

SOUTH BEND BOARD OF ZONING APPEALS

MINUTES

Monday, October 6, 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
Michael Divita
Brian Killen
Tim Staub
Mark Dellostritto
Jenna Throw
Kelly Meehan

PUBLIC HEARINGS:

- 1 The petition of BLUEPRINT LLC and Blueprint, LLC and Jered Baker seeking the following variance(s): from a 50' side setback adjacent to a residentially zoned parcel to 40' (21-04.04(c)), property located at 7775 CLEVELAND RD. Zoned I Industrial.**

(Audio Position: 05:51)

STAFF REPORT

The staff report was presented by Mark Dellostritto.

Analysis: The property to the east of this parcel, which is outside of city limits and under the jurisdiction of the county, is zoned for residential use, which is why a 50' side setback is required. However, all of the land within city limits east of the petitioner's parcel, which surrounds the county parcel, is zoned industrial, and the county parcel appears very likely to be developed for industrial purposes in the future as well. Such a use would allow for just a 10' side setback instead of 50', making the proposed 40' setback compliant by a significant margin.

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

PETITIONER- Jared Baker, Blueprint LLC, 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.

After careful consideration, the following action was taken:

Upon a motion by Francisco Fotia, being seconded by Kaine Kanczuzewski and unanimously carried, a petition by BLUEPRINT LLC seeking the following variances: from a 50' side setback adjacent to a residentially zoned parcel to 40' (21-04.04(c)) was approved as presented, and will issue written Findings of Fact.

Caitlin Stevens - Yes

Kaine Kanczuzewski - Yes

Mark Burrell -Yes

Francisco Fotia -Yes

- 2 The petition of AMER ENTERPRISE LLC seeking the following variance(s): From the required 3 drive though waiting spaces to 2. (21-06.01(k)(7)(A)(vi)); and to permit a waiting space in the front yard (21-06.01(k)(7)(A)(ii)), property located at 149 IRELAND RD. Zoned C Commercial.** *(Audio Position: 10:51)*

STAFF REPORT

The staff report was presented by Brian Killen.

Analysis: Both of the variances presented are a result of the lot dimensions, which are quite small for a commercial use and make it difficult to pursue development on this property. The proposed building and overall site layout would successfully activate this parcel while varying from the code in two minor ways that still meet the intent of the ordinance.

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

PETITIONER- Andy Heitzel, Danch Harner and Associates, 1643 Commerce Dr, appeared in person on behalf of 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 Kaine Kanczuzewski, being seconded by Caitlin Stevens and unanimously carried, a petition by AMER ENTERPRISE LLC seeking the following variances: From the required 3 drive though waiting spaces to 2. (21-06.01(k)(7)(A)(vi)); and to permit a waiting

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space in the front yard (21-06.01(k)(7)(A)(ii)) 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 SHAMROCK REALTY GROUP LLC and Matt DeSalvo and Corey DeSalvo seeking the following variance(s): from the one story maximum height for the gallery frontage type on an apartment house building type to two stories (21-08.03(e)(2)), property located at 734 NOTRE DAME AVE. Zoned U3 Urban Neighborhood 3.**

(Audio Position: 21:12)

STAFF REPORT

The staff report was presented by Tim Staub.

Analysis: The two-story gallery would be consistent with the architectural style of the proposed building.

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

PETITIONER – John Spalding, 106 Lincolnway West, appeared in person on behalf of the petitioner Shamrock Realty

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 Francisco Fotia, being seconded by Caitlin Stevens and unanimously carried, a petition by SHAMROCK REALTY GROUP LLC seeking the following variances: from the one story maximum height for the gallery frontage type on an apartment house building type to two stories (21-08.03(e)(2)) was approved as presented, and will issue written Findings of Fact.

Caitlin Stevens - Yes

Kaine Kanczuzewski - Yes

Mark Burrell -Yes

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Francisco Fotia -Yes

- 4 The petition of DEPARTMENT OF REDEVELOPMENT CITY OF SOUTH BEND seeking the following variance(s): from the 12' maximum front setback to 35' on Wayne (21-03.07(d)); from the 150' building width maximum for a shop building type to 244' (21-08.02(j)(3)); and from the 120' building width maximum for a stacked flats building type to 200' (21-08.02(j)(3)), property located at 520 WAYNE ST and 310 TAYLOR ST and 310 TAYLOR ST and 512 WAYNE ST and 512 WAYNE ST and 500 WAYNE ST and 319 WILLIAM ST and 323 WILLIAM ST and 318 TAYLOR and 507 WILLIAM ST and 501 WESTERN AVE. Zoned NC Neighborhood Center. (Audio Position: 25:26)**

STAFF REPORT

The staff report was presented by Mark Dellostritto.

Analysis: This public-private redevelopment lies on a parcel situated at a transition between Downtown and more dense urban residential neighborhoods. The proposed townhouses and stacked flat buildings reflect this and offer a mix of uses and densities appropriate for the area. The requested setback and building width variances are the minimum necessary to ensure that project attains its housing goals and meets state tax application deadlines.

Staff Recommendation: Based on the information provided prior to the public hearing, the staff recommends the Board approve the setback variance as presented, approve the shop building width variance subject to no internal connection with each side no greater than 150', and approve the stacked flats building subject to superior articulation through such design techniques as enhanced detailing, changes in material, or changes in the building plane.

PETITIONER – Sam Lima, Kil Architect, 1126 Lincolnway East, appeared in person on behalf of the petitioner

INTERESTED PARTIES- Kevin Baumgartner, 315 S Taylor, appeared with questions for the petitioner.

Father Reginald Wolford, Pastor at St. Patrick's Church, appeared with questions for the petitioner.

Shelly Baumgartner, 315 S Taylor, appeared with questions for the petitioner.

PUBLIC COMMENT

Steve Luecke, Vice Chair of the Board of Housing Authority of the City of South Bend, appeared in support of the petitioner

After careful consideration, the following action was taken:

Upon a motion by Francisco Fotia, being seconded by Kaine Kanczuzewski and unanimously carried, a petition by DEPARTMENT OF REDEVELOPMENT CITY OF SOUTH BEND seeking the following variances: from the 12' maximum front setback to 35' on Wayne (21-

03.07(d)); from the 150' building width maximum for a shop building type to 244' (21-08.02(j)(3)); and from the 120' building width maximum for a stacked flats building type to 160' (21-08.02(j)(3)) was approved as presented, and will issue written Findings of Fact.

Caitlin Stevens - Yes

Kaine Kanczuzewski - Yes

Mark Burrell -Yes

Francisco Fotia -Yes

- 5 The petition of HOUSING AUTHORITY OF SO BEND seeking a Special Exception to allow Day Care Center (21-06.01(k)(10)) and a use variance to allow Retail & Service, General (21-06.01(k)(16)) in U3 Urban Neighborhood 3, and seeking the following variance(s): from the 150' building width maximum for a shop building type to 290' (21-08.02(k)(3)); from the 15' maximum residential front yard setback to 130' (21-03.05(d)); from the 120' maximum building width for a stacked flats building type to 200' (21-08.02(j)(3)); and to allow an accessory structure in a front yard (21-06.02(d)(1)), property located at 628 WESTERN AVE. Zoned U3 Urban Neighborhood 3.** *(Audio Position: 41:50)*

STAFF REPORT

The staff report was presented by Mark Dellostritto.

Analysis: Incorporating a daycare and retail space into this development will provide new amenities for the neighborhood and fit with the other commercial uses on and nearby Western Avenue. Granting the setback and accessory structure variances will allow for the creation of a new publicly accessible park. The building width variance for the mixed-use shop building will allow it to have one central elevator while meeting the intent of the ordinance, and the width variance for the stacked flats buildings will help the petitioner retain as many public housing units on site as possible, and construct buildings that create continuity with the rest of this development.

Staff Recommendation: Based on the information provided prior to the public hearing, the staff recommends the Board send the petitions for the Special Exception and Use Variance to the Common Council with a favorable recommendation. Staff also recommends that the Board approve the building setback and accessory structure variances as presented, and approve the stacked flats and shop building width variances subject to superior articulation through such design techniques as enhanced detailing, changes in material, or changes in the building plane.

PETITIONER – Sam Lima, Kil Architect, 1126 Lincolnway East, appeared in person on behalf of the petitioner

INTERESTED PARTIES- Kevin Baumgartner, 315 S Taylor, appeared with questions for the petitioner.

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Father Reginald Wolford, Pastor at St. Patrick's Church, appeared with questions for the petitioner.

Shelly Baumgartner, 315 S Taylor, appeared with questions for the petitioner.

PUBLIC COMMENT

Steve Luecke, Vice Chair of the Board of Housing Authority of the City of South Bend, appeared in support of the petitioner

After careful consideration, the following action was taken:

Upon a motion by Francisco Fotia, being seconded by Caitlin Stevens and unanimously carried, a petition by HOUSING AUTHORITY OF SO BEND seeking a Special Exception for Day Care Center (21-06.01(k)(10)) and a use variance to allow Retail & Service, General (21-06.01(k)(16)) in U3 Urban Neighborhood 3 for property located at 628 WESTERN AVE, City of South Bend, is sent to the Common Council with a favorable recommendation, and will issue written Findings of Fact.

Caitlin Stevens - Yes

Kaine Kanczuzewski - Yes

Mark Burrell - Yes

Francisco Fotia - Yes

Upon a motion by Francisco Fotia, being seconded by Kaine Kanczuzewski and unanimously carried, a petition by HOUSING AUTHORITY OF SO BEND seeking the following variances: from the 150' building width maximum for a shop building type to 290' (21-08.02(k)(3)); from the 15' maximum residential front yard setback to 130' (21-03.05(d)); from the 120' maximum building width for a stacked flats building type to 200' (21-08.02(j)(3)); and to allow an accessory structure in a front yard (21-06.02(d)(1)) was approved as presented, and will issue written Findings of Fact.

Caitlin Stevens - Yes

Kaine Kanczuzewski - Yes

Mark Burrell - Yes

Francisco Fotia - Yes

- 6 The petition of GREATER LOWELL HOLDINGS LLC seeking a Special Exception to allow to permit Entertainment/Recreation Facility, Outdoor, and seeking the following variance(s): from the facade transparency of 60% to 0% (21-03.08(h)); and from the maximum number of accessory buildings of 1 to 3 (21-06.02(e)), property located at 321 HILL ST and 319 HILL ST and 317 HILL ST and 315 HILL ST and 307 HILL ST and 523 LASALLE AVE and 529 LASALLE Avenue. Zoned DT Downtown.**

(Audio Position: 1:05:26)

STAFF REPORT

The staff report was presented by Tim Staub.

Analysis: This petition seeks to permit an outdoor activity space for the enjoyment of the residents and visitors of the city. This use requires enclosure and access management along with accessory structures to support it. The special exception enlivens a vacant parcel in the city's downtown and the variances provide the details that make it possible.

Staff Recommendation: Based on the information provided prior to the public hearing, the staff recommends the Board send the Special Exception petition to the Common Council with a favorable recommendation and approve the variances as presented.

PETITIONER - Frank Perri, 530 E LaSalle Ave, appeared in person to present
Riley Ellingsen, 530 E LaSalle Ave, also appeared in person to present

INTERESTED PARTIES

Kevin Bussellato, 526 E LaSalle Ave, appeared in opposition of the petition as presented.
Sean Kennedy, 226 N Hill St, appeared on behalf of St. Joseph Church in opposition of the petition as presented.

PUBLIC COMMENT

There was no one from the public to speak.

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 GREATER LOWELL HOLDINGS LLC seeking a Special Exception for to permit Entertainment/Recreation Facility, Outdoor for property located at 321 HILL ST and 319 HILL ST and 317 HILL ST and 315 HILL ST and 307 HILL ST and 523 LASALLE AVE and 529 LASALLE Avenue, City of South Bend, is sent to the Common Council with a favorable recommendation, and will issue written Findings of Fact.

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

Upon a motion by Caitlin Stevens, being seconded by Francisco Fotia and unanimously carried, a petition by GREATER LOWELL HOLDINGS LLC seeking the following variances: from the facade transparency of 60% to 0% (21-03.08(h)) was denied as presented; and from the maximum number of accessory buildings of 1 to 3 (21-06.02(e)) was approved as presented, and will issue written Findings of Fact.

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

- 7 The petition of Affordable HomeMatters Indiana, LLC seeking a Special Exception to allow Dwelling, 2 Units (21-06.01(j)(3)) in U1 Urban Neighborhood 1, property located at 1133 HARVEY ST and 522 BLAINE AVE. Zoned U1 Urban Neighborhood 1.**

(Audio Position: 1:38:30)

STAFF REPORT

The staff report was presented by Brian Killen.

Analysis: The construction of a new duplex that is consistent with the scale and character of the surrounding neighborhood will bring new residents to the area and provide additional housing on a lot that is currently vacant.

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.

PETITIONER – Bennett Bensman, Intend Indiana, 1704 Bellefontaine, 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.

After careful consideration, the following action was taken:

Upon a motion by Francisco Fotia, being seconded by Caitlin Stevens and unanimously carried, a petition by Affordable HomeMatters Indiana, LLC seeking a Special Exception for Dwelling, 2 Units (21-06.01(j)(3)) in U1 Urban Neighborhood 1 for property located at 1133 HARVEY ST and 522 BLAINE AVE, City of South Bend, is sent to the Common Council with a favorable recommendation, and will issue written Findings of Fact.

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

ITEMS NOT REQUIRING A PUBLIC HEARING

1. Findings of Fact- Upon a motion by Francisco Fotia, and seconded by Kaine Kanczuzewski and unanimously carried, the findings of fact from the August 4, 2025, Board of Zoning Appeals meeting were approved
Upon a motion by Caitlin Stevens and seconded by Kaine Kanczuzewski and unanimously carried, the findings of fact from the September 2, 2025, Board of Zoning Appeals meeting were approved
2. Minutes - Upon a motion by Francisco Fotia and seconded by Kaine Kanczuzewski and unanimously carried, the minutes from the August 4, 2025, Board of Zoning Appeals meeting were approved

Upon a motion by Caitlin Stevens and seconded by Kaine Kanczuzewski and unanimously carried, the minutes from the September 2, 2025, Board of Zoning Appeals meeting were approved

3. Other Business- Zoning Ordinance Updates: Package 1 Briefing

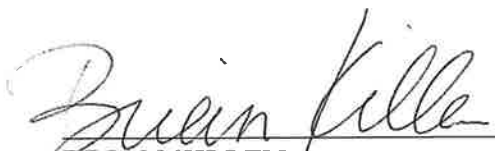
4. Adjournment- 5:54PM

RESPECTFULLY SUBMITTED,



MARK BURRELL,
Chair

ATTEST:



BRIAN KILLEN,
Secretary of the Board