

Caitlin Stevens
Mayoral Appointee
Terms: Jan 2024 – Dec 2027
Francisco Fotia
Plan Commission Appointee
Terms: Jan 2024 – Dec 2027
Kaine Kanczuzewski
Common Council Appointee
Terms: Jan 2023 – Dec 2026
Mark Burrell
Mayoral Appointee
Terms: Jan 2024 – Dec 2027

City of South Bend

BOARD OF ZONING APPEALS

AGENDA

Monday, July 7, 2025 - 4:00 p.m. County-City Building Fourth-
Floor Council Chambers
www.tinyurl.com/sbbza
Meeting Recordings -<https://tinyurl.com/BZAmeetingrecordings>

PUBLIC HEARING:

- Location:** 114 POKAGON ST BZA#0330-25
Owner: SELKING AARON
Requested Action: Variance(s): from the minimum rear setback of 20' to 5' [21-03.03(d)]
Zoning: U1 Urban Neighborhood 1

- Location:** 1131 ECKMAN ST BZA#0353-25
Owner: OCOBOCK PAUL & ABIGAIL HW
Requested Action: Variance(s): from a 3-foot solid fence in a corner yard to 6 feet [21-09D]
Zoning: S1 Suburban Neighborhood 1

- Location:** 1717 HICKORY RD BZA#0355-25
Owner: CHRISTIAN LIFE CENTER SOUTH BEND INC
Requested Action: Variance(s): from a 4 foot 50% open fence in a front yard to 6ft [21-09D]
Zoning: S1 Suburban Neighborhood 1

- Location:** 1022 ST LOUIS BLVD BZA#0357-25
Owner: WESTPORT MAYO LLC
Requested Action: Variance(s): from a two (2) car garage to a three (3) car garage [21-05.02(f)(4)(A)i]
Zoning: U1 Urban Neighborhood 1

SPECIAL EXCEPTION

- Location:** 1114 MAYFLOWER RD BZA#0331-25
Owner: RHEDI MANAGEMENT GROUP INC
Requested Action: Special Exception: for the use of a School, Pre-K/Primary/Secondary [21-06.01(f)(11)]
Zoning: S1 Suburban Neighborhood 1

- Location:** 1039 LINCOLNWAY BZA#0352-25
Owner: FARHAN MOHAMMED
Requested Action: Special Exception: for the use of Vehicle Sales or Rental [21-06.01(k)]
Zoning: NC Neighborhood Center

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

Location: 1527 and 1527 MICHIGAN ST

BZA#0354-25

Owner: 1527 MICHIGAN LLC

Requested Action: Special Exception: for use of Vehicle Service, Minor [21-06.01(k)(23)]

Zoning: NC Neighborhood Center

Location: 1024 THOMAS ST

BZA#0356-25

Owner: EL CAMPITO INC

Requested Action: Special Exception: for the use of a School, Pre-K/Primary/Secondary [21-06.01(f)(11)]

Zoning: U1 Urban Neighborhood 1

ITEMS NOT REQUIRING A PUBLIC HEARING:

1. Findings of Fact
2. Minutes
3. Other Business
4. Adjournment

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

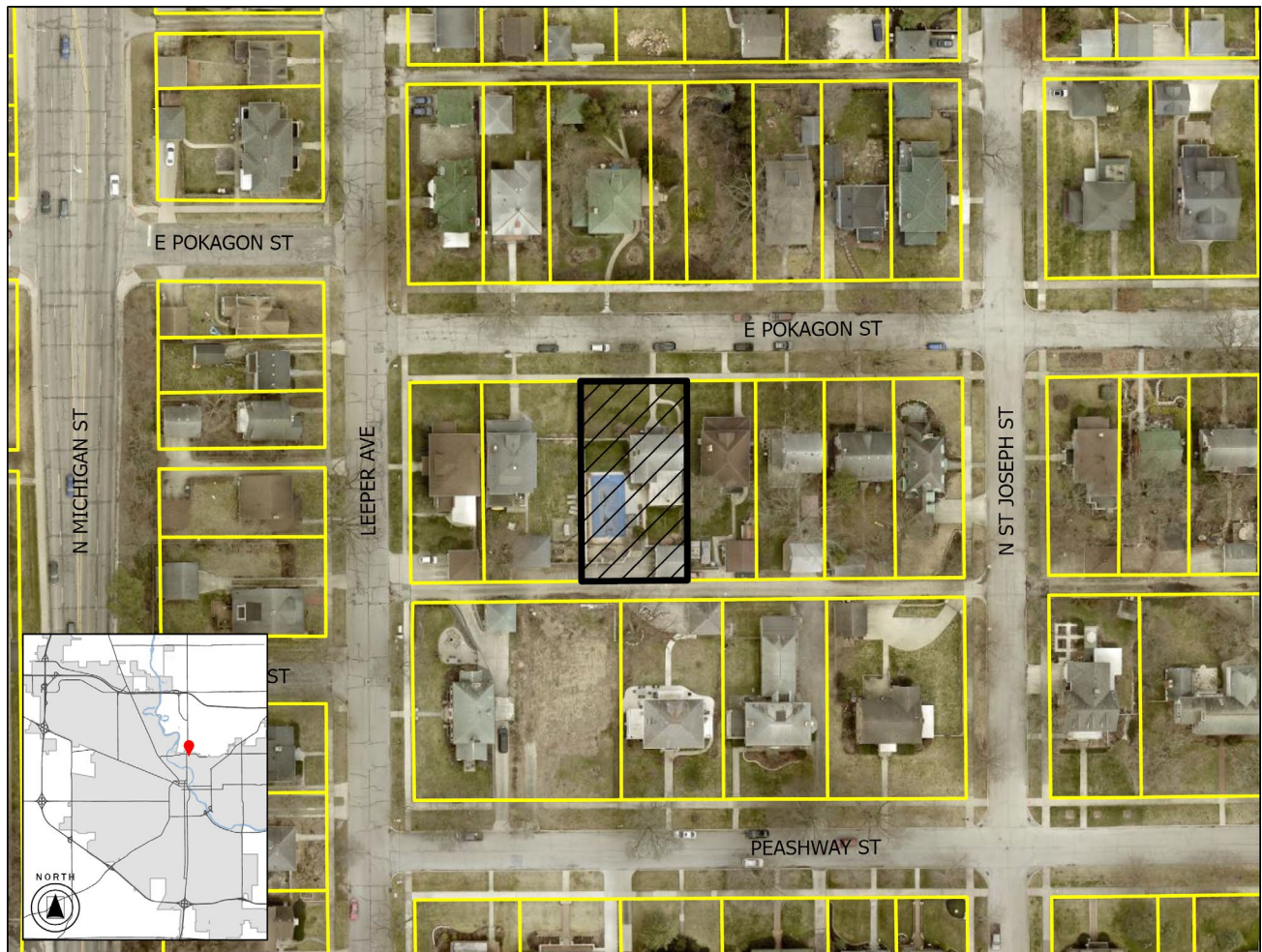
Location: 114 POKAGON ST
Owner: SELKING AARON

Project Summary

for the living space above the garage from the existing 20 ft rear setback to 5 ft from the rear property line

Requested Action

Variance(s): from the minimum rear setback of 20' to 5' [21-03.03(d)],

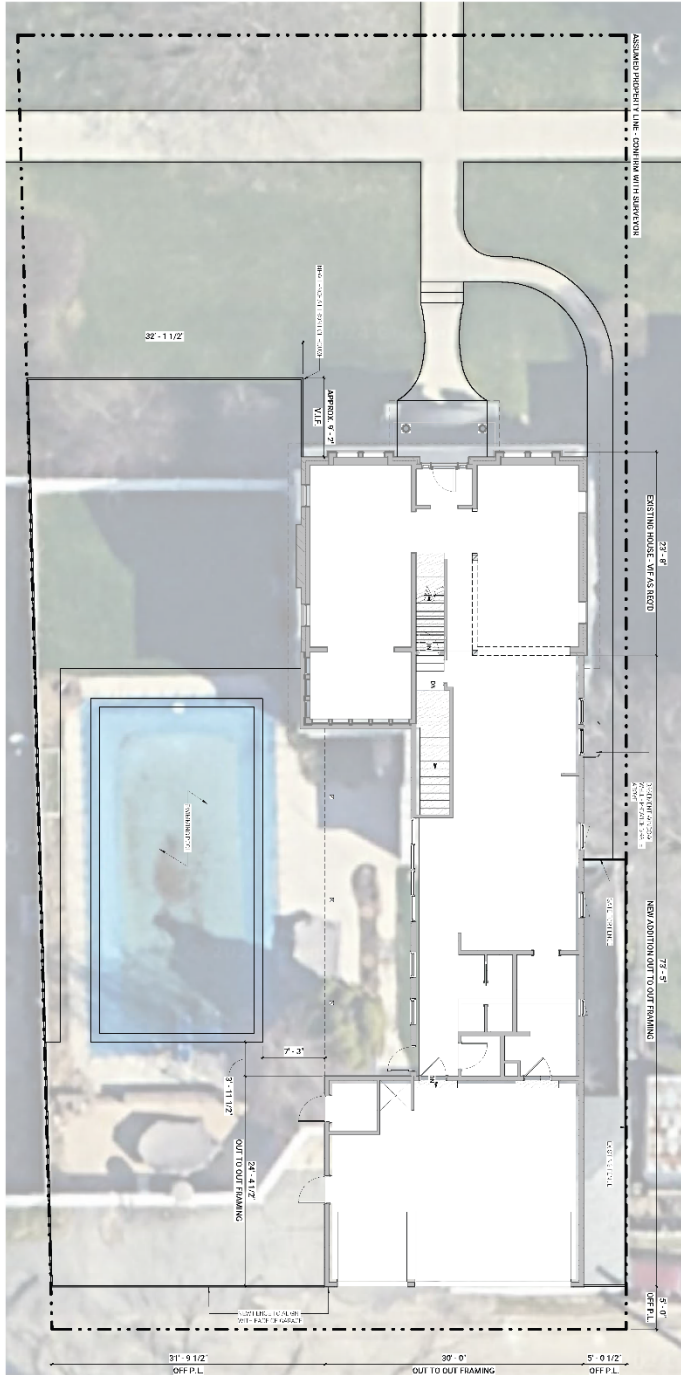
Site Location

Staff Recommendation

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

Proposed Site Plan

1 ARCHITECTURAL SITE PLAN



GENERAL ARCHITECTURAL SITE PLAN NOTES

1. ALL DIMENSIONS ARE IN FEET AND INCHES. DIMENSIONS ARE GIVEN TO THE CENTERLINE OF THE LOT OR TO THE CENTERLINE OF THE ROAD.
2. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE LOT OR TO THE CENTERLINE OF THE ROAD.
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10. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE LOT OR TO THE CENTERLINE OF THE ROAD.

A001

ARCHITECTURAL SITE PLAN

THESE NOTES ARE FOR THE
Selling Residence
1741 45th Avenue SE
South Bend, IN 46617

DESIGNER
TWC studio
1741 45th Avenue SE
South Bend, IN 46617
OWNER
TWC studio
1741 45th Avenue SE
South Bend, IN 46617
CONSULTANT
TWC studio
1741 45th Avenue SE
South Bend, IN 46617



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

The approval should not be injurious to public health, safety, morals, and the general welfare of the community. The building is adding a second story of living space into the rear setback.

(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 could be adversely affected. The petitioner is adding a second story within the rear setback; the larger bulk of this project may have an impact on neighboring properties.

(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 should not result in practical difficulties in the use of the property. The property will still be able to be used as a single unit dwelling with a garage without the second floor in the setback.

(4) The variance granted is the minimum necessary

The variance granted should be the minimum necessary. The applicant is seeking a variance to develop a second floor inline with a garage that would correct the nonconformity of the current garage. This would not extend beyond that setback.

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

The granted variance is correcting a hardship created by the current owner. The owner is permitted to establish a garage in the rear setback up to 5' from the alley; however, any living space of the primary dwelling must be set back 20' from the rear lot line.

Analysis & Recommendation

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.

Property Information

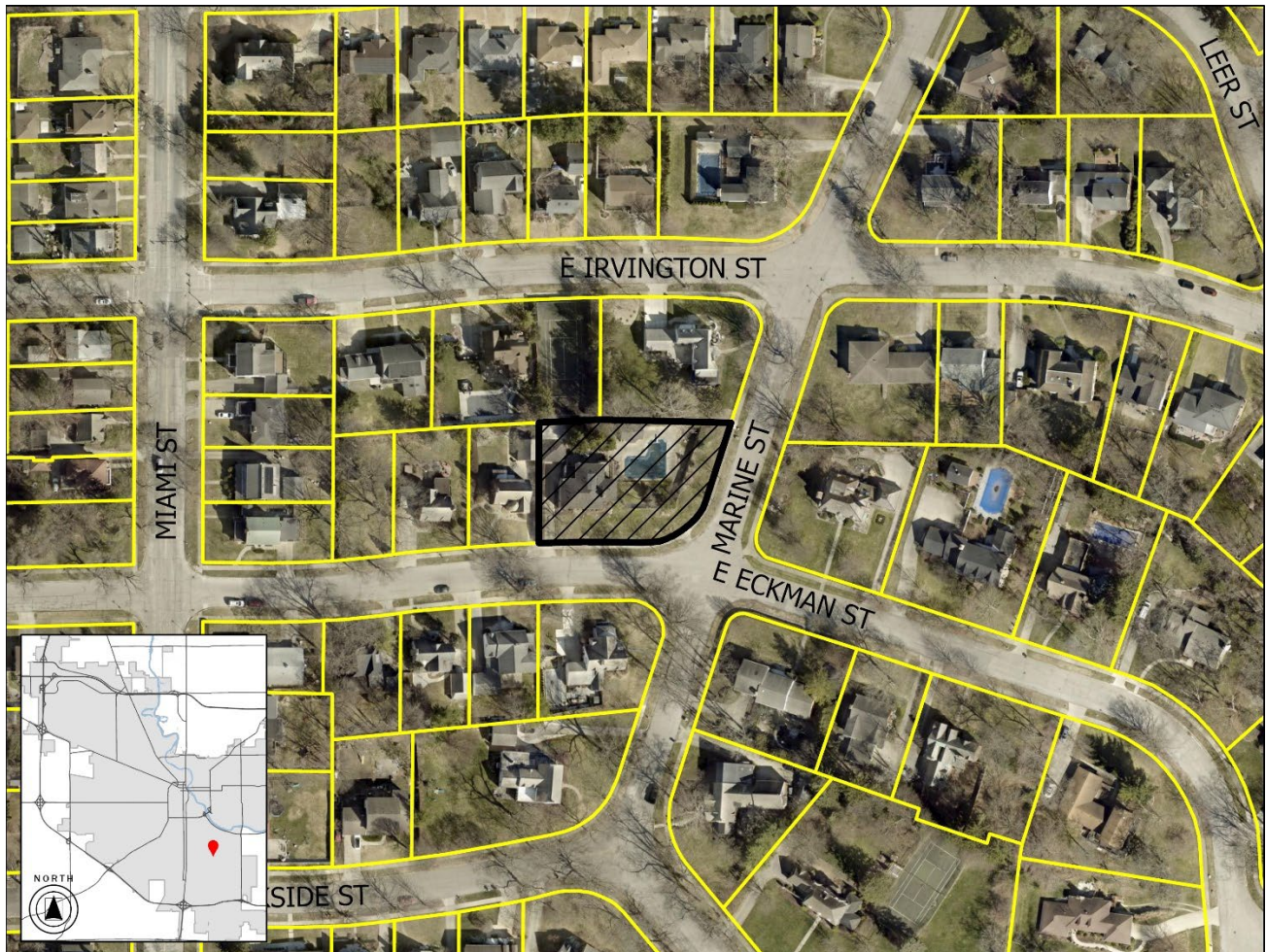
Location: 1131 ECKMAN ST
Owner: OCOBOCK PAUL & ABIGAIL HW

Project Summary

To rebuild a solid fence in the corner yard to 6 feet in height to enclose an existing pool.

Requested Action

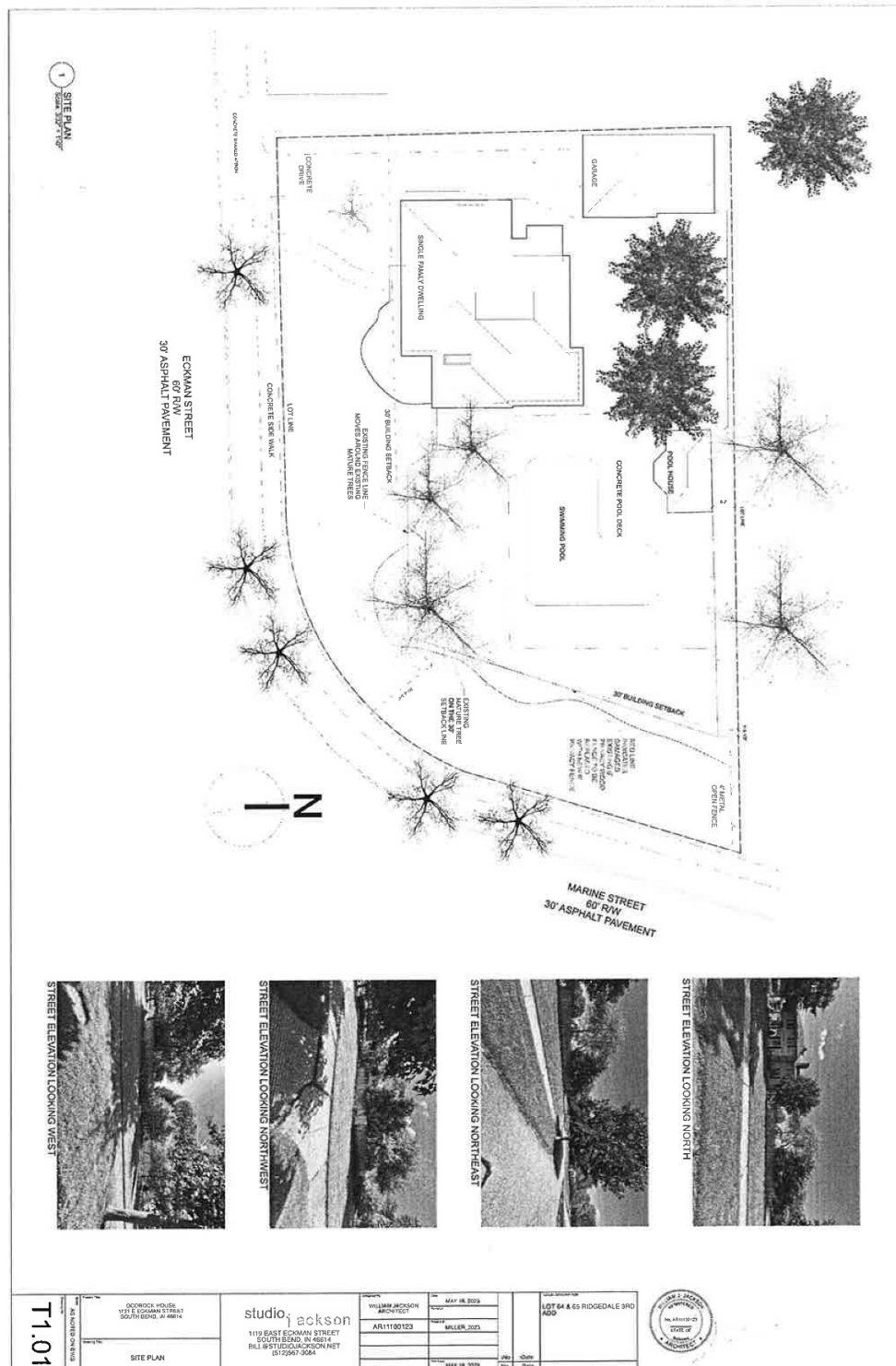
Variance(s): from a 3 foot solid fence in a corner yard to 6 feet [21-09D]

Site Location

Staff Recommendation

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

Proposed Site Plan



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

The approval should not be injurious to the public health, safety, morals, and general welfare of the community. The petition will maintain safety by providing a fence around a pool in the petitioners' yard.

(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 petitioner seeks to restore and replace an existing fence with a new one.

(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 the fence being impossible to build. As the primary structure is sited over 100' from the secondary street, it provides a large corner yard which is limited to 3' tall solid fencing or 4' tall 50% open fencing. These standards would make it impossible to provide effective protection around the pool.

(4) The variance granted is the minimum necessary

The variance granted is the minimum necessary. The fence will be in the corner yard and be set back 30' from the front and corner property lines.

(5) The variance does not correct a hardship cause 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 owners are replacing a fence that was damaged by a storm and it limits access to their pool.

Analysis & Recommendation

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 petitioner respected building setbacks in the fence's siting to avoid going into the front yard and to maintain an effective corner yard.

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

Property Information

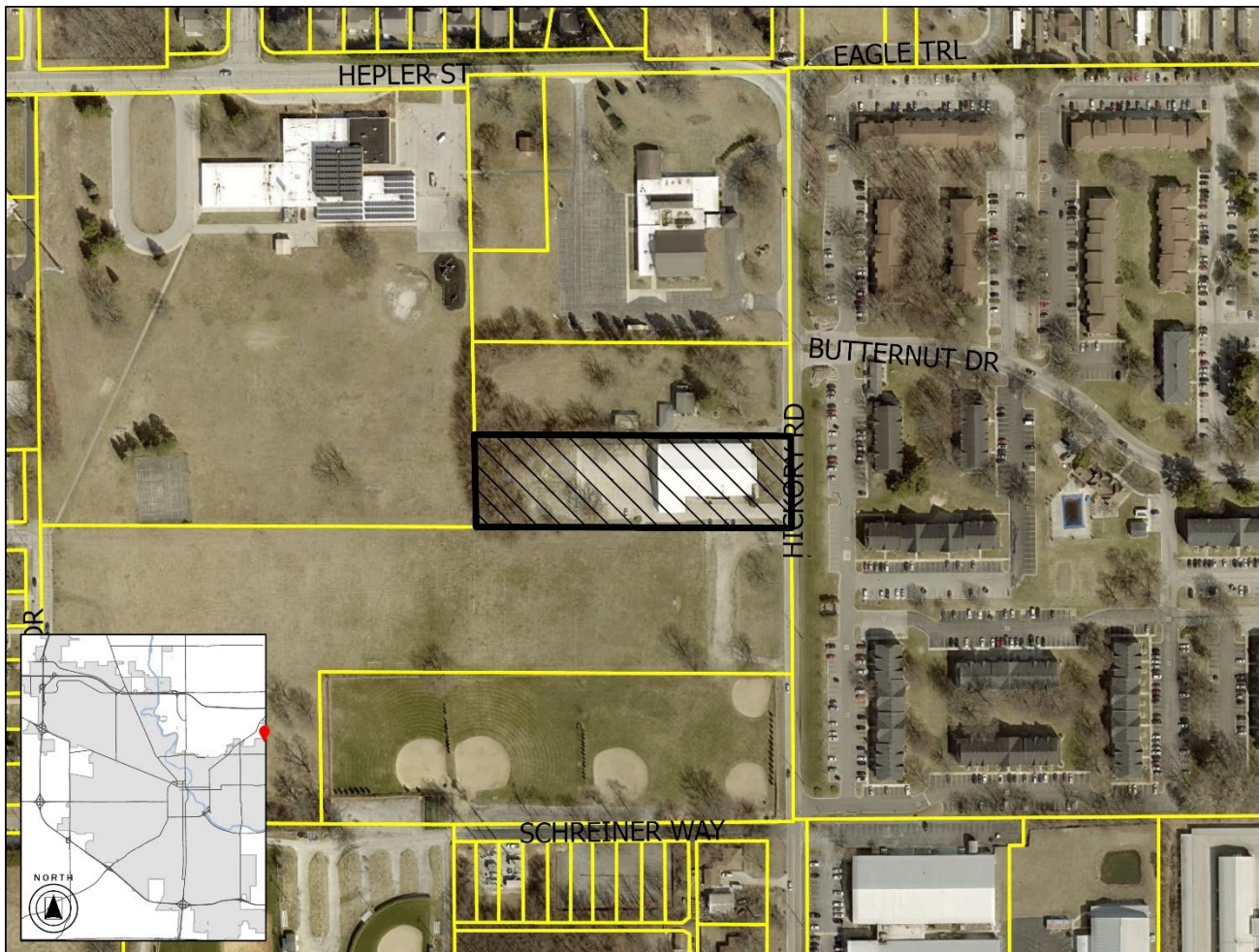
Location: 1717 HICKORY RD
Owner: CHRISTIAN LIFE CENTER SOUTH BEND INC

Project Summary

To add a 6ft aluminum fence that will be 50% open to the front of the property to support a childcare operation

Requested Action

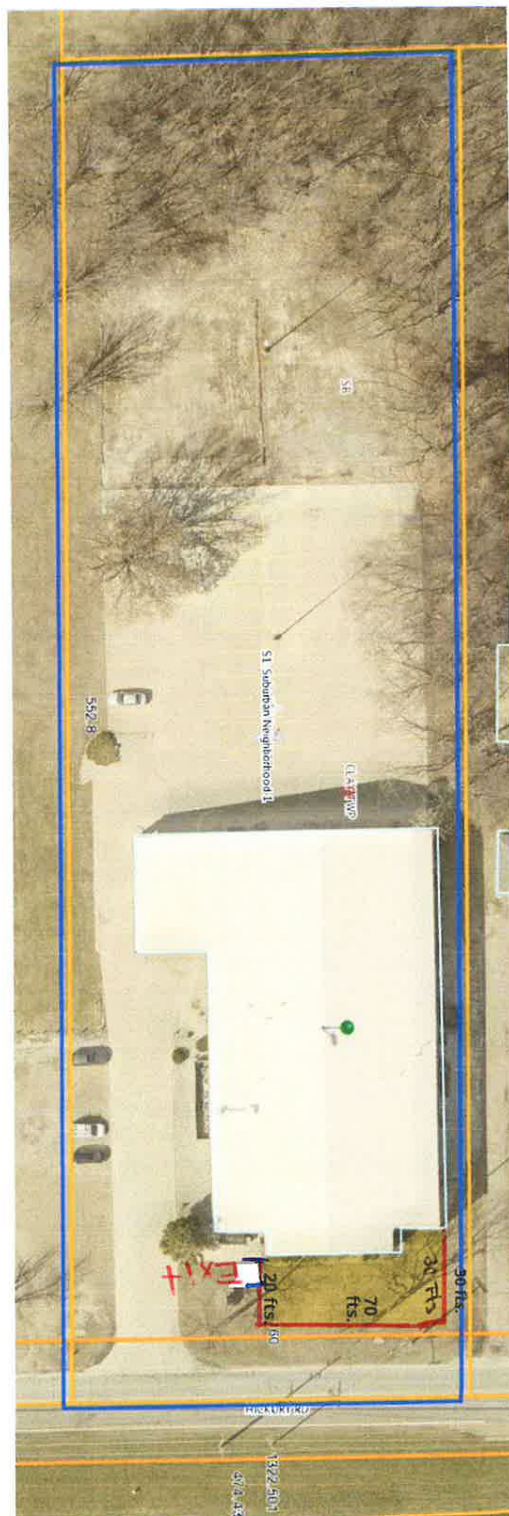
Variance(s): from a 4 foot 50% open fence in a front yard to 6ft [21-09D]

Site Location

Staff Recommendation

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

Proposed Site Plan



Fence Dimensions
30" X 70" X 20 fts.
Fence 5 Feet High.

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

The approval will not be injurious to the public health, safety, morals, and general welfare of the community. This is adding a fence as a space for children to safely play in.

(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. This will be a fence in a front yard across from a parking lot to a townhome complex.

(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 make it impossible to apply such fencing to this property. As this is the only large yard space adjacent to the building, strict application of the chapter would result in a four foot (4') 50% open fence which would not provide as much security to the children playing in the space as a six foot (6') fence.

(4) The variance granted is the minimum necessary

The variance granted is the minimum necessary. It is providing a secure and safe enclosure to the front yard and space for the children to play in.

(5) The variance does not correct a hardship cause 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. This fence would be permitted in the side and rear yards; however, the parking lot fills the rear yard, the driveway fills the side yard to the south, and the side yard to the north is too narrow to fully support an active space.

Analysis & Recommendation

Analysis: The petitioner is seeking to establish an enclosed recreational outdoor space for children. The fence needs to be at an effective height to promote safety and security. The petitioner is also limited in terms of space where they can place such a fence adjacent to the primary structure. With these limitations in place, the front yard is the only space where this space can be enclosed.

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

Property Information

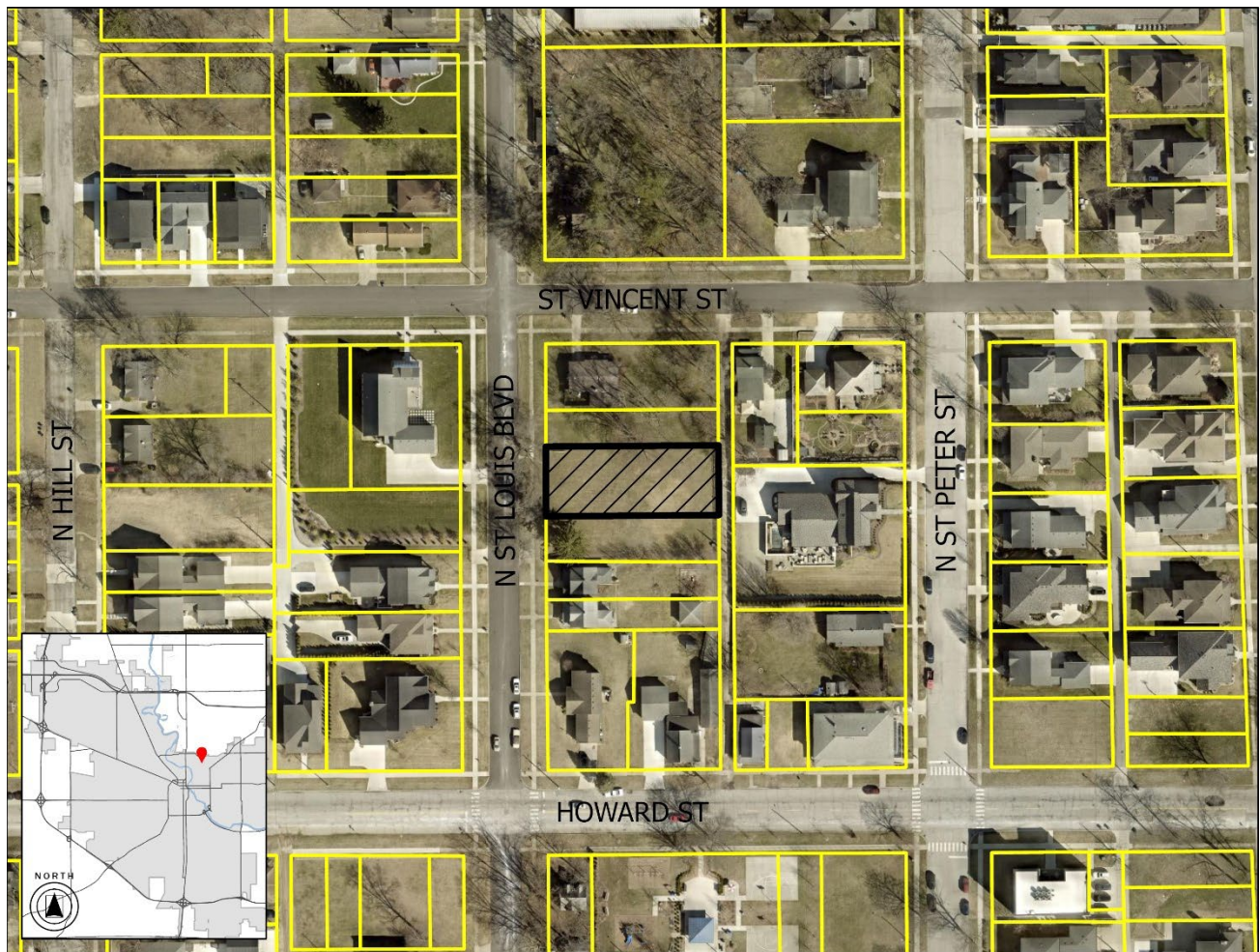
Location: 1022 ST LOUIS BLVD
Owner: WESTPORT MAYO LLC

Project Summary

the petitioner seeks to establish a third bay in the garage to permit the parking of three cars.

Requested Action

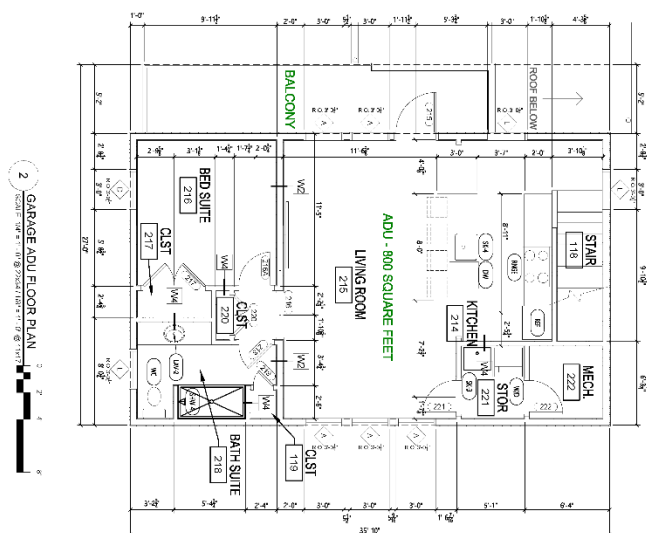
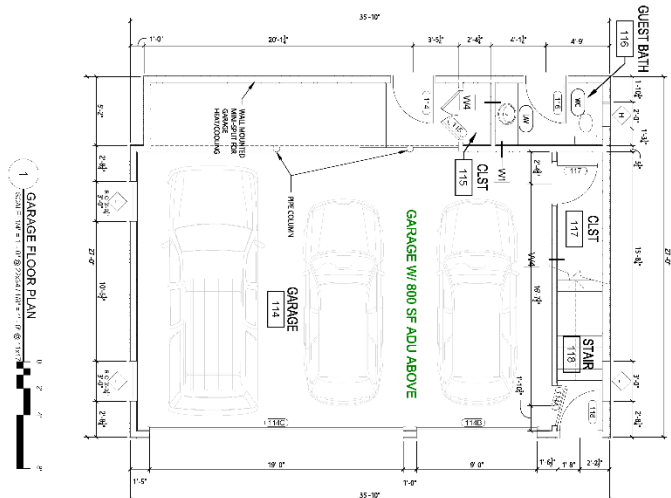
Variance(s): from a two (2) car garage to a three (3) car garage [21-05.02(f)(4)(A)i]

Site Location

Staff Recommendation

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

Proposed Site Plan



GENERAL NOTES

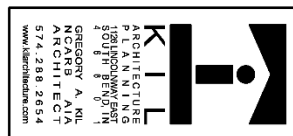
1. DRAINING AND VENTING REQUIREMENTS ARE TO BE FACED BY FINISH.
2. LOW DRAINAGE SLOPES ARE INCLUDED IN THIS SET TO COMPLET DRAINAGE. CHECKWORK DESIGN, PLUMBING, AND DRAINAGE SHALL BE THE RESPONSIBILITY OF THE DESIGNER. CONTRACTOR SHALL COMPLY WITH THE DESIGNER'S REQUIREMENTS.
3. PROVIDE DRAINAGE DETAILS AS REQUIRED FOR INSTALLATION OF WALL-MOUNTED ACCESSORIES. CHECKWORK: PLUMBING/MECHANICAL.

GENERAL PLAN NOTES

- [illegible]

PLMG. FIXTURES & APPLIANCES

- ☐ (S, X) 24" x 20" ADU KITCHEN SINK
☐ (TW) DISHWASHER
☐ (R) REFRIGERATOR
☐ (B, V) BATHROOM LAVATORY & FAUCET
☐ (S, M, L) 30" x 60" TILED SHOWER WITH SHOWER HEAD
☐ (DR) DRYER
☐ (CL) CLOSET



KAP. 22022

KERRIGAN
RESIDENCE

1026 N. St. Louis
Boulevard
South Bend, IN
46601-7744

GARAGE &
GARAGE ADU

CONSTRUCTION DOCUMENT
JUNE 8, 2024

REVISION
1 2005 CO. 4. APPROVED IN A

A1.3

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

The approval will not be injurious to the public health, safety, morals, and general welfare of the community. It is adding a garage bay to an approved structure.

(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 structure itself is by right, but this is opening a wall to be a garage bay.

(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 no practical difficulties in the use of the property. The owner can still use the garage as it functions and has 70' of frontage to park on the street for additional vehicles.

(4) The variance granted is the minimum necessary

The variance granted would be the minimum necessary. It is increasing the number of garage bays permitted in the NNZO from two (2) to three (3).

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

The variance granted is correcting a hardship caused by a former or current owner of the property. This is the hardship of not being able to store three (3) vehicles in a garage instead of two (2) as laid out by the buildings plans.

Analysis & Recommendation

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.

Property Information

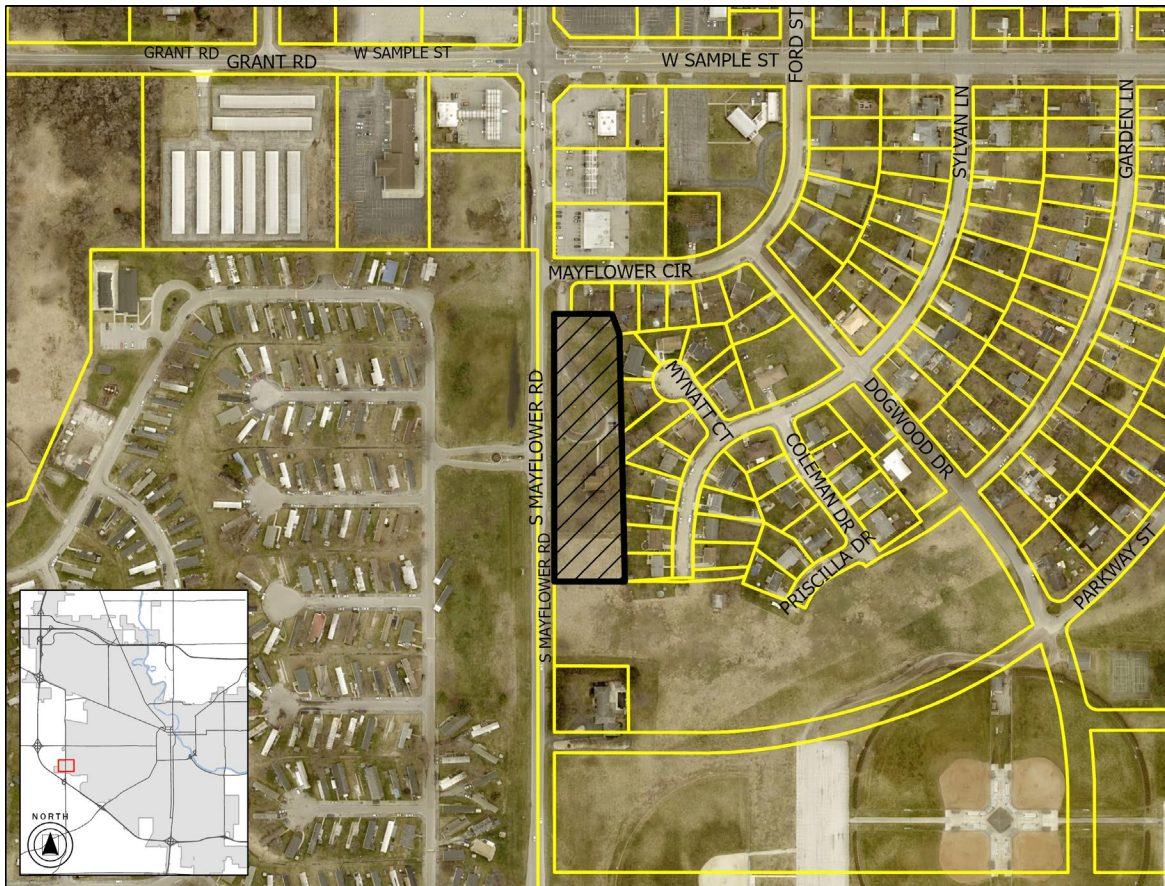
Location: 1114 MAYFLOWER RD
Owner: RHEDI MANAGEMENT GROUP INC

Project Summary

Seeking a Special Exception to allow, to be used as a School, Pre-K/Primary/Secondary, property located at 1114 MAYFLOWER RD. Zoned S1 Suburban Neighborhood 1.

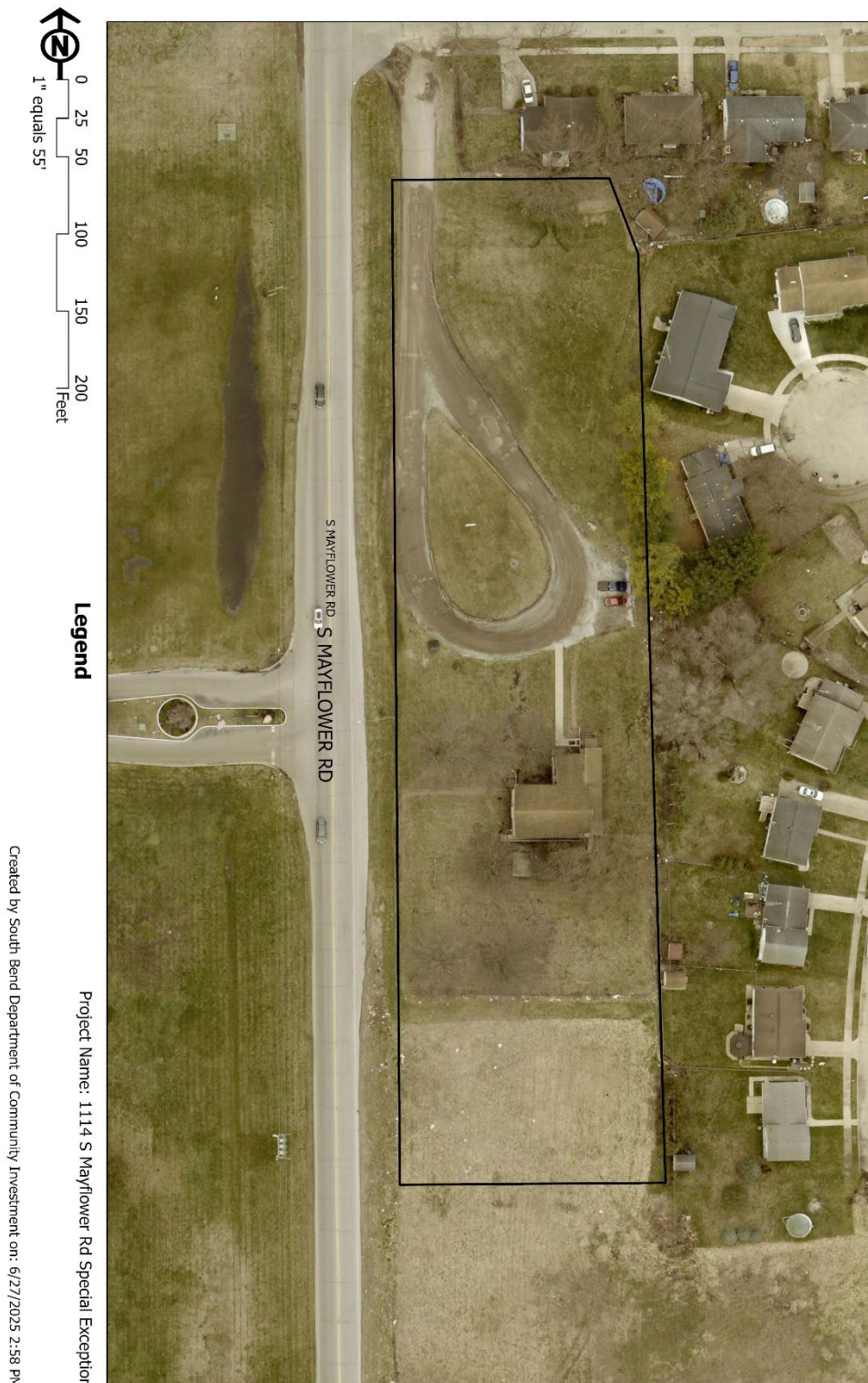
Requested Action

Special Exception: to be used as a School, Pre-K/Primary/Secondary [21-06.01(f)(11)]

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;

The proposed use should not be injurious to public health, safety, comfort, community moral standards, convenience, or general welfare. The petitioner is establishing a Pre-K program within the Suburban Neighborhood 1 district (S1). It supports the housing uses around it and should not generate any such injuries.

(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. It is a pre-k program accessed by a major street in a residential area. It should benefit the adjacent uses and property values by providing an essential amenity.

(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. The S1 district permits institutional uses that are compatible with the scale of the neighborhood. Additional schooling programs provide support to the uses within the district.

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

The proposed use is compatible with recommendation E 5.1 of the City comprehensive plan: 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.

Analysis & Recommendation

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 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.

Property Information

Location: 1039 LINCOLNWAY and 1039 LINCOLNWAY
Owner: FARHAN MOHAMMED

Project Summary

To allow Vehicle Sales or Rentals (21-06.01(k))

Requested Action

Special Exception: Vehicle Sales or Rental [21-06.01(k)]

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 an unfavorable 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;

The proposed use should not be injurious to the public healthy, safety, comfort, community moral standards, convenience or general welfare. It is a retail space where vehicles will be rented. The use should not cause any of these nuisances.

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

The proposed use may injure or adversely affect the use of the adjacent area or property values therein. The visual impact of a truck parking lot could have a negative impact on surrounding properties that are seeing infill residential development.

(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 is not consistent with the character of the district in which it is located and the land uses authorized therein. The intent of the district and the surrounding neighborhood is to produce an urban, walkable area with non-auto centric uses.

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

The proposed use is not compatible with the recommendations of the Near Northwest Neighborhood Plan (2019). The 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 fulfill this intent.

Analysis & Recommendation

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 fairly dense neighborhood which is seeing urban infill, it will need a more urban style land use to support that infill. Vehicle rental is more generally meant for suburban areas. Any auto-oriented use in an NC should also be set behind the building. Additionally, the lots involved in the application cross over the public right-of-way in terms of an alley. Such a use would require the city's permission to utilize the right-of-way to conduct business or an alley vacation, which is not established at this time.

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.

Property Information

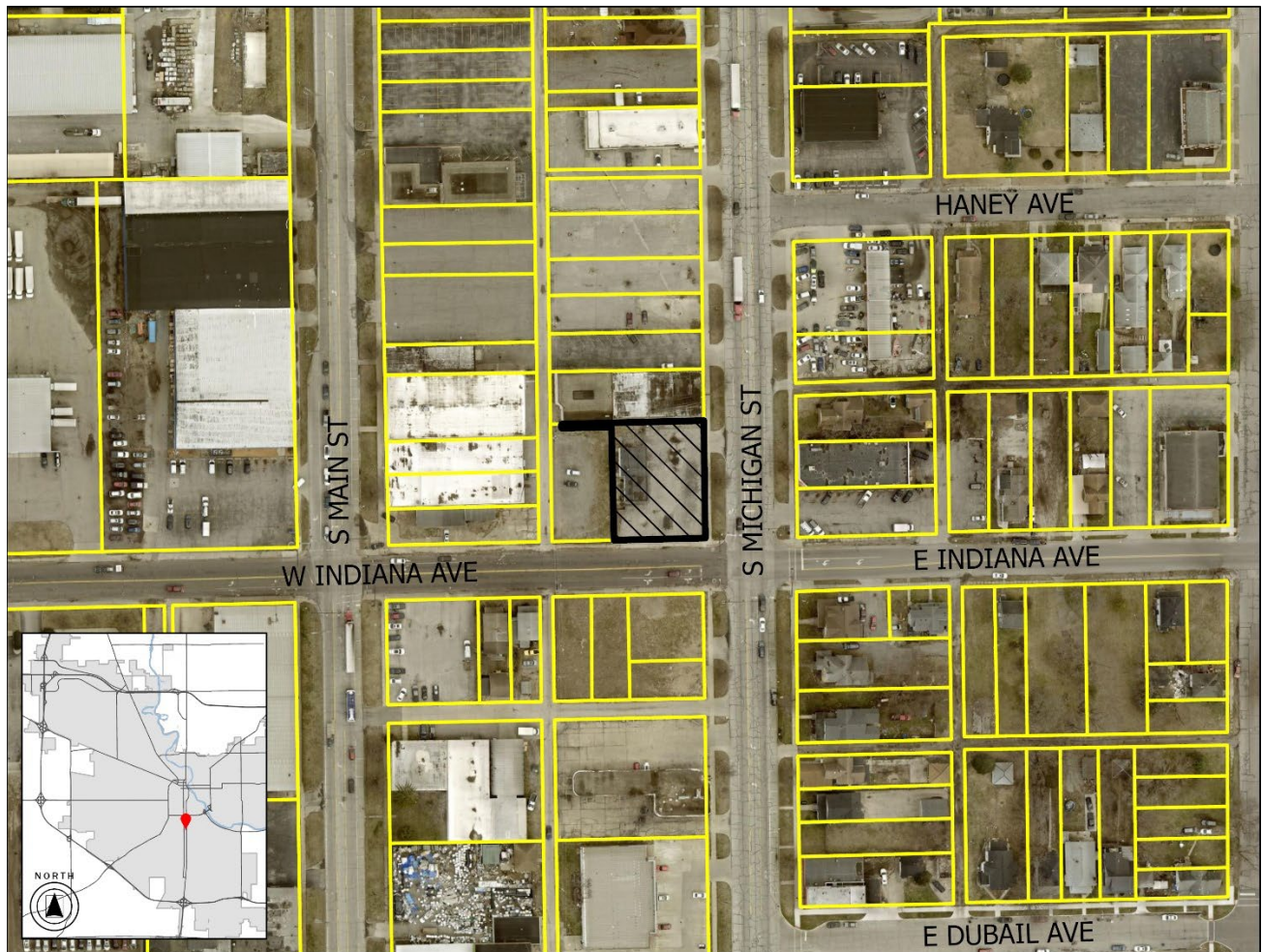
Location: 1527 and 1527 MICHIGAN ST
Owner: 1527 MICHIGAN LLC

Project Summary

To establish a Vehicle Service, Minor in an existing building

Requested Action

Special Exception: for use of Vehicle Service, Minor [21-06.01(k)(23)]

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 an unfavorable recommendation.

Proposed Site Plan



Created by South Bend Department of Community Investment on: 6/27/2025 1:39 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 use will not be injurious to the public health, safety, comfort, community moral standards, convenience, or general welfare.

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

The proposed use may injure or adversely affect the use of the adjacent area or property values there in. The visual impact of a long term vehicle storage could have a negative impact to surrounding property values that are seeing infill residential development. The applicant would need to add street trees and bring the existing lot up to standards.

(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 is not consistent with the character of the district in which it is located and the land uses authorized therein. The intent of the district and the surrounding neighborhood is to produce an urban, walkable area with non-auto centric uses.

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

The proposed use is not compatible with the recommendations of the 2015 Southeast Neighborhood Plan, which calls for a dense commercial use at the Michigan-Indiana intersection that serves as a walkable neighborhood center. Additionally, the 2020 zoning map designated this as a Neighborhood Center district for a mixture of storefront retail and professional offices with active building facades.

Analysis & Recommendation

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 little to no 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.

Property Information

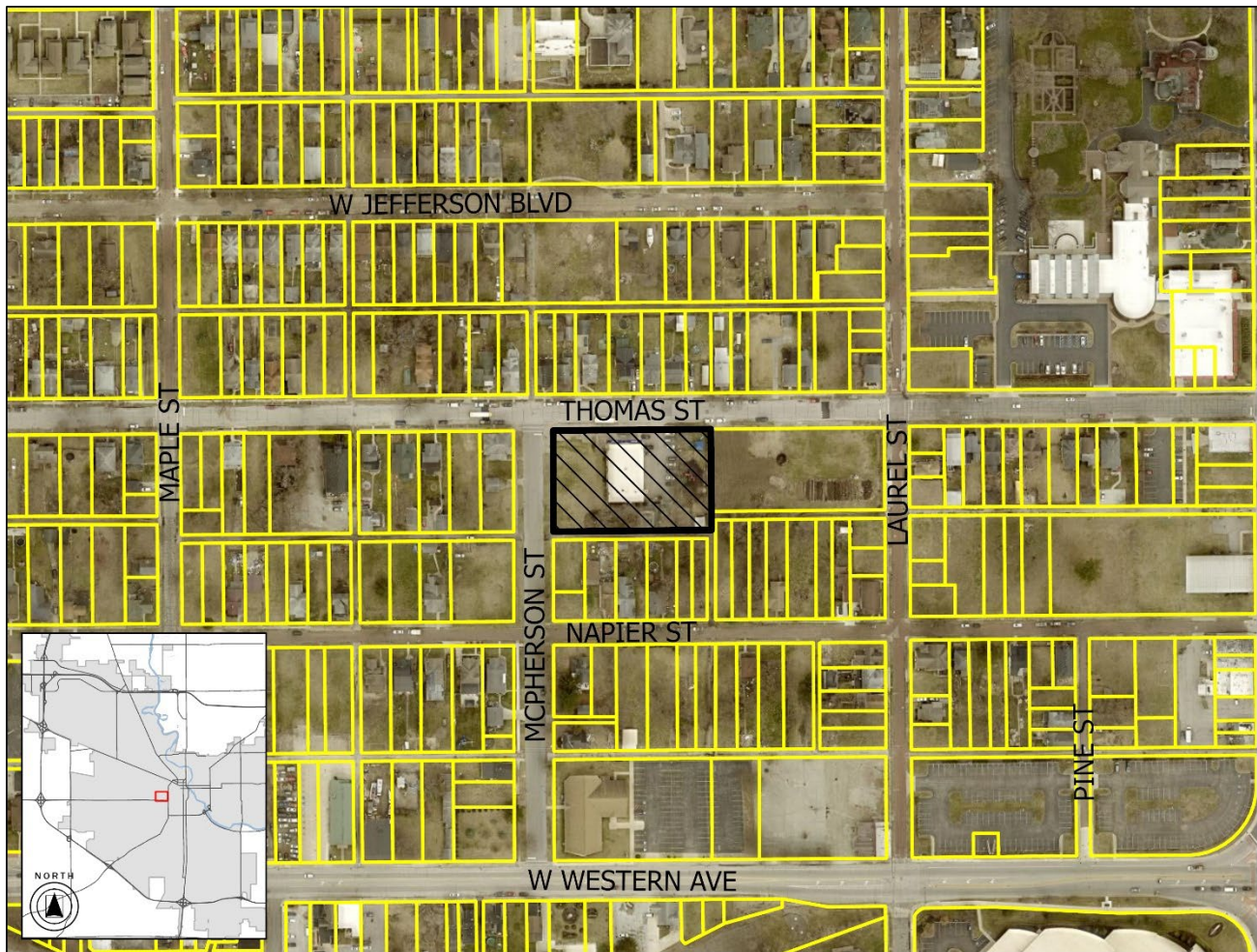
Location: 1024 THOMAS ST
Owner: EL CAMPITO INC

Project Summary

To allow to be used as a school for Pre-K, Primary/Secondary

Requested Action

Special Exception: for the use of a School, Pre-K/Primary/Secondary [21-06.01(f)(11)]

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;

The proposed use should not be injurious to the public health, safety, comfort, community moral standards, convenience, or general welfare. This is activating a vacant school building to become a school.

(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. This is activating a vacant school building to become a school in a residential neighborhood.

(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 should be consistent with the character of the district in which it is located and the land uses authorized therein. This institutional use is activating a vacant school, which is consistent with the intent of the U1 zoning district.

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

The proposed use is compatible with the recommendations of the Near Westside Neighborhood Plan (2022). The plan indicates an educational use occupying this space.

Analysis & Recommendation

Analysis: Originally the parochial school for St. Stephen Catholic Church and later the location of El Campito, this vacant school building can continue to serve as a place of learning and a community space, as envisioned by the Near Westside Neighborhood Plan.

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.