

# STAFF REPORT

## CONCERNING APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS



**Date:** July 11, 2019

**Application Number:** 2019-0628A

**Property Location:** 24888 Cleveland Road

**Architectural Style/Date/Architect or Builder:** Greek Revival / 1850~1870 / "Aaron N. Miller Farm"

**Property Owner:** Thomas and Sandra Martin

**Landmark or District Designation:** Local Landmark, Ordinance #55-1975

**Rating:** *Outstanding*

**DESCRIPTION OF STRUCTURE/SITE:** The site of the Local Landmark at 24888 Old Cleveland Road originally comprised 32.70 acres encompassing the historic Aaron N. Miller farm. The property has been subsequently subdivided into two parcels: the Miller farmstead is now included in a 10 acre rectangular tract of land (tax key #04-1020-0328, owned by Thomas and Sandra Martin), while the remainder of the landmarked property is on an irregular parcel of land comprising 22.70 acres (tax key #04-1020-032802, owned by James and Barbara Kidder). The terrain is rolling and includes what is rumored to be the highest point in German Township. The majority of the original 32.70 acres is wooded.

The circa 1855 t-plan house with later additions sits closest to Old Cleveland Road, with the barn and four ancillary agricultural buildings to the south, including the visually prominent multi-story barn built into the rising topography. The ancillary farm buildings have board-and-batten exterior walls and are sited on fieldstone foundations.

To the west of the farmstead is a section of land that has low brush and is concealed from Old Cleveland Road by an approximately 50' deep grove of trees running parallel to the road. South of this grove of trees are fenced enclosures for the horses and garden patches. A natural draw (draining towards Old Cleveland Road) separates this land from the main farmstead area. This terrain rises to the south and west, before cresting and falling away beyond the property boundary. The 1875 St. Joseph County Atlas image of the A. N. Miller farm shows a three-story barn stood on this western plot.

The area across Old Cleveland Road to the north has been extensively developed into industrial warehouses and distribution centers.

**ALTERATIONS:** A previous multi-story barn was removed prior to 1900. COA #1994-0321 allowed for the replacement of the pea gravel driveway with one of paving brick. COA #1996-0319 allowed for the construction of a wood board fence as indicated in the 1875 atlas image.

**APPLICATION ITEMS:** *"150 x 60 Riding Arena and workshop on the west side of our property. Need horse stalls tall enough for horses. Present historic barn has low ceilings on ground level. Horses hit heads on lights. Will provide landscaping and trees (apple, pine, flowering). Color will be grey to blend with house."*

From previous e-mail correspondence:

*"The building will be 14 feet tall, 150 x 60. Color will be gray with white trim, steel construction. Windows will be standard size, with mutton's similar to house, white trim, like the house. Yes, we will have a concrete footer, and foundation in part of the building but certainly not in the riding arena. The design will be as drawn, the main purpose is an indoor riding arena, and needs to be a large open building. We do not have manufacture specs, they build to our needs, will try to get something before the meeting. Would like to get this project started to use it as intended, for riding and training my Ponies to pull a cart in a safe confined area. Please let me know when the meeting is so we can plan to attend, and we will be able to address any additional concerns at that time."*

**DESCRIPTION OF PROPOSED PROJECT:** Applicant seeks a Certificate of Appropriateness for the construction of a 150' x 60' enclosed riding arena and workshop area. The structure would be sited on the western portion of the Martin's parcel, parallel to the street, concealed by landscaping, and built into the topography as it rises to the west. The erection of the structure would be executed by AERS Construction of Wolcottville, IN, who specialize in building metal farm buildings.

The applicant provided an approximation of the design for the structure in 2018. The project was reviewed by the Commission in June of 2018. Staff put forth the following recommendation at that time:

Staff recommends that the project be given a preliminary approval (indicating support for the overall concept of constructing a new structure at the proposed site) with the following conditions:

- 1) That the applicant would...
  - a. engage a licensed architect to prepare a comprehensive site plan for the grounds around the proposed structure, detailing new paths and plantings to ensure that the structure remains obscured from the main farmstead and street,
  - b. consider taking design cues from the extant historical record of the previous structure that stood at this site and attempt to include / replicate those features in the new structure,
  - c. finalize construction plans for the structure, including materials (fixtures, windows, doors, roof, and foundation).
- 2) Having prepared this new information, the applicant would return to the Historic Preservation Commission and present their completed construction and site plan for final approval.

Following public discussion and deliberation, the following motion for conditional approval was made:

**Commissioner Molnar made a motion as recommended by staff, but striking the line requiring a licensed architect, but requesting that a comprehensive site plan be created for the project.** Seconded by Commissioner Bonham.  
**Vote: 5 – 0 Motion to approve COA#2018-0608 as amended is passed.**

**Commissioner Fisher made a motion to wave the reapplication fee.** Seconded by Commissioner Bonham.

Five in favor, none opposed.

Vote: 5 – 0 Motion to wave the reapplication fee is passed.

Foliage and tree cover will be removed to facilitate construction. This will be replaced to shield the structure from the street following completion.

Windows will be six-over-six to complement the house. Steel doors will be present on the South and East sides, including a garage door (replicating the style of the garage door on the house).

### **SITE VISIT REPORT:**

Historic Preservation Specialist Adam Toering and Historic Preservation Inspector Steve Szaday made a site visit on Monday, June 4<sup>th</sup> 2018 to discuss the project and survey the proposed area. Both staff members expressed concern to the property owner regarding the lack of information in the application, and fear that the project may be received unfavorably by the Commission. The property owner expressed the desire to continue with the application after hearing the concerns of both Historic Preservation staff members.

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

The Commission has the authority to determine the architectural merits and the extent of any proposed treatment, renovation, or addition to a historical landmark. The commission will require drawings, plans, specifications, and/or samples where appropriate.

#### **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

(These standards apply to both A and B)

##### 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.

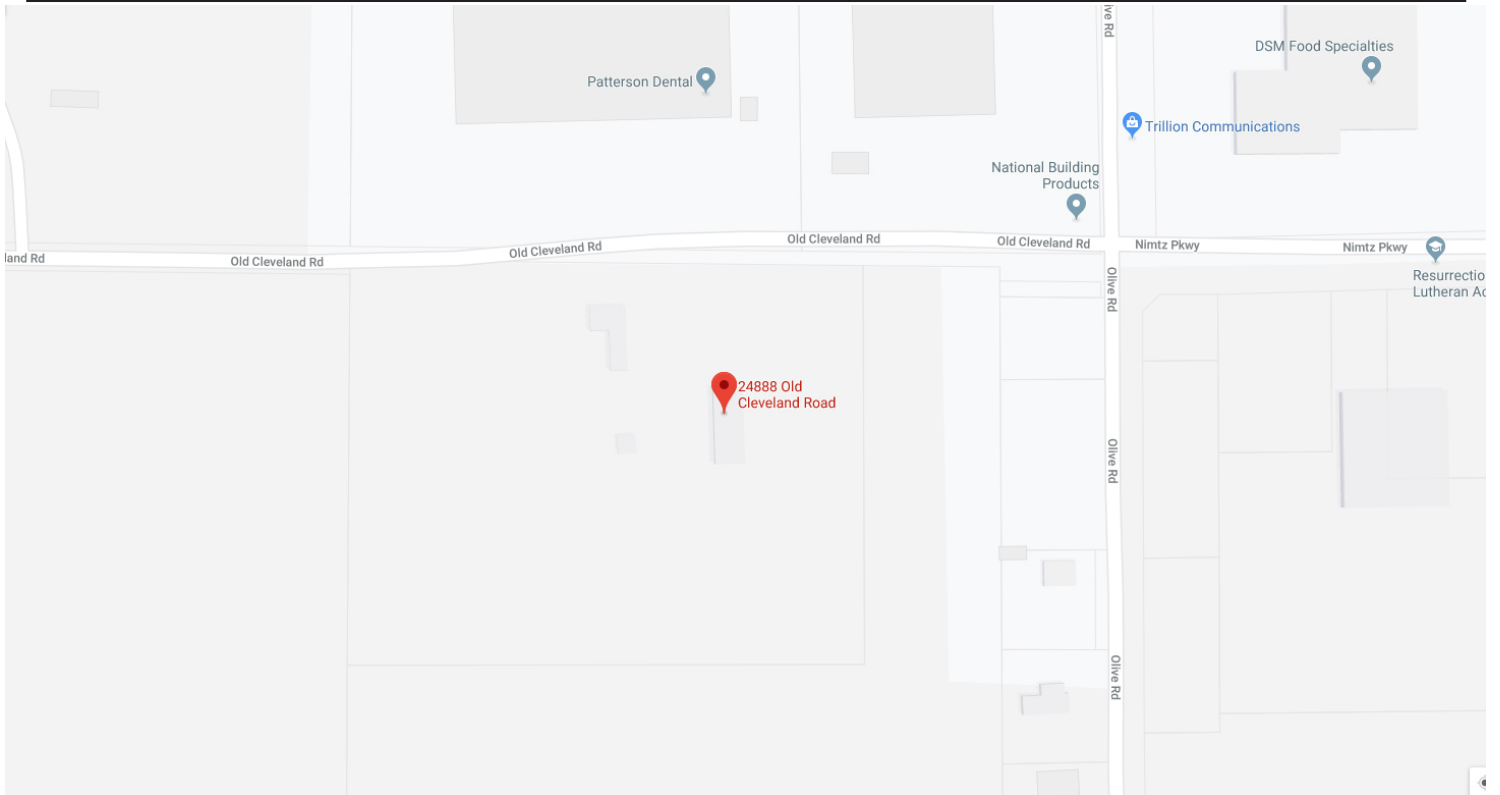
**STAFF RECOMMENDATION:** Staff approves of the construction of the new ancillary barn structure. Were there any concerns by the Commission as to the particulars of the structure, Staff would request those concerns be remanded to staff for later approval as details become available.

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)



AERIEL MAP - highlighted property on map



MACOG 2019



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

FRONT PICTURE (NORTH) - Picture of the front of the farmhouse taken in 2017.



FRONT PICTURE (NORTH) - Picture of the 1880 barn, looking south-southwest from Old Cleveland Road.





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

PROJECT AREA (EAST) - Looking west towards the proposed construction area from near the homestead.



PROJECT AREA (EAST) - Looking west at the proposed construction site.





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

PROJECT AREA (EAST) - Looking north west at the edge of the proposed construction site. Note tree cover.



PROJECT AREA (WEST) - Looking east at the proposed construction site.









SURVEY PREPARED FOR: TOM MARTIN  
 SURVEY DATED: 8/9/18  
 FILE #: 180173

# MORTGAGE SURVEY

PART OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 38 NORTH, RANGE 2 EAST,  
 GERMAN TOWNSHIP, ST. JOSEPH COUNTY, INDIANA.



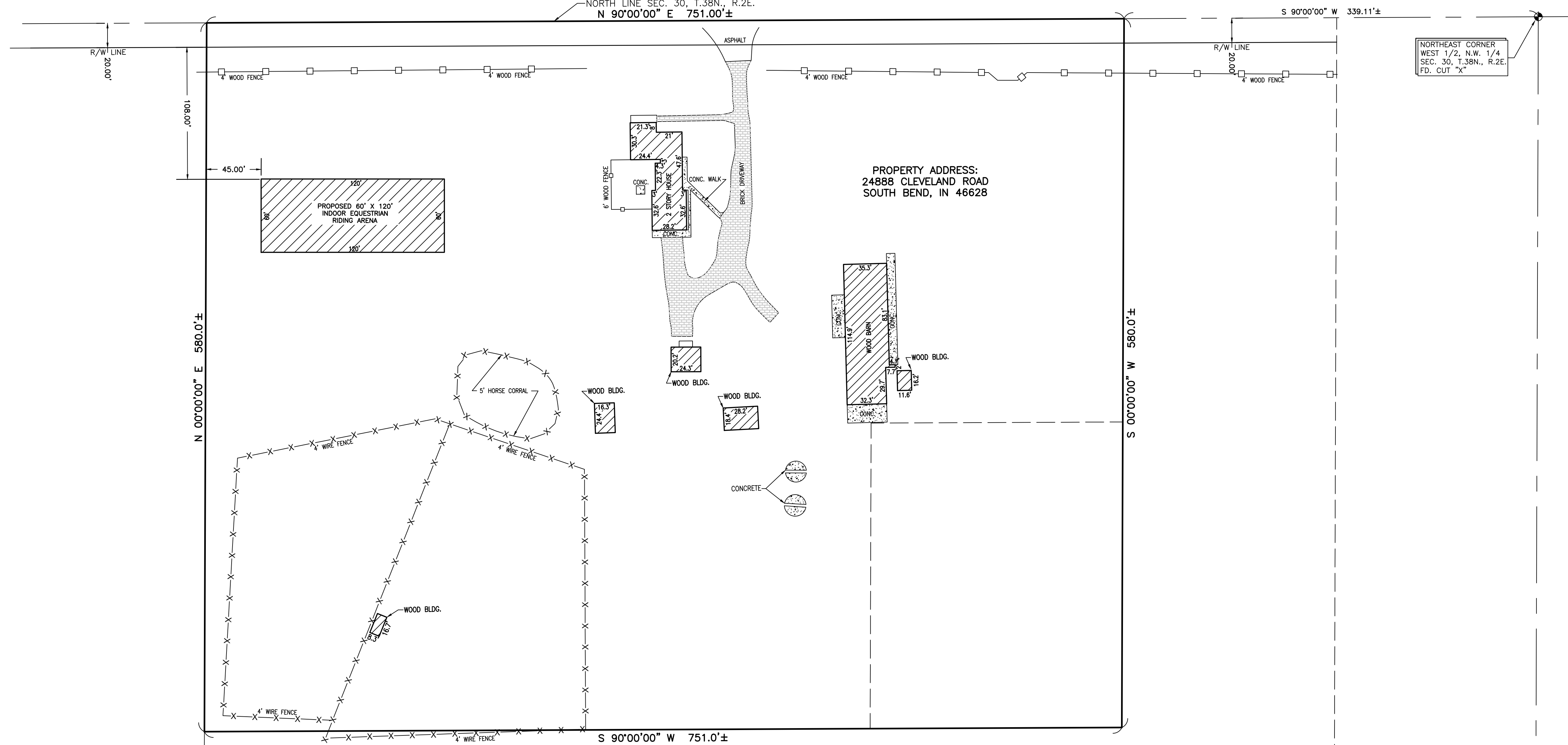
**LEGAL DESCRIPTION:**

A PARCEL LOCATED IN THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 38 NORTH, RANGE 2 EAST, GERMAN TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE NORTHEAST CORNER OF THE WEST HALF OF THE NORTHWEST QUARTER OF SAID SECTION; THENCE NORTH 90°00'00" WEST ALONG THE NORTH LINE OF SAID SECTION, 339.11 FEET MORE OR LESS; THENCE SOUTH 00°00'00" WEST, 580.00 FEET MORE OR LESS; THENCE SOUTH 90°00'00" WEST, 751.03 FEET MORE OR LESS; THENCE NORTH 00°00'00" EAST, 580.00 FEET MORE OR LESS TO THE NORTH LINE OF SAID SECTION 30; THENCE NORTH 90°00'00" EAST ALONG SAID NORTH LINE, 751.03 FEET TO THE POINT OF BEGINNING.

CONTAINING 10 ACRES MORE OR LESS.

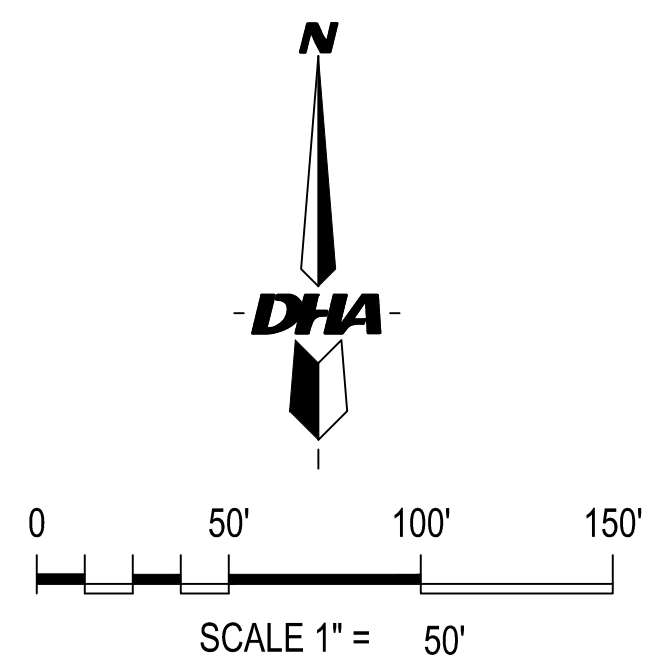
SUBJECT TO ALL LEGAL RIGHT-OF-WAYS, EASEMENTS, AND RESTRICTIONS OF RECORD.

## CLEVELAND ROAD (R/W VARIES)



NORTHEAST CORNER  
WEST 1/2, N.W. 1/4  
SEC. 30, T.38N., R.2E.  
FD. CUT "X"

EXISTING LEGEND			
△ SET P.K. NAIL	● FOUND IRON	○ SET FLUSH 5/8" CAPPED REBAR IN. REG. F-0044	○ SET FLUSH 5/8" CAPPED REBAR MI. REG. #22436
(M) MEASURED DISTANCE	(R) RECORD DISTANCE	○ CABLE PED.	○ PHONE PED.
☆ PINE TREE	⊙ GAS METER	⊙ ELEC. PED.	⊙ MAILBOX
⊙ BUSH	⊙ WATER MANHOLE	⊙ ELEC. VAULT	⊙ A/C UNIT
⊙ TREE	⊙ END SECTION	⊙ ELEC. TRANSFORMER	
⊙ FOUNTAIN/IRR.	⊙ BOLLARD/POLE	⊙ PHONE VAULT	
⊙ LIGHT POLE	⊙ UTILITY POLE	⊙ SPOT ELEVATION	
⊙ GUY ANCHOR	⊙ SIGN	⊙ WELL	
⊙ VALVE	⊙ FIRE HYDRANT	⊙ CURB INLET	
⊙ DRYWELL	⊙ SANITARY MANHOLE	⊙ STORM MANHOLE	
⊙ CLEAN-OUT	⊙ FIBER OPTIC MANHOLE		
		— EX. ELEVATION	
		— WIRE FENCE	
		— CHAIN LINK FENCE	
		— WOOD FENCE	
		— OHE	— ELECTRIC
		— UOE	— ELECTRIC
		— UF	— PHONE
		— UG	— GAS
		— CTV	— CABLE TV
		— W	— WATER
		— FO	— FIBER OPTIC
		— SL	— STORM LINE
		— S	— SANITARY LINE



**GENERAL SURVEY DISCLAIMER NOTES:**

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ALL UNDERGROUND UTILITIES MUST BE FIELD VERIFIED BY THE CONTRACTOR BEFORE ANY CONSTRUCTION MAY BEGIN.

**SURVEYORS & ENGINEERS:**  
 DANCH, HARNER & ASSOCIATES, INC.  
 1643 COMMERCE DRIVE  
 SOUTH BEND, IN, 46628  
 (574) 234-4003  
 ATTN: MICHAEL DANCH

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FILE #	PROJ. MANGR:				
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**Danch, Harner & Associates, Inc.**  
 Land Surveyors • Professional Engineers  
 Landscape Architects • Land Planners  
 Office: (574)234-4003 / (800)594-4003 • Fax: (574)234-4119  
 1643 Commerce Drive • South Bend, IN 46628

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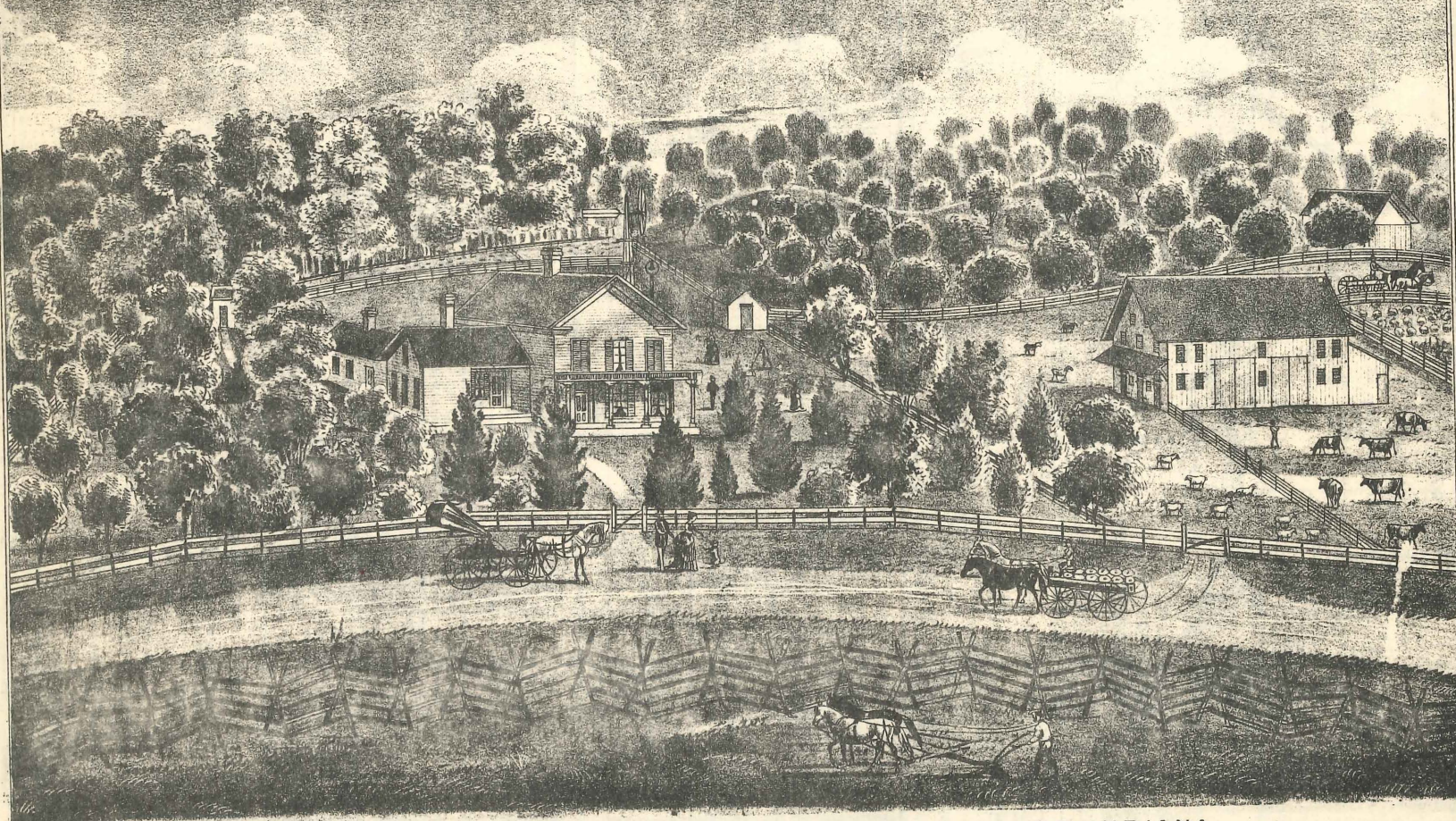
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FARM RESIDENCE OF A. N. MILLER ESQ, GERMANT<sup>P</sup> ST JOSEPH CO, INDIANA,





## Adam Toering

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**From:** Sandra Martin <r2d2five@gmail.com>  
**Sent:** Wednesday, May 16, 2018 6:47 PM  
**To:** Adam Toering  
**Subject:** Re: 24888 Cleveland Road

We were on vacation last week. The building will be 14 feet tall, 150 x60. Color will be gray with white trim, steel construction. Windows will be standard size, with mutton's similar to house, white trim, like the house. Yes we will have a concrete footer, and foundation in part of the building but certainly not in the riding arena. The design will be as drawn, the main purpose is an indoor riding arena, and needs to be a large open building. We do not have manufacture specs, they build to our needs, will try to get something before the meeting. Would like to get this project started to use it as intended, for riding and training my Ponies to pull a cart in a safe confined area. Please let me know when the meeting is so we can plan to attend, and we will be able to address any additional concerns at that time. Thank you.

On Tuesday, May 8, 2018, Adam Toering <[atoering@southbendin.gov](mailto:atoering@southbendin.gov)> wrote:

Thomas, Sandra, et al –

I had talked with Sandra in early April about your proposed project, and we had discussed the application process and the particulars of your landmark property's status. I received your application yesterday – I'm sorry I wasn't able to meet with you directly when you dropped it off, but I wanted to touch base with you regarding your submitted documents. As Staff to the Historic Preservation Commission, my role is to prepare a staff report for submission to the Commission for their review and decision on your proposed project. The following questions are to add clarity for that report to provide context for the Commissioners in their decision-making process. I will admit, I don't always know which way the Commission will vote, but I like to think I have a good idea on what questions they are most likely to ask, and what their concerns might be.

The Commission's role, however, is to ensure that the new construction is sympathetic to the existing structures, and appropriate to exist in the context of the landmarked site. They will, as I stated earlier, have difficult questions.

1. Is there a modular/pole barn construction design that you are styling the structure after?
2. Are there design documents / manufacturer's specs?
3. What material will the pole barn be constructed out of?
4. What will the enclosures or windows look like?
5. Will it have a concrete foundation?
6. How tall will the intended structure be?

I encourage you to be as detailed as possible with your application paperwork. As I repeatedly say, "Error on the side of too much information." As I said to Sandra, building new construction on historic landmark properties is totally 'doable.' I trust that you will construct a beautiful, functional structure. The Staff here fully understand that the



'modern' owners of historic structures must be able to utilize and 'live-in' the context of their landmarked property. These properties are not museum pieces – they are homes and businesses.

The deadline for the May 22<sup>nd</sup> meeting was yesterday, May 7<sup>th</sup>. Your application was received before the end of business on that day, however, I do not have enough information at this time to submit what the Commission would consider a 'complete application' for their review. If we are able to receive additional material this week, we may be able to add this project onto the (already long) agenda. If not, I can envision hearing this project on the June docket. My experience with the Commission is that they deny applications with too little information – it would be better to delay to the June meeting than be denied in May and forced to reapply for June.

Please contact me with any questions or concerns. I am available for consultations and office visits at your convenience!

PS – I hope I have entered Thomas' e-mail correctly – I used [ltireseller@gmail.com](mailto:ltireseller@gmail.com) – I couldn't tell if it was [1tireseller@gmail.com](mailto:1tireseller@gmail.com). Sandra, please forward accordingly if I have it wrong!

PPS – I have included AERS Construction, as well as Elicia Feasel (Historic Preservation Administrator) on this exchange.

**Adam Toering**

Historic Preservation Specialist  
Department of Community Investment  
(574) 235-7478  
[atoering@southbendin.gov](mailto:atoering@southbendin.gov)  
[City of South Bend](#)  
227 W. Jefferson Blvd., Ste. 1400  
South Bend, IN 46601

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Old Cleveland Rd

Cleveland Rd

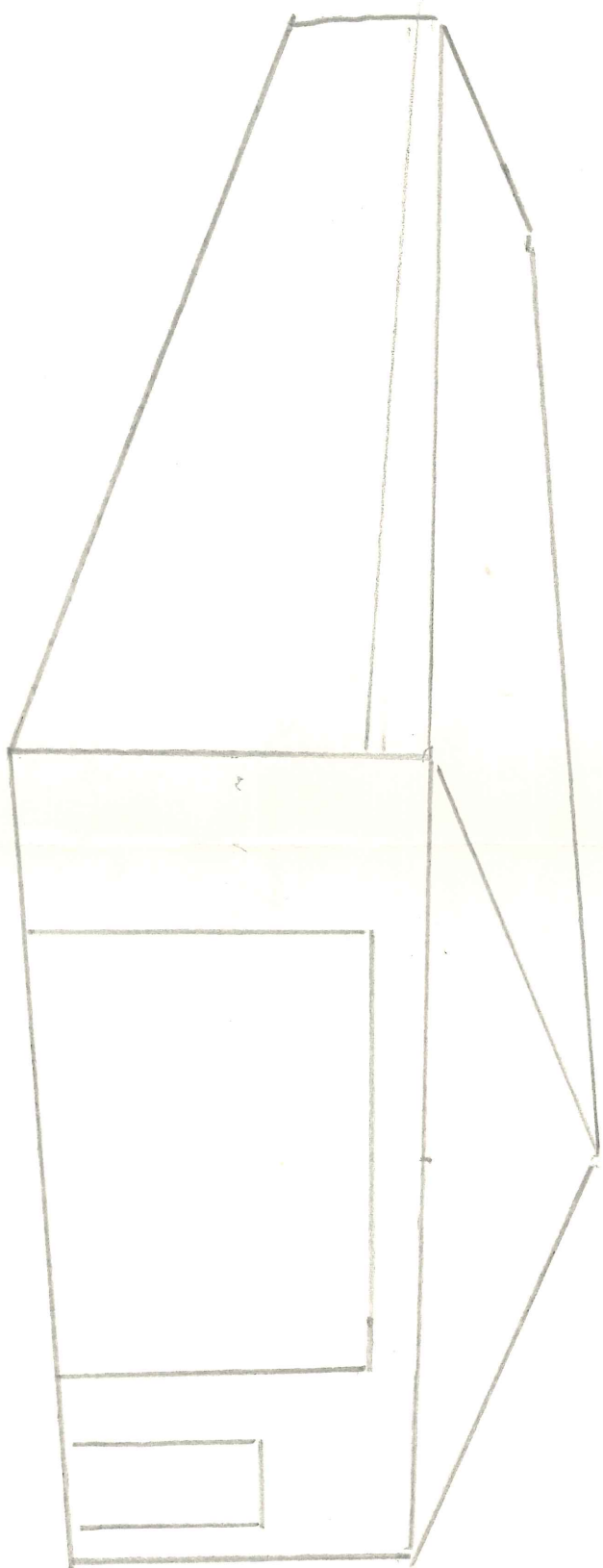
Old Cleveland Rd

Cleveland Rd

24988 Cleveland Road







atoering@southbendin.gov

**A.E.R.S. Construction**  
**0465 E 450 S.**  
**Welcotville, IN 46761**

Phone:260-768-8145  
Fax:260-499-3041

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 **Fax Cover Sheet** 

To: ATTENTION ADAM; From: Atlee Schwartz

Fax: Date: 6-8-18

Phone: Pages:

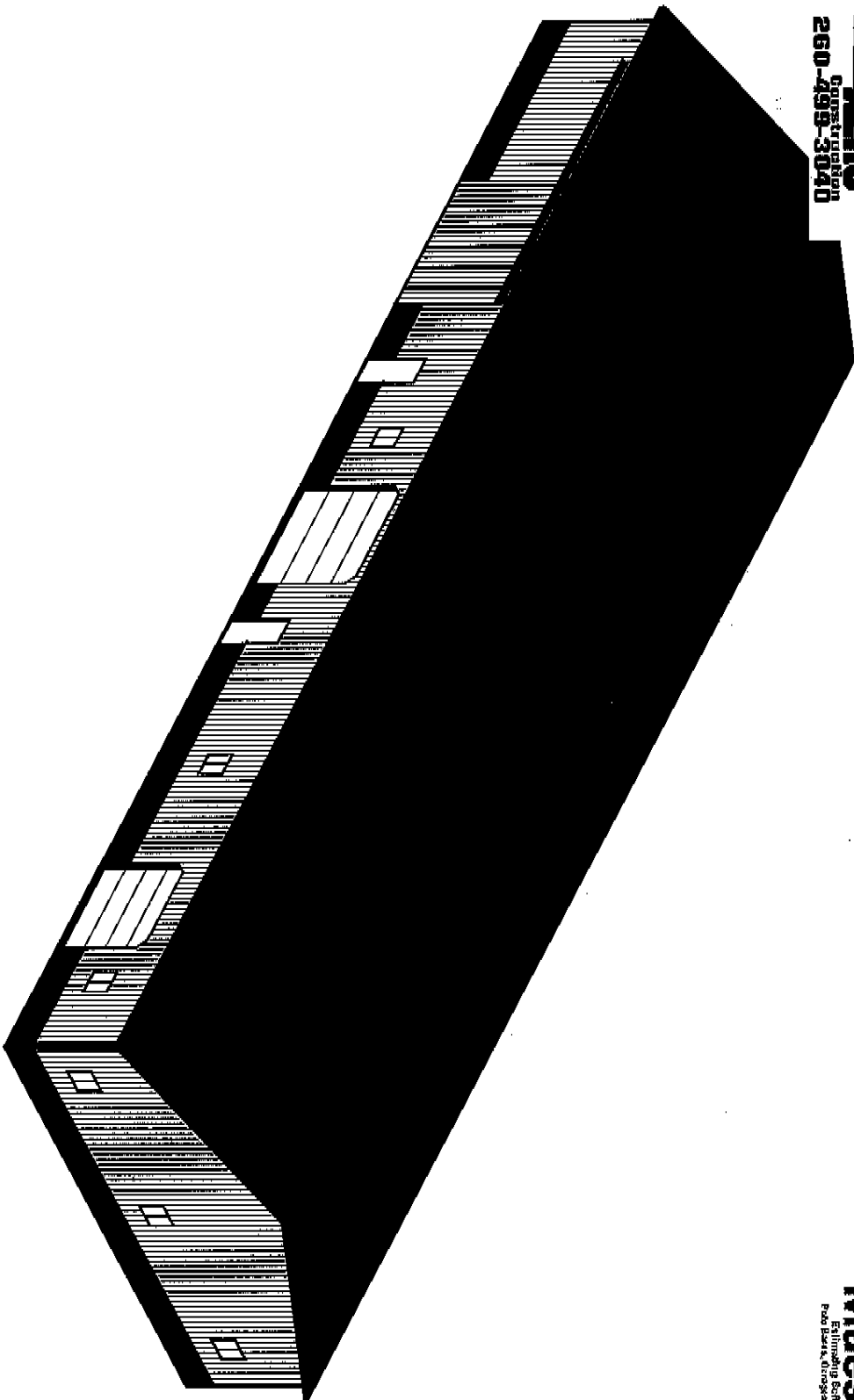
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**Comments:**

IS THIS WHAT YOU WANTED OR ?????..IF NOT CALL ME AT 260-499-3040

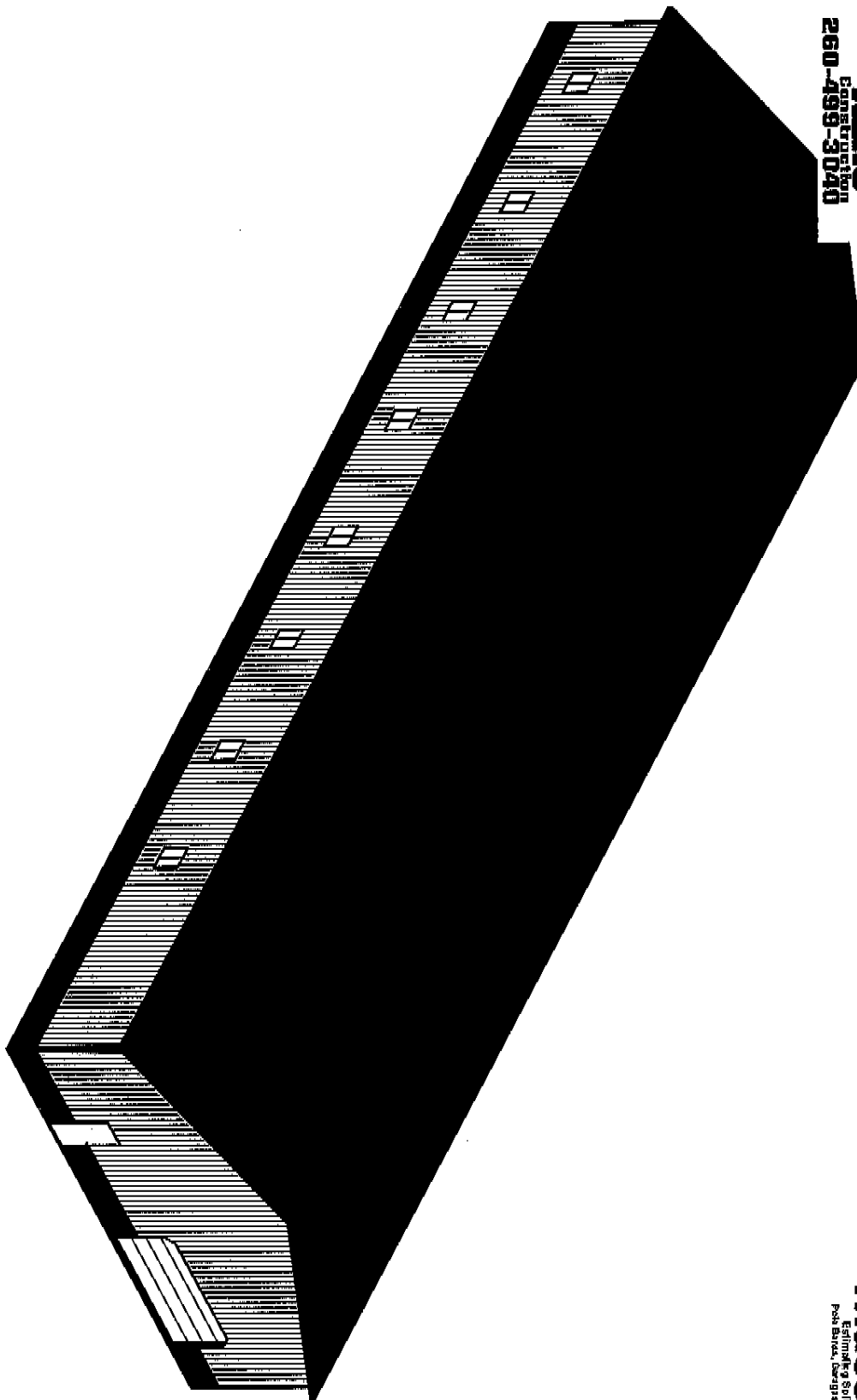
atoering@southbendin.gov

"Tom Martin  
Estimate Number: 306  
6/7/2018"



atoering@southbendin.gov

"Tom Martin  
Estimate Number: 306  
6/7/2018"



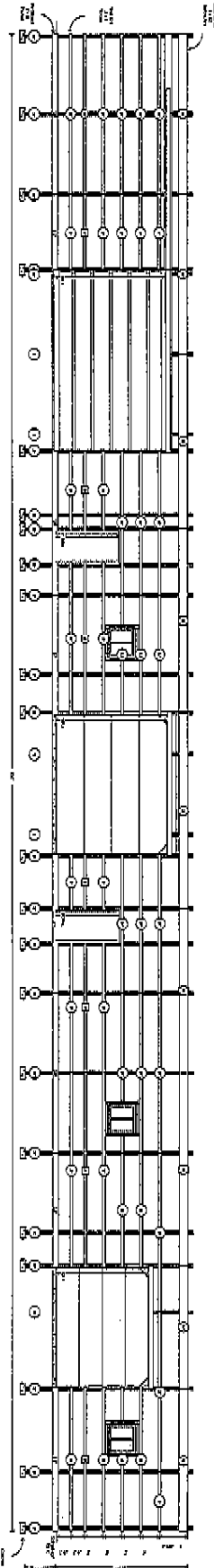
**MEERS**  
Construction  
260-499-3040

**Maestro**  
Estimate & Software  
For Estimators, Owners & Builders





atoering@southbendin.gov

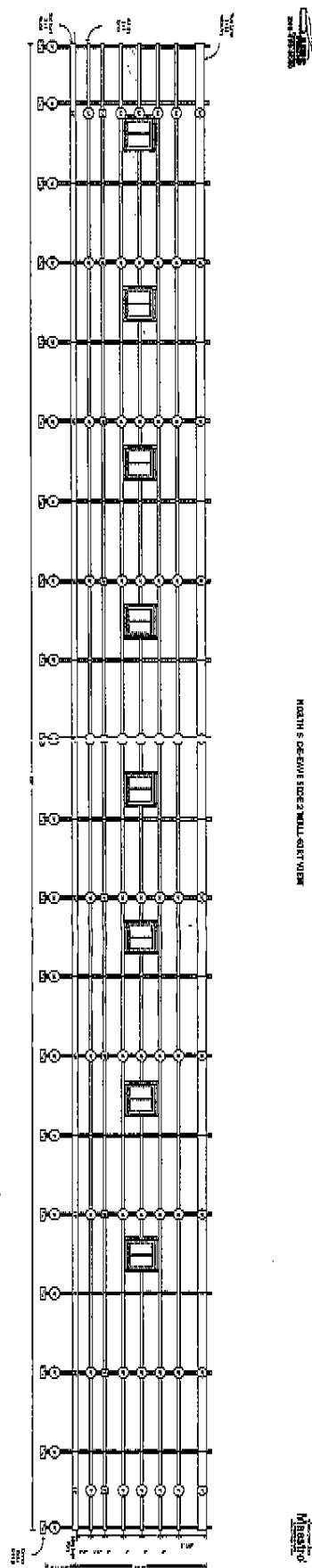


SCALE: 1/8" = 1'-0" (1/4" = 1'-0")

DATE: 06/08/2018



atoering@southbendin.gov



NORTH S OCEAN SIDE 2ND FLOOR

1/16/18

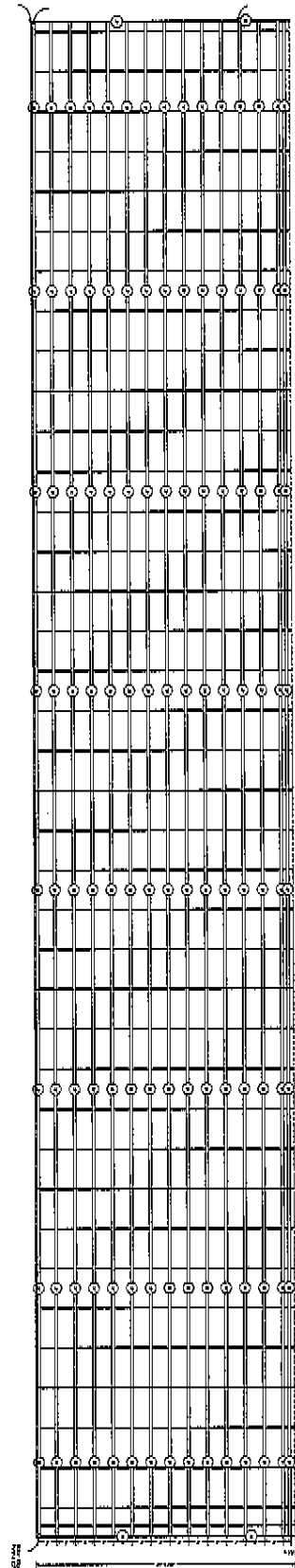


atoering@southbendin.gov

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