

MICHIGAN CITY'S HISTORIC DISTRICTS

- A WASHINGTON ST. 
- B FRANKLIN ST. 
- C ELSTON GROVE 



## COMMON REASONS TO APPLY FOR A CERTIFICATE OF APPROPRIATENESS

Application for a certificate of appropriateness (COA) are made to the office of the City Inspection Department. Applications are due on Friday, two weeks prior to the Historic Review Board Meetings at which they are to be considered.

A COA is needed for all exterior changes. If you have questions as to whether or not your project requires a COA, please call the Planning Department.

*Listed Below are the most common reasons to apply for a COA:*

- roofs air conditioners driveways
- windows/doors solar collectors curb cuts
- siding antennas/satellite dishes fencing
- additions garages signs
- new construction sheds/outbuildings demolition
- patios/decks retaining walls moving a structure
- steps new exterior paint colors additional sidewalks
- major landscaping changes

*A Certificate of Appropriateness is **not** required for the following:*

- Replacement of foliage up to four feet full grown height
- Landscape maintenance, pruning, or replacement of foliage with plants of similar type and size
- Removal of trees smaller than eight inches in diameter for shade and evergreen trees and four inches in diameter for ornamental trees
- Repairs or replacement of existing sidewalks, driveways, and steps not attached to a building
- Any work, visible from the street, that does not change the present form of the property and is done a normal maintenance of the property
- The removal of inappropriate fences
- Chain-link fences (once removed, they cannot be replaced)
- Board-on-board, board and batten, basket weave, louver, split rail, and stockade (See Common Wood Fence Types)
- The installation of a single, wall-mounted mailbox near the main entrance on the front of the structure.
- The following roofs and gutter repairs and maintenance
- Repair of storm damaged roof areas if the surface matches the existing.
- Replacement of up to 50% of deteriorated roof shingles on any roof surface if they match the existing roof shingles.
- Repair or re-roofing of any flat roof provided it is not visible from the ground and its shape is not altered.
- Repair or relining of built-in gutters provided no portion of the gutter visible from the ground is altered.
- Replacement of deteriorated portions of existing gutters if the replacements match that of the portions removed.
- Replacement or installation of mechanical equipment, skylights, or vents on a flat roof provided the new element is not visible from the ground.

## **Certificate of Appropriateness Procedures**

1. Staff can meet with the applicant ahead of time to answer his/her questions and review the proposed work. The applicant will still need to go through a formal review.
2. The following documentation is required by an applicant in order to be considered for a certificate of appropriateness:
  - **New Construction**
    - Twelve copies of the application
    - Twelve copies of the acceptable plat
    - Twelve copies of the building plans/elevations
    - Site plan indicating existing structures, driveways, major landscaping, and location of proposed new buildings, driveways, and landscaping.
    - Photographs showing a view of the street with the building site and adjacent properties
    - Description or sample of materials to be used.
    - Any additional supporting materials necessary for the Review Board to make an informed decision.
    - Applicants proposing new construction may also be required to supply a 1/16" scale study model.
  - **Rehabilitation of an existing structure and major landscaping**
    - Twelve copies of the application
    - Twelve copies of the acceptable plat
    - Twelve copies of the building plan/elevations
    - Photographs indicating existing condition
    - Description or sample of materials to be used.
    - For a substantial rehabilitation, applicant will be required to submit additional material as outlined in "New Construction" above.
    - Notification and Hearing

All property owners abutting the applicant's site and across the right-of-way shall be notified of the time and place of the public hearing. This shall be done by a certified letter at the expense of the applicant. The applicant shall provide proof that s/he has conformed to the above at the hearing by surrendering to the Board the returned certificate receipts which become part of the official docket.

In the presentation of a case, the burden shall be upon the applicant to supply all information including plats, drawings, sketches, photographs, architectural and/or engineering drawings and other exhibits necessary for a greater understanding of the proposal. The Board may continue the hearing when, in its judgement, the applicant has not provided sufficient evidence and information to make a determination. All applications must be submitted on the Friday, two weeks prior to the regular Board meeting.

# CERTIFICATE OF APPROPRIATENESS PROCEDURES

Upon hearing an application for a Certificate of Appropriateness (COA), The Review Board will determine whether the proposal is appropriate to the preservation of a district and to the furtherance and development of historic preservation.

## A. Time and Place of Public Hearings

Regular meetings and public hearings of the Michigan City Review Board are held the fourth Monday of each month in the Mayors Conference Room of the City Hall Building, in Michigan City, Indiana at 4:00 p.m.

## B. Special Meeting

A special meeting of the Review Board may be called by the Chairperson by giving five (5) days notice to each member.

## C. All Meetings and Public Hearings

All meetings and hearings of the Michigan City Review Board are open to the public. An applicant for a COA or his/her representative is strongly encouraged to attend the Review Board meeting at which the COA will be reviewed

## D. Quorum

A majority of the members (5) of the Review Board constitute a quorum, and the concurrence of a majority of the Review Board is necessary to authorize any action.

## E. Action

The Review Board may advise and make recommendations to the applicant before acting on an application for a COA.

If an application for a COA is approved by the Review Board or is not acted on by the Review Board within thirty (30) days after it is filed, a COA shall be issued. If the certificate is issued, the COA shall be processed in the same manner as applications for building or demolition permits required by the City of Michigan City, Indiana, if any, are processed. If no building or demolition permits are required by the City of Michigan City, the applicant may proceed with the work authorized by the certificate.

If the Review Board denies an application for a COA within thirty (30) days after it is filed, the certificate may not be issued. The Review Board must state its reasons for the denial in writing, and must advise the applicant. An application that has been denied may not be processed as an application for a building or demolition permit and does not authorize any work by the applicant.

The Review Board may grant an extension of the thirty (30) day limit prescribed by the above section if the applicant agrees to it.

## F. Appeal Provision

One of the purposes of the Review Board is to preserve historic districts that are important to the education, culture, traditions, and economic values of the City of Michigan City, Indiana, and to afford the City of Michigan City, historical organizations, and other interested persons the opportunity to acquire or to arrange for the preservation of these buildings.

A decision of the Review Board is subject to judicial review under IC 4-22-1 as if it was a decision of a state agency.

**Demolition:** If the Review Board denies the issuance of a COA for the demolition of a building or structure, a demolition permit may be issued by other agencies and a building may be demolished, but only after establishing the following:

1. The property owner must demonstrated to the Review Board that an historic building or structure is incapable of earning an economic return on its value, as appraised by a licensed real estate appraiser.
2. The property owner shall file with the administrator documented evidence that a good faith effort is being made to sell or otherwise dispose of such property at fair market value to any public or private person or agency which gives a reasonable assurance of its willingness to preserve and restore such property. Such documented evidence shall be provided at the property owner's expense and shall include:
  - a. an offering price.
  - b. date the offer of sale is to begin
  - c. name and address of listing real estate agent, if any
  - d. a copy of an advertisement to run in the same manner as the notice which offers the property for sale, and

e. an appraisal of the property's fair market value by a licensed real estate appraiser.

3. Notice of the proposed demolition must be given for a period fixed by the Review Board, based on the Review Board's classification on the approved map, but not less than sixty (60) days nor more than one (1) year. Notice must be posted on the premises of the building or structure proposed for demolition in a location clearly visible from the street. In addition, notice must be published in a newspaper of general local circulation at least three (3) times before demolition, with the first publication not more than fifteen (15) days after the application for a permit to demolish is filed, and the final publication at least fifteen (15) days before the date of the permit.

4. The Review Board may approve a COA at any time during the notice period under the above section. If the certificate is approved, a demolition permit shall be issued without further delay, and demolition may proceed.

## **CHECKLIST FOR COA APPLICATION**

- \_\_\_\_\_ Call Building and Inspection Department to verify need for building permit
- \_\_\_\_\_ Check guidelines to verify COA's required for proposed work
- \_\_\_\_\_ Filled out application form for COA signed by owner

### **REQUIREMENTS**

#### **New Construction**

- \_\_\_\_\_ Twelve copies of the application
- \_\_\_\_\_ Twelve copies of the acceptable plat
- \_\_\_\_\_ Twelve copies of the building plans/elevations
- \_\_\_\_\_ Site plan indicating existing structures, driveways, major landscaping, and location of proposed new buildings, driveways, and landscaping.
- \_\_\_\_\_ Photographs showing a view of the street with the building site and adjacent properties
- \_\_\_\_\_ Description or sample of materials to be used.
- \_\_\_\_\_ Any additional supporting materials necessary for the Review Board to make an informed decision.
- \_\_\_\_\_ Applicants proposing new construction may also be required to supply a 1/16" scale study model.

#### **Rehabilitation of an Existing Structure and Major Landscaping**

- \_\_\_\_\_ Twelve copies of the application
- \_\_\_\_\_ Twelve copies of the acceptable plat
- \_\_\_\_\_ Twelve copies of the building plan/elevations
- \_\_\_\_\_ Photographs indicating existing condition
- \_\_\_\_\_ Description or sample of materials to be used.
- \_\_\_\_\_ For a substantial rehabilitation, applicant will be required to submit additional material as outlined in "New Construction" above.
- \_\_\_\_\_ Spoken with Review Board staff or chairperson to discuss proposed project/work out kinks
- \_\_\_\_\_ Submitted application by first Monday of the month

#### **General Information**

- Meeting is the fourth Monday of the month
- Meeting time is 4:00 p.m.
- Meeting location is Mayor's Conference Room
- Chairperson: Dennis Knaup (219-874-3620)
- Michigan City News Dispatch (219-874-7211) has copies of legal notice requirements.

**NOTICE OF COA APPLICATION**

Notice is hereby given that on the \_\_\_\_\_ at its regular meeting at 4:00 p.m., in the City Hall Building, Michigan City, Indiana, the Historic Review Board of the City of Michigan City, Indiana, will consider the Application of \_\_\_\_\_ for a certificate of Appropriateness concerning

\_\_\_\_\_ the building located at \_\_\_\_\_ Michigan City, Indiana,

which property is more particularly described at follows:

All interested parties are hereby given notice to appear.

DATED this \_\_\_\_\_ day of \_\_\_\_\_ .

HISTORIC REVIEW BOARD  
MICHIGAN CITY

BY: Norbert Schaaf

# CERTIFICATE OF SERVICE

I, \_\_\_\_\_, being first duly sworn upon my oath, do

(name)

depose and say that notice of a petition

\_\_\_\_\_  
(type and nature of petition)

affecting property located at, \_\_\_\_\_  
Michigan City,

Indiana, was mailed by Certified Mail, Return Receipt Requested, with sufficient, pre-paid postage thereon to all property

owners who adjoin, abut or are across from the right-of-way of said property, advising said property owners of hearing on

said petition before the Michigan City

\_\_\_\_\_  
(Plan Commission or Board of Zoning Appeals)

on the \_\_\_\_\_, day of \_\_\_\_\_, 19\_\_\_\_\_  
\_\_\_\_\_, at

7:30 p.m.; that said notice was mailed on or before a date ten (10) days prior to the date of said hearing.

\_\_\_\_\_  
(signature of petitioner)

\_\_\_\_\_  
(printed or typed name of petitioner)

STATE OF INDIANA )  
COUNTY OF LAPORTE ) SS:

Subscribed and sworn to before me this \_\_\_\_\_ day of

\_\_\_\_\_ ,

19\_\_\_\_\_ .

\_\_\_\_\_  
(Notary Public)

My Commission Expires:

Printed Name:

\_\_\_\_\_  
County of Residence:



# **HISTORIC REVIEW BOARD OF MICHIGAN CITY, INDIANA** **CERTIFICATE OF APPROPRIATENESS APPLICATION**

Section 62-91 of the Michigan City Municipal code requires that except as provided in sections 62-67 and 62-97, *a certificate of appropriateness* must be issued by or on behalf of the commission before a permit is issued or work is begun on any of the following:

- (1) Within all areas of the historic district:
  - a. The demolition of any building;
  - b. The moving of any building;
  - c. A conspicuous change in the exterior appearance of historic buildings by additions, reconstruction, alteration, or maintenance involving exterior color change; or
  - d. Any new construction of a principal building or accessory building or structure subject to view from a public way.
- (2) Within a primary area of the historic district:
  - a. A change in walls and fences or the construction of walls and fences along public way; or
  - b. A conspicuous change in the exterior appearance of nonhistoric buildings subject to view from a public way by additions, reconstruction, alteration, or maintenance involving exterior color change.

## Section 62-92. Application

Application for a certificate of appropriateness may be made in the office of the commission on forms provided by that office. Detailed drawings, plans or specifications are not required. However, to the extent reasonably required for the commission to make a decision, each application must be accompanied by sketches, drawings, photographs, descriptions or other information showing the proposed exterior alterations, additions, changes or new construction.

## Section 62-93. Issuance or denial.

(a) The commission may advise and make recommendations to the applicant before acting on an application for a certificate of appropriateness.

(b) If an application for a certificate of appropriateness:

(1) Is approved by the commission; or

(2) Is not acted on by the commission;

within 30 days after it is filed, a certificate of appropriateness shall be issued. If the certificate is issued, the application shall be processed in the same manner as applications for building or demolition permits required by the city, if any, are processed. If no building permits are required by the city, the applicant may proceed with the work authorized by the certificate.

(c) If the commission denies an application for a certificate of appropriateness within 30 days after it is filed, the certificate may not be issued. The commission must state its reasons the denial in writing, and must advise the applicant. An application that has been denied may not be processed as an application for a building or demolition permit and does not authorize any work by the applicant.

(Note: As per Section 62-97, A Certificate of Appropriateness is not required for exterior color change.)

(d) The commission may grant an extension of the 30-day limit prescribed by subsections (b) and (c) of this section if the applicant agrees to it.

### Certificate of Appropriateness Steps

- 1) A property owner after receiving a Certificate of Appropriateness application should contact the Review Board Member listed below for information on what will be required to complete the application process.
- 2) Complete the application and gather all requested documentation.
- 3) When appropriate, an on site Certificate of Appropriateness procedure may be used. In this procedure a committee of three board members would visit the site and approve or deny the Certificate of Appropriateness on site. In the case of a denial, an appeal to the full board may be made at the next scheduled meeting.
- 4) When an onsite Certificate of Appropriateness is not appropriate, please submit the application and documents to the planning office no later than the second Monday of the month.
- 5) Plan, if at all possible, to attend the Review Board meeting on the fourth Monday of the month.

For help please contact this Review Board Member.

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Phone

**HISTORIC REVIEW BOARD OF MICHIGAN CITY, INDIANA**  
**CERTIFICATE OF APPROPRIATENESS APPLICATION**

Owners Name \_\_\_\_\_ Phone \_\_\_\_\_

Address \_\_\_\_\_ Zip Code \_\_\_\_\_

Project Address \_\_\_\_\_ Year Built \_\_\_\_\_

Existing Use of structure \_\_\_\_\_

Proposed use of structure \_\_\_\_\_

Description of project: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Continue description on back if more room is needed.*

Documentation to submit:

Site Survey  Elevation Drawings  Building Plans  Photographs

Drawings & Sketches of: \_\_\_\_\_

Signature of Owner \_\_\_\_\_ Date \_\_\_\_\_

Decision of Historic Review Board \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Authorized Commission Signature(s) \_\_\_\_\_

\_\_\_\_\_

Name

Title

- On Site Certificate of Appropriateness
- Regular Meeting Certificate of Appropriateness
- Special Meeting Certificate of Appropriateness

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**CERTIFICATE OF APPROPRIATENESS APPLICATION**

Owners Name \_\_\_\_\_ Phone \_\_\_\_\_

Address \_\_\_\_\_ Zip Code \_\_\_\_\_

Project Address \_\_\_\_\_ Year Built \_\_\_\_\_

Existing Use of structure \_\_\_\_\_

Proposed use of structure \_\_\_\_\_

Description of project: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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Drawings & Sketches of: \_\_\_\_\_

Signature of Owner \_\_\_\_\_ Date \_\_\_\_\_

Decision of Historic Review Board \_\_\_\_\_

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Authorized Commission Signature(s) \_\_\_\_\_

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Name

Title

- On Site Certificate of Appropriateness
- Regular Meeting Certificate of Appropriateness
- Special Meeting Certificate of Appropriateness