

# STAFF REPORT

## CONCERNING APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS

**Date:** February 13, 2019

**Application Number:** 2019-0125

**Property Location:** 420 LaMonte Terrace

**Architectural Style/Date/Architect or Builder:** Center Gable / Remodeled 1907

**Property Owner:** Alvin B. Wylie, deceased

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

**Rating:** N/A – Not included in survey

**DESCRIPTION OF STRUCTURE/SITE:** Two-story rectangular structure with aluminum siding on a brick foundation. Aluminum storm windows and doors. Windows are 1/1 double hung. Asphalt shingles on the roof, gable on north side, and a one story shed-roof addition on south. Structure is set back from the street and is visible between the adjacent properties. Long, narrow brick pathway to leads to the front entry of the property between 418 and 424 LaMonte Terrace.

Believed to be part of the Chapin / Fassnacht estate, perhaps one of the agricultural buildings. The 1866 lithograph of South Bend shows large barn structures in this vicinity.

**ALTERATIONS:** Sanborn maps indicate that the structure was either moved or built at this location prior to 1917. A different configuration of structure was present at this site prior to that time. COA 2011-0727A allowed for the installation of 4' high gothic picket fence.

**APPLICATION ITEMS:** *“Demolition of house structure.”*

**DESCRIPTION OF PROPOSED PROJECT:** The applicant (Civil City of South Bend Code Enforcement) seeks approval for the *DEMOLITION* of the structure, to be bid out to final contractor at a later date.

On January 26, 2018, Civil City of South Bend Code Enforcement notified the property owner that “a recent inspection revealed that your property is in disrepair or may be a public safety hazard.” Specific problems areas listed in the Code Violation included 1) “Gutters are pulled away due to rotted fascia boards; there is unfinished fascia at several areas”, 2) “The top of the chimney is crumbling with bricks falling away”, and 3) “Door and window frames need to be painted.”

On April 30, 2018, property owner of record Alvin B. Wylie passed away.

Inspector Steve Meadows visited the site on July 9, 2018 and photographed the condition for Code Enforcement records. Later in the month of July a fire consumed portions of the first and second stories primarily on the south side of the structure. Code Enforcement Inspector Steve Meadows visited the site repeatedly (8/1/2018, 9/24/2018), taking photographs and documenting the condition of the structure.

Civil City of South Bend Code Enforcement held public hearings (in accordance with open door policy) regarding this property on August 2, 2018 and September 25, 2018. At the latter meeting, the hearing office affirmed the Demolition Order for the structure.

HPC Staff executed a Section 106 Review of the proposed demolition, indicating that a Certificate of Appropriateness would be required to move forward, and returned this paperwork on 1/8/2019. Community Development Block Grant (CDBG) funding will be utilized for this project.

### **PRESERVATION INSPECTOR REPORT:**

This report is a follow-up to a visit that took place on August 13, 2018. I was accompanied by Steve Meadows of Code Enforcement. Several neighbors from Lamonte Terrace approached us while on site to express their concerns with regards to the property and the recent fire. The property was due for a code hearing following

violations being found at the property. Both Steve Meadows and I had been at the property the week prior to the fire.

The fire started in the rear of the structure, the fire hollowed out the first and second story at the rear then continued along the first story toward the front of the structure. Photographs will show scorch marks above the front first story windows. This structure is a long but shallow so damage is from front to back.

The building was secure and the scene was still under investigation at that time, so we did not have access to the interior. The second floor was and still is exposed to the elements which has no doubt assessed even greater damage to the interior of the structure.

Steve Szaday  
Preservation Inspector

## **STANDARDS AND GUIDELINES:** CHAPIN PARK

### **II. EXISTING STRUCTURES**

#### **A. BUILDING MATERIALS**

**Original exterior building materials in the district include brick, stucco, clapboard, wood shingles, and brick or stone masonry. In some instances, vinyl, composite and aluminum siding have been applied over the original material.**

#### **Required**

**Original exterior building materials shall be retained when possible. Deterioration of wood materials shall be prevented through repair, cleaning and painting. The existing architectural detail around windows, porches, doors and eaves shall be retained or replaced by replicas of the same design when deteriorated beyond repair.**

Masonry, including brick and stucco structures, shall be maintained, and properly cleaned only when necessary to halt deterioration or to remove stains and shall be done in a method acceptable for the preservation of the surface: i.e. low-pressure water and soft natural bristle brushes. Brick or masonry mortar joints should be repointed only when there is evidence of moisture problems, or when sufficient mortar is missing to allow water to stand in the mortar joint. Existing mortar shall be duplicated in composition, color, texture, joint size, method of application and joint profile.

When repairing stucco, stucco mixture shall be used. A professional shall make a study of the old stucco, to determine the exact mixture and underlayment used in the original work. Some repair methods are not compatible with the original techniques and may cause early disintegration of the repair work and the original work.

**Ample ventilation must be afforded the structure when siding is installed, in order to prevent increased deterioration of the structure from moisture and insects.**

#### **Recommended**

**Whenever possible, the original building materials should be restored. When maintaining or repairing original siding is not feasible, aluminum, vinyl or composite siding may be used. When used over wood surfaces, this siding should be the same size and style as the original wood. Every effort should be made to retain the original trim around windows, doors, cornices gables, eaves and other architectural features.**

[...]

### **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.**

**B. A Certificate of Appropriateness is required before moving any building or structure. The moving of a building within, out of or into the district is discouraged; however, moving is preferred to demolition. Buildings incompatible with existing structures in the historic district shall be prohibited.**

[...]

### **VI. ENFORCEMENT PROCEDURES**

[...]

**This ordinance, however, does not prevent the ordinary maintenance and repair of any building or structure which does not involve a change in any exterior feature, nor does it prevent the reconstruction, alteration, demolition or moving of any building or structure which the Building Commissioner or other official has determined to be a hazard to public safety.**

[...]

**In making its determination, the Historic Preservation Commission shall consider three factors: first, the appropriateness of the proposed work to the preservation of the building and district; second, the detriment to the public welfare if the proposed work is permitted even though it is not deemed appropriate; third, the potential hardship that the denial of the Certificate of Appropriateness would cause the applicant.**

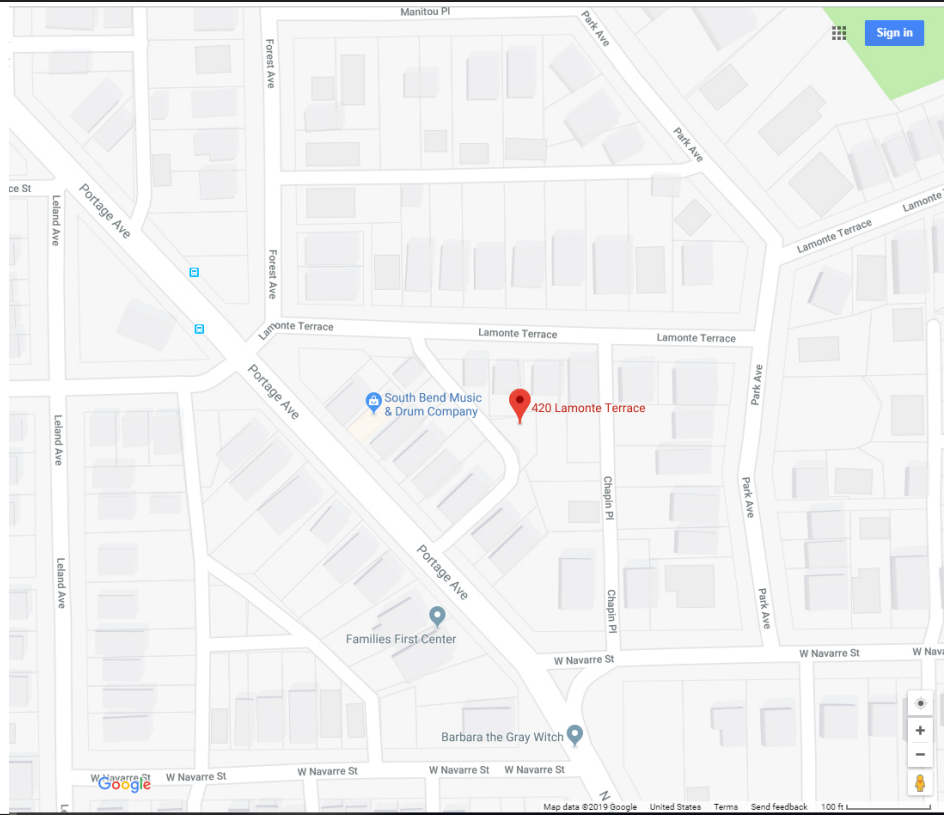
**STAFF RECOMMENDATION:** Staff recommends approval of the demolition of this structure, as it is currently uninhabitable and has been under continuous enforcement as a problem property by the City of South Bend Department of Code Enforcement.

Written by  
Adam Toering  
Historic Preservation Specialist

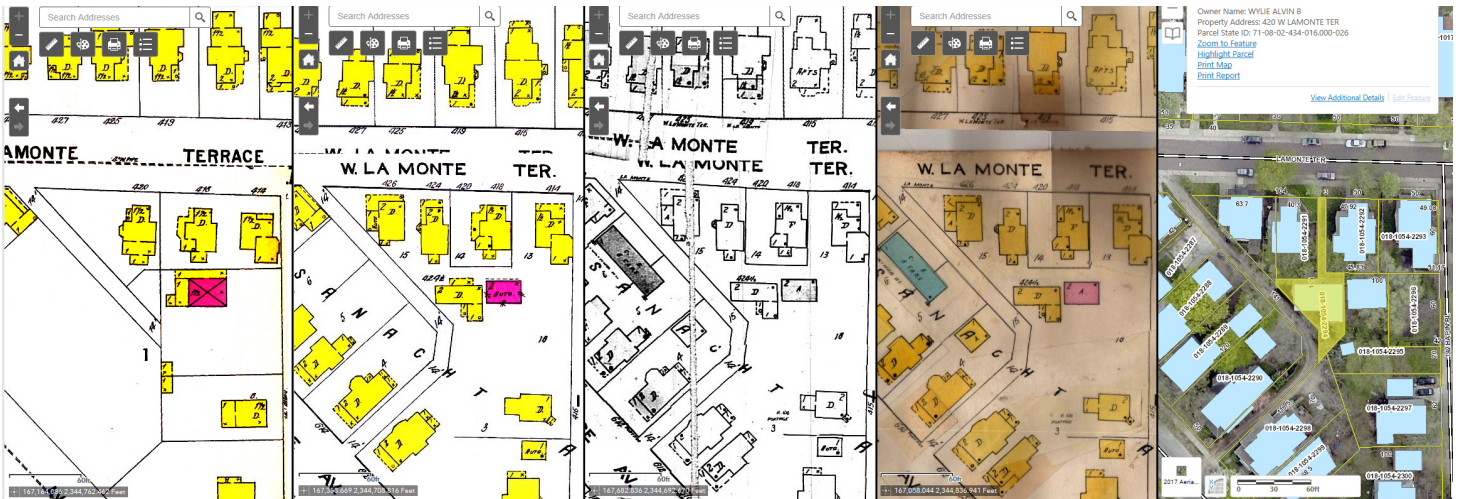
Approved by  
Elicia Feasel  
Historic Preservation Administrator

# HISTORIC PRESERVATION COMMISSION OF SOUTH BEND AND ST. JOSEPH COUNTY

LOCATION MAP - Map showing location of the property and surrounding area (Google Maps)



AERIAL MAP - highlighted property on map



1899

1917

1945

1960

2018

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

FRONT PICTURE (NORTH) - Picture of the front of the building.



BACK PICTURE (SOUTH) - Picture of the back of the building.



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

SIDE PICTURE (SOUTH EAST) - Picture of the side of the building.



SIDE PICTURE (NORTH EAST) - Picture of the side of the building.



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

PICTURES OF ITEMS THAT NEED ATTENTION - Chimney, looking north.





# CITY OF SOUTH BEND

## HISTORIC PRESERVATION COMMISSION



March 5, 2019

Alvin B. Wylie Estate  
420 LaMonte Terrace  
South Bend, IN 46616

To whom it may concern,

The Historic Preservation Commission has received an application submitted by the Department of Code Enforcement of the City of South Bend for the demolition of the structure at 420 LaMonte Terrace. This structure suffered fire damage in July of 2018. The Department of Code Enforcement held public hearings regarding this property in both August and September of 2018; at the September 25<sup>th</sup> meeting, a demolition order was affirmed for the subject property.

The Historic Preservation Commission will hold a public hearing to review this application for demolition at the following time and location:

WHEN: March 18<sup>th</sup>, 2019  
WHAT TIME: 5:30pm  
WHERE: The 13<sup>th</sup> Floor of the County-City Building in the Board of Public Works meeting room

Representation on behalf of the property owner at this meeting is encouraged.

The staff to the Historic Preservation Commission have generated a report detailing the circumstances of the demolition, and this paperwork is included with this correspondence. Staff Reports and meeting agendas are also available online on the City of South Bend's Open Data Portal.

If you have any questions regarding the demolition application, attached staff report, the history of the property, or the Historic Preservation Commission itself, please contact this office directly.

Sincerely,

Elicia Feasel  
Historic Preservation Administrator  
E: [efeasel@southbendin.gov](mailto:efeasel@southbendin.gov)  
P: (574) 235-7672


Adam Toering  
Historic Preservation Specialist  
E: [atoering@southbendin.gov](mailto:atoering@southbendin.gov)  
P: (574) 235-7478




MICHELE GELEMAN  
PRESIDENT

A CERTIFIED LOCAL GOVERNMENT  
OF THE NATIONAL PARK SERVICE

ELICIA FEASEL  
HISTORIC PRESERVATION ADMINISTRATOR



<b>SENDER: COMPLETE THIS SECTION</b>	<b>COMPLETE THIS SECTION ON DELIVERY</b>	
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<b>A. Signature</b> <input checked="" type="checkbox"/> Addressee <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to: Alvin B. Wylie Estate 420 La Monte Terrace South Bend, IN 46616	<b>B. Received by (Printed Name)</b>	<b>C. Date of Delivery</b>
	<b>D. Is delivery address different from item 1?</b> <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
 9590 9402 1412 5329 1109 55	<b>3. Service Type</b> <input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Mail Restricted Delivery	
2. Article Number (Transfer from service label) 7003 0500 0000 2492 7308	<input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Restricted Delivery	
PS Form 3811, July 2015 PSN 7530-02-000-9063	Domestic Return Receipt	

<b>USPS TRACKING #</b>  9590 9402 1412 5329 1109 55	 <b>First-Class Mail</b> <b>Postage &amp; Fees Paid</b> <b>USPS</b> <b>Permit No. G-10</b>
<b>United States Postal Service</b>	
* Sender: Please print your name, address, and ZIP+4® in this box*	
Community Investment 227 W. Jefferson Blvd., #1400S South Bend, IN 46601  Adam Toering	
	

7003 0500 0000 2492 7308

<b>U.S. Postal Service™</b> <b>CERTIFIED MAIL™ RECEIPT</b> (Domestic Mail Only; No Insurance Coverage Provided)											
For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a>											
<b>OFFICIAL USE</b>											
<table border="1"> <tr> <td>Postage</td> <td>\$</td> </tr> <tr> <td>Certified Fee</td> <td></td> </tr> <tr> <td>Return Receipt Fee (Endorsement Required)</td> <td></td> </tr> <tr> <td>Restricted Delivery Fee (Endorsement Required)</td> <td></td> </tr> <tr> <td>Total Postage &amp; Fees</td> <td>\$</td> </tr> </table>	Postage	\$	Certified Fee		Return Receipt Fee (Endorsement Required)		Restricted Delivery Fee (Endorsement Required)		Total Postage & Fees	\$	Postmark Here
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Street, Apt. No.; or PO Box No.	420 LAMONTE TERRACE										
City, State, ZIP+4	SOUTH BEND, IN 46616										
PS Form 3800, June 2002 <span style="float: right;">See Reverse for Instructions</span>											

**Track Another Package +**

**Tracking Number:** 70030500000024927308

Remove X

**Expected Delivery on**

**FRIDAY**

**8**

MARCH  
2019 ⓘ

by

**8:00pm** ⓘ

Feedback

**Alert**

March 8, 2019 at 11:08 am  
Vacant  
SOUTH BEND, IN 46616

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**Text & Email Updates**



Select what types of updates you'd like to receive and how. Send me a notification for:

**Text**

**Email**

All Below Updates

Expected Delivery Updates ⓘ

Day of Delivery Updates ⓘ

- Package Delivered ⓘ
- Available for Pickup ⓘ
- Delivery Exception Updates ⓘ
- Package In-Transit Updates ⓘ

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## Tracking History



**March 8, 2019, 11:08 am**

Vacant

SOUTH BEND, IN 46616

Your item was returned to the sender on March 8, 2019 at 11:08 am in SOUTH BEND, IN 46616 because the address was vacant or the business was no longer operating at the location and no further information was available.

Feedback

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**March 8, 2019, 11:07 am**

Notice Left (No Authorized Recipient Available)

SOUTH BEND, IN 46616

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**March 8, 2019, 8:04 am**

Arrived at Unit

SOUTH BEND, IN 46619

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**March 8, 2019, 2:14 am**

Arrived at USPS Regional Facility

SOUTH BEND IN PROCESSING CENTER

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**March 7, 2019, 4:35 am**

Departed USPS Regional Facility

FORT WAYNE IN DISTRIBUTION CENTER

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March 6, 2019, 10:05 pm  
Arrived at USPS Regional Facility  
FORT WAYNE IN DISTRIBUTION CENTER

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**Product Information**

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**See Less** ^

## **Can't find what you're looking for?**

Go to our FAQs section to find answers to your tracking questions.

**FAQs (<https://www.usps.com/faqs/uspstracking-faqs.htm>)**

Feedback

**The easiest tracking number is the one you don't have to know.**

With Informed Delivery®, you never have to type in another tracking number. Sign up to:

- See images\* of incoming mail.
- Automatically track the packages you're expecting.
- Set up email and text alerts so you don't need to enter tracking numbers.
- Enter USPS Delivery Instructions™ for your mail carrier.

## Sign Up

**([https://reg.usps.com/entreg/RegistrationAction\\_input?](https://reg.usps.com/entreg/RegistrationAction_input?app=UspsTools&appURL=https%3A%2F%2Ftools.usps.com)**

\*NOTE: Black and white (grayscale) images show the outside, front of letter-sized envelopes and mailpieces that are processed through USPS automated equipment.

**WAIVER OF STATUTORY TIME PERIOD FOR  
CERTIFICATE OF APPROPRIATENESS**

WHEREAS, county and city ordinances require the Historic Preservation Commission of South Bend and St. Joseph County (the "Commission") to consider my application for a certificate of appropriateness within forty-five (45) days after its filing; and

WHEREAS, the county and city ordinances require the Commission to issue a denial, if they choose to do so, within sixty (60) days of receipt of my application; and

WHEREAS, the undersigned, as applicant, has requested that the Commission delay its decision on my application.

THEREFORE, the applicant hereby consents to an extension of the time to act on my application to and including 80 days and accordingly waives any rights affected by the Commission's postponed consideration of my application.

I affirm under the penalties for perjury that the foregoing representations are true and correct to the best of my knowledge.

*D. J. Mehl (ONE!)*

Applicant

2019-0125

COA Number

420 Lamonte Terrace

Address of Property

Received: Historic Preservation Commission of South Bend and St. Joseph County  
this 5<sup>th</sup> Day of March, 2019.

*Adam T...*  
Historic Preservation Commission



# HISTORIC PRESERVATION COMMISSION OF SOUTH BEND AND ST. JOSEPH COUNTY

County—City Building, South Bend, IN 46601  
http://www.southbendin.gov/government/department/community-investment  
Phone: 574/235.9371 Fax: 574/235.9021  
Email: hpcbsbjc@southbendin.gov

Michele Gelfman, President

A Certified Local Government of the National Park Service

Elicia Feasel, Historic Preservation  
Administrator

## APPLICATION FOR A — CERTIFICATE OF APPROPRIATENESS

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

Date Received: 1/9/2019 Application Number: 2019 — 0125

Past Reviews:  YES (Date of Last Review) August 15, 2011  NO

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

Historic Preservation Commission Review Date: February 18th, 2019

Local Landmark  Local Historic District (Name) Chapin Park

National Landmark  National Register District (Name) Chapin Park

Certificate Of Appropriateness:  Denied  Tabled  Sent To Committee  Approved and issued: \_\_\_\_\_

Address of Property for proposed work: 420 LAMONITE S.B., IN 46616  
(Street Number—Street Name—City—Zip)

Name of Property Owner(s): ALVIN WYLIE Phone #: —

Address of Property Owner(s): SAME  
(Street Number—Street Name—City—Zip)

Name of Contractor(s): TO BE DETERMINED Phone #: —

Contractor Company Name: —

Address of Contractor Company: —  
(Street Number—Street Name—City—Zip)

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

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

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

Description of Proposed Work: DEMOLITION OF HOUSE STRUCTURE

\_\_\_\_\_  
\_\_\_\_\_

Owner e-mail: \_\_\_\_\_ and/or Contractor e-mail: \_\_\_\_\_

X [Signature] and/or X \_\_\_\_\_  
Signature of Owner Signature of Contractor

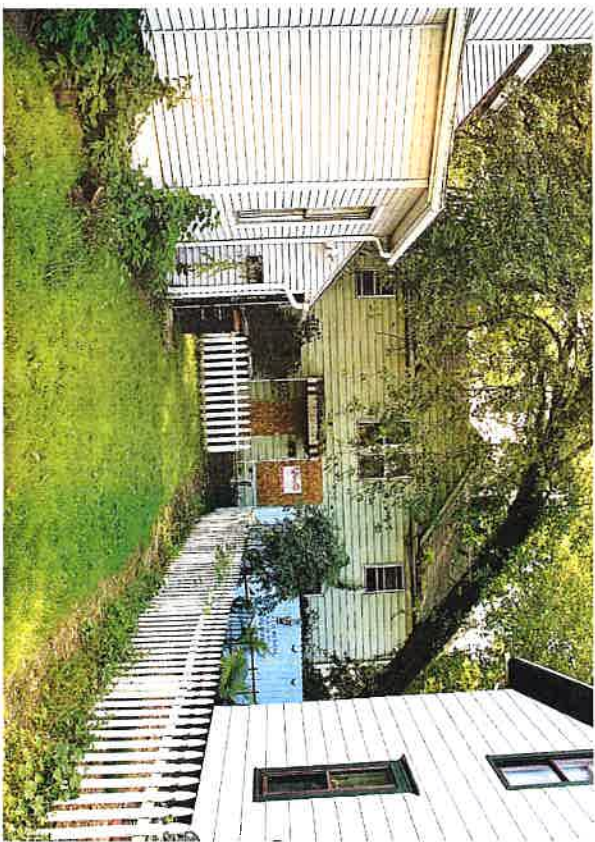
STANLEY MOLENDRA

By signing this application I agree to abide by all local regulations related to project and to obtain a Building Department Permit, if applicable.

CITY OF  
SOUTH BEND

—APPLICATION REQUIREMENTS ARE LISTED ON REVERSE SIDE—

FRONT

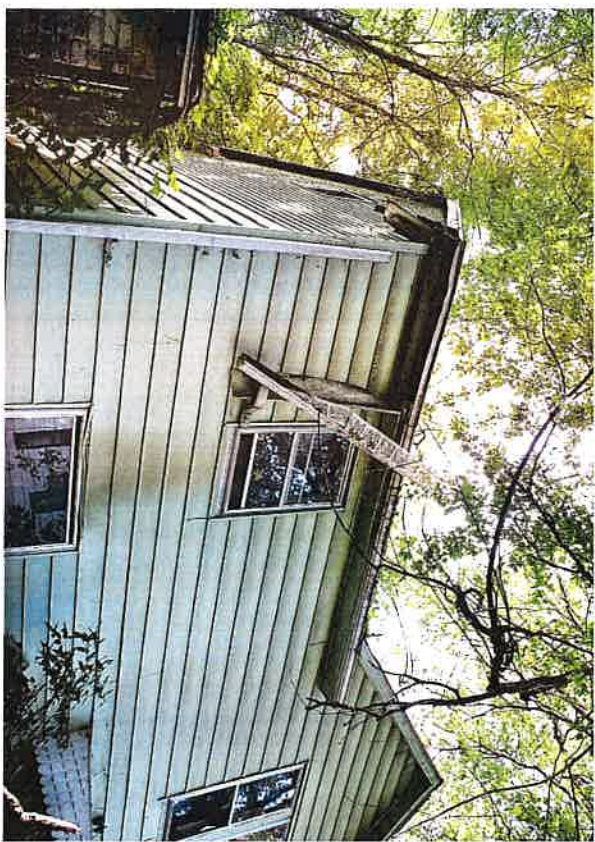


2



FRONT

3



NORTH EAST

4



FRONT STEPS

420 LA MONT ST N  
9.24.18



5

NORTH WEST



7

REAR



6

REAR



8

EAST



CHIMNEY



9

DEPARTMENT OF CODE ENFORCEMENT  
CITY OF SOUTH BEND, INDIANA

CITY OF SOUTH BEND	)	ORDER TO COMPLY AND NOTICE
	)	OF CONTINUOUS ENFORCEMENT HEARING
Petitioner	)	
	)	ORDER ISSUED: 9/7/2018
Vs.	)	CASE NUMBER: #18-208
	)	ACTION ORDERED: DEMOLITION OF HOUSE,
ALVIN B WYLIE	)	VACATE & SEAL, AND CIVIL PENALTY
PNC BANK	)	
	)	HEARING DATE: SEPTEMBER 25, 2018
	)	

Respondents;

To: ALVIN B WYLIE, PNC BANK:

Pursuant to Indiana Code 36-7-9, you must take the above ordered action at the following property:

Property Address: 420 LAMONTE TERRACE

County Key Number: #18-1054-2294

State Parcel Number: #71-08-02-434-016.000-026

You must comply with this order and pass inspection by the City of South Bend Department of Code Enforcement by SEPTEMBER 25, 2018. The attached Code Violation list describes the property maintenance code violations which must be remedied by this date.

If you have title to this property or are the land contract purchaser, you are responsible for complying with this order. If you have a lien or other similar interest in the property, this notice is for your information, so that you may take appropriate action to protect your interest.

A hearing regarding this order will be held in Room 1308 of the County-City Building located at 227 W. Jefferson Blvd. in the City of South Bend, County of St. Joseph, State of Indiana on SEPTEMBER 25, 2018, at 1:30 PM. You have a right to appear at the hearing, with or without legal counsel, to present evidence and arguments, to cross-examine opposing witnesses.

Based upon the evidence presented, the Hearing Officer may affirm, rescind, or modify this order. Your failure to comply with an affirmed or modified order may result in one or more of the following:

- (1) one or more immediate or postponed civil penalties of up to five thousand dollars (\$5000.00), the possibility of such civil penalties being entered as a judgment lien against you and a special assessment added to the property tax bill for the parcel;
- (2) an injunction issued by the St. Joseph County Circuit or Superior Court, which would require compliance;

- (3) appointment of a receiver to take possession of the property to complete the ordered action;
- (4) and employment of a contractor to perform the work required by this order, and a judgment and special property tax assessment for the cost to complete the work.

If you request additional time to comply with this order and show good cause for the request, the Hearing Officer may grant the request, but may require you to post a cash performance bond of not more than thirty percent (30%) of the estimated cost to complete the ordered action. In addition, you will be responsible for scheduling and passing inspection by the Department of Code Enforcement by the date specified. The Department will NOT schedule this new inspection; you must do so. If the ordered action is not completed and inspection passed within the time allowed, the bond will be forfeited.

This is a continuous enforcement order as defined by I.C. 36-7-9, and therefore is in full force and effect without the need to seek additional compliance, abatement or orders for the same or similar violations. Ongoing compliance and enforcement activities are authorized if necessary, and fees and costs may be assessed and collected without the need for additional notice or hearing.

You have the right to file an appeal of the Hearing Officer's decision in Circuit or Superior Court, if you do so within ten (10) days of the decision. Neither the Hearing Officer nor any City representative will be able to assist you in filing an appeal.

If you transfer your interest in this property, you are required first to supply full information regarding this order to any person who may take or agree to take an interest in the property. **You must also notify the Department of Code Enforcement in writing within five (5) days after the transfer or agreement of the full name, address, and telephone number of any person who takes a substantial interest in the property, and send the Department a copy of the deed or other legal instrument by which the transfer or agreement was made.**

Any person who owns a fee interest, a life estate interest, or the equitable interest of a contract purchaser in this property may not purchase a tract offered in a tax or assessment delinquency sale without first complying with this order.

Please direct all inquiries regarding this order to the Department of Code Enforcement, 13<sup>th</sup> Floor, County-City Building, 227 W. Jefferson, South Bend, IN 46601, telephone (574) 235-9486.



(BAC)

Tracy Skibins  
Interim Director, Department of Code Enforcement  
City of South Bend

Enclosure: Copies of Code Violation list, (x) pp.

NOTICE FOR HEARING AND SIGHT IMPAIRED PERSONS: Auxiliary aid or other services are available upon request at no charge. Please give reasonable advance request when possible.

# Code Enforcement Inspection Report

420 LAMONTE TER SOUTH BEND, IN 46616

Inspection Date: January 25, 2018

Structure(s): House

## Property Maintenance Code Violations

Description	Inspector Comment	Violation Status
<p>Section 303.7 Roof and Drainage: The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.</p>	<p>Gutters are pulled away due to rotted fascia boards; there is unfinished fascia at several areas.</p>	REPAIRS NEEDED
<p>Section 303.11 Chimneys and Towers: All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.</p>	<p>The top of the chimney is crumbling with bricks falling.</p>	REPAIRS NEEDED
<p>Section 303.13 Window, Skylight, and Door Frames: Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.</p>	<p>Door and window frames need to be painted.</p>	REPAIRS NEEDED

## Qualifying Continuous Enforcement Violations

### **Sec. 16-28**

Limbs should be cut to 4 foot lengths and bundled with string

### **Sec. 16-53**

Animal waste

Auto parts, tires, or scrap metal

Bag(s) of trash or broken bag(s) of trash

Boxes and/or boxes filled with household items

Broken glass

Demolition remains, such as wood, lumber, bricks, blocks, roofing material, siding, plumbing or piping materials, scrap metal, or fencing material

Dilapidated, deteriorated or non-operable motorcycles, bicycles, trailers or mopeds

Disassembled vehicles or vehicles w/o engines

Empty/remove trash containers full of trash/debris

Fallen or cut limbs, cut brush, dead trees, tree stumps, vegetation, or overgrowth

Furniture not originally designed or manufactured for outdoor use; or furniture originally designed or manufactured for outdoor use, which is now dilapidated or deteriorated

Graffiti

Household items-appliances such as washers, stoves, TV's, furniture, water heater, mattresses, carpet, or clothing

Insufficient or no trash receptacles

Litter, debris, broken bags of trash, trash and garbage

Open excavations, uncovered or improperly covered holes or dirt piles

Remove/empty dumpster full of trash/debris

Shopping cart

Tire(s)

Trash barrel of 75 lbs full of loose trash

Trees, shrubbery, weeds or other matter obstructing a public right of way or causing visual barriers which create vehicular traffic or pedestrian safety hazards

Unseaworthy, dilapidated or non-operable boat(s) or jet ski(s)

Water or other flowing onto public property

### **Sec. 16-59**

Grass and/or weeds over 9 inches tall

Weeds on vacant lot over 9 inches tall

### **Sec. 16-12**

Trash containers or recycling bins left upon the sidewalk or tree lawn

### **Sec. 16-8**

Grass clippings, leaves or shrubbery clippings should be properly bagged

Items out for special pickup longer than 24 hours before pickup

Trash containers or recycling bins may only be set out from 12:00 noon on the day prior to collections and must be removed within 24hrs of collection

Yard waste/limbs & branches must be separated from your regular trash and placed by the front curb on your regular trash day

### **Sec. 16-60**

Building materials or equipment may be placed or stored on lots only during the process of building on said lot or for a period of no longer than one month prior to the start of the building and no longer than 10 days after completion of the building Storage also requires a building permit

### **Sec. 18-55**

Displaying unassigned number

### **Sec. 18-56**

House numbers not 3 inches or conspicuously displayed

### **Sec. 18-57**

House numbers not displayed

### **Sec. 18-7**

Snow and/or ice removal

### **Sec. 21-02.11**

Stagnant water in pool/barrel/yard creating a health hazard or unsanitary conditions

### **I.C. 36-7**

Securing/Sealing unsafe building/premises against intrusion by unauthorized persons

Removal of trash, debris, fire hazardous material, or public health hazard in and about the unsafe building/premises

IDEM

LEGAL NOTICE OF PUBLIC  
HEARING WITH INTENTION TO  
DEMOLISH HOUSE, VACATE  
& SEAL, CIVIL PENALTY, AND  
CONTINUOUS ENFORCE-  
MENT

South Bend Tribune  
225 West Colfax Ave  
South Bend, Indiana 46628  
Tax ID# 35-13-1571

**ISHER'S CLAIM**

LINE COUNT  
Display Master (Mu  
in which the body o  
Head -- Number of  
Body -- Number of  
Body -- Number of

To: ALVIN B WYLIE OF 420  
LAMONTE TERRACE, SOUTH  
BEND, IN 46616, PNC BANK  
OF 6750 MILLER ROAD,  
BRECKSVILLE, OH 44141, and  
to all persons or corporations  
having or claiming any rights,  
titles or interest in the following  
real estate commonly known  
as 420 LAMONTE TERRACE,  
South Bend, Indiana described  
as Key Number: 18-1054-2294,  
and State Parcel #71-08-02-  
434-016.000-026.

Ad #: 541954

nes, neither of which shall total more than four solid lines of type  
-- number of equivalent

Total number

64

RECEIVED

SEP 18 2018

Dept. Of  
Code Enforcement

COMPUTATION OF CHARGE  
64 lines, 1 columns wide

Additional c  
(50  
Charge for  
(\$1.1

You are hereby ordered to be  
present at a hearing before the  
Hearing Officer, for the Depart-  
ment of Code Enforcement, on  
SEPTEMBER 25, 2018 at 1:30  
p.m., in Room 1308, County-  
City Building, 227 West Jef-  
ferson, South Bend, Indiana.

at 0.2856 cents per line  
ing rule or tabular work

TOTAL

\$36.56

\$0.00

DATA FOR COMPUTING CO.  
Width of single  
Number of Inse

At this hearing, the Hearing  
Officer may affirm the demoli-  
tion order on the HOUSE, if the  
property owners do not have  
the HOUSE demolished by the  
date of the hearing. If the  
demolition order is affirmed, the

of two)

Size of 8 point

2

Pursuant to the  
and correct, that the  
been paid.

City of South Bend will award a  
demolition contract to the low-  
est bidder, have the HOUSE de-  
molished and bill the property  
owners for the cost of the demoli-  
tion plus \$712.00 in adminis-  
trative fees.

C 5-11-10-1, I hereby certify that the foregoing account is just  
, after allowing all just credits, and that no part of the same has

I also certify the  
which was duly publi  
09/13/18, 09/14/18.

This is a continuous enforce-  
ment order as defined by I.C.  
36-7-9, and therefore is in full  
force and effect without the  
need to seek additional compli-  
ance, abatement or orders for  
the same or similar violations.  
Ongoing compliance and en-  
forcement activities are autho-  
rized if necessary, and fees and  
costs may be assessed and  
collected without the need for  
additional notice or hearing.

I hereto is a true copy, of the same column width and type size,  
The dates of publication being as follows: South Bend Tribune:

*Sally J*

CHERYL JUNE MOREY  
Notary Public - Seal  
St Joseph County - State of Indiana  
Commission Number 693302  
My Commission Expires Dec 21, 2024

*Cheryl June Morey*  
Cheryl June Morey, Notary Public  
Resident of St. Joseph County  
Commission Number: 693302  
My Commission expires December 21, 2024

South E

225 W. Colfax Ave. S  
ON ACCT OF APPRO  
\$36.5  
Appropriation No. Ta

The action required by the order  
and the exact terms of the order  
may be obtained from the De-  
partment of Code Enforcement,  
Room 1300, County-City Build-  
ing, 227 W. Jefferson, South  
Bend, Indiana. Phone Number:  
235-9486.  
Hspaxlp 2t: 9: 13 & 14

That it is duly authenticated as required by law.  
That it is based upon statutory authority.

correct

That it is apparently

incorrect

ALLOWED  
IN THE SUM OF \$36.56

I certify that the within claim is true and correct; that  
the services there in itemized and for which charge is  
made were ordered by me and were necessary to the  
public business

Attest



# CITY OF SOUTH BEND

## CODE ENFORCEMENT

SEPTEMBER 6, 2018

South Bend Tribune  
223 W. Colfax Avenue  
South Bend, IN 46601  
ATTN: LEGAL CLASSIFIEDS

LEGAL NOTICE OF PUBLIC HEARING WITH INTENTION TO DEMOLISH HOUSE, VACATE & SEAL,  
CIVIL PENALTY, AND CONTINUOUS ENFORCEMENT

To: ALVIN B WYLIE OF 420 LAMONTE TERRACE, SOUTH BEND, IN 46616, PNC BANK OF  
6750 MILLER ROAD, BRECKSVILLE, OH 44141, and to all persons or corporations  
having or claiming any rights, titles or interest in the following real estate  
commonly known as 420 LAMONTE TERRACE, South Bend, Indiana described as Key  
Number: 18-1054-2294, and State Parcel #71-08-02-434-016.000-026.

You are hereby ordered to be present at a hearing before the Hearing Officer,  
for the Department of Code Enforcement, on SEPTEMBER 25, 2018 at 1:30 p.m., in  
Room 1308, County-City Building, 227 West Jefferson, South Bend, Indiana.

At this hearing, the Hearing Officer may affirm the demolition order on the  
HOUSE, if the property owners do not have the HOUSE demolished by the date of  
the hearing. If the demolition order is affirmed, the City of South Bend will  
award a demolition contract to the lowest bidder, have the HOUSE demolished  
and bill the property owners for the cost of the demolition plus \$712.00 in  
administrative fees.

This is a continuous enforcement order as defined by I.C. 36-7-9, and therefore  
is in full force and effect without the need to seek additional compliance,  
abatement or orders for the same or similar violations. Ongoing compliance and  
enforcement activities are authorized if necessary, and fees and costs may be  
assessed and collected without the need for additional notice or hearing.

The action required by the order and the exact terms of the order may be  
obtained from the Department of Code Enforcement, Room 1300, County-City  
Building, 227 W. Jefferson, South Bend, Indiana. Phone Number: 235-9486.

Sincerely,

Tracy Skibins  
Interim Director - Department of Code Enforcement  
TO BE RUN TWO (2) CONSECUTIVE TIMES

LAST DAY OF PUBLICATION CANNOT BE LATER THAN SEPTEMBER 15, 2018

EXCELLENCE | ACCOUNTABILITY | INNOVATION | INCLUSION | EMPOWERMENT

1300S County-City Building | 227 W. Jefferson Blvd. | South Bend, Indiana 46601 | p 574.235.9486 | www.southbendin.gov



**NOTICES ISSUED PURSUANT TO SECTION 25 OF THE UNSAFE BUILDING ACT**

**PROPERTY ADDRESS** 420 Lamonte Terrace

**HEARING DATE:** 09/25/2018

**DATE NOTICE(S) SENT:** 9/7/2018

**RESPONDENT 1 NAME:** Alvin B Wylie - Deceased

**RESPONDENT 1 METHOD OF SERVICE:** Publication

**REASON FOR TYPE OF NOTICE(S) SENT:** Previous Hearing

**RESPONDENT 2 NAME:** PNC Bank

**RESPONDENT 2 METHOD OF SERVICE:** 1st Certified Publication

**REASON FOR TYPE OF NOTICE(S) SENT:** Previous Hearing

**RESPONDENT 3 NAME:** \_\_\_\_\_

**RESPONDENT 3 METHOD OF SERVICE:** \_\_\_\_\_

**REASON FOR TYPE OF NOTICE(S) SENT:** \_\_\_\_\_

**RESPONDENT 4 NAME:** \_\_\_\_\_

**RESPONDENT 4 METHOD OF SERVICE:** \_\_\_\_\_

**REASON FOR TYPE OF NOTICE(S) SENT:** \_\_\_\_\_

**\*IF THE NOTICE INITIALLY SENT AS CERTIFIED MAIL AND/OR FIRST CLASS AND/OR HAND DELIVERY IS RETURNED FOR ANY REASON, THEN THE NOTICE MUST BE PUBLISHED AND FIRST CLASS MAIL SENT.**

Funding Program CDBG

Federal Funding?  Yes  No

**ENVIRONMENTAL REVIEW CHECKLIST**

SUBGRANTEE COMPLETES:

Project Name: Code demolition

Project Description: Demolition of vacant, substandard structure

Address: 420 LaMonte Terrace, SB 44011

Does the project involve any of the following:

- Increase in dwelling units: (from \_\_\_ units to \_\_\_ units) Yes  No
- Changes in zoning: Yes  No
- Rehab costs will be over 75% of estimated value after rehab: Yes  No N/A

Completed by: [Signature] Date: 1-7-19

HISTORIC PRESERVATION COMPLETES:

- The property is in a Local Historic District Yes  No
- The property is in a National Historic District Yes  No
- The property is a Local Landmark Yes  No
- The property is on the National Register of Historic Places Yes  No
- A CoA is required to proceed with project Yes  No
- The property may be appropriate for deconstruction Yes  No

Comments: Property is within boundaries of both Local and National Register Historic Districts, a CoA is required.

Completed by: Adam Toering Date: 1/8/2019

DEPARTMENT OF COMMUNITY INVESTMENT COMPLETES:

Environmental Determination: Not Ex Subject to 58.5

(Supporting documentation in Department of Community Investment project file)

Comments: Per HPC, Code needs a CoA to demolish

If YES is checked for any of the above, the subgrantee will take appropriate measures to ensure project is in compliance with federal requirements.

NOTICE IS HEREBY GIVEN TO PROCEED WITH THIS PROJECT. IF A CERTIFICATE OF APPROPRIATENESS (CoA) IS REQUIRED BY THE HISTORIC PRESERVATION COMMISSION, NOTICE TO PROCEED IS CONTINGENT UPON APPROVAL OF THE CoA.

Signed [Signature] Date 1-8-19

- Copies: White - Subgrantee
- Yellow - Historic Preservation Commission
- Pink - Dept. of Community Investment