



OFFICE OF THE CITY CLERK
BIANCA L. TIRADO, CITY CLERK

ZONING & ANNEXATION

FEBRUARY 12, 2024 4:45 pm.

Committee Members Present: Dr. Oliver Davis, Ophelia Gooden-Rodgers, Sheila Niezgodski and Karen L. White

Committee Members Absent:

Other Council Present: Rachel Tomas Morgan, Canneth Lee, Sherry Bolden-Simpson, Troy Warner

Others Present: Bianca L. Tirado, Danica Kulemeka, Elivet Quijada- Navarro, Victoria Stowell, Jenna Throw

Presenters: Skip Morrell, Timothy Widerquist, William Hazel Jr.

Agenda: Organizational Meeting
[Bill No. 07-24](#)- Special Exception at 609 Laporte Avenue
[Bill No.08-24](#)- Special Exception at 826 S. Bendix Drive

Please note the attached link for the meeting recording:

<https://docs.southbendin.gov/WebLink/browse.aspx?dbid=0&mediaid=380566>

Committee Chair Dr. Oliver Davis called to order the Zoning and Annexation meeting at 4:45 p.m. He gave a brief overview of the agenda and then proceeded to the Organizational Meeting.

Organizational Meeting

Chair Dr. Davis gave a brief overview of the role of the committee and then introduced the 2023 Committee Report.

As noted in the South Bend Municipal Code, the Zoning and Annexation Committee is charged

INTEGRITY | SERVICE | ACCESSIBILITY

Danica Kulemeka
CITY DEPUTY CHIEF OF STAFF

Elivet Quijada-Navarro
DEPUTY DIRECTOR OF POLICY

Victoria Stowell
DIRECTOR OF SPECIAL SERVICES

EXCELLENCE | ACCOUNTABILITY | INNOVATION | INCLUSION | EMPOWERMENT

455 County-City Building | 227 W. Jefferson Blvd. | South Bend, Indiana 46601 | ☎ 574.235.9221 | 574.235.9171 | www.southbendin.gov



with the following duties:

“Oversees the activities related to the Board of Zoning Appeals, recommendations from the Area Plan Commission and the Historic Preservation Commission, as well as all related matters addressing annexation and zoning.”

Chair Dr. Davis stated that it will be a busy year and asked for any questions.

Council Vice-President Niezgodski asked for meeting notes from the South Bend Planning Commission.

Chair Dr. Davis stated that he will.

Chair Dr. Davis asked the Committee if there were any more questions. Seeing none, he closed the Organizational Meeting portion of the meeting and turned the meeting over to the first petitioner.

Bill No. 07-24 Special Exception at 609 LaPorte Avenue

Skip Morrell, Zoning Specialist, 14th floor of the County-City Building presented Bill No. 07-24, the bill states the petition is to rezone the property of 609 Laporte Avenue. The petitioner is Northwood Investment LLC requests a special exception for a two (2) unit dwelling in a U-1 zone. The petitioner is requesting a special exception to legalize a duplex that has been used as a duplex for several years. Legalizing this use will provide an affordable housing option and fits within the South Bend City Plan’s goal of mixed-use housing. This is a new practice to put these buildings into compliance and to allow for greater inspection from Housing Inspection team and Neighborhoods team to ensure safe housing for multiplex.

This bill comes from the Board of Zoning Appeals with a favorable recommendation with subject to a written agreement that owner will comply with maintaining the property and all existing pertinent codes including consenting to inspections as authorized by the City of South Bend.

Chair Dr. Davis opened the floor to members of the Committee.

Vice-Chair Ophelia Gooden-Rodgers asked the petitioner if the house was safe and if it passes all inspections for it to be a safe residence.

Tim Widerquist, Manager of Northwoods Investments, 1929 Dorwood Drive, South Bend IN, 46617, detailed the new work done on the property including adding steel siding, new windows, new door and a new roof. At this moment the home needs interior renovation but it is the goal to increase safety to the highest standards. In August 2023 Section 8 did an inspection of the property and it passed, but there’s still improvements that are being made. The neighbors in the neighborhood appreciate the improvements. Northwoods Investment also owns properties right nearby including the house next door which was fully renovated. All of the homes have operating smoke alarms and have reviewed with the tenants secondary means of exit in case of an emergency.

Vice-Chair Gooden-Rodgers thanked the petitioner for providing safe homes and to keep up the good work.

Chair Dr. Davis opened the floor to the full Council for questions and comments.

Councilmember Rachel Tomas Morgan asked the petitioner if he registered on the South Bend website as a landlord.

Mr. Widerquist confirmed he was, and that confirmation was sent to Mr. Morrell.

Councilmember Tomas Morgan thanked the petitioner and asked if he hadn't already to fill out the RSVP certification and inspection with the City.

Mr. Widerquist stated that he was mistaken, it was RSVP certification that he signed up for but that he will do the other certification.

Chair Dr. Davis opened the floor to members of the public for questions and comments.

No members of the public made comment.

Chair Dr. Davis entertained a motion to send Bill No. 07-24 to the full Council.

Committee member Sheila Niezgodski motioned to send Bill No. 07-24 to the full Council with a favorable recommendation. Committee member Karen L. White seconded the motion with a roll call of number four (4) ayes.

Chair Dr. Oliver Davis- *Aye*
Councilmember Karen L. White- *Aye*

Vice-Chair Ophelia Gooden-Rodgers- *Aye*
Councilmember Sheila Niezgodski- *Aye*

Bill No. 07-24: Special Exception at 826 S. Bendix Drive

Skip Morrell, Zoning Specialist, 14th floor of the County-City Building presented Bill No. 08-24 Special exception for 826 S. Bendix Drive, which requests to allow for a special exception to allow for a two-unit dwelling in a U-1 zoning. This house was built as a duplex in 1926 and has a mirrored floorplan with separate entrance. This is to legalize the dwelling and is consistent with the South Bend City Plan to allow for a mix of housing with types, prices, and density.

This bill comes from the Board of Zoning Appeals with a favorable recommendation with subject to a written agreement that owner will comply with maintaining the property and all existing pertinent codes including consenting to inspections as authorized by the City of South Bend.

William Hazel Jr, 1376 Berkshire Drive South Bend, IN 46619, purchased the house several months ago and realized that the two-family house wasn't automatic and wanted to fix that

INTEGRITY | SERVICE | ACCESSIBILITY

Danica Kulemeka
CHIEF DEPUTY CHIEF OF STAFF

Elivet Quijada-Navarro
DEPUTY DIRECTOR OF POLICY

Victoria Stowell
DIRECTOR OF SPECIAL PROJECTS

EXCELLENCE | ACCOUNTABILITY | INNOVATION | INCLUSION | EMPOWERMENT

485 County City Building | 227 W. Jefferson Blvd. | South Bend, Indiana 46601 | t 574.235.9221 | f 574.235.9173 | www.southbendin.gov



status before renting it out. The previous owner inherited the property when her parents died, and it has consistently been used by her family as an extended family home. The building has continuously been inhabited. Its in good shape but needs some cosmetic changes. He wants to get the zoning fixed before renting it out to bring the property into compliance.

Chair Dr. Davis opened the floor to members of the Committee for comments and questions.

Council Vice-President Niezgodski thanked the petitioner in investing into the property which resides in the sixth (6th) district. She then asked if it went through RSVP program or if he gotten his landlord certification done.

Mr. Hazel stated that he needs to do that process. He is a (1st) first-time landlord and just found out last week about RSVP and landlord certification while going through the zoning process.

Chair Dr. Davis opened the floor to the full Council for questions and comments.

Councilmember Sherry Bolden-Simpson thanked the petitioner for being a local landlord who cares about the community.

Chair Dr. Davis opened the floor to members of the public for questions and comments.

No members of the public gave any comment.

Chair Dr. Davis entertained a motion to send Bill No. 08-24 to the full Council.

Vice Chair Niezgodski motioned to send Bill No. 08-24 to the full Council with a favorable recommendation. Councilmember White seconded the motion which carried with a roll call of number four (4) ayes.

Chair Dr. Oliver Davis- *Aye*
Councilmember Karen L. White- *Aye*

Vice-Chair Ophelia Gooden-Rodgers- *Aye*
Councilmember Sheila Niezgodski- *Aye*

With no further business, Chair Dr. Oliver Davis adjourned the Zoning and Annexation Committee meeting at 5:05 p.m.

Respectfully submitted,

Dr. Oliver Davis, Chair of Zoning & Annexation Committee

NOTICE FOR HEARING AND SIGHT IMPAIRED PERSONS
Auxiliary Aid or Other Services may be Available upon Request at No Charge.
Please give Reasonable Advance Request when Poss