

City of South Bend

BOARD OF ZONING APPEALS

AGENDA

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

City Hall

Third-Floor Council Chambers

www.tinyurl.com/sbbza

PUBLIC HEARING:

1. **Location:** 1101 ELLIOTT ST BZA#0374-25
Owner: 1101 ELLIOTT STREET TRUST & SMITH SCOTT ROYAL AS TRUSTEE
Requested Action: Special Exception: Dwelling, 2 Units in U1 Urban Neighborhood 1 (21-06.01(j)(3))
Zoning: U1 Urban Neighborhood 1
2. **Location:** 1409 W INDIANA AVE BZA#0375-25
Owner: KT SOLUTIONS LLC
Requested Action: Special Exception: Dwelling, 2 Units in U1 Urban Neighborhood 1 (21-06.01(j)(3))
Zoning: U1 Urban Neighborhood 1
3. **Location:** 1417 W INDIANA AVE BZA#0376-25
Owner: PARKER ROBERT L & KT SOLUTIONS LLC
Requested Action: Special Exception: Dwelling, 2 Units in U1 Urban Neighborhood 1 (21-06.01(j)(3))
Zoning: U1 Urban Neighborhood 1
4. **Location:** 526 E COLFAX AVE BZA#0378-25
Owner: ROXANN REASOR
Requested Action: Variance(s): from requirement that main entrances shall be prominently located and visible from the primary street or open space 21-03.08(g)
Zoning: DT Downtown
5. **Location:** 832 N LAFAYETTE BLVD BZA#0379-25
Owner: SCHOOL CITY OF SOUTH BEND
Requested Action: Variance(s): to permit a freestanding sign in the DT Downtown district (21-10.05(c))
Zoning: DT Downtown
6. **Location:** 528 S EDDY ST BZA#0380-25
Owner: SOUTH BEND COMMUNITY SCHOOL CORP
Requested Action: Variance(s): to reduce minimum Visible Light Transparency (VLT) from 50% to 39% to count towards facade transparency (21-02.03(f)(1)(A))
Zoning: U1 Urban Neighborhood 1

7. **Location:** 910 W IRELAND RD BZA#0381-25
Owner: 7105 EXCHANGE PROPERTIES LLC & VWR NORTHWEST LLC TIC
Requested Action: Variance(s): to permit an accessory structure in front/corner yard in the I
Industrial zoning district (21-04.04(h))
Zoning: I Industrial

ITEMS NOT REQUIRING A PUBLIC HEARING:

1. Findings of Fact – October 6, 2025
2. Minutes – October 6, 2025
3. Other Business
4. Adjournment

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: 1101 ELLIOTT ST

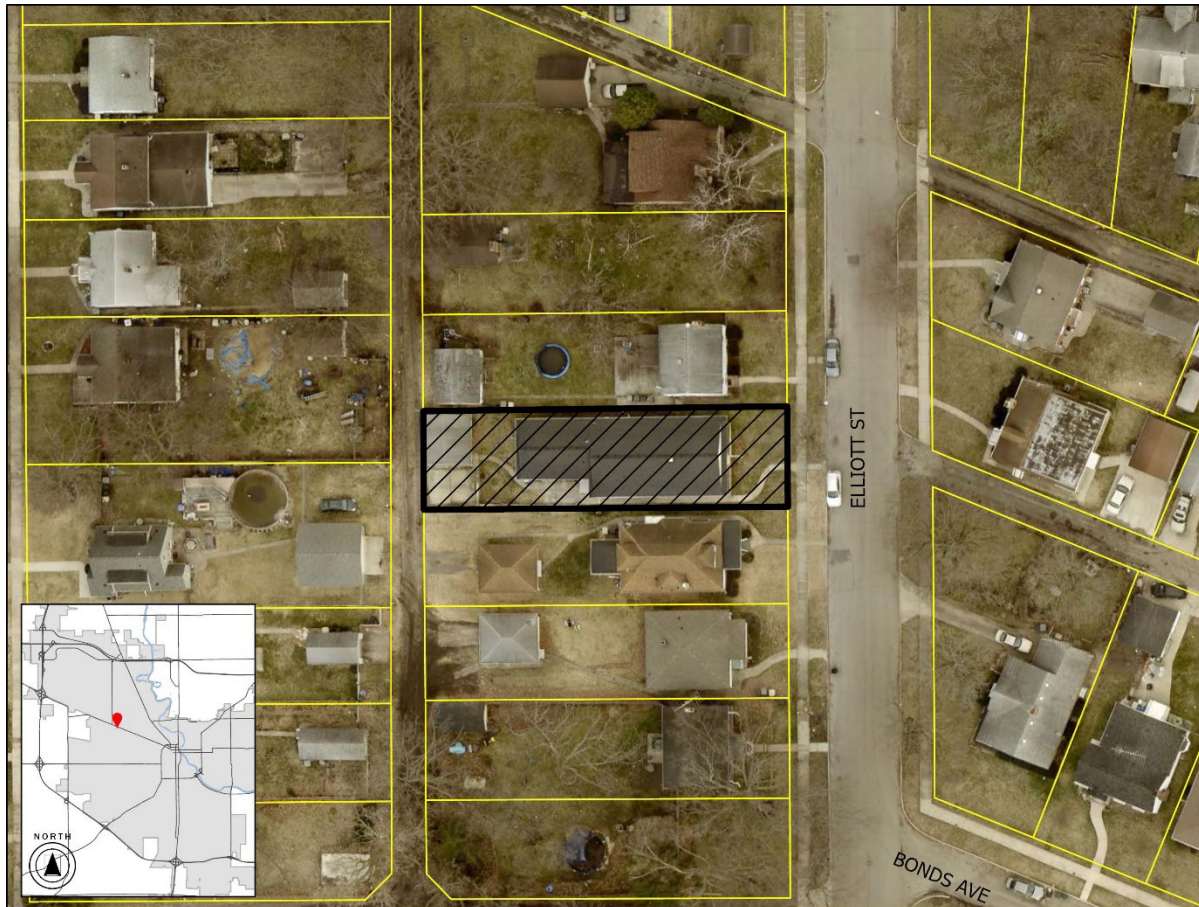
Owner: 1101 ELLIOTT STREET TRUST & SMITH SCOTT ROYAL AS TRUSTEE and IVAN LOPEZ and ISABEL RIVERA (TRUSTEES)

Project Summary

The petitioner is seeking to convert a one unit dwelling into a two unit dwelling.

Requested Action

Special Exception: Dwelling, 2 Units in U1 Urban Neighborhood 1 (21-06.01(j)(3))

Site Location

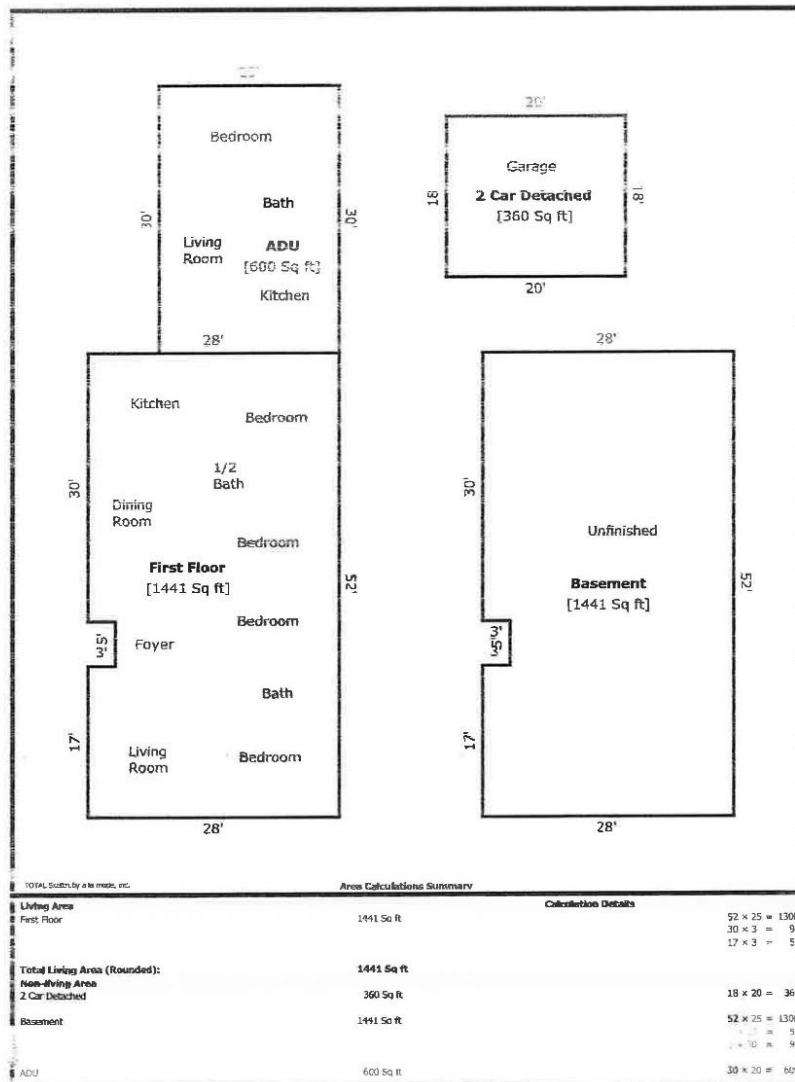
Staff Recommendation

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

Building Sketch

1101 Elliott St	County St. Joseph	State IN	Zip Code 46628-1913
South Bend			



Exam SVT RI DCM - "ENTAIL" * rounded entrance by 4 to make: 100' x 1,000' 11 886"

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 will not be significantly altered by this conversion, causing it to appear the same from the street as it currently does, and adding an additional unit will have very little impact on things like traffic and noise.

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

Allowing for this conversion should not injure or adversely affect the uses or values of adjacent properties and the area around the building. The house as it currently exists is consistent with the scale, character, and land use of the surrounding neighborhood, and will not be significantly altered by the conversion.

(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 fit with the low-density, residential character of the neighborhood.

(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.

Analysis & Recommendation

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.

Property Information

Location: 1409 W INDIANA AVE
Owner: KT SOLUTIONS LLC

Project Summary

The petitioner seeks to build a new two unit dwelling

Requested Action

Special Exception: Dwelling, 2 Units in U1 Urban Neighborhood 1 (21-06.01(j)(3))

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 provide 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, will bring new neighbors to the area, and will provide housing on a lot that is currently vacant, potentially raising property values.

(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, match the scale and character of the neighborhood, and provide infill housing on a vacant lot.

(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 project idea 11 from the 2022 Rum Village Neighborhood Plan, which is to fill vacant underutilized lots with low- to medium-density residential development.

Analysis & Recommendation

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.

Property Information

Location: 1417 W INDIANA AVE

Owner: PARKER ROBERT L & KT SOLUTIONS LLC

Project Summary

The petitioner seeks to build a new two unit dwelling.

Requested Action

Special Exception: Dwelling, 2 Units in U1 Urban Neighborhood 1 (21-06.01(j)(3))

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 provide 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, will bring new neighbors to the area, and will provide housing on a lot that is currently vacant, potentially increasing property values.

(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, match the scale and character of the neighborhood, and provide infill housing on a vacant lot.

(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 project idea 11 from the 2022 Rum Village Neighborhood Plan, which is to fill vacant underutilized lots with low- to medium-density residential development.

Analysis & Recommendation

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.

Property Information

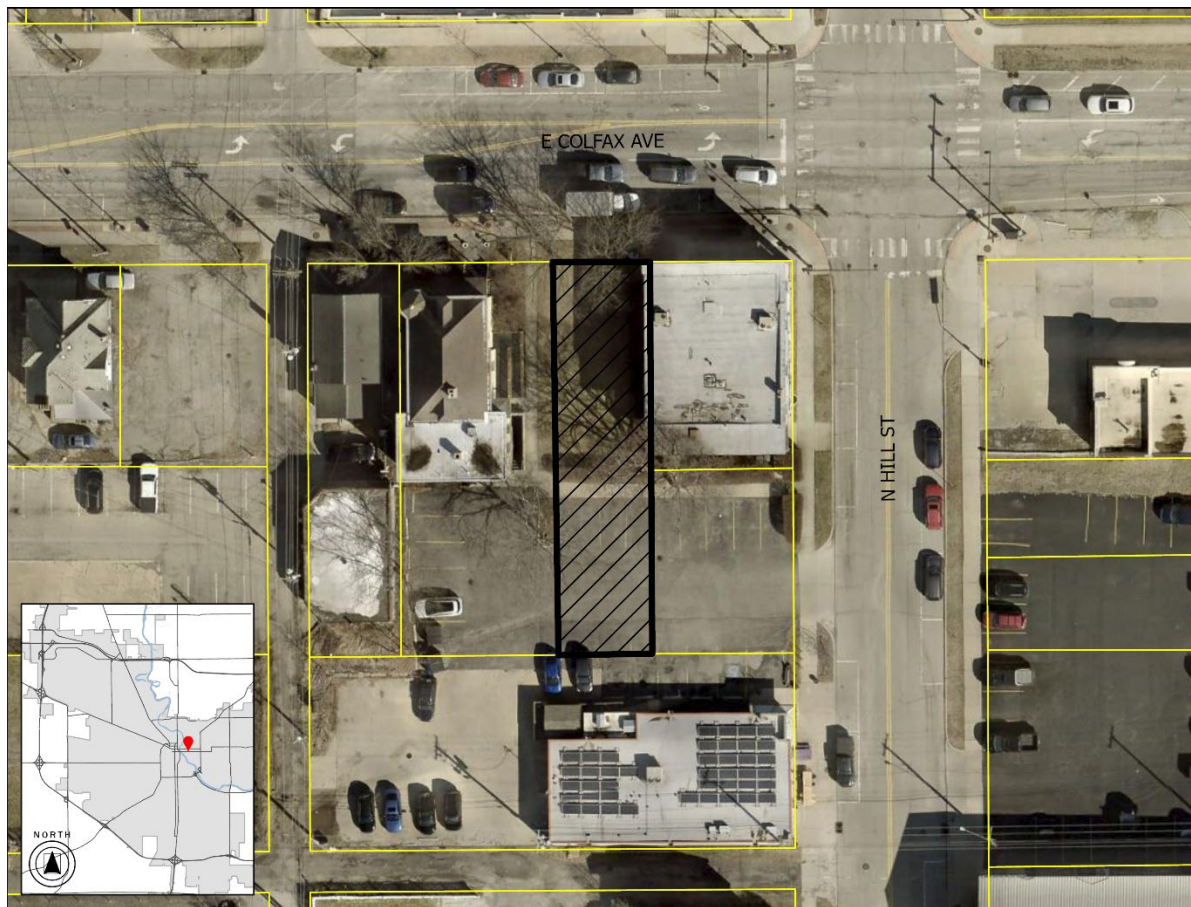
Location: 526 E COLFAX AVE
Owner: ROXANN REASOR and ROXANN REASOR

Project Summary

The petitioner seeks to move an existing mixed-use building on to a new lot.

Requested Action

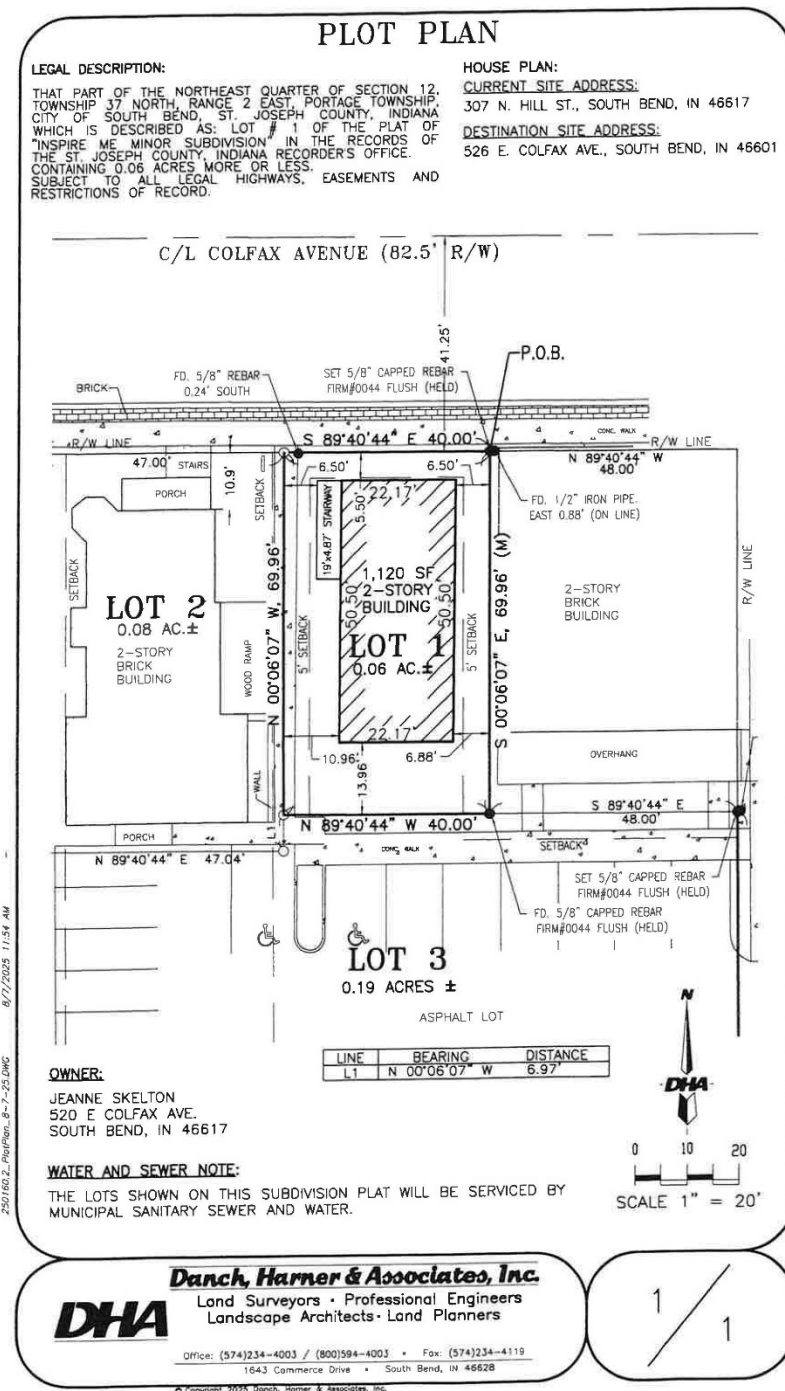
Variance(s): from requirement that main entrances shall be prominently located and visible from the primary street or open space 21-03.08(g)

Site Location

Staff Recommendation

Based on the information provided prior to the public hearing, the 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. This is placing an existing mixed-use structure on a vacant lot surrounded by other similar structures. The door not being prominent to the front should not impact this.

(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 should not be affected in a substantially adverse manner. This is placing an existing mixed-use structure on a vacant lot surrounded by other similar structures. It should buoy the values and uses around it.

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

As this is an existing structure in the DT Downtown District, its design is legal non-conforming in nature. This variance would allow the building to maintain its structure that was established before the city had a zoning code.

(4) The variance granted is the minimum necessary

The variance granted is the minimum necessary. This variance would allow the building to maintain its structure that was established before the city had a zoning code. Forcing it to establish a door may greatly alter the existing structure.

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

The variance is correcting a hardship caused by the building itself. It is legal nonconforming in the DT Downtown zoning district already and is moving lots to another DT zoned lot.

Analysis & Recommendation

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.

Property Information

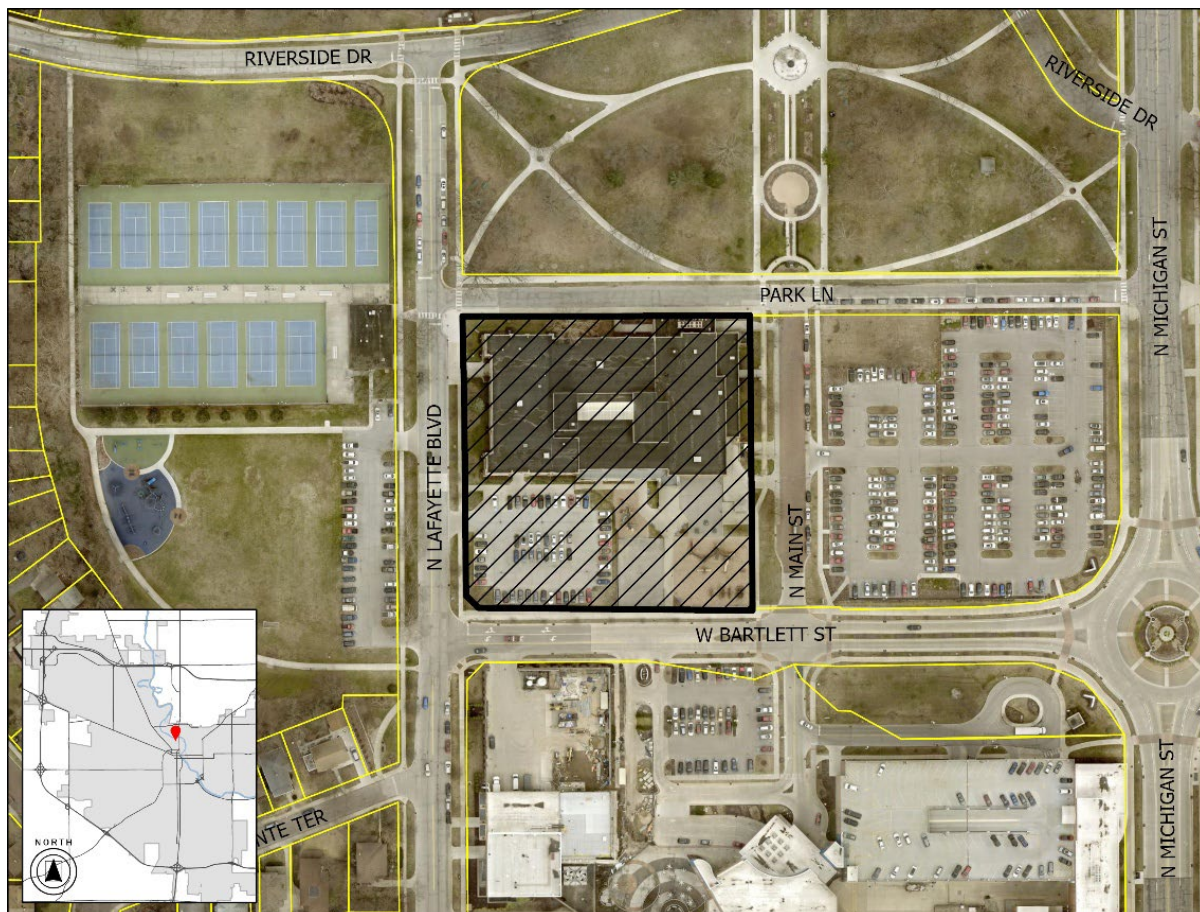
Location: 832 N LAFAYETTE BLVD
Owner: SCHOOL CITY OF SOUTH BEND

Project Summary

The petitioner seeks to replace an existing freestanding sign for a school.

Requested Action

Variance(s): to permit a freestanding sign in the DT Downtown district (21-10.05(c))

Site Location

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.

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 will not be injurious to the public health, safety, morals and general welfare of the community. The new sign, which is typical for a school sign, will be placed in essentially the same position as an existing sign of very similar size.

(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 approval will not be injurious to the public health, safety, morals and general welfare of the community. The new sign is typical for a school sign and will be placed in essentially the same position as an existing sign of very similar size. It will have a new electric component, but that will not be likely to create any significant impacts compared to the existing non-electric sign.

(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 zoning code prohibits freestanding signs in the Downtown district because buildings in this district are typically located very close to the property line, as evidenced by the zero-foot minimum setback requirement on all sides in the district, and the 10-foot maximum setback for the front and corner yards. For a building compliant with these setback requirements, there is little space available for a freestanding sign. The rules for this district were written primarily for mixed-use, commercial, and dense residential development, not school buildings like the one on this property, which has at least a 20-foot setback from both Park Lane and Lafayette Boulevard at the corner where the sign is proposed. This provides sufficient space for a freestanding sign, as shown by the existing one, which is a typical sign for a school. Additionally, considering that the school is a local historic landmark, using a building sign rather than a freestanding one could impact the historical character of the building.

(4) The variance granted is the minimum necessary

The variance granted is the minimum necessary. The sign will be of a very similar size to the existing sign on the site and to many other schools throughout the city. Using a building sign instead of a freestanding one for this landmarked building could also impact its historical character.

(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 the current owner of the property. The building was built at its current setbacks more than 80 years ago, and it has been a designated landmark for over 25 years.

Analysis & Recommendation

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 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.

Property Information

Location: 528 S EDDY ST
Owner: SOUTH BEND COMMUNITY SCHOOL CORP

Project Summary

Petitioner is seeking to replace windows on the street facing facade of a maintenance, office, and storage building

Requested Action

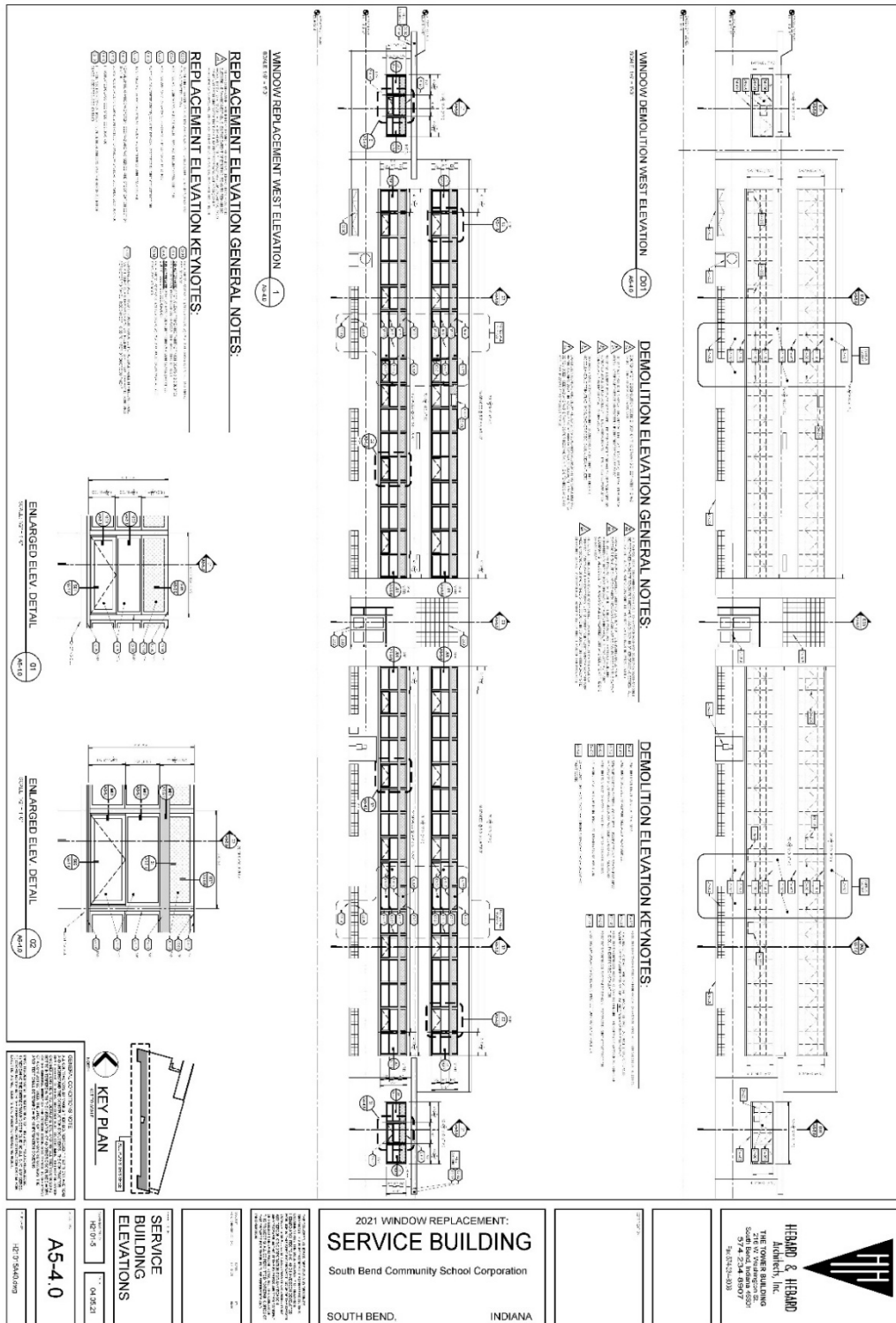
Variance(s): to reduce minimum Visible Light Transparency (VLT) from 50% to 39% to count towards facade transparency (21-02.03(f)(1)(A))

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



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. The applicant is replacing windows on a facility that stores documents, books, and other sun sensitive material while maintaining a level of transparency to the facility compliant with the zoning district.

(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 should not be affected in a substantially adverse manner. The applicant is just replacing windows that face the street.

(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 inability to install windows that allow for a reduction of light entering the building. The transparency standard is meant to serve active spaces rather than storage. The applicant still intends to meet the transparency percentage of 15% for the district.

(4) The variance granted is the minimum necessary

The variance granted is the minimum necessary. They are not constructing a wall or going below the 15% transparency, but rather just reducing the light transmittance to protect the items within the facility.

(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 the former or current owner of the property. The older windows were installed before the current zoning code and current building standards. These would allow the applicant to modernize the windows and protect the items inside the building.

Analysis & Recommendation

Analysis: The applicant is adhering to the intent to maintain transparency along the front facade, while only reducing the light transmittance. 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.

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: 910 W IRELAND RD

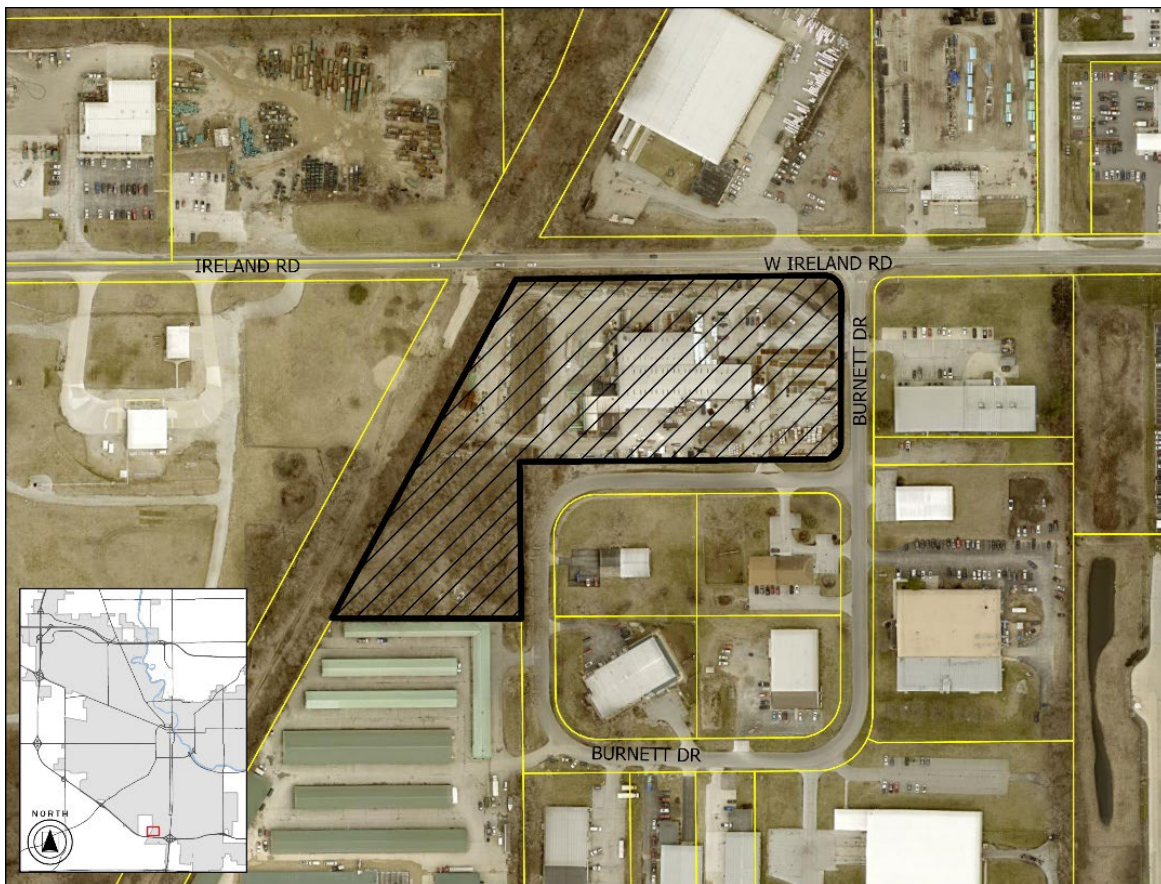
Owner: 7105 EXCHANGE PROPERTIES LLC & VWR NORTHWEST LLC TIC

Project Summary

The petitioner is seeking to construct an accessory structure in the corner yard to wash industrial vehicles.

Requested Action

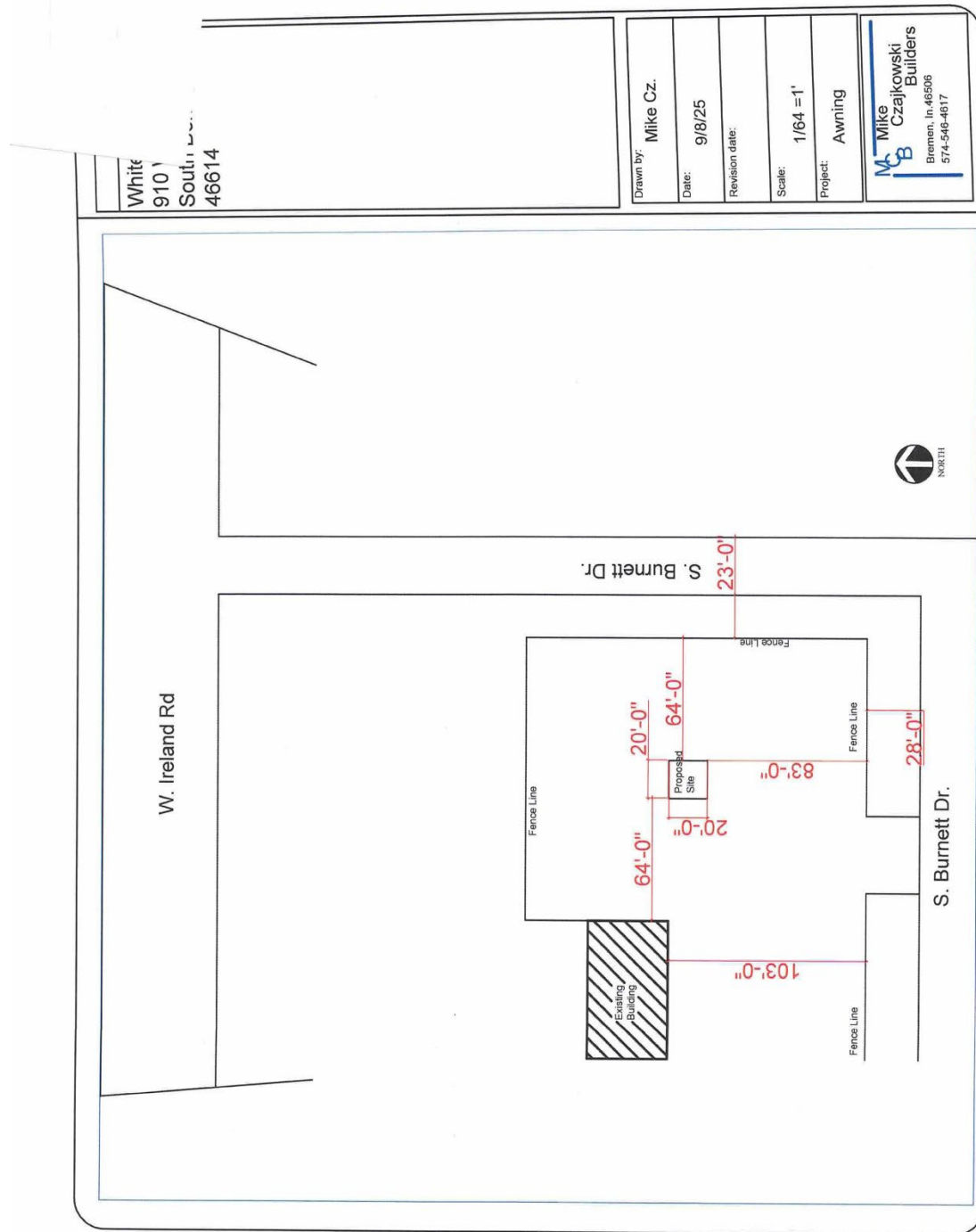
Variance(s): to permit an accessory structure in front/corner yard in the I Industrial zoning district (21-04.04(h))

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



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 accessory structure in the corner yard should not be injurious to the public health, safety, moral, and general welfare of the community. The structure is to support an industrial use in an area of the city of other heavy industrial and commercial uses. Its presence would not harm the welfare of the properties.

(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 accessory structure should not substantially affect the use or value of neighboring properties in an adverse manner. These are all similar uses and an accessory structure in the front or corner yard should not detract from them in anyway.

(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 site this. While the property is large, its three street frontages combined with the way the primary structure is sited makes the washing feature associated with this accessory structure impractical to place in a zoning compliant manner. Its location provides access to necessary infrastructure, does not negatively affect the operations of the facility, and allows the vehicles to more comfortably maneuver.

(4) The variance granted is the minimum necessary

The variance granted is the minimum necessary. The accessory structure will not be in the front or corner setbacks and fits within the context of the land use. The intent of the code is to discourage accessory structures between primary structures and major streets, not interior streets that serve similar uses.

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

The variance granted is not correcting a hardship caused by the owner of the property. When this building was constructed in 1951 as industrial developed on the fringe of the urban area, this type of accessory structure and its function were not anticipated.

Analysis & Recommendation

Analysis: This accessory structure supports the primary use in an area surrounded by similar uses and is not in the front setback. 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.