

**ROCHESTER CITY  
BOARD OF ZONING APPEALS**

CITY HALL  
COUNCIL CHAMBERS  
WEDNESDAY, SEPTEMBER 22, 2021  
6:00 P.M.

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**CALL TO ORDER**

**BOARD OF ZONING APPEALS MINUTES FOR:  
AUGUST 25, 2021**

**OLD BUSINESS:**

**NEW BUSINESS:**

Ruth DeGroot (#210571)  
William Frieden (#210664)  
Evan Gottschalk (#210725)  
Hoffman Investments (#210737)  
Karen Ortman (#210746)

**PLAN DIRECTOR REPORT**

**PUBLIC COMMENTS**

**BOARD COMMENTS**

**ADJOURNMENT**

ROCHESTER CITY BOARD OF ZONING APPEALS  
AUGUST 25, 2021

ROCHESTER CITY  
BOARD OF ZONING APPEALS

Wednesday August 25, 2021

6:00 P.M.  
COUNCIL CHAMBERS  
CITY HALL

CALL TO ORDER

BOARD OF ZONING APPEALS MINUTES FOR:  
JULY 28, 2021

OLD BUSINESS:

NEW BUSINESS:

Tony Padgett/Superior Auto (#210513)  
CAT Rochester LLC (#210550)  
Peter Montgomery(#210576)  
Zachary Black (#210583)  
Habitat for Humanty (#210644)  
Pizza Quik (#210645)

PLAN DIRECTOR REPORT

PUBLIC COMMENTS

BOARD COMMENTS

ADJOURNMENT

**ROCHESTER CITY BOARD OF ZONING APPEALS**  
**AUGUST 25, 2021**

The Rochester City Board of Zoning Appeals met on Wednesday the 25<sup>th</sup> day of August 2021, at 6:00 P.M. in the Council Chambers located in the City Hall. Vice Chairperson David Roe called the meeting to order at 6:00 P.M. The following members were present: David Roe, Paul Zartman, Teresa Houser and Dan Shafer. Also in attendance were: Executive Director; Heather Redinger, Board Attorney, Andy Perkins, and Administrative Secretary, Kim Gard.

It is duly noted Duane Border was absent.

IN RE: MEETING MINUTES

July 28, 2021

David Roe asked the Board for any deletions, or corrections to be made to the July 28, 2021 minutes. Teresa Houser moved to approve the July 28, 2021 Rochester City Board of Zoning Appeals minutes as written. Paul Zartman seconded the motion. Motion carried as follows: David Roe, Teresa Houser, Dan Shafer and Paul Zartman being in favor and no one opposing.

IN RE: NEW BUSINESS

Tony Padgett/Superior Auto (#210513)

Tony Padgett/Superior Auto (#210513) is requesting development standard variance off of the sign standards to allow a free standing sign on the south west corner of the lot; located at 302 E 9<sup>th</sup> St., Rochester, IN., within Downtown Commercial (DC) district.

The DC district, does not allow freestanding signs. There is currently an existing freestanding sign that is damaged and needs removed. The existing sign sits in the Right of Way. Superior Auto would like to install a new, freestanding sign, on the south west corner of the lot. The proposed sign would be approximately 20' in height and 8' x 5' sign and 6' x 3' reader board and it would sit approximately 10' off the Right of Way. Therefore, a variance off of the sign standards are being requested.

David Roe asked petitioner if they had anything further to add. They did not at this time.

Being no further questions at this time, David Roe entertained a motion to open the public hearing. Teresa Houser moved to open the public hearing. Paul Zartman seconded the motion. Motion carried as follows: David Roe, Paul Zartman, Dan Shafer and Teresa Houser being in favor and no one opposing.

David asked if anyone would like to speak in favor or opposed the petition.

Being no public questions or comments, David entertained a motion to close the public hearing. Paul Zartman moved to close the public hearing. Teresa Houser seconded the motion. Motion carried as follows: David Roe, Teresa Houser, Dan Shafer and Paul Zartman being in favor and no one opposing.

David asked for Board discussion.

Being no further questions or comments, David, entertained a motion regarding the petition. Teresa Houser moved to approve Tony Padgett/Superior Auto (#210513) requesting development standard variance off of the sign standards to allow a free standing sign on the south west corner of the lot; located at 302 E 9<sup>th</sup> St., Rochester, IN., within Downtown Commercial (DC) district. Paul Zartman seconded the motion.

The Board members then proceeded to fill out their Findings of Fact Forms.

Dan Shafer                      Yea





**ROCHESTER CITY BOARD OF ZONING APPEALS**  
**AUGUST 25, 2021**

Motion to approve CAT Rochester LLC (#210550) requesting development standard variance off of the minimum lot width for the purpose of a split on property located at 394 Rochester Crossing Drive, Rochester, IN., within General Commercial (GC) district. Passed with four votes being in favor and no one opposing.

IN RE:           NEW BUSINESS

Peter Montgomery (#210576)

Peter Montgomery (#210576) is requesting development standard variance off of the fence codes and privacy fence definition, for the purpose of a 6' privacy fence in the front yard, on property located at Pearl Street (#101-101101-84) Rochester, IN., within Lake Residential (R3) district

In the R3 district a fence cannot be greater than 4' in height in the front yard, 6' in height in the side yard and privacy fence definition states a privacy fence must sit to the side and rear of the home. Mr. Montgomery has erected a 6' privacy fence on the north side of the lot. The lot is pie shaped and there is an accessory structure on the lot, the fence sits beyond the foundation on each side of structure towards each road. Therefore, variances of 2' additional fence height and off of the privacy fence definition are being requested.

David Roe asked petitioner if they had anything further to add.  
They did not at this time.

Being no further questions at this time, David Roe entertained a motion to open the public hearing. Paul Zartman moved to open the public hearing. Dan Shafer seconded the motion. Motion carried as follows: David Roe, Paul Zartman, Dan Shafer and Teresa Houser being in favor and no one opposing.

David asked if anyone would like to speak in favor or opposed the petition.

Being no public questions or comments, David entertained a motion to close the public hearing. Paul Zartman moved to close the public hearing. Dan Shafer seconded the motion. Motion carried as follows: David Roe, Teresa Houser, Dan Shafer and Paul Zartman being in favor and no one opposing.

David asked for Board discussion.

Being no further questions or comments, David, entertained a motion regarding the petition. Teresa Houser moved to approve Peter Montgomery (#210576) requesting development standard variance off of the fence codes and privacy fence definition, for the purpose of a 6' privacy fence in the front yard, on property located at Pearl Street (#101-101101-84) Rochester, IN., within Lake Residential (R3) district. Paul Zartman seconded the motion.

The Board members then proceeded to fill out their Findings of Fact Forms.

Dan Shafer	Yea
Teresa Houser	Yea
Paul Zartman	Yea
David Roe	Yea

Motion to approve, Peter Montgomery (#210576) requesting development standard variance off of the fence codes and privacy fence definition, for the purpose of a 6' privacy fence in the front yard, on property

**ROCHESTER CITY BOARD OF ZONING APPEALS**  
**AUGUST 25, 2021**

located at Pearl Street (#101-101101-84) Rochester, IN., within Lake Residential (R3) district. Passed with four votes being in favor and no one opposing.

IN RE:           NEW BUSINESS

Zachary Black (#210583)

Zachary Black (#210583) is requesting development standard variances of 20' off of the lake yard setback, and an additional 194 sf of impervious surface for the purpose of a new covered patio, on property located at 2705 Park Place, Rochester IN., within Lake Residential (R3) district

In the R3 district the lake yard setback is 25' for primary structures and the maximum impervious surface cannot exceed 60%. Mr. Blacks maximum impervious surface is 2766 sf. Mr. Black would like to construct a 16' x 30' covered concrete patio. The patio would sit approximately 5' off of the lake side on the south side and 10' off in the North side. With the new patio the impervious surface would be 2960sf. Therefore, a variance of 20' off of the lake yard setback, and an additional 194sf of impervious surface is being requested.

David Roe asked petitioner if they had anything further to add.  
They did not at this time.

Being no further questions at this time, David Roe entertained a motion to open the public hearing. Dan Shafer moved to open the public hearing. Paul Zartman seconded the motion. Motion carried as follows: David Roe, Paul Zartman, Dan Shafer and Teresa Houser being in favor and no one opposing.

David asked if anyone would like to speak in favor or opposed the petition.

Being no public questions or comments, David entertained a motion to close the public hearing. Teresa Houser moved to close the public hearing. Paul Zartman seconded the motion. Motion carried as follows: David Roe, Teresa Houser, Dan Shafer and Paul Zartman being in favor and no one opposing.

David asked for Board discussion.

Being no further questions or comments, David, entertained a motion regarding the petition. Teresa Houser moved to approve Zachary Black (#210583) requesting development standard variances of 20' off of the lake yard setback, and an additional 194 sf of impervious surface for the purpose of a new covered patio, on property located at 2705 Park Place, Rochester IN., within Lake Residential (R3) district. Paul Zartman seconded the motion.

The Board members then proceeded to fill out their Findings of Fact Forms.

Dan Shafer	Yea
Teresa Houser	Yea
Paul Zartman	Yea
David Roe	Yea

Motion to approve, Zachary Black (#210583) requesting development standard variances of 20' off of the lake yard setback, and an additional 194 sf of impervious surface for the purpose of a new covered patio, on property located at 2705 Park Place, Rochester IN., within Lake Residential (R3) district. Passed with four votes being in favor and no one opposing.





**ROCHESTER CITY BOARD OF ZONING APPEALS**  
**AUGUST 25, 2021**

IN RE:           NEW BUSINESS

Pizza Quik (#210645)

Pizza Quik (#210645) is requesting development standard variances off of the sign standards and front yard setbacks for the propose of a free standing sign on property located at 1101 Main St., Rochester, IN., within Downtown Commercial (DC) district.

The DC district, does not allow freestanding signs. Pizza Quik would like to install a freestanding sign, on the northwest corner of the lot. The proposed sign would be approximately 6' x 4.5' and 14.02' in total height and sit less than 1' off of right of way. There is an existing pole on the northwest corner that cannot be utilized. They would like to put the new pole in the same approximate location. Therefore, a variance off of the sign standards and front yard setbacks are being requested.

David Roe asked petitioner if they had anything further to add. They did not at this time.

Being no further questions at this time, David Roe entertained a motion to open the public hearing. Teresa Houser moved to open the public hearing. Paul Zartman seconded the motion. Motion carried as follows: David Roe, Paul Zartman, Dan Shafer and Teresa Houser being in favor and no one opposing.

David asked if anyone would like to speak in favor or opposed the petition.

Dennis and Becki Gray, 1029 Main St., asked if the sign would be illuminated and during what hours, they also asked if the parking on the North side of the building would stay the same or could it be angled.

Pizza Quik representative stated the sign would be illuminated from dusk till dawn but not flashing. They are planning on having an outdoor patio in the future on the north side of the building.

Being no further public questions or comments, David entertained a motion to close the public hearing. Teresa Houser moved to close the public hearing. Paul Zartman seconded the motion. Motion carried as follows: David Roe, Teresa Houser, Dan Shafer and Paul Zartman being in favor and no one opposing.

David asked for Board discussion.

Being no further questions or comments, David, entertained a motion regarding the petition. Teresa Houser moved to approve Pizza Quik (#210645) is requesting development standard variances off of the sign standards and front yard setbacks for the propose of a free standing sign on property located at 1101 Main St., Rochester, IN., within Downtown Commercial (DC) district. Paul Zartman seconded the motion.

The Board members then proceeded to fill out their Findings of Fact Forms.

Dan Shafer	Yea
Teresa Houser	Yea
Paul Zartman	Yea
David Roe	Yea

Motion to approve, Pizza Quik (#210645) requesting development standard variances off of the sign standards and front yard setbacks for the propose of a free standing sign on property located at 1101 Main St., Rochester, IN., within Downtown Commercial (DC) district. Passed with four votes being in favor and no one opposing.



**ROCHESTER CITY BOARD OF ZONING APPEALS  
AUGUST 25, 2021**

IN RE: PLAN DIRECTOR'S REPORT

IN RE: ADJOURNMENT

Being no further business to come in front of the Board of Zoning Appeals, David Roe, entertained a motion to adjourn the August 25, 2021 Rochester City Board of Zoning Appeals meeting. Teresa Houser moved to adjourn the August 25, 2021 Rochester City Board of Zoning Appeals meeting at 6:55 P.M. Paul Zartman seconded the motion. Motion carried as follows: Teresa Houser, Dan Shafer, David Roe and Paul Zartman being in favor and no one opposed.

ROCHESTER CITY BOARD OF ZONING APPEALS

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ATTEST: \_\_\_\_\_  
Kim Gard, Administrative Secretary

**Docket #210571**  
**Ruth DeGroot**  
**Development Standard Variance**

Ruth DeGroot (#210571) is requesting development standard variances of 5' off of the side yard setback and 5' off of the rear yard setback, for the purpose of a 20' x 26' carport, on property located at 1211 Rochester Blvd., within Residential Cluster (R1) district.

In the R1 district the side yard and rear yard setback is 5' for an accessory structure. Mrs. DeGroot would like to construct a 20' x 26' carport on the south east corner of her property. The carport would sit less than 1' off of the south and east property lines. Therefore, a variance of 5' off of the side yard and rear yard setback is being requested.

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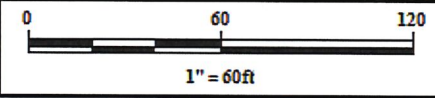
The request is for development standard variances of 5' off of the side yard and rear yard setbacks, for the purpose of a carport, on property located at 1211 Rochester Blvd., within Residential Cluster (R1) district.





- Parcels
- City Town Boundary
- Sections
- ROW Presentation
- Peacetree Village - St

- Addresses
- Parcels
- Highways
- Roads
- Tippecanoe River





## Interested Party Legal Notification

### READ ALL ATTACHED SHEETS PRIOR TO PLACING YOUR SIGNATURE ON THIS SHEET

I the undersigned interested party, do hereby attest that I've read in complete and fully understand the Legal Notice of Public Hearing for A Special Exception Before the Rochester City Board of Zoning Appeals supplied to you by the applicant of said public hearing,

Ruth DeGroot  
Docket #210571

Located at: 1211 Rochester Blvd., Rochester, IN.

#### ***Legal Notification Requires:***

- The legal notice of public hearing is sent via certified return receipt requested mail at least 25 days prior to the public hearing to all interested parties, and the receipts of said action are included in the application's supportive information to the Board; or
- Signatures written on a form supplied by the Plan Commission Office are presented with the application's supportive information to the Plan Commission Office verifying that each interested party received a copy of the Notice of Public Hearing.

The signature of any person on the form is not to be construed as a waiver or consent to the petition, but merely evidence that the person has received notice of the hearing.

NAME	ADDRESS	SIGNATURE
✓ Stanley L & Judith L Musgrave	370 N 500 W Rochester, IN 46975	green card
✓ John Wesley & Carol E Herr	1208 Rochester Blvd. Rochester, IN 46975	green card
✓ Thomas J & Laurie A Long	1207 Rochester Blvd Rochester, IN 46975	green card
✓ Ivan D & Patricia K Henderson	1215 Rochester Blvd Rochester, IN 46975	green card
✓ Robert L & Paula O Ewing	1214 Rochester Blvd Rochester, IN 46975	green card
✓ Jared Ritter	1306 Washington St Rochester, IN 46975	Kubly
✓ Roger D & Jennifer L Howard	1308 Washington Street Rochester, IN 46975	Ernest Howard
✓ Michael J & Tina L Brubaker	1310 Washington Rochester, IN 46975	



**Docket #210664**  
**William Frieden**  
**Development Standard Variance**

William Frieden (#210664) is requesting development standard variance of 4' off of the lake yard setback, for the purpose of a pool, on property located at 3124 Country Club Dr., Rochester, IN., within Lake Residential (R3) district.




In the R3 district the lake yard setback is 10' for an accessory structure. Mr. Frieden would like to construct a 12' x 24' in ground pool on the north side of the home. The pool would sit approximately 6' off of the lake yard. Therefore, a variance of 4' off of the lake yard is being requested.




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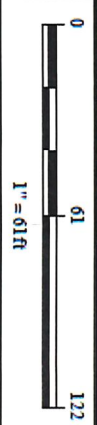
The request is for a development standard variance of 4' off of the lake yard setback, for the purpose of a pool, on property located at 3124 Country Club Dr., Rochester, IN., within Lake Residential (R3) district.





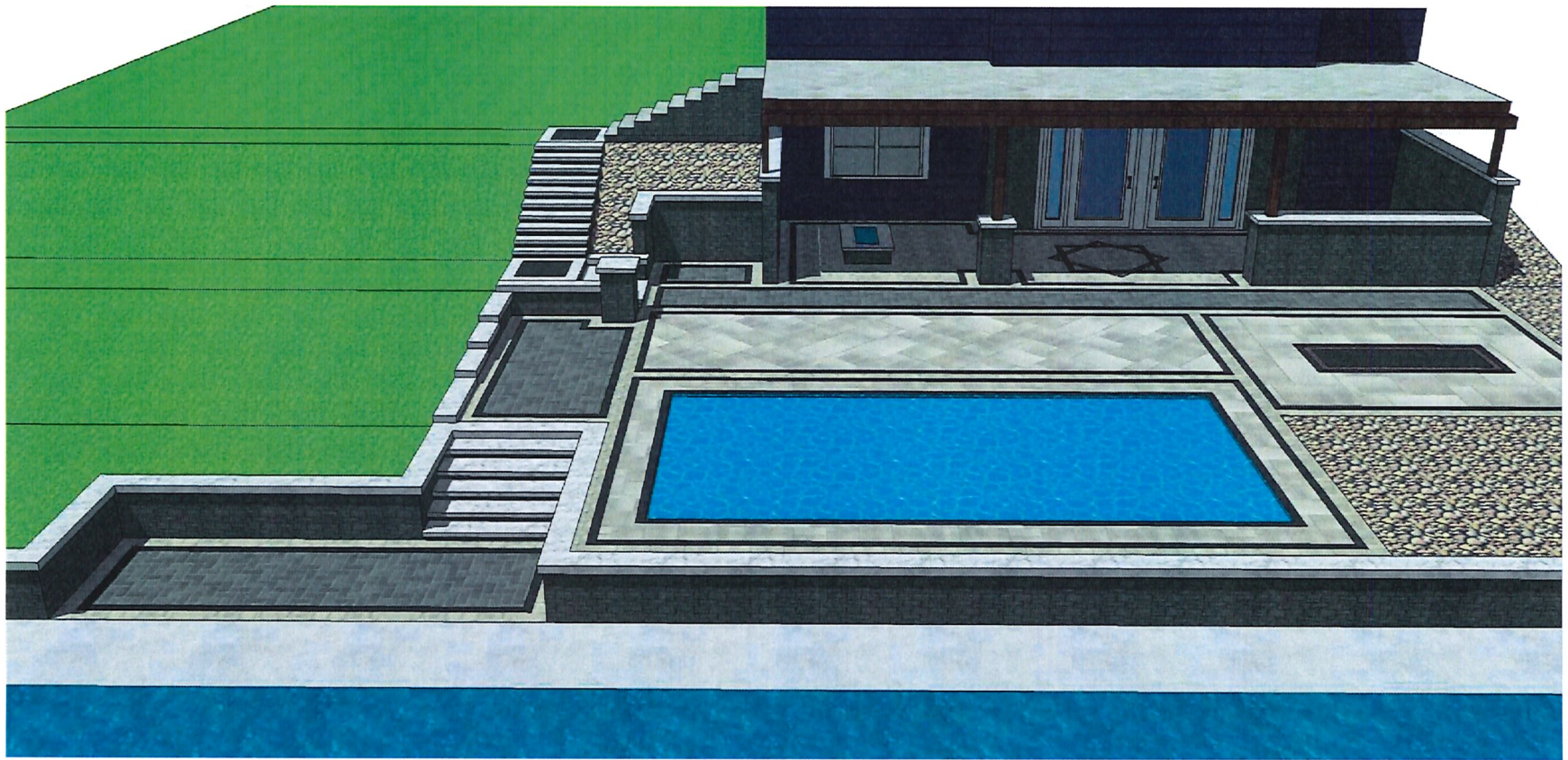
 City Town Boundary  
 Sections  
 Parcels

 Addresses  
 Highways  
 Roads  
 Parcels











## Interested Party Legal Notification

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I the undersigned interested party, do hereby attest that I've read in complete and fully understand the Legal Notice of Public Hearing for A Special Exception Before the Rochester City Board of Zoning Appeals supplied to you by the applicant of said public hearing,

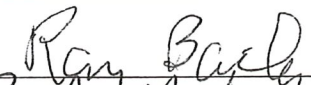
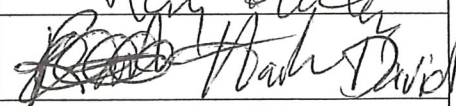


William Frieden  
Docket #210664

Located at: 3124 Country Club Dr., Rochester, IN..

#### *Legal Notification Requires:*

- The legal notice of public hearing is sent via certified return receipt requested mail at least 25 days prior to the public hearing to all interested parties, and the receipts of said action are included in the application's supportive information to the Board; or
- Signatures written on a form supplied by the Plan Commission Office are presented with the application's supportive information to the Plan Commission Office verifying that each interested party received a copy of the Notice of Public Hearing.

The signature of any person on the form is not to be construed as a waiver or consent to the petition, but merely evidence that the person has received notice of the hearing.

NAME	ADDRESS	SIGNATURE
Michael J & Jennifer M Bloomer	700 Cascade Trail San Marcos, TX 78666	
Raymond Bailey	3207 Country Club Dr East Rochester, IN 46975	
David A & Cindy A Harlow	3129 Country Club Dr. E. Rochester, IN 46975	
Larry F Little	425 Avon Ave Plainfield, IN 46168	
Hornstein Gwen TOD Nicholas R Hornstein & Michelle L Hornstein J/T w/Surv	3120 Country Club Dr East Rochester, IN 46975	

## Interested Party Legal Notification

**READ ALL ATTACHED SHEETS PRIOR TO PLACING  
YOUR SIGNATURE ON THIS SHEET**

I the undersigned interested party, do hereby attest that I've read in complete and fully understand the Legal Notice of Public Hearing for A Special Exception Before the Rochester City Board of Zoning Appeals supplied to you by the applicant of said public hearing,

William Frieden  
Docket #210664

Located at: 3124 Country Club Dr., Rochester, IN..

**Legal Notification Requires:**

- The legal notice of public hearing is sent via certified return receipt requested mail at least 25 days prior to the public hearing to all interested parties, and the receipts of said action are included in the application's supportive information to the Board; or
- Signatures written on a form supplied by the Plan Commission Office are presented with the application's supportive information to the Plan Commission Office verifying that each interested party received a copy of the Notice of Public Hearing.

The signature of any person on the form is not to be construed as a waiver or consent to the petition, but merely evidence that the person has received notice of the hearing.

NAME	ADDRESS	SIGNATURE
Michael J & Jennifer M Bloomer	700 Cascade Trail San Marcos, TX 78666	DocuSigned by: <i>Michael J &amp; Jennifer M Bloomer</i> D38D95D8630343D...
Raymond Bailey	3207 Country Club Dr East Rochester, IN 46975	
David A & Cindy A Harlow	3129 Country Club Dr. E. Rochester, IN 46975	
Larry F Little	425 Avon Ave Plainfield, IN 46168	
Hornstein Gwen TOD Nicholas R Hornstein & Michelle L Hornstein J/T w/Surv	3120 Country Club Dr East Rochester, IN 46975	<i>Gwen Hornstein</i>

**Docket #210725**  
**Evan Gottschalk**  
**Development Standard Variance**

Evan Gottschalk (#210725), requesting Development Standard Variance of 3' off of the side yard setback, for the purpose of a utility shed on property located at 1929 Maples Court, Rochester, IN within the residential (R1) District.

In the R1 district the side yard setback for an accessory structure is 5'. Mr. Gottschalk would like to construct a 10' x 16' utility shed on the property which would sit approximately 2' off of the side yard. Therefore, a variance of 3' off of the side yard is being requested.

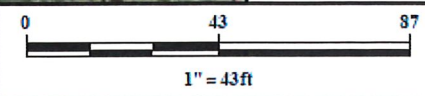
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The request is for a development standard variance of 3' off of the side yard setback, for the purpose of a utility shed, on property located at 1929 Maples Court, Rochester, IN within the residential (R1) District.





- City Town Boundary
- Sections
- Parcels
- Addresses
- Bldg Permits
- ▲ Permits - Accessory
- Highways
- Roads
- Parcels
- Bldg Permits
- Permits - Comm





## Interested Party Legal Notification

### READ ALL ATTACHED SHEETS PRIOR TO PLACING YOUR SIGNATURE ON THIS SHEET

I the undersigned interested party, do hereby attest that I've read in complete and fully understand the Legal Notice of Public Hearing for A Special Exception Before the Rochester City Board of Zoning Appeals supplied to you by the applicant of said public hearing,

Evan Gottschalk  
# 210725

Located at: 1929 Maples Ct, Rochester, IN 46975

#### *Legal Notification Requires:*

- The legal notice of public hearing is sent via certified return receipt requested mail at least 25 days prior to the public hearing to all interested parties, and the receipts of said action are included in the application's supportive information to the Board; or
- Signatures written on a form supplied by the Plan Commission Office are presented with the application's supportive information to the Plan Commission Office verifying that each interested party received a copy of the Notice of Public Hearing.

The signature of any person on the form is not to be construed as a waiver or consent to the petition, but merely evidence that the person has received notice of the hearing.

NAME	ADDRESS	SIGNATURE
David A & Carolyn Griffey	1925 Maples Court Rochester, N 46975	<i>Carolyn Griffey</i>
Joe A & Jacqueline E Murray	1928 Maples Ct Rochester, IN 46975	<i>Joe Murray</i>
Carvey Lester Bruce & Carvey Gloria M	3212 Country Club Dr E Rochester, IN 46975	<i>Gloria Carvey</i>
Charles E & Catherine A Miller	2885 South State Rd 25 Rochester, IN 46975	<i>Charles E. Miller</i> <i>C.A. Miller</i>
Philip E & Smith Donna I Smith	1924 Maples Ct Rochester, IN 46975	<i>Philip E &amp;</i> <i>Donna I Smith</i>

**Docket #210737**  
**Hoffman Investments LLC**  
**Development Standard Variance**

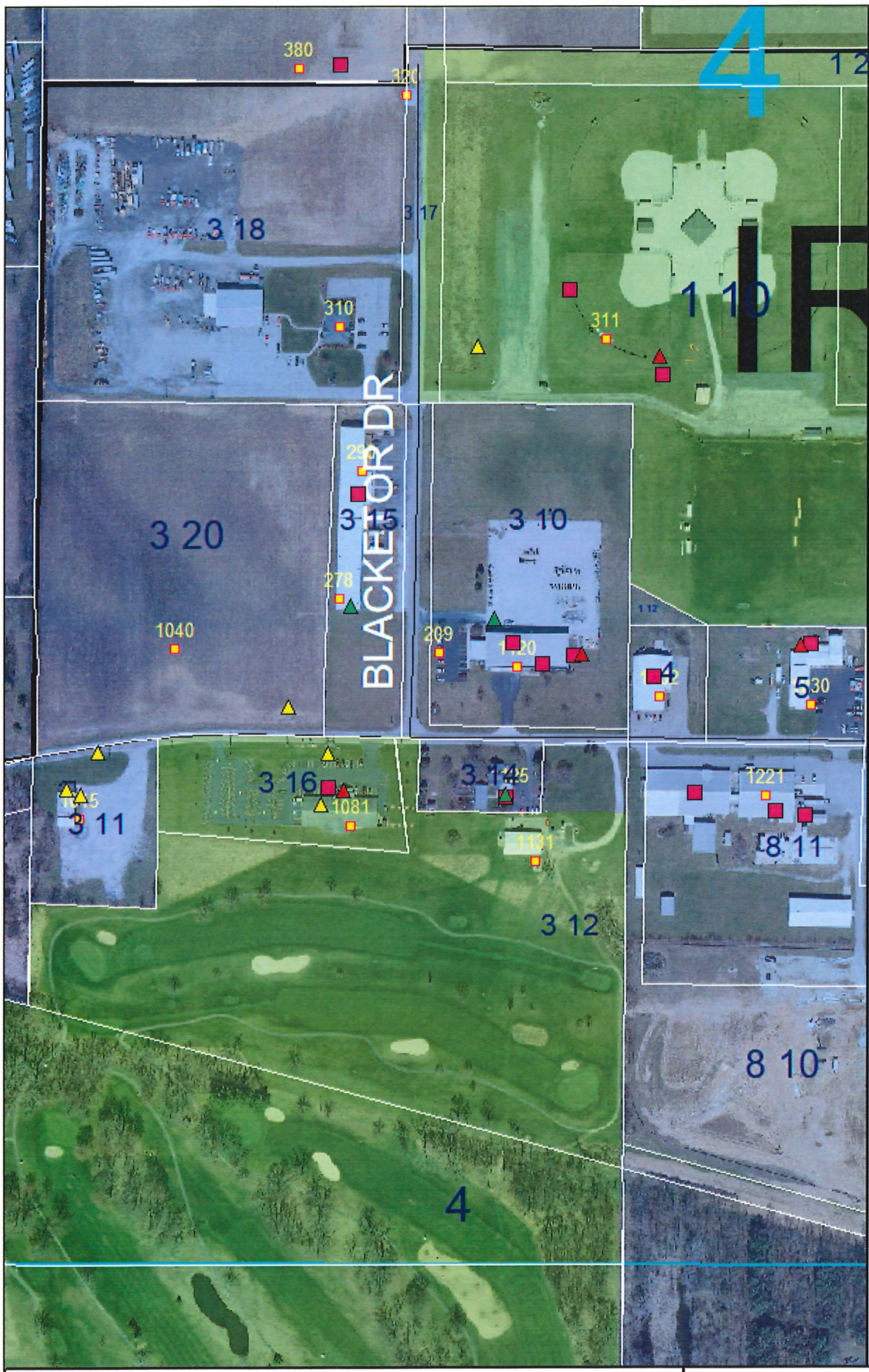
Hoffman Investments LLC (#210737) is requesting development standard variances of 10' off of the side yard setback, 20' off of front yard setbacks and for the purpose of a 192' x 80' building, on property located at 290 Blacketor Dr., Rochester, IN., within Industrial (IN) district.

In the IN district the side yard setback is 25' and front yard setback is 35'. If a property in an IN or IU District is adjacent to any other district other than the IN or IU districts, a buffer shall be installed on the property located in the IN or IU district. An additional 30' of setback shall be required in addition to the normal setback. The property adjacent on the south side is zoned IR, therefore, the additional 30' of setback would be required which would make the front yard setback 65'. Hoffman Investments would like to construct a new building approximately 80' x 192', it would sit approximately 15' off of the west side yard and approximately 45' off of the ROW of 4<sup>th</sup> street. Therefore, a variance off of the side yard setback, front yard setback and buffer yard are being requested.

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Hoffman Investments LLC (#210737) is requesting development standard variances of 10' off of the side yard setback, 20' off of front yard setbacks and buffer yard for the purpose of a 192' x 80' building, on property located at 290 Blacketor Dr., Rochester, IN., within Industrial (IN) district.





**Area Zone Map**  
 Feature Name:

- AG
- HC
- IN
- IR
- MP
- R1

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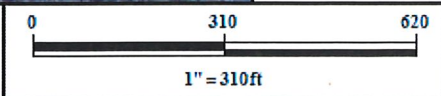
- City Town Boundary
- Sections
- Parcels

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- Addresses
- Bldg Permits
- Permits - Accessory
- Permits - Commercial
- Permits - Signs

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- Sections
- Highways
- Roads
- Parcels
- Dimensions
- Permits - Accessory
- Permits - Commercial









## Interested Party Legal Notification

### READ ALL ATTACHED SHEETS PRIOR TO PLACING YOUR SIGNATURE ON THIS SHEET

I the undersigned interested party, do hereby attest that I've read in complete and fully understand the Legal Notice of Public Hearing for A Special Exception Before the Rochester City Board of Zoning Appeals supplied to you by the applicant of said public hearing,

Hoffman Investment LLC  
# 210737

Located at: 290 Blacketor Dr, IN 46975

#### *Legal Notification Requires:*

- The legal notice of public hearing is sent via certified return receipt requested mail at least 25 days prior to the public hearing to all interested parties, and the receipts of said action are included in the application's supportive information to the Board; or
- Signatures written on a form supplied by the Plan Commission Office are presented with the application's supportive information to the Plan Commission Office verifying that each interested party received a copy of the Notice of Public Hearing.

The signature of any person on the form is not to be construed as a waiver or consent to the petition, but merely evidence that the person has received notice of the hearing.

NAME	ADDRESS	SIGNATURE
E & B Paving Inc	286 W 300 N Anderson IN 46012	Chris Powell
Frank Boley	1044 Spring Bay Rd East Peoria, IL 61611	Green Card Receipt
Manitou Aerie Number 852 Fraternal Order of Eagles Inc	1081 E 4th Street Rochester, IN 46975	Shari Simmons
City Of Rochester	320 Main St Rochester, IN 46975	Paul Hunter
Darrell & Linda Hopkins	1125 E 4th St Rochester, IN 46975	Darrell Hopkins
Rochester Telephone Co Inc	117 W 8th St Rochester, IN 46975	James P. Lat

**Docket #210746**  
**Karen Ortman**  
**Development Standard Variance**

Karen Ortman (#210746) is requesting development standard variance of 2' off of the north side yard and 4' off the south side yard setbacks, for the purpose of a new home, on property located at 2418 Wolfs Point Dr., Rochester, IN., within Lake Residential (R3) district.

In the R3 district the side yard setback is 8'. Mrs. Ortman would like to construct a 27' x 50' home. The new home would sit approximately 6' from the north property line and approximately 4' off of the south property line. Therefore, a variance of 2' off of the north and 4' off of the south is being requested.

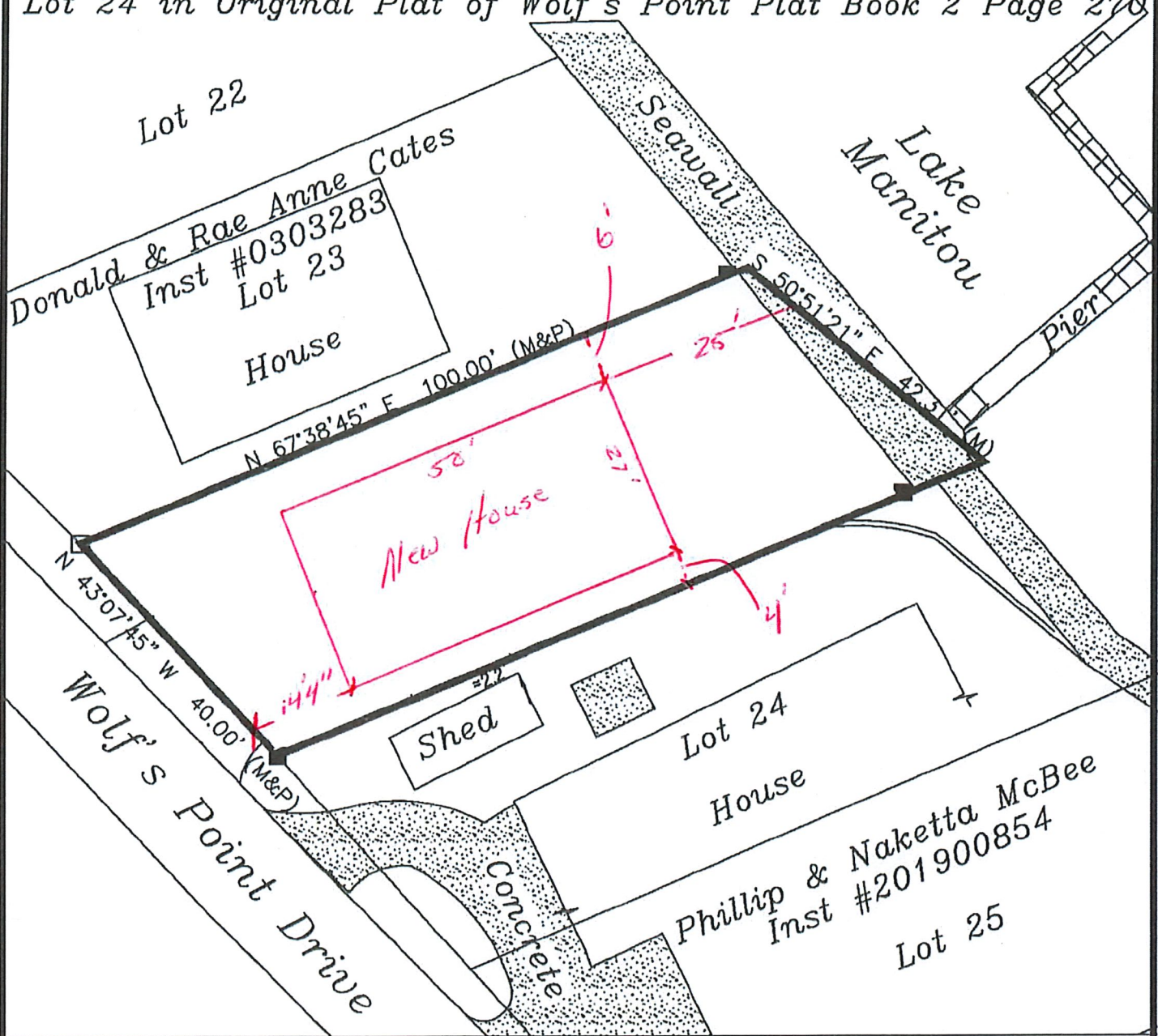
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The request is for a development standard variance of 2' off of the north side yard and 4' off the south side yard setbacks, for the purpose of a new home, on property located at 2418 Wolfs Point Dr., Rochester, IN., within Lake Residential (R3) district.



# Retracement Survey

Lot 24 in Original Plat of Wolf's Point Plat Book 2 Page 270



**LEGAL DESCRIPTION—Inst #202102358**

Lot Number 24 in the Original Plat of Wolf's Point at Lake Manitou as shown on the Plat recorded in Plat Book 2, page 270 of the records of Fulton County, Indiana.

I, SETH A WHITE, AFFIRM UNDER THE PENALTIES FOR PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW.

**SETH WHITE**

**SURVEYOR'S REPORT**

THIS IS A RETRACEMENT SURVEY OF LOT 24 IN ORIGINAL PLAT OF WOLF'S POINT AT LAKE MANITOU. THE PLAT IS POOR WITH SEVERAL ISSUES. THE ROAD IS PLATTED AT 16' WIDE. PREVIOUS SURVEYS AND OTHER DOCUMENTS SHOW IT TO BE 30'. THERE IS NO BEARING SHOWN FOR THE LOT LINES ON THIS PLAT, NOR THE DISTANCE OF THE SIDE CLOSEST TO THE LAKE, WHICH COULD LEAD TO SOME DISCREPANCIES. MONUMENTS WERE FOUND AT THE EXTERIOR CORNERS OF LOT NUMBER 21 (REBARS WITH TIERRY WISS CAP). A CALL WAS PLACED TO PLYMOUTH LAND SURVEYING TO SEE IF THEY COULD SEND A COPY OF THE SURVEY, BUT NOTHING WAS SENT. THE SURVEY WAS NOT RECORDED EITHER. THE MONUMENTS FOUND AT THE WEST END WERE USED TO ESTABLISH THE EAST RIGHT OF WAY OF WOLF'S POINT DRIVE. A REBAR WAS FOUND AND HELD AT THE NORTHWEST CORNER OF THE PROPERTY. THE SOUTHWEST CORNER WAS ESTABLISHED 40' FROM THE NORTH (AS PLATTED) AND IS FOUND 50' NORTH OF THE SOUTH EDGE OF THE CONCRETE ON LOT 26. THE SOUTHEAST CORNER WAS ESTABLISHED AT THE CORNER OF THE SEAWALL SPLIT. THE NORTHEAST CORNER WAS ESTABLISHED ABOUT 40' NORTH OF THE SEAWALL (ON A LINE PARALLEL TO THE WEST LINE OF THE PLAT). THERE IS A SAWCUT IN THE SEAWALL WHERE THE OWNER THOUGHT WAS THE PROPERTY LINE BETWEEN THEM AND THE NORTH ADJOINER. THERE IS ABOUT 4.5" DIFFERENCE FROM THE LINE ESTABLISHED AND THE SAWCUT. MONUMENTS WERE SET AT THE SOUTHWEST CORNER, AND ON THE NORTH AND SOUTH LINES, ABOUT 1' WEST OF THE EXISTING SEAWALL.

IN ACCORDANCE WITH TITLE 85, ARTICLE 1, CHAPTER 12, SECTION 1 THROUGH 10 OF THE INDIANA ADMINISTRATIVE CODE, THE FOLLOWING OBSERVATIONS AND OPINIONS ARE SUBMITTED REGARDING THE VARIOUS UNCERTAINTIES IN THE LOCATION OF THE LINES AND CORNERS ESTABLISHED ON THIS SURVEY AS A RESULT OF:

- A) VARIANCES IN THE REFERENCE MONUMENTS;
- B) DISCREPANCIES IN RECORD DESCRIPTIONS AND PLATS;
- C) INCONSISTENCIES IN LINES OF OCCUPATION;
- D) RANDOM ERRORS IN MEASUREMENTS OF THE CORNERS OF THE SUBJECT TRACT ESTABLISHED THIS SURVEY IS WITHIN THE SPECIFICATIONS FOR A SUBURBAN (0.13 FEET PLUS 100 PARTS PER MILLION) SURVEY. DISCREPANCIES IN MEASUREMENTS ARE SHOWN AS MEASURED (M), PLAT (P), AND RECORDED (R) ON DRAWING. AS A RESULT OF THE ABOVE OBSERVATIONS, IT IS MY OPINION THAT THE UNCERTAINTIES IN THE LOCATION OF THE LINES AND CORNERS ON THIS SURVEY ARE AS FOLLOWS:

DUE TO VARIANCES IN THE REFERENCE MONUMENTS. THERE IS ABOUT 1.5" DIFFERENCE IN THE ESTABLISHED NORTH AND SOUTH LINES AS MENTIONED ABOVE, COMPARED TO WHAT WOULD HAVE BEEN IF TAKEN THE SOUTH LINE OF LOT #21 AND HOLDING THE NORTH AND SOUTH LINES PARALLEL TO SAID LINE ON LOT #21.

DUE TO DISCREPANCIES IN THE RECORD DESCRIPTION, NONE

**LEGEND**

■ Steel Rebar with Cap Set (White)

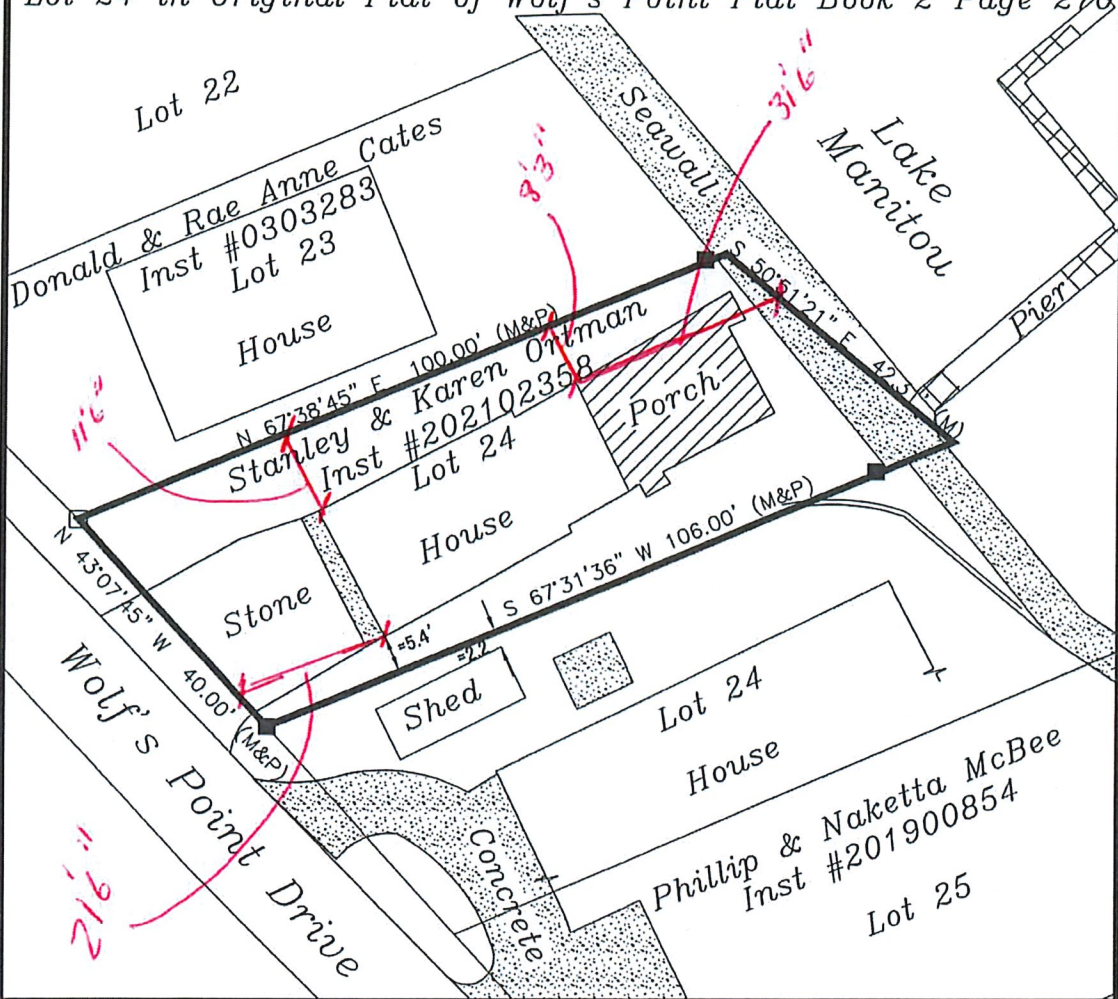




# Retracement Survey

Lot 24 in Original Plat of Wolf's Point Plat Book 2 Page 270

Correct House Set Backs



**LEGAL DESCRIPTION—Inst #202102358**

Lot Number 24 in the Original Plat of Wolf's Point at Lake Manitou as shown on the Plat recorded in Plat Book 2, page 270 of the records of Fulton County, Indiana.

I, SETH A WHITE, AFFIRM UNDER THE PENALTIES FOR PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW.

**SETH WHITE**

**LEGEND**

- Steel Rebar with Cap Set (White)
- Steel Rebar Found



PROPERTY ADDRESS: 2418 Wolf's Point Drive  
Rochester, IN 46975

SURVEY REQUESTED BY: Stanley & Karen Ortman

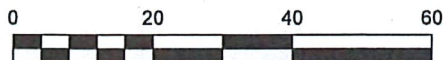
**SURVEYOR'S REPORT**

THIS IS A RETRACEMENT SURVEY OF LOT 24 IN ORIGINAL PLAT OF WOLF'S POINT AT LAKE MANITOU. THE PLAT IS POOR WITH SEVERAL ISSUES: THE ROAD IS PLATTED AT 16' WIDE. PREVIOUS SURVEYS AND OTHER DOCUMENTS SHOW IT TO BE 27'. THERE IS NO BEARING SHOWN FOR THE LOT LINES ON THIS PLAT, NOR THE DISTANCE OF THE SIDE CLOSEST TO THE LAKE, WHICH COULD LEAD TO SOME DISCREPANCIES. MONUMENTS WERE FOUND AT THE EXTERIOR CORNERS OF LOT NUMBER 24 (MARKS WITH TERRY WISS CAP). A CALL WAS PLACED TO PLYMOUTH LAND SURVEYING TO SEE IF THEY COULD SEND A COPY OF THE SURVEY, BUT NOTHING WAS SENT. THE SURVEY WAS NOT RECORDED EITHER. THE MONUMENTS FOUND AT THE WEST END WERE USED TO ESTABLISH THE EAST RIGHT OF WAY OF WOLF'S POINT DRIVE. A REBAR WAS FOUND AND HELD AT THE NORTHWEST CORNER OF THE PROPERTY. THE SOUTHWEST CORNER WAS ESTABLISHED 40' FROM THE NORTH (AS PLATTED) AND IS FOUND 48' NORTH OF THE SOUTH EDGE OF THE CONCRETE ON LOT 24. THE SOUTHEAST CORNER WAS ESTABLISHED AT THE CORNER OF THE SEAWALL SPLIT. THE NORTHEAST CORNER WAS ESTABLISHED ABOUT 40' NORTH OF THE SEAWALL (ON A LINE PARALLEL TO THE WEST LINE OF THE PLAT). THERE IS A SAWCUT IN THE SEAWALL WHERE THE OWNER THOUGHT WAS THE PROPERTY LINE BETWEEN THEM AND THE NORTH ADJOINER. THERE IS A 4.5" DIFFERENCE FROM THE LINE ESTABLISHED AND THE SAWCUT. MONUMENTS WERE SET AT THE SOUTHWEST CORNER, AND ON THE NORTH AND SOUTH LINES, ABOUT 1' WEST OF THE EXISTING SEAWALL.

IN ACCORDANCE WITH TITLE 36, ARTICLE 1, CHAPTER 12, SECTION 1 THROUGH 36 OF THE INDIANA ADMINISTRATIVE CODE, THE FOLLOWING OBSERVATIONS AND OPINIONS ARE SUBMITTED REGARDING THE VARIOUS UNCERTAINTIES IN THE LOCATION OF THE LINES AND CORNERS ESTABLISHED ON THIS SURVEY AS A RESULT OF:

- a) VARIANCES IN THE REFERENCE MONUMENTS;
  - b) DISCREPANCIES IN RECORD DESCRIPTIONS AND PLATS;
  - c) INCONSISTENCIES IN LINES OF OCCUPATION;
  - d) RANDOM ERRORS IN MEASUREMENTS OF THE CORNERS OF THE SUBJECT TRACT ESTABLISHED THIS SURVEY IS WITHIN THE SPECIFICATIONS FOR A SUBURBAN (0.13 FEET PLUS 100 PARTS PER MILLION) SURVEY. DISCREPANCIES IN MEASUREMENTS ARE SHOWN AS MEASURED (M) PLAT (P), AND RECORDED (R) ON DRAWING. AS A RESULT OF THE ABOVE OBSERVATIONS, IT IS MY OPINION THAT THE UNCERTAINTIES IN THE LOCATION OF THE LINES AND CORNERS ON THIS SURVEY ARE AS FOLLOWS:
- DUE TO VARIANCES IN THE REFERENCE MONUMENTS: THERE IS ABOUT 1.5" DIFFERENCE IN THE ESTABLISHED NORTH AND SOUTH LINES AS MENTIONED ABOVE, COMPARED TO WHAT WOULD HAVE BEEN IF TAKEN THE SOUTH LINE OF LOT #21 AND HOLDING THE NORTH AND SOUTH LINES PARALLEL TO SAID LINE ON LOT #21.
- DUE TO DISCREPANCIES IN THE RECORD DESCRIPTION: NONE
- DUE TO INCONSISTENCIES IN THE LINES OF OCCUPATION: NONE

BASIS OF BEARINGS IS TAKEN FROM STATE PLANE COORDINATES USING BR7 GFS.



SETH WHITE SURVEYING, LLC  
7801 SOUTH 1000 WEST,  
KEWANNA, INDIANA 46939  
PHONE: (574) 817-0511  
SETH A. WHITE P.L.S.

DATE: August 20, 2021

PROJECT NUMBER: 210805

SCALE: 1" = 20'

AUTHORIZED BY: Seth White

SHEET 1 OF 1

Job Name: wolfpointortman



I HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF INDIANA AND THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE WITHIN PLAT REPRESENTS A SURVEY MADE UNDER MY SUPERVISION AUGUST 20, 2021 IN ACCORDANCE WITH IAC 36.5, I.1-12. I DO NOT CERTIFY TO THE DETERMINATION OF OWNERSHIP, COMPLIANCE WITH BUILDING AND ZONING RESTRICTIONS OR SUITABILITY OF THE PROPERTY FOR ANY PURPOSE. THIS SURVEY IS SUBJECT TO ANY FACTS THAT MAY BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH.

SIGNATURE: *Seth White*

SETH A WHITE  
IND. REG. NO. 21200024







## Interested Party Legal Notification

### READ ALL ATTACHED SHEETS PRIOR TO PLACING YOUR SIGNATURE ON THIS SHEET

I the undersigned interested party, do hereby attest that I've read in complete and fully understand the Legal Notice of Public Hearing for A Special Exception Before the Rochester City Board of Zoning Appeals supplied to you by the applicant of said public hearing,

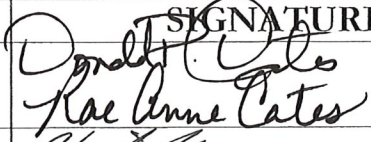
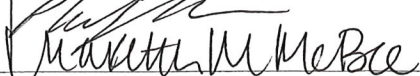
Karen Ortman  
Docket #210746

Located at: 2418 Wolfs Point Dr., Rochester, IN..

#### *Legal Notification Requires:*

- The legal notice of public hearing is sent via certified return receipt requested mail at least 25 days prior to the public hearing to all interested parties, and the receipts of said action are included in the application's supportive information to the Board; or
- Signatures written on a form supplied by the Plan Commission Office are presented with the application's supportive information to the Plan Commission Office verifying that each interested party received a copy of the Notice of Public Hearing.

The signature of any person on the form is not to be construed as a waiver or consent to the petition, but merely evidence that the person has received notice of the hearing.

NAME	ADDRESS	SIGNATURE
Donald & Rae Anne Cates	428 W Brackenridge St Fort Wayne, IN 46802	
Phillip David & Naketta Marie McBee	2420 Wolfe's Point Drive Rochester, IN 46975	





# Fee Summary Paid Totals

08/01/2021 - 08/31/2021

Fee Name	Fee Description	Account Number	Total Amount	Total Fees
<b>Group: 1001.03201.000.0036</b>				
A. County, Akron, & Town of Fulton Residential - Inspection Fee	Enter Number of Inspections	1001.03201.000.0036	\$1,085.60	15
A. County, Akron, & Town of Fulton Residential - Permit Fee		1001.03201.000.0036	\$203.40	16
A-1. COUNTY, AKRON, & TOWN OF FULTON ELECTRICAL PERMIT		1001.03201.000.0036	\$720.00	18
A-2. County, Akron, & Town of Fulton Commercial - Inspection Fee	Enter Number of Inspections	1001.03201.000.0036	\$693.20	3
A-2. County, Akron, & Town of Fulton Commercial - Permit Fee		1001.03201.000.0036	\$375.00	2
			<b>\$3,077.20</b>	<b>54</b>

**Group Total: 5**

**Group: 1001.03203.000.0036**

B. City of Rochester Residential Permit Fee		1001.03203.000.0036	\$147.50	10
B-1. City of Rochester Residential-Inspection Fee	Enter Number of Inspections	1001.03203.000.0036	\$385.00	10

B-2. CITY OF ROCHESTER ELECTRICAL PERMIT		1001.03203.000.0036	\$60.00	3
B-3. City of Rochester Commercial Permit Fee		1001.03203.000.0036	\$102.50	5
B-4. City of Rochester Commercial-Inspection Fee		1001.03203.000.0036	\$440.00	5
			<b>\$1,135.00</b>	<b>33</b>

**Group Total: 5**

**Group: 1001.07101.000.0036**

BZA. Development Standard Variance		1001.07101.000.0036	\$875.00	5
BZA. Special Exception		1001.07101.000.0036	\$175.00	1
ZO. LIP		1001.07101.000.0036	\$1,300.00	26
ZO. Signs	Enter Square Feet	1001.07101.000.0036	\$229.44	2
ZO. Solar Array- Small		1001.07101.000.0036	\$80.00	1
			<b>\$2,659.44</b>	<b>35</b>

**Group Total: 5**

			<b>\$6,871.64</b>	<b>122</b>
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**Total Records: 15**

**9/1/2021**

**Page: 1 of 1**