

<b>COA # 2010-COA-412 (WP)</b>	<b>INDIANAPOLIS HISTORIC PRESERVATION COMMISSION STAFF REPORT</b>	<b>Hearing Date DEC. 1, 2010</b>
<b>915-917 Woodruff Place West Drive WOODRUFF PLACE</b>		Continued from: November 3, 2010  Center Township Council District: 16 Brian Mahern
<b>Applicant</b>	<b>TAD BOHLSEN FOR PINE FINANCIAL</b>	
<b>Mailing address:</b>	151 N. Delaware, #1835 Indianapolis, IN 46204	
<b>Owner: Same as above</b>		
<b>CASE</b>		
<b>IHPC COA: 2010-COA-412 (WP) Demolish fire-damaged house</b>		
<b>STAFF RECOMMENDATION: Approval of a Certificate of Authorization</b>		

<b>STAFF COMMENTS</b>
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**Update**

At the November 3, 2010 IHPC hearing, the applicant’s representative, Vicki Bohlsen, requested and was granted a continuance to the December 1, 2010 IHPC hearing since the IHPC rules allow one automatic continuance without cause. Since the November hearing, IHPC staff has not heard directly from the applicant.

**Background**

The two-story gable roof house was originally built c.1910 as a two-family residence. It is a wood frame building with wood lap siding on the first floor and shingle shake siding on the second floor and the gable ends. The front of the building has a full width masonry porch coated with stucco.

**Background of the Case**

**2009 Arson Fire**

In August 2009, the house caught fire and was severely damaged. The cause of the fire was arson. The house was vacant at the time of the fire. The fire started at the second floor near the rear of the building. The applicant has stated that his insurance company has not provided a settlement from his claim.

**Emergency Partial Demolition**

In December of 2009, IHPC staff became aware of a citizen complaint made to City-County Councillor Brian Mahern, stating that the front gable was a safety concern. The concern was also forwarded to Tim McMillan with Health and Hospital’s Unsafe Building Division. Tim submitted a written request to the IHPC to allow emergency demolition of the leaning front gable. Staff visited the site and found the leaning of the gable was both precarious and obvious. Staff agreed that the condition appeared to be a threat to public safety. In accordance with the IHPC statute, the Director of the Department of Metropolitan Development declared an immediate threat to public safety and the unsupported front gable was removed.

**Health and Hospital Orders**

The Health & Hospital Corporation issued orders to repair or demolish the structure following the fire in 2009. Aside from boarding the structure and removing the front gable, there has been no work done to the property since the fire. The original orders to repair or demolish the property are still pending. The applicant testified several times in court that he wanted to repair the structure and, per the order of the Court, the

applicant applied with the IHPC requesting to perform partial repair of the structure. The applicant has estimated that partial repair of the structure (largely roof repair) would be approximately \$14,500, but that complete restoration of the structure would have to be phased out due to cost.

After reviewing the application, staff determined there was a lot of missing information regarding how this work would be performed and what the specifications of the work would be or how the work would be paid since the insurance company has not provided a settlement. After months of court continuances, several failures to appear, possible incarceration for contempt of Court, and lack of progress on the property over the last 1 ½ years, the judge ordered demolition. Staff has followed this case and has testified in Environmental Court on this matter. The applicant has now submitted a request to demolish the house and has estimated that demolition would cost approximately the same as the previously proposed partial repair.

### **Condition of the House**

The applicant has owned the house since 2007. Staff has had access to the building interior and has included photographs of the condition of the building in this report. Staff has found the following conditions to exist on the property as of August 2010:

- The roof structure and attic have been completely burned and removed.
- Much of the framing was burned and/or destroyed in the fire.
- Most of the windows and frames were broken out and damaged beyond repair.
- The floor structure on the second level exists, but is severely compromised.
- Holes exist from falling debris causing water to penetrate through the floor down to the first level.
- The first floor received significant water and smoke damage.
- Significant mold growth and water damage has occurred throughout the interior of the building as a result of putting out the fire and from the roof being open to the elements for 15 months
- The exterior siding on the lower portions of the house is still in-place, however, it appears that its condition prior to the fire was largely deteriorated.

### **Woodruff Place Preservation Plan**

The Woodruff Place Plan states that a Certificate of Appropriateness or Authorization for demolition as should be approved if the IHPC finds one or more of the following:

1. The structure poses an immediate and substantial threat to the public safety.
2. The historic or architectural significance of the structure or part thereof is such that, in the Commission's opinion, it does not contribute to the historic character of the structure and the district, or the context thereof.
3. The demolition is necessary to allow new development which, in the Commission's opinion, is of greater significance to the preservation of the district than is retention of the structure, or portion thereof for which demolition is sought, and/or
4. The structure or property cannot be put to any reasonable economically beneficial use for which it is or may be reasonable adapted without approval of demolition.

It also states that when considering a proposal for demolition, the IHPC shall consider the following criteria for demolition as guidelines for determining appropriate action:

*'Demolition of an historic building may be justified by condition, but only when the damage or deterioration to the structural system is so extensive that the building presents an immediate and substantial threat to the safety of the public.'*

### **Justification for a Certificate of Authorization**

1. The damage and subsequent deterioration is extensive. The entire roof structure is gone, making it impossible to take any effective temporary or short-term actions to "mothball" this structure. This situation poses an increasing threat to the neighborhood as deterioration progresses. The fact that rain and snow cannot be kept out of the structure guarantees fast deterioration.

2. The damage and subsequent deterioration is so extensive that there are almost no original materials suitable for restoration. While the building could be rebuilt, it would be virtually all new construction and would not have the historic significance of the original.
3. In order for this property to be redeveloped, whether with a new house or with a replication of the original house, the present fire-damaged and deteriorated structure will have to be removed.
4. Even without a structural report or contractor's estimate for total "restoration," it is easy to see that far more than \$14,500 will be needed to bring this structure into any semblance of minimal stability. Although the owner contends that his desire is to restore the house, he has yet to show staff or the court any evidence that he has the financial and technical ability to accomplish the task.

**STAFF RECOMMENDED MOTION**

**COA #2010-COA-412 (WP):**

**To approve a Certificate of Authorization to demolish the fire-damaged house in accordance with the court's order to demolish, per submitted documentation and subject to the following stipulations:**

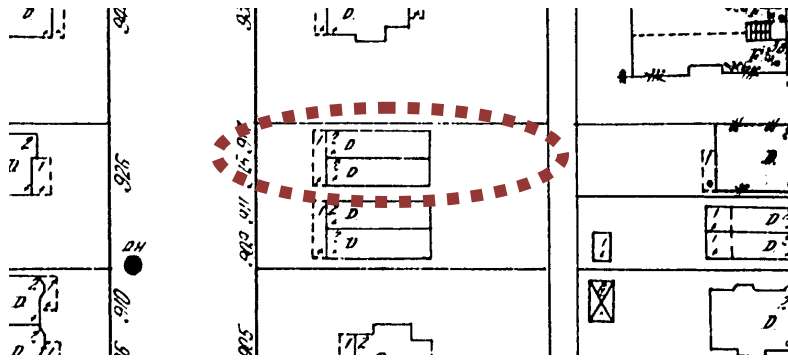
1. **The demolition must be undertaken and the site cleared in accordance to the regulations set forth in the Marion County Municipal Code.**
2. **The applicant is responsible for obtaining all the necessary permits to complete this work.**
3. **Demolition shall be performed in accordance with any applicable deadlines set forth by the Marion County Health Department and Environmental Court.**

**NOTE: Any future development of the site must be approved by the IHPC before construction.**

**Staff Reviewer: Meg Purnsley**



**Map of subject property**



1915 Sanborn Map of subject property



Aerial photo showing roof shortly after the fire, but prior to the remainder of the roof being removed as part of the emergency demolition.



**Aerial photo looking east toward the front of the house**



**Mid-1970's photo of house**



**Front of house today**



**December 2009 – front gable required emergency demolition**



**Decemer 2009- front of house before gable was removed by emergency demolition**



**Rear of building- No roof exists**



**Close up of second floor rear windows- windows were blown out**



**Interior at first floor- Black mold covers the area**



**Interior at second floor- No roof remains**



**Interior at second floor**