

***ROCHESTER CITY
BOARD OF ZONING APPEALS***

CITY HALL
COUNCIL CHAMBERS
WEDNESDAY, OCTOBER 27, 2021
6:00 P.M.

CALL TO ORDER

**BOARD OF ZONING APPEALS MINUTES FOR:
SEPTEMBER 22, 2021**

OLD BUSINESS:

NEW BUSINESS:

Lisa Zimmer (#210773)
Abbigail Warpenburg (#210828)

PLAN DIRECTOR REPORT

PUBLIC COMMENTS

BOARD COMMENTS

ADJOURNMENT

**ROCHESTER CITY BOARD OF ZONING APPEALS
SEPTEMBER 22, 2021**

**ROCHESTER CITY
BOARD OF ZONING APPEALS**

Wednesday September 22, 2021

**6:00 P.M.
COUNCIL CHAMBERS
CITY HALL**

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
SEPTEMBER 22, 2021

The Rochester City Board of Zoning Appeals met on Wednesday the 22th day of September 2021, at 6:00 P.M. in the Council Chambers located in the City Hall. Chairperson Duane Border called the meeting to order at 6:00 P.M. The following members were present: Duane Border, 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.

IN RE: MEETING MINUTES

August 25, 2021

Duane Border asked the Board for any deletions, or corrections to be made to the August 25, 2021 minutes. Dan Shafer moved to approve the August 25, 2021 Rochester City Board of Zoning Appeals minutes as written. Paul Zartman seconded the motion. Motion carried as follows: David Roe, Paul Zartman, Teresa Houser, Dan Shafer and Duane Border being in favor and no one opposing.

IN RE: NEW BUSINESS

Ruth DeGroot (#210571)

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.

Duane Border asked petitioner if they had anything further to add.

They did not at this time.

Duane asked for any Board questions.

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

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

Being no one to speak, 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, Paul Zartman, Teresa Houser Dan Shafer and Duane Border being in favor and no one opposing.

Duane asked for Board discussion.

David asked about water runoff.

Mrs. DeGroot stated she would install gutters.

Duane entertained a motion regarding the petition. David Roe moved to approve Ruth DeGroot (#210571) requesting development standard variances of 5' off of the side yard setback and 5' off of the rear yard

ROCHESTER CITY BOARD OF ZONING APPEALS
SEPTEMBER 22, 2021

setback, for the purpose of a 20' x 26' carport, on property located at 1211 Rochester Blvd., within Residential Cluster (R1) district. Teresa Houser 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
Duane Border	Yea

Motion to approve Ruth DeGroot (#210571) 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. Passed with five votes being in favor and no one opposing.

IN RE: NEW BUSINESS William Frieden (#210664)

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.

Duane asked petitioner if they had anything further to add.

He did not at this time.

Duane asked for any Board questions.

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

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

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

Duane asked for Board discussion.

Being no further questions or comments, Duane entertained a motion regarding the petition. David Roe moved to approve 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. Paul Zartman seconded the motion.

**ROCHESTER CITY BOARD OF ZONING APPEALS
SEPTEMBER 22, 2021**

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
Duane Border	Yea

Motion to approve 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. Passed with five votes being in favor and no one opposing.

IN RE: NEW BUSINESS Evan Gottschalk (#210725)

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.

Duane asked petitioner if they had anything further to add.

They did not at this time.

Duane asked the Board for any questions.

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

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

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

Duane asked for Board discussion.

Being no further questions or comments, Duane entertained a motion regarding the petition. David Roe moved to approve 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. Paul Zartman seconded the motion.

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

Dan Shafer	Yea
Teresa Houser	Yea

ROCHESTER CITY BOARD OF ZONING APPEALS
SEPTEMBER 22, 2021

Paul Zartman	Yea
David Roe	Yea
Duane Border	Yea

Motion to approve 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. Passed with five votes being in favor and no one opposing.

IN RE: NEW BUSINESS

Hoffman Investments LLC (#210737)

Hoffman Investments LLC (#210737) is requesting development standard variances of 10' off of the side yard setback, 44' off of front yard setbacks and for the purpose of a 216' 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 216', it would sit approximately 15' off of the west side yard and approximately 45' off of the ROW of 4th street. Therefore, a variance off of the side yard setback, front yard setback and buffer yard are being requested.

Duane asked petitioner if they had anything further to add.

They did not at this time.

Duane asked for any Board questions.

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

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

Being no one to speak, Duane 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, Paul Zartman, Teresa Houser, Dan Shafer and Duane Border being in favor and no one opposing.

Duane asked for Board discussion.

Being no further questions or comments, Duane entertained a motion regarding the petition. David Roe moved to approve Hoffman Investments LLC (#210737) is requesting development standard variances of 10' off of the side yard setback, 44' off of front yard setbacks and for the purpose of a 216' x 80' building, on property located at 290 Blacketor Dr., Rochester, IN., within Industrial (IN) district. Paul Zartman seconded the motion.

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

ROCHESTER CITY BOARD OF ZONING APPEALS
SEPTEMBER 22, 2021

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

Motion to approve, Hoffman Investments LLC (#210737) is requesting development standard variances of 10' off of the side yard setback, 44' off of front yard setbacks and for the purpose of a 216' x 80' building, on property located at 290 Blacketor Dr., Rochester, IN., within Industrial (IN) district. Passed with five votes being in favor and no one opposing.

IN RE: NEW BUSINESS

Karen Ortman (#210746)

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.

Duane asked petitioner if they had anything further to add.

They did not at this time.

Duane asked for any Board questions.

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

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

Being no one to speak, Duane 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, Paul Zartman, Teresa Houser, Dan Shafer and Duane Border being in favor and no one opposing.

Duane asked for Board discussion.

Being no further questions or comments, Duane entertained a motion regarding the petition. David Roe moved to approve 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. Paul Zartman seconded the motion.

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

ROCHESTER CITY BOARD OF ZONING APPEALS
SEPTEMBER 22, 2021

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

Motion to approve, 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. Passed with five votes being in favor and no one opposing.

IN RE: PLAN DIRECTOR'S REPORT

IN RE: ADJOURNMENT

Being no further business to come in front of the Board of Zoning Appeals, Duane Border entertained a motion to adjourn the September 22, 2021 Rochester City Board of Zoning Appeals meeting. David Roe moved to adjourn the September 22, 2021 Rochester City Board of Zoning Appeals meeting at 6:45 P.M. Paul Zartman seconded the motion. Motion carried as follows: David Roe, Paul Zartman, Teresa Houser, Dan Shafer and Duane Border being in favor and no one opposed.

ROCHESTER CITY BOARD OF ZONING APPEALS

ATTEST: _____
Kim Gard, Administrative Secretary

Docket #210773
Lisa Zimmer
Development Standard Variance

Lisa Zimmer (#210773) is requesting development standard variances of 19' off of the lake yard setback and an additional 626 sf of maximum impervious surface, for the purpose of an attached covered deck on property located at, 2526 Wolfs Point Dr., Rochester, IN., within Residential Cluster (R3) district.

In the R3 district the maximum impervious surface cannot be greater than 60% of lot area and the lake yard setback is 25' for a primary structure. Mrs. Zimmer would like to construct a 28' x 19' attached covered deck, which would sit approximately 6' off of the lake side. The total impervious surface allowed is approximately 2476 sf, the existing home and proposed deck would cover approximately 3101sf. Therefore, a variances of an additional 626 sf of maximum impervious surface and 19' off of the lake yard side setback are being requested.

The request is for development standard variances of 19' off of the lake yard setback and an additional 626 sf maximum impervious surface, for the purpose of an attached deck on property located at, 2526 Wolfs Point Dr., Rochester, IN., within Residential Cluster (R3) district.

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,

Lisa Zimmer
210773

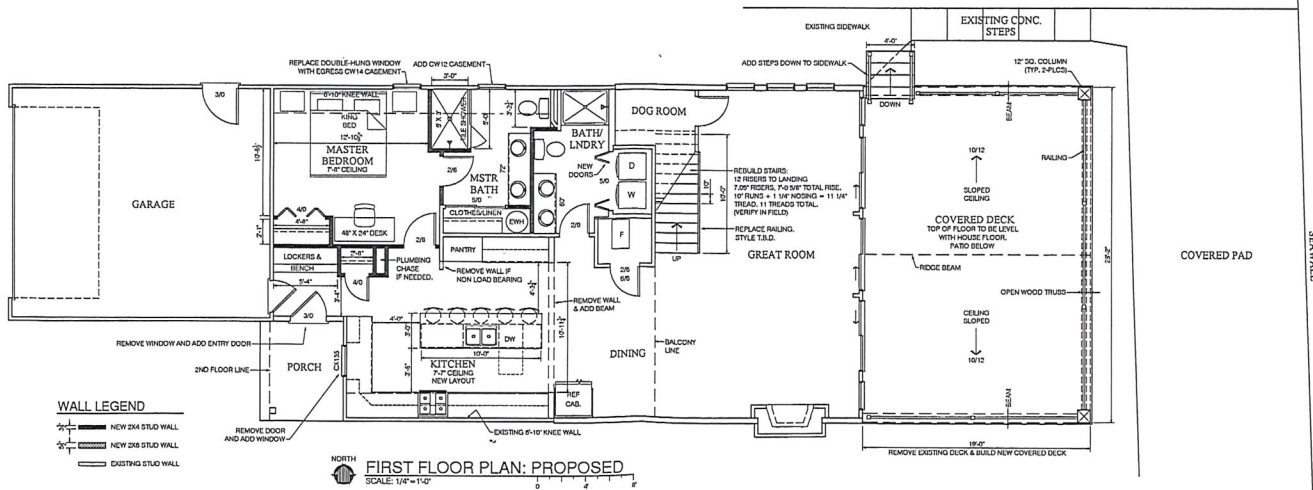
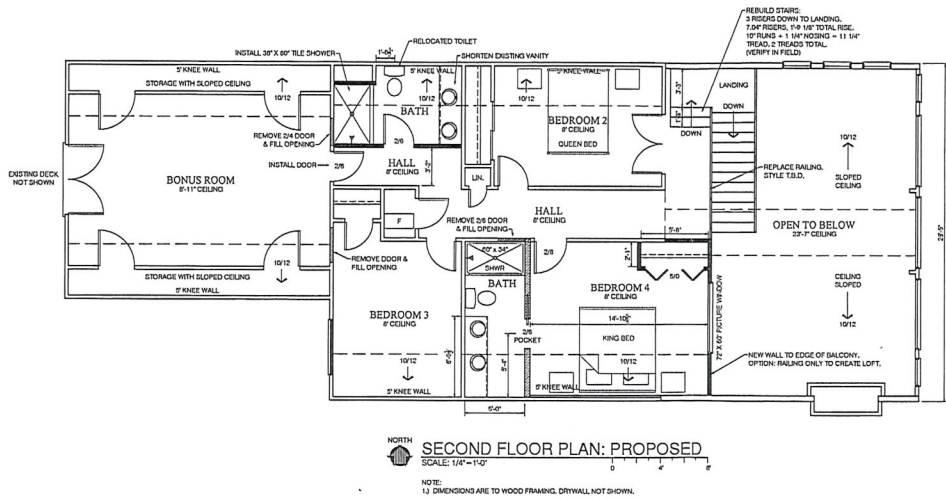
Located at: 2526 Wolfs Point Dr., Rochester, IN 46975

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
Leininger John Randall Trs1/2 Leininger Alona Anne Trst 1/2	2522 Wolfs Point Dr Rochester, IN 46975	Green Card receipt
Collins Kenneth R & Karen	2311 Huddleston Dr Rochester, IN 46975	Green Card receipt
Dunten Dennis S	7758 N SR 29 Frankfort, IN 46041	Green Card receipt

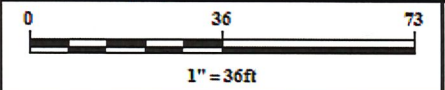


ACCUGAD	
<small>ACCUGAD LLC 2115 S. 13TH AVENUE, SUITE 200 DENVER, CO 80202 TEL: 303.733.1111 WWW.ACCUGAD.COM</small>	
NOTES: 1) ROOMS ARE SHOWN WITH EXISTING FINISHES UNLESS OTHERWISE SHOWN. 2) ALL DIMENSIONS ARE TO FINISH UNLESS OTHERWISE NOTED. 3) SEE ARCHITECTURAL SPECIFICATIONS FOR MATERIALS AND FINISHES. 4) VERIFY ALL DIMENSIONS BEFORE BUILDING. 5) VERIFY WINDOW AND DOOR SIZES.	
DATE: 09-04-2021 DRAWN BY: JAW CHECKED BY: JAW SCALE: AS SHOWN PROJECT NO: 2021-101	SHEET NO: 01 TOTAL SHEETS: 04 PROJECT: 2021-101
FLOOR PLANS: PROPOSED Drawn for: Dustin & Jennifer Westveier Susana Construction	
September 3, 2021 A2	



- Parcels
- City Town Boundary
- Sections
- ROW Presentation
- Peacetree Village - Store Separ

- Bldg Permits
- Parcels
- Highways
- Roads
- Tippecanoe River
- Permits - Commercial
- Bldg Permits



Docket #210828
Abbigail Warpenburg
Development Standard Variance

Abbigail Warpenburg (#210828) is requesting a development standard variance of 10' off of the side yard setback, for the purpose of a new building, located at 412 W 11th St., Rochester, IN., within Residential Cluster (R1) district.

In the R1 district the side yard setback is 10' for a primary structure. Mrs. Warpenburg plans on removing the existing structure on north side of building and would like to construct a 40' x 80' building that would sit approximately less than 1' from the north property line. Therefore, a variance of 10' off of the side yard setback is being requested.

The request is for development standard variance of 10' off of the side yard setback, for the purpose of a new building, located at 412 W 11th St., Rochester, IN., within Residential Cluster (R1) district.

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,


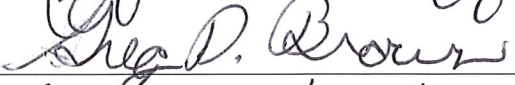

Abbigail Warpenburg
210828

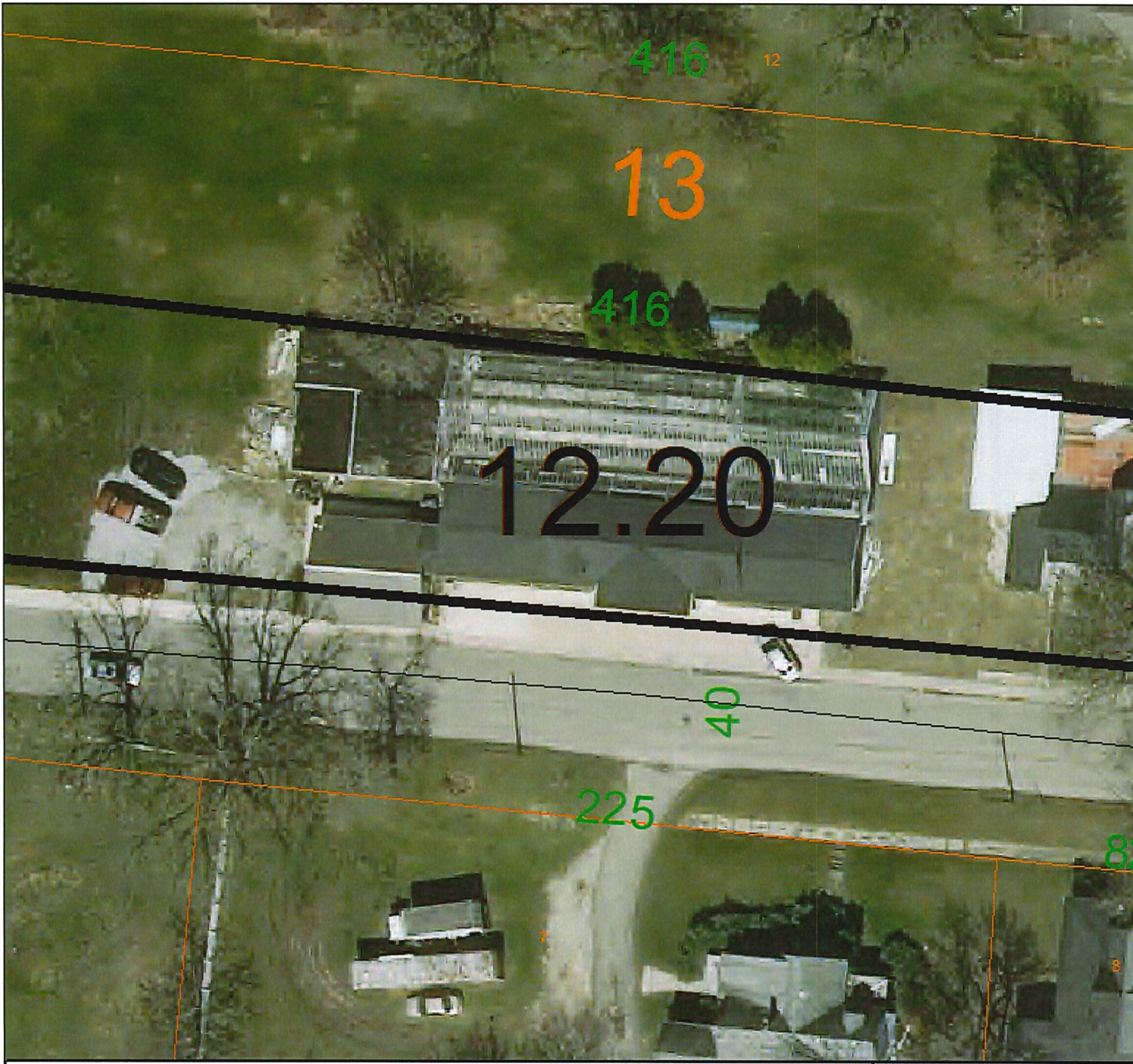
Located at: 412 W 11th St., Rochester, IN 46975

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.

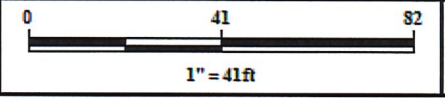
The signature of any person on the form is not to be construed as a waiver or consent to the petition, but merely evidence that the person has received notice of the hearing.

NAME	ADDRESS	SIGNATURE
Heather Shaffer	330 W 11 th St. Rochester IN 46975	
Greg D Brown	524 W 11 th St. Rochester IN 46975	
Tracey L & Paul Schaeffner	411 W 11 th St Rochester IN 46975	
Rebecca L Wagner <i>gmx</i>	401 W 11 th St Rochester IN 46975	Green Card
David Kevin & Robin L <i>gmx</i>	630 Bailey Ln Rochester IN 46975	Green Card
Edna S Smith C/O Robert Smith	411 W 11 th St Rochester IN 46975	Deceased



- Parcels
- City Town Boundary
- Sections
- Peacetree Village - Store Separ

- Parcels
- Highways
- Roads
- Tippecanoe River





Fee Summary Paid Totals

09/01/2021 - 09/30/2021

Fee Name	Fee Description	Account Number	Total Amount	Total Fees
Group: 1001.03201.000.0036				
A. County, Akron, & Town of Fulton Residential - Inspection Fee	Enter Number of Inspections	1001.03201.000.0036	\$2,912.60	23
A. County, Akron, & Town of Fulton Residential - Permit Fee		1001.03201.000.0036	\$724.97	23
A-1. COUNTY, AKRON, & TOWN OF FULTON ELECTRICAL PERMIT		1001.03201.000.0036	\$360.00	9
A-2. County, Akron, & Town of Fulton COMMERCIAL - Inspection Fee	Enter Number of Inspections	1001.03201.000.0036	\$480.00	4
A-2. County, Akron, & Town of Fulton COMMERCIAL-Permit Fee		1001.03201.000.0036	\$280.50	4
			\$4,758.07	63

Group Total: 5

Group: 1001.03203.000.0036

B. City of Rochester Residential Permit Fee		1001.03203.000.0036	\$386.35	13
B-1. City of Rochester Residential-Inspection Fee	Enter Number of Inspections	1001.03203.000.0036	\$592.70	13
B-2. CITY OF		1001.03203.000.0036	\$80.00	4

ROCHESTER ELECTRICAL PERMIT				
			\$1,059.05	30

Group Total: 3

Group: 1001.07101.000.0036

BZA. Development Standard Variance		1001.07101.000.0036	\$1,225.00	7
BZA. Special Exception		1001.07101.000.0036	\$175.00	1
PC. Zone Map Amendment		1001.07101.000.0036	\$500.00	1
ZO. LIP		1001.07101.000.0036	\$1,800.00	36
ZO. Signs	Enter Square Feet	1001.07101.000.0036	\$597.00	6
			\$4,297.00	51

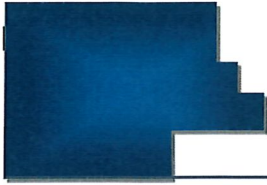
Group Total: 5

			\$10,114.12	144
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Total Records: 13

Page: 1 of 1

10/1/2021



Fulton County Area Plan Commission

125 East 9th Street, Suite 012 - Rochester, IN 46975

Phone: (574) 223-7667 Fax: (574) 223-3652

www.co.fulton.in.us

Entity Fee

09/01/2021 - 09/30/2021

Fee Date	Account Number	Contractor Name	Fee Name	Paid By	Fee Amount	Payment Type	Payment Date	Receipt #
9/24/2021	1001.03203.000.0036	Bell Plumbing	Plumbing Registration Fee	applicant	25.00	Card	9/24/2021	82
					25.00			

Total Records: 1

10/1/2021

Page: 1 of 1