

SOUTH BEND BOARD OF ZONING APPEALS

MINUTES

Monday, June 2, 2025
4:00 p.m.

4th Floor, Council Chambers
County-City Building, South Bend, IN

MEMBERS PRESENT:

Mark Burrell
Francisco Fotia
Kaine Kanczuzewski
Caitlin Stevens

ALSO PRESENT:

Tim Corcoran
Tim Staub
Michael Divita
Kelly Meehan
Jenna Throw

- 1 The petition of Aaron Selking seeking a variance for the living space above the garage from the existing 20ft rear setback to 5ft from the rear of the property at 114 Pokagon St – TABLED**

(Audio Position: 07:21)

- 2 The petition of SINCLAIR COMMUNICATIONS LLC seeking the following variance(s): 1) to permit a fence up to 7' in height in an established front yard, property located at 5505 IRONWOOD. Zoned S1 Suburban Neighborhood 1.**

(Audio Position: 07:39)

STAFF REPORT

The staff report was presented by Tim Staub.

Analysis: A security fence is required by the FCC surrounding communication towers and the fence is staggered away from the property line where possible to further limit the impact on surrounding properties.

Staff Recommendation: Based on the information available prior to the public hearing, Staff recommends the Board approve the variances as presented.

PETITIONER – Mike Green, 1301 E Douglas Road, appeared in person to present.

INTERESTED PARTIES

There was no one from the public to speak.

PUBLIC COMMENT

There was no one from the public to speak.

ACTION

After careful consideration, the following action was taken:

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Upon a motion by Francisco Fotia, being seconded by Caitlin Stevens and unanimously carried, a petition by SINCLAIR COMMUNICATIONS LLC seeking the following variances: 1) to permit a fence up to 7' in height in an established front yard was approved as presented, and will issue written Findings of Fact.

Caitlin Stevens - Yes
Kaine Kanczuzewski - Yes
Mark Burrell -Yes
Francisco Fotia -Yes

- 3 The petition of GREENWOOD PLAZA LLC seeking the following variance(s): 1) to permit a drive through facility in the front and corner yards; and 2) to permit a drive through facility without a bailout lane in the C Commercial district, property located at 2202 SOUTH BEND Avenue. Zoned C Commercial.** *(Audio Position: 10:37)*

STAFF REPORT

The staff report was presented by Tim Staub.

Analysis: When adequately buffered, a drive through facility in this auto oriented shopping plaza would be contextually appropriate. The building was originally utilized as a drive through facility but, due to the orientation and location of the structure on the site, would require variances to be used as a drive through facility under the current zoning ordinance.

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

PETITIONER – Brian Tanner, 3930 Edison Lakes Pkway, appeared in person to present.

INTERESTED PARTIES

Rhonda Chris, 54591 Maple Lane, appeared virtually in opposition of the petition.

PUBLIC COMMENT

There was no one from the public to speak.

ACTION

After careful consideration, the following action was taken:

Upon a motion by Caitlin Stevens, being seconded by Francisco Fotia and unanimously carried, a petition by GREENWOOD PLAZA LLC seeking the following variances: 1) to permit a drive through facility in the front and corner yards; and 2) to permit a drive through

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facility without a bailout lane in the C Commercial district was approved as presented, and will issue written Findings of Fact.

Caitlin Stevens - Yes
Kaine Kanczuzewski - Yes
Mark Burrell -Yes
Francisco Fotia -Yes

SPECIAL EXCEPTION:

- 4 The petition of Rhedi Management Group INC seeking the following special exception: seeking to allow property to be used as a school, Pre K, Primary and Secondary that is located at 1114 Mayflowers Rd. Zoned S1 Suburban Neighborhood 1 - Tabled**

(Audio Position: 21:13)

ITEMS NOT REQUIRING A PUBLIC HEARING

1. Findings of Fact- Upon a motion by Frank Fotia and seconded by Caitlin Stevens and unanimously carried, the findings of fact from the May 5, 2025, Board of Zoning Appeals meeting were approved
2. Minutes - Upon a motion by Frank Fotia and seconded by Caitlin Stevens and unanimously carried, the minutes from the May 5, 2025, Board of Zoning Appeals meeting were approved
3. Other Business-
4. Adjournment- 4:23pm

RESPECTFULLY SUBMITTED


MARK BURRELL,
Chair

ATTEST:


TIM CORCORAN,
Interim Secretary of the Board