

STAFF REPORT

CONCERNING APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS



Date: March 13, 2019

Application Number: 2019-0227

Property Location: 509 – 511 Harrison

Architectural Style/Date/Architect or Builder: 1921/Palmiter Apartments

Property Owner: Victor Lopez

Landmark or District Designation: Local Landmark, ordinance #8021-1989

Rating: not listed in 2007 Sites and Structures Inventory

DESCRIPTION OF STRUCTURE/ SITE: This two-story structure with rectangular plan sits upon a cement foundation. The walls are brick, and the very low hip roof has wide overhanging eaves. A two-story porch with three brick support pillars and two balconies spans the front side. The second story balcony was covered by a roof shingle type of material.

This structure was included in the legal description for Landmark Ordinance #8021-1989. The structure to the rear on the lot – 513 Harrison – was the primary reason for this landmarking because of its unique concrete block construction.

ALTERATIONS: COA 2002-0618 approved removal and replacement of asphalt roof shingles. COA 2016-1031A approved replacement in-kind of asphalt roof shingles and installation of new gutters. Vinyl windows have been installed to enclose the second-floor front porch, and second story balcony shingles have been replaced with vinyl siding, both without a COA or building permit.

APPLICATION ITEMS: *“Install 10 Andersen Silverline double hung windows (vinyl). Install vinyl siding. See previous application (2017-0623).”*

COA 2017-0623, as applied: “Add new double hung vinyl windows in framed area of porch and replace dilapidated siding. Code enforcement was pressuring me to complete work.”

DESCRIPTION OF PROPOSED PROJECT: Owner is seeking approval of Andersen Silver Line Standard vinyl windows installed to enclose second floor front porch, as well as Market Square double 4” vinyl siding which has been installed to replace existing deteriorated balcony asphalt shingles, and triple 4” vented and unvented vinyl siding which has been installed to replace existing unvented soffit. Owner seeks to prevent further damage to second-floor decking by installation of windows to prevent exposure to weather. All work has been done without a COA or building permit.

Applicant retroactively applied for the above project in 2017. The Commission reviewed the project and denied the application. Demolition permits were issued by the Building Department to allow for the removal of the windows in both July and December of 2017, the latter of which was issued with the caveat that the permit was only for six months, and if no work was executed, fines were to be issued. No demolition occurred on the site.

With no response from the property owner, the Building Department submitted the property to the City of South Bend Legal Department. City of South Bend Legal filed a ‘NOTICE OF CLAIM SUMMONS’ (Case No. 71D07-1901-SC-000104) with the St. Joseph County Clerk on January 2, 2019 for a judgement of \$1,500. Upon receiving this judgement, the property owner re-initiated contact with the Historic Preservation Commission staff to seek to rectify the situation.

Staff met with the applicant on February 12, 2019 and again on February 27, 2019 to review this project and assist in the application process. Staff appraised the applicant of similar projects where windows that were installed without Commission approval were later removed (most notably at 620 West Washington, ‘Tippecanoe Place’).

PRESERVATION INSPECTOR REPORT: n/a

STANDARDS AND GUIDELINES: Group B

DEFINITIONS

Shall—Defined as an expression of something that is mandatory or must be done.

Should—Defined as an expression of obligation, something that ought to be done but that is open to compromise.

Required—Defined as work which shall be done in a restoration or rehabilitation project in order to restore or maintain the original or existing character of the structure or site.

Recommended—Defined as work which should be done to help restore or maintain the original or existing character of the structure or site.

Prohibited—Defined as work which shall not be permitted in a restoration or rehabilitation project because it may have a negative impact on the original or existing character of the structure or site.

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: Group B Standards, section A, state “*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.*” Prevention of second-floor porch deck deterioration could be accomplished in a manner that is

sympathetic to the historic structure and in compliance with the Standards for Local Landmarks. Staff would prefer to see the windows removed and the porch returned to an opened state.

When the project was reviewed in 2017, Staff believed that the soffit and siding material should be replaced with more appropriate materials, as Section C, item 2 states, “*Additions and improvements involving any new material in the landmark should be of the same material as the original.*” The Group B Standards and Guidelines define *should* as “*an expression of obligation, something that ought to be done but that is open to compromise.*” Asphalt shingles were previously installed on the exterior of the porch. As such, staff would entertain allowing the siding to remain.

Staff recommends that the Commission pursue:

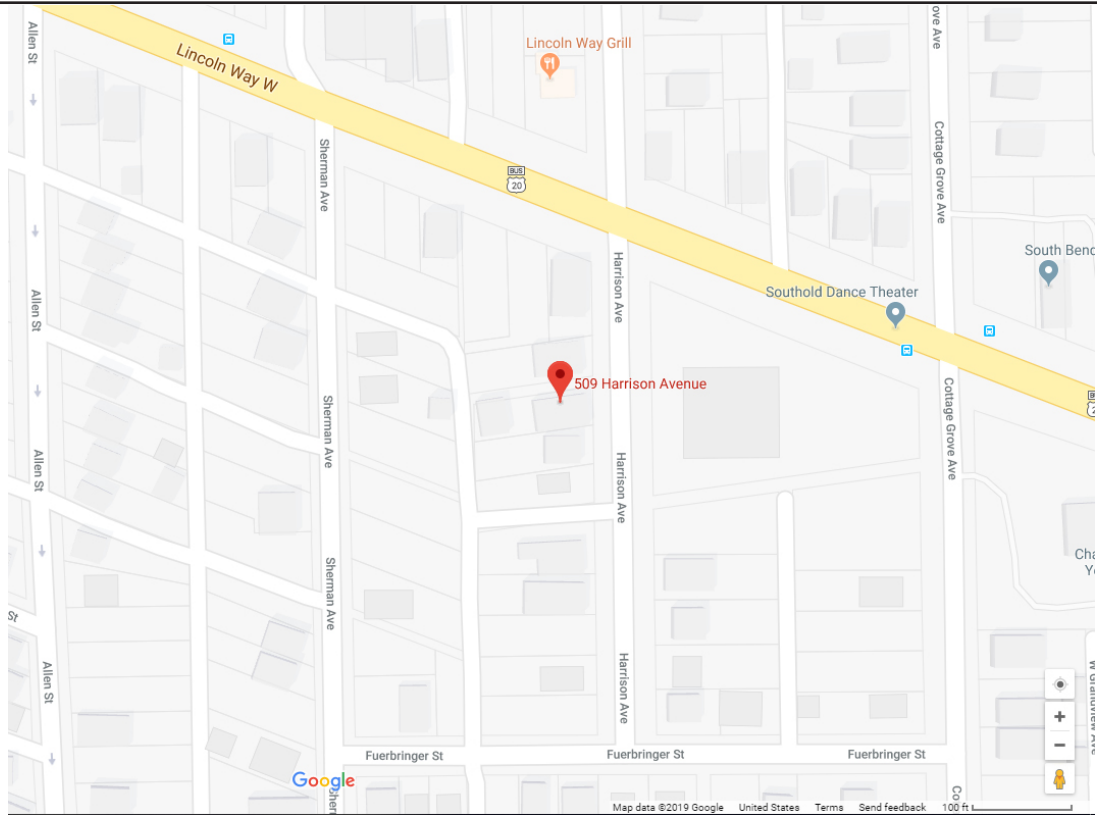
1. Removal of the windows,
2. Approval of the siding/soffit, with the caveats that the applicant:
 - A) confirm that the installed soffit is properly vented and
 - B) confirm that an appropriate material is extended across the ceiling of the to-be-opened porch.

Report compiled by
Adam Toering, Historic Preservation Specialist

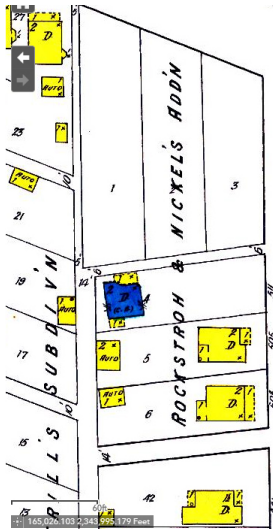
Approved by
Elicia Feasel, Historic Preservation Administrator

HISTORIC PRESERVATION COMMISSION OF SOUTH BEND AND ST. JOSEPH COUNTY

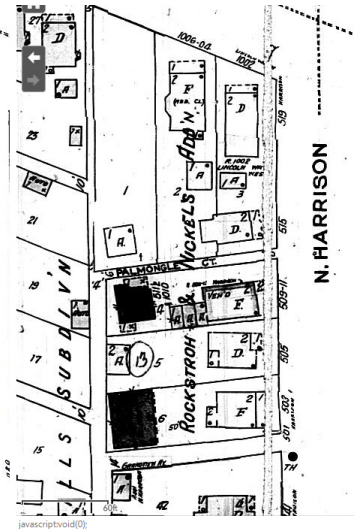
LOCATION MAP - Map showing location of the property and surrounding area (Google Maps)



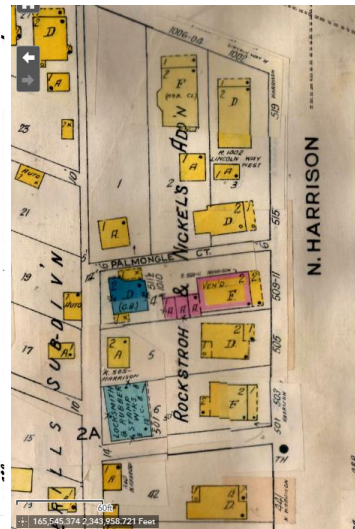
AERIAL MAP - highlighted property on map



1899



1917



1945



1960

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

FRONT PICTURE (EAST) - Picture of the front of the building, June 2017.



FRONT PICTURE (EAST) - Picture of the front of the building from 2012.



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

SIDE PICTURE (SOUTH) - Picture of the side of the building, June, 2017



SIDE PICTURE (SOUTH) - Picture of the side of the building in 2012.



Before March 4 FEB 27 2019 \$20.00

Rec# 757907 MA



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: hpcsbsjc@southbendin.gov

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: 2/27/2019

Application Number: 2019 — 0227

Past Reviews: YES (Date of Last Review) _____ NO

Staff Approval authorized by: _____ Title: _____

Historic Preservation Commission Review Date: _____

Local Landmark

Local Historic District (Name) _____

National Landmark

National Register District (Name) _____

Certificate Of Appropriateness:

Denied

Tabled

Sent To Committee

Approved and issued: _____

Address of Property for proposed work: 511 Harrison South Bend IN 46616
(Street Number—Street Name—City—Zip)

Name of Property Owner(s): Victor M Lopez Phone #: (574) 8507016

Address of Property Owner(s): 511 Harrison South Bend IN 46616
(Street Number—Street Name—City—Zip)

Name of Contractor(s): SELF Phone #: _____

Contractor Company Name: _____

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

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

Type of Building Construction: _____
(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: INSTALL 10 Andersen Silverline double hung windows (vinyl). install vinyl siding. SEE PREVIOUS APPLICATION (2017-0623)

Owner e-mail: _____ and/or Contractor e-mail: _____

X Victor M Lopez and/or X _____
Signature of Owner Signature of Contractor

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

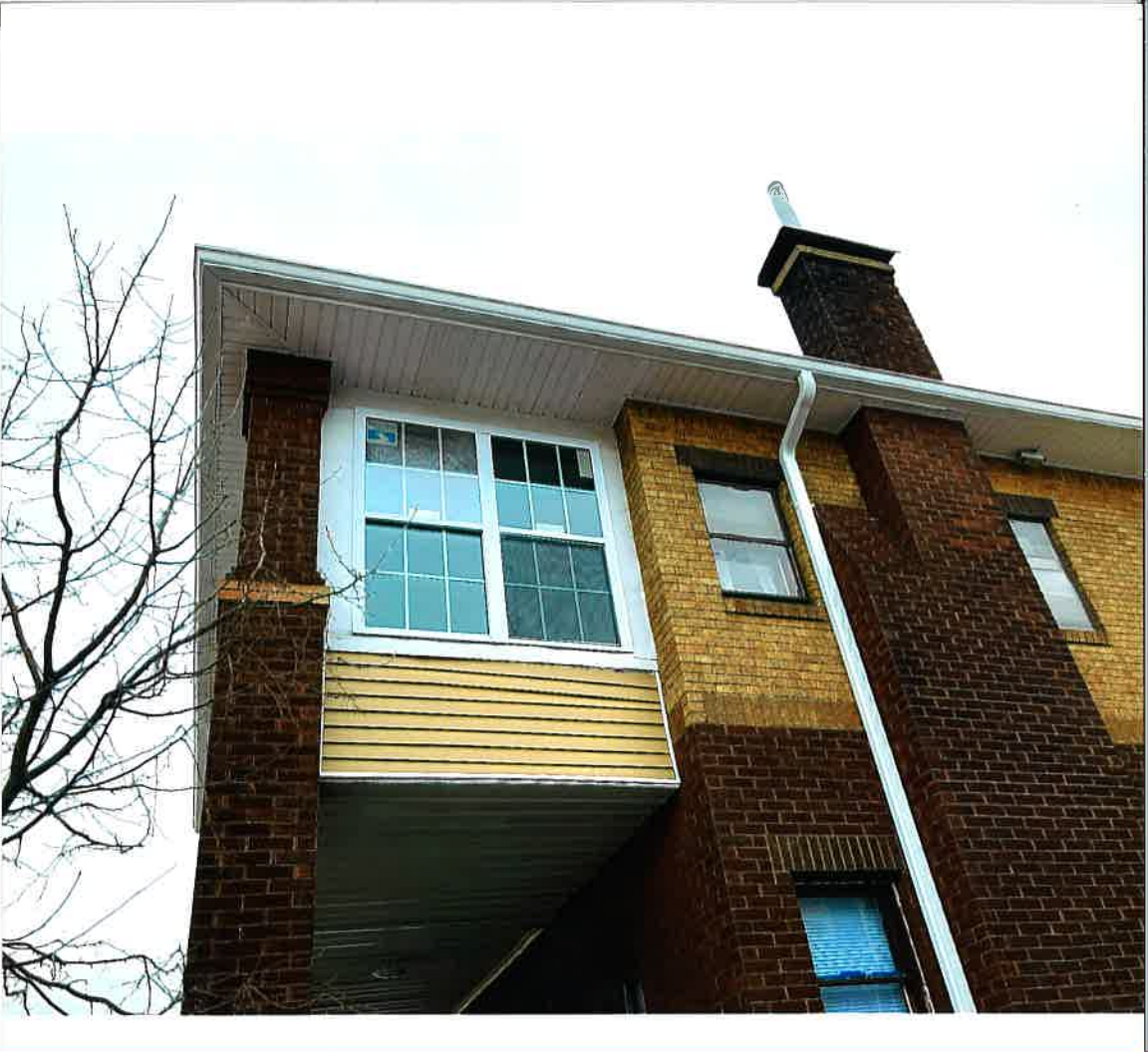
—APPLICATION REQUIREMENTS ARE LISTED ON REVERSE SIDE—







509



IN THE ST. JOSEPH SUPERIOR COURT
SMALL CLAIMS DIVISION
STATE OF INDIANA

NOTICE OF CLAIM OF SUMMONS

CASE NO. **71D07-1901-SC-000104**

CITY OF SOUTH BEND

C/O Krisor and Associates P.O. Box 6200
South Bend, IN 46660
(574) 271-4920

VS.

VICTOR LOPEZ
1110 LINCOLN WAY WEST
SOUTH BEND, IN 46616
Telephone No.: Unknown

STATEMENT OF CLAIM

1. BASIS OF CLAIM: The attached form is the basis of the complaint.
2. RELIEF REQUESTED: Principal of \$ 1,500.00, plus prejudgment interest as of 12/3/18 in the amount of \$ 10.84 and additional prejudgment interest at the rate of 8% per annum until Judgment is entered, plus reasonable attorney fees, and costs of this action.

AFFIDAVIT OF NON-MILITARY STATUS

I affirm that after diligent search I am unable to determine if any of the Defendants are serving in the Armed Forces of the United States as we do not have a social security number or a date of birth for the Defendant(s).

Krisor & Associates

By: 

Attorneys For Plaintiff

John D. Krisor Jr. (5355-71)
Brooks J. Grainger (19362-71)
Ian M. Septoski (25450-64)
P.O. Box 6200
South Bend, IN 46660
(574) 271-4920

ORDER OF THE COURT

This claim has been filed against you. Hearing is set for 2/28/2019, at 1:00 PM, on the first floor 112 South Lafayette Blvd. South Bend, IN 46601 (1855 Court House) Court Telephone number 574-235-9794. You may appear in person or by an attorney. If you are being sued as a corporation, different rules apply. Read the enclosed manual and contact the Clerks of the Small Claims Court. If you do not appear, a DEFAULT JUDGMENT may be entered against you. If you cannot appear, you must file written notice to both the Court and the Plaintiff. If you dispute the claim, bring any documents that are relevant. This claim has been set for Hearing; you must bring any documentation or witnesses you deem necessary to prove your case. You have a right to a trial by jury. You must demand that right by filing an affidavit and paying a fee, as required by statute, within ten (10) days of receiving this notice. Once a jury trial request has been granted it may not be withdrawn without the consent of the other party or parties. Within ten (10) days after the jury trial request has been granted, the party requesting a jury trial shall pay the clerk the additional amount required to transfer the claim to the plenary docket, otherwise the party requesting the jury trial shall be deemed to have waived the request. If you do not wish to dispute the claim you may appear for the purpose of allowing the court to establish the method by which the judgment shall be paid.

THE ENCLOSED MANUAL FOR SMALL CLAIMS IS PART OF THIS
NOTICE AND SHOULD BE READ CAREFULLY.

KM

By _____
Deputy Clerk



THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED
FOR THAT PURPOSE. THIS COMMUNICATION IS FROM A DEBT COLLECTOR



HISTORIC PRESERVATION COMMISSION OF SOUTH BEND AND ST. JOSEPH COUNTY

County—City Building, South Bend, IN 46601
<http://stjosephcountyindiana.com/438/Historic-Preservation-Commission>
Phone: 574/235.9798 Fax: 574/235.9578
Email: SBSJCHPC@co.st-joseph.in.us



Timothy S. Kluszczinski, President

A Certified Local Government of the National Park Service

Elicia Feasel, Executive Director

July 25, 2017

Victor Lopez
1110 Lincoln Way West
South Bend, IN 46616

Dear Mr. Lopez,

The Commissioners, at the regularly scheduled monthly Historic Preservation Commission meeting on July 17, 2017, by a vote of 4-0-1, denied enclosure of the second floor porch with new vinyl windows and replacement of existing siding with new vinyl siding, as proposed on COA Application# 2017-0623 for the property you own at 509-511 North Harrison Street: "Add new double hung vinyl windows in framed area of porch and replace dilapidated siding. Code enforcement was pressuring me to complete work." Windows and siding were installed prior to this application, without a COA or building permit. Following is the record from the meeting concerning your project which states the reasons why your application was denied:

Commissioner Hertel moved to deny application as submitted. Seconded by Commissioner Gordon. 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 Anderson (Aye) – loss of architectural integrity to a local landmark

Commissioner Parker (Present) – not comfortable with a vote on this just now

Commissioner Kluszczinski (Aye) – the project supports stylistic and material departures from the original intent of the structure. Material choice is not in keeping with the Group B Standards and Guidelines for local historic landmarks, especially where the façade is concerned. I support the staff recommendation for more appropriate choice in materials. We have a general lack of information regarding the need for this particular construction, and I believe that supporting this project also supports a desire to degrade a landmark beyond its current rating.

Commissioner Gordon (Aye) – because of inappropriate material and not staying with the integrity of the building and outside the standards. For me, there could have been some difference in my opinion if it was just in a district and not an individual landmark. We are really changing the look of an individual landmark as opposed to a house in a district that may have had other similar houses. An individual landmark, I can't see getting this far away from our standards

Commissioner Hertel (Aye) – it does not meet the Group B Standards and Guidelines, and the materials used compromise the historical and architectural integrity of this landmark.

COMMISSIONERS

Elizabeth Hertel, Vice President
Joseph Molnar, Treasurer
Jennifer Parker, Architectural Historian
Brandon Anderson

Michele Gelfman, Secretary
Thomas Gordon, Assistant Secretary
Kevin Buccellato
Mike Voll

STAFF

Deb Parcell, Deputy Director
Brandie Ecker, Legal Counsel
Steve Szaday, Preservation Specialist/
Inspector

**HISTORIC
PRESERVATION
COMMISSION**
of South Bend & St. Joseph County
EST. 1974

The Historic Preservation Commission will continue to assist you in meeting the Preservation Standards for Historic Landmarks in South Bend and St. Joseph County as they apply to your property, which was established by Ordinance No. 8021-1989. Our Agency is qualified and knowledgeable in methods used in preservation and endorsed by the U.S. Secretary of the Interior in maintaining historic resources, like your property. We are familiar with many local contractors that are skilled in this regard. While HPC is not affiliated with independent contractors, it will share referrals among members of the public.

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

Sincerely,



Debra Parcell, Deputy Director

cc Building Department

STAFF REPORT
 CONCERNING APPLICATION FOR A
CERTIFICATE OF APPROPRIATENESS

Date: June 23, 2017

Application Number: 2017-0623
Property Location: 509 – 511 Harrison
Architectural Style/Date/Architect or Builder: 1921/Palmiter Apartments
Property Owner: Victor Lopez
Landmark or District Designation: Local Landmark, ordinance #8021-1989
Rating: not listed in 2007 Sites and Structures Inventory

DESCRIPTION OF STRUCTURE/ SITE: This two-story structure with rectangular plan sits upon a cement foundation. The walls are brick, and the very low hip roof has wide overhanging eaves. A two-story porch with three brick support pillars and two balconies spans the front side. The second story balcony is covered by a roof shingle type of material.

ALTERATIONS: COA 2002-0618 approved removal and replacement of asphalt roof shingles. COA 2016-1031A approved replacement in-kind of asphalt roof shingles and installation of new gutters. Vinyl windows have been installed to enclose the second-floor front porch, and second story balcony shingles have been replaced with vinyl siding, both without a COA or building permit.

APPLICATION ITEMS: Add new double hung vinyl windows in framed area of porch and replace dilapidated siding. Code enforcement was pressuring me to complete work.

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PRESERVATION SPECIALIST REPORT:

STANDARDS AND GUIDELINES: Group B

A. Maintenance

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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:

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

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F. Signs

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G. Building Site and Landscaping

1. Required

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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: Group B Standards, section A, state "*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.*" Prevention of second-floor porch deck deterioration could be

accomplished in a manner that is sympathetic to the historic structure and in compliance with the Standards for Local Landmarks. Similarly, the soffit and balcony siding could be replaced with more appropriate materials, as Section C, item 2 states, "*Additions and improvements involving any new material in the landmark should be of the same material as the original.*" As none of the application items conform to Group B Standards, staff does not recommend approval.

Written by

Deb Parcell, Deputy Director

Approved by

Elicia Feasel, Executive Director



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: 6/23/17 Application Number: 2017 - 0623

Past Reviews: YES (Date of Last Review) 10/31/2016 NO

Staff Approval authorized by: _____ Title: _____

Historic Preservation Commission Review Date: _____

- 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: 509 HARRISON ST. SOUTH BEND, IN 46616
(Street Number— Street Name—City—Zip Code)

Name of Property Owner(s): VICTOR LOPEZ Phone #: 574-850-7016

Address of Property Owner(s): 1110 LINCOLNWAY W. SOUTH BEND, IN 46616
(Street Number— Street Name—City—Zip Code)

Name of Contractor(s): VICTOR LOPEZ Phone #: 574-850-7016

Contract Company Name: _____

Address of Contract Company: SAME AS ABOVE
(Street Number— Street Name—City—Zip Code)

Current Use of Building: MULTI-FAMILY
(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: ADD NEW DOUBLE HUNG VINYL WINDOWS
IN FRAMED AREA OF PORCH AND REPLACE DELAPIDATED
SIDING. CODE ENFORCEMENT WAS PRESSURING ME TO
COMPLETE WORK.

Owner/Contractor Fax #: _____ e-mail: _____
(Staff will correspond with only one designee)

X Victor M Lopez
Signature of Owner

and/or X _____
Signature of Contractor







SilverLine[®]
by Andersen



PREFERRED &
STANDARD
WINDOWS & DOORS

REPLACEMENT

REPLACE OLD
& DRAFTY WITH

**QUALITY &
ENERGY EFFICIENCY**





ST. JOSEPH COUNTY
CITY OF SOUTH BEND
BUILDING DEPARTMENT



June 13, 2017

Victor Lopez
1110 Lincoln Way West
South Bend, IN 46616

Re: Violations of County Ordinance at 509 Harrison St, South Bend, IN 46628/Second Notice

To Whom It May Concern:

We recognize the effort to reduce the violations of the City of South Bend Zoning Ordinance, at your property located at 509 HARRISON ST, South Bend, IN 46628, zoned "MF1" Urban Corridor Multifamily District. Due to the Historic Preservation Commission's denial of your recent application for Certificate of Appropriateness the property continues to have 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 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 from the Historic Preservation Commission for improvements made to the above noted property, located within the Riverside Drive Local Historic District (*Ordinance No. 8861-97*)

VIOLATION REMEDY

1. Immediately remove improvements made without permits or application and approval for Certificate of Appropriateness from the Historic Preservation Commission; AND
2. Following removal of the improvements schedule an inspection by the Historic Preservation Commission to confirm the property is no longer in violation.

If these violations exist on or after August 1, 2017 citations will be issued. If you have any questions regarding this matter, please feel free to contact me.

Sincerely,

Ayoka Paek, MCP, MCIP
Zoning and Business Services Administrator

cc:
Historic Preservation Commission

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
Here

Sent To

Victor Lopez
 Street & Apt. No.,
 110 Lincoln Way West
 City, State, ZIP+4
 South Bend, IN 46616

PS Form 3800, July 2014

See Reverse for Instructions

6562 9958 1000 064E 4702

6562 9958 1000 064E 4702



2014 3490 0001 8566 7359

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
 OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

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- A Certified Mail receipt (this portion of the Certified Mail label).
- A unique identifier for your mailpiece.
- Electronic verification of delivery or attempted delivery.
- A record of delivery (including the recipient's signature) that is retained by the Postal Service® for a specified period.

Important Reminders:

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 - Return receipt service, which provides you with a record of delivery (including the recipient's signature). You can request a hardcopy return receipt or an electronic version. For a hardcopy return receipt, complete PS Form 3811, *Domestic Return Receipt*; attach PS Form 3811 to your

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IMPORTANT: Save this receipt for your records.



ST. JOSEPH COUNTY
CITY OF SOUTH BEND

BUILDING DEPARTMENT



June 13, 2017

Victor Lopez
1110 Lincoln Way West
South Bend, IN 46616

AND

Current Occupant
509 HARRISON ST,
South Bend, IN 46628

Re: Violations of County Ordinance at 509 HARRISON ST, South Bend, IN 46628/First Notice

To Whom It May Concern:

This letter is to advise you that you are in violation of the City of South Bend Zoning Ordinance, at your property located at 509 HARRISON ST, South Bend, IN 46628. This property is zoned "MF1" Urban Corridor Multifamily District.

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 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 from the Historic Preservation Commission for improvements made to the above noted property, located within the Riverside Drive Local Historic District (*Ordinance No. 8861-97*)

VIOLATION REMEDY OPTIONS

Immediately remove improvements made without permits or application and approval for Certificate of Appropriateness from the Historic Preservation Commission;

OR

Apply for Certificate of Appropriateness with the Historic Preservation Commission; and if approved apply for applicable building permits.

Application for the Certificate of Appropriateness can be found at the following link:
<http://www.stjosephcountyindiana.com/departments/sjchp/coaform/12COAApplication.pdf>

Permit applications can be picked up at our office or found at the following link:
<https://www.southbendin.gov/residents/content/building-permits>. Be advised that application for the required permits will be charged a triple fee as per *Section 21.6-4.1(e)* or the City of South Bend Ordinance.

If these violations exist on or after June 26, 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 'A Paek', written in a cursive style.

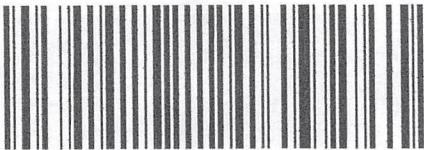
Ayoka Paek, MCP, MCIP
Zoning and Business Services Administrator

cc:
Historic Preservation Commission

7015 1520 0001 1564 9542

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

CERTIFIED MAIL®



7015 1520 0001 1564 9542

7015 1520 0001 1564 9542

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$ _____
- Return Receipt (electronic) \$ _____
- Certified Mail Restricted Delivery \$ _____
- Adult Signature Required \$ _____
- Adult Signature Restricted Delivery \$ _____

Postage

\$

Total Postage and Fees

\$

Sent To
Current Occupant

Street and Apt. No. or P.O. Box No.
509 HARRISON ST,

City, State, ZIP+4®
South Bend, IN 46628

Postmark
Here

Certified Mail service provides the following benefits:

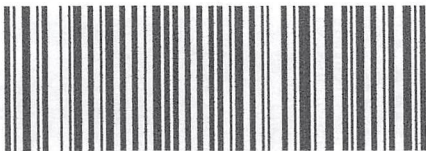
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- for an electronic return receipt, see a retail associate for assistance. To receive a duplicate return receipt for no additional fee, present this USPS®-postmarked Certified Mail receipt to the retail associate.
 - Restricted delivery service, which provides delivery to the addressee specified by name, or to the addressee's authorized agent.
 - Adult signature service, which requires the signee to be at least 21 years of age (not available at retail).
 - Adult signature restricted delivery service, which requires the signee to be at least 21 years of age and provides delivery to the addressee specified by name, or to the addressee's authorized agent (not available at retail).
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IMPORTANT: Save this receipt for your records.

7015 1520 0001 1564 9559

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

CERTIFIED MAIL®



7015 1520 0001 1564 9559

7015 1520 0001 1564 9559

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only

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OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$ _____

Return Receipt (electronic) \$ _____

Certified Mail Restricted Delivery \$ _____

Adult Signature Required \$ _____

Adult Signature Restricted Delivery \$ _____

Postage

\$

Total Postage and Fees

\$

Sent To
Wanda R & Leticia S Morris

Street and Apt. No., or PO Box No.
812 Golden Ave

City, State, ZIP+4®
South Bend, IN 46613

Postmark
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USPS 7530 0007 7874 2224

SUBSTANDARD HOUSING FOLLOW-UP REPORT

509-511 Harrison
(PROPERTY ADDRESS)

Duplex & Garage
(STRUCTURE TYPE)

Key # 018-1030-1309
Case # 16-220190
Inspector # 2

Owner: Victor Lopez
Address: 1110 LWW
South Bend, IN 46616

INSPECTOR'S COMMENTS

NEXT
INSPECTION RATING

INSPECTOR'S COMMENTS	NEXT INSPECTION	RATING
8/26/16 30 day letter sent on duplex exterior & attached garage	9/25/16	
1/3/17 - OWNER called - WORK TO PROCEED WITH BETTER WEATHER -	3/6/17	
3/8/17 - NEW WINDOWS INSTALLED - closing in upper porch (cost)	4/16/17	
4/24/17 - Front completed ±50% completed (#2)		
6/1/17 - Close #10 (#2)		

1300 COUNTY-CITY BUILDING
227 W. JEFFERSON BOULEVARD
SOUTH BEND, INDIANA 46601-1830



PHONE 574/ 235-9486
FAX 574/ 235-7703

CITY OF SOUTH BEND · PETE BUTTIGIEG, MAYOR

DEPARTMENT OF CODE ENFORCEMENT

RANDY WILKERSON

DIRECTOR

August 26, 2016

VICTOR LOPEZ
1110 LWW
SOUTH BEND, IN 46616

RE: 509 HARRISON AVE CASE: 16-00220190

511 HARRISON AVE

Dear VICTOR LOPEZ:

This Department is assigned the responsibility for upholding the Property Maintenance Code and the Unsafe Building Law for the City of South Bend. A recent inspection of your property by inspector **Tom Anderson 245-6061** has revealed certain maintenance deficiencies, which are described on the enclosed list of Property Maintenance Code Violations.

Our Policy is to ask you to substantially complete the necessary repairs within 30 day(s). An extension of time may be given for outside repairs, such as painting, in case of inclement weather. Our inspector will reinspect your property at the end of 30 day(s).

When you make the necessary repairs to your property, a Building Permit may be required. Permits are obtained in the Building Department Office at 125 S. Lafayette Blvd., Suite 100. To determine the type of permit required for the repairs to be made on your building, please visit the Building Department, or call the office at 235-9554.

If you do not correct the deficiencies within the specified time limit, then it may be necessary for the Department of Code Enforcement to issue a ticket for failure to repair or an order which: (1) establishes a date for completion of repairs; and (2) orders you to attend a hearing to explain to the Hearing Officer why you have not corrected the deficiencies.

Please notify our office in writing if there are other parties who have a substantial interest in the property, such as a land contract buyer or a mortgage company, or if you are in the process of transferring the property, so that we can communicate with them also.

If you have any questions about the violations, please call the inspector named above on the Code Violation List.

Sincerely,

A handwritten signature in cursive script that reads "Randy Wilkerson".

Randy Wilkerson
Director of Code Enforcement

EXTERIOR CODE LIST

PAGE 1 OF 2 PAGES

PROPERTY ADDRESS: **509/511 Harrison**

DATE: **August 25, 2016**

STRUCTURE: **Two Story Brick Duplex and Attached Garage**

INSPECTOR: **Tom Anderson**

THE ABOVE STRUCTURE HAS THE FOLLOWING EXTERIOR CODE VIOLATIONS

1. There is soil erosion and, or stagnant water on property.
Comment: Inconclusive.
2. Accessories, such as garages, sheds, fences and retaining walls are not maintained in good repair.
3. Wood and metal surfaces, such as windows, doors, frames, siding, overhang and porches have peeling, flaking and chipped paint.
4. Walls (siding) have holes, breaks, loose or rotting materials; and are no longer maintained weatherproof or properly surfaced coated.
Comment: Siding on front of structure.
5. Roof components are no longer sound and tight. Roof drains, gutters and downspouts are no longer maintained in good repair and free from obstructions.
Comment: Incomplete gutter system.
6. Overhang extensions, such as canopies, marquees, signs, awnings, and similar overhang extension are not maintained in good repair and properly anchored.
Comment: Front section of soffit missing.
7. Steps, stairways, decks, porches and balconies are not maintained structurally sound, in good repair or properly anchored.
Comment: Second floor porch area appears to be under construction.
8. Chimneys and similar appurtenances are not maintained structurally safe and sound and in good repair.
Comment: Inconclusive.
9. Handrails and guards rails are missing or are not firmly fastened, and are no longer capable of supporting imposed loads.
Comment: Front porch and rear deck over garage.
10. Windows, doors and frames are not weathertight.

11. Screens are missing and/or torn from openings. There are no approved, tight fitting screens supplied for all openings utilized for ventilation.

Comment: Inconclusive.

12. Doors and door hardware are not maintained in good condition. Locks no longer tightly secure the door.

Comment: Garage doors missing.

Section PM-202.0 General Definitions:

Workmanlike: Executed in a skilled manner; e.g., generally plumb, level, square, in line, undamaged, and without marring adjacent work. To be workmanlike, maintenance repair work must be performed in a manner consistent with work done by a skilled craftsman. In general, floors should be level, walls plumb and square, and windows installed so that they operate easily and fit within the rough opening to exclude the elements.

Above violations are cited from the International Code Conference (ICC) Property Maintenance Code of 2000. A copy of this Code is available for review in the Department of Code Enforcement Office on the 13th floor of the County-City Building.



509-511 HARRISON

8/25/16

CE #2



509 Atkinson



0/25/16

CE #2

