

SOUTH BEND BOARD OF ZONING APPEALS

MINUTES

Meeting Minutes South Bend Board of Zoning Appeals
Monday, June 1, 2026, 4:00 p.m.
3rd Floor, Council Chambers, City Hall, South Bend, IN

MEMBERS PRESENT: Mark Burrell, Francisco Fotia, Kaine Kanczuzewski, Caitlin Stevens

ALSO PRESENT: Michael Divita, Brian Killen, Tim Staub, Mark Dellostritto, Kelly Meehan, Jenna Throw

PUBLIC HEARINGS:

Amended Agenda- Petition 5 was moved to the first item:

- 1 The petition of CRESSY & EVERETT INC seeking the following variance(s): from the 32 sf maximum area for an NC freestanding sign to 181 sf [21-10.05(c)]; and from the 8' maximum height for an NC freestanding sign to 19.1' [21-10.05(c)], property located at 332 IRONWOOD DR. Zoned NC Neighborhood Center.**

(Audio Position: 02:24)

Petitioner wishes to table the petition indefinitely

Upon a motion by Mark Burrell, being seconded by Caitlin Stevens and unanimously carried, a petition by CRESSY & EVERETT INC seeking the following variances: from the 32 sf maximum area for an NC freestanding sign to 181 sf [21-10.05(c)]; and from the 8' maximum height for an NC freestanding sign to 19.1' [21-10.05(c)] was TABLED indefinitely as presented.

- 2 The petition of GRIMES JUNE A LIVING TRUST AS TRUSTEE & LIFE ESTATE seeking the following variance(s): to increase the maximum number of detached accessory buildings on a S1 lot from one (1) to two (2) [21-06.02(e)]; and from the 5' minimum side setback for an accessory structure in S1 to 2' [21-06.02(d)(2)], property located at 2410 SOLOMON AVE. Zoned S1 Suburban Neighborhood 1.**

(Audio Position:03:50)

STAFF REPORT

The staff report was presented by Mark Dellostritto .

Analysis: If the new garage were to be built in essentially the same place but pushed a few feet off the lot line to a compliant side setback, it would be very difficult to maneuver a vehicle around the house and into the garage given the width of the lot and the placement of the home. Achieving both a compliant side setback and proper maneuvering space would require the petitioner to move the garage further back into their property and away from the property line,

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inhibiting the use of their backyard. Additionally, there is not enough room for the petitioner to attach the garage to the side of their home, and detached garages located adjacent to the rear corner of the home are very common in this neighborhood.

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

PETITIONER- June Grimes, 2410 Solomon Ave, 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 Kaine Kanczuzewski, being seconded by Mark Burrell and unanimously carried, a petition by GRIMES JUNE A LIVING TRUST AS TRUSTEE & LIFE ESTATE seeking the following variances: to increase the maximum number of detached accessory buildings on a S1 lot from one (1) to two (2) [21-06.02(e)]; and from the 5' minimum side setback for an accessory structure in S1 to 2' [21-06.02(d)(2)] was APPROVED as presented, and will issue written Findings of Fact.

- 3 The petition of HOLLAND ALEC J & STROMSODT KAYLA HW seeking the following variance(s): from the 3' maximum height for a less than 50% open fence in a corner yard to 6' [21-09.02(c)(1)], property located at 2503 FLAT CREEK DRIVE. Zoned S1 Suburban Neighborhood 1. *(Audio Position: 08:29)***

STAFF REPORT

The staff report was presented by Tim Staub.

Analysis: The applicant had no control over the building decisions made by the developer to set their house more than 30' from the side street, creating a large corner yard. If the developer had used the minimum setbacks as intended, the applicant would have a substantially larger rear yard. Additionally, this fence does not encroach into the neighbor's frontage, allowing the established building pattern along the street to remain uninterrupted. The encroachment also does not go to the sidewalk, but is set back 25' from the lot line, aligning it with the front setback in the S1 district.

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

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PETITIONER- Alec Holland & Kayla Stromsodt, 2503 Flat Creek Dr, 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 Mark Burrell, being seconded by Caitlin Stevens and unanimously carried, a petition by HOLLAND ALEC J & STROMSODT KAYLA HW seeking the following variances: from the 3' maximum height for a less than or equal to 50% open fence in an established corner yard to 6' [21-09.02(c)(1)] was APPROVED as presented, and will issue written Findings of Fact.

- 4 The petition of BORKOWSKI JOHN W & KENNEDY KATHLEEN A HW seeking the following variance(s): from the 3' maximum height for a less than 50% open fence in a corner yard to 6' [21-09.02(c)], property located at 3421 NORTHSIDE BLVD. Zoned U1 Urban Neighborhood 1. *(Audio Position: 16:06)***

STAFF REPORT

The staff report was presented by Mark Dellostritto .

Analysis: If the petitioner were to build a 6' privacy fence where they are allowed without a variance, it would significantly decrease the usable area in their backyard, which is relatively small to begin with. The fence is set back a few feet from the sidewalk to provide a buffer for pedestrians, and does not extend all the way to the rear of the property in a way that would abut their neighbor's front yard.

Staff Recommendation: Based on the information provided prior to the public hearing, the staff recommends the Board approve the variance as written, conditional on a portion of the fence being removed so that it starts at the rear corner of the home. This also assumes that any additional fence or decorative element above the 6' maximum height will be removed.

PETITIONER- Petitioner was not present

INTERESTED PARTIES

There was no one from the public to speak.

PUBLIC COMMENT

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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 Mark Burrell and unanimously carried, a petition by BORKOWSKI JOHN W & KENNEDY KATHLEEN A HW seeking the following variances: from the 3' maximum height for a less than or equal to 50% open fence in an established corner yard to 6' [21-09.02(c)(1)] was TABLED as presented.

- 5 The petition of HERITAGE TOWNHOMES LLC seeking the following variance(s): from the requirement for a decorative element that is at least 50 percent open on a fence exceeding 5 feet in height in the Northeast Neighborhood Zoning Overlay district [21-05.02(g)(1)(A)], property located at 715 ST. PETER and 743 SOUTH BEND AVE and 710 TURNOCK. Zoned U2 Urban Neighborhood 2. *(Audio Position: 19:19)***

STAFF REPORT

The staff report was presented by Mark Dellostritto .

Analysis: There is no hardship to justify this variance. The petitioner installed fencing with the decorative element on a different section of the fence, showing that they could have done the same for these other sections.

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

PETITIONER- Chris, Milestone Fencing, 3723 N Home St, appeared virtually 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 Mark Burrell, being seconded by Caitlin Stevens and unanimously carried, a petition by HERITAGE TOWNHOMES LLC seeking the following variances: from the requirement for a decorative element that is at least 50 percent open on a fence exceeding 5' in height in the Northeast Neighborhood Zoning Overlay district [21-05.02(g)(1)(A)] was TABLED as presented.

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ITEMS NOT REQUIRING A PUBLIC HEARING


1. Findings of Fact- Findings of Fact- Upon a motion by Caitlin Stevens, and seconded by Mark Burrell and unanimously carried, the findings of fact from the May 4, 2026, Board of Zoning Appeals meeting were approved.
2. Minutes - Upon a motion by Caitlin Stevens and seconded by Mark Burrell and unanimously carried, the minutes from the May 4, 2026, Board of Zoning Appeals meeting were approved.
3. Other Business
4. Adjournment- 4:30pm

RESPECTFULLY SUBMITTED,



Francisco Fotia
Chair

ATTEST:



Brian Killen
Secretary of the Board