

SOUTH BEND BOARD OF ZONING APPEALS

MINUTES

Tuesday, September 2, 2025
4:00 p.m.

4th Floor, Council Chambers
County-City Building, South Bend, IN

MEMBERS PRESENT:

Mark Burrell
Kaine Kanczuzewski
Caitlin Stevens

MEMBERS ABSENT:

Francisco Fotia

ALSO PRESENT:

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

PUBLIC HEARINGS:

- 1 The petition of WESTPORT MAYO LLC seeking the following variance(s): from a two (2) car garage to a three (3) car garage [21-05.02(f)(4)(A)i], property located at 1022 ST LOUIS BLVD. Zoned U1 Urban Neighborhood 1.** *(Audio Position:05:59)*

STAFF REPORT

The staff report was presented by Tim Staub.

Analysis: With a two car garage and available on street parking spaces, the lack of a third garage bay would not present a hardship.

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

PETITIONER- Petitioner was not present

INTERESTED PARTIES

There was no one from the public to speak.

PUBLIC COMMENT

There was no one from the public to speak.

ACTION

After careful consideration, the following action was taken:

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

Upon a motion by Caitlin Stevens, being seconded by Kaine Kanczuzewski and unanimously carried, a petition by Kerrigan Family Trust seeking the following variances: from a two (2) car garage to a three (3) car garage [21-05.02(f)(4)(A)i] was **tabled** as presented.

Caitlin Stevens - Yes

Kaine Kanczuzewski - Yes

Mark Burrell -Yes

Francisco Fotia -Absent

2 The petition of R SQUARED ENTERPRISES LLC seeking the following variance(s): from the 4' maximum height of a 50% open fence in the front yard to 6', property located at 613 SOUTH BEND AVE. Zoned U2 Urban Neighborhood 2.

(Audio Position: 10:47)

STAFF REPORT

The staff report was presented by Mark Dellostritto .

Analysis: The city renovated a retaining wall on the property, requiring the replacement of the existing fence. The new fence will not be taller than the existing one, will be in greater compliance due to the removal of the existing barbed wire, and will provide a better and safer pedestrian and cyclist experience along the city's new trail adjacent to the property.

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

PETITIONER- Rick Raskowski, RSquared Enterprises, LLC, 52565 Quincy 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.

ACTION

After careful consideration, the following action was taken:

Upon a motion by Kaine Kanczuzewski, being seconded by Caitlin Stevens and unanimously carried, a petition by R SQUARED ENTERPRISES LLC seeking the following variances: from the 4' maximum height of a 50% open fence in the front and corner yard to 6' was approved as presented, and will issue written Findings of Fact.

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

Caitlin Stevens - Yes

Kaine Kanczuzewski - Yes

Mark Burrell -Yes

Francisco Fotia -Absent

- 3 The petition of DIGIROLAMO KAYLA seeking the following variance(s): from a 3' maximum fence height in the corner yard to 6', property located at 945 28TH ST. Zoned U1 Urban Neighborhood 1.**

(Audio Position: 17:45)

STAFF REPORT

The staff report was presented by Mark Dellostritto .

Analysis: The property's location next to a popular athletic facility warrants the desire for a 6' privacy fence, but constructing said fence in line with the corner facade of the home to place it in the rear yard would require the removal of a mature tree, while also significantly shrinking the petitioner's back yard and hindering their use of that space. By rebuilding the fence in its existing location, the petitioner would also not be increasing their nonconformance.

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

PETITIONER- Kayla Digirolamo, 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.

ACTION

After careful consideration, the following action was taken:

Upon a motion by , being seconded by and unanimously carried, a petition by DIGIROLAMO KAYLA seeking the following variances: from a 3' maximum fence height in the corner yard to 6' was approved as presented, and will issue written Findings of Fact.

Caitlin Stevens - Yes

Kaine Kanczuzewski - Yes

Mark Burrell -Yes

Francisco Fotia -Absent

- 4 The petition of ST ANTHONY DE PADUA CATHOLIC CHURCH seeking the following variance(s): From the 4' maximum height of a 50% open fence in the front and corner yards to 6', property located at 2114 JEFFERSON BLVD. Zoned S1 Suburban Neighborhood 1.** *(Audio Position: 26:38)*

STAFF REPORT

The staff report was presented by Tim Staub.

Analysis: The 6' fence is required to provide proper protection for children playing outside in the front and corner yards on the property, where they are forced to play due to the siting of the parking lot.

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

PETITIONER – Kimberetta Lewis, Principal, 2114 E Jefferson Blvd, appeared in person to present 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.

ACTION

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 ANTHONY DE PADUA CATHOLIC CHURCH seeking the following variances: From the 4' maximum height of a 50% open fence in the front and corner yards to 6' was approved as presented, and will issue written Findings of Fact.

Caitlin Stevens - Yes

Kaine Kanczuzewski - Yes

Mark Burrell -Yes

Francisco Fotia -Absent

- 5 The petition of MICKI AND RICHARD KIDDER seeking the following variance(s): from the 5' maximum Frontage type encroachment to 7.5'; from the 20' minimum distance for an ancillary dwelling unit from the rear lot line without alley access to 5'; and from the 10' minimum corner setback to 8.5.', property located at 929 FRANCES ST. Zoned U1 Urban Neighborhood 1.** *(Audio Position: 34:31)*

STAFF REPORT

The staff report was presented by Mark Dellostritto .

Analysis: There are no hardships associated with the lot that are preventing the property owner from building a home that is compliant with the corner setback and porch encroachment regulations. However, because the lot is slightly shallower than a typical U1 lot, and the ordinance's language regarding the height of ancillary dwelling units is not well suited to corner lots, there is sufficient hardship to grant the ancillary dwelling unit variance.

Staff Recommendation: Based on the information provided prior to the public hearing, the staff recommends the Board deny the corner setback and porch encroachment variances, and approve the ancillary dwelling unit variance as written.

PETITIONER – Mike Danch, Danch and Harner & Associates, 1643 Commerce Dr. South Bend, appeared in person to present on behalf of the petitioner

INTERESTED PARTIES

Rick Kettler, 1015 N Frances St, appeared in person with questions for the petitioner

PUBLIC COMMENT

There was no one from the public to speak.

ACTION

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 MICKI AND RICHARD KIDDER seeking the following variances: from the 20' minimum distance for an ancillary dwelling unit from the rear lot line without alley access to 5' was approved as presented; and from the 5' maximum Frontage type encroachment to 7.5' and from the 10' minimum corner setback to 8.5.' were denied as presented, and will issue written Findings of Fact.

Caitlin Stevens - Yes

Kaine Kanczuzewski - Yes

Mark Burrell -Yes

Francisco Fotia -Absent

- 6 The petition of CIVIL CITY OF SOUTH BEND seeking a Special Exception to allow Dwelling, 2 Units (21-06.01(j)(3)) in U1 Urban Neighborhood 1, property located at 1133 HARVEY ST and 522 BLAINE AVE. Zoned U1 Urban Neighborhood 1.**

(Audio Position: 56:37)

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

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 – Petitioner was not present

INTERESTED PARTIES

There was no one from the public to speak.

PUBLIC COMMENT

There was no one from the public to speak.

ACTION

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 CIVIL CITY OF SOUTH BEND seeking a Special Exception for Dwelling, 2 Units (21-06.01(j)(3)) in U1 Urban Neighborhood 1 for property located at 1133 HARVEY ST and 522 BLAINE AVE, City of South Bend is **tabled** as presented.

Caitlin Stevens - Yes

Kaine Kanczuzewski - Yes

Mark Burrell - Yes

Francisco Fotia - Absent

ITEMS NOT REQUIRING A PUBLIC HEARING

1. Findings of Fact- Upon a motion by Kaine Kanczuzewski and seconded by Caitlin Stevens and unanimously carried, the findings of fact from the August 4, 2025, Board of Zoning Appeals meeting were **tabled**

2. Minutes - Upon a motion by Kaine Kanczuzewski and seconded by Caitlin Stevens and unanimously carried, the minutes from the August 4, 2025, Board of Zoning Appeals meeting were **tabled**

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

3. Other Business

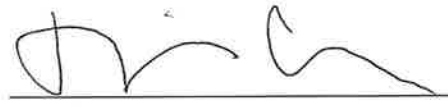
4. Adjournment- 5:00pm

RESPECTFULLY SUBMITTED,



MARK BURRELL,
Chair

ATTEST:



Tim Corcoran,
Secretary of the Board