

**AREA BOARD OF ZONING APPEALS
ST. JOSEPH COUNTY, INDIANA**

MINUTES

Wednesday, August 12, 2020
1:30 p.m.

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

MEMBERS PRESENT:

Dan Caruso
John O'Brien
Sidney Shafer
Michael Urbanski
Joe Velleman

MEMBERS ABSENT:

Robert Hawley

ALSO PRESENT:

Abby Wiles
Ryan D. Fellows
Shawn Klein
Samantha Keultjes
Brandie Ecker

PUBLIC HEARINGS:

- 1. The petition of LITTLE FLOWER VENTURES LLC seeking the following variance(s):
1) from the minimum required lot width of 60' to 45' and 2) from the minimum
required side setback of 6' to 5', property located at 18325 BAILEY AVE and
VACANT PARCEL TO EAST , Clay Township. Zoned R: Single Family District
(County). *(Audio Position: 3:00)***

PETITIONER

MIKE HUBER of Abonmarche, with offices located at 315 W Jefferson Blvd., South Bend, IN presented on behalf of the petitioner.

IN FAVOR

There was no one present to speak in favor of this petition.

REMONSTRANCE

There were five people present to speak in remonstrance of this petition. They were:
PETER J AGOSTINO, of Anderson Agostino & Keller, P.C., with offices located at 131 S Taylor St., South Bend, IN.

MIKE HASTINGS, residing at 50643 Chestnut Rd., Granger, IN

MIKE DOBSON, residing at 54165 Willis St., South Bend, IN

TOM SULLIVAN, residing at 54278 Ivy Rd., South Bend, IN

ANDY KOSTIELNEY, President of the St. Joseph County Board of Commissioners, with offices located at 227 W Jefferson Blvd., South Bend, IN

There were also 19 letters of opposition that were received and distributed to the Board members prior to the meeting.

REBUTTAL

MIKE HUBER of Abonmarche, with offices located at 315 W Jefferson Blvd., South Bend, IN presented the rebuttal.

BRIAN GIUFFRIDA of Little Flower Ventures, LLC, with offices located at 3600 Silver Dollar Cir., Austin, TX also presented the rebuttal.

After careful consideration, the following action was taken:

Dan Caruso made a motion to approve the variance subject to signing an amended Written Commitment not permitting student housing. The motion died for lack of a second.

Mike Urbanski motioned to table the petition. The motion died for lack of a second.

Upon a motion by Joe Velleman, being seconded by Michael Urbanski and carried, a petition by LITTLE FLOWER VENTURES LLC seeking the following variances: 1) from the minimum required lot width of 60' to 45' and 2) from the minimum required side setback of 6' to 5' was denied as presented, and will issue written Findings of Fact.

John O'Brien – No	Sidney Shafer - Yes
Michael Urbanski -Yes	Dan Caruso -Yes
Joe Velleman - Yes	

- 2. The petition of RICK A & SHARON RIEFF seeking the following variance(s): 1) from the minimum required side setback of 8' to 4' 8", property located at 51699 PRIMROSE RD, Warren Township. Zoned R: Single Family District (County).**

(Audio Position: 1:07)

PETITIONER

RICK A RIEFF, residing at 51699 Primrose Rd., South Bend, IN presented as the petitioner.

IN FAVOR

There was no one present to speak in favor of this petition.

REMONSTRANCE

There was no one present to speak in remonstrance of this petition.

After careful consideration, the following action was taken:

Upon a motion by Sidney Shafer, being seconded by Michael Urbanski and unanimously carried, a petition by RICK A & SHARON RIEFF seeking the following variances: 1) from the minimum required side setback of 8' to 4' 8" was approved as presented, and will issue written Findings of Fact.

John O'Brien - Yes

Dan Caruso - Yes

Michael Urbanski -Yes

Sidney A. Shafer -Yes

Joe Velleman - Yes

- 3. The petition of JESSE A AND JENNIFER J HOLMES seeking the following variance(s): (1) from the minimum required front setback of 35' to 14' and (2) from the minimum required side setback of 30' to 26', property located at 65657 BEECH RD, Madison Township. Zoned A: Agricultural District (County). (Audio Position: 1:09:30)**

PETITIONER

JESSE A HOLMES, residing at 65657 Beech Rd., Wakarusa, IN presented as the petitioner.

IN FAVOR

There was no one present to speak in favor of this petition.

REMONSTRANCE

There was no one present to speak in remonstrance of this petition. There was one anonymous letter that was sent in and distributed to the Board members prior to the meeting.

REBUTTAL

JESSE A HOLMES, residing at 65657 Beech Rd., Wakarusa, IN presented the rebuttal.

After careful consideration, the following action was taken:

Upon a motion by Michael Urbanski, being seconded by John O'Brien and unanimously carried, a petition by JESSE A AND JENNIFER J HOLMES seeking the following variances: (1) from the minimum required front setback of 35' to 14' and (2) from the minimum required side setback of 30' to 26' was approved as presented, and will issue written Findings of Fact.

John O'Brien - Yes

Sidney Shafer - Yes

Michael Urbanski -Yes

Dan Caruso -Yes

Joe Velleman - Yes

- 4. The petition of ROBERT EARL AND SANDRA KAY GRIGGS seeking the following variance(s): 1) from the maximum square foot area for accessory buildings of 1200 square feet to 2180 square feet, property located at 418 W SUPERIOR ST, Penn Township. Zoned R1 Single Family District (Osceola). *(Audio Position: 1:14:45)***

PETITIONER

ROBERT EARLY GRIGGS, residing at 421 W Superior St., Osceola, IN presented as the petitioner.

IN FAVOR

There was one person present to speak in favor of this petition. She was: Denese Thornburg, the Town of Osceola Clerk Treasure, with offices located at 850 Lincolnway West, Osceola, IN

REMONSTRANCE

There was one person present to speak in remonstrance of this petition. He was: SCOTT STEVENS, residing at 205 St. Joseph St., Osceola, IN
There was also one letter of opposition received and distributed to the Board members prior to the meeting.

REBUTTAL

ROBERT EARLY GRIGGS, residing at 421 W Superior St., Osceola, IN presented as the petitioner.

After careful consideration, the following action was taken:

John O'Brien made a motion to approve the variance as presented. The motion died for lack of a second.

Mike Urbanski made a motion to deny the variance as presented. The motion died for lack of a second.

Mike Urbanski made a motion to approve the variance subject to a commitment not permitting a bathroom and constructing a driveway extension. The motion died for lack of a second.

Upon a motion by Michael Urbanski, being seconded by Sidney Shafer and carried, a petition by ROBERT EARL AND SANDRA KAY GRIGGS seeking the following variances: 1)

from the maximum square foot area for accessory buildings of 1200 square feet to 2180 square feet was approved as presented, and will issue written Findings of Fact.

John O'Brien - Yes Sidney Shafer - Yes
Michael Urbanski -Yes Dan Caruso -No
Joe Velleman - Yes

- 5. The petition of MICHAEL H BOLIN AND REBECCA JOYCE PODELL-BOLIN seeking the following variance(s): 1) to allow for an accessory structure on a parcel without road frontage, property located at 51455 SIMMONS DR, Clay Township. Zoned R: Single Family District (County). *(Audio Position: 1:37:20)***

PETITIONER

MICHAEL & REBECCA BOLIN, residing at 51455 Simmons Dr., South Bend, IN presented as the petitioner.

IN FAVOR

There was no one present to speak in favor of this petition.

REMONSTRANCE

There was no one present to speak in remonstrance of this petition.

After careful consideration, the following action was taken:

Upon a motion by Michael Urbanski, being seconded by Sidney Shafer and unanimously carried, a petition by MICHAEL H BOLIN AND REBECCA JOYCE PODELL-BOLIN seeking the following variances: 1) to allow for an accessory structure on a parcel without road frontage was approved as presented, and will issue written Findings of Fact.

John O'Brien - Yes Sidney Shafer - Yes
Michael Urbanski -Yes Dan Caruso -Yes
Joe Velleman - Yes

ITEMS NOT REQUIRING A PUBLIC HEARING

1. Findings of Fact

- A. Approval of the Findings of Fact from the July 8, 2020 Area Board of Zoning Appeals meeting. *(Audio Position: 1:44:50)*

Upon a motion by Dan Caruso, being seconded by Sidney Shafer and unanimously carried, the Findings of Fact from the July 8, 2020 Area Board of Zoning Appeals meeting were approved.

2. Minutes

A. Approval of the minutes from the July 8, 2020 Area Board of Zoning Appeals meeting.

(Audio Position: 1:45:00)

Upon a motion by Dan Caruso, being seconded by Sidney Shafer and unanimously carried, the minutes from the July 8, 2020 Area Board of Zoning Appeals meeting were approved.

3. Other Business

None at this time.


4. Adjournment at 3:20 p.m.

RESPECTFULLY SUBMITTED,



JOE VELLEMAN,
Chairman of the Board

ATTEST:



ABBY WILES,
Secretary of the Board