

SOUTH BEND BOARD OF ZONING APPEALS

MINUTES

Monday, November 3, 2025
4:00 p.m.

3rd Floor, Council Chambers
City Hall, South Bend, IN

MEMBERS PRESENT:

Francisco Fotia
Kaine Kanczuzewski
Caitlin Stevens

MEMBERS ABSENT:

Mark Burrell

ALSO PRESENT:

Michael Divita
Brian Killen
Tim Staub
Mark Dellostritto
Kelly Meehan
Jenna Throw

PUBLIC HEARINGS:

- 1 The petition of 1101 ELLIOTT STREET TRUST & SMITH SCOTT ROYAL AS TRUSTEE and IVAN LOPEZ and ISABEL RIVERA (TRUSTEES) seeking a Special Exception to allow Dwelling, 2 Units in U1 Urban Neighborhood 1 (21-06.01(j)(3)), property located at 1101 ELLIOTT ST. Zoned U1 Urban Neighborhood**
(Audio Position: 05:13)

STAFF REPORT

The staff report was presented by Mark Dellostritto .

Analysis: Converting this one unit dwelling into a two unit dwelling will add to the city's housing stock while still fitting within the low-density, residential neighborhood surrounding it. The conversion will also entail limited alterations to the building, causing the building to appear essentially the same as it currently does from the street.

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- Ivan Lopez, 2355 Bundoran Dr, Grovetown, GA, petitioner appeared virtually to present.

INTERESTED PARTIES

There was no one from the public to speak.

PUBLIC COMMENT

There was no one from the public to speak.

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After careful consideration, the following action was taken:

Upon a motion by Caitlin Stevens, being seconded by Kaine Kanczuzewski and unanimously carried, a petition by 1101 ELLIOTT STREET TRUST & SMITH SCOTT ROYAL AS TRUSTEE seeking a Special Exception for Dwelling, 2 Units in U1 Urban Neighborhood 1 (21-06.01(j)(3)) for property located at 1101 ELLIOTT 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

Francisco Fotia - Yes

- 2 The petition of KT SOLUTIONS LLC seeking a Special Exception to allow Dwelling, 2 Units in U1 Urban Neighborhood 1 (21-06.01(j)(3)), property located at 1409 W INDIANA AVE. Zoned U1 Urban Neighborhood 1.** *(Audio Position: 09:16)*

STAFF REPORT

The staff report was presented by Mark Dellostritto .

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 – Kemlair Touloute, 2630 Pittsburg St, Fort Wayne, appeared in person on behalf of the petitioner

INTERESTED PARTIES

James Grolman, 1426 W Indiana, appeared in person in opposition to the petition

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 Kaine Kanczuzewski and unanimously carried, a petition by KT SOLUTIONS LLC seeking a Special Exception for Dwelling, 2 Units in U1 Urban Neighborhood 1 (21-06.01(j)(3)) for property located at 1409 W INDIANA AVE, City of South Bend, is sent to the Common Council with a favorable recommendation, and will issue written Findings of Fact.

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

- 3 The petition of PARKER ROBERT L & KT SOLUTIONS LLC seeking a Special Exception to allow Dwelling, 2 Units in U1 Urban Neighborhood 1 (21-06.01(j)(3)), property located at 1417 W INDIANA AVE. Zoned U1 Urban Neighborhood 1.**

(Audio Position: 14:49)

STAFF REPORT

The staff report was presented by Mark Dellostritto .

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- Kemlair Touloute, 2630 Pittsburg St, Fort Wayne, 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 Caitlin Stevens, being seconded by Kaine Kanczuzewski and unanimously carried, a petition by PARKER ROBERT L & KT SOLUTIONS LLC seeking a Special Exception for Dwelling, 2 Units in U1 Urban Neighborhood 1 (21-06.01(j)(3)) for property located at 1417 W INDIANA 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
Francisco Fotia - Yes

- 4 The petition of ROXANN REASOR seeking the following variance(s): from requirement that main entrances shall be prominently located and visible from the primary street or open space 21-03.08(g), property located at 526 E COLFAX AVE. Zoned DT Downtown. (Audio Position: 16:50)**

STAFF REPORT

The staff report was presented by Tim Staub.

Analysis: This building exists as legal nonconforming in the DT Downtown Zoning District. Having an entrance down a shared path with the neighboring historic building would fit the intent of the ordinance. Additionally, the ordinance is meant to address new construction and significant modifications to buildings, not the physical moving of the building.

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

PETITIONER- Roxann Reasor, 526 E Colfax, 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.

After careful consideration, the following action was taken:

Upon a motion by Caitlin Stevens, being seconded by Kaine Kanczuzewski and unanimously carried, a petition by ROXANN REASOR seeking the following variances: from requirement that main entrances shall be prominently located and visible from the primary street or open space 21-03.08(g) was approved as presented, and will issue written Findings of Fact.

Caitlin Stevens - Yes

Kaine Kanczuzewski - Yes

Francisco Fotia -Yes

- 5 The petition of SCHOOL CITY OF SOUTH BEND seeking the following variance(s): to permit a freestanding sign in the DT Downtown district (21-10.05(c)), property located at 832 N LAFAYETTE BLVD. Zoned DT Downtown. (Audio Position: 21:12)**

STAFF REPORT

The staff report was presented by Mark Dellostritto .

Analysis: Freestanding signs are prohibited in the Downtown District because buildings in this zone are intended to be at or near property lines on all sides, making freestanding signs

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unnecessary. However, the petitioner's property contains an existing building with much larger, legal non-conforming setbacks that provide sufficient space for a freestanding sign, as evidenced by the fact that there is already a sign in the proposed location for the new sign. This new sign will also be very similar to the existing one and typical for a school sign. Finally, using a building sign instead of a freestanding one for this landmarked building could also impact its historic character.

Staff Recommendation: Based on the information provided prior to the public hearing, the staff recommends the Board approve the variance as presented, conditioned on the sign not exceeding 8 feet in height and 42 square feet in surface area.

PETITIONER- James Mason, 737 Beale St, appeared in person on behalf of the petitioner 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 Caitlin Stevens, being seconded by Kaine Kanczuzewski and unanimously carried, a petition by SCHOOL CITY OF SOUTH BEND seeking the following variances: to permit a freestanding sign in the DT Downtown district (21-10.05(c)) was approved as presented, and will issue written Findings of Fact.

Caitlin Stevens - Yes

Kaine Kanczuzewski - Yes

Francisco Fotia -Yes

- 6 The petition of SOUTH BEND COMMUNITY SCHOOL CORP seeking the following variance(s): to reduce minimum Visible Light Transparency (VLT) from 50% to 39% to count towards facade transparency (21-02.03(f)(1)(A)), property located at 528 S EDDY ST. Zoned U1 Urban Neighborhood 1.** *(Audio Position: 25:09)*

STAFF REPORT

The staff report was presented by Tim Staub.

Analysis: This accessory structure supports the primary use in an area surrounded by similar uses and is not in the front setback. This reduction is to protect the contents of the building from the damage the sun could cause. Additionally, these standards are not meant for institutional buildings, but rather commercial and residential buildings.

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

PETITIONER - James Mason, 737 Beale St, appeared in person on behalf of the petitioner 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 Caitlin Stevens, being seconded by Kaine Kanczuzewski and unanimously carried, a petition by SOUTH BEND COMMUNITY SCHOOL CORP seeking the following variances: to reduce minimum Visible Light Transparency (VLT) from 50% to 39% to count towards facade transparency (21-02.03(f)(1)(A)) was approved as presented, and will issue written Findings of Fact.

Caitlin Stevens - Yes

Kaine Kanczuzewski - Yes

Francisco Fotia -Yes

- 7 The petition of 7105 EXCHANGE PROPERTIES LLC & VWR NORTHWEST LLC TIC seeking the following variance(s): to permit an accessory structure in front/corner yard in the I Industrial zoning district (21-04.04(h)), property located at 910 W IRELAND RD. Zoned I Industrial.** *(Audio Position: 28:49)*

STAFF REPORT

The staff report was presented by Tim Staub.

Analysis: This accessory supports the primary structure in an area surrounded by similar uses and is not in the front or corner setbacks. When this building was sited in 1951, there was only one frontage. As development occurred, it became three, making the placement of this new accessory structure limited to only the rear yard. This limit would hinder the operations of the facility due to development patterns beyond the control of the landowner.

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

PETITIONER – Mike Czajkowski, 6893 Filbert Rd, appeared in person on behalf of the petitioner to present

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INTERESTED PARTIES

Colin Peppers, Manager, 910 Ireland Rd, appeared in person in support of the petition

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 Kaine Kanczuzewski and unanimously carried, a petition by 7105 EXCHANGE PROPERTIES LLC & VWR NORTHWEST LLC TIC seeking the following variances: to permit an accessory structure in front/corner yard in the I Industrial zoning district (21-04.04(h)) was approved as presented, and will issue written Findings of Fact.

Caitlin Stevens - Yes

Kaine Kanczuzewski - Yes

Francisco Fotia -Yes

ITEMS NOT REQUIRING A PUBLIC HEARING

1. Findings of Fact- Upon a motion by Caitlin Stevens, and seconded by Kaine Kanczuzewski and unanimously carried, the findings of fact from the October 6, 2025, Board of Zoning Appeals meeting were approved.
2. Minutes- Upon a motion by Caitlin Stevens and seconded by Kaine Kanczuzewski and unanimously carried, the minutes from the October 6, 2025, Board of Zoning Appeals meeting were approved.
3. Other Business
4. Adjournment- 4:36pm

RESPECTFULLY SUBMITTED,



MARK BURRELL,
Chairman

ATTEST:



BRIAN KILLEN,
Secretary of the Board