

City of South Bend

BOARD OF ZONING APPEALS

AGENDA

Monday, February 2, 2026 - 4:00 p.m.

City Hall

Third-Floor Council Chambers

<http://southbendin.gov/sbbza>

Meeting Recordings - <https://tinyurl.com/BZArecordings2026>

PUBLIC HEARING:

1. **Location:** 1736 E JEFFERSON BLVD BZA#0391-26
Owner: SKWARCAN TODD L & ARETA M
Requested Action: Variance(s): from the 20' minimum rear setback for an ancillary dwelling unit above 18' tall on a lot without alley access to 5' (21-03.01(f))
Zoning: S1 Suburban Neighborhood 1
2. **Location:** 1301 CORBY BLVD BZA#0390-26
Owner: GUNSOREK ELISSA
Requested Action: Special Exception: a Dwelling, 2 Units in U1 Urban Neighborhood 1 (21-03.03(c))
Zoning: U1 Urban Neighborhood 1
3. **Location:** 1307 CORBY BLVD BZA#0398-26
Owner: OUTLAW DOUGLAS K & HELEN PRICE-OUTLAW
Requested Action: Special Exception: a Dwelling, 2 Units in U1 Urban Neighborhood 1 (21-03.03(c))
Zoning: U1 Urban Neighborhood 1
4. **Location:** 1114 MAYFLOWER RD BZA#0401-26
Owner: RHEDI MANAGEMENT GROUP INC
Requested Action: Special Exception: the use of Day Care Center (21-03.01(c))
Zoning: S1 Suburban Neighborhood 1

ITEMS NOT REQUIRING A PUBLIC HEARING:

1. Findings of Fact- January 5, 2026
2. Minutes- January 5, 2026
3. Other Business
4. Adjournment

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

Caitlin Stevens	Mayoral Appointee	1/1/2024	12/31/2027
Francisco Fotia	Plan Commission Appointee	1/1/2024	12/31/2027
Kaine Kanczuzewski	Common Council Appointee	1/1/2023	12/31/2026
Mark Burrell	Mayoral Appointee	1/1/2024	12/31/2027

NOTICE FOR HEARING AND SIGN IMPAIRED PERSONS

Auxiliary Aid or other services may be available upon request at no charge. Please give reasonable advance request when possible.

Property Information

Location: 1736 E JEFFERSON BLVD
Owner: SKWARCAN TODD L & ARETA M

Project Summary

The petitioner intends to build a 1.5 story ancillary dwelling unit at the rear of their property.

Requested Action

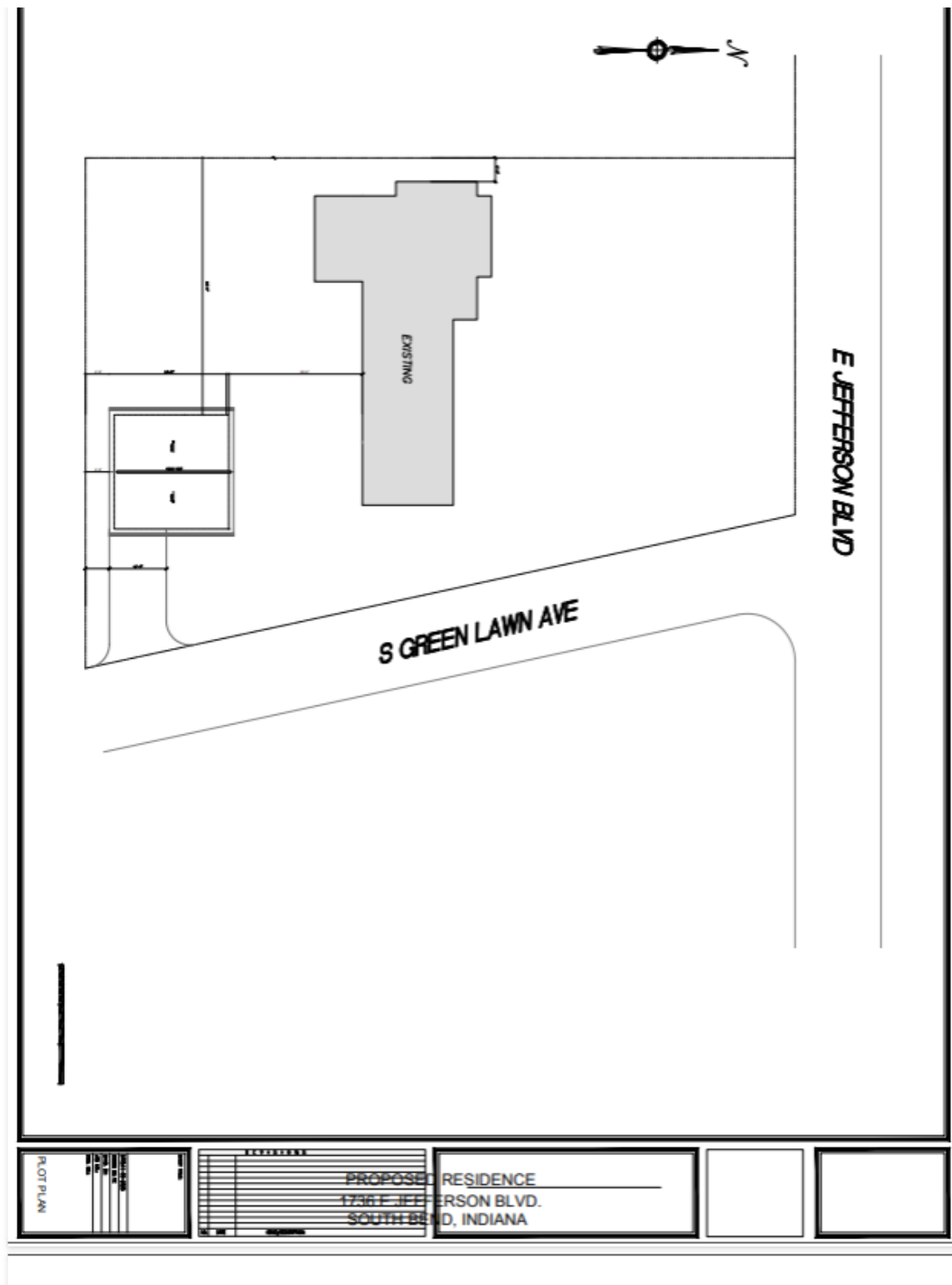
Variance(s): from the 20' minimum rear setback for an ancillary dwelling unit above 18' tall on a lot without alley access to 5' (21-03.01(f))

Site Location

Staff Recommendation

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

Proposed Site Plan



Streetview – East Elevation

1736 E JEFFERSON BLVD, SOUTH BEND INDIANA.



Criteria for Decision Making: Variance(s)

State statutes and the Zoning Ordinance require that certain standards must be met before a variance can be approved. The standards and their justifications are as follows:

(1) The approval will not be injurious to the public health, safety, morals and general welfare of the community

Approving the variance would not be injurious to the public health, safety, morals, or general welfare of the community. Despite the reduced rear setback, the proposed structure will still be roughly 32' from the home to the south, with that home's garage providing an additional buffer within that 32'. Although the homes belonging to both the petitioner and the neighbor to the south are oriented in such a way that this new structure would be adjacent to the rear property line of both properties, the dimensions of the lots are such that both homes could theoretically be turned to face Greenlawn Avenue instead of Wayne Street and Jefferson Boulevard. Additionally, primary buildings can be built by right in S1 up to 35', which is taller than the proposed unit, with a 5' side setback. In that case, both property owners would be allowed to build a taller structure than this one at the same setback without a variance, showing that this structure will not be injurious.

(2) The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner

The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner. The ancillary dwelling unit will be consistent with the built form of the neighborhood and will provide additional living space that could bring more neighbors to the area. Additionally, this structure will have the same (or less) impact on the property to the south compared to a primary home facing Greenlawn Avenue that could be built on the property at a taller height with the same requested 5' setback. The garage on the neighboring property to the south will also provide a buffer between the proposed structure and the neighbor's primary home.

(3) The strict application of the terms of this Chapter would result in practical difficulties in the use of the property

The strict application of the terms of this Chapter would result in practical difficulties in the use of the property. The proposed structure has a dwelling unit above a ground-floor garage, which is a typical configuration for this type of building. Due to the garage, it will need to have direct vehicular access. The petitioner has a curb cut connecting to a parking pad in their front yard, but due to the topography and width of the the corner yard, it would be impractical to build a connection from that curb cut to the ADU. A new second curb cut cannot be built on Greenlawn Avenue because the zoning ordinance only permits one frontage. Meanwhile, a curb cut off of Jefferson Boulevard for an ADU in the rear yard would also not be practical.

Therefore, the only option for access is via a the legally conforming curb cut on Greenlawn Avenue near the southern edge of the property. Using this curb cut while building the ancillary dwelling unit at a compliant 20' setback would also make access to the garage difficult considering the grade and relatively small width of the corner yard. Placing the

structure closer to the rear lot line, therefore bringing it more in line with the curb cut that will be used, will make vehicular access much easier.

Additionally, in the S1 district, primary structures can be built by right up to 35' tall with a 5' side setback. This is the same setback being requested by the petitioner for this ancillary dwelling unit, which is only proposed as being 24' tall. Although the primary home on the property faces Jefferson Boulevard, because this is a corner lot, a house could hypothetically be built to face Greenlawn Avenue instead. With that orientation, the current rear lot line would become a side, meaning that a home could be built up to 11' taller than this proposed ADU at the same 5' setback.

(4) The variance granted is the minimum necessary

The variance granted is the minimum necessary. The petitioner has to use the existing curb cut at the rear of their property to access the garage on the bottom floor of the ancillary dwelling unit, and it would be very difficult to build a driveway from said curb cut to a setback-compliant ADU given the relatively small width of the corner yard, as well as the yard's slope.

(5) The variance does not correct a hardship caused by a former or current owner of the property

The variance granted does not correct a hardship caused by a former or current owner of the property. The existing curb cut that must be used for access and the hill in the corner yard have both been there since before they purchased the property. The second curb cut was also built legally at a time when there was no zoning rule about the number of curb cuts per street frontage. There is also a bit of a hardship caused by the zoning ordinance itself in that its allowances for the height of ancillary dwelling units is not very well suited to corner lots.

Analysis & Recommendation

Analysis: Allowing for the structure to be sited closer to the rear lot line will make access to the first floor garage much easier considering the width and topography of the petitioner's corner yard. Additionally, the petitioner could theoretically build a taller primary structure at the same 5' setback if it were to face Greenlawn Avenue instead of Jefferson Boulevard.

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

Property Information

Location: 1301 CORBY BLVD
Owner: GUNSOREK ELISSA

Project Summary

The petitioner is seeking to build a two unit dwelling.

Requested Action

Special Exception: a Dwelling, 2 Units in U1 Urban Neighborhood 1 (21-03.03(c))

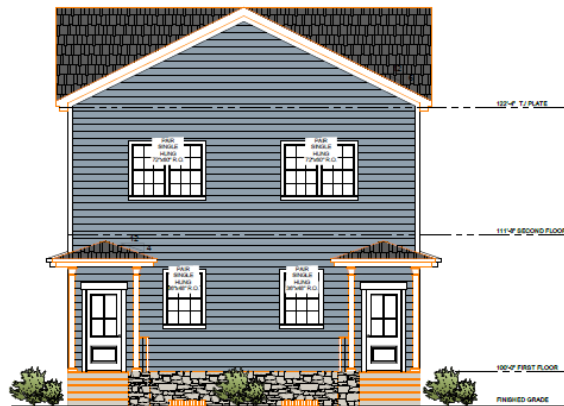
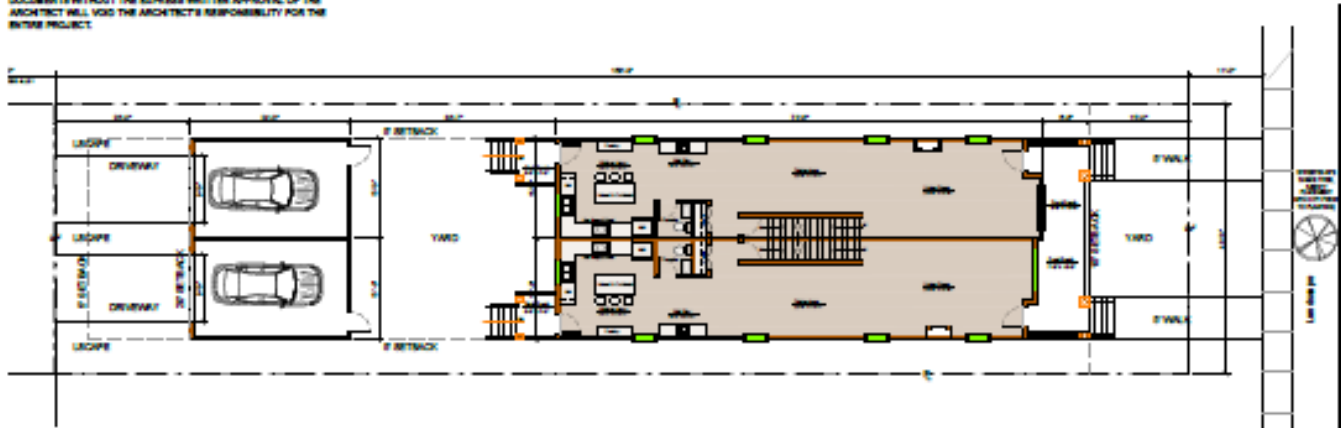
Site Location

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.

Proposed Site Plan

NOTE: ANY DEVIATIONS FROM THE APPROVED CONSTRUCTION DOCUMENTS WITHOUT THE EXPRESS WRITTEN APPROVAL OF THE ARCHITECT WILL VOID THE ARCHITECT'S RESPONSIBILITY FOR THE ENTIRE PROJECT.



3 REAR (NORTH) ELEVATION
Scale: 1/4" = 1'-0"



4 RIGHT SIDE (EAST) ELEVATION
Scale: 1/4" = 1'-0"

PRELIMINARY REVIEW

Criteria for Decision Making: Special Exception

A Special Exception may only be granted upon making a written determination, based upon the evidence presented at a public hearing, that:

(1) The proposed use will not be injurious to the public health, safety, comfort, community moral standards, convenience or general welfare;

Approval of this Special Exception should not be injurious to the public health, safety, morals, and general welfare of the community. The building shall be a newly constructed duplex. A two unit dwelling will bring more neighbors to the neighborhood which will increase safety and the general welfare of the community.

(2) The proposed use will not injure or adversely affect the use of the adjacent area or property values therein;

Building this duplex should not injure or adversely affect the uses or values of adjacent properties and the area around the building. As proposed, the duplex is consistent with the scale, character, and land use of the surrounding neighborhood and will bring new neighbors to the area.

(3) The proposed use will be consistent with the character of the district in which it is located and the land uses authorized therein;

A two unit dwelling will complement the existing housing stock and match the scale and character of the neighborhood, which is made up of predominantly one and two unit dwellings. Multiple two-unit dwellings have been built on neighboring parcels in the past year.

(4) The proposed use is compatible with the recommendations of the Comprehensive Plan.

The petition is consistent with Objective H1.1 from the city's comprehensive plan, which is to encourage residential developments that contain a mix of housing types, densities, price ranges, and amenities. It is also consistent with strategy 3.5 from the Northeast Neighborhood Plan, which calls for supporting the production of a range of housing types in the area.

Analysis & Recommendation

Analysis: The construction of a new duplex that is consistent with the built form of the surrounding neighborhood will bring more neighbors and provide more housing options in the Northeast Neighborhood.

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.

Property Information

Location: 1307 CORBY BLVD
Owner: OUTLAW DOUGLAS K & HELEN PRICE-OUTLAW

Project Summary

The petitioner is seeking to build a two unit dwelling.

Requested Action

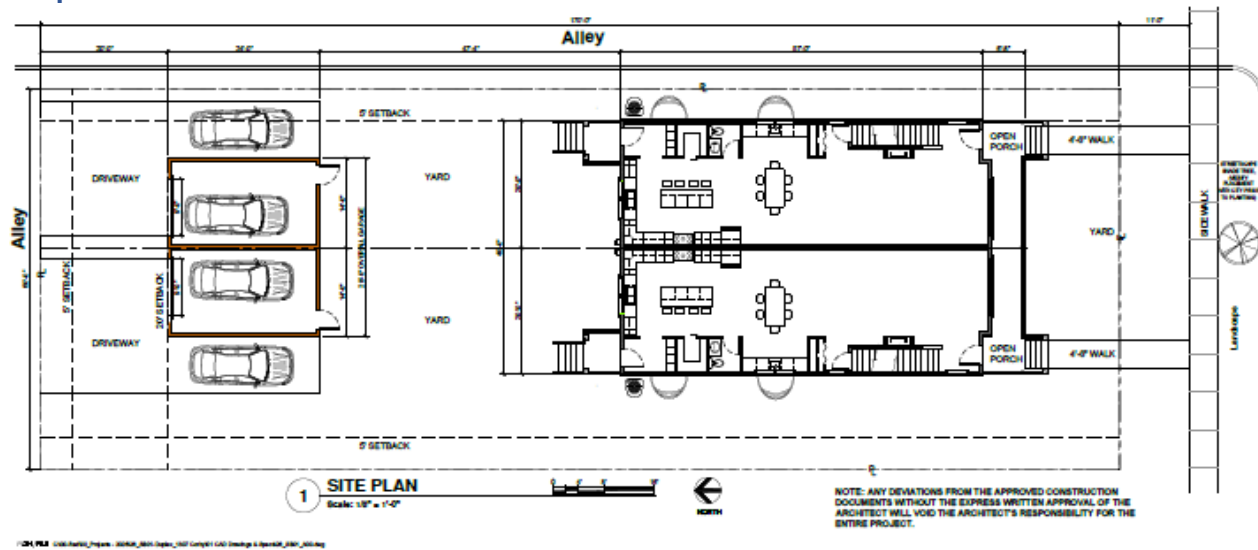
Special Exception: a Dwelling, 2 Units in U1 Urban Neighborhood 1 (21-03.03(c))

Site Location

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.

Proposed Site Plan



Criteria for Decision Making: Special Exception

A Special Exception may only be granted upon making a written determination, based upon the evidence presented at a public hearing, that:

(1) The proposed use will not be injurious to the public health, safety, comfort, community moral standards, convenience or general welfare;

Approval of this Special Exception should not be injurious to the public health, safety, morals, and general welfare of the community. The building shall be a newly constructed duplex. A two unit dwelling will bring more neighbors to the neighborhood which will increase safety and the general welfare of the community.

(2) The proposed use will not injure or adversely affect the use of the adjacent area or property values therein;

Building this duplex should not injure or adversely affect the uses or values of adjacent properties and the area around the building. As proposed, the duplex is consistent with the scale, character, and land use of the surrounding neighborhood and will bring new neighbors to the area.

(3) The proposed use will be consistent with the character of the district in which it is located and the land uses authorized therein;

A two unit dwelling will complement the existing housing stock and match the scale and character of the neighborhood, which is made up of predominantly one and two unit dwellings. Multiple two-unit dwellings have been built on neighboring parcels in the past year.

(4) The proposed use is compatible with the recommendations of the Comprehensive Plan.

The petition is consistent with Objective H1.1 from the city's comprehensive plan, which is to encourage residential developments that contain a mix of housing types, densities, price ranges, and amenities. It is also consistent with strategy 3.5 from the Northeast Neighborhood Plan, which calls for supporting the production of a range of housing types in the area.

Analysis & Recommendation

Analysis: The construction of a new duplex that is consistent with the built form of the surrounding neighborhood will bring more neighbors and provide more housing options in the Northeast Neighborhood.

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.

Property Information

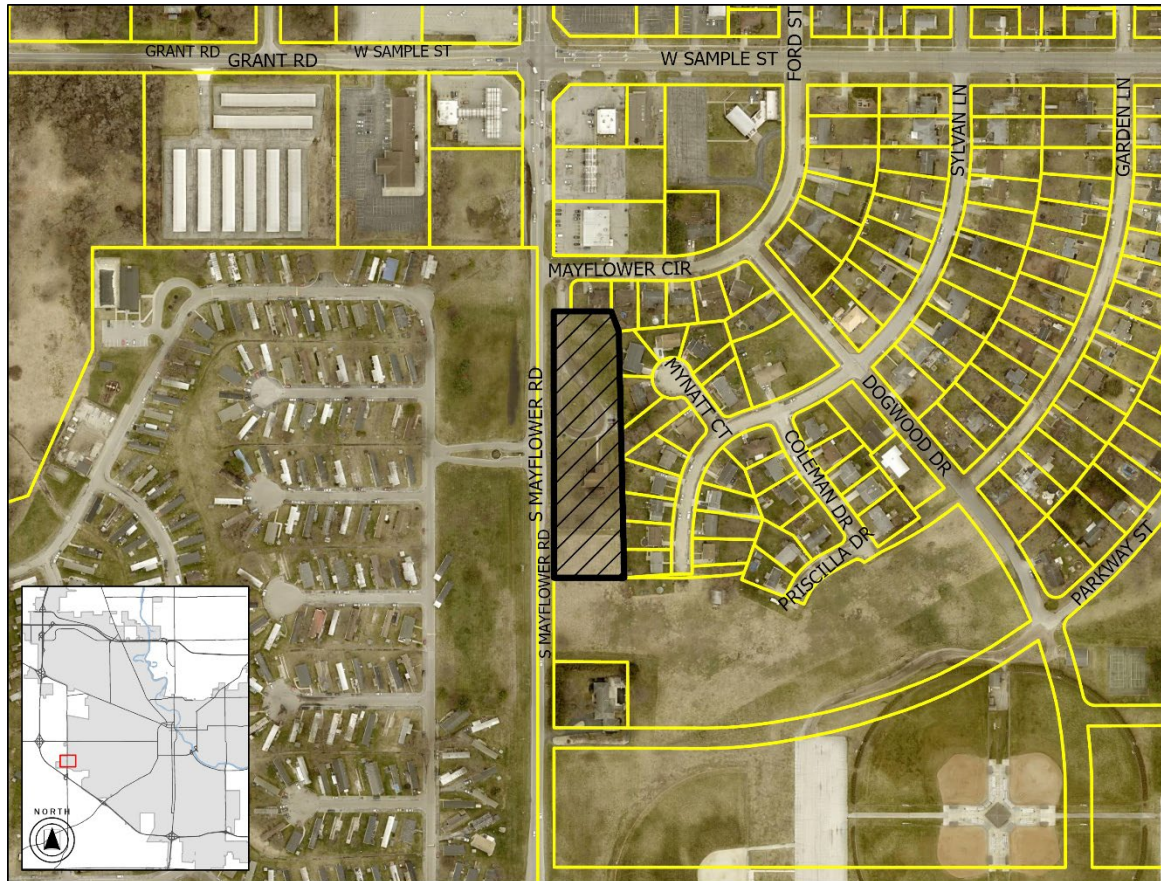
Location: 1114 MAYFLOWER RD
Owner: RHEDI MANAGEMENT GROUP INC

Project Summary

The property owner intends to open a Day Care Center at this location.

Requested Action

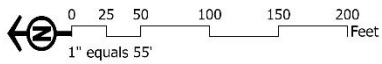
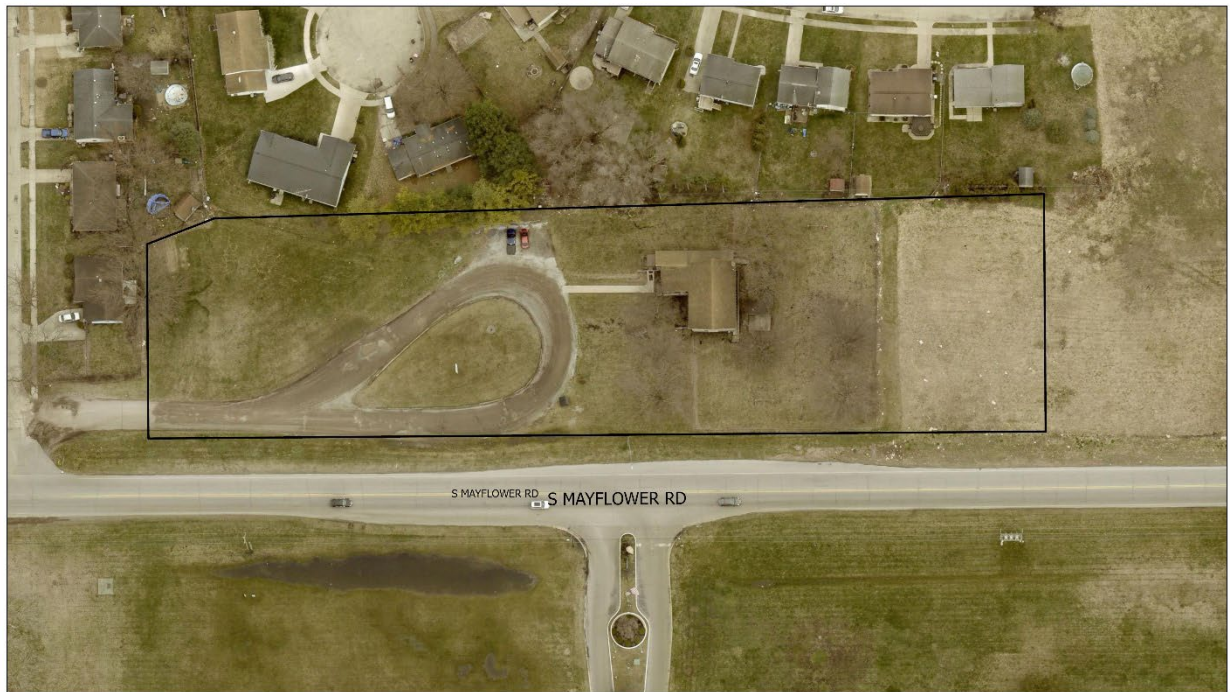
Special Exception: the use of Day Care Center (21-03.01(c))

Site Location

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.

Proposed Site Plan



Legend

Project Name: 1114 S Mayflower Rd Special Exception

Created by South Bend Department of Community Investment on: 6/27/2025 2:58 PM

Criteria for Decision Making: Special Exception

A Special Exception may only be granted upon making a written determination, based upon the evidence presented at a public hearing, that:

(1) The proposed use will not be injurious to the public health, safety, comfort, community moral standards, convenience or general welfare;

The proposed day care center will not be injurious to public health, safety, comfort, community moral standards, convenience, or general welfare because it is designed to serve as a supportive and enriching environment for young children and their families. The center will adhere to all applicable health and safety regulations, and provide age-appropriate instruction and care in alignment with state standards. Additionally, the center will promote family engagement, strengthen community ties, and offer an essential service that contributes to the overall well being and development of children in the area.

(2) The proposed use will not injure or adversely affect the use of the adjacent area or property values therein;

The proposed use should not injure or adversely affect the use of the adjacent area or property values therein because it is a low impact community serving use that complements surrounding residential and institutional properties. The center will maintain a clean and safe facility that enhances the aesthetic of the neighborhood and adheres to all zoning and design requirements. Increased daytime activity at the site is expected to promote neighborhood safety and vitality without generating significant noise, traffic, or environmental concerns.

(3) The proposed use will be consistent with the character of the district in which it is located and the land uses authorized therein;

The proposed use will be consistent with the character of the district in which it is located and the land uses authorized therein. It aligns with the district's intended purpose to support family oriented, educational, and community serving uses. The center will operate during standard daytime hours and contribute to the social infrastructure of the neighborhood. Its design and operation will reflect the scale and aesthetic of nearby properties, ensuring it is integrated seamlessly with surrounding land uses while fulfilling a vital need.

(4) The proposed use is compatible with the recommendations of the Comprehensive Plan.

The proposed use is compatible comprehensive plan recommendations such as expanding access to quality childcare, strengthening neighborhoods, and promoting equitable community development. The center will help meet the growing demand for early learning opportunities, particularly in underserved areas and contribute to long-term goals around supporting families.

Analysis & Recommendation

Analysis: A Day Care Center fits the surrounding land use and zoning of a suburban residential neighborhood. It also supports the needs of the residents in the surrounding area. It is compatible with City Plan Objective E 5.1: Establish and maintain a consistent planning, review, and development process with institutions of higher education, private schools, and the SBCSC to address existing and future school facilities.

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.