

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

**Date:** September 10, 2018

**Application Number:** 2018-0904B

**Property Location:** 326 Marion

**Architectural Style/Date/Architect or Builder:** Gable front/1882/Moore House

**Property Owner:** Jason Dobosiewicz

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

**Rating:** Non-contributing

**DESCRIPTION OF STRUCTURE/ SITE:** One story, rectangular plan, gable front cottage with simple lines and proportions is slightly elevated from street. Windows are double hung 1/1. There is a stained-glass transom window above front door.

**ALTERATIONS:** A ½ width symmetrical front porch with flat roof and decorative turned posts was removed without COA sometime between 2004 and 2009. A treated wood deck with rails has been installed without COA. Siding is non-original vinyl. Windows are not original. Front storm door is aluminum.

**APPLICATION ITEMS:** “Storage shed”

**DESCRIPTION OF PROPOSED PROJECT:**

1. Storage Shed

Application to approve a new 16’ x 16’ x 12’ high (approximately two stories) “shed” in rear of property. Construction has commenced without approved COA or permit. Project was red tagged by the Building Department on 7/2/2018. Completed structure will feature a flat sloped roof to be covered in asphalt shingles, T-111 siding, a total of five 1/1 double hung vinyl windows, and a vinyl door with oval window, see photos. Although the shed height is taller than the one story house it is associated with, there is a 6’ privacy fence dividing the house from the shed, making the shed appear from the public view to be related to the nearby two story house on William. With the privacy fence dividing the house and shed, the site of the shed is actually incorporated with the pool area in the rear of 322 Marion (also in Chapin Park and HPC façade easement). The ability to see the “shed” is mainly from William Street as it is situated beyond a 6’ privacy fence that surrounds it on two sides.

2. Front Porch

Application to approve a 12’ x 12’ deck centered on front of house. Construction has commenced without approved COA or permit. Project was red tagged by the Building Department on 6/13/2014. Two former porches had flat roofs, turned posts, and no railings although they were already missing or rotted when applicant began project. Completed deck is constructed of treated wood, has standard deck railings, and extends the depth approximately six feet. There is currently no roof. A new front gable roof that will mimic the roofline of the house is proposed.

**SITE VISIT REPORT:**

June 27, 2018

RE: 326 Marion

At approximately 8:30 AM, I was driving northbound on William street. Upon crossing Madison St. I noticed a new structure behind 426 William/326 Marion. I immediately stopped and photographed the structure. I then drove to the building department to inquire if permits had been issued for the project. There were none and I was able to talk to Inspector John Smith who said he would be out there tomorrow to red tag the project. I also learned that the unfinished front porch of the house located at this address was red tagged on June 13<sup>th</sup> by Inspector Smith.

I was on route to the address again to get a photo of the front of the property when I contacted Code Enforcement Inspector Steve Meadows. He and I walked this block of William and Marion last week and I wanted to make him aware. He was nearby and offered to meet me there. We looked around and Jason who is the owner of the property

as well as the adjacent property came out, said hello and offered to let us in to look at the structure. He described it as above ground playhouse and he did not need a permit for building it. I referenced the Chapin Park guidebook that included the section on new structures and outbuildings. I informed him that it need HPC approval and because of its size would most likely need a permit. I called the building department and they confirmed that anything over 120 square foot footprint would need a permit. The owner confirmed the size to be approximately 16 x 16 feet. He became upset when I told him that this would need HPC approval. He told me to leave and stay off of his property. I offered him the guidebook and he took it and threw it onto a chair. I immediately walked out of the yard and into the adjacent parking lot owned by Temple Beth-el where I parked. He told me he will deal with HPC, we can tag him all we want and it doesn't mean anything because we cannot do anything. He also told me to get a real job where I actually have some power and do something. He was becoming increasingly more agitated as he spoke to a neighbor. Steve Meadows and I talked for a moment then I thought it best to leave as his anger was directed towards me. I drove around the corner then I waited in the car around the corner with Inspector Meadows in view until he also left.

Steve Szaday

Preservation Inspector

**STANDARDS AND GUIDELINES, CHAPIN PARK:** Under the requirements of City of South Bend Zoning Ordinance No. 5565-73, as amended, a Certificate of Appropriateness (C of A) would be required for any activity in the district which requires a building permit or which alters the appearance of a building or site, including houses, garages, and other outbuildings, as seen from the streets around the property.

## **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.**

### **B. ROOFS AND ROOFING**

Roof shapes in the district encompass all the various designs found in residential structures: hipped, gabled, gambrel, flat and combinations of these. Roofs are covered with a variety of materials such as asphalt, asbestos, wood and slate shingles as well as clay tiles. Residences in most cases have wood fascias with gutters and downspouts. The fascias of some vinyl- and aluminum-sided houses are covered with the same materials.

#### **Required**

**The existing shape and type of materials of the roof shall be retained.** All architectural features, which give the roof its essential character, shall be retained, including dormer windows, cupolas, cornices, brackets, chimneys, cresting and weather vanes.

#### **Recommended**

The original shape and materials of the roof should be restored. Particular effort should be made to retain materials such as slate, tile and other unique materials not commonly found in new construction. Roof covering which is deteriorated beyond repair should be replaced with new material that matches as closely as possible the original in composition, size, shape, color and texture. Gutters and downspouts are often a necessary adjunct in order to prevent deterioration of the structure; they should be maintained whenever possible or replaced with a style comparable and suitable to the architectural period.

#### **Prohibited**

**Nothing shall be done to change the essential character of the roof as viewed from a street by adding architectural features or large unsightly fixtures, or by using materials inappropriate to the style of the house. The roof shall not be stripped of architectural features important to its character.**

#### **Not Recommended**

Overhanging eaves, soffit, brackets and gables should not be covered or enclosed when adding siding to a building.

### **D. ENTRANCES, PORCHES AND STEPS**

Most houses in the district have either an open or enclosed porch across the front. Most porches have either hip or gabled roofs or are covered by the main roof of the house.

#### **Required**

**When deteriorated beyond repair, existing or original porches, stoops, patios and steps, including handrails, balusters, columns, brackets, tiles and roof decorations, shall be retained or replaced by replicas of the same design or by a design more in keeping with the historic period of the structure.**

**Porches and additions reflecting later architectural styles and which are important to the building's historical integrity shall be retained.**

#### **Recommended**

**When enclosing porches for heat conservation or for other reasons, it should be done in a manner that does not alter the architectural or historical character of the building.**

#### **Not Recommended**

**Original porch details should not be replaced with materials representing a different period or style from the original.**

### **III. NEW CONSTRUCTION**

New construction includes any new building or structure built within the boundaries of the historic district, or any new addition to an existing building. New construction should be designed considering the appearance, scale, styles and setbacks of the other buildings in the neighborhood. New work may be contemporary or may suggest motifs from historic buildings in the district.

#### **A. HEIGHT AND PROPORTION**

The majority of the structures in the district are two stories in height and have square or rectangular plans. There are several houses that have L- or T- shaped or rambling ground plans. There are a few single-story cottages and one- and one-and-a-half story bungalows. The most prevalent façade proportions are between a 1:1 and 1:2 height to width ratio.

##### **Required**

The height of a new structure and its height to width proportions shall be consistent with adjacent buildings in the district. The building height shall be no greater than that of the tallest existing structure and no less than that of the lowest existing structure in the same block. Façade proportion shall be established by permitting no structure with a façade wider or narrower than those existing in the same block. Additions to the existing buildings shall be related in height and proportion to the existing structure.

##### **Recommended**

Design of new construction should be compatible in character and mood to the building or neighborhood.

##### **Prohibited**

Additions that would add new height or change the existing façade of a building and change its scale and architectural character shall not be considered.

##### **Not Recommended**

New stories should not be added nor existing stories be removed which would destroy important architectural details, features and spaces of the building. Any style or period of architecture that is incompatible with the existing should not be permitted in the new additions.

#### **B. BUILDING MATERIALS**

Wall materials in the district range from brick, stucco and wood clapboard and shingles, to aluminum, vinyl and fiberboard / composite siding.

##### **Required**

Exterior materials used on a new structure shall be compatible in scale, texture and color (as pertains to masonry) with adjacent structures. Materials used on an addition to an existing structure shall related to the existing or original materials of that structure. Also, as much of the original structure as possible shall be retained so that the addition could be removed without damage to the basic structure and appearance of the building.

##### **Recommended**

Alternative or composite siding may be used when it is the only feasible alternative. This siding should be compatible with the original size and style and with the materials of other buildings in the district.

##### **Prohibited**

Inappropriate materials such as asbestos, asphalt, cast stone or artificial brick shall not be used.

##### **Not Recommended**

Glass blocks should not be used. Concrete block should not be used for anything other than the foundations.

#### **C. SHEDS AND ACCESSORY BUILDINGS**

##### **Required**

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

##### **Recommended**

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

##### **Prohibited**

Prefabricated metal sheds shall not be used.

##### **Not Recommended**

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

**STAFF RECOMMENDATION:** 1. A more appropriate design for this site would be to reduce the shed size to about 10' x 12' and reduce the height by a half story. However, with the site in relation to adjacent properties, and that it is not permanent, the structure could be considered by the Commission with a conditional approval that all other Building Codes are met. If a variance or special exception is required, the applicant would reapply with an amended design. 2. The Standards and Guidelines are explicit regarding replicating the same design or by a design more in keeping with the historic period of the structure. A flat roof with no railing is recommended but an increase in the depth of deck and roof could be considered.

Written by  
Elicia Feasel  
Historic Preservation Administrator

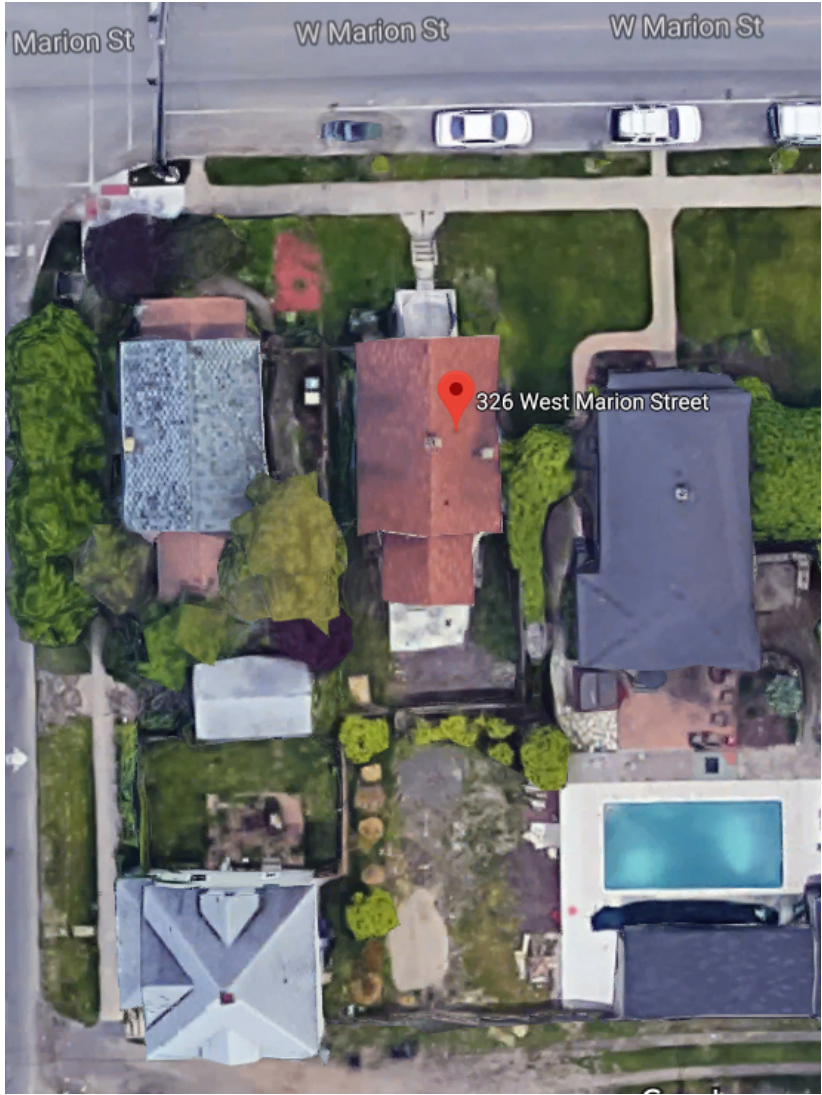




1979



1987





ELUVATIONS  
NATIONAL



### HISTORIC PRESERVATION COMMISSION

OF SOUTH BEND AND ST. JOSEPH COUNTY

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

SEP 04 2018 MA  
REC# 1765737 \$20.00

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: 9/4/18 Application Number: 2018 — 0904B

Past Reviews:  YES (Date of Last Review) \_\_\_\_\_  NO

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

Historic Preservation Commission Review Date: Sept 17, 2019

Local Landmark  Local Historic District (Name) Chapin Park  
 National Landmark  National Register District (Name) \_\_\_\_\_

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

Address of Property for proposed work: 326 W. MARION ST. / SB / IN / 46601  
(Street Number—Street Name—City—Zip)

Name of Property Owner(s): JASON DEBOSICWICZ / J.A. CARLOS Phone #: 574/876.8839 \*

Address of Property Owner(s): 322 W. MARION ST. / SB / IN / 46601  
(Street Number—Street Name—City—Zip)

Name of Contractor(s): Sorc Phone #: \_\_\_\_\_

Contractor Company Name: \_\_\_\_\_

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

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

Type of Building Construction: STICK BUILT  
(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: STORAGE SKID

Owner e-mail: \_\_\_\_\_ and/or Contractor e-mail: jasondland@gmail.com \*

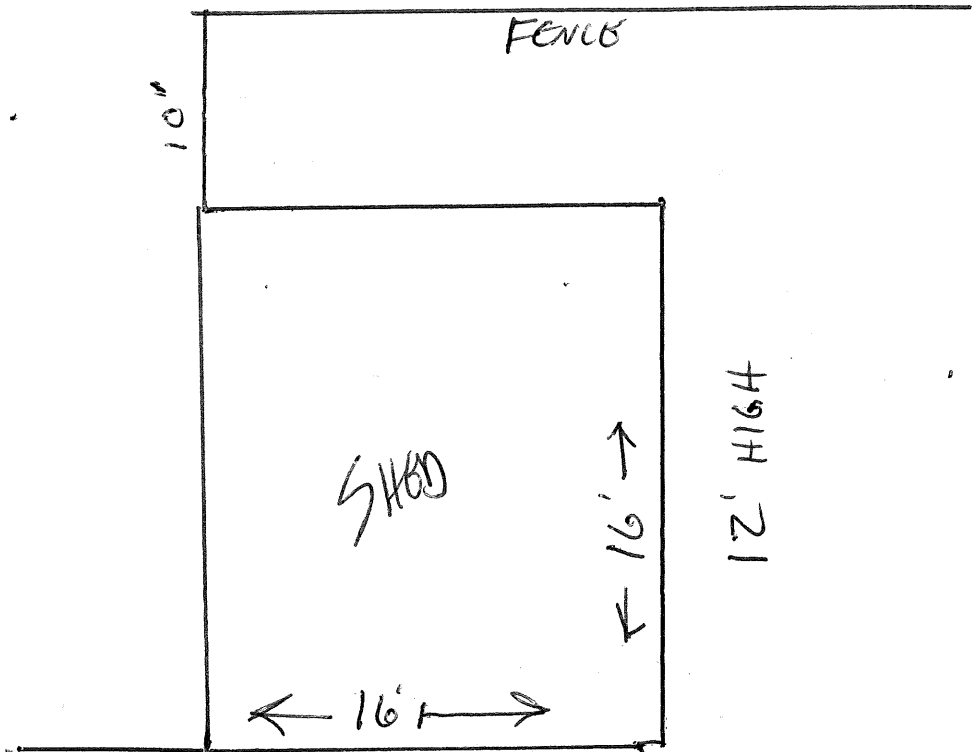
X \_\_\_\_\_ and/or X \_\_\_\_\_  
Signature of Owner Signature of Contractor

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—



326 WINDFLOW ST

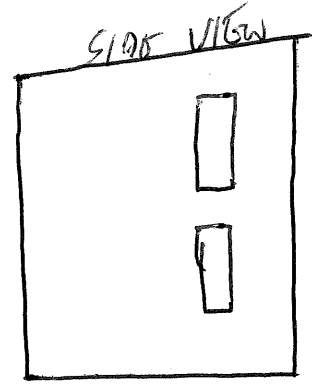
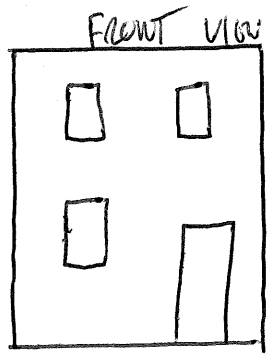


6 FT  
16" OFF GROUND

426 WILLIAMST

25 FT OFF BACK FENCE

- 2x6 FLOOR
- 3/4 PLYWOOD FLOORING
- 2x4 WALLS



326 W.  
MARION ST.

FAN  
LIGHT

