



OFFICE OF THE CITY CLERK

DAWN M. JONES, CITY CLERK

ZONING AND ANNEXATION

JULY 24, 2023, 5:50 P.M.

Committee Members Present:

Lori Hamann, Henry Davis Jr., Shiela Niezgodski,
Karen White

Committee Members Absent:

James Snodgrass

Presenters:

Angela Smith

Agenda:

Bill No. 24-23 – A Zoning Ordinance for Property Located at 1127, 1131, and 1135 W. Western Ave., Councilmanic District No. 2

Bill No. 27-23 – A Special Exception Use Zoning Ordinance for Property Located at 1319, 1323, and 1333 Lincolnway West, Councilmanic District No. 2

Bill No. 44-23 – A Zoning Ordinance for Property Located at 1006 St. Vincent St., Councilmanic District No. 4

Bill No. 45-23 – A Zoning Ordinance for Property Located at 1018 Frances St., Councilmanic District No. 4

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=369532>

Committee Chair Lori Hamann called to order the Zoning and Annexation Committee meeting at 5:50 p.m.

Bill No. 24-23 – A Zoning Ordinance for Property Located at 1127, 1131, and 1135 W. Western Ave., Councilmanic District No. 2

Angela Smith, Zoning Administrator with offices on the fourteenth (14th) floor of the County-City building, noted that this Bill is to request a special exception. The property is being used for auto repair and this use requires a special exception. The Board of Zoning appeals gave it a favorable recommendation, pending no outdoor storage of vehicles. This is typical for this type of business in South Bend.

David Farhan, Fargo LLC, 11664 South Bend, IN 46634, noted that he bought the property in 2014 and ran the business for two (2) years. He has had a tenant now since 2016, who was running the



business. He received a letter regarding the vehicles outside and this has been mostly addressed. There were fines applied via the Zoning department. He noted that this business has been in this space for many, many years. He voiced concern regarding the legal ramifications if he is not able to continue with the lease. The City does not have a record of a business license in association with this property and is looking to bring it into compliance. Concern was voiced regarding how this business fits into the area.

Angela Smith noted that there is less concern if the cars are kept inside, and it does not appear as a junkyard. It was noted that the business cannot get a business license until the site is up to compliance. There was discussion regarding the volume of auto repair shops in this area and on this corridor. There is a program to support creating vibrant places and this property would be eligible for this.

Committee Chair Hamann held the public hearing, and nobody spoke.

Committee member White motioned to send Bill No. 24-23 to Council with a favorable recommendation, adherent to the written commitments and was not seconded. This motion failed.

Committee member Davis motioned to send Bill No. 24-23 to Council without a recommendation, seconded by Committee member Niezgodski, and carried by a vote of four (4) ayes, with one (1) committee member absent.

Committee Chair Lori Hamann - Aye	Committee Vice-Chair Henry Davis Jr. - Aye
Committee member Sheila Niezgodski - Aye	Committee member Karen White - Aye
Citizen Member James Snodgrass - Absent	

Bill No. 27-23 – A Special Exception Use Zoning Ordinance for Property Located at 1319, 1323, and 1333 Lincolnway West, Councilmanic District No. 2

It was requested by the petitioner that this bill be tabled until August 14, 2023.

Committee member Niezgodski motioned to table Bill No. 44-23 to the August 28, 2023, meeting, seconded by Committee member Davis Jr., and carried by a vote of four (4) ayes, with one (1) committee member absent.

Committee Chair Lori Hamann - Aye	Committee Vice-Chair Henry Davis Jr. - Aye
Committee member Sheila Niezgodski - Aye	Committee member Karen White - Aye
Citizen Member James Snodgrass - Absent	

Bill No. 44-23 – A Zoning Ordinance for Property Located at 1006 St. Vincent Street, Councilmanic District No. 4

It was requested by the petitioner that this bill be tabled until August 28, 2023.

Committee member Davis Jr. motioned to table Bill No. 44-23 to the August 28, 2023, meeting, seconded by Committee member White, and carried by a vote of four (4) ayes, with one (1) committee member absent.



Committee Chair Lori Hamann - Aye	Committee Vice-Chair Henry Davis Jr. - Aye
Committee member Sheila Niezgodski - Aye	Committee member Karen White - Aye
Citizen Member James Snodgrass - Absent	

Bill No. 45-23 – A Zoning Ordinance for Property Located at 1018 Frances St., Councilmanic District No. 4

Angela Smith noted that this area has recently been evaluated for the Notre Dame Law Building. With further investigation, it became apparent that more property was needed to be compliant. This comes with a favorable recommendation from the Board of Zoning and Appeals.

David Farhan noted that lot C has a home that will be demolished. The tenant vacated earlier in the summer. There was concern voiced regarding tearing down a home when there is a housing shortage.

Committee Chair Hamann held the public hearing, and nobody spoke.

Committee member Niezgodski motioned to send Bill No. 45-23 to the full council with a favorable recommendation, seconded by Committee member White, and carried by a vote of three (3) ayes, with one (1) committee member absent.

Committee Chair Lori Hamann - Nay	Committee Vice-Chair Henry Davis Jr. - Aye
Committee member Sheila Niezgodski - Aye	Committee member Karen White - Aye
Citizen Member James Snodgrass - Absent	

With no further business, Committee Chair Hamann adjourned the Zoning and Annexation Committee meeting at 6:45 p.m.

Respectfully Submitted,

Lori Hamann, Committee Chair

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