



AREA PLAN COMMISSION OF ST. JOSEPH COUNTY, IN

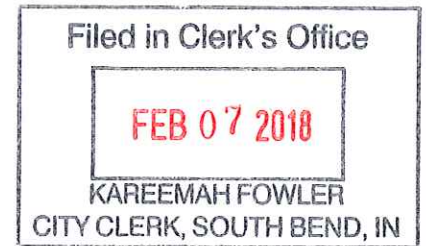
LAWRENCE P. MAGLIOZZI
EXECUTIVE DIRECTOR

Angela M. Smith
Deputy Director

227 W. JEFFERSON BLVD., ROOM 1140 COUNTY-CITY BUILDING, SOUTH BEND, INDIANA 46601 (574) 235-9571

February 7, 2018

Honorable Common Council
4th Floor, County-City Building
South Bend, IN 46601



RE: East Side of Olive Street between Calvert Street and Delaware Street
APC# 2862-18

Dear Council Members:

Enclosed in an Ordinance for the proposed Zone Map Amendment at the above referenced location. Please include the attached Ordinance on the Council agenda for first reading at your February 12, 2018 Council meeting, and set it for public hearing at your March 26, 2018 Council meeting. The petition is tentatively scheduled for public hearing at the March 20, 2018 Area Plan Commission meeting. The recommendation of the Area Plan Commission will be forwarded to your office by noon on the day following the public hearing.

If you have any questions, please feel free to contact our office.

Sincerely,

A handwritten signature in black ink, appearing to be "Jordan Wyatt", written over a dashed horizontal line.

Jordan Wyatt
Planner

CC: Bob Palmer

BILL NO. 09-18

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND SEEKING A SPECIAL EXCEPTION FOR PROPERTY LOCATED AT THE EAST SIDE OF OLIVE STREET BETWEEN CALVERT STREET AND DELAWARE STREET, COUNCILMANIC DISTRICT NO. 6 IN THE CITY OF SOUTH BEND, INDIANA

STATEMENT OF PURPOSE AND INTENT

Petitioners desire to rezone the property from LI to GI for vehicle removal and storage.

NOW THEREFORE BE IT ORDAINED by the Common Council of the City of South Bend, Indiana as follows:

SECTION 1. Ordinance No. 9495-04, is amended, which ordinance is commonly known as the Zoning Ordinance of the City of South Bend, Indiana, be and the same hereby is amended in order that the zoning classification of the following described real estate in the City of South Bend, St. Joseph County, State of Indiana:

Lots 247 through 258 of Highland Park 2nd Addition and the vacated alley between Lots 252 and 253 therein.

be and the same is hereby established as GI: General Industrial District.

SECTION II. That a Special Exception Use for *Vehicle Storage and Outdoor Storage in Excess of 50% of the Total Lot Area* in a *GI: General Industrial District* is hereby granted subject to a site development plan hereby attached and made a part of this Ordinance and which site plan contains and lists all conditions, if any, of approval.

SECTION III. This ordinance is and shall be subject to commitments as provided by Chapter 21-09.02(d) Commitments, if applicable.

SECTION IV. This ordinance shall be in full force and effect from and after its passage by the Common Council, approval by the Mayor, and legal publication, and full execution of any conditions or Commitments placed upon the approval.

Tim Scott, Council President
South Bend Common Council

Attest:

Kareemah N. Fowler, City Clerk
Office of the City Clerk

Presented by me, the undersigned Clerk of the City of South Bend, to the Mayor of the City of South Bend, Indiana on the _____ day of _____, 2018, at _____ o'clock ____ . m.

Kareemah N. Fowler, City Clerk
Office of the City Clerk

Approved and signed by me on the _____ day of _____, 2018, at _____ o'clock ____ .m.

Pete Buttigieg, Mayor
City of South Bend, Indiana

PETITION FOR ZONE MAP AMENDMENT
City of South Bend, Indiana

I (we) the undersigned make application to the City of South Bend Common Council to amend the zoning ordinance as herein requested.

1) The property sought to be rezoned is located at:

*1906 S. Olive St.
South Bend, IN 46613*

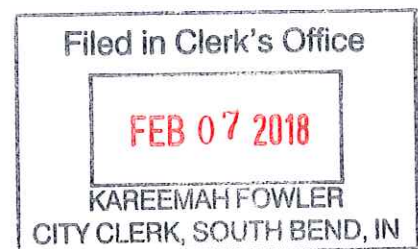
2) The property Tax Key Number(s) is/are: *018-8100-3806; 018-8100-3793; 018-8100-3792; 018-8100-3814; 018-8100-3815.*

3) Legal Descriptions: *Lots 251 252 253 254 255 256 257 258 and Vac Alley Btwn Lots 252 & 253 Highland Park 2nd Pro Sec 15 37 2e 17/18 Cons w/018-8100-3794,3804,3805,3807,3808,3809,3810 Per Owners Req.; Lots 250, 249, 248, 247 (2nd prop and 2nd address)*

4) Total Site Area: *1.18 acre*

5) Name and address of property owner(s) of the petition site:

*Paul J. Walters
921 Dale Ave.
Mishawaka, IN 46544
574-288-2727, 574-220-3160
asaptowingrecovery@yahoo.com*



Name and address of additional property owners, if applicable: John C. Cocquyt, The 4000 Group, 703 W. 16th St., Mishawaka, IN 46544

6) Name and address of contingent purchaser(s), if applicable:



Name and address of additional property owners, if applicable:

7) It is desired and requested that this property be rezoned:

From: **LI Light Industrial District** Additional zoning district, if applicable

To: **GI General Industrial District**

8) This rezoning is requested to allow the following use(s): *Vehicle removal and storage*

IF VARIANCE(S) ARE BEING REQUESTED (if not, please skip to next section):

1) *List each variance being requested. Contact Commission Staff if you need assistance with wording.*

2) A statement on how each of the following standards for the granting of variances is met:

(a) The approval will not be injurious to the public health, safety, morals and general welfare of the community: *Please explain how your variance petition addresses this criteria*

(b) The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner; and: *Please explain how your variance petition addresses this criteria*

- (c) The strict application of the terms of this Ordinance would result in practical difficulties in the use of the property: *Please explain how your variance petition addresses this criteria*

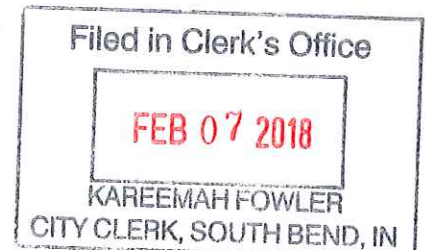
IF A SPECIAL EXCEPTION USE IS BEING REQUESTED, (if not, please skip to next section):

- 1) The Special Exception Use(s) being requested: *Vehicle removal and storage.*
- 2) A statement on how each of the following standards for the granting of a Special Exception Use is met:
 - (a) The proposed *use* will not be injurious to the public health, safety, comfort, community moral standards, convenience or general welfare: *These lots are secured from the public with appropriate fencing and an electronic gate that can only be opened from inside the building or via remote(s).*
 - (b) The proposed *use* will not injure or adversely affect the *use* of the adjacent area or property values therein: *An easement is already in place so that adjacent property will not be affected.*
 - (c) The proposed *use* will be consistent with the character of the *district* in which it is located and the land uses authorized therein; and: *The majority of Olive St. is zoned as G1.*
 - (d) The proposed use is compatible with the recommendations of the Comprehensive Plan. *Removal of the building listed as 2010 to be demolished at a later date as well as new fencing and clearing of the lot line due to these structures being an eyesore to the neighborhood. All lots to be combined at a later date to one address, 1906.*

* In the case of a Special Exception Use, the petitioner shall be held to the representations made on the Preliminary Site Plan included with this petition.

CONTACT PERSON:

*Paul Walters / Becki Badders
1906 S. Olive St.
South Bend, In 46613
574-288-2727
asaptowingrecovery@yahoo.com*

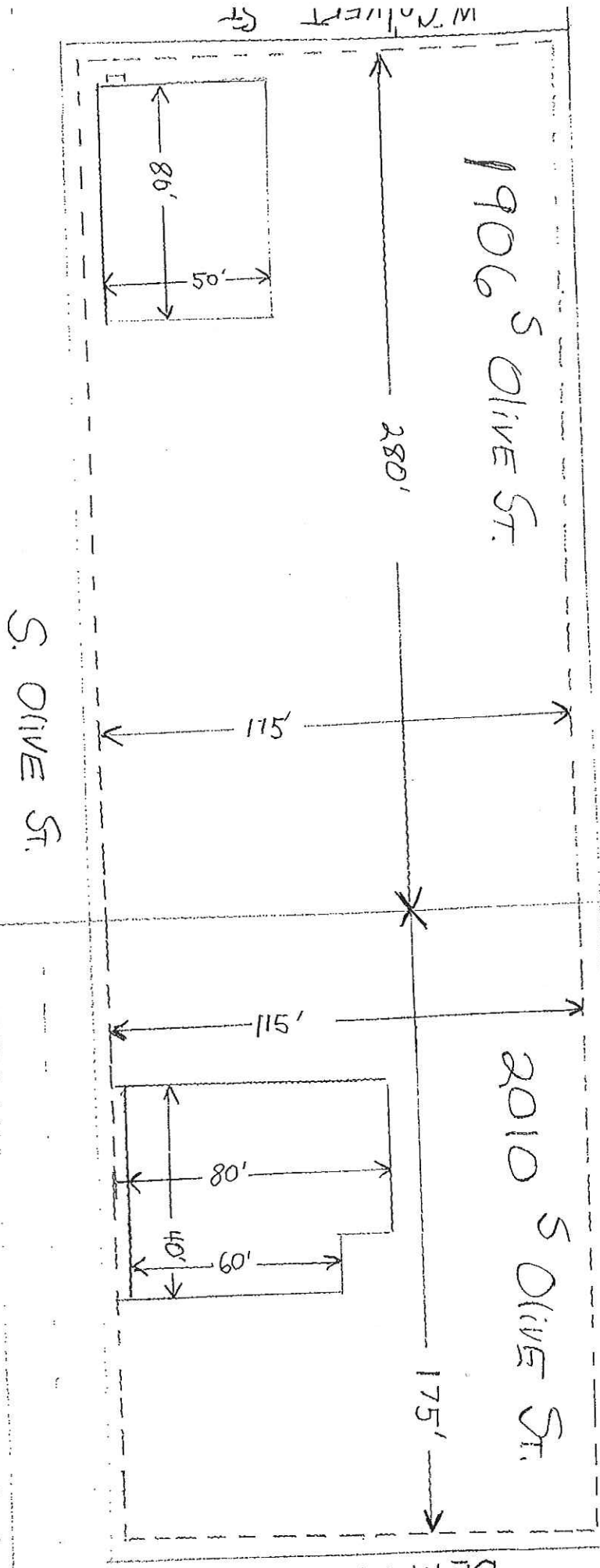
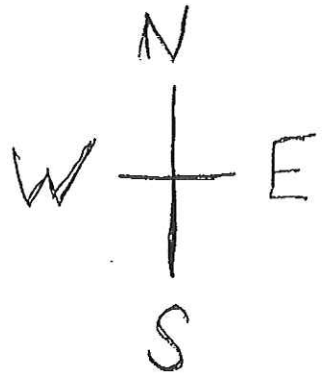


BY SIGNING THIS PETITION, THE PETITIONERS/PROPERTY OWNERS OF THE ABOVE-DESCRIBED REAL ESTATE AUTHORIZE THAT THE CONTACT PERSON LISTED ABOVE MAY REPRESENT THIS PETITION BEFORE THE AREA PLAN COMMISSION AND COMMON COUNCIL AND TO ANSWER ANY AND ALL QUESTIONS THEREON.

Signature(s) of all property owner(s), or signature of Attorney for all property owner(s):

Paul Walters
John C. Cozney





Filed in Clerk's Office
FEB 07 2018
KAREEMAH FOWLER
CITY CLERK, SOUTH BEND, IN

-FILED-
FEB 02 2018
AREA PLAN COMMISSION
Application# 2862-18

2010 S. Olive St. building to be demolished at a later date.

W. WALNUT ST.

1906 S OLIVE ST.

S. OLIVE ST.

2010 S OLIVE ST.

DELAWARE ST.