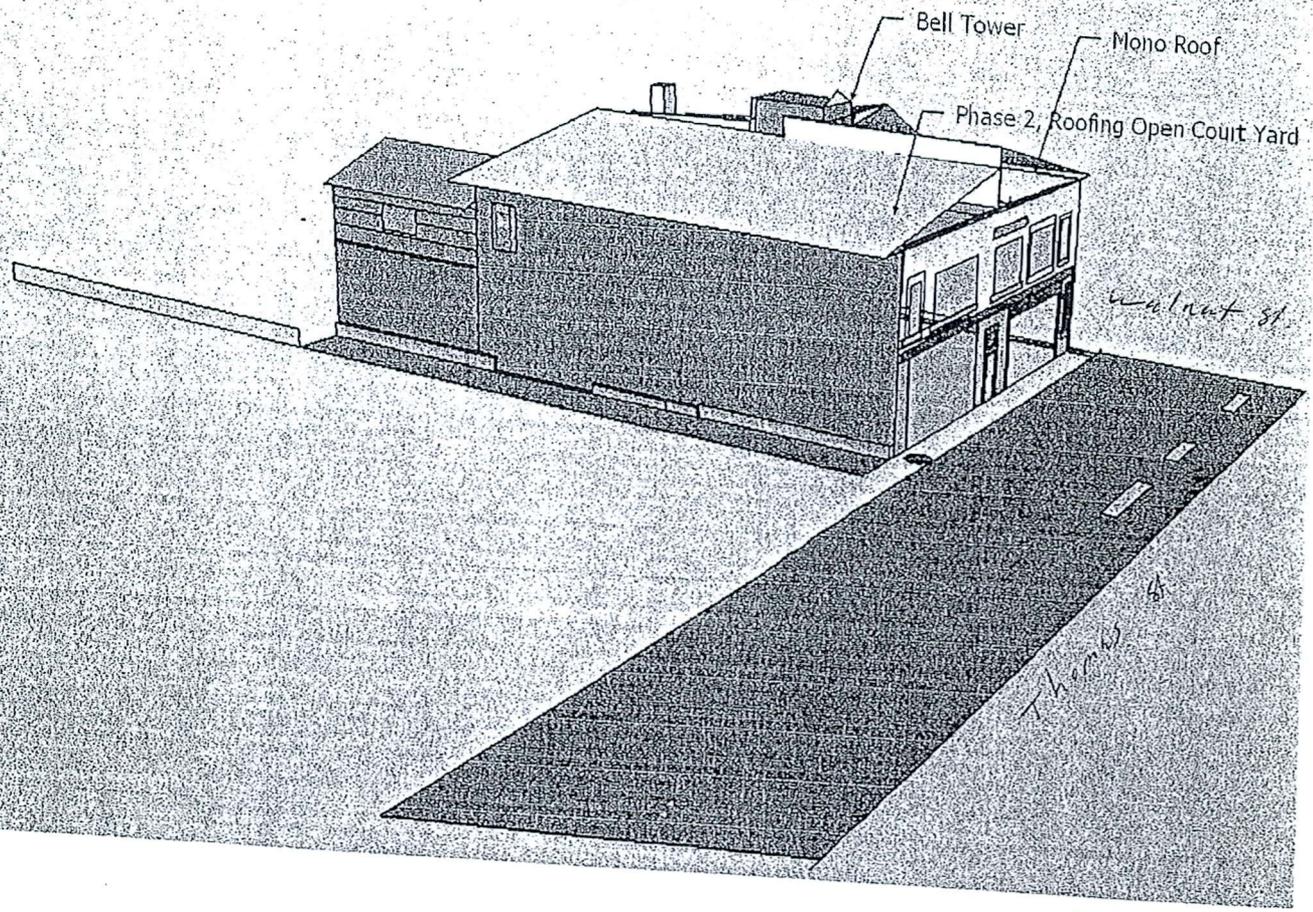
room of Bell Tower

tie in Bell Tower

Roofed

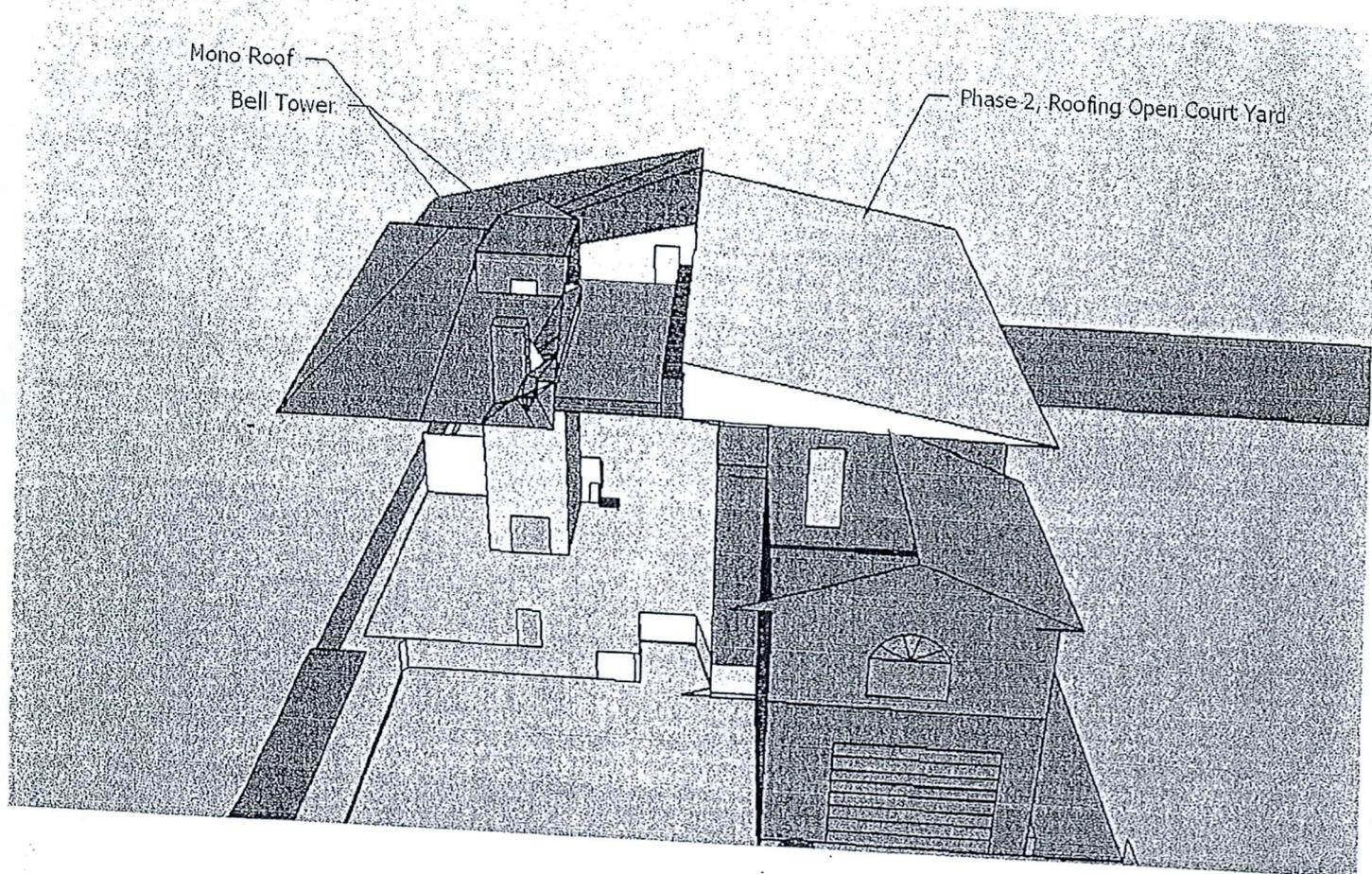
Phase II (Timeline Based on Budget)

North East View



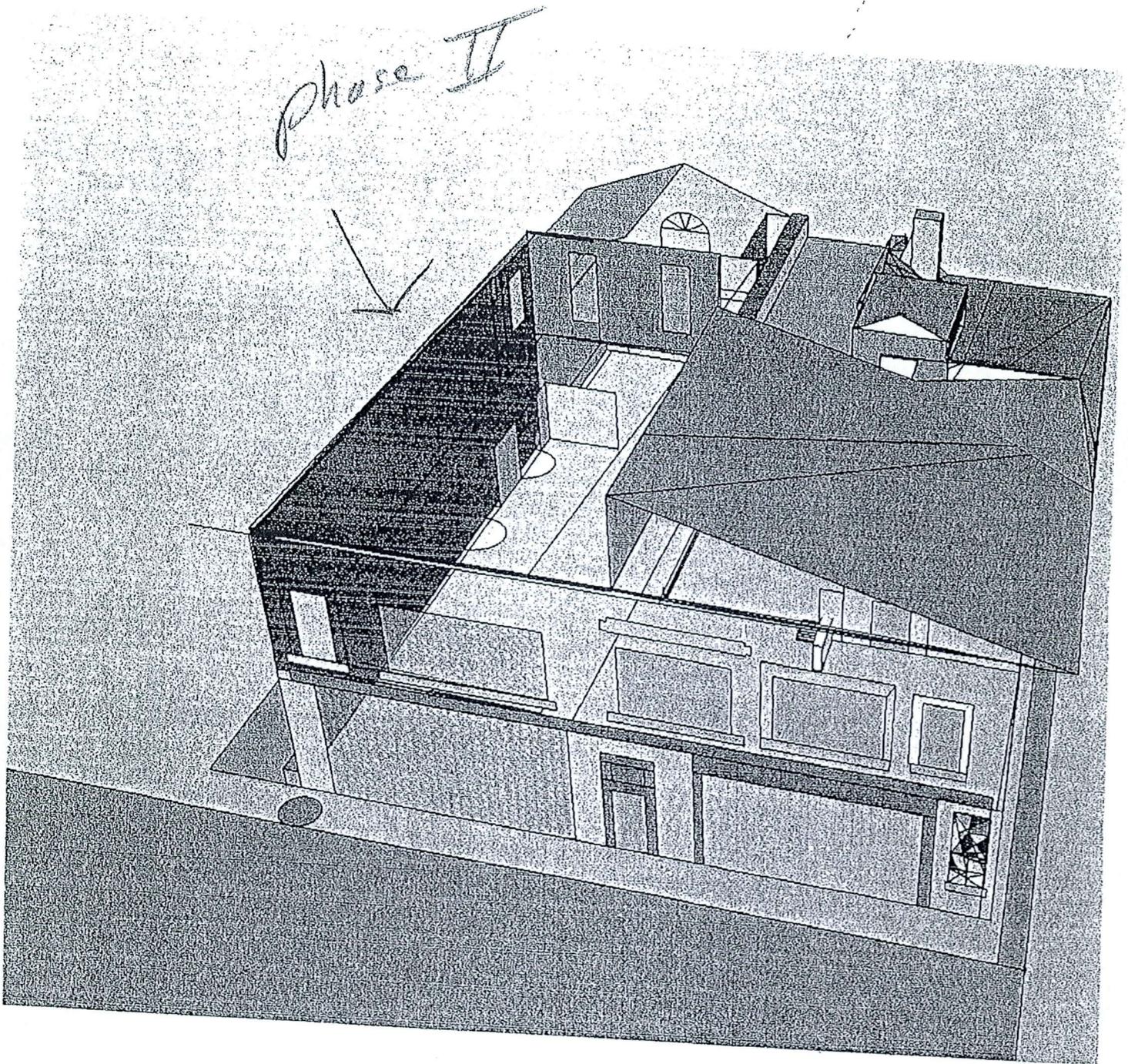
Phase II

Rear South View

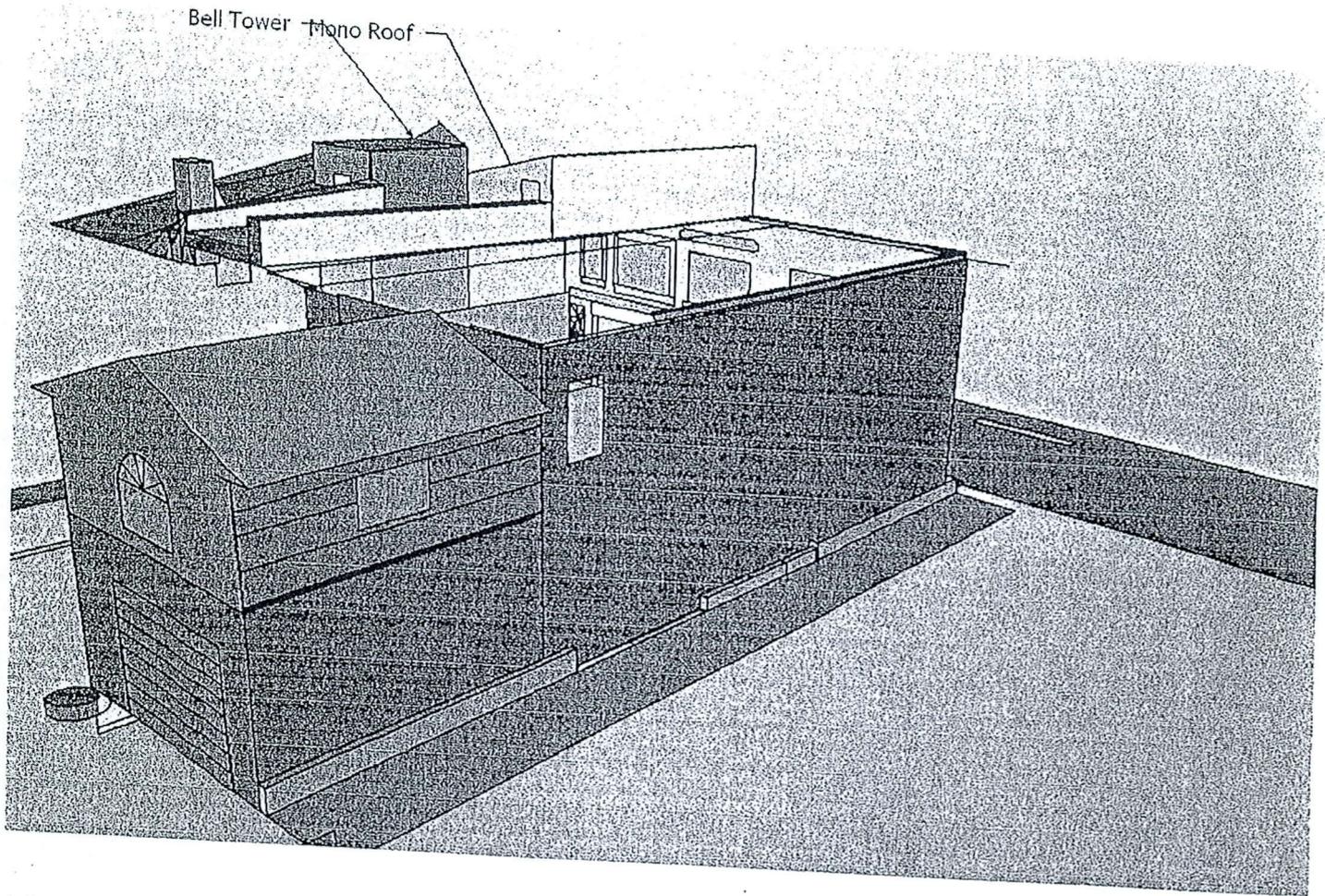


2016 Current Roof Systems

Phase II

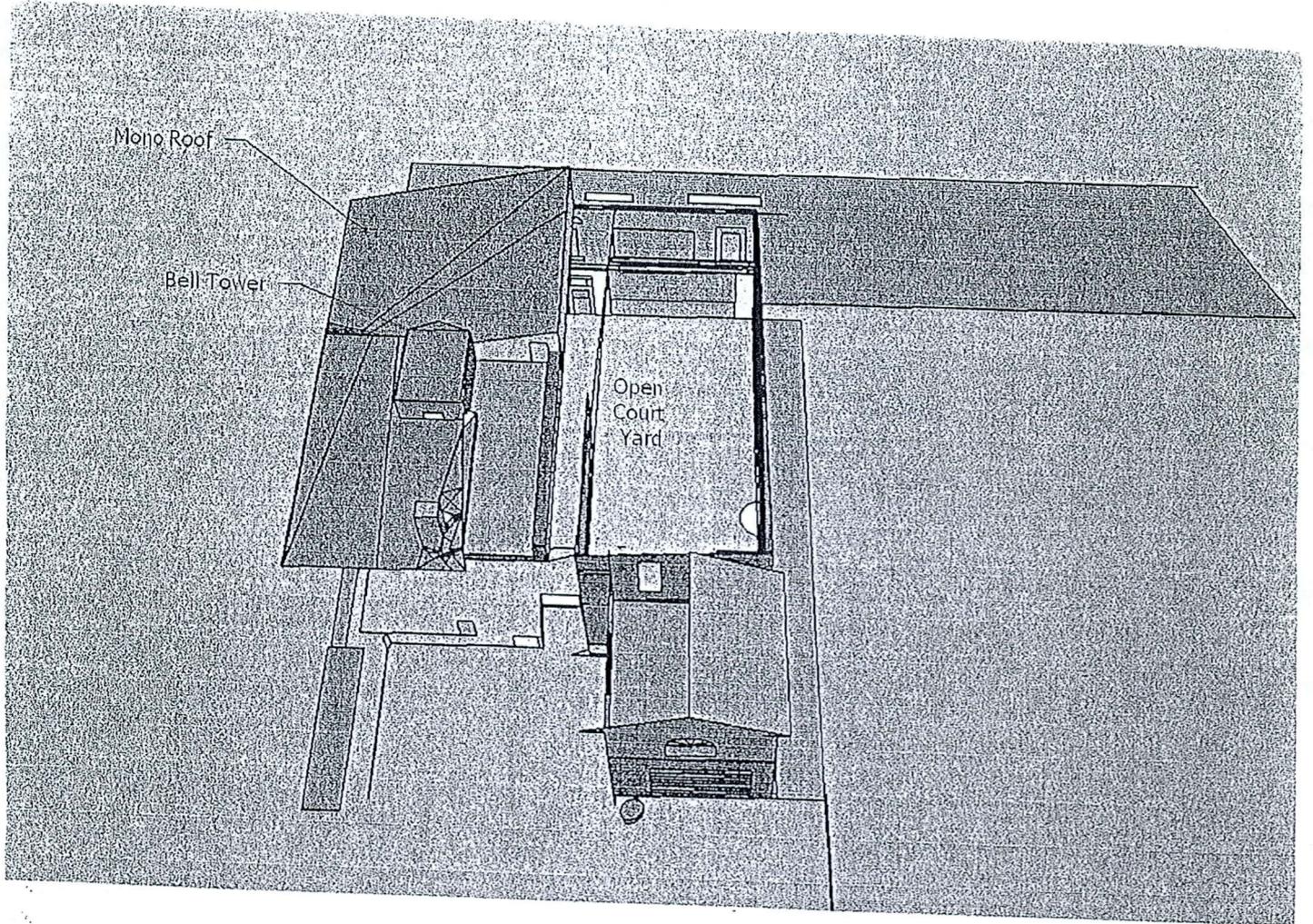


2016 Current Roof Systems



# 2016 Concert Roating System

Top / Rear South View





South Bend and St. Joseph County  
**HISTORIC PRESERVATION COMMISSION**

227 WEST JEFFERSON BLVD  
SOUTH BEND, IN 46601-1830  
www.stjosephcountyindiana.com/sjchp/index.html  
Phone: 574-235-9798 Fax: 574-235-9578  
e-mail: SBSJCHPC@co.st-joseph.in.us



Timothy S. Kluscinski, President

A Certified Local Government

Elicia Feasel, Executive Director

September 27, 2016

Eric Boyd  
1240 West Thomas Street  
South Bend, IN 46601

Dear Mr. Boyd,

The Commissioners, at the regularly scheduled monthly Historic Preservation Commission meeting on September 19, 2016, unanimously denied approval of the items originally listed on COA Application# 2016-0809: "Roof, window replacement, apply for addition – siding vinyl and window replacement is long term. Current plan is to keep windows boarded for security reasons (2 replacement windows have been broken). Color of vinyl siding is brown". Following is the record from the meeting concerning your project which states the reasons why your application was denied:

**Commissioner Gordon moved to deny application as submitted.** Seconded by Commissioner Anderson. President Kluscinski clarified that votes in the affirmative will support the motion to deny the application and reminded the members to state their reasons when voting. Roll call was ordered.

**Commissioner Hertel (AYE):** *the best course of action in maintaining the historic integrity of the building*

**Commissioner Parker (AYE):** *due to the architectural character of building, and the lack of other options/quotations*

**Commissioner Anderson (AYE):** *lack of conforming to architectural integrity of historic building*

**Commissioner Gordon (AYE):** *not in keeping with the integrity of the landmark status*

**Commissioner Kluscinski (AYE):** *work is not in keeping with Landmark standards and guidelines, work was performed without prior approval by the HPC and the Building Department, evidence suggests that the new changes are not structurally sound and in compliance with current building code, there is only one quotation obtained by the applicant for in-kind work, and there is insufficient documentation to consider alternative proposals at this time.*

**Commissioner Voll (AYE):** *a tough decision because of all the work the owner has put into it. The building, if it were restored, in that neighborhood, would be a classic piece. That is a difficult option here, but there is hope that there may be ways to achieve that.*

**Commissioner Buccellato (AYE):** *project does not meet standards and guidelines, in particular that additions to Landmarks should not detract from the original form. This roof, as proposed, will detract from the original form. Would like to see the building saved, and recommended that if a sloped roof is necessary financially, the owner would come back with a proposal that does not detract from the form of the structure.*

**Commissioner Gelfman (AYE):** *architectural integrity, lack of other quotes on a flat roof, changing from flat roof to gabled roof, losing the structural integrity of the building as-is historically, and materials being used.*

**COMMISSIONERS**

Thomas Gordon (Vice President)  
Mike Voll (Treasurer)  
Jennifer Parker (Architectural Historian)  
Elizabeth Hertel (Secretary)  
Kevin Buccellato  
Brandon Anderson  
Michele Gelfman  
Joseph Molnar

**STAFF**

Deb Parcell, Deputy Director  
Brett Hummer, Legal Counsel  
Steve Szaday, Preservation Specialist

**HISTORIC  
PRESERVATION  
COMMISSION**  
OF SOUTH BEND & ST. JOSEPH COUNTY  
EST. 1973



South Bend and St. Joseph County  
**HISTORIC PRESERVATION COMMISSION**

227 WEST JEFFERSON BLVD  
SOUTH BEND, IN 46601-1830  
www.stjosephcountyindiana.com/sjchp/index.html  
Phone: 574-235-9798 Fax: 574-235-9578  
e-mail: SBSJCHPC@co.st-joseph.in.us



Timothy S. Kluszczinski, President

A Certified Local Government

Elicia Feasel, Executive Director

**Commissioner Molnar (AYE):** *echoes Commissioner Voll's statements that this is a tough choice. Suggests checking with Community Investment to see if they have any programs that could assist in this project.*

**Nine in favor, none opposed.**

**Vote: 9 – 0 COA#2016-0809 Denied.**

Please contact this office with any questions or concerns or for any assistance.

Sincerely,

Debra Parcell, Deputy Director

**COMMISSIONERS**

Thomas Gordon (Vice President)  
Mike Voll (Treasurer)  
Jennifer Parker (Architectural Historian)  
Elizabeth Hertel (Secretary)  
Kevin Buccellato  
Brandon Anderson  
Michele Gelfman  
Joseph Molnar

**STAFF**

Deb Parcell, Deputy Director  
Brett Hummer, Legal Counsel  
Steve Szaday, Preservation Specialist

**HISTORIC  
PRESERVATION  
COMMISSION**

OF SOUTH BEND & ST. JOSEPH COUNTY  
EST. 1973

**STAFF REPORT**  
CONCERNING APPLICATION FOR A  
**CERTIFICATE OF APPROPRIATENESS**

**Date:** 9 August 2016

**Application Number:** 2016-0809

**Property Location:** 1240 West Thomas Street

**Architectural Style/Date/Architect or Builder:** Period Revival/1920/Firehouse #4

**Property Owner:** Eric Boyd

**Landmark or District Designation:** Local Landmark

**Rating:** Outstanding

**DESCRIPTION OF STRUCTURE/ SITE:** Firehouse #4 is a 2-story rectangular brick building. It had a flat roof with limestone parapet coping, metal parapet scupper/cornice with brick brackets underneath and ornate limestone detailing at the ends. The windows are 1/1 double-hung with limestone sills. There is a brick side chimney, and a roof penthouse with hip roof.

**ALTERATIONS:** Most of the windows in this former firehouse have been boarded up prior to a 2007 fire. RME 2011-1110 approved replacement of metal roof to secure the building and protect it from the elements, although there is no evidence it was ever installed. An asymmetrical gabled roof has been installed without an approved COA or Building Permit on approximately half of the main structure, as well as a second story addition and gabled roof on the rear of the building. Areas where large overhead garage doors were originally located have been covered with vinyl siding. Most window openings have been covered with plywood or vinyl siding.

**APPLICATION ITEMS:** Roof, window replacement, apply for addition – siding vinyl and window replacement is long term. Current plan is to keep windows boarded for security reasons (2 replacement windows have been broken). Color of vinyl siding is brown.

**DESCRIPTION OF PROPOSED PROJECT:** HPC Staff has worked with the current owner in recent years to support a tax abatement and rezoning petition. Although an RME was issued for a replacement roof in 2011, the details of what was actually installed were not presented at that time. Additionally, the Building Department has provided a statement that indicates the current roof configuration was not approved with a Building Permit and has ordered all work to stop until a formal submission and plan is set for the proposed work. This property was heard at a July 26, 2016 Code Enforcement hearing where a date of January 26, 2017 was given for Code compliance.

Owner proposes a 4/12 shed roof be constructed over part of the main building, from the west exterior wall 30' east to a 10'H wall built on existing brick interior wall, with a 1' overhang at west wall. Second floor addition atop one-story brick portion at rear of building is to be vinyl sided to match existing brown vinyl siding used to fill garage door openings; replacement windows to be used to fill window openings in this addition. Existing windows in building are to be left boarded up for security reasons. Most of this work with the exception of the windows and vinyl in the rear addition have been installed without COA or Building Permit.

**PRESERVATION SPECIALIST REPORT:** n/a

## **STANDARDS AND GUIDELINES: Group B**

### **A. Maintenance**

The maintenance of any historical structure or site shall in no way involve any direct physical change except for the general cleaning and upkeep of the landmark. The Commission shall encourage the proper maintenance of all structure or sites.

### **B. Treatment**

Treatment shall be defined as any change of surface materials that will not alter the style or original form. Such improvements include re-roofing, glazing, or landscaping lawns and may involve a change that can potentially enhance or detract from the character of the landmark. A treatment change of any surface whether on the landmark or in its environment may require a Certificate of Appropriateness if it significantly alters the appearance of the landmark. Although these kinds of changes may not require a Building Permit, a Certificate of Appropriateness may be necessary. The commission should review the proposed treatment for character and style consistency with the original surfaces.

### **C. Renovation and Additions**

Renovation is the modification of a structure, which does not alter the general massing while an addition, is a change in mass. A modification, which involves the removal of a part of the landmark, should be considered under demolition (see demolition). Additions to landmarks should not detract from the original form and unity of the landmark and should not cover singular examples of architectural detail. Additions to landmarks should be added in a manner that does not disrupt the visible unity of overall appearance of the site. The proportions, materials and ratios of the existing structures should be carried through in the additions. Care should be taken not to change or alter the following:

1. Structure—Necessary structural improvements, where safety demands should be accomplished in such a way as to cause minimal visual change to the original style and construction.
2. Material—Additions and improvements involving any new material in the landmark should be of the same material as the original. It should be the same size and texture. An alternative material may be allowed if it duplicates the original.
  - a. wood—all wood trim should conform with existing trim in shape and size.
  - b. siding materials—the Commission discourages the covering or alteration of original materials with additional siding. Structures already sided with incompatible materials should be returned to a siding similar to the original when renovation is considered.

### **D. Demolition**

Historic landmarks shall not be demolished. When a landmark poses a threat to the public safety, and demolition is the only alternative, documentation by way of photographs, measured drawings, or other descriptive methods should be made of both the exterior and interior of the landmark. The person or agency responsible for demolition of the landmark shall be responsible for this documentation.

### **E. Moving**

The moving of landmarks is discouraged, however, moving is preferred to demolition. When moving is necessary, the owner of the landmark must apply to the Commission for a Certificate of Appropriateness.

### **F. Signs**

No neon or flashing signs will be permitted unless they are original to the structure. Billboards and supergraphics will also be disallowed. Only one appropriate identifying sign will be permitted per business.

### **G. Building Site and Landscaping**

#### **1. Required**

Major landscaping items, trees, fencing, walkways, private yard lights, signs (house numbers) and benches which reflect the property's history and development shall be retained. Dominant land contours shall be retained. Structures such as: gazebos, patio decks, fixed barbecue pits, swimming pools, tennis courts, green houses, new walls, fountains, fixed garden furniture, trellises, and other similar structures shall be compatible to the historic character of the site and neighborhood and inconspicuous when viewed from a public way.

#### **2. Recommended**

New site work should be based upon actual knowledge of the past appearance of the property found in photographs, drawings, and newspapers. Plant materials and trees in close proximity to

the building that are causing deterioration to the buildings historic fabric should be removed. However, trees and plant materials that must be removed should be immediately replaced by suitable flora. Front yard areas should not be fenced except in cases where historic documentation would indicate such fencing appropriate. Fencing should be in character with the buildings style, materials, and scale.

### 3. Prohibited

No changes may be made to the appearance of the site by removing major landscaping items, trees, fencing, walkways, outbuildings, and other elements before evaluating their importance to the property's history and development. Front yard areas shall not be transformed into parking lots nor paved nor blacktopped. The installation of unsightly devices such as TV reception dishes and solar collectors shall not be permitted in areas where they can be viewed from public thoroughfares.

**STAFF RECOMMENDATION:** Staff does not recommend approval of the roof deviation from flat to asymmetrical gable and does not recommend a roof on only half of the structure as it does not conform to the standards and guidelines, A, B, and C. Staff recommends rear second story addition with gable roof, however, is not recommending the proposed window and siding treatments as they can be considered an incompatible material as reference in C, 2. Staff recommends that the owner be in compliance with the Building Department at the request of the Building Commissioner.

Elicia Feasel  
Executive Director



ST. JOSEPH COUNTY  
CITY OF SOUTH BEND  
BUILDING DEPARTMENT



March 2, 2017

Eric A Boyd  
1207 W Thomas St  
South Bend, IN 46601

AND

Current Owner/Tenant  
1240 THOMAS ST,  
SOUTH BEND, IN 46625

Re: Violations of City Ordinance at 1240 Thomas St, South Bend, IN 46625/Third Notice

Dear Mr. Boyd,

We recognize the effort to reduce violations of the City of South Bend Zoning Ordinance, at your property located at 1240 THOMAS ST, SOUTH BEND, IN 46625, zoned "MU" Mixed Use District. However, the property is still in violation.

The above-referenced property has the following violations:

1. The failure to obtain an improvement location permit when one is required by the terms and provisions of this Ordinance, *Section 21-10(f)(2)*, specifically doing construction remodeling without application for applicable commercial building permits.
2. Failure to comply with any other provisions of this Ordinance, or other applicable federal, state or local law or ordinance, *Section 21-10(f)(10)*, specifically the failure to acquire a Certificate of Appropriateness for new construction from the Historic Preservation Commission for a building identified as a South Bend Local Landmark, (*Ordinance No. 7591-86*)
3. Failure to comply with the terms, provisions or conditions of any other permit required as a prerequisite to the issuance of a improvement location permit, *Section 21-10(f)(8)(C)*, specifically the failure to comply with the Historic Preservation Commissions decision against the work that has been recently done to the building.

**VIOLATION REMEDY REQUIREMENTS**

Immediately remove the additions to the building installed without issuance of a Certificate of Appropriateness from the Historic Preservation Commission and

apply for an inspection by our department to verify the unapproved work has been properly demolished.

If these violations exist on or after March 13, 2017 citations will be issued. If you have any questions regarding this matter, please feel free to contact me.

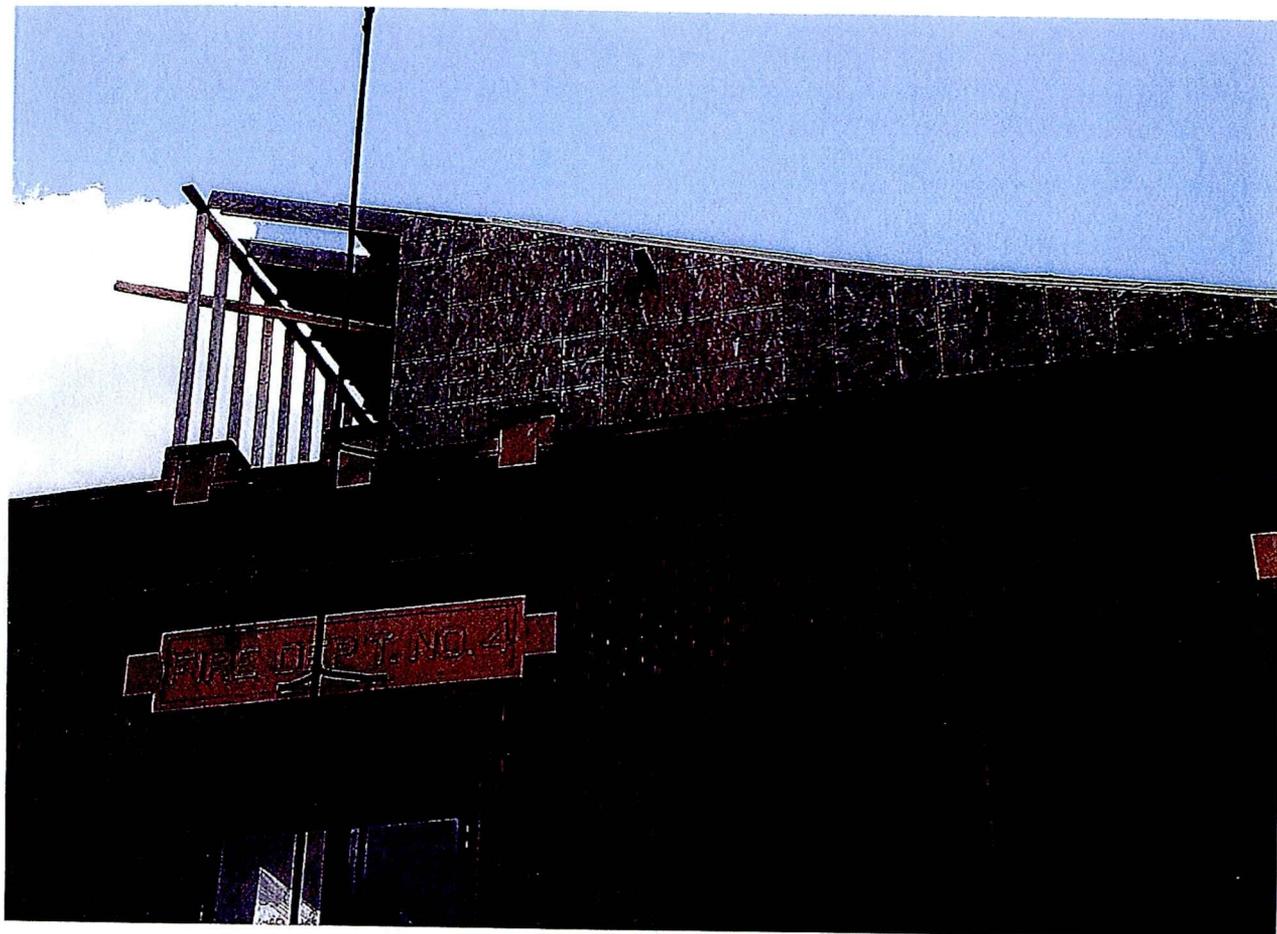
Sincerely,

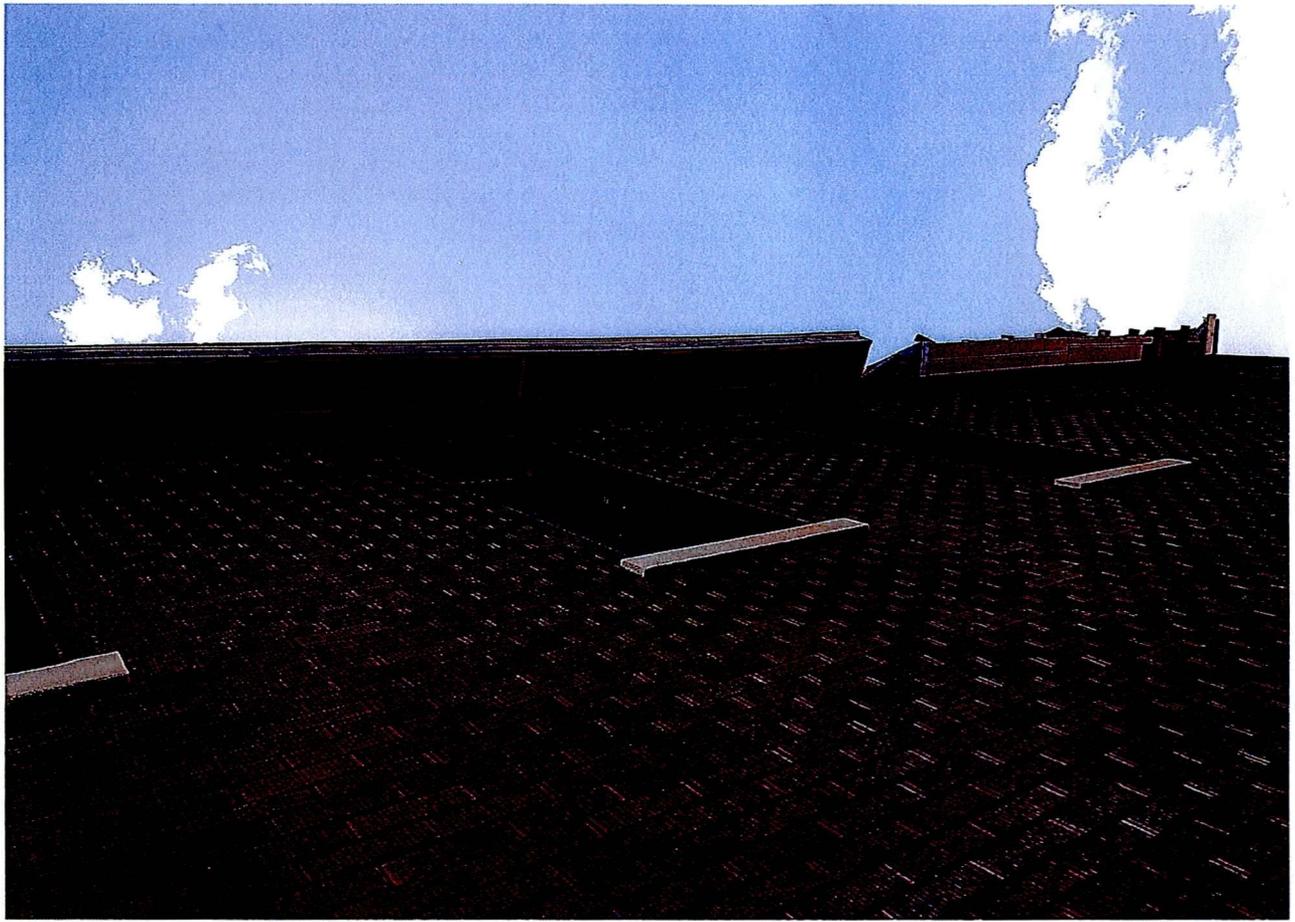
A handwritten signature in black ink, appearing to read 'Paek', written in a cursive style.

Ayoka Paek, MCP, MCIP  
Zoning and Business Services Administrator

cc:

Elicia Feasel, Historic Preservation Commission  
Randy Wilkerson, Code Enforcement





MINUTES OF A MEETING OF THE  
HISTORIC PRESERVATION COMMISSION  
OF SOUTH BEND & ST. JOSEPH COUNTY

June 19, 2017  
13<sup>th</sup> Floor Conference Room  
County – City Building  
South Bend, IN 46601

**I. CALL TO ORDER**

President Kluszczinski called the meeting to order at 7:00 p.m.

**Members Present:** Timothy S. Kluszczinski, President; Elizabeth Hertel, Vice President; Tom Gordon, Asst. Secretary; Brandon Anderson, Kevin Buccellato, Joseph Molnar, Treasurer

**Members Not in Attendance:** Jennifer Parker, Architectural Historian; Michele Gelfman, Secretary; Mike Voll

**Staff Present:** Elicia Feasel, Executive Director; Deb Parcell, Deputy Director; Steve Szaday, Preservation Specialist; Katlyn Foust, Legal Counsel

**Members of the Public Present:** Roman Sysyn, K&J Building Contractors, Mark Wenkus, Mike Fernander, Deb Fernander, Beadenuel Williams, Mike Illes, Karl Nichols, Leticia Morris, Theresa Johnson, Kevin Jakiel, Eric Boyd, Aaron 66, Michael Boyd, Gloria Jones, Unetta Jones, Kirstin Champer, Steve Mihaljevic, Gladys Muhammad, Derek Wright, Todd Zeiger

**II. PUBLIC HEARING**

**A. CERTIFICATE OF APPROPRIATENESS**

**1. 1327 East Wayne Street**

**COA#2017-0508**

**East Wayne Street**

Representation by Mike and Debbie Fernander, 1327 East Wayne

**STAFF REPORT**

CONCERNING APPLICATION FOR A  
CERTIFICATE OF APPROPRIATENESS

**Date:** May 8, 2017

**Application Number:** 2017-0508

**Property Location:** 1327 East Wayne Street North

**Architectural Style/Date/Architect or Builder:** Colonial Revival/1941/Mills House

**Property Owner:** Michael & Deborah Fernander

**Landmark or District Designation:** East Wayne Street Local Historic District, ordinance #7796-87

**Rating:** Contributing

**DESCRIPTION OF STRUCTURE/ SITE**

Two story, rectangular floor plan, wood frame construction with limestone first story and asbestos shingles on balance of exterior. Side gabled roof with gable returns and simple entablature. The roof is covered with asphalt shingles, 8/8 double hung wood windows with ornamental louvered shutters. On the south of the home, there is a one-story porch wing with flat roof and diamond patterned wood railing. Porch wing façade has plain entablature and plain pilasters, enclosed with sliding glass doors and pergola. Attached two car garage is on the south end of the home.

**ALTERATIONS:**

The survey card, updated in 1998, notes "major" alterations to this home including: aluminum storm door and windows, enclosed south porch wing, and siding.

COA 2002-0522 was approved for the removal of "existing gray asphalt 3-tab shingles from roof of home and garage and replacement with light 'shake wood brown' color asphalt architectural shingles on roof and garage." COA 2009-0601B approved an 8' x 31' kitchen addition and 7' x 20' covered porch. COA 2013-0620 approved removal and replanting of a maple tree on street lawn.

**APPLICATION ITEMS:**

Fencing along 3 sides of yard.

**DESCRIPTION OF PROPOSED PROJECT:**

Owner proposes installation of 5' wrought iron gate at northeast corner of garage, attached to a 38" high decorative wrought iron fence continuing 23' east to sidewalk, then running between shrubs and sidewalk (1' off sidewalk) north 28' and west 38'; transitioning to a 6' high wood privacy fence running 34' west, terminating at existing 6' high wood fence (existing fence to

remain). Fenced area will be closed off between south end of existing wood fence and house with 7' wrought iron gate with two side pieces. Although this plan proposes a fenced area in front of the house, this would be on the Jacob Street side, not East Wayne Street, as the house actually faces Jacob.

**STANDARDS AND GUIDELINES:**

**EAST WAYNE STREET LOCAL HISTORIC DISTRICT**

**I. THE ENVIRONMENT**

**B. BUILDING SITE, LANDSCAPING AND ACCESSORIES**

**Required**

Major landscaping items, fencing, walkways, private yard lights, signs (house numbers) and benches which reflect the property's history and development shall be retained. Dominant land contours shall be retained. Structures such as gazebos, patio decks, fixed barbecue pits, swimming pools, tennis courts, greenhouses, new walls, fountains, fixed garden furniture, trellises and other similar structures shall be compatible to the historic character of the site and the neighborhood and inconspicuous when viewed from a public walkway.

**Recommended**

New site work should be based upon actual knowledge of the past appearance of the property found in photographs, drawings and newspapers. New site work should be appropriate to existing surrounding site elements in scale, type and appearance. Plant materials and trees in close proximity to the building that are causing deterioration to the building's historic fabric should be removed. However, trees and plant materials that must be removed should be immediately replaced by suitable flora. All high intensity security lights should be approved by the Historic Preservation Commission.

**Prohibited**

No changes may be made to the appearance of the site by removing major landscaping items, trees, fencing, walkways, outbuildings or other elements before evaluating their importance to the property's history and development. Front yard areas shall not be transformed into parking lots nor paved nor blacktopped. **Front yard areas shall not be fenced and fences shall not extend forward beyond the setback line of the house.** The installation of unsightly devices such as television reception dishes and solar collectors shall not be permitted in areas where they can be viewed from the public thoroughfare.

**Not Recommended**

Telephone or utility poles with high-intensity overhead lights should be installed so that they cannot be seen from the thoroughfare.

**STAFF RECOMMENDATION:** Although the proposed fence would extend in front of the setback line of the house, the siting of the house on the lot would position this fence near Jacob Street, not East Wayne Street. A similar fence project was approved for 304 Twyckenham with COA 2011-0606. Staff recommends approval.

Elicia Feasel, Executive Director  
Deb Parcell, Deputy Director

Commissioner Hertel moved to approve application as submitted. Seconded by Commissioner Molnar. Six in favor, none opposed.

Vote: 6 – 0

**COA#2017-0508 Approved.**

**2. 812 Golden**

**COA#2017-0523**

**Riverside Drive**

Representation by Leticia Morris, 812 Golden

**STAFF REPORT**

CONCERNING APPLICATION FOR A  
CERTIFICATE OF APPROPRIATENESS

**Date:** May 23, 2017

**Application Number:** 2017-0523

**Property Location:** 812 Golden

**Architectural Style/Date/Architect or Builder:** American Foursquare/1911

**Property Owner:** Tim & Leticia Morris

**Landmark or District Designation:** Riverside Drive LHD, ordinance #7469-85

**Rating:** Contributing

**DESCRIPTION OF STRUCTURE/ SITE:** The 2 story frame house has a square plan and is set upon a concrete block foundation. It has a high hip roof with a gable projection on the main façade and it is covered in asphalt shingles. The walls are aluminum sided. Some of the upper floor windows and the front façade windows appear to be original 1/1 wood double-hung. All the windows have aluminum storms. There is an open porch with concrete block pillars and piers with wood Doric columns. The front door appears to be original. The house is situated on a very small wedge-shaped lot with a narrow front and side yard; the garage completely dominates the rear yard.

**ALTERATIONS:** The house is aluminum sided and all windows have aluminum storms. The steel security door at the rear of the house is a replacement. The garage appears to be original. The storm door is not original. The south kitchen window has been reduced in size and replaced with a modern vinyl replacement window (1985). A south basement window has been replaced with a vinyl replacement window and the other south side basement window has a deteriorating aluminum storm and wood window. A window at the rear of the house has been removed and/or covered with aluminum siding (1985). The roof was replaced with COA 2007-0316. COA 2010-0802A for vinyl replacement windows was denied with the exception of the front third floor window, as it was determined by the Preservation Specialist that existing windows could be repaired and/or rehabilitated. COA 2016-1019 approved tear down of existing garage, and conditional approval of installation of a new wood deck and French doors (replacing windows) at back side of house; removal and replacement of existing wood windows was denied. COA 2016-1205 and 2017-0103 for removal and replacement of existing wood windows were denied.

**APPLICATION ITEMS:** Replace existing stone retaining wall in front yard with landscape blocks; add landscaping plants, and plant flowering dogwood (*Cornus florida*).

**DESCRIPTION OF PROPOSED PROJECT.** Owner has removed stone retaining wall in front of property, and installed dry-laid landscape block retaining walls along sidewalks. New plants, shrubs, and a flowering Dogwood (*Cornus florida*) have been planted in the yard. This goal of this project was to improve soil retention, as well as the overall appearance of the property.

**PRESERVATION SPECIALIST REPORT:**

**STANDARDS AND GUIDELINES:**

Riverside Drive Local Historic District

I. THE ENVIRONMENT

B. BUILDING SITE, LANDSCAPING AND ACCESSORIES

Individual properties in the district are characterized by a house located in the center of a flat lawn, often divided by a walk leading to the front entrance. Several of the residences are sited on two or more building lots; however, the preponderance of the homes have been erected on a single lot. Most of the properties include a double garage, usually located at the rear of the property. The majority of garages are accessed from straight driveways leading from the main thoroughfare, while a few are accessed from the alley. There are also a few homes with a covered carport located at the rear of the property, as well as a few with circular driveways. Driveway and sidewalk materials include concrete, asphalt and brick. All of the properties have trees and most have trimmed shrubbery and/or hedges. Most of the houses conform to a uniform setback line within each block.

Required

Plants, trees, fencing, walkways, private yard lights, signs (house numbers) and benches which reflect the property's history and development shall be retained.

Recommended

**New site work should be based upon actual knowledge of the past appearance of the property found in photographs, drawings and newspapers. New site work should be appropriate to existing surrounding site elements in scale, type and appearance.** Plant materials and trees in close proximity to the building that are causing deterioration to the building's historic fabric should be removed. However, trees and plant materials that must be removed should be immediately replaced by suitable flora. All high-intensity security lights should be approved by the Historic Preservation Commission.

Prohibited

No changes may be made to the appearance of the site by removing major landscaping items, trees, fencing, walkways, outbuildings or other elements before evaluating their importance to the property's history and development. Front yard areas shall not be transformed into parking lots nor paved nor blacktopped. Front yard areas shall not be fenced and fences shall not extend forward beyond the setback line of the house. The installation of unsightly devices such as television reception dishes and solar collectors shall not be permitted in areas where they can be viewed from the public thoroughfare.

Not Recommended

Telephone or utility poles with high-intensity overhead lights should be installed so that they cannot be seen from the thoroughfare.

**STAFF RECOMMENDATION:** As the new retaining wall and landscaping will prevent erosion, does not detract from the appearance of the property, and is similar to other retaining walls in the Riverside Drive historic district, Staff recommends approval.

Elicia Feasel, Executive Director

Deb Parcell, Deputy Director

Public Hearing:

Barbara Gatto, 808 Golden: Supports the Morris as they are good neighbors and are good for the neighborhood. They have improved the neighborhood.

Angela Philpott, 1077 Riverside: Before this retaining wall was put in, there were loose rocks there, and kids would pick them up and throw them. This will be safer.

Commission Discussion:

Commissioner Hertel pointed out for the record that the installation of the retaining wall was completed before the application had been filed and that the applicants should have had knowledge of procedure from recent COA projects.

Commissioner Buccellato moved to approve application as submitted. Seconded by Commissioner Anderson. Six in favor, none opposed.

Vote: 6 – 0

**COA#2017-0523 Approved.**

**3. 511 West Colfax**

**COA#2017-0526A**

**Local Landmark**

Representation by Steve Majalevich, 117 Franklin Place, South Bend

**STAFF REPORT**

CONCERNING APPLICATION FOR A  
CERTIFICATE OF APPROPRIATENESS

**Date:** May 26, 2017

**Application Number:** 2017-0526A

**Property Location:** 511 West Colfax

**Architectural Style/Date/Architect or Builder:** Tudor Revival/1898/Birdsell House/Wilson Parker, Archt.

**Property Owner:** Steve Mihaljevic/Anisah Michael

**Landmark or District Designation:** Local Landmark, Ordinance #8609-1995/West Washington St. National Register Historic District

**Rating:** Outstanding

**DESCRIPTION OF STRUCTURE/ SITE:** The wood frame house has field stone veneer facade on the first floor, second floor is brick veneer, gable ends of house are Tudor-style half timbers. The foundation is concrete and stone and the half-timbering in the gables. Wood windows are diamond patterned 4/1. Verandah is supported with stone columns with ornate capitals. The porte cochere has a hipped roof.

**ALTERATIONS:** Original roof has been replaced with asphalt shingles. COA 2000-0316 approved a wrought fence around the property, and a rear yard chain link fence was approved with COA 2001-0129, although neither of these fences were installed. COA 2008-0604A approved reconstruction of chimney. RME 2016-0825A approved repair of five original double hung windows in second story south and third story south. COA 2016-1018 to replace the existing asphalt shingle house roof and metal front porch and porte cochere roofs with standing-seam copper was denied. COA 2016-1128A approved copper standing-seam roofing material to be used on porch and Porte cochere, and alternative (reproduction), synthetic materials for the main roof, subject to commission approval at a later date.

**APPLICATION ITEMS:** Replace current shingle roof with combination of faux slate, copper caps, copper gutters, copper valleys, copper caps, copper drip edges. Main roof will consist of faux slate, porte cochere and front porch will be all copper. Additional work that will be occurring: -Repainting of all exterior surfaces (wood) stucco, windows. -Repair of woodwork (in-kind).

**DESCRIPTION OF PROPOSED PROJECT:** This is a reapplication for items approved with conditions on COA 2016-1128A. Owner proposes to install EcoStar Majestic Slate synthetic slate tiles with copper drip edge, copper valley, edge trim and flashings on house roof, and copper standing seam roof material on front porch and porte cochere. Historic photos show the original house roof to be flat clay tile, and the Portage Township Assessor's card lists a tile roof in 1935. The original porch and porte cochere roofs, as well as gutters and accents which still exist, are painted metal; the original house roof was replaced with asphalt shingles.

Additionally, the owner proposes to repair all woodwork, and repaint all exterior surfaces: wood, stucco, and windows. These items to be approved as Routine Maintenance Exclusions.

**PRESERVATION SPECIALIST REPORT:**

The current roof material is asphalt shingles on the main house and metal raised-seamed roofing on the front porch and porte-cochere. Several patches and alternative coverings are in place in multiple locations where the asphalt roof has begun to roll up and deteriorate. From the interior of the house water damage is evident on the southeast, northeast, and southwest corners. A large area on the northeast has the most significant damage. The exterior patches and correlating interior damage would suggest that an inspection should take place to identify any necessary roof deck repairs or replacement that should take place prior to installation of any new roofing material.

Steve Szaday, Preservation Specialist

**STANDARDS AND GUIDELINES: Group B**

**A. Maintenance**

The maintenance of any historical structure or site shall in no way involve any direct physical change except for the general cleaning and upkeep of the landmark. The Commission shall encourage the proper maintenance of all structure or sites.

**B. Treatment**

Treatment shall be defined as any change of surface materials that will not alter the style or original form. Such improvements include re-roofing, glazing, or landscaping lawns and may involve a change that can potentially enhance or detract from the character of the landmark. A treatment change of any surface whether on the landmark or in its environment may require a Certificate of Appropriateness if it significantly alters the appearance of the landmark. Although these kinds of changes may not require a Building Permit, a Certificate of Appropriateness may be necessary. The commission should review the proposed treatment for character and style consistency with the original surfaces.

#### C. Renovation and Additions

Renovation is the modification of a structure, which does not alter the general massing while an addition, is a change in mass. A modification, which involves the removal of a part of the landmark, should be considered under demolition (see demolition). Additions to landmarks should not detract from the original form and unity of the landmark and should not cover singular examples of architectural detail. Additions to landmarks should be added in a manner that does not disrupt the visible unity of overall appearance of the site. The proportions, materials and ratios of the existing structures should be carried through in the additions. Care should be taken not to change or alter the following:

1. Structure—Necessary structural improvements, where safety demands should be accomplished in such a way as to cause minimal visual change to the original style and construction.
2. Material—Additions and improvements involving any new material in the landmark should be of the same material as the original. It should be the same size and texture. An alternative material may be allowed if it duplicates the original.
  - a. wood—all wood trim should conform with existing trim in shape and size.
  - b. siding materials—the Commission discourages the covering or alteration of original materials with additional siding. Structures already sided with incompatible materials should be returned to a siding similar to the original when renovation is considered.

#### D. Demolition

Historic landmarks shall not be demolished. When a landmark poses a threat to the public safety, and demolition is the only alternative, documentation by way of photographs, measured drawings, or other descriptive methods should be made of both the exterior and interior of the landmark. The person or agency responsible for demolition of the landmark shall be responsible for this documentation.

#### E. Moving

The moving of landmarks is discouraged, however, moving is preferred to demolition. When moving is necessary, the owner of the landmark must apply to the Commission for a Certificate of Appropriateness.

#### F. Signs

No neon or flashing signs will be permitted unless they are original to the structure. Billboards and super-graphics will also be disallowed. Only one appropriate identifying sign will be permitted per business.

#### G. Building Site and Landscaping

##### 1. Required

Major landscaping items, trees, fencing, walkways, private yard lights, signs (house numbers) and benches which reflect the property's history and development shall be retained. Dominant land contours shall be retained. Structures such as: gazebos, patio decks, fixed barbecue pits, swimming pools, tennis courts, green houses, new walls, fountains, fixed garden furniture, trellises, and other similar structures shall be compatible to the historic character of the site and neighborhood and inconspicuous when viewed from a public way.

##### 2. Recommended

New site work should be based upon actual knowledge of the past appearance of the property found in photographs, drawings, and newspapers. Plant materials and trees in close proximity to the building that are causing deterioration to the buildings historic fabric should be removed. However, trees and plant materials that must be removed should be immediately replaced by suitable flora. Front yard areas should not be fenced except in cases where historic documentation would indicate such fencing appropriate. Fencing should be in character with the buildings style, materials, and scale.

##### 3. Prohibited

No changes may be made to the appearance of the site by removing major landscaping items, trees, fencing, walkways, outbuildings, and other elements before evaluating their importance to the property's history and development. Front yard areas shall not be transformed into parking lots nor paved nor blacktopped. The installation of unsightly devices such as TV reception dishes and solar collectors shall not be permitted in areas where they can be viewed from public thoroughfares.

**STAFF RECOMMENDATION:** As the proposed synthetic slate material closely replicates the original flat clay tile roof, Staff recommends approval.

Elicia Feasel, Executive Director  
Deb Parcell, Deputy Director

Commissioner Buccellato moved to approve application as submitted. Seconded by Commissioner Hertel. Six in favor, none opposed.

Vote: 6 – 0

4. 1067 Riverside

COA#2017-0524

Riverside Drive

Representation by Roman Sysyn, 1067 Riverside

STAFF REPORT

CONCERNING APPLICATION FOR A  
CERTIFICATE OF APPROPRIATENESS

Date: May 24, 2017

Application Number: 2017-0524

Property Location: 1067 Riverside

Architectural Style/Date/Architect or Builder: American Foursquare/1911

Property Owner: Roman Sysyn

Landmark or District Designation: Riverside Drive Local Historic District , ordinance #7469-85

Rating: Contributing

**DESCRIPTION OF STRUCTURE/ SITE:** The house is a typical square plan, 2 plus stories built in 1907 by real estate developer Frederick Keller of Whitcomb and Keller. The foundation is rusticated concrete block, the first story is clapboard with an enclosed porch; the second floor is wood shingles above a string course. The roof is a high hip roof with three gabled roof dormers, exposed rafter tails, wide overhangs and is covered with asphalt shingles. The windows are 1/1 double hung; the porch has horizontal 1/1. There is a bay window on the east side.

**ALTERATIONS:** The porch windows are not original to the house. The roof is a replacement (1986-0417) and re-roofed over with Art Lock shingles (2007-0705). The porch had a complete tear off and re-roof with asphalt shingles (2007-0705). COA 2009-0826 approved removal of existing chain link fence and installation of new wood fence. COA 2013-0422C approved restoration of wood spindle rail on 3 sides of front porch. COA 2015-0929A approved removal of dying Sugar Maple in front lawn.

**APPLICATION ITEMS:** Install one replacement window.

**DESCRIPTION OF PROPOSED PROJECT:** Owner proposes installation of new Champion vinyl replacement window in front attic window opening. Currently there is only a triple track aluminum storm window in the opening. The new window will be an interior replacement type, installed behind the existing aluminum storm window, and therefore difficult to see. Existing wood trim will be retained.

**PRESERVATION SPECIALIST REPORT:**

This morning at approximately 9:30 AM, I met with the owner of 1067 Riverside Drive at the property. He has applied to change his attic window (north/front side) from what was there to a vinyl Champion window. The current window is nothing more than an aluminum triple track storm window which will remain in place. There was a wood and glass sash hinged in place that the owner installed himself in 1973. That window was not original but fit in the jamb frame on the inside of the storm window. That sash had finally fallen apart and the owner no longer had possession of it. There was a double hung window there once but that was prior to this owner purchasing the home in 1973.

The owner would like to have permission to install a new vinyl double hung window installed inside the existing window framework without any grilles. The house currently has double hung windows without grilles that are covered up by the aluminum storm windows. The new window will also be covered up by the existing storm. The proposed window is an interior replacement type and would be difficult to see after installation.

Since the pane that was in place was not available to inspect, I am unable to determine its condition, I am relying upon the owner's account.

Steve Szaday, Preservation Specialist

**STANDARDS AND GUIDELINES:**

RIVERSIDE DRIVE LOCAL HISTORIC DISTRICT

II. EXISTING STRUCTURES

C. WINDOWS AND DOORS

Window and door frames are in most cases wood. Brick structures have stone sills and brick lintels. In some cases where aluminum siding has been applied window trim has been covered. About half of the structures in the district have aluminum storm windows, the other half wood windows.

Required

**Original windows and doors shall be retained including sashes, lintels, sills, shutters, decorative glass, pediments, hoods, and hardware. When deteriorated beyond repair, they shall be replaced with units and trim resembling the original.**

Recommended

Wood frame storm windows and doors painted to match the original should be used but should not damage existing frames. **If new sashes or doors are installed, the existing or original materials, design, and hardware should be used.** When metal storm doors are used, they should be painted, anodized or coated to match the existing. When awnings are used they should be of canvas material.

Prohibited

Original doors, windows and hardware shall not be discarded when they can be restored and reused in place. New window and door openings which would alter the scale and proportion of the building shall not be introduced.

Inappropriate new window and door features, such as aluminum insulating glass combinations that require removal of the original windows and doors, shall not be installed.

Not Recommended

Awnings, hoods, and fake shutters made of metal, vinyl, or fiberglass should not be used if they would detract from the existing character or appearance of the building.

**STAFF RECOMMENDATION:** As the new window will be difficult to see when installed behind the existing storm, Staff recommends approval

Elicia Feasel, Executive Director

Deb Parcell, Deputy Director

Commission Discussion:

Evidence supports that only a storm window exists to cover the current opening – the original window no longer exists.

Commissioner Gordon moved to approve application as submitted. Seconded by Commissioner Molnar. Six in favor, none opposed.

Vote: 6 – 0

**COA#2017-0524 Approved.**

**5. 620 West Washington                      COA#2017-0601                      Local Landmark**

Representation by Kevin Jakiel, 620 West Washington Street

Kevin Proffitt, 52222 Pickwick Lane, Nappanee

**STAFF REPORT**

CONCERNING APPLICATION FOR A  
CERTIFICATE OF APPROPRIATENESS

**Date:** June 1, 2017

**Application Number:** 2017-0601

**Property Location:** 620 West Washington

**Architectural Style/Date/Architect or Builder:** Richardsonian Romanesque/1889/Tippecanoe Place/Henry Ives Cobb, Architect

**Property Owner:** Brian and Kristi Matteoni/Norm Matteoni

**Landmark or District Designation:** Local Landmark, ordinance #6569-1979; West Washington Street National Register District; National Historic Landmark designated by the National Park Service (only NHL in St. Joseph County and of only 42 in Indiana)

**Rating:** Outstanding

**DESCRIPTION OF STRUCTURE/ SITE:** This four-story house with an irregular plan has a 12/12 red tile covered central hip roof with numerous intersecting hips, towers, and gables, and a simple eave line with copper gutters. The exterior walls and foundations are rough stone, with limestone window and door trim. The house has large bay windows on the north façade, a four-story tower at the northeast corner, projecting turret with conical roof at the southeast corner, a steep gable on the porte-cochere at the west end, and six stone chimneys with simple banding and cut stone caps. Most windows are one-over-one wood double-hung; there are also windows with double transoms, as well as a few Gothic windows. Generally, windows are deeply recessed and feature stone lintels and sills. At the west end of the house, colonnettes flank six windows with double transoms on the fourth floor, while first story windows are set in rounded heavy stone arches with colonnettes. The front entry porch is enclosed by round stone arches supported by clusters of Romanesque columns. The porte-cochere has intersecting gables and large arched openings. The rear veranda stretches around the south and east, featuring short Romanesque columns with a variety of capitals. Doors are wood.

**ALTERATIONS:** COA 1979-1107 to convert house into a restaurant through exterior changes listed in Appendix I (including #10: enclosing rear garden veranda) was denied. COA 1979-1217 addressed concerns discussed on previous COA to convert house into a restaurant; it was conditionally approved pending treatment of the porte-cochere. COA 1980-0219, upon review for the third time, approved conversion of the house into a restaurant, enclosure of the porte-cochere doorway openings with nonfunctional paneled wood doors, and enclosure of rear veranda with 6- and 3- light casement and fixed wood windows. COA 1980-0317 approved construction of a stone sign south of the Washington Street entrance. COA 1980-0903 approved construction of a wooden fence to enclose area south of building to install a freezer. COA 1982-0524 approved repair of roof. COA 1988-0721 approved in-kind replacement of front steps and repair of north garden wall. Six- and three-light casement and fixed windows enclosing rear veranda have been replaced with new vinyl windows without COA approval, in violation of Ordinance *Section 21-10(f)(10)*. COA 2017-0214A to replace wood windows in rear veranda with vinyl windows encased with wood molding to cover all exposed vinyl was denied.

**APPLICATION ITEMS:** Removal of a total of 21 windows. Install single glass pane Low E DS Insulated Glass 1: from The Glass Doctors as recommended by HPC. To restore to the previous 1979 installation per pictures attached. Exterior trim will be installed and painted to historically match. Existing interior trim and concrete pillars will be resealed and painted using proper materials and procedures by K&J Building Contractors. Due to our seasonal time as well as the cost incurred we are requesting to complete the Southeast side this Fall 2017 and the back-South Side next fall 2018. K & J Building Contractors on our behalf will obtain permits with both City of South Bend and the Historical Commission if needed.

**DESCRIPTION OF PROPOSED PROJECT:**

Owner proposes removal of 21 vinyl windows installed without HPC approval, and installation of single glass pane Low E DS Insulated Glass windows from The Glass Doctors, for an in-kind replacement of the windows which were first installed when this area was enclosed to provide seating space for the restaurant. Exterior trim will be installed and painted to match existing trim on house. Although the porch was not originally enclosed, the proposed treatment will restore to the previous 1979 installation per pictures attached. Existing interior trim and concrete pillars will be resealed and painted using proper materials and procedures by K&J Building Contractors. Request has been made to install new windows on the southeast side of the rear porch in Fall 2017, with the balance to be replaced Fall 2018, due to the seasonal time as well as the cost incurred.

**PRESERVATION SPECIALIST REPORT:**

**STANDARDS AND GUIDELINES: Group B**

**B. Maintenance**

The maintenance of any historical structure or site shall in no way involve any direct physical change except for the general cleaning and upkeep of the landmark. The Commission shall encourage the proper maintenance of all structure or sites.

**B. Treatment**

**Treatment shall be defined as any change of surface materials that will not alter the style or original form. Such improvements include re-roofing, glazing, or landscaping lawns and may involve a change that can potentially enhance or detract from the character of the landmark. A treatment change of any surface whether on the landmark or in its environment may require a Certificate of Appropriateness if it significantly alters the appearance of the landmark. Although these kinds of changes may not require a Building Permit, a Certificate of Appropriateness may be necessary. The commission should review the proposed treatment for character and style consistency with the original surfaces.**

**C. Renovation and Additions**

Renovation is the modification of a structure, which does not alter the general massing while an addition, is a change in mass. A modification, which involves the removal of a part of the landmark, should be considered under demolition (see demolition). Additions to landmarks should not detract from the original form and unity of the landmark and should not cover singular examples of architectural detail. Additions to landmarks should be added in a manner that does not disrupt the visible unity of overall appearance of the site. The proportions, materials and ratios of the existing structures should be carried through in the additions. Care should be taken not to change or alter the following:

- 1. Structure**—Necessary structural improvements, where safety demands should be accomplished in such a way as to cause minimal visual change to the original style and construction.
- 2. Material**—Additions and improvements involving any new material in the landmark should be of the same material as the original. It should be the same size and texture. An alternative material may be allowed if it duplicates the original.
  - a. wood—all wood trim should conform with existing trim in shape and size.
  - b. siding materials—the Commission discourages the covering or alteration of original materials with additional siding. Structures already sided with incompatible materials should be returned to a siding similar to the original when renovation is considered.

**D. Demolition**

Historic landmarks shall not be demolished. When a landmark poses a threat to the public safety, and demolition is the only alternative, documentation by way of photographs, measured drawings, or other descriptive methods should be made of both the exterior and interior of the landmark. The person or agency responsible for demolition of the landmark shall be responsible for this documentation.

**E. Moving**

The moving of landmarks is discouraged, however, moving is preferred to demolition. When moving is necessary, the owner of the landmark must apply to the Commission for a Certificate of Appropriateness.

**F. Signs**

No neon or flashing signs will be permitted unless they are original to the structure. Billboards and super-graphics will also be disallowed. Only one appropriate identifying sign will be permitted per business.

**G. Building Site and Landscaping**

**1. Required**

Major landscaping items, trees, fencing, walkways, private yard lights, signs (house numbers) and benches which reflect the property's history and development shall be retained. Dominant land contours shall be retained. Structures such as: gazebos, patio decks, fixed barbecue pits, swimming pools, tennis courts, green houses, new walls, fountains, fixed garden furniture, trellises, and other similar structures shall be compatible to the historic character of the site and neighborhood and inconspicuous when viewed from a public way.

**2. Recommended**

New site work should be based upon actual knowledge of the past appearance of the property found in photographs, drawings, and newspapers. Plant materials and trees in close proximity to the building that are causing deterioration to the buildings historic fabric should be removed. However, trees and plant materials that must be removed should be immediately replaced by suitable flora. Front yard areas should not be fenced except in cases where historic documentation would indicate such fencing appropriate. Fencing should be in character with the buildings style, materials, and scale.

**3. Prohibited**

No changes may be made to the appearance of the site by removing major landscaping items, trees, fencing, walkways, outbuildings, and other elements before evaluating their importance to the property's history and development. Front yard areas shall not be transformed into parking lots nor paved nor blacktopped. The installation of unsightly devices such as TV reception dishes and solar collectors shall not be permitted in areas where they can be viewed from public thoroughfares.

**STAFF RECOMMENDATION:** The vinyl windows currently installed replace wood windows that were not original to the structure. Group B Standards state that change of materials should be consistent with the character and style of the structure. Renovations, Section C1, state "Necessary structural improvements, where safety demands should be accomplished in such a way as to cause minimal visual change to the original style and construction." As the porch was originally open, but is now used for dining, enclosure is necessary. The proposed windows will restore to the look of the windows installed in 1979, and will continue to allow dining in the porch area while providing a consistent visual appearance; therefore, staff recommends approval of the proposed window installation. Additionally, staff recommends approval of the proposed time schedule, with installation of windows on southeast (most visible) side in Fall 2017, with balance of windows to be installed Fall 2018.

Elicia Feasel, Executive Director  
Deb Parcell, Deputy Director

**Public Hearing:**

Jason Germano, 52222 Pickwick Lane, Nappanee: In an effort to expedite this project, is there any way to access previous plans/drawings to determine what the actual window size was in 1979?

Todd Zeiger, Indiana Landmarks, 801 West Washington: Indiana Landmarks has an easement on the property. They were understanding the project would be replicating 1979 windows, not just swapping out wood for vinyl. Indiana Landmarks supports the three divisions between the stone pillars, replicating what was installed in 1979. Any information in their files from the previous window installation will be made available to help determine the original window size. They will continue to work with the owners and HPC to reach an agreeable solution.

Application withdrawn by Kevin Jakiel, on behalf of the owners.  
**COA#2017-0601 Withdrawn.**

**6. 1240 West Thomas**

**COA#2017-0602**

**Local Landmark**

Representation by Eric Boyd, 1240 West Thomas

**STAFF REPORT**

CONCERNING APPLICATION FOR A  
CERTIFICATE OF APPROPRIATENESS

**Date:** June 2, 2017

**Application Number:** 2017-0602 (Application delivered by property owner to Building Department on June 1, 2017)

**Property Location:** 1240 West Thomas Street

**Architectural Style/Date/Architect or Builder:** Period Revival/1920/Firehouse #4

**Property Owner:** Eric A. Boyd

**Landmark or District Designation:** Local Landmark, ordinance #9037-99

**Rating:** Outstanding

**DESCRIPTION OF STRUCTURE/ SITE:** Firehouse #4 is a 2-story rectangular brick building. It had a flat roof with limestone parapet coping, metal parapet scupper/cornice with brick brackets underneath and ornate limestone detailing at the ends. The windows are 1/1 double-hung with limestone sills. There is a brick side chimney, and a roof penthouse with hip roof.

**ALTERATIONS:** Most of the windows in this former firehouse have been boarded up prior to a 2007 fire. RME 2011-1110 approved replacement of metal roof to secure the building and protect it from the elements, although there is no evidence it was ever installed. An asymmetrical gabled roof has been installed without an approved COA on approximately half of the main structure, as well as a second story addition and gabled roof on the rear of the building. Areas where large overhead garage doors were originally located have been covered with vinyl siding. Most window openings have been covered with plywood or vinyl

siding. COA 2016-0809 to construct shed roof over part of building, and second floor addition atop one-story brick portion at rear of building with vinyl siding and replacement windows was denied.

**APPLICATION ITEMS:** Two story addition, brown vinyl siding and three windows.

**DESCRIPTION OF PROPOSED PROJECT:** See COA 2016-0809, pending with Building Department as a Violation of City Ordinance. Not in compliance with the Violation Remedy Requirements as ordered to be completed by March 13, 2017.

Owner has constructed a second-floor addition with gable roof atop one-story brick portion at rear of building. It has been partially vinyl sided to match existing brown vinyl siding used to fill garage door openings. Three windows, that appear to be vinyl, have been installed. The proposed work has been installed, without a COA or Building Permit.

This is not a free-standing structure; it is attached to the main building. No report of structural inspection has been submitted with this application.

**PRESERVATION SPECIALIST REPORT:** n/a

**STANDARDS AND GUIDELINES:** Group B

C. Maintenance

The maintenance of any historical structure or site shall in no way involve any direct physical change except for the general cleaning and upkeep of the landmark. The Commission shall encourage the proper maintenance of all structure or sites.

B. Treatment

Treatment shall be defined as any change of surface materials that will not alter the style or original form. Such improvements include re-roofing, glazing, or landscaping lawns and may involve a change that can potentially enhance or detract from the character of the landmark. A treatment change of any surface whether on the landmark or in its environment may require a Certificate of Appropriateness if it significantly alters the appearance of the landmark. Although these kinds of changes may not require a Building Permit, a Certificate of Appropriateness may be necessary. The commission should review the proposed treatment for character and style consistency with the original surfaces.

C. Renovation and Additions

Renovation is the modification of a structure, which does not alter the general massing while an addition, is a change in mass. A modification, which involves the removal of a part of the landmark, should be considered under demolition (see demolition). Additions to landmarks should not detract from the original form and unity of the landmark and should not cover singular examples of architectural detail. Additions to landmarks should be added in a manner that does not disrupt the visible unity of overall appearance of the site. The proportions, materials and ratios of the existing structures should be carried through in the additions. Care should be taken not to change or alter the following:

1. Structure—Necessary structural improvements, where safety demands should be accomplished in such a way as to cause minimal visual change to the original style and construction.

2. Material—Additions and improvements involving any new material in the landmark should be of the same material as the original. It should be the same size and texture. An alternative material may be allowed if it duplicates the original.

a. wood—all wood trim should conform with existing trim in shape and size.

b. siding materials—the Commission discourages the covering or alteration of original materials with additional siding. Structures already sided with incompatible materials should be returned to a siding similar to the original when renovation is considered.

D. Demolition

Historic landmarks shall not be demolished. When a landmark poses a threat to the public safety, and demolition is the only alternative, documentation by way of photographs, measured drawings, or other descriptive methods should be made of both the exterior and interior of the landmark. The person or agency responsible for demolition of the landmark shall be responsible for this documentation.

E. Moving

The moving of landmarks is discouraged, however, moving is preferred to demolition. When moving is necessary, the owner of the landmark must apply to the Commission for a Certificate of Appropriateness.

F. Signs

No neon or flashing signs will be permitted unless they are original to the structure. Billboards and super-graphics will also be disallowed. Only one appropriate identifying sign will be permitted per business.

G. Building Site and Landscaping

1. Required

Major landscaping items, trees, fencing, walkways, private yard lights, signs (house numbers) and benches which reflect the property's history and development shall be retained. Dominant land contours shall be retained. Structures such as: gazebos, patio decks, fixed barbecue pits, swimming pools, tennis courts, green houses, new walls, fountains, fixed garden furniture, trellises, and other similar structures shall be compatible to the historic character of the site and neighborhood and inconspicuous when viewed from a public way.

2. Recommended

New site work should be based upon actual knowledge of the past appearance of the property found in photographs, drawings, and newspapers. Plant materials and trees in close proximity to the building that are causing deterioration to the buildings historic fabric should be removed. However, trees and plant materials that must be removed should be immediately replaced by suitable flora. Front yard areas should not be fenced except in cases where historic documentation would indicate such fencing appropriate. Fencing should be in character with the buildings style, materials, and scale.

### 3. Prohibited

No changes may be made to the appearance of the site by removing major landscaping items, trees, fencing, walkways, outbuildings, and other elements before evaluating their importance to the property's history and development. Front yard areas shall not be transformed into parking lots nor paved nor blacktopped. The installation of unsightly devices such as TV reception dishes and solar collectors shall not be permitted in areas where they can be viewed from public thoroughfares.

Minimum Maintenance Standards approved by the Historic Preservation Commission, December 16, 1991, state that "all landmarks and all contributing structures located in an historic district shall be preserved from decay and deterioration, and shall be maintained in good repair and kept structurally sound. The owner or other person having charge or control of landmarks and property in an historic district shall not allow or permit deterioration of such property from defects or conditions which in the judgment of the Commission produce a detrimental effect on the character of the district as a whole or the life and character of the landmark, structure or property in question." In particular, this property exhibits the following from the itemized (but not exclusive) list of detrimental conditions:

- b. **Deterioration of roofs or other horizontal members causing conditions such as sagging, splitting, buckling, crumbling, holes, missing shingles or similar conditions;**
- e. **The ineffective waterproofing of exterior walls, roof and foundations, including broken windows or doors;**
- h. **The deterioration of any feature so as to create or permit the creation of any hazardous or unsafe condition or conditions.**

STAFF RECOMMENDATION: After careful review of this application, it appears to a large degree to be similar as applied for in COA application 2016-0809 that was denied by HPC and is a pending Violation of City Ordinance with the Building Department. As in COA 2016-0809, Staff recommends approval of rear second story addition with gable roof. Staff does not recommend the proposed window and siding treatments as they can be considered an incompatible material as reference in C, 2. Staff recommends approval of a wood siding or fiber cement siding to complete the new second story addition. Staff recommends double hung windows, wood or aluminum clad, without rounded tops in the same style as the original windows in the main structure. Staff recommends that the owner be in compliance with the Building Department at the request of the Building Commissioner. Staff recommends that the owner be in compliance with Code Enforcement as there are noted violations of Minimum Maintenance Standards.

Elicia Feasel, Executive Director  
Deb Parcell, Deputy Director

Owner concerns: 1) HPC office was closed twice when Mr. Boyd tried to turn in COA application, and he eventually turned it into the Building Department. 2) He did not receive a copy of the staff report and agenda in the U.S. mail, but rather had to come to the office to obtain a copy to prepare for the meeting properly. 3) Structural report included with second COA is also relevant to this COA.

Owner noted discrepancies: 1) Boarding of windows was done to comply with Code Enforcement regulations. 2) He stated that his project is in compliance with the Building Department, and provided copies of correspondence stating application for COA would be a remedy for non-compliance.

#### Public Hearing:

Gladys Mohammed, 808 North Ironwood: worked for South Bend Heritage. Goal to reinvest in the west side of South Bend, and get residents to do likewise. Eric has a dream and is trying to pursue it. It appears that someone in the city made a mistake and they need to fix it and not make Eric pay for it. She is encouraging HPC to allow Eric to pursue his dream, and advise him right, and not have to pay for someone else's mistake. Would like to see the building be something valuable for the community.

Mike Boyd, 1207 West Thomas: big brother of Eric. This is the neighborhood where we grew up. Here to support his brother in his dream, to see what the process entails, hopes this can move forward. Communication is important.

Carl Nichols, Gethsemane Church of God, 308 South Walnut: church adjacent to the land Eric owns. They own property between viaduct and Firehouse and are in the process of developing it. It is not appropriate to leave the Firehouse vacant and abandoned. The neighborhood is growing. No one cares what the building looks like; they care that it is not vacant. Please approve the COA.



siding. COA 2016-0809 to construct shed roof over part of building, and second floor addition atop one-story brick portion at rear of building with vinyl siding and replacement windows was denied.

**APPLICATION ITEMS:** Mono roof 4/12 pitch, rise west to east ending at center of building resting on ledger/East stud wall. Low profile mono roof resting south brick wall and interior brick wall. Open courtyard.

**DESCRIPTION OF PROPOSED PROJECT:** See COA 2016-0809, pending with the Building Department as a Violation of City Ordinance. Not in compliance with the Violation Remedy Requirements as ordered to be completed by March 13, 2017. Owner has constructed a 4/12 single sloping roof surface over part of, roughly one half, of the main building, from the west exterior wall 30' east to a 10'H wall built on existing brick interior wall, with a 1' overhang at west wall. Concrete floor of open courtyard is 6-8" lower than adjacent floor. Owner plans to utilize existing floor drain and lower floor height to manage accumulated moisture in the courtyard. This roof has been installed without COA.

See report of structural inspection by Siqueira, LLC, submitted with this application. In summary, the inspection reveals inadequate joists spanning 17.5' running east-west at 16" oc, supported at masonry walls; roof level beam sag, exterior walls that lack bracing, trash pile in "courtyard", recommended provisions to dispose of snow and drain rain in "courtyard", multiple deficiencies in the framed mono-sloped roof at North West, and 2x4 joists spanning 10' that are insufficient.

**PRESERVATION SPECIALIST REPORT:** n/a

**STANDARDS AND GUIDELINES: Group B**

**D. Maintenance**

The maintenance of any historical structure or site shall in no way involve any direct physical change except for the general cleaning and upkeep of the landmark. The Commission shall encourage the proper maintenance of all structure or sites.

**B. Treatment**

Treatment shall be defined as any change of surface materials that will not alter the style or original form. Such improvements include re-roofing, glazing, or landscaping lawns and may involve a change that can potentially enhance or detract from the character of the landmark. A treatment change of any surface whether on the landmark or in its environment may require a Certificate of Appropriateness if it significantly alters the appearance of the landmark. Although these kinds of changes may not require a Building Permit, a Certificate of Appropriateness may be necessary. The commission should review the proposed treatment for character and style consistency with the original surfaces.

**C. Renovation and Additions**

**Renovation is the modification of a structure, which does not alter the general massing while an addition, is a change in mass. A modification, which involves the removal of a part of the landmark, should be considered under demolition (see demolition). Additions to landmarks should not detract from the original form and unity of the landmark and should not cover singular examples of architectural detail. Additions to landmarks should be added in a manner that does not disrupt the visible unity of overall appearance of the site. The proportions, materials and ratios of the existing structures should be carried through in the additions. Care should be taken not to change or alter the following:**

**1. Structure—Necessary structural improvements, where safety demands should be accomplished in such a way as to cause minimal visual change to the original style and construction.**

**2. Material—Additions and improvements involving any new material in the landmark should be of the same material as the original. It should be the same size and texture. An alternative material may be allowed if it duplicates the original.**

**a. wood—all wood trim should conform with existing trim in shape and size.**

**b. siding materials—the Commission discourages the covering or alteration of original materials with additional siding. Structures already sided with incompatible materials should be returned to a siding similar to the original when renovation is considered.**

**D. Demolition**

Historic landmarks shall not be demolished. When a landmark poses a threat to the public safety, and demolition is the only alternative, documentation by way of photographs, measured drawings, or other descriptive methods should be made of both the exterior and interior of the landmark. The person or agency responsible for demolition of the landmark shall be responsible for this documentation.

**E. Moving**

The moving of landmarks is discouraged, however, moving is preferred to demolition. When moving is necessary, the owner of the landmark must apply to the Commission for a Certificate of Appropriateness.

**F. Signs**

No neon or flashing signs will be permitted unless they are original to the structure. Billboards and super-graphics will also be disallowed. Only one appropriate identifying sign will be permitted per business.

**G. Building Site and Landscaping**

**1. Required**

Major landscaping items, trees, fencing, walkways, private yard lights, signs (house numbers) and benches which reflect the property's history and development shall be retained. Dominant land contours shall be retained. Structures such as: gazebos, patio decks, fixed barbecue pits, swimming pools, tennis courts, green houses, new walls, fountains, fixed garden furniture, trellises, and other similar structures shall be compatible to the historic character of the site and neighborhood and inconspicuous when viewed from a public way.

**2. Recommended**

New site work should be based upon actual knowledge of the past appearance of the property found in photographs, drawings, and newspapers. Plant materials and trees in close proximity to the building that are causing deterioration to

the buildings historic fabric should be removed. However, trees and plant materials that must be removed should be immediately replaced by suitable flora. Front yard areas should not be fenced except in cases where historic documentation would indicate such fencing appropriate. Fencing should be in character with the buildings style, materials, and scale.

### 3. Prohibited

No changes may be made to the appearance of the site by removing major landscaping items, trees, fencing, walkways, outbuildings, and other elements before evaluating their importance to the property's history and development. Front yard areas shall not be transformed into parking lots nor paved nor blacktopped. The installation of unsightly devices such as TV reception dishes and solar collectors shall not be permitted in areas where they can be viewed from public thoroughfares.

Minimum Maintenance Standards approved by the Historic Preservation Commission, December 16, 1991, state that "all landmarks and all contributing structures located in an historic district shall be preserved from decay and deterioration, and shall be maintained in good repair and kept structurally sound. The owner or other person having charge or control of landmarks and property in an historic district shall not allow or permit deterioration of such property from defects or conditions which in the judgment of the Commission produce a detrimental effect on the character of the district as a whole or the life and character of the landmark, structure or property in question." In particular, this property exhibits the following from the itemized (but not exclusive) list of detrimental conditions:

- b. **Deterioration of roofs or other horizontal members causing conditions such as sagging, splitting, buckling, crumbling, holes, missing shingles or similar conditions;**
- e. **The ineffective waterproofing of exterior walls, roof and foundations, including broken windows or doors;**
- h. **The deterioration of any feature so as to create or permit the creation of any hazardous or unsafe condition or conditions.**

**STAFF RECOMMENDATION:** After careful review of this application, it appears to a large degree to be similar as applied for in COA application 2016-0809 that was denied by HPC and is a pending Violation of City Ordinance with the Building Department. As in COA 2016-0809, Staff does not recommend approval of the roof deviation from flat to asymmetrical gable and does not recommend a roof on only half of the structure as it does not conform to the standards and guidelines, A, B, and C. Staff recommends approval of a flat roof covering the entire main structure. Staff recommends that the owner be in compliance with the Building Department at the request of the Building Commissioner and that all work is remanded to the discretion of the Building Department prior to installation. Staff recommends that the owner be in compliance with Code Enforcement as there are noted violations of Minimum Maintenance Standards.

Elicia Feasel, Executive Director

Deb Parcell, Deputy Director

Owner corrected staff report reference to structural inspection by Siqueira, LLC, regarding inadequate joists spanning 17.5' and 10' as these reference the second story addition in COA 2017-0602A and do not reference the roof project of this COA.

### Commission Questions:

With respect to discussion regarding the withdrawal of the current application to allow for changes that better reflect design guidelines, President Kluszczinski asked the applicant if he wished to withdraw his application. The applicant declined.

### Public Hearing:

Mike Boyd, 1207 West Thomas: Could this application be withdrawn and come back with application with different options for roof – different dimensions and/or style? Executive Director Feasel reminded that when denying COA 2016-0809 for this same roof project, four Commissioners specifically requested additional quotes/design options. Mr. Boyd further hopes we will work together to move this project forward.

Theresa Johnson, 2630 Prairie Avenue, Apt. 1-108: Asked for clarification on what needs to be done for this to pass. If Eric followed the suggestions proposed, would it be OK? The Commissioners explained what details they would need to approve a project that would be more in keeping with the guidelines.

Unetta Jones, 1204 Thomas: Questioned what kind of roof the Commission wanted to see? President Kluszczinski explained that to be approved, a new roof would have to be more in keeping with standards and guidelines.

Karl Nichols, Gethsemane Church of God, 308 South Walnut – church adjacent to the land Eric owns. They own property between viaduct and Firehouse and are in the process of developing it. It is not appropriate to leave the Firehouse vacant and abandoned. The neighborhood is growing. No one cares what the building looks like; they care that it is not vacant. Please approve the COA. Kirstin Champer, 1240 West Thomas: Supports project not just because she is Eric's wife, but because of what its improvement has done for the community. This building is becoming a community hub. Before the windows were boarded up, kids were breaking them out. A lot of the things Eric is doing takes into consideration the area where this building is located. A new roof is necessary to preserve the building, but a flat roof may not drain as well, and is economically not feasible. At the end of the day, it came down to saving the building and securing the community or making the roof look pretty. It's not a cute roof, but in this case, it comes down to purpose over aesthetics, for the safety of the building and the protection of the community.

Gloria Jones, 2705 Fredrickson: You need to understand the history of the firehouse. It's not like Tippecanoe Place or Kizer House. It is a simpler structure that's part of the fabric of the local neighborhood. The Commissioners assured that this building is just as important as Tippecanoe or any other landmark.

Commissioner Gordon moved to deny application as submitted. Seconded by Commissioner Anderson. No further discussion. President Kluszczinski clarified that votes in the affirmative will support the motion to deny the application and reminded the members to state their reasons when voting. Roll call was ordered.

Commissioner Hertel (AYE) – under Standards and Guidelines Group B Section C this would alter and modify the structure and change it greatly by adding this type of roof; plus, we are lacking information on the materials to be used for completion of the roof.

Commissioner Buccellato (AYE) – The design simply does not meet the existing character of the structure.

Commissioner Anderson (AYE) – It would alter the façade, architectural integrity, and its style, which are some of the most important things we have to make a decision on as a Commission.

Commissioner Gordon (AYE) – It is not in keeping with the guidelines for this building, does not keep the historical character or look of the building, and we are missing some information of how that roof would be covered.

Commissioner Kluszczinski (AYE) – Ordinance 9037-99 designating 1240 West Thomas Street as a Local Landmark details a number of stylistic features, specifically two-story Period Revival Fire Station with *flat roof* and limestone parapet coping. Long term preservation of the structure and safety of its occupants are not served by the installation which is both inadequate and architecturally inappropriate. I affirm the staff recommendation for flat roof and the noted remedies for violations of Minimum Maintenance Standards and seek the support of this body, the Building Department, Code Enforcement, and the owner's cooperation to effect changes that will preserve this unique and special building. I also believe that the current roof being proposed is not in keeping with the Standards and Guidelines that the Commission must use in review of all the local historic landmarks under its jurisdiction. I believe that other more appropriate remedies exist and should be explored instead of granting this particular application.

Commissioner Molnar (AYE) – The design is too far outside of the mandated Standards and Guidelines which the Commission, by law, must follow. The roof would be prominent in display in the front of the structure, as opposed to the rear. I would be in favor of looking at something with a lower pitch, not necessarily a flat roof.

None opposed. Vote: 6 – 0

**COA#2017-0602A Denied.**

8. 821 Ashland

COA#2017-0605

Chapin Park

Representation by Derek Wright, Access Properties, 623 East LaSalle Avenue  
**STAFF REPORT**  
CONCERNING APPLICATION FOR A  
CERTIFICATE OF APPROPRIATENESS

**Date:** June 5, 2017  
**Application Number:** 2017-0605  
**Property Location:** 821 Ashland  
**Architectural Style/Date/Architect or Builder:** American Foursquare/1901  
**Property Owner:** Robert & Carlotta Levy  
**Landmark or District Designation:** Chapin Park Local/National Historic District, ordinance #9574-05  
**Rating:** Contributing

**DESCRIPTION OF STRUCTURE/ SITE:** This 2-story wood frame house with square plan sits upon a brick foundation. The hip roof has asphalt shingles, and a brick chimney offset from the peak with three simple corbel courses. The house front features a full height bay with windows. Windows are wood 1/1 wood double hung with diamond pattern muntins on front façade. A hipped roof garage is at the rear of property.

**ALTERATIONS:** House has had aluminum siding, storm windows and doors added. In 1949 the front porch was removed and a front stoop was added, with a small plastic porch roof over the entrance.

**APPLICATION ITEMS:** Demo garage structure, haul away debris. Pad will remain, possibly for extra parking since very limited street parking. South Bend Code Enforcement affirmed demo. (Stan Molenda)

**DESCRIPTION OF PROPOSED PROJECT:** Owner proposes to tear down garage. Building is composed of several garage structures/additions, some block, some frame, in varying conditions, all of which are to be demolished. The 1932 Portage Township Assessor's card lists a 2-car (19x19) block garage noted in 1949 as being used as a shop, as well as a 1 car (24x12) wood garage. There is also a note from 1955 listing a 23.5x24 concrete slab car port. Demolition order on garage was affirmed at June 18, 2015 Code Enforcement meeting. Debris will be hauled away, but concrete pad will be retained to provide extra parking.

**PRESERVATION SPECIALIST REPORT:**

June 9, 2017

I had received a call from Derek of Access Properties giving me permission to enter the building last evening. I went first thing this morning and was able to take interior photographs. There are multiple sections to the structure. There is an apartment in there as well. The roof has collapsed in the "breezeway" between the apartment and garage. The roof of the garage itself has two areas that have holes and deterioration. The pads of the garages are in fine condition and could be reused even for just parking. The additions are really where the deterioration is the worst. The makeshift walls are rotted through and the exterior walls are a combination of block and doors. The two strongest walls are those that run north and south and are part of the original garage structure, but the removal of the rear wall and all the additional weight of the newer walls on the original has begun to pull the structure apart. The argument could be made to save the original small garage structure; however, the roof and framework of that roof would still have to be removed and rebuilt as well as the rear wall rebuilt. It may be more effective to tear down and rebuild a solid larger structure that utilizes the entire pad area. The main house is currently used as multi-unit apartments (4, I believe by the number of mail boxes)

Steve Szaday, Preservation Specialist

**STANDARDS AND GUIDELINES:**

CHAPIN PARK LOCAL HISTORIC DISTRICT

V. GENERAL

A. Buildings in the district should not be demolished except where a building poses a threat to the public safety, and demolition is the only alternative. Documentation of interior and exterior features of the original buildings, especially homes rated as historically significant, is encouraged. Measured drawings and photographs may be submitted to the Historic Preservation Commission for safekeeping and future reference.

**STAFF RECOMMENDATION:** While evidence from the Assessor's card shows several of the garages have been on the property for some time, the current arrangement of connected garage structures does not contribute to the historic character of the property. Demolition has been affirmed by South Bend Code Enforcement. Due to significant deterioration of the later additions and compromised integrity of the altered original garage, staff recommends demolition of the entire garage, and retention of the concrete pad, and would further recommend owner propose a new garage design to be built in the future.

Elicia Feasel, Executive Director

Deb Parcell, Deputy Director

Commissioner Gordon moved to approve application as submitted. Seconded by Commissioner Anderson. Six in favor, none opposed.

Vote: 6 – 0

**COA#2017-0605 Approved.**

9. 813 Park

COA#2017-0605A

Chapin Park

No Representation.

**STAFF REPORT**  
CONCERNING APPLICATION FOR A  
CERTIFICATE OF APPROPRIATENESS

**Date:** June 5, 2017

**Application Number:** 2017-0605A

**Property Location:** 813 Park Avenue

**Architectural Style/Date/Architect or Builder:** T-Plan/1880

**Property Owner:** James Hickner

**Landmark or District Designation:** Chapin Park Local/National Historic District, ordinance #9574-05

**Rating:** Contributing

**DESCRIPTION OF STRUCTURE/ SITE:** This 2-story irregular plan house has a brick foundation. The asphalt-shingled cross gable roof with pyramidal hip roof in back has molded cornice at rake in gables. There is a small front porch. Windows are 1/1 double hung. Siding is wood clapboard.

**ALTERATIONS:** Aluminum storm windows and door have been added, as well as concrete steps to front porch. Existing 1/1 double-hung wood windows have been replaced with new vinyl windows without COA approval. COA 2017-0216 approved replacement of five wood windows on back and side of house with vinyl windows. RME 2017-0517A approved replacement of existing front and back doors with 36" fiberglass doors and replacement of temporary support post on front overhang with square turned posts.

**APPLICATION ITEMS:** Project upper deck with stairs coming down to ground level deck surrounding french doors. I plan to sink (6) 6x6 posts in areas close to the house to support the structure of a second floor fire escape door and decks also part of the stair structure. All structure beams will be wood. Decking is preferred to be composite. Spindels and rails will be wood. Decking also already partially approved is landing for the back french doors that I would like to have connected to stairs and upper deck. The addition of French doors and decking that connect to upper stairs door.

**DESCRIPTION OF PROPOSED PROJECT:**

In response to an anonymous call to the HPC office, Preservation Specialist Steve Szaday visited the property on February 12, 2017, and as part of observations noted the installation of French doors replacing an existing double-hung window in a first-floor bay window at the rear of the house. On a return visit March 2, he noted the French doors had been removed and replaced with an improperly sized window. Owner now proposes to: (1) reinstall French doors in bay window, with wood steps beneath doors leading to a composite deck built over an existing sidewalk at rear of property; (2) install a door and build a deck on the second floor at rear of property as a means of second floor egress. Second floor decking will be composite, with wood rails and balusters. Deck will be supported by six 6x6 posts. Stairs will connect second floor deck with first floor deck adjacent to new French doors. See attached drawings. Preservation Specialist's June 7 site visit revealed the French doors have been reinstalled.

**PRESERVATION SPECIALIST REPORT:**

**STANDARDS AND GUIDELINES:**

CHAPIN PARK LOCAL HISTORIC DISTRICT

II. EXISTING STRUCTURES

C. WINDOWS AND DOORS

Window and door frames are in most cases wood and vary depending upon the style of the home. Many are double hung windows with wood trim and sills. Brick structures have stone sills and brick lintels. In some cases, where aluminum siding has been applied, the window and door trim has been covered. About half of the structures in the district have aluminum storm windows; the other half have wood storm windows.

Required

**Original windows and doors shall be retained including sashes, lintels, sills, shutters, decorative glass, pediments, hoods and hardware. When deteriorated beyond repair, they shall be replaced with units and trim resembling the original.**

Recommended

Wood storm windows and doors painted or finished to match the original should be used but should not damage existing frames. **If new sashes or doors are installed, the existing or original materials, design and hardware should be used.** When metal storm doors are used, they should be painted, anodized or coated to match the existing. When awnings are used, they should be of canvas material.

Prohibited

Original doors, windows and hardware shall not be discarded when they can be restored and reused in place. **New window and door openings, which would alter the scale and proportion of the building may not be introduced.** Inappropriate new window and door features such as metal, vinyl or fiberglass awnings, hoods or aluminum insulating glass combinations that require removal of original windows and doors, shall not be installed.

Not Recommended

Fake shutters that would detract from the existing character or appearance of the building should not be used.

III. NEW CONSTRUCTION

C. SHEDS AND ACCESSORY BUILDINGS

Required

Sheds and accessory structures (gazebos, decks, doghouses, playhouses, fountains and small reflecting pools, outdoor sculpture, children's play equipment, etc.) shall be located at the rear of the property and as unobtrusively as possible while preserving historical relationships between the buildings, landscape features and open spaces. Proportions and materials shall conform to those required for new construction.

Recommended

Accessory building designs should be compatible in character and mood to the residence and the neighborhood.

Prohibited

Prefabricated metal sheds shall not be used.

Not Recommended

Prefabricated wood composition sheds should not be used unless they conform to all other guidelines and standards.

IV. SAFETY AND BUILDING CODES

A. BUILDING CODE REQUIREMENTS

Required

Building code requirements shall be complied with in such a manner that the existing character of the building is preserved.

Recommended

Local building code officials should be consulted to investigate alternative life safety measures that will preserve the architectural integrity of the structure. Variances for historic properties should be investigated.

Prohibited

Construction of new stairways and elevators that would alter important architectural features and spaces is prohibited.

Not Recommended

Fire prevention equipment should not damage the appearance or fabric of the building.

**STAFF RECOMMENDATION:** (1) French doors, and related steps and deck are located at the rear of the house and, if properly installed and trimmed, will be compatible with the structure. Staff recommends approval of the installed French doors trimmed to match existing doors and windows on house, as well as steps and deck constructed to meet Building Code requirements. (2) This property differs from many in that it is zoned and utilized as multi-family, necessitating proper egress from all units. Installation of a second-floor door and stairway at the rear of the house will provide proper egress while providing no change to the historic character of the building *as viewed from the street*, and will not alter important architectural features; therefore, staff recommends approval of the second-floor door, deck, and stairway, constructed to meet Building Code requirements. Proper permits should be secured before commencing project (1) and (2).

Elicia Feasel, Executive Director

Deb Parcell, Deputy Director

Commissioner Anderson moved to deny application as submitted. Seconded by Commissioner Molnar. No further discussion. President Kluszczinski clarified that votes in the affirmative will support the motion to deny the application and reminded the members to state their reasons when voting. Roll call was ordered.

Commissioner Hertel (AYE) – questions that cannot be answered

Commissioner Buccellato (AYE) - lack of information to make a ruling

Commissioner Anderson (AYE) – lack of representation and questions not being answered

Commissioner Gordon (AYE) – no representation

Commissioner Kluszczinski (AYE) – unable to approve the application for lack of information and representation by the applicant. We are unable, as a body, to continue the application because it requires a waiver from the applicant, and our only recourse at this point is to deny the application to prevent things that we don't yet understand from happening.

Commissioner Molnar (AYE) – lack of representation to answer questions about the project

None Opposed. Vote: 6 – 0

**COA#2017-0605A Denied.**

10. 314 West LaSalle

COA#2017-0606B

Local Landmark

Representation by Mark Wenkus, 314 West LaSalle

**STAFF REPORT**  
CONCERNING APPLICATION FOR A  
CERTIFICATE OF APPROPRIATENESS

**Date:** June 6, 2017

**Application Number:** 2017-0606B

**Property Location:** 314 West LaSalle Avenue

**Architectural Style/Date/Architect or Builder:** Parapet Front/1892/Frederickson Candy Store

**Property Owner:** Mark Wenkus

**Landmark or District Designation:** Local Landmark, ordinance #7050-1982

**Rating:** Outstanding

**DESCRIPTION OF STRUCTURE/ SITE:** The Frederickson Candy Store is set upon a brick foundation with a rectangular plan. Walls are wood clapboard with cornerboards and decorative shingles in the front pediment. A full front porch at entry has a wood floor, turned columns, wood steps and railing. The door has a double panel with etched glass top lite and transom. Windows are wood double hung, 1/1, with wood surrounds and wood shutters.

**ALTERATIONS:** Front door has been replaced and most wood shutters have been removed.

**APPLICATION ITEMS:** Overlay roof.

**DESCRIPTION OF PROPOSED PROJECT:** Owner proposes to install Certaineed Highland Slate fiberglass shingles over existing 3-tab shingles. Existing shingles will become the underlayment for the new roof as they are laying flat, and ice and water shield were properly applied.

**STANDARDS AND GUIDELINES: Group B**

**E. Maintenance**

The maintenance of any historical structure or site shall in no way involve any direct physical change except for the general cleaning and upkeep of the landmark. The Commission shall encourage the proper maintenance of all structure or sites.

**B. Treatment**

**Treatment shall be defined as any change of surface materials that will not alter the style or original form. Such improvements include re-roofing, glazing, or landscaping lawns and may involve a change that can potentially enhance or detract from the character of the landmark. A treatment change of any surface whether on the landmark or in its environment may require a Certificate of Appropriateness if it significantly alters the appearance of the landmark. Although these kinds of changes may not require a Building Permit, a Certificate of Appropriateness may be necessary. The commission should review the proposed treatment for character and style consistency with the original surfaces.**

**C. Renovation and Additions**

Renovation is the modification of a structure, which does not alter the general massing while an addition, is a change in mass. A modification, which involves the removal of a part of the landmark, should be considered under demolition (see demolition). Additions to landmarks should not detract from the original form and unity of the landmark and should not cover singular examples of architectural detail. Additions to landmarks should be added in a manner that does not disrupt the visible unity of overall appearance of the site. The proportions, materials and ratios of the existing structures should be carried through in the additions. Care should be taken not to change or alter the following:

1. Structure—Necessary structural improvements, where safety demands should be accomplished in such a way as to cause minimal visual change to the original style and construction.
2. Material—Additions and improvements involving any new material in the landmark should be of the same material as the original. It should be the same size and texture. An alternative material may be allowed if it duplicates the original.
  - a. wood—all wood trim should conform with existing trim in shape and size.
  - b. siding materials—the Commission discourages the covering or alteration of original materials with additional siding. Structures already sided with incompatible materials should be returned to a siding similar to the original when renovation is considered.

**D. Demolition**

Historic landmarks shall not be demolished. When a landmark poses a threat to the public safety, and demolition is the only alternative, documentation by way of photographs, measured drawings, or other descriptive methods should be made of both the exterior and interior of the landmark. The person or agency responsible for demolition of the landmark shall be responsible for this documentation.

**E. Moving**

The moving of landmarks is discouraged, however, moving is preferred to demolition. When moving is necessary, the owner of the landmark must apply to the Commission for a Certificate of Appropriateness.

**F. Signs**

No neon or flashing signs will be permitted unless they are original to the structure. Billboards and super-graphics will also be disallowed. Only one appropriate identifying sign will be permitted per business.

**G. Building Site and Landscaping**

**I. Required**

Major landscaping items, trees, fencing, walkways, private yard lights, signs (house numbers) and benches which reflect the property's history and development shall be retained. Dominant land contours shall be retained. Structures such as: gazebos, patio decks, fixed barbecue pits, swimming pools, tennis courts, green houses, new walls, fountains,

fixed garden furniture, trellises, and other similar structures shall be compatible to the historic character of the site and neighborhood and inconspicuous when viewed from a public way.

**2. Recommended**

New site work should be based upon actual knowledge of the past appearance of the property found in photographs, drawings, and newspapers. Plant materials and trees in close proximity to the building that are causing deterioration to the buildings historic fabric should be removed. However, trees and plant materials that must be removed should be immediately replaced by suitable flora. Front yard areas should not be fenced except in cases where historic documentation would indicate such fencing appropriate. Fencing should be in character with the buildings style, materials, and scale.

**3. Prohibited**

No changes may be made to the appearance of the site by removing major landscaping items, trees, fencing, walkways, outbuildings, and other elements before evaluating their importance to the property's history and development. Front yard areas shall not be transformed into parking lots nor paved nor blacktopped. The installation of unsightly devices such as TV reception dishes and solar collectors shall not be permitted in areas where they can be viewed from public thoroughfares.

**STAFF RECOMMENDATION:** Although no specific evidence of the original roofing material could be located, recommendation for roof repair at the Frederickson House, which was once adjacent to this building, state "to be historically correct, the house should have wood shingles." As synthetic slate would achieve an appearance more in keeping with possible original material and profile, Staff recommends approval.

Elicia Feasel, Executive Director

Deb Parcell, Deputy Director

Commissioner Buccellato moved to approve application as submitted. Seconded by Commissioner Anderson. Six in favor, none opposed.

Vote: 6 – 0

**COA#2017-0606B Approved.**

**III. HEARING OF VISITORS**

**IV. REGULAR BUSINESS**

**A. APPROVAL OF MINUTES**

1. **May 15, 2017** – Approved by general consent.

**B. TREASURER'S REPORT**

1. **Location Report** – Distributed. Budget for 2018 seeks a 5% reduction and comingles the annual grant from the City of South Bend. Treasurer Molnar will continue in his efforts to rectify. Discussion.

**C. STAFF REPORTS**

Commissioner Hertel moved to suspend the agenda and defer staff report questions for the next meeting, with the exception of legal. Seconded by Commissioner Klusczynski. Six in favor, none opposed. Vote: 6 – 0

1. **Correspondence** – Circulated.
2. **Executive Director** – In packet.
3. **Deputy Director** – In packet.
4. **Preservation Specialist** – Distributed.
5. **Legal** – Brett Hummer has left to take a job with Thor

**D. COMMITTEE REPORTS**

1. **President** – Distributed.
2. **Standards and Maintenance Committee** – Referencing topics of sustainability and deterioration by neglect, Chairman Hertel reported that they have determined that everything should be viewed on its own merit. No official policy at this time.

**V. OLD BUSINESS – None**

**VI. NEW BUSINESS**

**VII. ANNOUNCEMENTS AND MISCELLANEOUS MATTERS**

- A. Commissioner Buccellato discussed need for better documentation, particularly inclusion of a site map, with COA application to expedite decisions and meetings. Staff will continue to work to improve this, and follow COA application documentation checklist more carefully.
  
- B. Commissioner Molnar thanked the Commissioners for the tone of their conversation with COA applicants, and reminded them of the importance of attitude with the public when representing a government agency.

**VII. ADJOURNMENT**

Commissioner Hertel moved to adjourn. Seconded by Commissioner Anderson. Six in favor, none opposed. Vote: 6 - 0.

**Meeting adjourned at 10:37 p.m.**

Attest:

\_\_\_\_\_  
Michele Gelfman, Secretary

*Thomas E. Gordon*  
*asst sec.*

\_\_\_\_\_  
Date

*7/17/17*