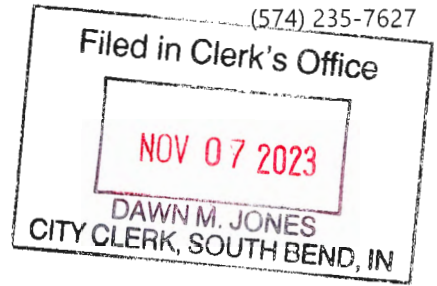


City of South Bend  
**BOARD OF ZONING APPEALS**

County-City Building  
227 W. Jefferson Blvd. 1400S  
South Bend, IN 46601  
(574) 235-7627



November 7, 2023

Common Council of South Bend  
227 W. Jefferson Blvd, 4<sup>th</sup> Floor  
South Bend, IN 46601

Re: 55-23: The petition of TEACHERS CREDIT UNION seeking a Special Exception for a free standing sign in a Downtown zoning district in the DT Downtown for property located at 110 MAIN

Dear Council Members:

I hereby Certify that the above referenced petition of TEACHERS CREDIT UNION was legally advertised on October 27, 2023 and that the South Bend Board of Zoning Appeals at its public hearing on November 6, 2023 took the following action:

Upon a motion by Mark Burrell, being seconded by Kaine Kanczuzewski and unanimously carried, a petition by TEACHERS CREDIT UNION seeking a Special Exception for a free standing sign in a Downtown zoning district for property located at 110 MAIN, City of South Bend, is sent to the Common Council with a favorable recommendation, and will issue written Findings of Fact.

The staff comments related to this petition are attached. The Findings of Fact will be adopted at the next South Bend Board of Zoning Appeals meeting. Minutes of the public hearing are available in our office and will be posted on our website once approved.

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

Sincerely,

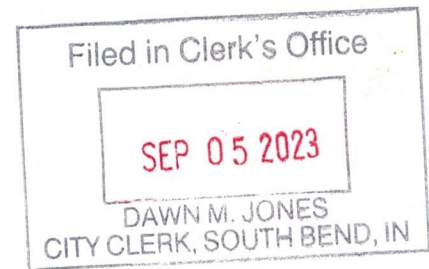
Kari Myers  
Zoning Specialist

Attachment

CC: TEACHERS CREDIT UNION  
Autumn Wimmer  
Building Department  
Bob Palmer

**BILL NO. 55-23**

**ORDINANCE NO. 10969-23**



**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROVING A PETITION OF THE ADVISORY BOARD OF ZONING APPEALS FOR THE PROPERTY LOCATED AT 110 S MAIN STREET, COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA**

---

**STATEMENT OF PURPOSE AND INTENT**

**Request a Special Exception to allow for a freestanding sign in the DT Downtown District**

---

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

**SECTION I.** The Common Council has provided notice of the hearing on the Petition from the Advisory Board of Zoning Appeals pursuant to Indiana Code Section 5-14-1.5-5, requesting that a Special Exception be granted for property located at:

110 S Main St., South Bend, IN 46601. 018-3006-0184

In order to permit a freestanding sign in the DT Downtown district

**SECTION II.** Following a presentation by the Petitioner, and after proper public hearing, the Common Council hereby approves the petition of the Advisory Board of Zoning Appeals, a copy of which is on file in the Office of the City Clerk.

**SECTION III.** The Common Council of the City of South Bend, Indiana, hereby finds that:

1. The proposed use will not be injurious to the public health, safety, comfort, community moral standards, convenience, or general welfare;
2. The proposed use will not injure or adversely affect the use of adjacent area of property values therein;
3. The proposed use will be consistent with the character of the district in which it is located, and the land uses authorized therein;
4. The proposed use is compatible with the recommendations of the City of South Bend Comprehensive Plan;

**SECTION IV.** Approval is subject to the Petitioner complying with the reasonable conditions, if any, established by the Advisory Board of Zoning Appeals which are on file in the Office of the City Clerk.

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

\_\_\_\_\_  
Sharon McBride, Council President  
South Bend Common Council

Attest:

\_\_\_\_\_  
Dawn M. Jones, 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 \_\_\_\_\_, 2023, at \_\_\_\_\_ o'clock \_\_\_\_ . m.

\_\_\_\_\_  
Dawn M. Jones, City Clerk  
Office of the City Clerk

Approved and signed by me on the \_\_\_\_\_ day of \_\_\_\_\_, 2023, at \_\_\_\_ o'clock \_\_\_\_ .m.

\_\_\_\_\_  
James Mueller, Mayor  
City of South Bend, Indiana

**Property Information**

Location: 110 MAIN  
Owner: TEACHERS CREDIT UNION

Filed in Clerk's Office

NOV 07 2023

DAWN M. JONES  
CITY CLERK, SOUTH BEND, IN

**Project Summary**

Installation of monument sign in DT Downtown zoning district.

**Requested Action**

Special Exception: a free standing sign in a Downtown zoning district

**Site Location**

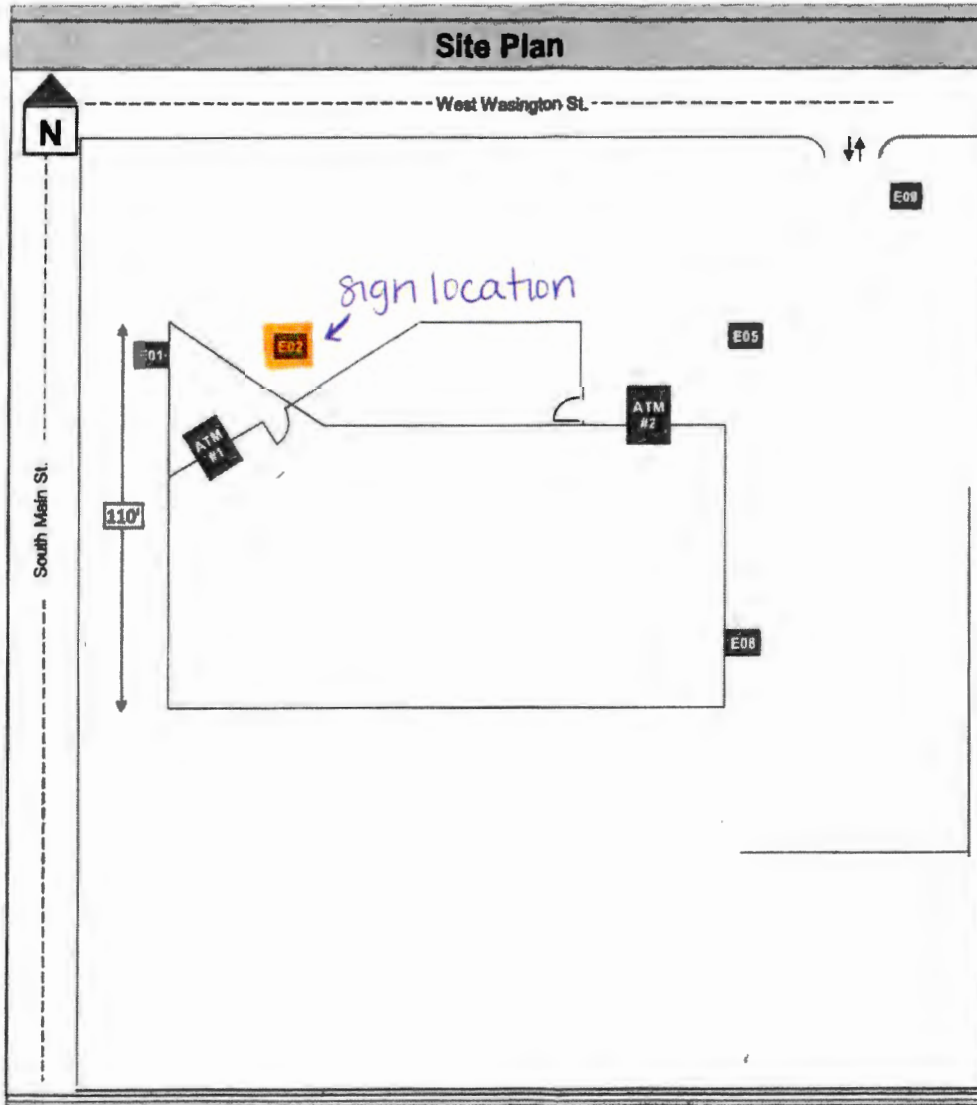


**Staff Recommendation**

Based on the information provided prior to the public hearing, the Staff recommends the Board send the petition to the Common Council with an unfavorable recommendation. Should the Board recommend approval of a freestanding sign at this location, it is recommended it follow monument signage standards for the NC Neighborhood Center district, i.e. maximum 32 square feet in area and, 8' in height. If it is determined the sign is located within City right-of-way, it would need to be relocated.

Proposed Site Plan

# SITE MAP



1" = 40'

CUSTOMER: Everwise Credit Union - 19009	JOB NAME: SIGN PACKAGE	DATE: 11-15-22
ADDRESS: 110 South Main St.	CITY/STATE: South Bend, IN	REV: 11-20-22
FILE: 10009 Everwise Credit Union (110 South Main Street-South Bend, IN) CO	SALES: BETSY LUNE	BYE # 00000
APPROVALS:	W.O. #: 00000	01-19-23
		02-02-23
		03-04-23



## Criteria for Decision Making: Special Exception

A Special Exception may only be granted upon making a written determination, based upon the evidence presented at a public hearing, that:

**(1) The proposed use will not be injurious to the public health, safety, comfort, community moral standards, convenience or general welfare;**

The proposed use may not be injurious to the public health, safety, comfort, community moral standards, convenience or general welfare. However, it is inconsistent with the intent of the ordinance. The DT Downtown zoning district is designed to be pedestrian oriented in scale.

**(2) The proposed use will not injure or adversely affect the use of the adjacent area or property values therein;**

The proposed use may injure or adversely affect the use of the adjacent area or property values therein as the sign is out of scale for the built environment and visually imposing.

**(3) The proposed use will be consistent with the character of the district in which it is located and the land uses authorized therein;**

The sign is not consistent with the character of the district as freestanding signs in the DT Downtown District are not permitted. There are no practical difficulties or unique characteristics that support the the need for a freestanding sign.

**(4) The proposed use is compatible with the recommendations of the Comprehensive Plan.**

The petition is not consistent with South Bend City Plan (2006) policy UD1; Enhance the aesthetic appeal of the built environment.

## Analysis & Recommendation

**Analysis:** There are no practical difficulties or unique characteristics for the petitioner that would necessitate a monument sign at this location.

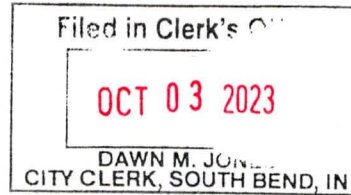
**Staff Recommendation:** Based on the information provided prior to the public hearing, the Staff recommends the Board send the petition to the Common Council with an unfavorable recommendation. Should the Board recommend approval of a freestanding sign at this location, it is recommended it follow monument signage standards for the NC Neighborhood Center district, i.e. maximum 32 square feet in area and, 8' in height. If it is determined the sign is located within City right-of-way, it would need to be relocated.

City of South Bend  
**BOARD OF ZONING APPEALS**

County-City Building  
227 W. Jefferson Blvd. 1400S  
South Bend, IN 46601  
(574) 235-7627

October 3, 2023

Common Council of South Bend  
227 W. Jefferson Blvd, 4<sup>th</sup> Floor  
South Bend, IN 46601



Re: The petition of TEACHERS CREDIT UNION seeking a Special Exception for a free standing sign in a Downtown zoning district in the DT Downtown for property located at 110 MAIN

Dear Council Members:

I hereby Certify that the above referenced petition of TEACHERS CREDIT UNION was legally advertised on September 22, 2023 and that the South Bend Board of Zoning Appeals at its public hearing on October 2, 2023 took the following action:

Upon a motion by Mark Burrell, being seconded by Caitlin Stevens and unanimously carried, a petition by TEACHERS CREDIT UNION seeking a Special Exception for a free standing sign in a Downtown zoning district for property located at 110 MAIN, City of South Bend is **tabled to the November 6, 2023, Board of Zoning Appeals meeting.**

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

Sincerely,

A handwritten signature in cursive script that reads "Kari Myers".

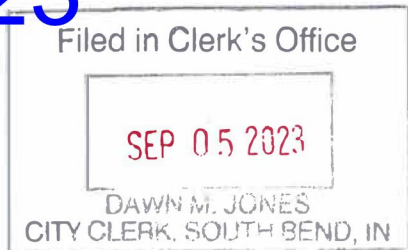
Kari Myers  
Zoning Specialist

Attachment

CC: TEACHERS CREDIT UNION  
Autumn Wimmer  
Building Department  
Bob Palmer

# BILL NO. 55-23

## City of South Bend BOARD OF ZONING APPEALS



September 5, 2023

Honorable Lori Hamann  
4th Floor, County-City Building  
South Bend, IN 46601

RE: Special Exception Use at 110 S Main Street

Dear Committee Chair Hamann:

Enclosed is an Ordinance for the proposed Special Exception Use at the above referenced location. Please include the attached Ordinance on the Council agenda for **first reading** at your **September 11, 2023**, meeting and set it for public hearing at your **October 9, 2023**, Council meeting. The petition is tentatively scheduled for public hearing at the October 2, 2023, South Bend Board of Zoning Appeals meeting. The staff report and recommendation of the South Bend Board of Zoning Appeals will be forwarded to the Office of the City Clerk by noon on the Wednesday following the public hearing.

The petitioner provided the following to describe the proposed project:  
*A Special Exception to allow for a freestanding sign in DT Downtown District*

The full petition is attached for your reference. Changes may occur between the filing and the public hearing. Any substantial changes will be identified at the Council meeting.

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

Sincerely,

A handwritten signature in blue ink that reads "Kari Myers".

Kari Myers  
Zoning Specialist

CC: Bob Palmer



City of South Bend  
**BOARD OF ZONING APPEALS**

227 W. Jefferson - Suite 1400S  
South Bend, IN 46601  
zoning@southbendin.gov

**Petition for Variance - Special Exception**

**Property Information**

Tax Key Number: 018-3006-0184  
Address: 110 S Main St  
Owner: Teachers Credit Union  
Zoning: Choose the current district

**Project Summary:**

Installation of monument sign.

**Requested Action**

- Special Exception/ Use Variance – *complete and attach Criteria for Decision Making*  
Use requested: Free standing sign allowed in Downtown Zoning District.
- Variance(s) - *List variances below, complete and attach Criteria for Decision Making*  
Variance(s) requested:

**Required Documents**

- Completed Application (including Criteria for Decision Making and Contact Information)
- Site Plan drawn to scale
- Filing Fee

## Criteria for Decision Making

### **Special Exception - if applicable**

A Special Exception may only be granted upon making a written determination, based upon the evidence presented at a public hearing. Please address how the project meets the following criteria.

**(1) The proposed use will not be injurious to the public health, safety, comfort, community moral standards, convenience or general welfare, because:**

The sign is manufactured and installed by certified sign erectors.

**(2) The proposed use will not injure or adversely affect the use of the adjacent area or property values therein, because:**

The new signage is similar in construction and design to the previous free standing sign.

**(3) The proposed use will be consistent with the character of the district in which it is located and the land uses authorized therein, because:**

The sign is replacing an existing free standing sign.

**(4) The proposed use is compatible with the recommendations of the Comprehensive Plan, because:**

The sign is replacing an existing sign and is staying the same size and square footage.

## Contact Information

### Property owner(s) of the petition site:

Name: Teachers Credit Union

Address: 110 S Main St.  
South Bend, IN 46601

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

### Contact Person:

Name: Autum Wimmer

Address: 8816 Corporation Dr  
Indianapolis, IN 46256

Phone Number: 317-842-8664

E-mail: awimmer@signcraftind.com

**By signing this petition, the Petitioner/Property Owners of the above described Real Estate acknowledge they are responsible for understanding and complying with the South Bend Zoning Ordinance and any other ordinance governing the property. Failure of staff to notify the petitioner of a requirement does not imply approval or waiver from anything contained within the ordinance.**

**The undersigned authorizes the contact person listed above to represent this petition before the South Bend Plan Commission and Common Council and to answer any and all questions related to this petition.**

Property Owner (s) Signatures:

(Please see attached)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



# Teachers Credit Union

To whom it may concern,

This letter authorizes **Mitchell Signs, Inc.** and its agent, **Adrenaline** to represent **Teachers Credit Union** for the purpose of obtaining permits to perform sign installations, removals, or any sign maintenance necessary at our property located at:

Location Address:

110 S. Main Street  
South Bend, IN 46601

Property Owner: **Teachers Credit Union**

Property Owner Signature

State of INDIANA

County of ST. JOSEPH

Sworn to (or affirmed) and subscribed before me this 23 day of MARCH 2023

by BRANDON DEMITRUK (name of person making statement)

Signature of Notary Public



Commission Number  
NP8693266