

I.C. 36-7-4-312 requires the Executive Director, under the direction of the Area Plan Commission, to prepare and present to the Commission an Annual Report and an Annual Plan for the operation of the planning department. This Annual Report covers Commission and Staff activities performed in 2017, and the Annual Plan / Work Program for 2018.

Annual Report 2017

Area Plan Commission of St.
Joseph County, IN

Lawrence P. Magliozzi, Executive Director

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Prepared

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April 2018

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I. PREFACE

This Annual Report provides information on the activities of the Area Plan Commission of St. Joseph County, IN and its staff, and establishes the 2018 Work Program. All data is for 2017 unless otherwise noted.

The Commission meets the third Tuesday of the month to consider one or more of the following:

Plan Commission

- Forwards recommendations on zoning petitions and text amendments to the legislative bodies
- As a part of the Combined Hearing Procedure
 - Hears petitions for variances – approves, approves with modifications or denies
 - Forwards recommendations on special (exception) uses
- Hears appeals on subdivision plats
- Considers proposals for comprehensive plan amendments
- Considers resolutions relative to redevelopment activities

Staff Functions

- Prepares all documentation necessary for monthly Plan Commission meetings
- Administers and coordinates the rezoning process
- Administers and coordinates the subdivision process
- Provides Staff comments to the Area Board of Zoning Appeals
- Proposes and prepares text amendments
- Proposes and prepares plan amendments
- Assists petitioners and the general public on land use issues
- Verifies zoning of properties
- Assists member jurisdictions as needed
- Serves on a variety of committees

Committees

- Executive Committee
 - Advises and counsels the Executive Director of the Commission in budget, personnel and other administrative matters; serve as the Site Plan Committee to determine appeals of Staff decisions on major changes to approved final site plans as required by the applicable zoning ordinances.
- Plat Committee
 - Approves/denies subdivision plats on behalf of the Commission

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II. COMMISSION AND STAFF

Contact Information

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South Bend, IN 46601

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Area Plan Commission Staff

Executive Director	Larry Magliozzi	<i>Appointed May 2014</i>
Deputy Director	Angela Smith	<i>Promoted September 2014</i>
Planner	Bob Niezgodski	<i>July 2016 – November 2017</i>
Planner	David Stanton	<i>January 2017 – November 2017</i>
GIS Technician	John Carlson	<i>January 1994</i>
GIS Technician	Beverly Kingston	<i>New Position - filled May 2016</i>
Office Manager	Jennifer Parcell	<i>June 1993</i>
Commission Attorney	Mitch Heppenheimer	

Member Jurisdictions

St. Joseph County	Town of North Liberty
City of South Bend	Town of Osceola
Town of Lakeville	Town of Roseland
Town of New Carlisle	

Area Plan Commission (as of 12/31/2017)

<u>Member</u>	<u>Appointed By:</u>
Dan Brewer	Mayor, City of South Bend
Oliver J. Davis	Common Council, City of South Bend
John DeLee	Mayor, City of South Bend
Adam DeVon	St. Joseph County Council
Robert Hawley	St. Joseph County Commissioners
Martin Madigan	Council on Town Affairs, Town of Roseland
Elizabeth Maradik	Board of Public Works, South Bend
Jordan Richardson	Mayor, City of South Bend
John McNamara	St. Joseph County Surveyor
Gerry Phipps	Mayor, City of South Bend
Debra Davis	Council, Town of Osceola
Jacob Holloway	County Agricultural Extension Educator
Dr. Jerry Thacker	School Corporation Superintendents – <i>currently</i> PHM School District
Steve Vojtko	Council, Town of New Carlisle
Matthew Peterson	Council, Town of North Liberty

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III. EXECUTIVE SUMMARY

Throughout 2016, staff held discussions with the Building Commissioner exploring the possibility of transferring the administrative responsibilities of the Area Board of Zoning Appeals and the Zoning Administrator from the St. Joseph County/South Bend Building Department to the staff of the Area Plan Commission. The goal of the re-alignment effort was to consolidate all aspects of zoning administrative functions under one department, eliminating duplication of services that were split between two departments at two different locations. All aspects of zoning-related activities would be within one organization, enhancing planning-related functions to the public and development community.

During the early part of 2017, the decision to proceed with the transfer was agreed to by the County Commissioners, The Mayor's office, the County Council and the City Council.

With the decision having been made, the balance of 2017 was spent determining staffing needs, preparing a budget, drafting changes to the County and South Bend Codes, and coordinating with the Building Department and the legal team to accomplish a smooth transfer.

The transfer of responsibilities was set to become effective January 1, 2018. The staff's new responsibilities would be:

1. Area Board of Zoning Appeals:
 - a. Administration of the variance and special exception use process;
 - b. Meeting notifications;
 - c. Staff reports (already were being done by staff);
 - d. Transcribe minutes;
 - e. Maintain files.
2. Zoning administration:
 - a. Executive Director would take on the responsibility of Zoning Administrator for the City of South Bend and St. Joseph County;
 - b. Enforcement of the St. Joseph County and City of South Bend zoning ordinances;
 - c. Interpretation of the St. Joseph County and City of South Bend zoning ordinances.

Along with the transfer of these responsibilities, a new income stream for the County would become available. Fees for Improvement Location Permits, ABZA filings, and zoning violations would help offset the budget of the planning department and hire several part time staff position to assist in the administration of the new responsibilities.

As of the publication of this Report, the transition successfully occurred on January 1, 2018, and the staff is performing the functions described above. Two part-time positions were filled, and one of the Planner positions was filled. The Annual Report for 2018 will detail the success of the transition.

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IV. ACCOMPLISHMENTS - 2017

Recurring Work Elements

- Review and offer recommendations on 46 zoning applications
- Administer 76 subdivision plat applications
- Review 8 Project Advisory Team submittals
- Review 132 petitions for the Area Board of Zoning Appeals
- Research and administer ordinance text changes
- Review 27 street and alley vacation requests
- Participate in the Plan Review (building permit) process
- Assist the public in a wide range of zoning and platting-related property issues
- Provide GIS-related assistance to the general public and government agencies & weekly maintenance of 137 + layers
- Participation on the following:
 - Transportation Technical Advisory Committee (MACOG)
 - St. Joseph Regional Water & Sewer District
 - Economic Development Professional Network (Chamber of Commerce)
 - Shirley Heinze Land Trust Advisory Committee

Other Key Work Elements

- Assisted the Town of Lakeville in passing a new zoning ordinance
- Assisted the Town of North Liberty in drafting a new zoning ordinance
- Assisted in a number of text changes to the South Bend Zoning Ordinance
- Continue work on a revised subdivision ordinance for the County
- Worked on transitioning the administrative responsibilities of the Area Board of Zoning Appeals and Zoning Administrator to the Area Plan Commission staff.

GIS-Related Activities

- Largest project for 2017 was the GIS mapping for the 911 Center. Over 40 GIS layers were set up for the dispatchers and Police, Fire, and EMS to use when they receive a 911 call. Some of those were addressing, response layers for Police, Fire, & EMS, & property information. GIS continued to work weekly with 911 to maintain the data.
- 2017 Aerial photography thru Pictometry. Added more department layouts and users - currently 36 department layouts, 262 users, and 137 GIS layers loaded onto the site. Also through the 2017 flight, a new Structures layer was created and the Assessor's office received the Change Finder program from Pictometry which shows all the properties that changed from 2015 to 2017. The layers that were included are: New, changed, demolished, and existing structures.
- New map layouts for ArcGIS Online:
 - Commodity Flow Study story map involving in assisting all first responders in preparing for any type of truck or train accident or spill
 - A seasonal Notre Dame Game day parking story map involving all the South Bend permits issued for off-campus parking locations during Notre Dame home games

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- St Joseph County School Locations/and boundaries story map involving all the School locations public or private throughout the County.
- Updated the Precinct boundaries for 2018 that were affected by annexations from 2017. New map layouts were added to the county website GIS page for Townships, Commissioners, Council, State House and State Senate boundaries

V. 2018 ANNUAL PLAN / WORK PROGRAM

As noted in the Executive Summary, the Staff will take over full responsibilities for the administration of the Area Board of Zoning Appeals and the Zoning Administrator. Staff anticipates no change to its continuing duties relative to the administration of the zoning and subdivision ordinances, and the assistance it lends to the general public and public agencies that are members of the Area Plan Commission. Staff continually reviews the way it conducts business and implements changes when necessary.

Work Program Initiatives:

- Begin Zoning Administration
- Replacement of the St. Joseph County Subdivision ordinance
- Begin research on a replacement for the St. Joseph County Zoning Ordinance
- Begin research on replacement sign ordinances for South Bend and St. Joseph County
- Continued research on quick fixes for the South Bend and St. Joseph County ordinances
- Digitize all Written Commitment Documents
- Develop a new Fee Schedule for 2019
- Participate in the 2020 Census Local Update of Census Addresses Operation (LUCA)
- Participate in the Boundary and Annexation Survey for the Census Bureau
- Pre-Census planning for the 2020 Census
- Assist the St. Joseph County Economic Development Executive Director in the County's economic development strategy

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VI. ACTIVITY DATA

Summary of Public Hearing Agenda Activity

Jurisdiction	2017	2016	2015	2014	2013	2012	2011
St. Joseph County	20	10	10	17	18	20	15
<i>Text Amend. Sub-set</i>	10	1					
<i>Combined PH Sub-set</i>	7	7					
<i>Subdivision Appeals</i>	0	1					
South Bend	24	22	24	16	10	18	3
<i>Text Amend. Sub-set</i>	3						
<i>Combined PH Sub-set</i>	16						
Lakeville	2	1	3				2
<i>Text Amend. Sub-set</i>	1						
New Carlisle	0	0		1	3		2
North Liberty	2	1	1	1	2		3
<i>Text Amend. Sub-set</i>	1						
Osceola	0	0	1	3	1	3	1
<i>Text Amend. Sub-set</i>		2					
Roseland	0	0	1			1	3
Totals	46	34	40	38	34	42	29
<i>Text Amend. Sub-set</i>	15	6	9	6	5	9	17
<i>Combined PH Sub-set</i>	23	7					
<i>Subdivision Appeals</i>	0	1					

Map Amendment (Zoning) Petitions - 2017

Jurisdiction	Number	Favorable	Unfavorable	No Rec	Passed	Denied	W/D
St. Joseph County	10	9	1	0	9	0	1
South Bend	21	16	1	2	17	1	3
Lakeville	1	1			1		0
New Carlisle							0
North Liberty	2	2			2		0
Osceola							0
Roseland							0

Land Use Plans - 2017

No land-use plans were proposed.

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VI. ACTIVITY DATA (continued)

Subdivisions Processed - 2017

Jurisdiction	Major Primary	Secondary	Minor	Replats	Total
St. Joseph County	10	11	21	12	54
South Bend	1	1	13	6	21
Lakeville					
New Carlisle					
North Liberty		1			1
Osceola					
Roseland (<i>does not have a subdivision control ordinance</i>)					

Street & Alley Vacations Reviewed

Jurisdiction	2017	2016	2015	2014
St. Joseph County	1	2	1	3
South Bend	26	18	12	4
Lakeville				
New Carlisle				
North Liberty				
Osceola				
Roseland				

Area Board of Zoning Appeals Petitions Reviewed

Jurisdiction	2017	2016	2015	2014	2013
St. Joseph County	66	84	51	48	75
<i>Variances</i>	118	144	76	93	108
<i>Special Exceptions</i>	6	9	5	4	10
<i>Conditional Uses</i>					2
South Bend	64	64	62	54	47
<i>Variances</i>	191	112	106	109	100
<i>Special Exceptions</i>	12	10	4	9	8
Lakeville		1	1		1
<i>Variances</i>		3	1		5
New Carlisle	1				2
<i>Variances</i>	1				2
North Liberty	1	2			2
<i>Variances</i>	2	2			3
Osceola					1
<i>Variances</i>					1
<i>Special Exceptions</i>					

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Jurisdiction	<u>2017</u>	<u>2016</u>	<u>2015</u>	<u>2014</u>	<u>2013</u>
Roseland		1	1		2
Variances		8			7
Special Exceptions			<u>1</u>		<u>1</u>
Totals	132	154	115	102	130
Variances	312	152	183	202	226
Special Exceptions	18	32	10	13	19

VII. BUDGET AND INCOME

Budget & Income History

	2017	2016	2015	2014	2013	2012
Approved Budget	\$351,341	\$320,209	\$320,209	\$321,409	\$317,866	\$309,566
Personnel	\$342,800	\$311,608	\$311,608	\$311,608	\$305,498	\$297,198
Non-Personnel	\$8,541	\$8,601	\$8,601	\$10,032	\$12,368	\$12,368
Zoning Income	\$25,730	\$31,085	\$19,410	\$22,860	\$16,075	\$17,760
Subdivision Income	\$43,365	\$39,240	\$32,250	\$22,115	\$27,415	\$27,270
Other Income	<u>\$2,055.50</u>	<u>\$1,402.50</u>	<u>\$3,938</u>	<u>\$3,584</u>	<u>\$3,276</u>	<u>\$2,799</u>
Total	\$71,150.50	\$71,727.50	\$55,598	\$48,559	\$46,766	\$47,829

The Budget for 2017 required a 3% cut from the 2016 adopted Budget (\$10,688). A new GIS Technician position was created in the Spring of 2016, but one of the three Planner positions was lost. For 2017, the balance of the former Planner position salary was used to raise salary caps, and pay for two, part-time Intern positions.

The fundamental goal of all zoning is to try and ensure that one owner's use of property does not have a significant detrimental impact on other owner's enjoyment of their property.