



"The Friendly City"

The City of Hobart

414 Main Street · Hobart, Indiana 46342

ORDER OF THE CITY OF HOBART UNSAFE HEARING AUTHORITY

* RECORDED TO INCLUDE "EXHIBIT A" Mc.

A PUBLIC HEARING WAS HELD BEFORE THE CITY OF HOBART UNSAFE BUILDINGS HEARING AUTHORITY, 414 MAIN STREET, HOBART, INDIANA

- DATE OF HEARING: Wednesday, May 4, 2022 at 3:30 p.m. in the Council Chambers on the second (2nd) floor of City of Hobart City Hall, 414 Main Street, Hobart, Indiana
- PROPERTY: 131 CENTER STREET, HOBART, IN 46342
- LEGAL DESCRIPTION: Attached Exhibit "A"
- OWNER: KARL E. and KATHLEEN ANN LUKEN

ABOVE STATED HEARING WAS HELD AND THE CITY OF HOBART UNSAFE BUILDING HEARING AUTHORITY AFFIRMS THE ORDER OF THE UNSAFE BUILDINGS DEPARTMENT AND NOW FINDS AS FOLLOWS:

PURSUANT TO THE PROVISIONS CONTAINED IN THE DULY ADOPTED City of Hobart Municipal Code Unsafe Buildings § 150.110 et. seq. (Ordinance No. 1747), THE STRUCTURE AND IMMEDIATELY SURROUNDING PREMISES LOCATED AT **131 CENTER STREET, HOBART, INDIANA 46342** AND STATED MORE ACCURATELY ABOVE AND ON THE ATTACHED DOCUMENTS IS IN AN UNSAFE AND DANGEROUS STATE, THEREFORE BY ORDER OF THE CITY OF HOBART UNSAFE BUILDINGS HEARINGS AUTHORITY THE STRUCTURES IN QUESTION SHALL BE DEMOLISHED AND ALL REMAINING DEBRIS SHALL BE REMOVED. FURTHER THE PROPERTY SHALL BE GRADED SUCH THAT IT DOES NOT POSE A THREAT TO THE PUBLIC.

SO ORDERED THIS 4th DAY OF May, 2022 CITY OF HOBART UNSAFE BUILDINGS HEARINGS AUTHORITY.

Karen Hansen
Karen Hansen, Building Official
UNSAFE BUILDINGS DEPARTMENT

CITY OF HOBART,
BOARD OF PUBLIC WORKS AND SAFETY

[Signature]
PRESIDENT

ATTEST:
[Signature]
CLERK-TREASURER

FILED
JUN 06 2022

JOHN E. PETALAS
LAKE COUNTY AUDITOR

GINA PIMENTEL
RECORDER
STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD
2022-018383
11:58 AM 2022 Jun 6

25-076162
LK

25-75952
am

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"EXHIBIT A"

131 CENTER STREET LEGAL DESCRIPTION

Legal Description:

PART OF LOTS 58 AND 59 IN THE TOWN, NOW CITY OF HOBART, AS PER PLAT THEREOF, RECORDED IN DEED RECORD "D" PAGE 423 IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA, DESCRIBED AS COMMENCING AT A POINT ON THE EASTERLY LINE OF CENTER STREET WHICH IS 135 FEET NORTHERLY FROM THE SOUTHWEST CORNER OF LOT 57; THENCE NORTHERLY ALONG THE EASTERLY LINE OF CENTER STREET 45 FEET; THENCE EASTERLY PARALLEL WITH THE NORTH LINE OF LOT 59 A DISTANCE OF 120 FEET; THENCE SOUTHERLY PARALLEL WITH THE EASTERLY LINE OF CENTER STREET 48 FEET; THENCE EASTERLY PARALLEL WITH THE NORTHERLY LINE OF SECOND STREET 2 FEET; THENCE SOUTHERLY PARALLEL WITH THE EASTERLY LINE OF CENTER STREET 5 FEET; THENCE WESTERLY PARALLEL WITH THE NORTHERLY LINE OF SECOND STREET 42 FEET; THENCE NORTHERLY PARALLEL WITH THE EASTERLY LINE OF CENTER STREET 8 FEET; THENCE WESTERLY PARALLEL WITH THE NORTHERLY LINE OF SECOND STREET 80 FEET TO THE PLACE OF BEGINNING.

City of Lake County Recorder

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CITY OF HOBART BUILDING DEPARTMENT 414 Main Street, Hobart, IN 46342

NOTICE OF PUBLIC HEARING

Owners:	<u>Luken</u>

NOTICE IS HEREBY given that a Public Hearing will be held by Unsafe Building Hearing Authority of the City of Hobart, the Hobart Public Works and Safety, on Wednesday, May 4, 2022 at 3:30 pm. in the Council Chambers on the second (2nd) floor of Hobart City Hall, 414 Main Street, Hobart, Indiana, 46342 to consider:

Pursuant to the provisions of the City of Hobart Municipal Code § 150.110 et. seq. an Order of the Hobart Building Department was issued on April 11, 2022. The City of Hobart Building Official has determined the residence located at 131 Center St Hobart, Indiana 46342, with Parcel I.D. Numbers of 45-09-32-190-005-000-018, to be in an unsafe condition. Further, the Order of the Hobart Building Department, in part, has required potential removal of the unsafe building or associated structure(s) and debris and grading of the remaining property such that it does not pose a threat to the public.

A copy of the Hobart Municipal Code § 150.110 et. seq. (Ordinance 1747) and Order of the Unsafe Buildings Department are both on file in the Office of the Hobart Building Department, 414 Main Street, Hobart, Indiana 46342, and may be examined, along with other records pertaining to the property, in their entirety from 8:30 a.m. to 4:00 p.m., Monday through Friday, excluding approved holidays, prior to the Public Hearing.

Written objections will be considered at the Public Hearing and may be filed with the Hobart Building Department, 414 Main Street, Hobart, Indiana 46342. Such written objections shall be filed at least three (3) working days prior to the Public Hearing. Oral comments concerning the proposal will be heard at the Public Hearing at the date and time affixed above. The Public Hearing may be continued by the City of Hobart Board of Public Works and Safety from time to time as may be found necessary. After hearing any and all parties having a substantial property interest and taking into account all information presented, the City of Hobart Board of Public Works and Safety will render a decision on the Order of the City of Hobart Building Department.


_____, Presting Officer
City of Hobart Board of Public Works and Safety


_____, Building Official
City of Hobart Building Department

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Order of the Unsafe Buildings Hobart Building Department

Date: April 11, 2022

Via Certified Mail Return Receipt Number

RE: Address: 131 Center St Hobart IN 46342
Legal Description: NW 8x42 FT. LOT 58 LOT 59 EX. SW 3x80 FT + EX. N. 18 FT.
OF W. 120 FT.

Dear _____:

Be advised an inspection of the above referenced property on March 8, 2022 showed it to be in an unsafe state according to Hobart Municipal Code § 150.110 et. seq., (Ordinance 1747). The Ordinance incorporates all provisions of Indiana Code 36-7-9 et al, entitled Unsafe Building Law, including the negative impact that unsafe structures have on the health and safety of the public, I.C. 36-7-9-4.5.

Your premises have been identified as unsafe because a building or structure, or any part of a building or structure was identified as being:

- in an impaired structural condition that makes it unsafe to a person or property; a fire hazard;
- a hazard to the public health;
- a public nuisance;
- dangerous to a person or property because of a violation of a statute or ordinance concerning building condition or maintenance; or
- vacant and not maintained in a manner that would not allow human habitation, occupancy or use under the requirements of a statute or an ordinance

Among the items identified during our inspection that classifies this property as an unsafe premises are:

Broken windows, structural issues - foundation is
caving in, brick deteriorating, animal infestation

Because of the hazard this property poses to the safety of the public, let this letter serve as an Order issued by the City of Hobart Building Department (Enforcement Authority) that the following action(s) shall be taken;

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- immediate vacation of the unsafe building or structure;
- immediate sealing of the unsafe building or structure against intrusion by unauthorized persons;
- immediate extermination of vermin in and about the unsafe premises;
- immediate removal of trash, debris or fire hazardous material in and about the unsafe premises;
- immediate repair or rehabilitation of the unsafe building or structure to bring it into compliance with the Laws and Codes of Lake County, Indiana, including all building, planning, zoning and health codes;
- immediate removal of part of the unsafe structure; and,
- immediate removal of the unsafe building or structure and grading of the remaining property such that it does not pose a threat to the public.

As used in the preceding list of options, *immediate*, means within thirty (30) days of the date that this order was issued.

In the event you choose to comply with this Order, please check with the City of Hobart Building Department to determine whether a Building Permit is required prior to beginning any work. They may be reached at 219-942-1722. Due to the fact that we have granted you thirty (30) days to complete all work related to this Order, if you choose to comply, you must show a substantial beginning toward completion of this Order within fifteen (15) days of the date this Order was issued. If a Building Permit is required, it may take up to ten (10) working days to be issued after a proper and complete application is submitted. A substantial beginning means at least twenty-five (25) percent of the total work involved is completed.

You have the right to appeal the findings of this Order with the City of Hobart Board of Public Works and Safety (Board) at a public hearing to be held May 4th, 2022 at 3:30 p.m. in the Council Chambers, Hobart City Hall, 414 Main Street, Hobart, Indiana, 46342. This will be a public hearing at which time you will have the opportunity to appear, present evidence, cross-examine witnesses, present arguments and state your case to the Board. This is the only notice that you will receive regarding your hearing. Be advised that the Enforcement Authority will be seeking an Order from the City of Hobart Board of Public Works and Safety to proceed as indicated above on your property or the property indicated herein where you have a substantial property interest.

At the conclusion of your hearing, the City of Hobart Board of Public Works and Safety may make findings and take action to affirm the Order issued by the Enforcement Authority, rescind the Order issued by the Enforcement Authority or modify the Order issued by the Enforcement Authority. If the person or persons to whom the Order was issued are not present at the hearing, the Board may modify the Order in only a manner that makes the terms less stringent.

Please notify us of your intention to appear before the Board to dispute our findings at least ten (10) working days prior to your above scheduled hearing so that we may add you to our Agenda.

If you choose to ignore the Order and your scheduled opportunity to appear before the City of Hobart Board of Public Works and Safety, the Board shall take whatever action necessary to ensure the unsafe buildings or structures located on your unsafe premises are made to comply with the Ordinance. Further, if the Board finds that there is a willful failure to comply

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with the Order, in addition to affirming the Order, the Board may impose a civil penalty in addition to other penalties imposed under the Ordinance and State Law.

If you have any questions, contact our office at 219-942-1722.

Respectfully,



BUILDING OFFICIAL
CITY OF HOBART BUILDING DEPARTMENT

cc: Ms. Heather A. McCarthy, City Attorney
City of Hobart Board of Public Works and Safety

Property of Lake County Recorder

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131 Center Street
Hobart, Indiana

Site Visit: March 8, 2022 11:00 am

REPORT OF INVESTIGATION

I arrived at the vacant property to find several broken out windows on the front of the house. It has suffered a significant amount of water damage from the leaking roof. Animal excrements are present inside the house. Rotten wood and old plaster are visible from the front window. The ceiling is falling down. Spalling brick is apparent on the lower portions of the house and there is significant structural damage. The foundation in the rear of the house has partially collapsed and caved in as shown in the attached photos. I have notified the Hobart Fire Department of the structural issues and unsafe conditions of this property in the event that they get a call to respond to this address.

Karen Hansen 3-8-22

Karen Hansen, Building Official

County of Lake County Recorder

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131 Center Street

Hobart, Indiana

March 8, 2022 11:00 am – Photos taken by Karen Hansen, Building Official

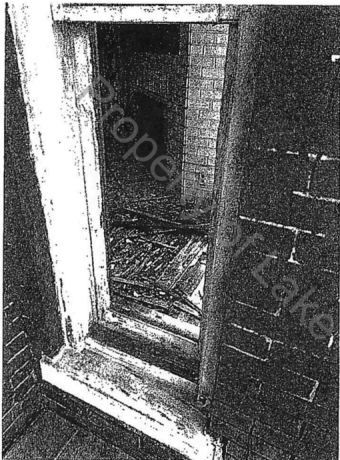


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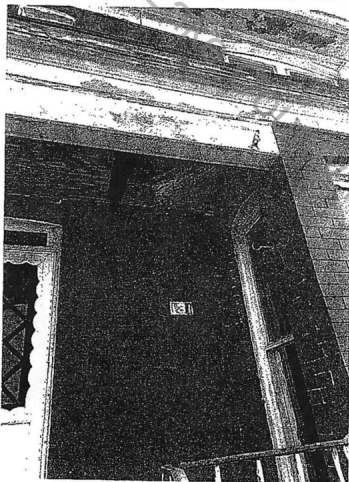
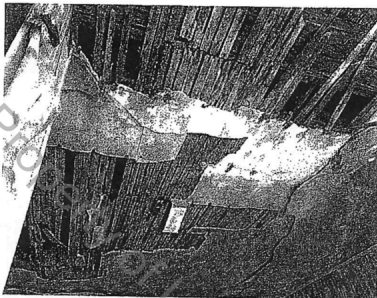
Recorder

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Property Recorder

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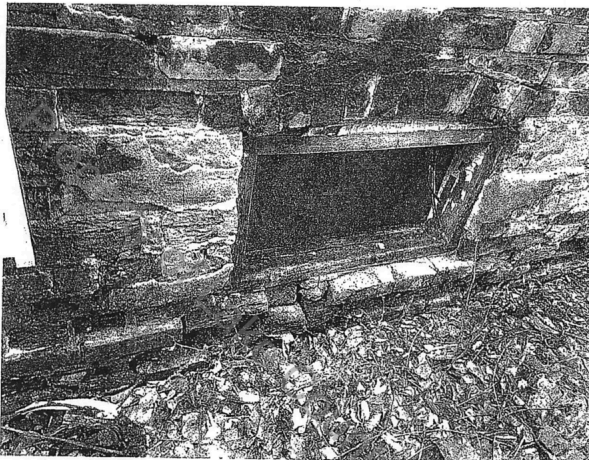


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City Recorder

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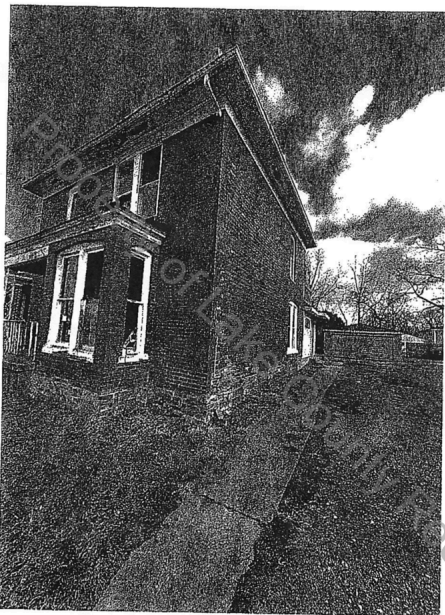
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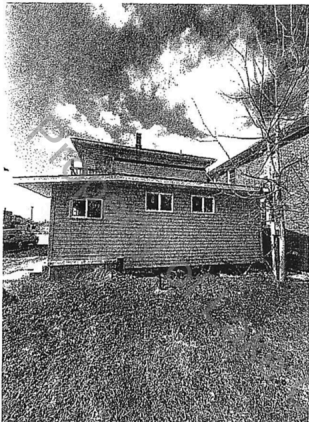


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