



OFFICE OF THE CITY CLERK

DAWN M. JONES, CITY CLERK

ZONING AND ANNEXATION

MAY 22, 2023, 4:30 P.M.

Committee Members Present: Lori Hamann, Shiela Niezgodski, Karen White, James Snodgrass

Committee Members Absent: Henry Davis Jr.

Others Present: Victoria Trujillo*, Bob Palmer*, , Kenneth Hardy, Linda Wolfson*, Canneth Lee*, Rachel __*, Bianca Tirado*, Angela Smith

Presenters: Susanne Gripman

Agenda: Bill No. 11-23 – An Ordinance approving a Petition for a Special Exception for the Property located at 1330 High Street and 909 East Broadway Street Councilmanic District No. 3.

Bill No. 17-23 – An Ordinance Approving a Petition of BZ&A for the Property located at 751 Cottage Grove Ave.

Bill No. 18-23 – An Ordinance approving the petition of the Advisory Board of Zoning Appeals for Property located at 630 and 632 Harrison Street.

Members marked with an asterisk (*) are present digitally

Please note the attached link for the meeting recording:

<https://docs.southbendin.gov/WebLink/browse.aspx?dbid=0&mediaid=369528>

Committee Chair Lori Hamann called to order the Zoning and Annexation Committee meeting at 4:30 p.m.

Bill No. 11-23 – An Ordinance approving a Petition for a Special Exception for a Property located at 1330 High Street and 909 East Broadway Street Councilmanic District No. 3

Angela Smith, Zoning Administrator with offices on the fourteenth (14th) floor of the County-City building, noted significant concerns have been raised about the property, including cars on blocks without wheels, tow trucks and large semis occupying the street, and broken glass potentially washing into the street right-of-way. Numerous comments have been received by the Committee from neighborhood residents that oppose moving the rezoning forward. Code enforcement is likely to investigate the violations at the project site.

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Committee Chair Hamann held the public hearing.

Matt Damian, 718 East Broadway Street, South Bend, IN 46601, expressed concerns regarding rezoning due to its inconsistency with efforts to improve residential neighborhoods, and potential heavy industrial activities increasing noise and disruption.

Lee Gloster, 2110 High Street, South Bend, IN 46613, expressed concerns regarding the nature of the ongoing violations. There are three schools in the area and a park where children play, making the situation more critical. Additionally, street blockages caused by vehicles turning in was noted.

Angela Smith stated a second notice was sent. Violation notices may be sent two weeks past the date of receipt of the previous notice. Code Inspection will be notified to include the issue in regular reviews and inspections. Additionally, the issue will be forwarded to the fire department, building department, and health department. The business is operating without a license and is in violation of zoning regulations. Zoning violations hold potential fines up to \$2,500 a day.

Angela Smith will keep the Council and the Committee updated on the matter.

Committee Member Karen White motioned to forward Bill No. 11-23 to the Committee of the Whole with an unfavorable recommendation, which was seconded by Citizen Member James Snodgrass and carried by a vote of four (4) ayes, with one (1) committee member absent.

Committee Chair Lori Hamann – <i>Aye</i>	Citizen Member James Snodgrass – <i>Aye</i>
Committee Vice-Chair – Henry Davis Jr. - <i>Absent</i>	Committee Member Shiela Niezgodski – <i>Aye</i>
Committee Member Karen White – <i>Aye</i>	

Bill No. 17-23 – An Ordinance approving a petition of BZ&A for the property located at 751 Cottage Grove Ave.

Bill No. 18-23 – An ordinance approving the petition of the Advisory Board of Zoning Appeals for a property located at 630 and 632 Harrison Street.

Angela Smith proposed to hear Bill No. 17-23 and Bill No.18-23 together for the purpose of the public hearing, as the Bills discuss similar subject matters. The properties have been vacant for an extended period and are intended to be used for urban plant agriculture for a co-op business. Angela Smith stated that there is a gap in the ordinance, as private business gardens are not allowed in the area, unlike community gardens.

Committee Member Karen White motioned to hear Bill No. 17-23 and Bill No.18-23 together for the purpose of the public hearing, which was seconded by Shiela Niezgodski, and carried by a vote of four (4) ayes, with one (1) committee member absent.

Committee Chair Lori Hamann – <i>Aye</i>	Citizen Member James Snodgrass – <i>Aye</i>
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Committee Vice-Chair – Henry Davis Jr. - <i>Absent</i>	Committee Member Shiela Niezgodski – <i>Aye</i>
Committee Member Karen White – <i>Aye</i>	

Susanne Gripman, 824 Lindsey Street, owner of Sunchoke Farms, stated that Sunchoke Farms serves the community through three local markets and various programs to increase food accessibility. Additionally, the farm participates in WIC Farmer’s Market Programs, Senior Farmer’s Market Programs, and Double Up Indiana. The farm has been operating without a use agreement due to ongoing work with the zoning department on urban agriculture ordinances. An increase in business in South Bend has delayed further work on the new ordinances.

Committee Chair Hamann held the public hearing.

Betsy Rossner, 729 Cushing Street, expressed strong support for the urban garden.

Hannah Pack, a nonresident of South Bend, the market coordinator of the Linden Avenue Pop-Up Market, shared positive experiences and community excitement about the upcoming market.

Committee Member Karen White motioned to forward Bill No. 17-23 to the Committee of the Whole with a favorable recommendation, which was seconded by Citizen Member James Snodgrass and carried by a vote of four (4) ayes, with one (1) committee member absent.

Committee Chair Lori Hamann – <i>Aye</i>	Citizen Member James Snodgrass – <i>Aye</i>
Committee Vice-Chair – Henry Davis Jr. - <i>Absent</i>	Committee Member Shiela Niezgodski – <i>Aye</i>
Committee Member Karen White – <i>Aye</i>	

Citizen Member James Snodgrass motioned to forward Bill No. 18-23 to the Committee of the Whole with a favorable recommendation, which was seconded by Shiela Niezgodski and carried by a vote of four (4) ayes, with one (1) committee member absent.

Committee Chair Lori Hamann – <i>Aye</i>	Citizen Member James Snodgrass – <i>Aye</i>
Committee Vice-Chair – Henry Davis Jr. - <i>Absent</i>	Committee Member Shiela Niezgodski – <i>Aye</i>
Committee Member Karen White – <i>Aye</i>	

With no further business, Committee Chair Hamann adjourned the Zoning and Annexation Committee meeting at 4:52 p.m.

Respectfully Submitted,

Lori Hamann, Committee Chair

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