

SOUTH BEND BOARD OF ZONING APPEALS

MINUTES

Monday, January 5, 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
Mark Dellostritto
Tim Staub
Jenna Throw
Kelly Meehan

Election of Officers:

ACTION

After careful consideration, the following actions were taken:

Upon a motion by Mark Burrell, being seconded by Caitlin Stevens and unanimously carried, Francisco Fotia is nominated for and elected Chair of the Board of Zoning Appeals.

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

Upon a motion by Caitlin Stevens, being seconded by Kaine Kanczuzewski and unanimously carried, Mark Burrell is nominated for and elected Vice Chair of the Board of Zoning Appeals.

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

PUBLIC HEARINGS:

- 1 The petition of 1017 N HILL ST LLC seeking the following variance(s): from the 70' maximum lot width for a residential building with 4 or fewer units in the Northeast Neighborhood Zoning Overlay to 74' (21-05.02(i)(1)), property located at 1017 N HILL ST. Zoned U1 Urban Neighborhood 1.** *(Audio Position: 01:29)*

STAFF REPORT

The staff report was presented by Mark Dellostritto.

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Analysis: While this is not a variance that staff would typically support, this is a unique circumstance that we believe presents sufficient hardship. The petitioner is wishing to build a new single-unit dwelling across two lots that, collectively, are 4' wider than the 70' maximum lot width allowed in the NNZO. However, there is currently a single-unit dwelling and garage on the property that span both lots (which have the same address) and have been there for at least 60-70 years. This means that if the petitioner were to demolish the structures and build a new dwelling in their place, the current conditions and use of the land would remain the same, and the number of housing units in the neighborhood would not go down. Adjusting the lot widths to make them zoning compliant, or give the petitioner more buildable area on just one of their width-compliant lots, would require them to hire a surveyor and/or potentially make an agreement with their neighbor to purchase some of their land, both of which would present practical difficulties. Staff Recommendation: Based on the information provided prior to the public hearing, the staff recommends the Board approve the variance as presented.

PETITIONER

Brad Milovich, petitioner, 1017 N Hill 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.

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 1017 N HILL ST LLC seeking the following variances: from the 70' maximum lot width for a residential building with 4 or fewer units in the Northeast Neighborhood Zoning Overlay to 74' (21-05.02(i)(1)) 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 KOLODNY MOSHE & CHAYA seeking the following variance(s): from the 20' rear setback to 10' (21-03.01(d)), property located at 1104 ECKMAN ST. Zoned S1 Suburban Neighborhood 1. *(Audio Position: 10:05)***

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STAFF REPORT

The staff report was presented by Tim Staub.

Analysis: This addition will not have any substantial impacts on surrounding properties.

Additionally, neither the building footprint nor the rear setback will be changing, and if the front door of the house were facing Miami Street rather than Eckman Street, this variance would not be needed.

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

PETITIONER

Moshe Kolodny, petitioner, 1104 E Eckman St, appeared in person to present

INTERESTED PARTIES

William Jackson, 1119 E Eckman, appeared virtually in opposition 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 Mark Burrell, being seconded by Caitlin Stevens and unanimously carried, a petition by KOLODNY MOSHE & CHAYA seeking the following variances: from the 20' rear setback to 10' (21-03.01(d)) 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 ST JOSEPH COUNTY PUBLIC LIBRARY seeking the following variance(s): to allow an accessory structure in a front yard (21-06.02(d)(1)), property located at 4163 WESTERN AVE. Zoned C Commercial.** *(Audio Position: 20:27)*

STAFF REPORT

The staff report was presented by Brian Killen.

Analysis: Accessory structures are not allowed to be placed in the front yard of a property.

Though a large property, this library renovation presents unique challenges given the use of an existing building and proposed layout of the parking lot. Locating the trash enclosure behind the front facade of the building would create potential safety concerns requiring the trash truck to

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maneuver or reverse through a public parking area. The proposed location is set forward of the front façade, but it provides practical access to the trash truck while being well screened and significantly set back from the street.

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

PETITIONER

Ben McHugh, MKM Archecture and Design, 435 E Bracken Ridge, 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 ST JOSEPH COUNTY PUBLIC LIBRARY seeking the following variances: 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

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 November 3 2025, Board of Zoning Appeals meeting were approved.

Findings of Fact - Upon a motion by Mark Burrell, and seconded by Caitlin Stevens and unanimously carried, the findings of fact from the December 1, 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 November 3, 2025, Board

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of Zoning Appeals meeting were approved.

Minutes - Upon a motion by Mark Burrell and seconded by Caitlin Stevens and unanimously carried, the minutes from the December 1, 2025, Board of Zoning Appeals meeting were approved.

3. Other Business

4. Adjournment- 4:32pm

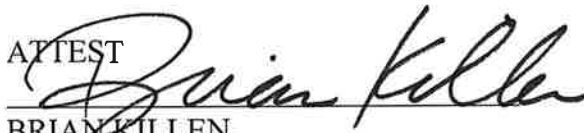
RESPECTFULLY SUBMITTED,



FRANCISCO FOTIA,

Chair

ATTEST



BRIAN KILLEN,

Secretary of the Board