

# **SOUTH BEND BOARD OF ZONING APPEALS**

## **MINUTES**

Monday, July 7, 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  
Mark Dellostritto  
Tim Staub  
Jenna Throw  
Kelly Meehan

### **PUBLIC HEARINGS:**

- 1 The petition of SELKING AARON seeking the following variance(s): from the minimum rear setback of 20' to 5' [21-03.03(d)], property located at 114 POKAGON ST. Zoned U1 Urban Neighborhood 1.** *(Audio Position: 04:50)*

### **STAFF REPORT**

The staff report was presented by Tim Staub.

Analysis: With a relatively large property, the petitioner would still be able to construct a substantial single-unit dwelling within the standards of the zoning ordinance.

Staff Recommendation: Based on the information available prior to the public hearing, Staff recommends the Board deny the variance for the rear setback.

PETITIONER – Angela Smith, 325 S Lafayette Blvd, Jones Petrie Rafinski, appeared in person on behalf of the petitioner to present, in addition Amber Selking, owner, 114 Pokagon St, appeared in person to present.

### **INTERESTED PARTIES**

John Seba, 115 Peashway, appeared in person to support the petitioner  
Jonaton Byullis, 1304 Leaper Ave, appeared in person in support of the petitioner  
Kathy Lukow, 118 E Pokagon, appeared virtually in support of the petitioner

### **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 Kaine Kanczuzewski, being seconded by Francisco Fotia and carried, a petition by SELKING AARON seeking the following variances: from the minimum rear setback of 20' to 5' [21-03.03(d)] was denied as presented, and will issue written Findings of Fact.

Caitlin Stevens - No  
Kaine Kanczuzewski - Yes  
Mark Burrell -Yes  
Francisco Fotia -Yes

- 2 The petition of OCOBOCK PAUL & ABIGAIL HW seeking the following variance(s): from a 3 foot solid fence in a corner yard to 6 feet [21-09D], property located at 1131 ECKMAN ST. Zoned S1 Suburban Neighborhood 1. (Audio Position: 30:17)**

### STAFF REPORT

The staff report was presented by Mark Dellostritto.

Analysis: The pool is located in the corner yard and was surrounded by a legal non-conforming fence approved under a different zoning code. As the fence is necessary for safety around a pool, it is necessary to build a fence at the 6' height. The petition

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

PETITIONER- Abigail Ocobock, owner, 1131 Eckman St, 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:

Upon a motion by Francisco Fotia, being seconded by Caitlin Stevens and unanimously carried, a petition by OCOBOCK PAUL & ABIGAIL HW seeking the following variances: from a 3 foot solid fence in a corner yard to 6 feet [21-09D] was approved as presented, and will issue written Findings of Fact.

Caitlin Stevens - Yes  
Kaine Kanczuzewski - Yes

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Mark Burrell -Yes  
Francisco Fotia -Yes

- 3 The petition of CHRISTIAN LIFE CENTER SOUTH BEND INC seeking the following variance(s): from a 4 foot 50% open fence in a front yard to 6ft [21-09D], property located at 1717 HICKORY RD. Zoned S1 Suburban Neighborhood 1.**

*(Audio Position: 38:05)*

### STAFF REPORT

The staff report was presented by Mark Dellostritto.

Analysis: The petitioner is seeking to establish an enclosed recreational outdoor space for children. This needs to be an effective height to promote safety and security. The petitioner is also limited in terms of space where they can place such a fence a

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

PETITIONER- Patricia Rivera, 7510 Brandon Ave, appeared on behalf of the petitioner

### INTERESTED PARTIES-

Shawna Neal, 10130 Shadow Woods Lane, appeared in person to support the petitioner

### PUBLIC COMMENT

There was no one from the public to speak.

### ACTION

After careful consideration, the following action was taken:

Upon a motion by Kaine Kancuzewski, being seconded by Caitlin Stevens and unanimously carried, a petition by CHRISTIAN LIFE CENTER SOUTH BEND INC seeking the following variances: from a 4 foot 50% open fence in a front yard to 6ft [21-09D] was approved as presented, and will issue written Findings of Fact.

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

- 4 The petition of WESTPORT MAYO LLC seeking the following variance(s): from a two (2) car garage to a three (3) car garage [21-05.02(f)(4)(A)i], property located at 1022 ST LOUIS BLVD. Zoned U1 Urban Neighborhood 1.**

*(Audio Position: 45:13)*

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### STAFF REPORT

The staff report was presented by Tim Staub.

Analysis: As the proposal does meet the necessary hardship and the ability to park three (3) vehicles on or near the property is still available via on-street parking and the proposed two car garage.

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

PETITIONER – Brian Keeve, owner, 4909 Boline Ct, 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:

Upon a motion by Francisco Fotia, being seconded by Kaine Kanczuzewski and unanimously carried, a petition by WESTPORT MAYO LLC seeking the following variances: from a two (2) car garage to a three (3) car garage [21-05.02(f)(4)(A)i] was tabled as presented.

Caitlin Stevens - Yes

Kaine Kanczuzewski - Yes

Mark Burrell -Yes

Francisco Fotia -Yes

- 5 The petition of RHEDI MANAGEMENT GROUP INC seeking a Special Exception to allow the use of School, Pre K/Primary/Secondary (21-06.01(f)(11)), property located at 1114 MAYFLOWER RD. Zoned S1 Suburban Neighborhood 1.**

*(Audio Position: 1:03:00)*

### STAFF REPORT

The staff report was presented by Mark Dellostritto.

Analysis: A pre-K program fits the surrounding land use and zoning of a suburban residential neighborhood. It supports and enhances the needs of the residents in the surrounding area. It is compatible with City Plan recommendation E 5.1: Establish and mai

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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 – David Turner, 50771 Hollyhock, petitioner, 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:

Upon a motion by Caitlin Stevens, being seconded by Francisco Fotia and unanimously carried, a petition by RHEDI MANAGEMENT GROUP INC seeking a Special Exception for the use of School, Pre K/Primary/Secondary 21-06.01(f)(11) for property located at 1114 MAYFLOWER RD, 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

- 6 The petition of FARHAN MOHAMMED seeking a Special Exception to allow the use of Vehicle Sales or Rentals (21-06.01(k)), property located at 1039 LINCOLNWAY and 1039 LINCOLNWAY. Zoned NC Neighborhood Center.**

*(Audio Position: 1:07:00)*

### STAFF REPORT

The staff report was presented by Tim Staub.

Analysis: The neighborhood plan calls for the property to be Neighborhood Center as a hub for pedestrian-scale storefront retail and professional offices with active building facades. Vehicle sales and rental does not fit within this guidance. This is a f

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 an unfavorable recommendation.

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PETITIONER- Fares Farhan, 1828 Tea Rose Lane, appeared in person on behalf of the petitioner, to present

### INTERESTED PARTIES

Johnny Chisholm, 1106 Johnson St, appeared in person in opposition of the petition

### PUBLIC COMMENT

Natasha White, 443 S Illinois, appeared in person in opposition of the petition

Takisha Coleman, 1047 LWW, appeared in person in opposition of the petition

Shondry Johnson, 443 Illinois appeared in person in opposition of the petition

### ACTION

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 FARHAN MOHAMMED seeking a Special Exception for the use of Vehicle Sales or Rentals (21-06.01(k)) for property located at 1039 LINCOLNWAY and 1039 LINCOLNWAY, City of South Bend, is sent to the Common Council with an unfavorable recommendation, and will issue written Findings of Fact.

Caitlin Stevens - Yes

Kaine Kanczuzewski - Yes

Mark Burrell - Yes

Francisco Fotia - Yes

- 7 The petition of 1527 MICHIGAN LLC seeking a Special Exception to allow for use of Vehicle Service, Minor (21-06.01(k)(23)), property located at 1527 and 1527 MICHIGAN ST. Zoned NC Neighborhood Center. (Audio Position: 1:35:00)**

### STAFF REPORT

The staff report was presented by Tim Staub.

Analysis: This block of S Michigan street is intended to be more neighborhood and pedestrian oriented. Neighborhood Center zoned lands are meant to serve local residential uses with a more active facade and fewer auto-centric uses.

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 an unfavorable recommendation.

PETITIONER - Fares Farhan, 1828 Tea Rose Lane, appeared in person on behalf of the petitioner, to present

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### 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:

Upon a motion by Francisco Fotia, being seconded by Caitlin Stevens and unanimously carried, a petition by 1527 MICHIGAN LLC seeking a Special Exception for for use of Vehicle Service, Minor for property located at 1527 and 1527 MICHIGAN ST, 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

- 8 The petition of EL CAMPITO INC seeking a Special Exception to allow the use of a School, Pre-K/Primary/Secondary [21-06.01(f)(11)], property located at 1024 THOMAS ST. Zoned U1 Urban Neighborhood 1.** *(Audio Position: 1:53:00)*

### STAFF REPORT

The staff report was presented by Mark Dellostritto.

Analysis: As El Campito no longer is using the site, this is a vacant school building that belonged to St. Stephen's Magyar Parochial School in the past. A favorable recommendation may lead to continued use as a community and neighborhood resource. The Ne

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 – Paul Kane, 1529 E Washington St, petitioner appeared in person to present

### INTERESTED PARTIES

There was no one from the public to speak.

### PUBLIC COMMENT

## City of South Bend **BOARD OF ZONING APPEALS**

There was no one from the public to speak.

### ACTION

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 EL CAMPITO INC seeking a Special Exception for the use of a School, Pre-K/Primary/Secondary [21-06.01(f)(11)] for property located at 1024 THOMAS ST, 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 Frank Fotia and seconded by Caitlin Stevens and unanimously carried, the findings of fact from the June 2, 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 June 2, 2025, Board of Zoning Appeals meeting were approved

3. Other Business

4. Adjournment – 5:58pm

RESPECTFULLY SUBMITTED,

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MARK BURRELL,  
Chair

ATTEST:

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TIM CORCORAN,  
Interim Secretary of the Board