

RESOLUTION NO. 18-03

**A RESOLUTION OF THE HISTORIC PRESERVATION COMMISSION
OF SOUTH BEND AND ST. JOSEPH COUNTY, INDIANA
ESTABLISHING “ADMINISTRATIVE APPROVAL” PROCEDURES
AUTHORIZING STAFF TO APPROVE PROJECTS THAT ARE ROUTINE
MAINTENANCE AND MINOR PROJECTS THAT COMPLY WITH THE
INTENT OF APPLICABLE STANDARDS AND GUIDELINES**

WHEREAS, the Historic Preservation Commission of South Bend and St. Joseph County, Indiana (the “Commission”) operates pursuant to Article 13 of Chapter 21 of the South Bend Municipal Code, as may be amended from time to time (the “City Ordinance”), Title XV, Chapter 154, §§ 154.245-154.263 of the St. Joseph County Code of Ordinances, as may be amended from time to time (the “County Ordinance”), and the terms of the Interlocal Agreement between the City of South Bend and St. Joseph County dated December 12, 2017, as the same may be amended from time to time (the “Interlocal Agreement”); and

WHEREAS, pursuant to the City Ordinance and the County Ordinance, (a) the Commission shall issue a Certificate of Appropriateness (a “COA”) before the construction, reconstruction, alteration, demolition, or moving of any exterior feature of any building, structure, or use within historic preservation districts and with respect to historic landmarks, and (b) nothing in this article shall be construed to prevent the ordinary maintenance and repair of any building, structure or use which will not involve a change in exterior features or to prevent the construction, reconstruction, alteration, demolition, or moving of any building, structure or use which the Building Commissioners or other official having such power may certify as required by the public safety because of an unsafe or dangerous condition; and

WHEREAS, the Commission desires to establish by this Resolution certain procedures by the City’s staff members, including without limitation, the Historic Preservation Administrator and the Historic Preservation Specialist (collectively, for purposes of this Resolution, the “Staff”), to authorize Administrative Approval (“AA”) with regard to certain projects based on an established set of parameters; and

NOW, THEREFORE, BE IT RESOLVED BY THE HISTORIC PRESERVATION COMMISSION OF SOUTH BEND AND ST. JOSEPH COUNTY AS FOLLOWS:

1. The Staff, on the Commission’s behalf and in accordance with the terms of this Resolution, may qualify and approve any work (whether proposed or completed) as an Administrative Approval if it (a) constitutes the ordinary maintenance or repair of such a building, structure, or use, (b) consists of a project in compliance with the intent of the Standards and Guidelines, or (c) reverts to a more authentic outcome, improved quality, or removes non-historic elements, in accordance with the terms of the City Ordinance or the County Ordinance, as applicable in a given case.

2. The Commission hereby instructs the Staff to evaluate the work or conditions potentially constituting Administrative Approval with reference to applicable historic

preservation Standards and Guidelines. Staff shall make determinations as to Administrative Approval as promptly as reasonably possible but shall have at least two business days from receipt of a complete application, as deemed by Staff to perform their necessary due diligence including review and evaluation of the proposed project as it pertains the Standards and Guidelines.

3. Following the Staff's qualification and approval of any Administrative Approval, the Staff must notify the relevant property owner(s) and/or applicant(s) of the decision with respect to the work, without prejudice to any other applicable requirements or procedures, and will report each such determination in writing (including details concerning the property and the work) to the Commission at the Commission's next regular meeting following the Staff's determination.

4. This Resolution shall take effect immediately upon its adoption by the Commission and shall supersede any prior resolution of the Commission concerning staff approval of Routine Maintenance Exclusions, including, without limitation, Resolution No. 17-01, adopted on January 23, 2017 and Resolution No. 18-01 adopted on March 19, 2018.

ADOPTED at a meeting of the Historic Preservation Commission of South Bend and St. Joseph County, Indiana, held on November 19, 2018, at 1308 County-City Building, 227 W. Jefferson Blvd., South Bend, Indiana 46601.

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

Michele Gelfman, President

ATTEST:

Greta Fisher, Secretary