

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: 018-8136-4985

Address: 1300 S Mayflower Rd South Bend IN 46601

Owner: City of South Bend

Zoning: OS Open Space

Project Summary:

To install a new double faced freestanding sign for Byers Softball Complex.

Requested Action

☐ Special Exception/ Use Variance – *complete and attach Criteria for Decision Making*

Use requested: \_\_\_\_\_

☒ Variance(s) - *List variances below, complete and attach Criteria for Decision Making*

Variance(s) requested:

to vary from section 21-10.05 (c) which limits the sign to 8' in overall height and 64 sq ft in area to install a sign that is 15' overall height and 105 sq ft in area.

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:**

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

**(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:**

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

## Criteria for Decision Making

### **Variance(s) - if applicable**

State statutes and the Zoning Ordinance require that certain standards must be met before a variance can be approved. Please address how the project meets the following criteria:

**(1) The approval will not be injurious to the public health, safety, morals and general welfare of the community, because:**

This is replacing an existing sign with the same overall height and about the same area. It will allow for better wayfinding with larger character sizes.

**(2) The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner, because:**

The sign represents an investment in the property and provides an improved aesthetic for the site.

**(3) The strict application of the terms of this Chapter would result in practical difficulties in the use of the property, because:**

A code compliant sign would have visibility and legibility issues at the height and size allowed by code. It could potentially lead to decreased wayfinding and patrons unable to locate the entrance in sufficient time to safely navigate to the space.

**(4) The variance granted is the minimum necessary, because:**

The variance granted is the minimum necessary as the sign is only replacing a sign similar in size while allowing for improved wayfinding over the design of the existing sign.

**(5) The variance does not correct a hardship caused by a former or current owner of the property, because:**

We are replacing a sign that was in existence prior to the new sign ordinance. The sign was allowed under the previous ordinance.

## Contact Information

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

Name: City of South Bend

Address: 301 S St Louis Blvd  
South Bend, IN 46617

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

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

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

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

### Contact Person:

Name: Professional Permits % Garry Potts

Address: 58171 Dragonfly Ct  
Osceola, IN 46561

Phone Number: 5742290635

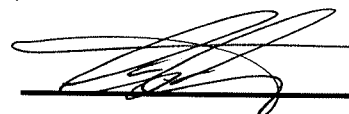
E-mail: gpotts@professionalpermits.com

**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:

  
\_\_\_\_\_

  
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