

SOUTH BEND BOARD OF ZONING APPEALS

MINUTES

Monday, January 3, 2022
4:00 p.m.

4th Floor, Council Chambers
County-City Building, South Bend, IN
www.tinyurl.com/sbbza

MEMBERS PRESENT:

Mark Burrell
Kaine Kancuzewski
Kathy Schuth (Virtual)

MEMBERS ABSENT:

Kyle Copelin
Caitlin Stevens

ALSO PRESENT:

Angela Smith
Joseph Molnar
Tom Panowicz

ADMINISTRATIVE ITEMS:

1. Election of Officers

(Audio Position: 2:40)

Upon a motion by Mark Burrell, being seconded by Kaine Kancuzewski and unanimously carried, election of the officers was tabled to the next meeting.

Upon a motion by Kaine Kancuzewski, being seconded by Mark Burrell, and unanimously carried, the Vice Chair ran the meeting due to the Chair being virtual.

(Audio Position: 3:58)

PUBLIC HEARINGS:

- 1. The petition of DEV H12 LLC seeking the following variance(s): 1) From the 5' minimum front sign setback to 0'; and 2) From the 15' maximum sign height to 19', property located at 2046 SOUTH BEND AVE. Zoned C Commercial.**

(Audio Position: 7:07)

Upon a motion by Kathy Schuth, being seconded by Mark Burrell and unanimously carried, a petition by DEV H12 LLC seeking the following variances: 1) From the 5' minimum front sign setback to 0'; and 2) From the 15' maximum sign height to 19' was tabled as presented.

Caitlin Stevens - Absent
Kyle Copelin - Absent
Kaine Kancuzewski - Yes
Mark Burrell - Yes
Kathy Schuth - Yes

- 2. The petition of SOUTHFIELD VILLAGE INC seeking the following variance(s): 1) from the maximum 48' duplex width to 95', property located at 6432 CHESTNUT (CURRENT) 6427, 6431, 6434, AND 6436 CHESTNUT LANE (PROPOSED). Zoned S2 Suburban Neighborhood 2.**

(Audio Position: 7:37)

STAFF REPORT

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The staff report was presented by Joseph Molnar.

Analysis: The proposed variance is consistent with the character of the area and the intent of the ordinance. Approving the variance will allow for the construction of a two-unit dwelling consistent in scale with the surrounding neighborhood. This is a suburban location with larger homes and a mix of housing types originally developed under a PUD. This particular area was designed for wide, front-loaded duplexes.

Staff Recommendation: Based on the information provided prior to the public hearing, the staff recommends the Board approve the variance as presented.

PETITIONER

Crystal Welsh, 315 W Jefferson Blvd. South Bend, IN 46601, served as the petitioner.

INTERESTED PARTIES

There was no one from the public to speak.

PUBLIC COMMENT

There was no one from the public to speak.

After careful consideration, the following action was taken:

Upon a motion by Kathy Schuth, being seconded by Kaine Kanczuzewski and unanimously carried, a petition by SOUTHFIELD VILLAGE INC seeking the following variances: 1) from the maximum 48' duplex width to 95' was approved as presented, and will issue written Findings of Fact.

Caitlin Stevens - Absent

Kyle Copelin - Absent

Kaine Kanczuzewski -Yes

Mark Burrell -Yes

Kathy Schuth - Yes

- 2. The petition of CATALYST TWO LLC seeking a Special Exception to allow Heavy Industrial , and seeking the following variance(s): 1) from the 6' maximum height for a solid fence in the established front yard to 10'; and 2) to allow accessory structures in the established front yard (dumpster enclosure and tanks), property located at 1165 Franklin Street. Zoned I Industrial.** *(Audio Position: 13:37)*

STAFF REPORT

The staff report was presented by Joseph Molnar.

Analysis: The proposed Special Exception to allow for the expansion of a heavy industry use is consistent with the character of the district in which it is located. The site has been in operation for several years.

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The Special Exception will allow for the expansion of the current use and improve current operations, allowing the operations to remain in South Bend. The proposed variances will provide the appropriate space for the new tanks within the constraints of a limited site. The increased fence height is necessary for screening and security. While Franklin Street is technically the front, it serves as an industrial alley with the true front of the building facing west.

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 a favorable recommendation. The staff recommends approval of the variances as presented.

PETITIONER

John Lloyd , 204 Main Building Notre Dame, IN 46556, served as the petitioner.

INTERESTED PARTIES

There was no one from the public to speak.

PUBLIC COMMENT

There was no one from the public to speak.

After careful consideration, the following action was taken:

Upon a motion by Kathy Schuth, being seconded by Kaine Kanczuzewski and unanimously carried, a petition by CATALYST TWO LLC seeking a Special Exception for Heavy Industrial for property located at 1165 Franklin Street, City of South Bend, is sent to the Common Council with a favorable recommendation, and will issue written Findings of Fact.

Caitlin Stevens - Absent
Kyle Copelin - Absent
Kaine Kanczuzewski - Yes
Mark Burrell - Yes
Kathy Schuth - Yes

Upon a motion by Kathy Schuth, being seconded by Kaine Kanczuzewski and unanimously carried, a petition by CATALYST TWO LLC seeking the following variances: 1) from the 6' maximum height for a solid fence in the established front yard to 10'; and 2) to allow accessory structures in the established front yard (dumpster enclosure and tanks) was approved as presented, and will issue written Findings of Fact.

Caitlin Stevens - Absent
Kyle Copelin - Absent
Kaine Kanczuzewski -Yes
Mark Burrell -Yes

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Kathy Schuth - Yes

ITEMS NOT REQUIRING A PUBLIC HEARING

1. Findings of Fact - December 6, 2021

(Audio Position: 24:18)

Upon a motion by Kaine Kanczuzewski, being seconded by Kathy Schuth and unanimously carried, the findings of fact from the December 6, 2021 Board of Zoning Appeals meeting were approved.

2. Minutes - December 6, 2021

(Audio Position: 25:00)

Upon a motion by Kathy Schuth, being seconded by Kaine Kanczuzewski and unanimously carried, the corrected minutes from the December 6, 2021 Board of Zoning Appeals meeting were approved.


3. Other Business

4. Adjournment – 4:33p.m.

RESPECTFULLY SUBMITTED,


MARK BURRELL,
Vice Chair

ATTEST:


ANGELA M. SMITH,
Secretary of the Board